



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
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House Amendment 8640

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1 1 Amend House File 2531, as amended, passed, and
 1 2 reprinted by the House, as follows:
 1 3 #1. Page 4, line 6, by striking <and area education
 1 4 agency>
 1 5 #2. Page 4, by striking lines 8 through 13 and
 1 6 inserting:
 1 7 <Sec. ____ . INSTRUCTIONAL SUPPORT STATE AID ==
 1 8 APPROPRIATION. In lieu of the appropriation provided
 1 9 in section 257.20, there is appropriated from the
 1 10 school infrastructure fund created in section 12.82,
 1 11 subsection 1, to the department of education for the
 1 12 fiscal year beginning July 1, 2010, and ending June 30,
 1 13 2011, the following amount, or so much thereof as is
 1 14 necessary, to be used for the purposes designated:
 1 15 For paying instructional support state aid for
 1 16 fiscal year 2010=2011:
 1 17 \$ 7,500,000
 1 18 Notwithstanding section 257.20, subsection 3, the
 1 19 appropriation made in this lettered paragraph shall
 1 20 be allocated in the same manner as the allocation of
 1 21 the appropriation was made for the same purpose in the
 1 22 previous fiscal year.>
 1 23 #3. Page 6, after line 29 by inserting:
 1 24 <Sec. ____ . Section 257.35, subsection 5, Code
 1 25 Supplement 2009, is amended to read as follows:
 1 26 5. Notwithstanding subsection 1, and in addition to
 1 27 the reduction applicable pursuant to subsection 2, the
 1 28 state aid for area education agencies and the portion
 1 29 of the combined district cost calculated for these
 1 30 agencies for each fiscal year of the fiscal period
 1 31 beginning July 1, 2008, and ending June 30, ~~2010~~ 2011,
 1 32 shall be reduced by the department of management by two
 1 33 million five hundred thousand dollars. The reduction
 1 34 for each area education agency for each fiscal year of
 1 35 the fiscal period beginning July 1, 2008, and ending
 1 36 June 30, ~~2010~~ 2011, shall be prorated based on the
 1 37 reduction that the agency received in the fiscal year
 1 38 beginning July 1, 2003.>
 1 39 #4. Page 10, line 20, by striking <may> and
 1 40 inserting <shall not>
 1 41 #5. Page 13, line 21, after <officer,> by inserting
 1 42 <state debt coordinator,>
 1 43 #6. Page 28, after line 7 by inserting:
 1 44 <Sec. ____ . 2010 Iowa Acts, Senate File 2366,
 1 45 section 16, if enacted, is amended to read as follows:
 1 46 SEC. 16. EFFECTIVE DATE == APPLICABILITY. ~~This~~
 1 47 ~~section~~ The sections of this division of this Act
 1 48 providing for transfers involving the college student
 1 49 aid commission and the department of inspections and
 1 50 appeals are retroactively applicable to December 14,



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2 1 2009, and apply in lieu of the transfers made for the
 2 2 same purposes by the executive branch, as reported by
 2 3 the department of management in the transfer notices
 2 4 dated December 14, 2009.>
 2 5 #7. Page 29, after line 30 by inserting:
 2 6 <____. The section of this division of this Act
 2 7 amending 2010 Iowa Acts, Senate File 2366, section 16.>
 2 8 #8. Page 30, after line 8 by inserting:
 2 9 <Sec. _____. DEPARTMENT OF CULTURAL AFFAIRS ==
 2 10 MERCHANT MARINE BONUS FUND. There is appropriated
 2 11 from the merchant marine bonus fund of the state to
 2 12 the department of cultural affairs for the fiscal year
 2 13 beginning July 1, 2010, and ending June 30, 2011, any
 2 14 moneys remaining in the fund after the appropriation
 2 15 made pursuant to 2010 Iowa Acts, House File 2526,
 2 16 to be used for any costs relating to a study of the
 2 17 U.S.S. Iowa and for departmental salaries, support,
 2 18 maintenance, and miscellaneous purposes.
 2 19 Notwithstanding section 8.33, moneys appropriated in
 2 20 this section that remain unencumbered or unobligated
 2 21 at the close of the fiscal year shall not revert but
 2 22 shall remain available for expenditure for the purposes
 2 23 designated until the close of the succeeding fiscal
 2 24 year.>
 2 25 #9. Page 30, after line 8 by inserting:
 2 26 <Sec. _____. IOWA COMPREHENSIVE PETROLEUM UNDERGROUND
 2 27 STORAGE TANK FUND == APPROPRIATIONS. There is
 2 28 appropriated from the Iowa comprehensive petroleum
 2 29 underground storage tank fund created in section 455G.3
 2 30 to the following departments and agencies for the
 2 31 fiscal year beginning July 1, 2010, and ending June
 2 32 30, 2011, the following amounts, or so much thereof as
 2 33 is necessary, to be used for the purposes designated,
 2 34 notwithstanding section 455G.3, subsection 1:
 2 35 1. DEPARTMENT OF PUBLIC HEALTH == BOARD OF PHARMACY
 2 36 a. For support of the Iowa pharmacy recovery
 2 37 network:
 2 38 \$ 100,000
 2 39 b. For continuation of the pharmaceutical
 2 40 collection and disposal pilot program established
 2 41 pursuant to 2009 Iowa Acts, chapter 175, section 9:
 2 42 \$ 150,000
 2 43 2. DEPARTMENT OF ADMINISTRATIVE SERVICES
 2 44 For costs associated with providing autism spectrum
 2 45 disorders coverage pursuant to section 514C.26, as
 2 46 enacted by this Act:
 2 47 \$ 140,000
 2 48 3. STATE BOARD OF REGENTS
 2 49 a. For the state school for the deaf:
 2 50 \$ 233,000



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3 1 b. For Iowa braille and sight saving school:
3 2 \$ 137,000
3 3 4. DEPARTMENT OF EDUCATION == VOCATIONAL
3 4 REHABILITATION SERVICES DIVISION
3 5 For a program for farmers with disabilities:
3 6 \$ 97,000
3 7 The funds appropriated in this subsection shall
3 8 be used for the public purpose of providing a grant
3 9 to a national nonprofit organization with over 80
3 10 years of experience in assisting children and adults
3 11 with disabilities and special needs. The funds shall
3 12 be used for a nationally recognized program that
3 13 began in 1986 and has been replicated in at least 30
3 14 other states, but which is not available through any
3 15 other entity in this state, that provides assistance
3 16 to farmers with disabilities in all 99 counties to
3 17 allow the farmers to remain in their own homes and
3 18 be gainfully engaged in farming through provision
3 19 of agricultural worksite and home modification
3 20 consultations, peer support services, services to
3 21 families, information and referral, and equipment
3 22 loan services. Notwithstanding section 8.33, moneys
3 23 appropriated in this section that remain unencumbered
3 24 or unobligated at the close of the fiscal year shall
3 25 not revert but shall remain available for expenditure
3 26 for the purposes designated until the close of the
3 27 succeeding fiscal year.>
3 28 ____. DEPARTMENT OF HUMAN SERVICES
3 29 For restoring for the fiscal year beginning July 1,
3 30 2010, a portion of the reimbursement rate reduction
3 31 that was applied in the previous fiscal year to
3 32 adoption, family foster care, group foster care, and
3 33 supervised apartment living services providers, to
3 34 implement appropriations reductions applied pursuant to
3 35 executive order number 19 issued October 8, 2010:
3 36 \$ 1,000,000
3 37 The department shall increase the reimbursement
3 38 rates otherwise specified in 2010 Iowa Acts, House File
3 39 2526, if enacted, for the designated services providers
3 40 by an equal percentage in order to fully utilize the
3 41 amount appropriated in this subsection.
3 42 5. DEPARTMENT OF COMMERCE == DIVISION OF INSURANCE
3 43 For costs associated with establishing the Iowa
3 44 insurance information exchange pursuant to section
3 45 505.32, if enacted by 2010 Iowa Acts, Senate File 2356:
3 46 \$ 150,000
3 47 #10. Page 30, after line 8 by inserting:
3 48 <Sec. _____. FISCAL YEAR 2009=2010 ==
3 49 APPROPRIATIONS. There is appropriated from the
3 50 general fund of the state to the following departments



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4 1 and agencies for the fiscal year beginning July 1,
 4 2 2009, and ending June 30, 2010, the following amounts,
 4 3 or so much thereof as is necessary, to be used for the
 4 4 purposes designated:
 4 5 1. DEPARTMENT OF MANAGEMENT
 4 6 For salaries, support, maintenance, and
 4 7 miscellaneous purposes:
 4 8 \$ 200,000
 4 9 2. DEPARTMENT OF REVENUE
 4 10 For the duties of the office of the state debt
 4 11 coordinator established in 2010 Iowa Acts, Senate
 4 12 File 2383, if enacted, including salaries, support,
 4 13 maintenance, services, advertising, miscellaneous
 4 14 purposes, and for not more than the following full-time
 4 15 equivalent positions:
 4 16 \$ 300,000

.....
 4 17 3.00

4 18 For the period beginning on the effective date of
 4 19 the section establishing the debt amnesty program in
 4 20 2010 Iowa Acts, Senate File 2383, through November 30,
 4 21 2010, or when the program is ended, whichever is later,
 4 22 an amount of the proceeds collected by the program
 4 23 equal to the administrative, advertising, and other
 4 24 costs of the program shall be considered repayment
 4 25 receipts, as defined in section 8.2, and shall be used
 4 26 by the office of the state debt coordinator for those
 4 27 costs.

4 28 Notwithstanding section 8.33, moneys appropriated in
 4 29 this section that remain unencumbered or unobligated
 4 30 at the close of the fiscal year shall not revert but
 4 31 shall remain available for expenditure for the purposes
 4 32 designated until the close of the succeeding fiscal
 4 33 year.>

4 34 #11. Page 30, after line 21 by inserting:

4 35 <Sec. ____ . SCHOOL READY CHILDREN GRANT
 4 36 REQUIREMENT. For the fiscal year beginning July 1,
 4 37 2010, and ending June 30, 2011, the early childhood
 4 38 Iowa state board may grant a school ready children
 4 39 grant waiver as to the required percentage of family
 4 40 support program to be committed to a home visitation
 4 41 component to an early childhood Iowa area that is
 4 42 funding the teaching interventions to empower and
 4 43 strengthen families program and is more than 10 percent
 4 44 away from meeting the required percentage.>

4 45 #12. Page 30, after line 21 by inserting:

4 46 <Sec. ____ . MEDICAID FRAUD ACCOUNT == DEPARTMENT OF
 4 47 INSPECTIONS AND APPEALS. There is appropriated from
 4 48 the Medicaid fraud account created in section 249A.7
 4 49 to the department of inspections and appeals for the
 4 50 fiscal year beginning July 1, 2010, and ending June 30,



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5 1 2011, the following amount or so much thereof as is
 5 2 necessary, to be used for the purposes designated:
 5 3 For salaries, support, maintenance, miscellaneous
 5 4 purposes, administration, and other costs associated
 5 5 with implementation of 2010 Iowa Acts, Senate File
 5 6 2333, if enacted:
 5 7 \$ 250,000>
 5 8 #13. Page 30, after line 21 by inserting:
 5 9 <Sec. _____. TAIWAN TRADE OFFICE == IOWA
 5 10 COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE
 5 11 TANK FUND. There is appropriated from the Iowa
 5 12 comprehensive petroleum underground storage tank fund
 5 13 to the department of economic development for the
 5 14 fiscal year beginning July 1, 2010, and ending June 30,
 5 15 2011, the following amount, or so much thereof as is
 5 16 necessary, to be used for the purposes designated:
 5 17 Notwithstanding section 455G.3, subsection 1, for
 5 18 establishing a trade office in Taipei, Taiwan:
 5 19 \$ 100,000
 5 20 If the department cannot arrange for matching moneys
 5 21 from another source in an amount at least equal to
 5 22 the appropriation made in this section, the moneys
 5 23 appropriated in this section shall revert to the Iowa
 5 24 comprehensive petroleum underground storage tank fund.>
 5 25 #14. Page 30, after line 21 by inserting:
 5 26 <Sec. _____. INSURANCE DIVISION. There is
 5 27 appropriated from the department of commerce revolving
 5 28 fund created in section 546.12 to the insurance
 5 29 division of the department of commerce for the fiscal
 5 30 year beginning July 1, 2010, and ending June 30,
 5 31 2011, the following amount, or so much thereof as is
 5 32 necessary, to be used for the purposes designated:
 5 33 For salaries, support, maintenance, miscellaneous
 5 34 purposes, and for not more than the following full-time
 5 35 equivalent positions:
 5 36 \$ 55,000
 5 37 FTEs 1.00>
 5 38 #15. Page 30, after line 33 by inserting:
 5 39 <_____. DEPARTMENT OF EDUCATION
 5 40 a. To provide funding in addition to the amount
 5 41 appropriated in 2010 Iowa Acts, Senate File 2376,
 5 42 section 6, subsection 14, for allocation to eligible
 5 43 school districts for the four-year-old preschool
 5 44 program under chapter 256C:
 5 45 \$ 4,000,000
 5 46 b. For school districts to provide direct
 5 47 services to the most at-risk senior high school
 5 48 students enrolled in school districts through direct
 5 49 intervention by a jobs for America's graduates
 5 50 specialist:



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6 1 \$ 540,000
6 2 _____. DEPARTMENT OF NATURAL RESOURCES
6 3 For operations, notwithstanding restrictions
6 4 otherwise applicable under 2010 Iowa Acts, House File
6 5 2525, relating to private buildings, if enacted:
6 6 \$ 300,000
6 7 _____. DEPARTMENT OF HUMAN SERVICES
6 8 For funding of shelter care in addition to the
6 9 amount allocated for this purpose in the appropriation
6 10 for child and family services in 2010 Iowa Acts, House
6 11 File 2526, if enacted:
6 12 \$ 500,000
6 13 _____. OFFICE OF ENERGY INDEPENDENCE
6 14 For deposit in the Iowa power fund:
6 15 \$ 2,000,000>
6 16 #16. Page 30, after line 33 by inserting:
6 17 <____. IOWA FINANCE AUTHORITY
6 18 a. To a county with a population between 189,000
6 19 and 196,000 in the last preceding certified federal
6 20 census for rehabilitation of a flood damaged public
6 21 service center:
6 22 \$ 4,500,000
6 23 b. To a city with a population between 120,500
6 24 and 120,800 in the last preceding certified federal
6 25 census for rehabilitation and renovation of a federal
6 26 courthouse and to meet federal flood mitigation
6 27 standards:
6 28 \$ 2,100,000>
6 29 #17. Page 31, line 18, after <agreement> by
6 30 inserting <executed on or before December 31, 2011>
6 31 #18. Page 31, line 22, after <subsection 8,> by
6 32 inserting <for its facilities described in section
6 33 327F.2 governed by the written agreement>
6 34 #19. Page 31, after line 23 by inserting:
6 35 <Sec. _____. RENEWABLE BIOMASS. It is the intent of
6 36 the general assembly that the Iowa power fund board
6 37 and the department of economic development use moneys
6 38 appropriated to the Iowa power fund and the department
6 39 of economic development to encourage projects utilizing
6 40 biomass made from renewable biomass to produce inputs
6 41 for agricultural purposes that replace products that
6 42 are produced using fossil fuels as the raw materials.
6 43 The projects shall include but not be limited to
6 44 products such as anhydrous ammonia.>
6 45 #20. Page 31, after line 23 by inserting:
6 46 <Sec. _____. DEPARTMENT OF CULTURAL AFFAIRS. The
6 47 department of cultural affairs, in its capacity as the
6 48 state historic preservation officer and consulting
6 49 party for the purpose of satisfying the requirements of
6 50 the federal National Historic Preservation Act, shall



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7 1 be no more restrictive than the federal agency for
7 2 which it is acting as such consulting party.>
7 3 #21. Page 32, after line 14 by inserting:
7 4 <Sec. ____ . PUBLIC LIBRARY SUPPORT LEVY == ELECTION
7 5 DATE.
7 6 1. Notwithstanding the election date required under
7 7 section 384.12, subsections 1 and 21, a city may submit
7 8 a proposition relating to a public library property
7 9 tax levy to the electorate on a date specified in
7 10 section 39.2, subsection 4, paragraph "b", if all of
7 11 the following conditions are met:
7 12 a. The city is located in whole or in part in an
7 13 area that the governor proclaimed a disaster emergency
7 14 or the president of the United States declared a major
7 15 disaster, as the result of a natural disaster occurring
7 16 during the period of time beginning May 1, 2008, and
7 17 ending August 1, 2008.
7 18 b. The city contains a public library that was
7 19 damaged by the natural disaster described in paragraph
7 20 "a".
7 21 2. An election under subsection 1 shall be held not
7 22 later than August 2, 2011.>
7 23 #22. Page 32, after line 14 by inserting:
7 24 <Sec. ____ . MH/MR/DD SERVICES FUND
7 25 TRANSFER. Notwithstanding section 331.424A,
7 26 subsection 5, and section 331.432, subsection 3, for
7 27 the fiscal year beginning July 1, 2010, and ending
7 28 June 30, 2011, a county may transfer moneys from other
7 29 funds of the county to the county's mental health,
7 30 mental retardation, and developmental disabilities
7 31 services fund created in section 331.424A. A county
7 32 transferring moneys from other funds of the county to
7 33 the county's services fund pursuant to this section
7 34 shall submit a report detailing the transfers made and
7 35 funds affected. The county shall submit the report
7 36 along with the county expenditure and information
7 37 report submitted by December 1, 2010, in accordance
7 38 with section 331.439.>
7 39 #23. Page 32, after line 27 by inserting:
7 40 <Sec. ____ . LIMITED LIABILITY COMPANIES == BIENNIAL
7 41 REPORTS.
7 42 1. The biennial report fee, as determined by
7 43 the secretary of state in accordance with section
7 44 490A.1320, subsection 1, received for reports filed
7 45 on or after July 1, 2006, shall be credited to the
7 46 general fund of the state. The biennial report fee
7 47 shall be due at the time the report is filed. On or
7 48 after July 1, 2006, such biennial reports shall be
7 49 due in even-numbered calendar years during the period
7 50 beginning January 1, and ending April 1, and shall



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8 1 contain information relating to the two-year period
8 2 immediately preceding the calendar year in which the
8 3 report is filed.

8 4 2. a. This section, being deemed of immediate
8 5 importance, takes effect upon enactment and applies
8 6 retroactively to July 1, 2006.

8 7 b. A limited liability company that has not filed
8 8 the biennial report for 2008 or 2010 shall file such
8 9 report on or before June 30, 2010.>

8 10 #24. Page 35, line 26, before <As> by inserting <1.>
8 11 #25. Page 36, after line 15 by inserting:

8 12 <2. Parties who by agreement are utilizing a
8 13 cooperative alternative bargaining process shall, at
8 14 the outset of such process, agree upon a method and
8 15 schedule for the completion of impasse procedures
8 16 should they fail to reach a collective bargaining
8 17 agreement through the use of such alternative
8 18 bargaining process.>

8 19 #26. Page 38, after line 11 by inserting:

8 20 <Sec. ____ . Section 123.30, subsection 3, paragraph
8 21 e, subparagraph (1), Code Supplement 2009, is amended
8 22 to read as follows:

8 23 (1) A class "E" liquor control license may be
8 24 issued and shall authorize the holder to purchase
8 25 alcoholic liquor from the division only and high
8 26 alcoholic content beer from a class "AA" beer permittee
8 27 only and to sell the alcoholic liquor and high
8 28 alcoholic content beer to patrons for consumption
8 29 off the licensed premises and to other liquor control
8 30 licensees. A class "E" license shall not be issued
8 31 to premises at which gasoline is sold. A holder of
8 32 a class "E" liquor control license may hold other
8 33 retail liquor control licenses or retail wine or beer
8 34 permits, but the premises licensed under a class "E"
8 35 liquor control license shall be separate from other
8 36 licensed premises, though the separate premises may
8 37 have a common entrance. However, the holder of a class
8 38 "E" liquor control license may also hold a class "B"
8 39 wine or class "C" beer permit or both for the premises
8 40 licensed under a class "E" liquor control license.>

8 41 #27. Page 38, by striking lines 12 through 28 and
8 42 inserting:

8 43 <Sec. ____ . Section 155A.6A, subsection 3, Code
8 44 2009, is amended to read as follows:

8 45 3. a. Beginning ~~July 1, 2009~~ December 31, 2012,
8 46 a person who is in the process of acquiring national
8 47 certification as a pharmacy technician and who is
8 48 in training to become a pharmacy technician shall
8 49 register with the board as a pharmacy technician. The
8 50 registration shall be issued for a period not to exceed



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9 1 one year and shall not be renewable.
9 2 b. A person who is registered as a pharmacy
9 3 technician or a pharmacy technician trainee prior
9 4 to January 1, 2010, who has worked as a pharmacy
9 5 technician or pharmacy technician trainee for a minimum
9 6 of two thousand hours in the previous eighteen months
9 7 under the direction of a licensed pharmacist shall
9 8 have until December 31, 2013, to attain certification
9 9 pursuant to this section. The supervising pharmacist
9 10 shall be responsible for verifying with the Iowa board
9 11 of pharmacy that any person affected by this paragraph
9 12 continues to have a minimum of two thousand hours of
9 13 supervised training in any eighteen-month period of
9 14 time between January 1, 2010, and December 31, 2013.>
9 15 #28. Page 39, after line 18 by inserting:
9 16 <Sec. _____. Section 237.3, subsection 2, paragraph
9 17 f, Code Supplement 2009, is amended to read as follows:
9 18 f. Housing, health, safety, and medical care
9 19 policies for children receiving child foster care. The
9 20 medical care policies shall include but are not limited
9 21 to all of the following:
9 22 (1) Provision by the department to the foster care
9 23 provider at or before the time of a child's placement
9 24 of the child's health records and any other information
9 25 possessed or known about the health of the child or
9 26 about a member of the child's family that pertains to
9 27 the child's health.
9 28 (2) If the health records supplied in accordance
9 29 with the child's case permanency plan to the foster
9 30 care provider are incomplete or the provider requests
9 31 specific health information, provision for obtaining
9 32 additional health information from the child's
9 33 parent or other source and supplying the additional
9 34 information to the foster care provider.
9 35 (3) Provision for emergency health coverage of
9 36 the child while the child is engaged in temporary
9 37 out-of-state travel with the child's foster family.
9 38 Sec. _____. Section 237.3, subsection 2, paragraph
9 39 k, subparagraph (1), Code Supplement 2009, is amended
9 40 to read as follows:
9 41 (1) Receiving information prior to the child's
9 42 placement regarding risk factors concerning the child
9 43 that are known to the department, including but not
9 44 limited to notice if the child is required to register
9 45 under chapter 692A.>
9 46 #29. By striking page 39, line 33, through page 40,
9 47 line 29.
9 48 #30. Page 40, after line 29 by inserting:
9 49 <Sec. _____. Section 314.17, as amended by 2010 Iowa
9 50 Acts, House File 2458, if enacted, is amended by adding



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10 1 the following new subsections:
 10 2 NEW SUBSECTION. 7. Within fifty feet of a drainage
 10 3 tile or tile intake.
 10 4 NEW SUBSECTION. 8. For access to a mailbox or for
 10 5 other accessibility purposes.
 10 6 NEW SUBSECTION. 9. On rights-of-way adjacent to
 10 7 agricultural demonstration or research plots.>
 10 8 #31. Page 40, after line 29 by inserting:
 10 9 <Sec. _____. Section 321.18, Code Supplement 2009, is
 10 10 amended by adding the following new subsection:
 10 11 NEW SUBSECTION. 10. Any trailer that is used
 10 12 exclusively for the transportation, display, and
 10 13 distribution of flags honoring deceased veterans in
 10 14 parades or ceremonies held on Memorial Day, Veterans
 10 15 Day, or other patriotic occasions as authorized by
 10 16 resolution of the local government of the community
 10 17 where the parade or ceremony takes place. A trailer
 10 18 exempt from registration under this subsection shall
 10 19 only be used on city streets or secondary roads on the
 10 20 day of a parade or ceremony specified in the local
 10 21 government's resolution, and a copy of the resolution
 10 22 shall be carried at all times in the vehicle pulling
 10 23 the trailer.>
 10 24 #32. Page 40, after line 29 by inserting:
 10 25 <Sec. _____. Section 321.463, subsection 5, paragraph
 10 26 c, Code Supplement 2009, is amended to read as follows:
 10 27 c. (1) The maximum gross weight allowed to be
 10 28 carried on a livestock or construction commercial
 10 29 motor vehicle, other than a special truck, on
 10 30 noninterstate highways, provided the vehicle is
 10 31 operated by a person with a commercial driver's license
 10 32 valid for the vehicle operated unless section 321.176A
 10 33 applies, is as follows:
 10 34 NONINTERSTATE HIGHWAYS
 10 35 MAXIMUM GROSS WEIGHT TABLE
 10 36 ~~LIVESTOCK OR CONSTRUCTION~~COMMERCIAL MOTOR VEHICLE
 10 37 Distance
 10 38 in feet 6 Axles 7 Axles \$YUL
 10 40 44 80,500 80,500
 10 41 45 81,000 81,500
 10 42 46 81,500 82,500
 10 43 47 82,000 83,500
 10 44 48 83,000 84,000
 10 45 49 83,500 85,000
 10 46 50 84,000 86,000
 10 47 51 84,500 87,000
 10 48 52 85,000 88,000
 10 49 53 86,000 88,500
 10 50 54 86,500 89,500



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11	1	55	87,000	90,500
11	2	56	87,500	91,500
11	3	57	88,000	92,000
11	4	58	89,000	93,000
11	5	59	89,500	94,000
11	6	60	90,000	95,000
11	7	61	95,500	
11	8	62	96,000	

11 9 (2) Notwithstanding any provision of this section
11 10 to the contrary, the maximum gross weight allowed to
11 11 be carried on a noninterstate highway by a livestock
11 12 vehicle with five axles, a minimum distance in feet
11 13 between the centers of the first and fifth axles of
11 14 sixty-one feet, and a minimum distance between the
11 15 two rear axles of at least eight feet and one inch is
11 16 eighty-six thousand pounds.>

11 17 #33. Page 40, after line 29 by inserting:
11 18 <Sec. ____ . NEW SECTION. 261D.4 Payment of dues.
11 19 On an annual basis, the department of management
11 20 shall apportion the dues assessed for membership in the
11 21 midwestern higher education compact to various sectors
11 22 of education including the department of education, the
11 23 community college trustees, the Iowa association of
11 24 independent colleges and universities, and the state
11 25 board of regents. The apportionment shall be based on
11 26 actual savings achieved in the previous fiscal year
11 27 by each sector of education in a manner determined
11 28 by the department of management. The department of
11 29 management shall make payment on behalf of the state
11 30 to the midwestern higher education compact commission
11 31 and shall seek reimbursement from each sector of
11 32 education based on the apportionment determined by the
11 33 department.>

11 34 #34. Page 40, after line 29 by inserting:
11 35 <Sec. ____ . Section 321.482A, unnumbered paragraph
11 36 1, Code 2009, is amended to read as follows:
11 37 Notwithstanding section 321.482, a person who is
11 38 convicted of operating a motor vehicle in violation of
11 39 section 321.256, 321.257, section 321.275, subsection
11 40 4, section 321.297, 321.298, 321.299, 321.302, 321.303,
11 41 321.304, 321.305, 321.306, 321.307, 321.308, section
11 42 321.309, subsection 2, or section 321.311, 321.319,
11 43 321.320, 321.321, 321.322, 321.323, 321.323A, 321.324,
11 44 321.324A, 321.327, 321.329, or 321.333 causing serious
11 45 injury to or the death of another person may be subject
11 46 to the following penalties in addition to the penalty
11 47 provided for a scheduled violation in section 805.8A or
11 48 any other penalty provided by law:>

11 49 #35. Page 40, after line 29 by inserting:
11 50 <Sec. ____ . Section 421.27, subsection 6, Code 2009,



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12 1 is amended to read as follows:

12 2 6. Improper receipt of refund or credit. A person
12 3 who makes an erroneous application for refund or
12 4 credit shall be liable for any overpayment received
12 5 or tax liability reduced plus interest at the rate
12 6 in effect under section 421.7. In addition, a
12 7 person who willfully makes a false or frivolous
12 8 application for refund or credit with intent to evade
12 9 tax or with intent to receive a refund or credit
12 10 to which the person is not entitled is guilty of
12 11 a fraudulent practice and is liable for a penalty
12 12 equal to seventy-five percent of the refund or credit
12 13 being claimed. ~~Repayments~~ Payments, penalties, and
12 14 interest due under this subsection may be collected and
12 15 enforced in the same manner as the tax imposed.>

12 16 #36. Page 40, after line 29 by inserting:

12 17 <Sec. _____. Section 421C.3, subsection 15, if
12 18 enacted by 2010 Iowa Acts, Senate File 2383, is amended
12 19 to read as follows:

12 20 15. a. The director of revenue shall establish an
12 21 account and shall deposit in the account all receipts
12 22 received under the program established by the state
12 23 debt coordinator. Not later than the fifteenth day of
12 24 each month, the director shall deposit amounts received
12 25 with the treasurer of state for deposit in the general
12 26 fund of the state.

12 27 b. Of the amount of debt actually collected
12 28 pursuant to the program, the department of revenue
12 29 shall retain an amount, not to exceed the amount
12 30 collected, that is sufficient to pay for salaries,
12 31 support, maintenance, services, advertising, and other
12 32 costs incurred by the coordinator relating to the
12 33 program. Revenues retained by the office pursuant to
12 34 this lettered paragraph shall be considered repayment
12 35 receipts as defined in section 8.2.>

12 36 #37. Page 42, after line 5 by inserting:

12 37 <Sec. _____. Section 600C.1, Code 2009, is amended by
12 38 striking the section and inserting in lieu thereof the
12 39 following:

12 40 600C.1 Grandparent and great-grandparent visitation.

12 41 1. The grandparent or great-grandparent of a
12 42 minor child may petition the court for grandchild or
12 43 great-grandchild visitation when the parent of the
12 44 minor child, who is the child of the grandparent or the
12 45 grandchild of the great-grandparent, is deceased.

12 46 2. The court shall consider a fit parent's
12 47 objections to granting visitation under this section.
12 48 A rebuttable presumption arises that a fit parent's
12 49 decision to deny visitation to a grandparent or
12 50 great-grandparent is in the best interest of a minor



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13 1 child.
13 2 3. The court may grant visitation to the
13 3 grandparent or great-grandparent under this section
13 4 if the court finds all of the following by clear and
13 5 convincing evidence:
13 6 a. It is in the best interest of the child to grant
13 7 such visitation.
13 8 b. The grandparent or great-grandparent has
13 9 established a substantial relationship with the child
13 10 prior to the filing of the petition.
13 11 c. That the presumption that the parent who is
13 12 being asked to temporarily relinquish care, custody,
13 13 and control of the child to provide visitation is fit
13 14 to make the decision regarding visitation is overcome
13 15 by demonstrating one of the following:
13 16 (1) The parent is unfit to make such decision.
13 17 (2) The parent's judgment has been impaired and the
13 18 relative benefit to the child of granting visitation
13 19 greatly outweighs any effect on the parent-child
13 20 relationship. Impaired judgment of a parent may be
13 21 evidenced by any of, but not limited to, the following:
13 22 (a) Neglect of the child.
13 23 (b) Abuse of the child.
13 24 (c) Violence toward the child.
13 25 (d) Indifference or absence of feeling toward the
13 26 child.
13 27 (e) Demonstrated unwillingness and inability to
13 28 promote the emotional and physical well-being of the
13 29 child.
13 30 (f) Drug abuse.
13 31 (g) A diagnosis of mental illness.
13 32 4. In determining the best interest of the child,
13 33 the court shall consider all of the following:
13 34 a. The prior interaction and interrelationships of
13 35 the child with the child's parents, siblings, and other
13 36 persons related by consanguinity or affinity, compared
13 37 to the child's relationship with the grandparent or
13 38 great-grandparent.
13 39 b. The geographical location of the grandparent's
13 40 or great-grandparent's residence and the distance
13 41 between the grandparent's or great-grandparent's
13 42 residence and the child's residence.
13 43 c. The child's and parent's available time,
13 44 including but not limited to the parent's employment
13 45 schedule, the child's school schedule, the amount of
13 46 time that will be available for the child to spend with
13 47 siblings, and the child's and the parent's holiday and
13 48 vacation schedules.
13 49 d. The age of the child.
13 50 e. If the court has interviewed the child in



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14 1 chambers as provided in this section regarding the
14 2 wishes and concerns of the child as to visitation
14 3 by the grandparent or great-grandparent or as to a
14 4 specific visitation schedule, the wishes and concerns
14 5 of the child, as expressed to the court.
14 6 f. The health and safety of the child.
14 7 g. The mental and physical health of all parties.
14 8 h. Whether the grandparent or great-grandparent
14 9 previously has been convicted of or pleaded guilty to
14 10 any criminal offense involving any act that resulted
14 11 in a child being an abused child or a neglected child;
14 12 whether the grandparent or great-grandparent previously
14 13 has been convicted of or pleaded guilty to a crime
14 14 involving a victim who at the time of the commission
14 15 of the offense was a member of the family or household
14 16 that is the subject of the current proceeding; and
14 17 whether there is reason to believe that the grandparent
14 18 or great-grandparent has acted in a manner resulting in
14 19 a child having ever been found to be an abused child
14 20 or a neglected child.
14 21 i. The wishes and concerns of the child's parent,
14 22 as expressed by the parent to the court.
14 23 j. Any other factor in the best interest of the
14 24 child.
14 25 5. For the purposes of this subsection "substantial
14 26 relationship" includes but is not limited to any of the
14 27 following:
14 28 a. The child has lived with the grandparent or
14 29 great-grandparent for at least six months.
14 30 b. The grandparent or great-grandparent has
14 31 voluntarily and in good faith supported the child
14 32 financially in whole or in part for a period of not
14 33 less than six months.
14 34 c. The grandparent or great-grandparent has had
14 35 frequent visitation including occasional overnight
14 36 visitation with the child for a period of not less than
14 37 one year.
14 38 6. If the court interviews any child concerning
14 39 the child's wishes and concerns regarding parenting
14 40 time or visitation, the interview shall be conducted
14 41 in chambers, and only the child, the child's attorney,
14 42 the judge, any necessary court personnel, and, in the
14 43 judge's discretion, the attorney of the parent shall
14 44 be permitted to be present in the chambers during the
14 45 interview. A person shall not obtain or attempt to
14 46 obtain from a child a written or recorded statement or
14 47 affidavit setting forth the wishes and concerns of the
14 48 child regarding parenting time or visitation.
14 49 7. For the purposes of this section, "court" means
14 50 the district court or the juvenile court if that court



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15 1 currently has jurisdiction over the child in a pending
15 2 action. If an action is not pending, the district
15 3 court has jurisdiction.
15 4 8. Notwithstanding any provision of this chapter
15 5 to the contrary, venue for any action to establish,
15 6 enforce, or modify visitation under this section shall
15 7 be in the county where the child resides if no final
15 8 custody order determination relating to the grandchild
15 9 or great-grandchild has been entered by any other
15 10 court. If a final custody order has been entered by
15 11 any other court, venue shall be located exclusively in
15 12 the county where the most recent final custody order
15 13 was entered. If any other custodial proceeding is
15 14 pending when an action to establish, enforce, or modify
15 15 visitation under this section is filed, venue shall be
15 16 located exclusively in the county where the pending
15 17 custodial proceeding was filed.
15 18 9. Notice of any proceeding to establish, enforce,
15 19 or modify visitation under this section shall be
15 20 personally served upon the parent of the child
15 21 whose interests are affected by a proceeding brought
15 22 pursuant to this section and all grandparents or
15 23 great-grandparents who have previously obtained a final
15 24 order or commenced a proceeding under this section.
15 25 10. The court shall not enter any temporary order
15 26 to establish, enforce, or modify visitation under this
15 27 section.
15 28 11. An action brought under this section is subject
15 29 to chapter 598B, and in an action brought to establish,
15 30 enforce, or modify visitation under this section,
15 31 each party shall submit in its first pleading or in an
15 32 attached affidavit all information required by section
15 33 598B.209.
15 34 12. A grandparent or great-grandparent shall not
15 35 petition for visitation under this section more than
15 36 once every two years absent a showing of good cause.
15 37 13. The court shall not issue an order restricting
15 38 the movement of the child if such restriction is
15 39 solely for the purpose of allowing the grandparent
15 40 or great-grandparent the opportunity to exercise the
15 41 grandparent's or great-grandparent's visitation under
15 42 this section.>
15 43 #38. Page 42, after line 5 by inserting:
15 44 <Sec. _____. NEW SECTION. 514C.26 Autism spectrum
15 45 disorders coverage.
15 46 1. Notwithstanding the uniformity of treatment
15 47 requirements of section 514C.6, a group plan
15 48 established pursuant to chapter 509A for employees
15 49 of the state providing for third-party payment or
15 50 prepayment of health, medical, and surgical coverage



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16 1 benefits shall provide coverage benefits to covered
16 2 individuals under twenty-one years of age for the
16 3 diagnostic assessment of autism spectrum disorders and
16 4 for the treatment of autism spectrum disorders.
16 5 2. As used in this section, unless the context
16 6 otherwise requires:
16 7 a. "Applied behavioral analysis" means the design,
16 8 implementation, and evaluation of environmental
16 9 modifications, using behavioral stimuli and
16 10 consequences, to produce socially significant
16 11 improvement in human behavior or to prevent loss of
16 12 attained skill or function, including the use of direct
16 13 observation, measurement, and functional analysis of
16 14 the relations between environment and behavior.
16 15 b. "Autism service provider" means a person, or
16 16 group providing treatment of autism spectrum disorders.
16 17 An autism service provider that provides treatment
16 18 of autism spectrum disorders that includes applied
16 19 behavioral analysis shall be certified as a behavior
16 20 analyst by the behavior analyst certification board or
16 21 shall be a health professional licensed under chapter
16 22 147.
16 23 c. "Autism spectrum disorders" means any of
16 24 the pervasive developmental disorders including
16 25 autistic disorder, Asperger's disorder, and pervasive
16 26 developmental disorders not otherwise specified. The
16 27 commissioner, by rule, shall define "autism spectrum
16 28 disorders" consistent with definitions provided in
16 29 the most recent edition of the American psychiatric
16 30 association's diagnostic and statistical manual of
16 31 mental disorders, as such definitions may be amended
16 32 from time to time. The commissioner may adopt the
16 33 definitions provided in such manual by reference.
16 34 d. "Diagnostic assessment of autism spectrum
16 35 disorders" means medically necessary assessment,
16 36 evaluations, or tests performed by a licensed
16 37 physician, licensed physician assistant, licensed
16 38 psychologist, or licensed registered nurse practitioner
16 39 to diagnose whether an individual has an autism
16 40 spectrum disorder.
16 41 e. "Pharmacy care" means medications prescribed by
16 42 a licensed physician, licensed physician assistant,
16 43 or licensed registered nurse practitioner and any
16 44 assessment, evaluation, or test prescribed or ordered
16 45 by a licensed physician, licensed physician assistant,
16 46 or licensed registered nurse practitioner to determine
16 47 the need for or effectiveness of such medications.
16 48 f. "Psychiatric care" means direct or consultative
16 49 services provided by a licensed physician who
16 50 specializes in psychiatry.



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17 1 g. "Psychological care" means direct or consultative
17 2 services provided by a licensed psychologist.
17 3 h. "Rehabilitative care" means professional services
17 4 and treatment programs, including applied behavioral
17 5 analysis, provided by an autism service provider to
17 6 produce socially significant improvement in human
17 7 behavior or to prevent loss of attained skill or
17 8 function.
17 9 i. "Therapeutic care" means services provided by
17 10 a licensed speech pathologist, licensed occupational
17 11 therapist, or licensed physical therapist.
17 12 j. "Treatment of autism spectrum disorders" means
17 13 treatment that is identified in a treatment plan and
17 14 includes medically necessary pharmacy care, psychiatric
17 15 care, psychological care, rehabilitative care, and
17 16 therapeutic care that is one of the following:
17 17 (1) Prescribed, ordered, or provided by a licensed
17 18 physician, licensed physician assistant, licensed
17 19 psychologist, licensed social worker, or licensed
17 20 registered nurse practitioner.
17 21 (2) Provided by an autism service provider.
17 22 (3) Provided by a person, entity, or group that
17 23 works under the direction of an autism service
17 24 provider.
17 25 k. "Treatment plan" means a plan for the treatment
17 26 of autism spectrum disorders developed by a licensed
17 27 physician or licensed psychologist pursuant to a
17 28 comprehensive evaluation or reevaluation performed
17 29 in consultation with the patient and the patient's
17 30 representative.
17 31 3. Coverage is required pursuant to this section in
17 32 a maximum benefit amount of not more than thirty-six
17 33 thousand dollars per year but shall not be subject
17 34 to any limits on the number of visits to an autism
17 35 service provider for treatment of autism spectrum
17 36 disorders. Beginning in 2014, the commissioner
17 37 shall, on or before April 1 of each calendar year,
17 38 publish an adjustment to the maximum benefit required
17 39 equal to the percentage change in the United States
17 40 department of labor consumer price index for all urban
17 41 consumers in the preceding year, and the published
17 42 adjusted maximum benefit shall be applicable to group
17 43 policies, contracts, or plans subject to this section
17 44 that are issued or renewed on or after January 1 of
17 45 the following calendar year. Payments made under a
17 46 group plan subject to this section on behalf of a
17 47 covered individual for treatment of a health condition
17 48 unrelated to or distinguishable from the individual's
17 49 autism spectrum disorder shall not be applied toward
17 50 any maximum benefit established under this subsection.



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18 1 4. Coverage required pursuant to this section shall
18 2 be subject to copayment, deductible, and coinsurance
18 3 provisions, and any other general exclusions or
18 4 limitations of a group plan to the same extent as other
18 5 medical or surgical services covered by the group plan.
18 6 5. Coverage required by this section shall be
18 7 provided in coordination with coverage required for the
18 8 treatment of autistic disorders pursuant to section
18 9 514C.22.
18 10 6. This section shall not be construed to limit
18 11 benefits which are otherwise available to an individual
18 12 under a group plan.
18 13 7. This section shall not be construed to require
18 14 coverage by a group plan of any service solely based on
18 15 inclusion of the service in an individualized education
18 16 program. Consistent with federal or state law and
18 17 upon consent of the parent or guardian of a covered
18 18 individual, the treatment of autism spectrum disorders
18 19 may be coordinated with any services included in an
18 20 individualized education program. However, coverage
18 21 for the treatment of autism spectrum disorders shall
18 22 not be contingent upon coordination of services with an
18 23 individualized education program.
18 24 8. This section shall not apply to accident-only,
18 25 specified disease, short-term hospital or medical,
18 26 hospital confinement indemnity, credit, dental, vision,
18 27 Medicare supplement, long-term care, basic hospital
18 28 and medical-surgical expense coverage as defined
18 29 by the commissioner, disability income insurance
18 30 coverage, coverage issued as a supplement to liability
18 31 insurance, workers' compensation or similar insurance,
18 32 or automobile medical payment insurance, or individual
18 33 accident and sickness policies issued to individuals or
18 34 to individual members of a member association.
18 35 9. A plan established pursuant to chapter 509A for
18 36 employees of the state may manage the benefits provided
18 37 through common methods including but not limited to
18 38 providing payment of benefits or providing care and
18 39 treatment under a capitated payment system, prospective
18 40 reimbursement rate system, utilization control system,
18 41 incentive system for the use of least restrictive and
18 42 costly levels of care, a preferred provider contract
18 43 limiting choice of specific providers, or any other
18 44 system, method, or organization designed to assure
18 45 services are medically necessary and clinically
18 46 appropriate.
18 47 10. An insurer may review a treatment plan for
18 48 treatment of autism spectrum disorders once every six
18 49 months, subject to its utilization review requirements,
18 50 including case management, concurrent review, and



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19 1 other managed care provisions. A more or less frequent
19 2 review may be agreed upon by the insured and the
19 3 licensed physician or licensed psychologist developing
19 4 the treatment plan.

19 5 11. For the purposes of this section, the results
19 6 of a diagnostic assessment of autism spectrum disorder
19 7 shall be valid for a period of not less than twelve
19 8 months, unless a licensed physician or licensed
19 9 psychologist determines that a more frequent assessment
19 10 is necessary.

19 11 12. The commissioner shall adopt rules pursuant to
19 12 chapter 17A to implement and administer this section.

19 13 13. This section applies to plans established
19 14 pursuant to chapter 509A for employees of the state
19 15 that are delivered, issued for delivery, continued, or
19 16 renewed in this state on or after January 1, 2011.>

19 17 #39. Page 42, after line 20 by inserting:

19 18 <Sec. _____. 2010 Iowa Acts, House File 2526, section
19 19 11, subsection 24, paragraph b, relating to the medical
19 20 assistance waiver for the Iowa family planning network,
19 21 if enacted, is amended to read as follows:

19 22 b. Implementation of this subsection is contingent
19 23 upon approval of the medical assistance waiver for
19 24 the Iowa family planning network by the centers for
19 25 Medicare and Medicaid services of the United States
19 26 department of health and human services ~~and upon~~
~~19 27 availability of funding as determined by the director~~
~~19 28 of the department of human services.>~~

19 29 #40. Page 42, after line 20 by inserting:

19 30 <Sec. _____. 2010 Iowa Acts, Senate File 2378,
19 31 section 15, if enacted, is amended to read as follows:

19 32 SEC. 15. GAMING ENFORCEMENT. There is appropriated
19 33 from the gaming enforcement revolving fund created in
19 34 section 80.43 to the department of public safety for
19 35 the fiscal year beginning July 1, 2010, and ending June
19 36 30, 2011, the following amount, or so much thereof as
19 37 is necessary, to be used for the purposes designated:

19 38 For any direct and indirect support costs for	
19 39 agents and officers of the division of criminal	
19 40 investigation's excursion gambling boat, gambling	
19 41 structure, and racetrack enclosure enforcement	
19 42 activities, including salaries, support, maintenance,	
19 43 miscellaneous purposes, and for not more than the	
19 44 following full-time equivalent positions:	
19 45	\$ 8,851,775
19 46 <u>9,315,306</u>	
19 47	FTEs 115.00

19 48 However, for each additional license to conduct
19 49 gambling games on an excursion gambling boat, gambling
19 50 structure, or racetrack enclosure issued during the



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20 1 period beginning July 1, 2009, through June 30, 2011,
20 2 there is appropriated from the gaming enforcement fund
20 3 to the department of public safety for the fiscal year
20 4 beginning July 1, 2010, and ending June 30, 2011, an
20 5 additional amount of not more than \$521,000 to be used
20 6 for not more than 6.00 additional full-time equivalent
20 7 positions.>
20 8 #41. Page 42, after line 20 by inserting:
20 9 <Sec. _____. REPEAL. 2010 Iowa Acts, House File
20 10 2525, section 6, is repealed.>
20 11 #42. Page 42, after line 25 by inserting:
20 12 <Sec. _____. EFFECTIVE UPON ENACTMENT. This
20 13 provision of this division of this Act amending section
20 14 155A.6A, being deemed of immediate importance, takes
20 15 effect upon enactment.>
20 16 #43. Page 42, after line 25 by inserting:
20 17 <Sec. _____. EFFECTIVE UPON ENACTMENT. The provision
20 18 of this division of this Act appropriating moneys from
20 19 the general fund of the state to the department of
20 20 management and to the department of revenue for fiscal
20 21 year 2009=2010, being deemed of immediate importance,
20 22 takes effect upon enactment.>
20 23 #44. Page 42, after line 25 by inserting:
20 24 <Sec. _____. EFFECTIVE UPON ENACTMENT AND RETROACTIVE
20 25 APPLICABILITY. The provision of this division of this
20 26 Act amending section 123.30, subsection 3, paragraph
20 27 "e", subparagraph (1), being deemed of immediate
20 28 importance, takes effect upon enactment, and is
20 29 retroactively applicable to March 10, 2010.>
20 30 #45. Page 42, after line 25 by inserting:
20 31 <Sec. _____. EFFECTIVE DATE. The provision of this
20 32 division of this Act amending section 421.3, if enacted
20 33 by 2010 Iowa Acts, Senate File 2383, takes effect on
20 34 the effective date of section 421C.3.>
20 35 #46. Page 42, after line 25 by inserting:
20 36 <Sec. _____. EFFECTIVE UPON ENACTMENT. The
20 37 provision of this division of this Act relating to the
20 38 instructional support income surtax, being deemed of
20 39 immediate importance, takes effect upon enactment.>
20 40 #47. By striking page 43, line 8, through page 44,
20 41 line 28.
20 42 #48. Page 45, line 1, after <of Iowa,> by inserting
20 43 <the Iowa renewable fuels association,>
20 44 #49. Page 46, after line 5 by inserting:
20 45 <DIVISION ____
20 46 PUBLIC SAFETY ADVISORY BOARD
20 47 Sec. _____. DEPARTMENT OF HUMAN RIGHTS == DIVISION
20 48 OF CRIMINAL AND JUVENILE JUSTICE PLANNING. There is
20 49 appropriated from the Iowa comprehensive petroleum
20 50 underground storage tank fund established in section



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21 1 455G.3 to the department of human rights for the
 21 2 fiscal year beginning July 1, 2010, and ending June
 21 3 30, 2011, the following amount, or so much thereof as
 21 4 is necessary, to be used for the purposes designated,
 21 5 notwithstanding section 455G.3, subsection 1:
 21 6 For the division of criminal and juvenile justice
 21 7 planning, including salaries, support, maintenance,
 21 8 miscellaneous purposes, and for not more than the
 21 9 following full-time equivalent positions for the public
 21 10 safety advisory board established in section 216A.133A:
 21 11 \$ 140,000
 21 12 FTEs 2.00
 21 13 Sec. _____. Section 216A.131, Code 2009, is amended
 21 14 by adding the following new subsection:
 21 15 NEW SUBSECTION. 1A. "Board" means the public
 21 16 safety advisory board.
 21 17 Sec. _____. Section 216A.132, Code 2009, is amended
 21 18 to read as follows:
 21 19 216A.132 Council established == terms ==
 21 20 compensation.
 21 21 1. A criminal and juvenile justice planning
 21 22 advisory council is established consisting of
 21 23 twenty-three members.
 21 24 a. The governor shall appoint seven members each
 21 25 for a four-year term beginning and ending as provided
 21 26 in section 69.19 and subject to confirmation by the
 21 27 senate as follows:
 21 28 (1) Three persons, each of whom is a county
 21 29 supervisor, county sheriff, mayor, ~~city chief of~~
 21 30 ~~police, or county attorney nonsupervisory police~~
 21 31 ~~officer, or a chief of police of a department with less~~
 21 32 ~~than eleven police officers.~~
 21 33 ~~(2) Two persons who represent the general public~~
 21 34 ~~and are not employed in any law enforcement, judicial,~~
 21 35 ~~or corrections capacity.~~
 21 36 ~~(3)~~ (2) Two persons who are knowledgeable about
 21 37 Iowa's juvenile justice system.
 21 38 (3) One person who represents the general public
 21 39 and is not employed in any law enforcement, judicial,
 21 40 or corrections capacity.
 21 41 (4) One person who is either a crime victim, or who
 21 42 represents a crime victim organization.
 21 43 b. The departments of human services, corrections,
 21 44 and public safety, the division on the status of
 21 45 African-Americans, the Iowa department of public
 21 46 health, the chairperson of the board of parole, the
 21 47 attorney general, the state public defender, and the
 21 48 governor's office of drug control policy, and the chief
 21 49 ~~justice of the supreme court shall each designate a~~
 21 50 person to serve on the council. ~~The person appointed~~



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~~22 1 by the Iowa department of public health shall be from~~
~~22 2 the departmental staff who administer the comprehensive~~
~~22 3 substance abuse program under chapter 125.~~
22 4 c. The chief justice of the supreme court shall
22 5 appoint two additional members currently serving
~~22 6 as district judges designate one member who is a~~
~~22 7 district judge and one member who is either a district~~
~~22 8 associate judge or associate juvenile judge. Two~~
~~22 9 members of the senate and two members of the house of~~
~~22 10 representatives shall be ex officio members and shall~~
~~22 11 be appointed by the majority and minority leaders~~
~~22 12 of the senate and the speaker and minority leader~~
~~22 13 of the house of representatives pursuant to section~~
~~22 14 69.16 and shall serve terms as provided in section~~
~~22 15 69.16B. The chairperson and ranking member of the~~
~~22 16 senate committee on judiciary shall be members. In~~
~~22 17 alternating four-year intervals, the chairperson and~~
~~22 18 ranking member of the house committee on judiciary~~
~~22 19 or of the house committee on public safety shall be~~
~~22 20 members, with the chairperson and ranking member of the~~
~~22 21 house committee on public safety serving during the~~
~~22 22 initial interval. Nonlegislative members appointed~~
~~22 23 pursuant to this paragraph shall serve for four-year~~
~~22 24 terms beginning and ending as provided in section 69.19~~
~~22 25 unless the member ceases to serve as a district court~~
~~22 26 judge.~~
22 27 d. The Iowa county attorneys association shall
22 28 designate a person to serve on the council.
22 29 2. Members of the council shall receive
22 30 reimbursement from the state for actual and necessary
22 31 expenses incurred in the performance of their official
22 32 duties. Members may also be eligible to receive
22 33 compensation as provided in section 7E.6.
22 34 Sec. _____. Section 216A.133, subsection 1, Code
22 35 2009, is amended to read as follows:
22 36 1. Identify issues and analyze the operation and
22 37 impact of present criminal and juvenile justice policy
22 38 and make recommendations for policy changes, ~~including~~
~~22 39 recommendations pertaining to efforts to curtail~~
~~22 40 criminal gang activity.~~
22 41 Sec. _____. Section 216A.133, Code 2009, is amended
22 42 by adding the following new subsections:
22 43 NEW SUBSECTION. 8. Determine members of the public
22 44 safety advisory board pursuant to section 216A.133A.
22 45 NEW SUBSECTION. 9. Coordinate with the
22 46 administrator to develop and make recommendations to
22 47 the department director pursuant to section 216A.2.
22 48 NEW SUBSECTION. 10. Serve as a liaison between the
22 49 general public and the division.
22 50 NEW SUBSECTION. 11. Establish advisory committees



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23 1 to study special issues.
23 2 Sec. ____ . NEW SECTION. 216A.133A Public safety
23 3 advisory board ==
23 4 duties.
23 5 1. A public safety advisory board is established
23 6 whose membership shall be determined by the criminal
23 7 and juvenile justice planning advisory council and
23 8 shall consist of current members of the council. Any
23 9 actions taken by the board shall be considered separate
23 10 and distinct from the council.
23 11 2. The purpose of the board is to provide the
23 12 general assembly with an analysis of current and
23 13 proposed criminal code provisions.
23 14 3. The duties of the board shall consist of the
23 15 following:
23 16 a. Reviewing and making recommendations relating
23 17 to current sentencing provisions. In reviewing such
23 18 provisions the board shall consider the impact on all
23 19 of the following:
23 20 (1) Potential disparity in sentencing.
23 21 (2) Truth in sentencing.
23 22 (3) Victims.
23 23 (4) The proportionality of specific sentences.
23 24 (5) Sentencing procedures.
23 25 (6) Costs associated with the implementation
23 26 of criminal code provisions, including costs to
23 27 the judicial branch, department of corrections, and
23 28 judicial district departments of correctional services,
23 29 costs for representing indigent defendants, and costs
23 30 incurred by political subdivisions of the state.
23 31 (7) Best practices related to the department of
23 32 corrections including recidivism rates, safety and
23 33 efficient use of correctional staff, and compliance
23 34 with correctional standards set by the federal
23 35 government and other jurisdictions.
23 36 (8) Best practices related to the Iowa child death
23 37 review team established in section 135.43 and the Iowa
23 38 domestic abuse death review team established in section
23 39 135.109.
23 40 b. Reviewing and making recommendations relating to
23 41 proposed legislation, in accordance with paragraph "a",
23 42 as set by rule by the general assembly or as requested
23 43 by the executive or judicial branch proposing such
23 44 legislation.
23 45 c. Providing expertise and advice to the
23 46 legislative services agency, the department of
23 47 corrections, the judicial branch, and others charged
23 48 with formulating fiscal, correctional, or minority
23 49 impact statements.
23 50 d. Reviewing data supplied by the division, the



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24 1 department of management, the legislative services
24 2 agency, the Iowa supreme court, and other departments
24 3 or agencies for the purpose of determining the
24 4 effectiveness and efficiency of the collection of such
24 5 data.
24 6 4. The board may call upon any department, agency,
24 7 or office of the state, or any political subdivision
24 8 of the state, for information or assistance as needed
24 9 in the performance of its duties. The information or
24 10 assistance shall be furnished to the extent that it is
24 11 within the resources and authority of the department,
24 12 agency, office, or political subdivision. This section
24 13 does not require the production or opening of any
24 14 records which are required by law to be kept private
24 15 or confidential.
24 16 5. The board shall report to the legislative
24 17 government oversight committee all sources of funding
24 18 by December 1 of each year.
24 19 6. Membership on the board shall be bipartisan
24 20 as provided in section 69.16 and gender balanced as
24 21 provided in section 69.16A.
24 22 7. Meetings of the board shall be open to the
24 23 public as provided in chapter 21.
24 24 8. Members of the board shall receive reimbursement
24 25 from the state for actual and necessary expenses
24 26 incurred in the performance of their official duties.
24 27 Members may also be eligible to receive compensation as
24 28 provided in section 7E.6.
24 29 Sec. _____. Section 216A.135, unnumbered paragraph 1,
24 30 Code 2009, is amended to read as follows:
24 31 Beginning in 1989, and every five years thereafter,
24 32 the division shall develop a twenty-year criminal
24 33 and juvenile justice plan for the state which shall
24 34 include ten-year, fifteen-year, and twenty-year
24 35 goals and a comprehensive five-year plan for criminal
24 36 and juvenile justice programs. The five-year plan
24 37 shall be updated annually and each twenty-year plan
24 38 and annual updates of the five-year plan shall be
24 39 submitted to the governor and the general assembly by
24 40 ~~February~~ December 1.
24 41 Sec. _____. APPOINTMENTS TO CRIMINAL AND JUVENILE
24 42 JUSTICE PLANNING ADVISORY COUNCIL. The applicable
24 43 provisions of chapter 69 shall apply to vacant
24 44 positions on the criminal and juvenile justice planning
24 45 advisory council occurring on or after July 1, 2010.>
24 46 #50. Page 46, after line 5 by inserting:
24 47 <DIVISION ____
24 48 IOWA PUBLIC INFORMATION BOARD
24 49 <Sec. _____. Section 21.6, subsection 3, paragraph d,
24 50 Code 2009, is amended to read as follows:



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25 1 d. Shall issue an order removing a member of a
25 2 governmental body from office if that member has
25 3 engaged in a prior violation of this chapter for which
25 4 damages were assessed against the member during the
25 5 member's term. In making this determination, the court
25 6 shall recognize violations for which damages were
25 7 assessed by the Iowa public information board created
25 8 in section 23.3.

25 9 Sec. _____. Section 22.10, subsection 3, paragraph d,
25 10 Code 2009, is amended to read as follows:

25 11 d. Shall issue an order removing a person from
25 12 office if that person has engaged in a prior violation
25 13 of this chapter for which damages were assessed against
25 14 the person during the person's term. In making this
25 15 determination, the court shall recognize violations
25 16 for which damages were assessed by the Iowa public
25 17 information board created in section 23.3.

25 18 Sec. _____. NEW SECTION. 23.1 Citation and purpose.

25 19 This chapter may be cited as the "Iowa Public
25 20 Information Board Act". The purpose of this chapter
25 21 is to provide an alternative means by which to secure
25 22 compliance with and enforcement of the requirements of
25 23 chapters 21 and 22 through the provision by the Iowa
25 24 public information board to all interested parties of
25 25 an efficient, informal, and cost-effective process for
25 26 resolving disputes.

25 27 Sec. _____. NEW SECTION. 23.2 Definitions.

25 28 1. "Board" means the Iowa public information board
25 29 created in section 23.3.

25 30 2. "Complainant" means a person who files a
25 31 complaint with the board.

25 32 3. "Complaint" means a written and signed document
25 33 filed with the board alleging a violation of chapter
25 34 21 or 22.

25 35 4. "Custodian" means a government body, government
25 36 official, or government employee designated as the
25 37 lawful custodian of a government record pursuant to
25 38 section 22.1.

25 39 5. "Government body" means the same as defined in
25 40 section 22.1.

25 41 6. "Person" means an individual, partnership,
25 42 association, corporation, legal representative,
25 43 trustee, receiver, custodian, government body, or
25 44 official, employee, agency, or political subdivision of
25 45 this state.

25 46 7. "Respondent" means any agency or other unit
25 47 of state or local government, custodian, government
25 48 official, or government employee who is the subject of
25 49 a complaint.

25 50 Sec. _____. NEW SECTION. 23.3 Board appointed.



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26 1 1. An Iowa public information board is created
26 2 consisting of five members appointed by the governor,
26 3 subject to confirmation by the senate. Membership
26 4 shall be balanced as to political affiliation as
26 5 provided in section 69.16 and gender as provided in
26 6 section 69.16A. Members appointed to the board shall
26 7 serve staggered, four-year terms, beginning and ending
26 8 as provided by section 69.19. A quorum shall consist
26 9 of three members.
26 10 2. A vacancy on the board shall be filled by the
26 11 governor by appointment for the unexpired part of the
26 12 term. A board member may be removed from office by the
26 13 governor for good cause. The board shall select one
26 14 of its members to serve as chair and shall employ a
26 15 director who shall serve as the executive officer of
26 16 the board.
26 17 Sec. _____. NEW SECTION. 23.4 Compensation and
26 18 expenses.
26 19 Board members shall be paid a per diem as specified
26 20 in section 7E.6 and shall be reimbursed for actual and
26 21 necessary expenses incurred while on official board
26 22 business. Per diem and expenses shall be paid from
26 23 funds appropriated to the board.
26 24 Sec. _____. NEW SECTION. 23.5 Election of remedies.
26 25 1. An aggrieved person, any taxpayer to or citizen
26 26 of this state, the attorney general, or any county
26 27 attorney may seek enforcement of the requirements of
26 28 chapters 21 and 22 by electing either to file an action
26 29 pursuant to section 17A.19, 21.6, or 22.10, whichever
26 30 is applicable, or in the alternative, to file a timely
26 31 complaint with the board.
26 32 2. If more than one person seeks enforcement of
26 33 chapter 21 or 22 with respect to the same incident
26 34 involving an alleged violation, and one or more of
26 35 such persons elects to do so by filing an action under
26 36 section 17A.19, 21.6, or 22.10 and one or more of such
26 37 persons elects to do so by filing a timely complaint
26 38 with the board, the court in which the action was filed
26 39 shall dismiss the action without prejudice, authorizing
26 40 the complainant to file a complaint with respect to
26 41 the same incident with the board without regard to the
26 42 timeliness of the filing of the complaint at the time
26 43 the action in court is dismissed.
26 44 3. If a person files an action pursuant to section
26 45 22.8 seeking to enjoin the inspection of a public
26 46 record, the respondent or person requesting access to
26 47 the record which is the subject of the request for
26 48 injunction may remove the proceeding to the board for
26 49 its determination by filing, within thirty days of the
26 50 commencement of the judicial proceeding, a complaint



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27 1 with the board alleging a violation of chapter 22 in
27 2 regard to the same matter.
27 3 Sec. ____ . NEW SECTION. 23.6 Board powers and
27 4 duties.
27 5 The board shall have all of the following powers and
27 6 duties:
27 7 1. Employ such employees as are necessary to
27 8 execute its authority, including administrative law
27 9 judges, and attorneys to prosecute respondents in
27 10 proceedings before the board and to represent the board
27 11 in proceedings before a court. Notwithstanding section
27 12 8A.412, all of the board's employees, except for the
27 13 executive director and attorneys, shall be employed
27 14 subject to the merit system provisions of chapter 8A,
27 15 subchapter IV.
27 16 2. Adopt rules with the force of law pursuant to
27 17 chapter 17A calculated to implement, enforce, and
27 18 interpret the requirements of chapters 21 and 22 and to
27 19 implement any authority delegated to the board by this
27 20 chapter.
27 21 3. Issue, consistent with the requirements of
27 22 section 17A.9, declaratory orders with the force of law
27 23 determining the applicability of chapter 21 or 22 to
27 24 specified fact situations and issue informal advice to
27 25 any person concerning the applicability of chapters 21
27 26 and 22.
27 27 4. Receive complaints alleging violations of
27 28 chapter 21 or 22, seek resolution of such complaints
27 29 through informal assistance or through mediation and
27 30 settlement, formally investigate such complaints,
27 31 decide after such an investigation whether there is
27 32 probable cause to believe a violation of chapter 21
27 33 or 22 has occurred, and if probable cause has been
27 34 found prosecute the respondent before the board in a
27 35 contested case proceeding conducted according to the
27 36 provisions of chapter 17A.
27 37 5. Request and receive from a government body
27 38 assistance and information as necessary in the
27 39 performance of its duties. The board may examine
27 40 a record of a government body that is the subject
27 41 matter of a complaint, including any record that is
27 42 confidential by law. Confidential records provided
27 43 to the board by a governmental body shall continue
27 44 to maintain their confidential status. Any member or
27 45 employee of the board is subject to the same policies
27 46 and penalties regarding the confidentiality of the
27 47 document as an employee of the government body.
27 48 6. Issue subpoenas enforceable in court for the
27 49 purpose of investigating complaints and to facilitate
27 50 the prosecution and conduct of contested cases before



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28 1 the board.

28 2 7. After appropriate board proceedings, issue
28 3 orders with the force of law, determining whether there
28 4 has been a violation of chapter 21 or 22, requiring
28 5 compliance with specified provisions of those chapters,
28 6 imposing civil penalties equivalent to and to the same
28 7 extent as those provided for in section 21.6 or 22.10,
28 8 as applicable, on a respondent who has been found in
28 9 violation of chapter 21 or 22, and imposing any other
28 10 appropriate remedies calculated to declare, terminate,
28 11 or remediate any violation of those chapters.

28 12 8. Represent itself in judicial proceedings
28 13 to enforce or defend its orders and rules through
28 14 attorneys on its own staff, through the office of the
28 15 attorney general, or through other attorneys retained
28 16 by the board, at its option.

28 17 9. Make training opportunities available to lawful
28 18 custodians, government bodies, and other persons
28 19 subject to the requirements of chapters 21 and 22 and
28 20 require, in its discretion, appropriate persons who
28 21 have responsibilities in relation to chapters 21 and 22
28 22 to receive periodic training approved by the board.

28 23 10. Disseminate information calculated to inform
28 24 members of the public about the public's right to
28 25 access government information in this state including
28 26 procedures to facilitate this access and including
28 27 information relating to the obligations of government
28 28 bodies under chapter 21 and lawful custodians under
28 29 chapter 22 and other laws dealing with this subject.

28 30 11. Prepare and transmit to the governor and to the
28 31 general assembly, at least annually, reports describing
28 32 complaints received, board proceedings, investigations,
28 33 hearings conducted, decisions rendered, and other work
28 34 performed by the board.

28 35 12. Make recommendations to the governor and the
28 36 general assembly by proposing legislation relating
28 37 to issues involving public access to meetings of a
28 38 governmental body and to records of a government body
28 39 including but not limited to recommendations relating
28 40 to the following issues:

28 41 a. The categorization of government records.
28 42 b. Public employment applications.
28 43 c. Information unduly invading personal privacy
28 44 including personal information on mailing lists and
28 45 opt-in provisions relating to such lists and personal
28 46 information in confidential personnel records of a
28 47 government body.
28 48 d. Tentative, preliminary, or draft material.
28 49 e. Serial meetings of less than a majority of a
28 50 governmental body.



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29 1 f. Definitions of what constitutes a governmental
29 2 body for purposes of chapter 21 and what constitutes a
29 3 government body for purposes of chapter 22.
29 4 13. Aid the general assembly in evaluating the
29 5 impact of legislation affecting public access to
29 6 government information.
29 7 14. Conduct public hearings, conferences,
29 8 workshops, and other meetings as necessary to address
29 9 problems and suggest solutions concerning access to
29 10 government information and proceedings.
29 11 15. Review the collection, maintenance, and use of
29 12 government records by lawful custodians to ensure that
29 13 confidential records and information are handled to
29 14 adequately protect personal privacy interests.
29 15 Sec. _____. NEW SECTION. 23.7 Filing of complaints
29 16 with the board.
29 17 1. The board shall adopt rules with the force
29 18 of law and pursuant to chapter 17A providing for the
29 19 timing, form, content, and means by which any aggrieved
29 20 person, any taxpayer to or citizen of this state,
29 21 the attorney general, or any county attorney may file
29 22 a complaint with the board alleging a violation of
29 23 chapter 21 or 22. The complaint must be filed within
29 24 sixty days from the time the alleged violation occurred
29 25 or the complainant could have become aware of the
29 26 violation with reasonable diligence. All complaints
29 27 filed with the board shall be public records.
29 28 2. All board proceedings in response to the filing
29 29 of a complaint shall be conducted as expeditiously as
29 30 possible.
29 31 3. The board shall not charge a complainant any
29 32 fee in relation to the filing of a complaint, the
29 33 processing of a complaint, or any board proceeding or
29 34 judicial proceeding resulting from the filing of a
29 35 complaint.
29 36 Sec. _____. NEW SECTION. 23.8 Initial processing of
29 37 complaint.
29 38 Upon receipt of a complaint alleging a violation
29 39 of chapter 21 or 22, the board shall do either of the
29 40 following:
29 41 1. Determine that, on its face, the complaint
29 42 is within the board's jurisdiction, appears legally
29 43 sufficient, and could have merit. In such a case the
29 44 board shall accept the complaint, and shall notify the
29 45 parties of that fact in writing.
29 46 2. Determine that, on its face, the complaint is
29 47 outside its jurisdiction, is legally insufficient, is
29 48 frivolous, is without merit, involves harmless error,
29 49 or relates to a specific incident that has previously
29 50 been finally disposed of on its merits by the board or



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30 1 a court. In such a case the board shall decline to
30 2 accept the complaint. If the board refuses to accept a
30 3 complaint, the board shall provide the complainant with
30 4 a written order explaining its reasons for the action.
30 5 Sec. _____. NEW SECTION. 23.9 Informal assistance ==
30 6 mediation and settlement.
30 7 1. After accepting a complaint, the board shall
30 8 promptly work with the parties through its employees
30 9 to reach an informal, expeditious resolution of the
30 10 complaint. If an informal resolution satisfactory to
30 11 the parties cannot be reached, the board or the board's
30 12 designee shall offer the parties an opportunity to
30 13 resolve the dispute through mediation and settlement.
30 14 2. The mediation and settlement process shall
30 15 enable the complainant to attempt to resolve the
30 16 dispute with the aid of a neutral mediator employed and
30 17 selected by the board, in its discretion, from either
30 18 its own staff or an outside source.
30 19 3. Mediation shall be conducted as an informal,
30 20 nonadversarial process and in a manner calculated
30 21 to help the parties reach a mutually acceptable and
30 22 voluntary settlement agreement. The mediator shall
30 23 assist the parties in identifying issues and shall
30 24 foster joint problem solving and the exploration of
30 25 settlement alternatives.
30 26 Sec. _____. NEW SECTION. 23.10 Enforcement.
30 27 1. If any party declines mediation or settlement or
30 28 if mediation or settlement fails to resolve the matter
30 29 to the satisfaction of all parties, the board shall
30 30 initiate a formal investigation concerning the facts
30 31 and circumstances set forth in the complaint. The
30 32 board shall, after an appropriate investigation, make
30 33 a determination as to whether the complaint is within
30 34 the board's jurisdiction and whether there is probable
30 35 cause to believe that the facts and circumstances
30 36 alleged in the complaint constitute a violation of
30 37 chapter 21 or 22.
30 38 2. If the board finds the complaint is outside the
30 39 board's jurisdiction or there is no probable cause to
30 40 believe there has been a violation of chapter 21 or 22,
30 41 the board shall issue a written order explaining the
30 42 reasons for the board's conclusions and dismissing the
30 43 complaint, and shall transmit a copy to the complainant
30 44 and to the party against whom the complaint was filed.
30 45 3. a. If the board finds the complaint is within
30 46 the board's jurisdiction and there is probable cause
30 47 to believe there has been a violation of chapter 21
30 48 or 22, the board shall issue a written order to that
30 49 effect and shall commence a contested case proceeding
30 50 under chapter 17A against the respondent. An attorney



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31 1 selected by the director of the board shall prosecute
31 2 the respondent in the contested case proceeding. At
31 3 the termination of the contested case proceeding the
31 4 board shall, by a majority vote of its members, render
31 5 a final decision as to the merits of the complaint. If
31 6 the board finds that the complaint has merit, the board
31 7 may issue any appropriate order to ensure enforcement
31 8 of chapter 21 or 22 including but not limited to
31 9 an order requiring specified action or prohibiting
31 10 specified action and any appropriate order to remedy
31 11 any failure of the respondent to observe any provision
31 12 of those chapters.

31 13 b. If the board determines, by a majority vote of
31 14 its members, that the respondent has violated chapter
31 15 21 or 22, the board may also do any or all of the
31 16 following:

31 17 (1) Require the respondent to pay damages as
31 18 provided for in section 21.6 or 22.10, whichever is
31 19 applicable, to the extent that provision would make
31 20 such damages payable if the complainant had sought to
31 21 enforce a violation in court instead of through the
31 22 board.

31 23 (2) Void any action taken in violation of chapter
31 24 21 if a court would be authorized to do so in similar
31 25 circumstances pursuant to section 21.6.

31 26 c. The board shall not have the authority to remove
31 27 a person from public office for a violation of chapter
31 28 21 or 22. The board may file an action under chapter
31 29 21 or 22 to remove a person from office for violations
31 30 that would subject a person to removal under those
31 31 chapters.

31 32 d. A final board order resulting from such
31 33 proceedings may be enforced by the board in court
31 34 and is subject to judicial review pursuant to section
31 35 17A.19.

31 36 Sec. _____. NEW SECTION. 23.11 Defenses in a
31 37 contested case proceeding.

31 38 A respondent may defend against a proceeding before
31 39 the board charging a violation of chapter 21 or 22
31 40 on the ground that if such a violation occurred it
31 41 was only harmless error or that clear and convincing
31 42 evidence demonstrated that grounds existed to justify
31 43 a court to issue an injunction against disclosure
31 44 pursuant to section 22.8.

31 45 Sec. _____. NEW SECTION. 23.12 Jurisdiction.

31 46 The board shall not have jurisdiction over the
31 47 judicial or legislative branches of state government or
31 48 any entity, officer, or employee of those branches, or
31 49 over the governor or the office of the governor.

31 50 Sec. _____. IOWA PUBLIC INFORMATION BOARD ==



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32 1 TRANSITION PROVISIONS.
32 2 1. The initial members of the Iowa public
32 3 information board established pursuant to this Act
32 4 shall be appointed by September 1, 2010.
32 5 2. Notwithstanding any provision of this Act to the
32 6 contrary, the director of the board and employees of
32 7 the board shall not be hired prior to July 1, 2011.
32 8 3. Prior to January 15, 2011, the board shall
32 9 submit a report to the governor and the general
32 10 assembly. The report shall include a job description
32 11 for the executive director of the board, goals for
32 12 board operations, and performance measures to measure
32 13 achievement of the board's goals.
32 14 4. Implementation of the Iowa public information
32 15 board is limited to the extent of the funding
32 16 available. The legislative services agency shall
32 17 provide transitional administrative support to the
32 18 board for the fiscal year beginning July 1, 2010, and
32 19 ending June 30, 2011.
32 20 Sec. _____. EFFECTIVE DATE. Except for the section
32 21 of this Act establishing transition provisions for the
32 22 Iowa public information board, this division of this
32 23 Act takes effect July 1, 2011.>
32 24 #51. Page 46, after line 5 by inserting:
32 25 <DIVISION ____
32 26 WORKPLACE ACCOMODATIONS
32 27 Sec. _____. NEW SECTION. 91F.1 Short title.
32 28 This chapter shall be known and may be cited as the
32 29 "Family Friendly Workplace Act".
32 30 Sec. _____. NEW SECTION. 91F.2 Definitions.
32 31 1. "Employer" means a person engaged in a business
32 32 who has one or more employees and also includes the
32 33 state of Iowa, a department or agency thereof, and any
32 34 political subdivision of the state.
32 35 2. "Reasonable efforts" means any effort that would
32 36 not impose an undue hardship on the operation of the
32 37 employer's business.
32 38 3. "Undue hardship" means any action that requires
32 39 significant difficulty, compromises the safety of other
32 40 employees, requires temporary facility closure, or
32 41 results in expenditures exceeding five hundred dollars,
32 42 exclusive of the costs of additional labor or unpaid
32 43 leave costs.
32 44 Sec. _____. NEW SECTION. 91F.3 Right to express
32 45 breast milk in workplace == private location.
32 46 1. An employer shall provide reasonable unpaid
32 47 break time or permit an employee to use paid break
32 48 time, meal time, or both, each day, to allow the
32 49 employee to express breast milk for the employee's
32 50 nursing child for up to two years after the child's



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33 1 birth.

33 2 2. The employer shall make reasonable efforts
33 3 to provide a place, other than a toilet stall, which
33 4 is shielded from view and free from intrusion from
33 5 coworkers and the public, that may be used by an
33 6 employee to express breast milk in privacy.

33 7 3. An employer who makes reasonable efforts
33 8 to accommodate an employee who chooses to express
33 9 breast milk in the workplace shall be deemed to be in
33 10 compliance with the requirements of this section.

33 11 4. The department of workforce development shall
33 12 provide on its internet site information and links
33 13 to other internet sites where employers can access
33 14 information regarding methods to accommodate employees
33 15 who express breast milk in the workplace. The
33 16 department shall consult with appropriate organizations
33 17 or associations to determine the appropriate
33 18 information and internet site links so as to provide
33 19 employers with the most accurate and useful information
33 20 available.

33 21 Sec. _____. Section 91.5, Code 2009, is amended to
33 22 read as follows:

33 23 91.5 Other duties == jurisdiction in general.

33 24 The commissioner shall have jurisdiction and it
33 25 shall be the commissioner's duty to supervise the
33 26 enforcement of:

33 27 1. All laws relating to safety appliances
33 28 and inspection thereof and health conditions in
33 29 manufacturing and mercantile establishments, workshops,
33 30 machine shops, other industrial concerns within the
33 31 commissioner's jurisdiction and sanitation and shelter
33 32 for railway employees.

33 33 2. All laws of the state relating to child labor.

33 34 3. All laws relating to employment agencies.

33 35 4. All laws relating to expressing breast milk in
33 36 the workplace.

33 37 ~~4- 5.~~ Such other provisions of law as are now
33 38 or shall hereafter be within the commissioner's
33 39 jurisdiction.>

33 40 #52. Page 46, after line 5 by inserting:

33 41 <DIVISION ____
33 42 INCOME TAX CHECKOFFS

33 43 Sec. _____. Section 235A.2, subsection 1, Code 2009,
33 44 is amended to read as follows:

33 45 1. A child abuse prevention program fund is
33 46 created in the state treasury under the control of the
33 47 department of human services. The fund is composed of
33 48 moneys appropriated or available to and obtained or
33 49 accepted by the treasurer of state for deposit in the
33 50 fund. The fund shall include moneys transferred to



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34 1 the fund as provided in section ~~422.12K~~ 422.12F. All
34 2 interest earned on moneys in the fund shall be credited
34 3 to and remain in the fund. Section 8.33 does not apply
34 4 to moneys in the fund.
34 5 Sec. _____. NEW SECTION. 422.12F Income tax checkoff
34 6 for child abuse prevention program fund.
34 7 1. A person who files an individual or a joint
34 8 income tax return with the department of revenue under
34 9 section 422.13 may designate one dollar or more to be
34 10 paid to the child abuse prevention program fund created
34 11 in section 235A.2. If the refund due on the return or
34 12 the payment remitted with the return is insufficient to
34 13 pay the additional amount designated by the taxpayer
34 14 to the child abuse prevention program fund, the
34 15 amount designated shall be reduced to the remaining
34 16 amount remitted with the return. The designation of a
34 17 contribution to the child abuse prevention program fund
34 18 under this section is irrevocable.
34 19 2. The director of revenue shall draft the income
34 20 tax form to allow the designation of contributions
34 21 to the child abuse prevention program fund on the
34 22 tax return. The department of revenue, on or before
34 23 January 31, shall transfer the total amount designated
34 24 on the tax return forms due in the preceding calendar
34 25 year to the child abuse prevention program fund.
34 26 However, before a checkoff pursuant to this section
34 27 shall be permitted, all liabilities on the books of
34 28 the department of administrative services and accounts
34 29 identified as owing under section 8A.504 and the
34 30 political contribution allowed under section 68A.601
34 31 shall be satisfied.
34 32 3. The department of human services may authorize
34 33 payment of moneys from the child abuse prevention
34 34 program fund, in accordance with section 235A.2.
34 35 4. The department of revenue shall adopt rules to
34 36 administer this section.
34 37 5. This section is subject to repeal under section
34 38 422.12E.
34 39 Sec. _____. NEW SECTION. 422.12G Joint income tax
34 40 refund checkoff for veterans trust fund and volunteer
34 41 fire fighter preparedness fund.
34 42 1. A person who files an individual or a joint
34 43 income tax return with the department of revenue under
34 44 section 422.13 may designate one dollar or more to
34 45 be paid jointly to the veterans trust fund created
34 46 in section 35A.13 and to the volunteer fire fighter
34 47 preparedness fund created in section 100B.13. If the
34 48 refund due on the return or the payment remitted with
34 49 the return is insufficient to pay the additional amount
34 50 designated by the taxpayer, the amount designated



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35 1 shall be reduced to the remaining amount of refund or
35 2 the remaining amount remitted with the return. The
35 3 designation of a contribution under this section is
35 4 irrevocable.
35 5 2. The director of revenue shall draft the income
35 6 tax form to allow the designation of contributions
35 7 to the veterans trust fund and to the volunteer fire
35 8 fighter preparedness fund as one checkoff on the
35 9 tax return. The department of revenue, on or before
35 10 January 31, shall transfer one-half of the total
35 11 amount designated on the tax return forms due in the
35 12 preceding calendar year to the veterans trust fund and
35 13 the remaining one-half to the volunteer fire fighter
35 14 preparedness fund. However, before a checkoff pursuant
35 15 to this section shall be permitted, all liabilities on
35 16 the books of the department of administrative services
35 17 and accounts identified as owing under section 8A.504
35 18 and the political contribution allowed under section
35 19 68A.601 shall be satisfied.
35 20 3. The department of revenue shall adopt rules to
35 21 administer this section.
35 22 4. This section is subject to repeal under section
35 23 422.12E.
35 24 Sec. _____. REPEAL. Section 422.12L, Code 2009, is
35 25 repealed.
35 26 Sec. _____. REPEAL. Section 422.12K, Code Supplement
35 27 2009, is repealed.
35 28 Sec. _____. RETROACTIVE APPLICABILITY. This division
35 29 of this Act applies retroactively to January 1, 2010,
35 30 for tax years beginning on or after that date.
35 31 #53. Page 46, after line 5 by inserting:
35 32 <DIVISION ____
35 33 WINE
35 34 Section 1. Section 123.183, Code 2009, is amended
35 35 to read as follows:
35 36 123.183 Wine gallonage tax and related funds.
35 37 1. In addition to the annual permit fee to be paid
35 38 by each class "A" wine permittee, a wine gallonage tax
35 39 shall be levied and collected from each class "A" wine
35 40 permittee on all wine manufactured for sale and sold
35 41 in this state at wholesale and on all wine imported
35 42 into this state for sale at wholesale and sold in this
35 43 state at wholesale. A wine gallonage tax shall also
35 44 be levied and collected on the direct shipment of wine
35 45 pursuant to section 123.187. The rate of the wine
35 46 gallonage tax is one dollar and seventy-five cents for
35 47 each wine gallon. The same rate shall apply for the
35 48 fractional parts of a wine gallon. The wine gallonage
35 49 tax shall not be levied or collected on wine sold by
35 50 one class "A" wine permittee to another class "A" wine



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36 1 permittee.

36 2 2. a. Revenue collected from the wine gallonage
36 3 tax on wine manufactured for sale and sold in this
36 4 state, and on wine subject to direct shipment as
36 5 provided in section 123.187 by a wine manufacturer
36 6 licensed or permitted pursuant to laws regulating
36 7 alcoholic beverages in this state, shall be deposited
36 8 in the wine gallonage tax fund as created in this
36 9 section.

36 10 b. A wine gallonage tax fund is created in the
36 11 office of the treasurer of state. Moneys deposited in
36 12 the fund are appropriated to the department of economic
36 13 development as provided in section 15E.117. Moneys in
36 14 the fund are not subject to section 8.33.

36 15 3. The revenue collected from the wine gallonage
36 16 tax on wine imported into this state for sale at
36 17 wholesale and sold in this state at wholesale, and on
36 18 wine subject to direct shipment as provided in section
36 19 123.187 by a wine manufacturer licensed or permitted
36 20 pursuant to laws regulating alcoholic beverages in
36 21 another state, shall be deposited in the beer and
36 22 liquor control fund created in section 123.53.

36 23 Sec. _____. Section 123.187, subsection 4, as enacted
36 24 by 2010 Iowa Acts, Senate File 2088, section 100, is
36 25 amended to read as follows:

36 26 4.a. In addition to the annual license fee,
36 27 a wine direct shipper licensee shall remit to the
36 28 division an amount equivalent to the wine gallonage
36 29 tax on wine subject to direct shipment at the rate
36 30 specified in section 123.183 for deposit as provided in
36 31 section 123.183, subsections 2 and 3. The amount shall
36 32 be remitted at the same time and in the same manner
36 33 as provided in section 123.184, and the ten percent
36 34 penalty specified therein shall be applicable.

36 35 b. Shipment of wine pursuant to this subsection
36 36 does not require a refund value for beverage container
36 37 control purposes under chapter 455C.>

36 38 #54. Page 46, after line 5 by inserting:

36 39 <DIVISION ____
36 40 MEDICATION THERAPY MANAGEMENT
36 41 Sec. _____. MEDICATION THERAPY MANAGEMENT == PILOT ==
36 42 REPEAL.

36 43 1. As used in this section unless the context
36 44 otherwise requires:

36 45 a. "Eligible employee" means an employee of the
36 46 state, with the exception of an employee of the state
36 47 board of regents or institutions under the state board
36 48 of regents, for whom group health plans are established
36 49 pursuant to chapter 509A providing for third-party
36 50 payment or prepayment for health or medical expenses.



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37 1 b. "Medication therapy management" means a
37 2 systematic process performed by a licensed pharmacist,
37 3 designed to optimize therapeutic outcomes through
37 4 improved medication use and reduced risk of adverse
37 5 drug events, including all of the following services:
37 6 (1) A medication therapy review and in-person
37 7 consultation relating to all medications, vitamins, and
37 8 herbal supplements currently being taken by an eligible
37 9 individual.
37 10 (2) A medication action plan, subject to the
37 11 limitations specified in this section, communicated
37 12 to the individual and the individual's primary care
37 13 physician or other appropriate prescriber to address
37 14 safety issues, inconsistencies, duplicative therapy,
37 15 omissions, and medication costs. The medication action
37 16 plan may include recommendations to the prescriber for
37 17 changes in drug therapy.
37 18 (3) Documentation and follow-up to ensure
37 19 consistent levels of pharmacy services and positive
37 20 outcomes.
37 21 2. a. Prior to July 1, 2010, the department of
37 22 administrative services shall utilize a request for
37 23 proposals process to contract for the provision of
37 24 medication therapy management services beginning July
37 25 1, 2010, for eligible employees who meet any of the
37 26 following criteria:
37 27 (1) An individual who takes four or more
37 28 prescription drugs to treat or prevent two or more
37 29 chronic medical conditions.
37 30 (2) An individual with a prescription drug therapy
37 31 problem who is identified by the prescribing physician
37 32 or other appropriate prescriber, and referred to a
37 33 pharmacist for medication therapy management services.
37 34 (3) An individual who meets other criteria
37 35 established by the third-party payment provider
37 36 contract, policy, or plan.
37 37 b. The department of administrative services shall
37 38 utilize an advisory committee comprised of an equal
37 39 number of physicians and pharmacists to provide advice
37 40 and oversight regarding the request for proposals and
37 41 evaluation processes. The department shall appoint the
37 42 members of the advisory council based upon designees
37 43 of the Iowa pharmacy association, the Iowa medical
37 44 society, and the Iowa osteopathic medical association.
37 45 c. The contract shall require the company to
37 46 provide annual reports to the general assembly
37 47 detailing the costs, savings, estimated cost avoidance
37 48 and return on investment, and patient outcomes
37 49 related to the medication therapy management services
37 50 provided. The company shall guarantee demonstrated



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38 1 annual savings, including any savings associated with
38 2 cost avoidance at least equal to the program's costs
38 3 with any shortfall amount refunded to the state. As
38 4 a proof of concept in the program for the period
38 5 beginning July 1, 2010, and ending June 30, 2011, the
38 6 company shall offer a dollar-for-dollar guarantee for
38 7 drug product costs savings alone. Prior to entering
38 8 into a contract with a company, the department and
38 9 the company shall agree on the terms, conditions,
38 10 and applicable measurement standards associated
38 11 with the demonstration of savings. The department
38 12 shall verify the demonstrated savings reported by
38 13 the company was performed in accordance with the
38 14 agreed upon measurement standards. The company shall
38 15 be prohibited from using the company's employees to
38 16 provide the medication therapy management services and
38 17 shall instead be required to contract with licensed
38 18 pharmacies, pharmacists, or physicians.
38 19 d. The fees for pharmacist-delivered medication
38 20 therapy management services shall be separate from
38 21 the reimbursement for prescription drug product or
38 22 dispensing services; shall be determined by each
38 23 third-party payment provider contract, policy, or plan;
38 24 and must be reasonable based on the resources and time
38 25 required to provide the service.
38 26 e. A fee shall be established for physician
38 27 reimbursement for services delivered for medication
38 28 therapy management as determined by each third-party
38 29 payment provider contract, policy, or plan, and must be
38 30 reasonable based on the resources and time required to
38 31 provide the service.
38 32 f. If any part of the medication therapy management
38 33 plan developed by a pharmacist incorporates services
38 34 which are outside the pharmacist's independent scope
38 35 of practice including the initiation of therapy,
38 36 modification of dosages, therapeutic interchange, or
38 37 changes in drug therapy, the express authorization
38 38 of the individual's physician or other appropriate
38 39 prescriber is required.
38 40 3. This section is repealed December 31, 2011.
38 41 Sec. _____. DEPARTMENT OF ADMINISTRATIVE SERVICES ==
38 42 IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE
38 43 TANK FUND. There is appropriated from the Iowa
38 44 comprehensive petroleum underground storage tank
38 45 fund created in section 455G.3 to the department of
38 46 administrative services for the fiscal year beginning
38 47 July 1, 2010, and ending June 30, 2011, the following
38 48 amount, or so much thereof as is necessary, to be used
38 49 for the purposes of this division, notwithstanding
38 50 section 455G.3, subsection 1:



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39 1 \$ 543,000
 39 2 Sec. ____ EFFECTIVE UPON ENACTMENT. This division
 39 3 of this Act, being deemed of immediate importance,
 39 4 takes effect upon enactment.>
 39 5 #55. Page 46, after line 5 by inserting:
 39 6 <DIVISION ____
 39 7 IOWA COMPREHENSIVE PETROLEUM
 39 8 UNDERGROUND STORAGE TANK FUND
 39 9 Sec. ____ Section 455B.474, subsection 1, paragraph
 39 10 d, subparagraph (2), unnumbered paragraph 1, Code
 39 11 Supplement 2009, is amended to read as follows:
 39 12 A site shall be classified as either high risk,
 39 13 low risk, or no action required, as determined by a
 39 14 certified groundwater professional.

39 15 Sec. ____ Section 455B.474, subsection 1, paragraph
 39 16 d, subparagraph (2), subparagraph division (a),
 39 17 unnumbered paragraph 1, Code Supplement 2009, is
 39 18 amended to read as follows:
 39 19 A site shall be considered high risk when ~~it is~~
 39 20 ~~determined~~ a certified groundwater professional
 39 21 determines that contamination from the site presents an
 39 22 unreasonable risk to public health and safety or the
 39 23 environment under any of the following conditions:
 39 24 Sec. ____ Section 455B.474, subsection 1, paragraph
 39 25 d, subparagraph (2), subparagraph division (b),
 39 26 unnumbered paragraph 1, Code Supplement 2009, is
 39 27 amended to read as follows:
 39 28 A site shall be considered low risk ~~under any of~~
 39 29 ~~the following conditions~~ when a certified groundwater
 39 30 professional determines that low risk conditions exist
 39 31 as follows:

39 32 Sec. ____ Section 455B.474, subsection 1, paragraph
 39 33 d, subparagraph (2), subparagraph divisions (c) and
 39 34 (e), Code Supplement 2009, are amended to read as
 39 35 follows:
 39 36 (c) A site shall be considered no action required
 39 37 ~~if~~ and a no further action certificate shall be
 39 38 issued by the department when a certified groundwater
 39 39 professional determines that contamination is below
 39 40 action level standards and high or low risk conditions
 39 41 do not exist and are not likely to occur.
 39 42 (e) A site cleanup report which classifies a
 39 43 site as either high risk, low risk, or no action
 39 44 required shall be submitted by a groundwater
 39 45 professional to the department with a certification
 39 46 that the report complies with the provisions of this
 39 47 chapter and rules adopted by the department. The
 39 48 report shall be determinative of the appropriate
 39 49 classification of the site. ~~However, if the report~~
 39 50 ~~is found to be~~ and the site shall be classified as



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40 1 indicated by the groundwater professional unless,
40 2 within ninety days of receipt by the department,
40 3 the department identifies material information in
40 4 the report that is inaccurate or incomplete, and
40 5 if based upon inaccurate or incomplete information
40 6 in the report the risk classification of the site
40 7 cannot be reasonably determined by the department
40 8 based upon industry standards, ~~the department shall.~~
40 9 If the department determines that the site cleanup
40 10 report is inaccurate or incomplete, the department
40 11 shall notify the groundwater professional of the
40 12 inaccurate or incomplete information within ninety
40 13 days of receipt of the report and shall work with
40 14 the groundwater professional to obtain the correct
40 15 information or additional information necessary
40 16 to appropriately classify the site. However, from
40 17 July 1, 2010, through June 30, 2011, the department
40 18 shall have one hundred twenty days to notify the
40 19 certified groundwater professional when a report is
40 20 not accepted based on material information that is
40 21 found to be inaccurate or incomplete. A groundwater
40 22 professional who knowingly or intentionally makes a
40 23 false statement or misrepresentation which results in
40 24 a mistaken classification of a site shall be guilty of
40 25 a serious misdemeanor and shall have the groundwater
40 26 professional's certification revoked under this
40 27 section.

40 28 Sec. ____ . Section 455B.474, subsection 1, paragraph
40 29 f, subparagraphs (5), (6), and (7), Code Supplement
40 30 2009, are amended to read as follows:

40 31 (5) A corrective action design report submitted by
40 32 a groundwater professional shall be accepted by the
40 33 department and shall be primarily relied upon by the
40 34 department to determine the corrective action response
40 35 requirements of the site. However, if ~~the corrective~~
40 36 ~~action design report is found to be within ninety days~~
40 37 ~~of receipt of a corrective action design report, the~~
40 38 ~~department identifies material information in the~~
40 39 ~~corrective action design report that is inaccurate or~~
40 40 ~~incomplete, and if based upon information in the report~~
40 41 ~~the appropriate corrective action response cannot be~~
40 42 ~~reasonably determined by the department based upon~~
40 43 ~~industry standards, the department shall notify the~~
40 44 ~~groundwater professional that the corrective action~~
40 45 ~~design report is not accepted, and the department~~
40 46 ~~shall work with the groundwater professional to correct~~
40 47 ~~the material information or to obtain the additional~~
40 48 ~~information necessary to appropriately determine the~~
40 49 ~~corrective action response requirements as soon as~~
40 50 ~~practicable. However, from July 1, 2010, through June~~



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41 1 30, 2011, the department shall have one hundred twenty
41 2 days to notify the certified groundwater professional
41 3 when a corrective action design report is not accepted
41 4 based on material information that is found to be
41 5 inaccurate or incomplete. A groundwater professional
41 6 who knowingly or intentionally makes a false statement
41 7 or misrepresentation which results in an improper or
41 8 incorrect corrective action response shall be guilty of
41 9 a serious misdemeanor and shall have the groundwater
41 10 professional's certification revoked under this
41 11 section.

41 12 (6) Low risk sites shall be monitored as deemed
41 13 necessary by the department consistent with industry
41 14 standards. Monitoring shall not be required on a site
41 15 which has received a no further action certificate.
41 16 A site that has maintained less than the applicable
41 17 target level for four consecutive sampling events shall
41 18 be reclassified as a no action required site regardless
41 19 of exit monitoring criteria and guidance.

41 20 (7) An owner or operator may elect to proceed with
41 21 additional corrective action on the site. However,
41 22 any action taken in addition to that required pursuant
41 23 to this paragraph "f" shall be solely at the expense
41 24 of the owner or operator and shall not be considered
41 25 corrective action for purposes of section 455G.9,
41 26 unless otherwise previously agreed to by the board
41 27 and the owner or operator pursuant to section 455G.9,
41 28 subsection 7. Corrective action taken by an owner or
41 29 operator due to the department's failure to meet the
41 30 time requirements provided in subparagraph (5), shall
41 31 be considered corrective action for purposes of section
41 32 455G.9.

41 33 Sec. ____. Section 455B.474, subsection 1, paragraph
41 34 h, subparagraphs (1) and (3), Code Supplement 2009, are
41 35 amended to read as follows:

41 36 (1) A no further action certificate shall be
41 37 issued by the department for a site which has been
41 38 classified as a no further action site or which
41 39 has been reclassified pursuant to completion of a
41 40 corrective action plan or monitoring plan to be a no
41 41 further action site by a groundwater professional,
41 42 unless within ninety days of receipt of the report
41 43 submitted by the groundwater professional classifying
41 44 the site, the department notifies the groundwater
41 45 professional that the report and site classification
41 46 are not accepted and the department identifies
41 47 material information in the report that is inaccurate
41 48 or incomplete which causes the department to be
41 49 unable to accept the classification of the site.
41 50 An owner or operator shall not be responsible for



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42 1 additional assessment, monitoring, or corrective
 42 2 action activities at a site that is issued a no further
 42 3 action certificate unless it is determined that the
 42 4 certificate was issued based upon false material
 42 5 statements that were knowingly or intentionally made
 42 6 by a groundwater professional and the false material
 42 7 statements resulted in the incorrect classification of
 42 8 the site.

42 9 (3) A certificate shall be recorded with the county
 42 10 recorder. The owner or operator of a site who has been
 42 11 issued a certificate under this paragraph "h" or a
 42 12 subsequent purchaser of the site shall not be required
 42 13 to perform further corrective action ~~solely~~ because
 42 14 action standards are changed at a later date. A
 42 15 certificate shall not prevent the department from
 42 16 ordering corrective action of a new release.

42 17 Sec. ____ . Section 455B.479, Code 2009, is amended
 42 18 to read as follows:

42 19 455B.479 Storage tank management fee.

42 20 An owner or operator of an underground storage
 42 21 tank shall pay an annual storage tank management fee
 42 22 of sixty-five dollars per tank of over one thousand
 42 23 one hundred gallons capacity. ~~Twenty-three percent~~
 42 24 ~~of the~~ The fees collected shall be deposited in the
 42 25 storage tank management account of the groundwater
 42 26 protection fund. ~~Seventy-seven percent of the fees~~
 42 27 ~~collected shall be deposited in the Iowa comprehensive~~
 42 28 ~~petroleum underground storage tank fund created in~~
 42 29 ~~chapter 455C.~~

42 30 Sec. ____ . Section 455E.11, subsection 2, paragraph
 42 31 d, Code Supplement 2009, is amended to read as follows:

42 32 d. A storage tank management account. All fees
 42 33 collected pursuant to section 455B.473, subsection 5,
 42 34 and section 455B.479, shall be deposited in the storage
 42 35 tank management account, ~~except those moneys deposited~~
 42 36 ~~into the Iowa comprehensive petroleum underground~~
 42 37 ~~storage tank fund pursuant to section 455B.479. Funds.~~
 42 38 Moneys deposited in the account shall be expended for
 42 39 the following purposes:

42 40 (1) One thousand dollars is appropriated annually
 42 41 to the Iowa department of public health to carry out
 42 42 departmental duties under section 135.11, subsections
 42 43 19 and 20, and section 139A.21.

42 44 (2) ~~Twenty-three percent of the proceeds of the~~
 42 45 ~~fees imposed pursuant to section 455B.473, subsection~~
 42 46 ~~5, and section 455B.479 shall be deposited in the~~
 42 47 ~~account annually, up to a maximum of three hundred~~
 42 48 ~~fifty thousand dollars. If twenty-three percent of the~~
 42 49 ~~proceeds exceeds three hundred fifty thousand dollars,~~
 42 50 ~~the excess shall be deposited into the fund created in~~



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~~43 1 section 455G.3. Three hundred fifty thousand dollars~~
~~43 2 is The moneys remaining in the account after the~~
~~43 3 appropriation in subparagraph (1) are appropriated from~~
~~43 4 the storage tank management account to the department~~
~~43 5 of natural resources for the administration of a state~~
~~43 6 storage tank program pursuant to chapter 455B, division~~
~~43 7 IV, part 8, and for programs which reduce the potential~~
~~43 8 for harm to the environment and the public health from~~
~~43 9 storage tanks.~~

~~43 10 (3) The remaining funds in the account are~~
~~43 11 appropriated annually to the Iowa comprehensive~~
~~43 12 petroleum underground storage tank fund. Each fiscal~~
~~43 13 year, the department of natural resources shall enter~~
~~43 14 into an agreement with the Iowa comprehensive petroleum~~
~~43 15 underground storage tank fund for the completion~~
~~43 16 of administrative tasks during the fiscal year~~
~~43 17 directly related to the evaluation and modification~~
~~43 18 of risk based corrective action rules as necessary~~
~~43 19 and processes that affect the administration in~~
~~43 20 subparagraph (2).~~

43 21 Sec. ____ . Section 455G.3, Code 2009, is amended by
43 22 adding the following new subsections:

43 23 NEW SUBSECTION. 6. For the fiscal year beginning
43 24 July 1, 2010, and each fiscal year thereafter, there
43 25 is appropriated from the Iowa comprehensive petroleum
43 26 underground storage tank fund to the department of
43 27 natural resources two hundred thousand dollars for
43 28 purposes of technical review support to be conducted
43 29 by nongovernmental entities for leaking underground
43 30 storage tank assessments.

43 31 NEW SUBSECTION. 7. For the fiscal year beginning
43 32 July 1, 2010, there is appropriated from the Iowa
43 33 comprehensive petroleum underground storage tank fund
43 34 to the department of natural resources one hundred
43 35 thousand dollars for purposes of database modifications
43 36 necessary to accept batched external data regarding
43 37 underground storage tank inspections conducted by
43 38 nongovernmental entities.

43 39 NEW SUBSECTION. 8. For the fiscal year beginning
43 40 July 1, 2010, and each fiscal year thereafter, there
43 41 is appropriated from the Iowa comprehensive petroleum
43 42 underground storage tank fund to the department of
43 43 agriculture and land stewardship two hundred fifty
43 44 thousand dollars for the sole and exclusive purpose
43 45 of inspecting fuel quality at pipeline terminals
43 46 and renewable fuel production facilities, including
43 47 salaries, support, maintenance, and miscellaneous
43 48 purposes.

43 49 NEW SUBSECTION. 9. Beginning September 1, 2010,
43 50 the board shall administer safety training, hazardous



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44 1 material training, environmental training, and
44 2 underground storage tank operator training in the
44 3 state to be provided by an entity approved by the
44 4 department of natural resources. The training provided
44 5 pursuant to this subsection shall be available to any
44 6 tank operator in the state at an equal and reasonable
44 7 cost and shall not be conditioned upon any other
44 8 requirements. Each fiscal year, the board shall not
44 9 expend more than two hundred fifty thousand dollars
44 10 from the Iowa comprehensive petroleum underground
44 11 storage tank fund for purposes of administering this
44 12 subsection.

44 13 Sec. _____. Section 455G.4, subsection 1, paragraph
44 14 a, subparagraphs (3) and (5), Code Supplement 2009, are
44 15 amended to read as follows:

44 16 (3) ~~The commissioner of insurance, or the~~
44 17 ~~commissioner's designee. An employee of the department~~
44 18 ~~of management who has been designated as a risk manager~~
44 19 ~~by the director of the department of management.~~

44 20 (5) ~~Two owners or operators appointed by the~~
44 21 ~~governor. One of the owners or operators appointed~~
44 22 ~~pursuant to this subparagraph shall have been a~~
44 23 ~~petroleum systems insured through the underground~~
44 24 ~~storage tank insurance fund as it existed on June 30,~~
44 25 ~~2004, or a successor to the underground storage tank~~
44 26 ~~insurance fund and shall have been an insured through~~
44 27 ~~the insurance account of the comprehensive petroleum~~
44 28 ~~underground storage tank fund on or before October~~
44 29 ~~26, 1990. One of the owners or operators appointed~~
44 30 ~~pursuant to this subparagraph shall be self-insured. as~~
44 31 follows:

44 32 (a) One member shall be an owner or operator who is
44 33 self-insured.

44 34 (b) One member shall be a member of the petroleum
44 35 marketers and convenience stores of Iowa or its
44 36 designee.

44 37 Sec. _____. Section 455G.8, subsection 3, Code 2009,
44 38 is amended by striking the subsection.

44 39 Sec. _____. Section 455G.9, subsection 1, paragraphs
44 40 d, k, and l, Code 2009, are amended to read as follows:

44 41 d. One hundred percent of the costs of corrective
44 42 action and third-party liability for a release situated
44 43 on property acquired by a county for delinquent taxes
44 44 pursuant to chapters 445 through 448, for which a
44 45 responsible owner or operator able to pay, other
44 46 than the county, cannot be found. A county is not
44 47 a "responsible party" for a release in connection
44 48 with property which it acquires in connection with
44 49 delinquent taxes, and does not become a responsible
44 50 party by sale or transfer of property so acquired. In



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45 1 such situations, the board may act as an agent for
45 2 the county. Actual corrective action on the site
45 3 shall be overseen by the department, the board, and
45 4 a certified groundwater professional. Third-party
45 5 liability specifically excludes any claim, cause of
45 6 action, or suit, for personal injury including, but
45 7 not limited to, loss of use or of private enjoyment,
45 8 mental anguish, false imprisonment, wrongful entry or
45 9 eviction, humiliation, discrimination, or malicious
45 10 prosecution. Reasonable acquisition costs do not
45 11 include any taxes or costs related to the collection
45 12 of taxes.

45 13 k. Pursuant to an agreement between the board and
45 14 the department of natural resources, assessment and
45 15 corrective action arising out of releases at sites for
45 16 which a no further action certificate has been issued
45 17 pursuant to section 455B.474, when the department
45 18 determines that an unreasonable risk to public health
45 19 and safety may still exist or that previously reported
45 20 upon applicable target levels have been exceeded. At
45 21 a minimum, the agreement shall address eligible costs,
45 22 contracting for services, and conditions under which
45 23 sites may be reevaluated.

45 24 1. ~~Costs~~ Up to fifteen thousand dollars for the
45 25 permanent closure of an underground storage tank
45 26 system ~~that was in place on the date an eligible claim~~
45 27 ~~was submitted under paragraph "a" that does not meet~~
45 28 performance standards for new or upgraded tanks or
45 29 is otherwise required to be closed pursuant to rules
45 30 adopted by the environmental protection commission
45 31 pursuant to section 455B.474. Reimbursement is limited
45 32 to costs approved by the board prior to the closure
45 33 activities.

45 34 Sec. _____. Section 455G.9, subsection 4, Code 2009,
45 35 is amended to read as follows:

45 36 4. Minimum copayment schedule.

45 37 a. An owner or operator shall be required to pay
45 38 the greater of five thousand dollars or eighteen
45 39 percent of the first eighty thousand dollars of the
45 40 total costs of corrective action for that release,
45 41 except for claims pursuant to section 455G.21, where
45 42 the claimant is not a responsible party or potentially
45 43 responsible party for the site for which the claim is
45 44 filed.

45 45 b. If a site's actual expenses exceed eighty
45 46 thousand dollars, the remedial account shall pay the
45 47 remainder, as required by federal regulations, of
45 48 the total costs of the corrective action for that
45 49 release, not to exceed one million dollars, except that
45 50 a county shall not be required to pay a copayment in



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46 1 connection with a release situated on property acquired
46 2 in connection with delinquent taxes, as provided in
46 3 subsection 1, paragraph "d", unless subsequent to
46 4 acquisition the county actively operates a tank on the
46 5 property for purposes other than risk assessment, risk
46 6 management, or tank closure.

46 7 Sec. _____. Section 455G.9, subsection 7, Code 2009,
46 8 is amended to read as follows:

46 9 7. Expenses of cleanup not required. When an
46 10 owner or operator who is eligible for benefits under
46 11 this chapter is allowed by the department of natural
46 12 resources to monitor in place, the expenses incurred
46 13 for cleanup beyond the level required by the department
46 14 of natural resources ~~are not~~ may be covered under any
46 15 of the accounts established under the fund only if
46 16 approved by the board as cost-effective relative to
46 17 the department accepted monitoring plan or relative
46 18 to the repeal date specified in section 424.19. The
46 19 cleanup expenses incurred for work completed beyond
46 20 what is required is the responsibility of the person
46 21 contracting for the excess cleanup. The board shall
46 22 seek to terminate the responsible party's environmental
46 23 liabilities at such sites prior to the board ceasing
46 24 operation.

46 25 Sec. _____. Section 455G.9, subsection 10, Code 2009,
46 26 is amended to read as follows:

46 27 10. Expenses incurred by governmental subdivisions
46 28 and public works utilities. The board ~~may~~ shall adopt
46 29 rules for reimbursement for reasonable expenses
46 30 incurred by a governmental subdivision or public
46 31 works utility for sampling, treating, handling,
46 32 or disposing, as required by the department, of
46 33 petroleum-contaminated soil and groundwater encountered
46 34 in a public right-of-way during installation,
46 35 maintenance, or repair of a utility or public
46 36 improvement. The board may seek full recovery from
46 37 a responsible party liable for the release for such
46 38 expenses and for all other costs and reasonable
46 39 attorney fees and costs of litigation for which moneys
46 40 are expended by the fund. Any expense described in
46 41 this subsection incurred by the fund constitutes a lien
46 42 upon the property from which the release occurred.
46 43 A lien shall be recorded and an expense shall be
46 44 collected in the same manner as provided in section
46 45 424.11.

46 46 Sec. _____. EFFECTIVE UPON ENACTMENT AND RETROACTIVE
46 47 APPLICABILITY. The section of this division of this
46 48 Act amending section 455G.9, subsection 4, being deemed
46 49 of immediate importance, takes effect upon enactment
46 50 and applies retroactively to January 1, 2010.



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47 1 DIVISION ____
47 2 BONDING AUTHORITY
47 3 Sec. ____ . Section 455G.2, subsection 1, Code 2009,
47 4 is amended by striking the subsection.
47 5 Sec. ____ . Section 455G.2, subsection 3, Code 2009,
47 6 is amended to read as follows:
47 7 3. "Bond" means a bond, note, or other obligation
47 8 issued by the ~~authority~~ treasurer of state for the fund
47 9 and the purposes of this chapter.
47 10 Sec. ____ . Section 455G.3, subsection 2, Code 2009,
47 11 is amended to read as follows:
47 12 2. The board shall assist Iowa's owners and
47 13 operators of petroleum underground storage tanks in
47 14 complying with federal environmental protection agency
47 15 technical and financial responsibility regulations
47 16 by establishment of the Iowa comprehensive petroleum
47 17 underground storage tank fund. The ~~authority~~ treasurer
47 18 of state may issue its bonds, or series of bonds, to
47 19 assist the board, as provided in this chapter.
47 20 Sec. ____ . Section 455G.6, subsections 7 through 9,
47 21 Code Supplement 2009, are amended to read as follows:
47 22 7. The board may contract with the
47 23 ~~authority~~ treasurer of state for the
47 24 ~~authority~~ treasurer of state to issue bonds and do
47 25 all things necessary with respect to the purposes
47 26 of the fund, as set out in the contract between the
47 27 board and the ~~authority~~ treasurer of state. The
47 28 board may delegate to the ~~authority~~ treasurer of
47 29 state and the ~~authority~~ treasurer of state shall
47 30 then have all of the powers of the board which are
47 31 necessary to issue and secure bonds and carry out the
47 32 purposes of the fund, to the extent provided in the
47 33 contract between the board and the ~~authority~~ treasurer
47 34 of state. The ~~authority~~ treasurer of state may
47 35 issue the ~~authority's~~ treasurer of state's bonds
47 36 in principal amounts which, in the opinion of the
47 37 board, are necessary to provide sufficient funds for
47 38 the fund, the payment of interest on the bonds, the
47 39 establishment of reserves to secure the bonds, the
47 40 costs of issuance of the bonds, other expenditures
47 41 of the ~~authority~~ treasurer of state incident to and
47 42 necessary or convenient to carry out the bond issue
47 43 for the fund, and all other expenditures of the board
47 44 necessary or convenient to administer the fund.
47 45 The bonds are investment securities and negotiable
47 46 instruments within the meaning of and for purposes of
47 47 the uniform commercial code, chapter 554.
47 48 8. Bonds issued under this section are payable
47 49 solely and only out of the moneys, assets, or revenues
47 50 of the fund, all of which may be deposited with



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48 1 trustees or depositories in accordance with bond
48 2 or security documents and pledged by the board to
48 3 the payment thereof, and are not an indebtedness
48 4 of this state ~~or the authority~~, or a charge against
48 5 the general credit or general fund of the state ~~or~~
~~48 6 the authority~~, and the state shall not be liable for
48 7 any financial undertakings with respect to the fund.
48 8 Bonds issued under this chapter shall contain on their
48 9 face a statement that the bonds do not constitute an
48 10 indebtedness of the state ~~or the authority~~.

48 11 9. The proceeds of bonds issued by the
48 12 ~~authority~~ treasurer of state and not required for
48 13 immediate disbursement may be deposited with a trustee
48 14 or depository as provided in the bond documents
48 15 and invested in any investment approved by the
48 16 ~~authority~~ treasurer of state and specified in the trust
48 17 indenture, resolution, or other instrument pursuant
48 18 to which the bonds are issued without regard to any
48 19 limitation otherwise provided by law.

48 20 Sec. _____. Section 455G.6, subsection 10, paragraph
48 21 b, Code Supplement 2009, is amended to read as follows:

48 22 b. Negotiable instruments under the laws of
48 23 the state and may be sold at prices, at public or
48 24 private sale, and in a manner, as prescribed by the
48 25 ~~authority~~ treasurer of state. Chapters 73A, 74, 74A
48 26 and 75 do not apply to their sale or issuance of the
48 27 bonds.

48 28 Sec. _____. Section 455G.6, subsection 12, Code
48 29 Supplement 2009, is amended to read as follows:

48 30 12. Bonds must be authorized by a trust
48 31 indenture, resolution, or other instrument of the
48 32 ~~authority~~ treasurer of state, approved by the board.
48 33 However, a trust indenture, resolution, or other
48 34 instrument authorizing the issuance of bonds may
48 35 delegate to an officer of the issuer the power to
48 36 negotiate and fix the details of an issue of bonds.

48 37 Sec. _____. Section 455G.7, Code Supplement 2009, is
48 38 amended to read as follows:

48 39 455G.7 Security for bonds == capital reserve fund ==
48 40 irrevocable contracts.

48 41 1. a. For the purpose of securing one or more
48 42 issues of bonds for the fund, the ~~authority~~ treasurer
48 43 of state, with the approval of the board, may authorize
48 44 the establishment of one or more special funds, called
48 45 "capital reserve funds". The ~~authority~~ treasurer
48 46 of state may pay into the capital reserve funds the
48 47 proceeds of the sale of its bonds and other money
48 48 which may be made available to the ~~authority~~ treasurer
48 49 of state from other sources for the purposes of the
48 50 capital reserve funds. Except as provided in this



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49 1 section, money in a capital reserve fund shall be used
49 2 only as required for any of the following:
49 3 ~~a.~~ (1) The payment of the principal of and
49 4 interest on bonds or of the sinking fund payments with
49 5 respect to those bonds.
49 6 ~~b.~~ (2) The purchase or redemption of the bonds.
49 7 ~~c.~~ (3) The payment of a redemption premium
49 8 required to be paid when the bonds are redeemed before
49 9 maturity.
49 10 b. However, money in a capital reserve fund shall
49 11 not be withdrawn if the withdrawal would reduce the
49 12 amount in the capital reserve fund to less than the
49 13 capital reserve fund requirement, except for the
49 14 purpose of making payment, when due, of principal,
49 15 interest, redemption premiums on the bonds, and making
49 16 sinking fund payments when other money pledged to the
49 17 payment of the bonds is not available for the payments.
49 18 Income or interest earned by, or increment to, a
49 19 capital reserve fund from the investment of all or part
49 20 of the capital reserve fund may be transferred by the
49 21 ~~authority~~ treasurer of state to other accounts of the
49 22 fund if the transfer does not reduce the amount of the
49 23 capital reserve fund below the capital reserve fund
49 24 requirement.
49 25 2. If the ~~authority~~ treasurer of state decides
49 26 to issue bonds secured by a capital reserve fund,
49 27 the bonds shall not be issued if the amount in the
49 28 capital reserve fund is less than the capital reserve
49 29 fund requirement, unless at the time of issuance of
49 30 the bonds the ~~authority~~ treasurer of state deposits
49 31 in the capital reserve fund from the proceeds of the
49 32 bonds to be issued or from other sources, an amount
49 33 which, together with the amount then in the capital
49 34 reserve fund, is not less than the capital reserve fund
49 35 requirement.
49 36 3. In computing the amount of a capital reserve
49 37 fund for the purpose of this section, securities in
49 38 which all or a portion of the capital reserve fund
49 39 is invested shall be valued by a reasonable method
49 40 established by the ~~authority~~ treasurer of state.
49 41 Valuation shall include the amount of interest earned
49 42 or accrued as of the date of valuation.
49 43 4. In this section, "capital reserve fund
49 44 requirement" means the amount required to be on
49 45 deposit in the capital reserve fund as of the date of
49 46 computation.
49 47 5. To assure maintenance of the capital reserve
49 48 funds, the ~~authority~~ treasurer of state shall, on
49 49 or before July 1 of each calendar year, make and
49 50 deliver to the governor the ~~authority's~~ treasurer of



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50 1 state's certificate stating the sum, if any, required
50 2 to restore each capital reserve fund to the capital
50 3 reserve fund requirement for that fund. Within
50 4 thirty days after the beginning of the session of the
50 5 general assembly next following the delivery of the
50 6 certificate, the governor may submit to both houses
50 7 printed copies of a budget including the sum, if any,
50 8 required to restore each capital reserve fund to the
50 9 capital reserve fund requirement for that fund. Any
50 10 sums appropriated by the general assembly and paid
50 11 to the ~~authority~~ treasurer of state pursuant to this
50 12 section shall be deposited in the applicable capital
50 13 reserve fund.

50 14 6. All amounts paid by the state pursuant to this
50 15 section shall be considered advances by the state and,
50 16 subject to the rights of the holders of any bonds of
50 17 the ~~authority~~ treasurer of state that have previously
50 18 been issued or will be issued, shall be repaid to the
50 19 state without interest from all available revenues of
50 20 the fund in excess of amounts required for the payment
50 21 of bonds of the ~~authority~~ treasurer of state, the
50 22 capital reserve fund, and operating expenses.

50 23 7. If any amount deposited in a capital reserve
50 24 fund is withdrawn for payment of principal, premium,
50 25 or interest on the bonds or sinking fund payments with
50 26 respect to bonds thus reducing the amount of that fund
50 27 to less than the capital reserve fund requirement, the
50 28 ~~authority~~ treasurer of state shall immediately notify
50 29 the governor and the general assembly of this event and
50 30 shall take steps to restore the capital reserve fund
50 31 to the capital reserve fund requirement for that fund
50 32 from any amounts designated as being available for such
50 33 purpose.

50 34 Sec. _____. Section 455G.8, subsection 2, Code 2009,
50 35 is amended to read as follows:

50 36 2. Statutory allocations fund. The moneys
50 37 credited from the statutory allocations fund under
50 38 section 321.145, subsection 2, paragraph "a", shall
50 39 be allocated, consistent with this chapter, among
50 40 the fund's accounts, for debt service and other fund
50 41 expenses, according to the fund budget, resolution,
50 42 trust agreement, or other instrument prepared or
50 43 entered into by the board or ~~authority~~ treasurer of
50 44 state under direction of the board.

50 45 Sec. _____. REPEAL. Section 16.151, Code 2009, is
50 46 repealed.

50 47 Sec. _____. REPEAL. 1989 Iowa Acts, chapter 131,
50 48 section 63, as amended by 2009 Iowa Acts, chapter 184,
50 49 section 39, is repealed.

50 50 Sec. _____. EFFECTIVE UPON ENACTMENT. This division



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51 1 of this Act, being deemed of immediate importance,
51 2 takes effect upon enactment.>
51 3 #56. Page 46, after line 5 by inserting:
51 4 <DIVISION ____
51 5 UNEMPLOYMENT INSURANCE BENEFITS
51 6 Sec. ____ CASH RESERVE APPROPRIATION ==
51 7 UNEMPLOYMENT TRUST FUND ACCOUNT.
51 8 1. On or before August 15, 2010, following the
51 9 computation date required pursuant to section 96.7,
51 10 subsection 2, paragraph "d", subparagraph (1),
51 11 unnumbered paragraph 1, as amended by this Act, and
51 12 upon the approval of the director of the department of
51 13 management, there is appropriated from the cash reserve
51 14 fund created in section 8.56 to the unemployment
51 15 trust fund account of the unemployment compensation
51 16 fund for the fiscal year beginning July 1, 2010, and
51 17 ending June 30, 2011, up to \$20 million. This loan is
51 18 contingent upon being necessary to reach contribution
51 19 rate table 3 rather than contribution rate table 2 for
51 20 calendar year 2011. Any moneys appropriated pursuant
51 21 to this subsection shall be considered a loan for the
51 22 payment of unemployment insurance benefits and the
51 23 repayment of such moneys to the cash reserve fund
51 24 shall occur pursuant to subsection 2. If the amount
51 25 necessary to prevent table 2 from being applied is more
51 26 than \$20 million, this section is repealed. Section
51 27 8.56, subsections 3 and 4, shall not apply to the
51 28 appropriation in this section.
51 29 2. Following the fiscal year beginning July 1,
51 30 2010, and ending June 30, 2011, the department of
51 31 workforce development, in coordination with the
51 32 department of management, shall develop a plan for the
51 33 transfer of an amount equal to the amount appropriated
51 34 pursuant to subsection 1 from the unemployment trust
51 35 fund account of the unemployment compensation fund to
51 36 the cash reserve fund without adversely impacting the
51 37 solvency of the unemployment trust fund account.
51 38 3. By December 1, 2011, the director of the
51 39 department of workforce development shall submit to
51 40 the general assembly, with the report required under
51 41 section 96.35, the director's recommendations regarding
51 42 the transfer of moneys as required under subsection 2.
51 43 Sec. ____ Section 96.7, subsection 2, paragraph
51 44 d, subparagraph (1), unnumbered paragraph 1, Code
51 45 Supplement 2009, is amended to read as follows:
51 46 The current reserve fund ratio is computed by
51 47 dividing the total funds available for payment of
51 48 benefits, on the computation date or on August 15
51 49 following the computation date if the total funds
51 50 available for payment of benefits is a higher amount



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52 1 on August 15, by the total wages paid in covered
 52 2 employment excluding reimbursable employment wages
 52 3 during the first four calendar quarters of the five
 52 4 calendar quarters immediately preceding the computation
 52 5 date. However, in computing the current reserve fund
 52 6 ratio the following amounts shall be added to the
 52 7 total funds available for payment of benefits on the
 52 8 following computation dates:>
 52 9 #57. Page 46, after line 5 by inserting:
 52 10 <DIVISION ____
 52 11 TERRACE HILL
 52 12 Sec. ____ . TERRACE HILL OPERATIONS == CASH RESERVE
 52 13 FUND == DEPARTMENT OF ADMINISTRATIVE SERVICES. There
 52 14 is appropriated from the cash reserve fund created
 52 15 in section 8.56 to the department of administrative
 52 16 services for the fiscal year beginning July 1, 2010,
 52 17 and ending June 30, 2011, the following amount, or
 52 18 so much thereof as is necessary, to be used for the
 52 19 purposes designated:
 52 20 For salaries, support, maintenance, and
 52 21 miscellaneous purposes necessary for the operation of
 52 22 Terrace Hill:
 52 23 \$ 168,494
 52 24 Sec. ____ . TERRACE HILL == GENERAL FUND ==
 52 25 DEPARTMENT OF ADMINISTRATIVE SERVICES. There is
 52 26 appropriated from the general fund of the state to
 52 27 the department of administrative services for the
 52 28 fiscal year beginning July 1, 2009, and ending June 30,
 52 29 2010, the following amount, or so much thereof as is
 52 30 necessary, to be used for the purposes designated:
 52 31 For salaries, support, maintenance, and
 52 32 miscellaneous purposes necessary for the operation
 52 33 of Terrace Hill, and for not more than the following
 52 34 full-time equivalent positions:
 52 35 \$ 263,329
 52 36 FTEs 6.38
 52 37 Sec. ____ . TERRACE HILL QUARTERS. The amount
 52 38 appropriated from the general fund of the state to the
 52 39 offices of the governor and the lieutenant governor
 52 40 for Terrace Hill quarters pursuant to 2010 Iowa Acts,
 52 41 Senate File 2367, for the fiscal year beginning July 1,
 52 42 2010, and ending June 30, 2011, is reduced by \$263,329.
 52 43 The number of full-time equivalent positions authorized
 52 44 pursuant to 2010 Iowa Acts, Senate File 2367, for
 52 45 purposes of Terrace Hill quarters for the fiscal year
 52 46 beginning July 1, 2010, and ending June 30, 2011, is
 52 47 reduced by 8.12 full-time equivalent positions.>
 52 48 #58. Page 46, after line 5 by inserting:
 52 49 <DIVISION ____
 52 50 HEALTHCARE PROGRAMS AND APPROPRIATIONS



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53 1 Section 1. Section 249J.7, Code 2009, is amended to
53 2 read as follows:

53 3 249J.7 Expansion population provider network.

53 4 1. a. Expansion population members shall only
53 5 be eligible to receive expansion population services
53 6 through a provider included in the expansion population
53 7 provider network. Except as otherwise provided
53 8 in this chapter, the expansion population provider
53 9 network shall be limited to a publicly owned acute care
53 10 teaching hospital located in a county with a population of
53 11 over three hundred fifty thousand, the university of
53 12 Iowa hospitals and clinics, ~~and the state hospitals~~
~~53 13 for persons with mental illness designated pursuant~~
~~53 14 to section 226.1 with the exception of the programs~~
~~53 15 at such state hospitals for persons with mental~~
~~53 16 illness that provide substance abuse treatment, serve~~
~~53 17 gero-psychiatric patients, or treat sexually violent~~
~~53 18 predators and a regional provider network utilizing~~
53 19 the federally qualified health centers or federally
53 20 qualified health center look-alikes in the state, to
53 21 provide primary care to members.

53 22 b. (1) The department shall develop a plan to
53 23 phase-in the regional provider network by determining
53 24 the most highly underserved areas on a statewide
53 25 and regional basis, and targeting these areas for
53 26 prioritization in implementing the regional provider
53 27 network. In developing the phase-in plan the
53 28 department shall consult with the medical assistance
53 29 projections and assessment council created in section
53 30 249J.20. Any plan developed shall be approved by
53 31 the council prior to implementation. The phase-in of
53 32 the regional provider network shall be implemented
53 33 in a manner that ensures that program expenditures
53 34 do not exceed budget neutrality limits and funded
53 35 program capacity, and that ensures compliance with the
53 36 eligibility maintenance of effort requirements of the
53 37 federal American Recovery and Reinvestment Act of 2009.

53 38 (2) Payment shall only be made to designated
53 39 participating primary care providers for eligible
53 40 primary care services provided to a member.

53 41 (3) The department shall adopt rules pursuant to
53 42 chapter 17A, in collaboration with the medical home
53 43 advisory council established pursuant to section
53 44 135.159, specifying requirements for medical homes
53 45 including certification, with which regional provider
53 46 network participating providers shall comply, as
53 47 appropriate.

53 48 (4) The department may also designate other private
53 49 providers and hospitals to participate in the regional
53 50 provider network, to provide primary and specialty



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54 1 care, subject to the availability of funds.
54 2 (5) Notwithstanding any provision to the contrary,
54 3 the department shall develop a methodology to reimburse
54 4 regional provider network participating providers
54 5 designated under this subsection.
54 6 c. Tertiary care shall only be provided to eligible
54 7 expansion population members residing in any county
54 8 in the state at the university of Iowa hospitals and
54 9 clinics.
54 10 d. Until such time as the publicly owned acute
54 11 care teaching hospital located in a county with a
54 12 population over three hundred fifty thousand notifies
54 13 the department that such hospital has reached service
54 14 capacity, the hospital and the university of Iowa
54 15 hospitals and clinics shall remain the only expansion
54 16 population providers for the residents of such county.
54 17 2. Expansion population services provided to
54 18 expansion population members by ~~providers included in~~
54 19 ~~the expansion population provider network~~ the publicly
54 20 owned acute care teaching hospital located in a county
54 21 with a population over three hundred fifty thousand and
54 22 the university of Iowa hospitals and clinics shall be
54 23 payable at the full benefit recipient rates.
54 24 3. Providers included in the expansion population
54 25 provider network shall submit clean claims within
54 26 twenty days of the date of provision of an expansion
54 27 population service to an expansion population member.
54 28 4. Unless otherwise prohibited by law, a provider
54 29 under the expansion population provider network may
54 30 deny care to an individual who refuses to apply for
54 31 coverage under the expansion population.
54 32 5. Notwithstanding the provision of section
54 33 347.16, subsection 2, requiring the provision of free
54 34 care and treatment to the persons described in that
54 35 subsection, the publicly owned acute care teaching
54 36 hospital described in subsection 1 may require any sick
54 37 or injured person seeking care or treatment at that
54 38 hospital to be subject to financial participation,
54 39 including but not limited to copayments or premiums,
54 40 and may deny nonemergent care or treatment to any
54 41 person who refuses to be subject to such financial
54 42 participation.
54 43 6. The department shall utilize up to seven million
54 44 three hundred thousand dollars in certified public
54 45 expenditures at the university of Iowa hospitals
54 46 and clinics to maximize the availability of state
54 47 funding to provide necessary access to both primary
54 48 and specialty physician care to expansion population
54 49 members. The resulting savings to the state shall
54 50 be utilized to reimburse physician services provided



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55 1 to expansion population members at the university of
 55 2 Iowa hospitals and clinics and to reimburse providers
 55 3 designated to participate in the regional provider
 55 4 network for services provided to expansion population
 55 5 members.
 55 6 7. The department shall adopt rules to establish
 55 7 clinical transfer and referral protocols to be used by
 55 8 providers included in the expansion population provider
 55 9 network.
 55 10 Sec. _____. 2010 Iowa Acts, Senate File 2156, section
 55 11 5, if enacted, is repealed.
 55 12 Sec. _____. 2010 Iowa Acts, Senate File 2356, section
 55 13 2, amending section 249J.7, if enacted, is repealed.
 55 14 Sec. _____. 2010 Iowa Acts, House File 2526, section
 55 15 11, subsection 13, if enacted, is amended to read as
 55 16 follows:
 55 17 13. The university of Iowa hospitals and clinics
 55 18 shall either certify public expenditures or transfer to
 55 19 the medical assistance appropriation an amount equal
 55 20 to provide the nonfederal share for increased medical
 55 21 assistance payments for inpatient hospital services of
 55 22 ~~\$7,500,000~~ up to \$9,900,000. The university of Iowa
 55 23 hospitals and clinics shall receive and retain 100
 55 24 percent of the total increase in medical assistance
 55 25 payments.
 55 26 Sec. _____. 2010 Iowa Acts, House File 2526, section
 55 27 41, subsection 3, unnumbered paragraph 2, if enacted,
 55 28 is amended to read as follows:
 55 29 For salaries, support, maintenance, equipment, and
 55 30 miscellaneous purposes for the provision of medical and
 55 31 surgical treatment of indigent patients, for provision
 55 32 of services to members of the expansion population
 55 33 pursuant to chapter 249J, and for medical education:
 55 34 \$12,000,000
 14,000,000
 55 35 Sec. _____. 2010 Iowa Acts, House File 2526, section
 55 36 41, subsection 6, if enacted, is amended to read as
 55 37 follows:
 55 38 ~~6. Contingent upon enactment of 2010 Iowa Acts,~~
~~55 39 Senate File 2356, there is appropriated from the~~
~~55 40 IowaCare account created in section 249J.24 to the~~
~~55 41 department of human services for the fiscal year~~
~~55 42 beginning July 1, 2010, and ending June 30, 2011, the~~
~~55 43 following amount, or so much thereof as is necessary to~~
~~55 44 be used for the purposes designated:~~
 55 45 For payment to nonparticipating providers for
 55 46 covered services provided in accordance with section
 55 47 249J.24A:
 55 48 \$ ~~2,000,000~~
 55 49 Sec. _____. HOSPITAL HEALTH CARE ACCESS TRUST FUND ==
 55 50 APPROPRIATIONS. There is appropriated from the



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56 1 hospital health care access trust fund created in
56 2 section 249M.4, if enacted by 2010 Iowa Acts, Senate
56 3 File 2388, to the department of human services for the
56 4 fiscal year beginning July 1, 2010, and ending June 30,
56 5 2011, the following amounts, or so much thereof as is
56 6 necessary, for the purposes designated:
56 7 1. For the medical assistance program:
56 8 \$ 39,406,000
56 9 Of the funds appropriated in this subsection,
56 10 \$20,542,883 shall be used for reimbursement of
56 11 hospitals under the medical assistance program in
56 12 accordance with section 249M.4, if enacted by 2010 Iowa
56 13 Acts, Senate File 2388.
56 14 2. For deposit in the nonparticipating provider
56 15 reimbursement fund created in section 249J.24A for the
56 16 purposes of the fund:
56 17 \$ 594,000
56 18 Sec. _____. NONPARTICIPATING PROVIDER REIMBURSEMENT
56 19 FUND == APPROPRIATION. Contingent upon enactment of
56 20 2010 Iowa Acts, Senate File 2388, there is appropriated
56 21 from the nonparticipating provider reimbursement
56 22 fund created in section 249J.24A to the department of
56 23 human services for the fiscal year beginning July 1,
56 24 2010, and ending June 30, 2011, the following amount,
56 25 or so much thereof as is necessary, for the purposes
56 26 designated:
56 27 To reimburse nonparticipating providers in
56 28 accordance with section 249J.24A:
56 29 \$ 2,000,000
56 30 Sec. _____. MEDICAL ASSISTANCE PROGRAM ==
56 31 APPROPRIATION REDUCTION. Contingent upon enactment of
56 32 2010 Iowa Acts, Senate File 2388, the appropriation
56 33 from the general fund of the state to the department
56 34 of human services for the medical assistance program
56 35 for the fiscal year beginning July 1, 2010, and ending
56 36 June 30, 2011, as specified in 2010 Iowa Acts, House
56 37 File 2526, section 11, if enacted, is reduced by
56 38 \$18,863,117.
56 39 Sec. _____. CONTINGENT IMPLEMENTATION.
56 40 Implementation of the provisions of this division
56 41 of this Act making appropriations from the hospital
56 42 health care access trust fund and the nonparticipating
56 43 provider reimbursement fund and reducing the medical
56 44 assistance program appropriation are contingent upon
56 45 the department of human services receiving approval of
56 46 the requests relating to medical assistance waivers
56 47 and state plan amendments necessary to implement the
56 48 hospital health care access trust fund if enacted by
56 49 2010 Iowa Acts, Senate File 2388.>
56 50 #59. Page 46, after line 5 by inserting:



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57 1 <DIVISION ____
57 2 WAIVER OF PENALTIES AND INTEREST
57 3 Sec. ____ . WAIVER OF PENALTIES AND INTEREST ==
57 4 DISASTER=RELATED LOSSES == REFUNDS.
57 5 1. Notwithstanding sections 421.8, 421.27, and
57 6 422.25, if a taxpayer has filed a return for tax year
57 7 2008 relying in good faith on the expectation that the
57 8 state of Iowa would conform to the federal treatment
57 9 of disaster-related casualty losses under section
57 10 165(h) of the Internal Revenue Code, as modified by
57 11 the Heartland Disaster Relief Act of 2008, Pub. L.
57 12 No. 110=343, in computing net income for state tax
57 13 purposes, the director of revenue shall, for any
57 14 taxpayer amending the return in the time permitted by
57 15 statute, waive any penalty or interest due as a result
57 16 of either a failure to timely pay the tax due or the
57 17 filing of a defective or incorrect return.
57 18 2. If, prior to the effective date of this division
57 19 of this Act, a taxpayer paid penalties or interest as a
57 20 result of a good=faiht reliance on the state conforming
57 21 to section 165(h) of the Internal Revenue Code, the
57 22 department of revenue shall refund such penalties and
57 23 interest to the taxpayer.
57 24 Sec. ____ . EFFECTIVE UPON ENACTMENT AND RETROACTIVE
57 25 APPLICABILITY. This division of this Act, being deemed
57 26 of immediate importance, takes effect upon enactment
57 27 and applies retroactively to January 1, 2008, for
57 28 tax years beginning on or after that date and before
57 29 January 1, 2009.>
57 30 #60. By renumbering, redesignating, and correcting
57 31 internal references as necessary.
57 32 #61. By renumbering as necessary.
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PAG LIN

1 1 Amend House File 2528 as follows:
1 2 #1. Page 1, by striking lines 1 through 14.
1 3 #2. Page 2, by striking lines 4 through 7 and
1 4 inserting <forwarding to the federal bureau of
1 5 investigation information that a person has been
1 6 disqualified from possessing, shipping, transporting,
1 7 or receiving a firearm pursuant to section 724.31.>
1 8 #3. Page 2, after line 7 by inserting:
1 9 <Sec. ____ Section 602.8102, Code 2009, is amended
1 10 by adding the following new subsection:
1 11 NEW SUBSECTION. 125A. Forward information that a
1 12 person has been disqualified from possessing, shipping,
1 13 transporting, or receiving a firearm pursuant to
1 14 section 724.31 to the department of public safety.>
1 15 #4. Page 2, by striking lines 10 through 30 and
1 16 inserting:
1 17 <A permit issued under this chapter is invalid if
1 18 the person to whom the permit is issued is intoxicated
1 19 as provided in section 321J.2, subsection 1.>
1 20 #5. Page 3, line 8, after <permit.> by inserting
1 21 <Such permits shall not be issued for a particular
1 22 weapon and shall not contain information about a
1 23 particular weapon including the make, model, or serial
1 24 number of the weapon or any ammunition used in that
1 25 weapon.>
1 26 #6. Page 3, by striking lines 24 and 25 and
1 27 inserting:
1 28 ~~<3. 2. The person is not Is~~ addicted to the use of
1 29 ~~alcohol or any controlled substance.>~~
1 30 #7. Page 3, by striking line 26 and inserting:
1 31 ~~<4. 3. The person has no history of repeated~~
1 32 ~~acts of violence. Probable cause exists to believe,~~
1 33 ~~based upon documented specific actions of the person,~~
1 34 ~~where at least one of the actions occurred within two~~
1 35 ~~years immediately preceding the date of the permit~~
1 36 ~~application, that the person is likely to use a weapon~~
1 37 ~~unlawfully or in such other manner as would endanger~~
1 38 ~~the person's self or others.>>~~
1 39 #8. Page 3, line 29, by striking <2.> and inserting
1 40 4.>
1 41 #9. Page 3, line 30, by striking <3.> and inserting
1 42 5.>
1 43 #10. Page 3, line 33, after <708.7> by inserting
1 44 <not involving the use of a firearm or explosive>
1 45 #11. By striking page 3, line 34, through page 4,
1 46 line 31, and inserting:
1 47 <6. Is prohibited by federal law from shipping,
1 48 transporting, possessing, or receiving a firearm.>
1 49 #12. Page 5, by striking lines 2 and 3 and
1 50 inserting:



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2 1 <a. Completion of any national rifle association
2 2 handgun safety training course.>
2 3 #13. Page 5, by striking line 4 and inserting:
2 4 b. Completion of any handgun safety training>
2 5 #14. Page 5, line 8, by striking <school> and
2 6 inserting <school,>
2 7 #15. Page 5, by striking lines 12 and 13 and
2 8 inserting:
2 9 <c. Completion of any handgun safety training
2 10 course offered for security guards,>
2 11 #16. Page 5, line 15, after <agency> by inserting
2 12 <approved by the department of public safety>
2 13 #17. Page 5, by striking lines 16 and 17.
2 14 #18. Page 5, line 18, by striking <e.> and inserting
2 15 d.>
2 16 #19. Page 5, by striking lines 29 through 32.
2 17 #20. Page 5, line 33, by striking <g.> and inserting
2 18 e.>
2 19 #21. Page 6, by striking lines 12 and 13.
2 20 #22. Page 6, line 26, by striking <age> and
2 21 inserting <~~age~~ date of birth>
2 22 #23. Page 7, by striking lines 11 through 15 and
2 23 inserting:
2 24 <3. A person who ~~knowingly~~ makes what the person
2 25 knows to be a false statement of material fact on
2 26 the an application submitted under this section or who
2 27 submits what the person knows to be any materially
2 28 falsified or forged documentation in connection with
2 29 such an application commits a class "D" felony.>
2 30 #24. Page 7, by striking line 21 and inserting
2 31 <Applications ~~from~~ for professional permits to carry
2 32 weapons for persons who are nonresidents of the state,>
2 33 #25. Page 7, by striking lines 27 through 29
2 34 and inserting <sections 724.6 to 724.10 have been
2 35 satisfied. However, for renewal of a permit the
2 36 training program requirements in section 724.9 ~~may be~~
2 37 waived for renewal permits, subsection 1, shall apply
2 38 or the renewal applicant may choose to qualify on a
2 39 firing range under the supervision of an instructor
2 40 certified by the national rifle association or
2 41 the department of public safety or another state's
2 42 department of public safety, state police department,
2 43 or similar certifying body. Such training or
2 44 qualification must occur within the twelve-month period
2 45 prior to the expiration of the applicant's current
2 46 permit.>
2 47 #26. Page 7, before line 30 by inserting:
2 48 <1A. Neither the sheriff nor the commissioner shall
2 49 require an applicant for a permit to carry weapons to
2 50 provide information identifying a particular weapon in



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3 1 the application including the make, model, or serial
3 2 number of the weapon or any ammunition used in that
3 3 particular weapon.>
3 4 #27. Page 7, line 30, by striking <ten> and
3 5 inserting <ten fifty>
3 6 #28. Page 7, line 33, by striking <five> and
3 7 inserting <five twenty=five>
3 8 #29. Page 8, by striking line 4 and inserting <equal
3 9 to ~~two~~ ten dollars for each permit issued and ~~one~~
3 10 ~~dollar~~ five dollars>
3 11 #30. Page 8, line 10, after <shall> by inserting
3 12 <not>
3 13 #31. Page 8, by striking lines 12 through 26 and
3 14 inserting:
3 15 <3. The sheriff or commissioner of public safety
3 16 shall approve or deny an initial or renewal application
3 17 submitted under this section within thirty days of
3 18 receipt of the application. A person whose application
3 19 for a permit under this chapter is denied may seek
3 20 review of the denial under section 724.21A. The failure
3 21 to approve or deny an initial or renewal application
3 22 shall result in a decision of approval.>
3 23 #32. By striking page 8, line 27, through page 9,
3 24 line 5, and inserting:
3 25 <Sec. ____ . NEW SECTION. 724.11A Recognition.
3 26 A valid permit or license issued by another state to
3 27 any nonresident of this state shall be considered to
3 28 be a valid permit or license to carry weapons issued
3 29 pursuant to this chapter, except that such permit or
3 30 license shall not be considered to be a substitute for
3 31 an annual permit to acquire pistols or revolvers issued
3 32 pursuant to section 724.15.>
3 33 #33. Page 9, line 8, after <weapons> by inserting <=
3 34 criminal history background check>
3 35 #34. Page 9, after line 31 by inserting:
3 36 <The issuing officer may annually conduct a
3 37 background check concerning a person issued a permit by
3 38 obtaining criminal history data from the department of
3 39 public safety.>
3 40 #35. Page 10, by striking lines 8 and 9 and
3 41 inserting:
3 42 <e. b. ~~The person is not~~ Is addicted to the use of
3 43 ~~alcohol or~~ a controlled substance.>
3 44 #36. Page 10, line 15, by striking <b.> and
3 45 inserting <c.>
3 46 #37. By striking page 10, line 16, through page 11,
3 47 line 13, and inserting:
3 48 <d. Is prohibited by federal law from shipping,
3 49 transporting, possessing, or receiving a firearm.>
3 50 #38. Page 12, by striking lines 4 through 7 and



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4 1 inserting <revolvers during the period that the permit
4 2 remains valid. If the issuing officer determines
4 3 that the applicant has become disqualified under
4 4 the provisions of subsection 1, the issuing officer
4 5 may immediately ~~invalidate~~ revoke the permit and
4 6 shall provide a written statement of the reasons for
4 7 revocation, and the applicant shall have the right to
4 8 appeal the revocation as provided in section 724.21A.>
4 9 #39. Page 12, line 21, by striking <commissioner>
4 10 and inserting <issuing officer>
4 11 #40. Page 13, line 8, by striking <age> and
4 12 inserting <~~age~~ date>
4 13 #41. Page 13, by striking lines 21 through 25 and
4 14 inserting <"D" ~~felony~~. A person who makes what the
4 15 person knows to be a false statement of material fact
4 16 on an application submitted under this section or who
4 17 submits what the person knows to be any materially
4 18 falsified or forged documentation in connection with
4 19 such an application commits a class "D" felony.>
4 20 #42. By striking page 13, line 26, through page 14,
4 21 line 22, and inserting:
4 22 <Sec. ____ . NEW SECTION. 724.21A Denial,
4 23 suspension, or revocation of permit to carry weapons or
4 24 permit to acquire pistols or revolvers.
4 25 1. In any case where the sheriff or the
4 26 commissioner of public safety denies an application
4 27 for or suspends or revokes a permit to carry weapons
4 28 or an annual permit to acquire pistols or revolvers,
4 29 the sheriff or commissioner shall provide a written
4 30 statement of the reasons for the denial, suspension,
4 31 or revocation and the applicant or permit holder
4 32 shall have the right to appeal the denial, suspension,
4 33 or revocation to an administrative law judge in the
4 34 department of inspections and appeals within thirty
4 35 days of receiving written notice of the denial,
4 36 suspension, or revocation.
4 37 2. The applicant or permit holder may file an
4 38 appeal with an administrative law judge by filing a
4 39 copy of the denial, suspension, or revocation notice
4 40 with a written statement that clearly states the
4 41 applicant's reasons rebutting the denial, suspension,
4 42 or revocation along with a fee of ten dollars.
4 43 Additional supporting information relevant to the
4 44 proceedings may also be included.
4 45 3. The administrative law judge shall, within
4 46 forty-five days of receipt of the request for an
4 47 appeal, set a hearing date. The hearing may be held
4 48 by telephone or video conference at the discretion
4 49 of the administrative law judge. The administrative
4 50 law judge shall receive witness testimony and other



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5 1 evidence relevant to the proceedings at the hearing.
5 2 The hearing shall be conducted pursuant to chapter 17A.
5 3 4. Upon conclusion of the hearing, the
5 4 administrative law judge shall order that the denial,
5 5 suspension, or revocation of the permit be either
5 6 rescinded or sustained. An applicant, permit holder,
5 7 or issuing officer aggrieved by the final judgment of
5 8 the administrative law judge shall have the right to
5 9 judicial review in accordance with the terms of the
5 10 Iowa administrative procedure Act, chapter 17A.
5 11 5. The standard of review under this section shall
5 12 be clear and convincing evidence that the issuing
5 13 officer's written statement of the reasons for the
5 14 denial, suspension, or revocation constituted probable
5 15 cause to deny an application or to suspend or revoke
5 16 a permit.
5 17 6. The department of inspections and appeals shall
5 18 adopt rules pursuant to chapter 17A as necessary to
5 19 carry out the provisions of this section.
5 20 7. In any case where the issuing officer denies an
5 21 application for, or suspends or revokes a permit to
5 22 carry weapons or an annual permit to acquire pistols or
5 23 revolvers solely because of an adverse determination
5 24 by the national instant criminal background check
5 25 system, the applicant or permit holder shall not seek
5 26 relief under this section but may pursue relief of
5 27 the national instant criminal background check system
5 28 determination pursuant to Pub. L. No. 103-159, sections
5 29 103(f) and (g) and 104 and 28 C.F.R. { 25.10, or other
5 30 applicable law. The outcome of such proceedings shall
5 31 be binding on the issuing officer.>
5 32 #43. Page 14, by striking lines 23 through 34.
5 33 #44. Page 15, lines 34 and 35, by striking <orders,
5 34 commitments, or findings == disabilities> and inserting
5 35 orders or commitments == firearms>
5 36 #45. Page 16, by striking lines 1 through 19 and
5 37 inserting:
5 38 <1. A court order referred to in subsection 2 shall
5 39 include information informing the person who is the
5 40 subject of the order not to ship, possess, receive,
5 41 or transport or cause the transport of firearms or
5 42 ammunition. The clerk of the district court shall
5 43 forward only such information as is necessary to
5 44 identify a person subject to an order in subsection
5 45 2 to the department of public safety, which in turn
5 46 shall forward the information to the federal bureau
5 47 of investigation or its successor agency for the sole
5 48 purpose of inclusion in the national instant criminal
5 49 background check system database.>
5 50 #46. Page 16, line 22, by striking <or treatment>



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6 1 #47. Page 16, line 25, by striking <or treatment>
6 2 #48. Page 16, by striking lines 27 through 31.
6 3 #49. Page 16, line 32, by striking <h.> and
6 4 inserting <d.>
6 5 #50. By striking page 16, line 34, through page 17,
6 6 line 34, and inserting:
6 7 <3. a. A person who is the subject of a court
6 8 order listed in subsection 2 and who has been released
6 9 from commitment may petition the court that issued
6 10 the order or the court in the county where the person
6 11 resides no earlier than two years from the date of the
6 12 issuance of the order for relief from the disabilities
6 13 imposed by 18 U.S.C. section 922(d)(4) and (g)(4).
6 14 A copy of the petition shall also be served on the
6 15 director of human services and the county attorney at
6 16 the county attorney's office of the county in which
6 17 the original order occurred, and the director or the
6 18 county attorney may appear, support, object to, and
6 19 present evidence relevant to the relief sought by the
6 20 petitioner. A court considering a petition under this
6 21 section shall receive evidence concerning all of the
6 22 following:
6 23 (1) The circumstances surrounding the original
6 24 issuance of the order in subsection 2.
6 25 (2) The petitioner's mental health and criminal
6 26 history.
6 27 (3) The petitioner's reputation and character.
6 28 (4) Any changes in the petitioner's condition
6 29 or circumstances since the issuance of the order in
6 30 subsection 2 that are relevant to the relief sought.
6 31 b. The court shall grant a petition filed pursuant
6 32 to paragraph "a" if the court finds by a preponderance
6 33 of the evidence that the petitioner will not be likely
6 34 to act in a manner dangerous to the public safety and
6 35 that the granting of the relief would not be contrary
6 36 to the public interest. The petitioner may appeal a
6 37 denial of the requested relief and the review shall be
6 38 de novo. A person may file a petition for relief under
6 39 this subsection not more than once every two years.
6 40 c. If a court issues an order granting a petition
6 41 for relief under paragraph "b", the clerk of the
6 42 district court shall immediately forward only such
6 43 information as is necessary to identify a person
6 44 granted relief to the department of public safety
6 45 which, upon receipt, shall immediately forward such
6 46 information as is necessary to the federal bureau of
6 47 investigation or its successor agency to update the
6 48 national instant criminal background check system
6 49 database with the relief from disabilities.>
6 50 #51. Page 17, after line 34 by inserting:



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7 1 <Sec. _____. TRANSITION PROVISIONS. A permit issued
7 2 under chapter 724 prior to January 1, 2011, remains
7 3 effective and continues in effect as issued for the
7 4 twelve=month period following its issuance. This Act
7 5 does not preclude the permit holder from seeking to
7 6 renew the permit under this Act prior to the expiration
7 7 of the twelve=month period.
7 8 Sec. _____. EFFECTIVE DATE. This Act takes effect
7 9 January 1, 2011.>
7 10 #52. Title page, line 5, after <penalties> by
7 11 inserting <and an effective date>
7 12 #53. By renumbering as necessary.

COMMITTEE ON PUBLIC SAFETY
LYKAM of Scott, Chairperson
HF2528.2971 (1) 83
rj/nh



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House Amendment 8642

PAG LIN

1 1 Amend the Senate amendment, H=8640, to House File
1 2 2531, as amended, passed, and reprinted by the House,
1 3 as follows:
1 4 #1. Page 57, by striking lines 1 through 29 and
1 5 inserting:
1 6
1 7 <DIVISION ____
1 8 DISASTER=RELATED DEDUCTIONS
1 9 Sec. ____ . DISASTER=RELATED PERSONAL CASUALTY
1 10 LOSS DEDUCTIONS. A taxpayer is allowed to take the
1 11 deduction for disaster-related casualty losses under
1 12 section 165(h) of the Internal Revenue Code, as
1 13 modified by the Heartland Disaster Relief Act of 2008,
1 14 Pub. L. No. 110=343, in computing net income for state
1 15 tax purposes.
1 16 Sec. ____ . EFFECTIVE UPON ENACTMENT AND RETROACTIVE
1 17 APPLICABILITY. This division of this Act, being deemed
1 18 of immediate importance, takes effect upon enactment
1 19 and applies retroactively to January 1, 2008, for
1 20 tax years beginning on or after that date and before
1 21 January 1, 2009.>
1 21 #2. By renumbering as necessary.

PETTENGILL of Benton
HF2531.2979 (2) 83
tm/jp



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House Amendment 8643

PAG LIN

1 1 Amend the Senate amendment, H=8640, to House File
1 2 2531, as amended, passed, and reprinted by the House,
1 3 as follows:
1 4 #1. Page 1, by striking lines 3 and 4.
1 5 #2. Page 1, by striking lines 23 through 38.
1 6 #3. By renumbering as necessary.

RANTS of Woodbury
HF2531.2980 (3) 83
jp/tm



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House Amendment 8644

PAG LIN

1 1 Amend the Senate amendment, H=8640, to House File
1 2 2531, as amended, passed, and reprinted by the House,
1 3 as follows:
1 4 #1. Page 1, after line 38 by inserting:
1 5 <____. Page 10, by striking line 19 and inserting
1 6 <the fiscal year ending June 30, 2010, shall be
1 7 increased by 2 percent for the pay period beginning
1 8 June 25, 2010, and increased by 1 percent for the pay
1 9 period beginning December 24, 2010, and any additional
1 10 changes in the pay plans shall be approved by the
1 11 governor.>>
1 12 #2. Page 1, by striking lines 39 and 40.
1 13 #3. By renumbering as necessary.

RANTS of Woodbury
HF2531.2989 (3) 83
tm/jp



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House Amendment 8645

PAG LIN

1 1 Amend Senate File 2383, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 8, by striking lines 19 through 22 and
1 4 inserting <debt coordinator, on behalf of the state,
1 5 shall have a right to a lien against all monetary
1 6 claims arising from a civil action which the debtor may
1 7 file against a third party. A lien under this section
1 8 becomes effective once the state debt coordinator files
1 9 a notice of>
1 10 #2. Page 10, lines 17 and 18, by striking <has
1 11 authority to file a satisfaction of the lien> and
1 12 inserting <shall file a satisfaction of the lien in the
1 13 civil action if the state debt coordinator, pursuant
1 14 to this subsection, settles any part of the debt
1 15 obligation owed the state.>
1 16 #3. Page 11, line 5, by striking <The> and inserting
1 17 <Except as provided in subsection 7, the>
1 18 #4. Page 11, after line 8 by inserting:
1 19 <7. An insurance company that makes a payment to
1 20 the debtor or the debtor's attorney in a civil action
1 21 that is subject to a lien under this section shall have
1 22 no further liability for the lien filed in the civil
1 23 action.>
1 24 #5. Page 11, by striking lines 9 through 14 and
1 25 inserting:
1 26 <8. As used in this section, unless the context
1 27 otherwise requires:
1 28 a. "Insurance company" means an insurer organized or
1 29 operating under chapter 508, 514, 514B, 515, 518, 518A,
1 30 519, or 520, or authorized to do business in Iowa as an
1 31 insurer or an insurance producer under chapter 522B.
1 32 b. "Third party" means an individual, institution,
1 33 corporation, or public or private agency which is or
1 34 may be liable to pay all or part of a debtor's monetary
1 35 claim. "Third party" does not include a financial
1 36 institution as defined in section 572.2.>
1 37 #6. Page 20, lines 16 and 17, by striking <case in
1 38 which the debt accrued> and inserting <eligible debt>

COMMITTEE ON APPROPRIATIONS
OLDSON of Polk, Chairperson
SF2383.3004 (3) 83
jm/sc



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House Amendment 8646

PAG LIN

1 1 Amend the Senate amendment, H=8640, to House File
1 2 2531, as amended, passed, and reprinted by the House,
1 3 as follows:
1 4 #1. Page 43, by striking lines 39 through 48.
1 5 #2. By renumbering as necessary.

STECKMAN of Cerro Gordo
HF2531.2973 (1) 83
tm/jp



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House Amendment 8647

PAG LIN

1 1 Amend the Senate amendment, H=8640, to House File
1 2 2531, as amended, passed, and reprinted by the House,
1 3 as follows:
1 4 #1. By striking page 32, line 24, through page 33,
1 5 line 39.
1 6 #2. By renumbering as necessary.

TYMESON of Madison
HF2531.2975 (2) 83
tm/jp



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House Amendment 8648

PAG LIN

1 1 Amend the Senate amendment, H=8640, to House File
1 2 2531, as amended, passed, and reprinted by the House,
1 3 as follows:
1 4 #1. By striking page 32, line 27, through page 33,
1 5 line 39, and inserting:
1 6 <Sec. ____ . BREAST=FEEDING IN THE WORKPLACE. It
1 7 is the intent of the general assembly that the state
1 8 shall not enact more stringent provisions than those
1 9 provided in federal House Resolution 3590, the Patient
1 10 Protection and Affordable Care Act, section 4207,
1 11 amending section 7 of the Fair Labor Standards Act of
1 12 1938, 29 U.S.C. { 207, relating to employers providing
1 13 time and locations for employees to express breast
1 14 milk. >>

TYMESON of Madison
H8640.2992 (3) 83
ak/jp



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House Amendment 8649

PAG LIN

1 1 Amend the Senate amendment, H=8640, to House File
1 2 2531, as amended, passed, and reprinted by the House,
1 3 as follows:
1 4 #1. Page 11, after line 48 by inserting:
1 5 <Sec. ____ . NEW SECTION. 321.482B Certain accidents
1 6 resulting in death of pedestrian == penalties.
1 7 Notwithstanding any other provision of law, if
1 8 any accident involving the emergency landing of an
1 9 airplane, hot air balloon, glider, helicopter, or
1 10 flying De Lorean on a jogging trail, beach, or other
1 11 recreational or public area causes the death of a
1 12 pedestrian who was listening to a portable media
1 13 player at the time of the accident, the operator of
1 14 the aircraft involved in the accident is guilty of a
1 15 simple misdemeanor. In addition to any other penalty
1 16 provided by law, the operator may be subject to a fine
1 17 of one thousand dollars or suspension of the person's
1 18 driver's license for not more than one hundred eighty
1 19 days, or both. >>
1 20 #2. By renumbering as necessary.

R. OLSON of Polk
HF2531.3012 (2) 83
dea/nh



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House Amendment 8650

PAG LIN

1 1 Amend Senate File 2383, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 15, after line 31 by inserting:
1 4 <Sec. ____ . NEW SECTION. 421C.5 Future repeal.
1 5 This chapter is repealed January 1, 2014. The
1 6 general assembly shall consider corresponding
1 7 amendments to the Code of Iowa to effectuate the repeal
1 8 of this chapter.>

WENTHE of Fayette

SF2383.3011 (2) 83
jm/sc



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House Amendment 8651

PAG LIN

1 1 Amend the Senate amendment, H=8640, to House File
1 2 2531, as amended, passed, and reprinted by the House,
1 3 as follows:
1 4 #1. Page 9, after line 47 by inserting:
1 5 <____. Page 40, after line 29 by inserting:
1 6 <Sec. _____. Section 256.9, Code Supplement 2009, is
1 7 amended by adding the following new subsection:
1 8 NEW SUBSECTION. 18A. The department shall compile
1 9 the financial information related to chapters 423E
1 10 and 423F from the certified annual reports of each
1 11 school district received pursuant to section 291.10,
1 12 subsection 2, and shall submit the information to the
1 13 general assembly in an annual report each February 1.
1 14 Sec. _____. Section 291.10, Code 2009, is amended to
1 15 read as follows:
1 16 291.10 Reports by secretary.
1 17 1. The school district shall file an annual report
1 18 with the director of the department of education on
1 19 forms prepared for that purpose.
1 20 2. The annual report shall include the financial
1 21 information required in section 423F.5, subsection 1,
1 22 as related to moneys received under chapter 423E or
1 23 423F, as applicable, for each budget year. >>
1 24 #2. By renumbering as necessary.

ISENHART of Dubuque
HF2531.3009 (1) 83
tm/jp



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House Amendment 8652

PAG LIN

1 1 Amend Senate File 2379, as amended, passed, and
 1 2 reprinted by the Senate, as follows:
 1 3 #1. By striking everything after the enacting clause
 1 4 and inserting:
 1 5 <Section 1. Section 80A.13, Code 2009, is amended
 1 6 to read as follows:
 1 7 80A.13 Campus weapon requirements.
 1 8 An individual employed by a college or university,
 1 9 or by a private security business holding a contract
 1 10 with a college or university, who performs private
 1 11 security duties on a college or university campus and
 1 12 who carries a weapon while performing these duties
 1 13 shall ~~meet all of the following requirements:~~
 1 14 1. ~~File with the sheriff of the county in which~~
 1 15 ~~the campus is located evidence that the individual has~~
 1 16 ~~successfully completed an approved firearms training~~
 1 17 ~~program under section 724.9. This requirement does not~~
 1 18 ~~apply to armored car personnel.~~
 1 19 2. ~~Possess a permit to carry weapons issued by the~~
 1 20 ~~sheriff of the county in which the campus is located~~
 1 21 ~~under sections 724.6 through 724.11. This requirement~~
 1 22 ~~does not apply to armored car personnel.~~
 1 23 3. ~~File file with the sheriff of the county in~~
 1 24 ~~which the campus is located a sworn affidavit from~~
 1 25 ~~the employer outlining the nature of the duties to be~~
 1 26 ~~performed and justification of the need to go armed.~~
 1 27 Sec. 2. Section 724.4, Code 2009, is amended to
 1 28 read as follows:
 1 29 724.4 Carrying weapons.
 1 30 1. Except as otherwise provided in this section, a
 1 31 person who goes armed with a dangerous weapon ~~concealed~~
 1 32 ~~on or about the person, or who, within the limits of~~
 1 33 ~~any city, goes armed with a pistol or revolver, or~~
 1 34 ~~any loaded firearm of any kind, whether concealed~~
 1 35 ~~or not, or who knowingly carries or transports in a~~
 1 36 ~~vehicle a pistol or revolver, commits an aggravated~~
 1 37 ~~misdemeanor with the intent to commit a crime of~~
 1 38 ~~violence commits a class "D" felony. This subsection~~
 1 39 ~~applies regardless of whether the dangerous weapon~~
 1 40 ~~is concealed or not concealed on or about the person~~
 1 41 ~~and regardless of whether the dangerous weapon is~~
 1 42 ~~transported in a vehicle. For purposes of this~~
 1 43 ~~subsection, "crime of violence" means a felony which~~
 1 44 ~~has, as an element of the offense, the use of physical~~
 1 45 ~~force by one person against another person.~~
 1 46 2. A person who goes armed with a knife concealed
 1 47 on or about the person, if the person uses the knife
 1 48 in the commission of a crime, commits an aggravated
 1 49 misdemeanor.
 1 50 3. A person who goes armed with a knife concealed



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2 1 on or about the person, if the person does not use the
2 2 knife in the commission of a crime:

2 3 a. If the knife has a blade exceeding eight inches
2 4 in length, commits an aggravated misdemeanor.

2 5 b. If the knife has a blade exceeding five inches
2 6 but not exceeding eight inches in length, commits a
2 7 serious misdemeanor.

2 8 4. Subsections 1 through 3 do not apply to any of
2 9 the following:

2 10 a. A person who for any lawful purpose goes armed
2 11 with a dangerous weapon in the person's own dwelling
2 12 or place of business, or on land owned or possessed by
2 13 the person.

2 14 b. A peace officer, when the officer's duties
2 15 require the person to carry such weapons.

~~2 16 e. A member of the armed forces of the United
2 17 States or of the national guard or person in the
2 18 service of the United States, when the weapons are
2 19 carried in connection with the person's duties as such.~~

~~2 20 d. A correctional officer, when the officer's
2 21 duties require, serving under the authority of the Iowa
2 22 department of corrections.~~

2 23 e. c. A person who for any lawful purpose carries
2 24 an unloaded pistol, revolver, or other dangerous weapon
2 25 inside a closed and fastened container or securely
2 26 wrapped package which is too large to be concealed on
2 27 the person.

~~2 28 f. A person who for any lawful purpose carries or
2 29 transports an unloaded pistol or revolver in a vehicle
2 30 inside a closed and fastened container or securely
2 31 wrapped package which is too large to be concealed on
2 32 the person or inside a cargo or luggage compartment
2 33 where the pistol or revolver will not be readily
2 34 accessible to any person riding in the vehicle or
2 35 common carrier.~~

~~2 36 g. A person while the person is lawfully engaged in
2 37 target practice on a range designed for that purpose or
2 38 while actually engaged in lawful hunting.~~

2 39 h. d. A person who carries a knife used in hunting
2 40 or fishing, while actually engaged in lawful hunting
2 41 or fishing.

~~2 42 i. A person who has in the person's possession
2 43 and who displays to a peace officer on demand a valid
2 44 permit to carry weapons which has been issued to the
2 45 person, and whose conduct is within the limits of that
2 46 permit. A person shall not be convicted of a violation
2 47 of this section if the person produces at the person's
2 48 trial a permit to carry weapons which was valid at
2 49 the time of the alleged offense and which would have
2 50 brought the person's conduct within this exception if~~



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~~House Amendment 8652 continued~~

~~3 1 the permit had been produced at the time of the alleged
3 2 offense.~~

3 3 ~~j.~~ e. A law enforcement officer from another state
3 4 when the officer's duties require the officer to carry
3 5 the weapon and the officer is in this state for any of
3 6 the following reasons:

3 7 (1) The extradition or other lawful removal of a
3 8 prisoner from this state.

3 9 (2) Pursuit of a suspect in compliance with chapter
3 10 806.

3 11 (3) Activities in the capacity of a law enforcement
3 12 officer with the knowledge and consent of the chief
3 13 of police of the city or the sheriff of the county in
3 14 which the activities occur or of the commissioner of
3 15 public safety.

3 16 ~~k.~~ f. A person engaged in the business of
3 17 transporting prisoners under a contract with the
3 18 Iowa department of corrections or a county sheriff,
3 19 a similar agency from another state, or the federal
3 20 government.

3 21 Sec. 3. Section 724.4B, subsection 2, paragraph a,
3 22 Code 2009, is amended to read as follows:

3 23 a. A person listed under section 724.4, subsection
3 24 4, ~~paragraphs~~ paragraph "b" through "f", "c", or
3 25 ~~"j"~~ "e".

3 26 Sec. 4. Section 724.6, subsection 1, Code
3 27 Supplement 2009, is amended to read as follows:

~~3 28 1. A person may be issued a permit to carry weapons
3 29 when the person's employment who is employed in a
3 30 private investigation business or private security
3 31 business licensed under chapter 80A, or a person's
3 32 employment as a peace officer, correctional officer,
3 33 security guard, bank messenger or other person
3 34 transporting property of a value requiring security, or
3 35 in police work, whose employment reasonably justifies
3 36 that person going armed, shall be issued a professional
3 37 permit to carry weapons if the person applies for
3 38 the permit and meets the requirements of sections~~

~~3 39 724.8 through 724.10. The permit shall be on a form
3 40 prescribed and published by the commissioner of public
3 41 safety, shall identify the holder, and shall state
3 42 the nature of the employment requiring the holder to
3 43 go armed. A permit so issued, other than to a peace
3 44 officer, shall authorize the person to whom it is
3 45 issued to go armed anywhere in the state, ~~only~~ while
3 46 engaged in the employment, and while going to and from
3 47 the place of the employment. A permit issued to a
3 48 certified peace officer shall authorize that peace
3 49 officer to go armed anywhere in the state at all times.
3 50 Permits shall expire ~~twelve months~~ five years after the~~



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House Amendment 8652 continued

4 1 date when issued except that permits issued to peace
4 2 officers and correctional officers are valid through
4 3 the officer's period of employment unless otherwise
4 4 canceled. When the employment is terminated, the
4 5 holder of the permit shall surrender it to the issuing
4 6 officer for cancellation.
4 7 Sec. 5. Section 724.7, Code 2009, is amended to
4 8 read as follows:
4 9 724.7 Nonprofessional permit to carry weapons.
4 10 Any person ~~who can reasonably justify going armed~~
~~4 11 may not otherwise prohibited from possessing or~~
4 12 transporting a firearm and who meets the requirements
4 13 in sections 724.8 through 724.10 shall be issued a
4 14 nonprofessional permit to carry weapons if the person
4 15 applies for such permit. Such permits shall be on a
4 16 form prescribed and published by the commissioner of
4 17 public safety, which shall be readily distinguishable
4 18 from the professional permit, and shall identify the
4 19 holder thereof, and state the reason for the issuance
4 20 of the permit, and the limits of the authority granted
~~4 21 by such permit. All permits so issued shall be for a~~
4 22 definite five-year period as established by the issuing
~~4 23 officer, but in no event shall exceed a period of~~
~~4 24 twelve months.~~
4 25 Sec. 6. Section 724.8, subsection 5, Code 2009, is
4 26 amended to read as follows:
4 27 5. ~~The issuing officer reasonably determines that~~
~~4 28 the applicant does not constitute a danger to any~~
~~4 29 person person is not otherwise prohibited by state or~~
4 30 federal law from possessing or transporting a firearm.
4 31 Sec. 7. Section 724.9, Code 2009, is amended to
4 32 read as follows:
4 33 724.9 Firearm training program.
4 34 A training program to qualify persons in the safe
4 35 use of firearms shall be provided by the issuing
4 36 officer of permits, as provided in section 724.11.
4 37 ~~The commissioner of public safety shall approve~~
~~4 38 the training program, and the county sheriff or~~
4 39 the commissioner of public safety conducting the
4 40 training program within their respective jurisdictions
~~4 41 may shall contract with a private organization or~~
~~4 42 use the services of other agencies, or may use a~~
~~4 43 combination of the two, to provide such training a~~
4 44 private individual or a professional organization who
4 45 shall conduct the training consistent with training
4 46 standards set forth by the national rifle association.
4 47 Any person eligible to be issued a permit to carry
4 48 weapons may enroll in such course. A fee sufficient
4 49 to cover the cost of the program may be charged each
4 50 person attending. Certificates of completion, on a



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House Amendment 8652 continued

5 1 form prescribed and published by the commissioner
5 2 of public safety, shall be issued to each person who
5 3 successfully completes the program. ~~No~~ A person shall
5 4 not be issued either a professional or nonprofessional
5 5 permit unless the person has received a certificate of
5 6 completion or is a certified peace officer. ~~No peace~~
~~5 7 officer or correctional officer, except a certified~~
~~5 8 peace officer, shall go armed with a pistol or revolver~~
~~5 9 unless the officer has received a certificate of~~
~~5 10 completion, provided that this requirement shall not~~
~~5 11 apply to persons who are employed in this state as~~
~~5 12 peace officers on January 1, 1978 until July 1, 1978,~~
~~5 13 or to peace officers of other jurisdictions exercising~~
~~5 14 their legal duties within this state.~~
5 15 Sec. 8. Section 724.11, Code 2009, is amended to
5 16 read as follows:
5 17 724.11 Issuance of permit to carry weapons.
5 18 ~~Applications for permits~~ An application for a
5 19 permit to carry weapons, if made, shall be made to the
5 20 sheriff of the county in which the applicant resides.
5 21 Applications from persons who are nonresidents of
5 22 the state, or whose need to go armed arises out
5 23 of employment by the state, shall be made to the
5 24 commissioner of public safety. In either case,
5 25 the issuance of the permit shall be by ~~and at the~~
~~5 26 discretion of the sheriff or commissioner, who~~
5 27 shall, before issuing the permit, determine that the
5 28 requirements of sections ~~724.6 to 724.8~~ through 724.10
5 29 have been satisfied and the person is not otherwise
5 30 prohibited by state or federal law from possessing or
~~5 31 transporting a firearm. However, the training program~~
~~5 32 requirements in section 724.9 may be waived for renewal~~
~~5 33 permits.~~ The issuing officer shall collect a fee
5 34 of ~~ten~~ fifty dollars, except from a duly appointed
5 35 peace officer or correctional officer, for each permit
5 36 issued. Renewal permits or duplicate permits shall be
5 37 issued for a fee of five dollars. The issuing officer
5 38 shall notify the commissioner of public safety of the
5 39 issuance of any permit at least monthly and forward to
5 40 the commissioner an amount equal to two dollars for
5 41 each permit issued and one dollar for each renewal
5 42 or duplicate permit issued. All such fees received
5 43 by the commissioner shall be paid to the treasurer
5 44 of state and deposited in the operating account of
5 45 the department of public safety to offset the cost of
5 46 administering this chapter. Any unspent balance as of
5 47 June 30 of each year shall revert to the general fund
5 48 as provided by section 8.33.
5 49 Sec. 9. NEW SECTION. 724.11A Reciprocity.
5 50 A person possessing a valid out-of-state permit to



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6 1 carry a weapon shall be entitled to the privileges and
6 2 subject to the restrictions prescribed by this chapter
6 3 provided the state that issued the license recognizes
6 4 weapons permits issued in Iowa and provided the person
6 5 possessing such permit is not otherwise prohibited from
6 6 possessing a firearm.
6 7 Sec. 10. REPEAL. Section 724.5, Code 2009, is
6 8 repealed.>
6 9 #2. Title page, by striking lines 1 through 5 and
6 10 inserting <An Act relating to the carrying of weapons.>

ROBERTS of Carroll
SF2379.3007 (1) 83
rj/nh



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House File 2534 - Introduced

HOUSE FILE
BY COMMITTEE ON
APPROPRIATIONS

(SUCCESSOR TO HSB 742)

A BILL FOR

1 An Act relating to and making, reducing, and transferring
2 appropriations to state departments and agencies from
3 the rebuild Iowa infrastructure fund, the technology
4 reinvestment fund, the revenue bonds capitals fund, the
5 revenue bonds capitals II fund, the FY 2009 prison bonding
6 fund, and other funds, creating the Iowa jobs II program,
7 and the revenue bonds federal subsidy holdback fund,
8 providing for related matters, and providing an effective
9 date.

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

TLSB 6280HV (3) 83

rh/tm



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House File 2534 - Introduced continued

2 1 Des Moines area, notwithstanding section 8.57, subsection 6,
 2 2 paragraph "c":
 2 3 \$ 200,000
 2 4 Details for the shuttle service, including the route to
 2 5 be served, shall be determined pursuant to an agreement to
 2 6 be entered into by the department with the Des Moines area
 2 7 regional transit authority (DART) and any other participating
 2 8 entities.
 2 9 Of the amount appropriated in this lettered paragraph, up to
 2 10 \$50,000 shall be used to encourage state employees to utilize
 2 11 transit services provided by the Des Moines area regional
 2 12 transit authority.
 2 13 2. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
 2 14 For the administration of the watershed improvement review
 2 15 board established in section 466A.3, notwithstanding section
 2 16 8.57, subsection 6, paragraph "c":
 2 17 \$ 50,000
 2 18 3. DEPARTMENT FOR THE BLIND
 2 19 For costs associated with universal access to audio
 2 20 information over the phone on demand for blind and print
 2 21 handicapped Iowans, notwithstanding section 8.57, subsection
 2 22 6, paragraph "c":
 2 23 \$ 20,000
 2 24 4. DEPARTMENT OF CULTURAL AFFAIRS
 2 25 a. For continuation of the project recommended by the Iowa
 2 26 battle flag advisory committee to stabilize the condition of
 2 27 the battle flag collection, notwithstanding section 8.57,
 2 28 subsection 6, paragraph "c":
 2 29 \$ 60,000
 2 30 b. For purposes of maintenance and repairs of historic
 2 31 sites:
 2 32 \$ 40,000
 2 33 5. DEPARTMENT OF ECONOMIC DEVELOPMENT
 2 34 a. For deposit in the workforce training and economic
 2 35 development funds for each community college in section



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House File 2534 - Introduced continued

3 1 260C.18A, notwithstanding section 8.57, subsection 6, paragraph
 3 2 "c":
 3 3 \$ 2,000,000
 3 4 b. To the 6th avenue corridor for improvements to the
 3 5 streetscape associated with the national mainstreet conference
 3 6 and for additional architectural and engineering design
 3 7 plans for economic development and community revitalization,
 3 8 notwithstanding section 8.57, subsection 6, paragraph "c":
 3 9 \$ 100,000
 3 10 c. To develop site plans for the southeast Iowa regional
 3 11 economic and port authority including plans for infrastructure
 3 12 for economic development, notwithstanding section 8.57,
 3 13 subsection 6, paragraph "c":
 3 14 \$ 50,000
 3 15 d. For equal distribution to regional sports authority
 3 16 districts certified by the department pursuant to section
 3 17 15E.321, notwithstanding section 8.57, subsection 6, paragraph
 3 18 "c":
 3 19 \$ 500,000
 3 20 e. For administration and support of the world food prize
 3 21 including the Borlaug/Ruan scholar program, notwithstanding
 3 22 section 8.57, subsection 6, paragraph "c":
 3 23 \$ 100,000
 3 24 6. DEPARTMENT OF EDUCATION
 3 25 To provide resources for structural and technological
 3 26 improvements to local libraries and for the enrich Iowa
 3 27 program, notwithstanding section 8.57, subsection 6, paragraph
 3 28 "c":
 3 29 \$ 500,000
 3 30 Of the moneys appropriated in this subsection, \$50,000 shall
 3 31 be allocated equally to each library service area.
 3 32 7. DEPARTMENT OF NATURAL RESOURCES
 3 33 a. For floodplain management and dam safety,
 3 34 notwithstanding section 8.57, subsection 6, paragraph "c":
 3 35 \$ 2,000,000



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House File 2534 - Introduced continued

4 1 Of the amounts appropriated in this lettered paragraph,
 4 2 up to \$400,000 is authorized for stream gages to be used
 4 3 for tracking and predicting flood events and for compiling
 4 4 necessary data relating to flood frequency analysis.
 4 5 b. For costs associated with the construction of a permanent
 4 6 structure for handicapped persons and senior citizens in a
 4 7 county with a population between 37,150 and 37,250:
 4 8 \$ 40,000
 4 9 c. For costs associated with the hiring and employment of an
 4 10 asset manager at Honey creek resort state park, notwithstanding
 4 11 section 8.57, subsection 6, paragraph "c":
 4 12 \$ 100,000
 4 13 The department shall issue a request for proposals to
 4 14 competitively procure the services of an asset manager which
 4 15 shall be selected by the natural resource commission. The
 4 16 asset manager shall have hospitality management experience
 4 17 of at least five years including at least three years asset
 4 18 management experience in a setting similar in size and quality
 4 19 to the Honey creek resort state park with a similar type of
 4 20 market. The duties and job responsibilities of the asset
 4 21 manager shall include but are not limited to reviewing and
 4 22 commenting on the resort's sales and marketing plan, providing
 4 23 for the operation of the resort in a manner consistent with
 4 24 the requirements and limitations set forth in the resort's
 4 25 operating agreement, monitoring and supervising the resort
 4 26 including site visits, and negotiating and recommending an
 4 27 annual operating budget and budget plan. The asset manager
 4 28 shall report to bond counsel, the governor, the Honey creek
 4 29 authority, the department of natural resources, and the
 4 30 legislative services agency.
 4 31 8. DEPARTMENT OF PUBLIC DEFENSE
 4 32 a. For major maintenance projects at national guard
 4 33 armories and facilities:
 4 34 \$ 1,500,000
 4 35 b. For renovation and facility improvements at the Iowa



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House File 2534 - Introduced continued

5 1 Falls readiness center:
5 2 \$ 500,000
5 3 c. For renovation and facility improvements at the Cedar
5 4 Rapids armed forces readiness center:
5 5 \$ 200,000
5 6 d. For renovation and facility improvements at the
5 7 Middletown readiness center:
5 8 \$ 100,000
5 9 9. DEPARTMENT OF PUBLIC HEALTH
5 10 For a grant to an existing national affiliated volunteer eye
5 11 organization that has an established program for children and
5 12 adults and that is solely dedicated to preserving sight and
5 13 preventing blindness through education, nationally certified
5 14 vision screening and training, community and patient service
5 15 programs, notwithstanding section 8.57, subsection 6, paragraph
5 16 "c":
5 17 \$ 100,000
5 18 10. IOWA FINANCE AUTHORITY
5 19 For transfer to the Polk county housing trust fund for the
5 20 construction of facilities to meet the specialized needs of
5 21 adult persons with severe and profound disabilities who have
5 22 high medical needs:
5 23 \$ 250,000
5 24 11. STATE BOARD OF REGENTS
5 25 a. For allocation by the state board of regents to the
5 26 state university of Iowa, the Iowa state university of
5 27 science and technology, and the university of northern Iowa to
5 28 reimburse the institutions for deficiencies in the operating
5 29 funds resulting from the pledging of tuition, student fees
5 30 and charges, and institutional income to finance the cost of
5 31 providing academic and administrative buildings and facilities
5 32 and utility services at the institutions, notwithstanding
5 33 section 8.57, subsection 6, paragraph "c":
5 34 \$ 24,305,412
5 35 b. For the Iowa flood center at the state university of Iowa



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6 1 for use by the university's college of engineering, pursuant
6 2 to section 466C.1, notwithstanding section 8.57, subsection 6,
6 3 paragraph "c":
6 4 \$ 1,300,000
6 5 c. To Iowa state university of science and technology to
6 6 purchase veterinary surgical and other equipment to modernize
6 7 the animal care facilities at the blank park zoo as part of
6 8 a cooperative effort of blank park zoo and the college of
6 9 veterinary medicine, notwithstanding section 8.57, subsection
6 10 6, paragraph "c":
6 11 \$ 400,000
6 12 12. TREASURER OF STATE
6 13 For county fair infrastructure improvements for distribution
6 14 in accordance with chapter 174 to qualified fairs which belong
6 15 to the association of Iowa fairs:
6 16 \$ 1,060,000
6 17 13. DEPARTMENT OF TRANSPORTATION
6 18 For infrastructure improvements at general aviation airports
6 19 within the state:
6 20 \$ 750,000
6 21 14. DEPARTMENT OF VETERANS AFFAIRS
6 22 For transfer to the Iowa finance authority for the
6 23 continuation of the home ownership assistance program for
6 24 persons who are or were eligible members of the armed forces of
6 25 the United States, pursuant to section 16.54, notwithstanding
6 26 section 8.57, subsection 6, paragraph "c":
6 27 \$ 1,000,000
6 28 Sec. 2. There is appropriated from the rebuild Iowa
6 29 infrastructure fund to the following departments and agencies
6 30 for the following fiscal years, the following amounts, or so
6 31 much thereof as is necessary, to be used for the purposes
6 32 designated:
6 33 1. DEPARTMENT OF CORRECTIONS
6 34 For project management costs at Fort Madison and
6 35 Mitchellville prisons, associated with construction projects



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House File 2534 - Introduced continued

7 1 at the department, notwithstanding section 8.57, subsection 6,
 7 2 paragraph "c":
 7 3 FY 2011=2012..... \$ 4,500,000
 7 4 FY 2012=2013..... \$ 1,000,000
 7 5 FY 2013=2014..... \$ 200,000
 7 6 2. DEPARTMENT OF NATURAL RESOURCES
 7 7 For state park infrastructure improvements:
 7 8 FY 2011=2012..... \$ 5,000,000
 7 9 FY 2012=2013..... \$ 5,000,000
 7 10 FY 2013=2014..... \$ 5,000,000
 7 11 FY 2014=2015..... \$ 5,000,000
 7 12 3. DEPARTMENT OF TRANSPORTATION
 7 13 For deposit into the passenger rail service revolving
 7 14 fund created in section 327J.2 for matching federal funding
 7 15 available through the federal Passenger Rail Investment
 7 16 and Improvement Act of 2008 for passenger rail service,
 7 17 notwithstanding section 8.57, subsection 6, paragraph "c":
 7 18 FY 2011=2012..... \$ 6,500,000
 7 19 It is the intent of the general assembly to fund up to
 7 20 \$20 million over a four-year period to fully fund the state
 7 21 commitment for matching federal funding available through the
 7 22 federal Passenger Rail Investment and Improvement Act of 2008.
 7 23 Sec. 3. REVERSION. For purposes of section 8.33, unless
 7 24 specifically provided otherwise, unencumbered or unobligated
 7 25 moneys made from an appropriation in this division of this Act
 7 26 shall not revert but shall remain available for expenditure for
 7 27 the purposes designated until the close of the fiscal year that
 7 28 ends three years after the end of the fiscal year for which the
 7 29 appropriation was made. However, if the project or projects
 7 30 for which such appropriation was made are completed in an
 7 31 earlier fiscal year, unencumbered or unobligated moneys shall
 7 32 revert at the close of that same fiscal year.
 7 33 DIVISION II
 7 34 TECHNOLOGY REINVESTMENT FUND
 7 35 Sec. 4. There is appropriated from the technology



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House File 2534 - Introduced continued

8 1 reinvestment fund created in section 8.57C to the following
 8 2 departments and agencies for the fiscal year beginning July
 8 3 1, 2010, and ending June 30, 2011, the following amounts, or
 8 4 so much thereof as is necessary, to be used for the purposes
 8 5 designated:

8 6 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
 8 7 For technology improvement projects:
 8 8 \$ 3,793,654

8 9 2. DEPARTMENT OF CORRECTIONS
 8 10 For costs associated with the Iowa corrections offender
 8 11 network data system:
 8 12 \$ 500,000

8 13 3. DEPARTMENT OF EDUCATION
 8 14 a. For maintenance and lease costs associated with
 8 15 connections for Part III of the Iowa communications network:
 8 16 \$ 2,727,000
 8 17 b. For the implementation of an educational data warehouse
 8 18 that will be utilized by teachers, parents, school district
 8 19 administrators, area education agency staff, department of
 8 20 education staff, and policymakers:
 8 21 \$ 600,000

8 22 The department may use a portion of the moneys appropriated
 8 23 in this lettered paragraph for an e-transcript data system
 8 24 capable of tracking students throughout their education via
 8 25 interconnectivity with multiple schools.

8 26 4. DEPARTMENT OF PUBLIC HEALTH
 8 27 For deposit in the county mental health, mental retardation,
 8 28 and developmental disabilities services fund created by section
 8 29 331.424A in a county with a population over 350,000 for a
 8 30 community mental health center created under chapter 230A which
 8 31 serves only adults:
 8 32 \$ 250,000

8 33 5. IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION
 8 34 For replacement of equipment for the Iowa communications
 8 35 network:



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9 1 \$ 2,244,956
 9 2 The commission may continue to enter into contracts pursuant
 9 3 to section 8D.13 for the replacement of equipment and for
 9 4 operations and maintenance costs of the network.
 9 5 In addition to moneys appropriated in this subsection,
 9 6 the commission may use a financing agreement entered into by
 9 7 the treasurer of state in accordance with section 12.28 for
 9 8 the replacement of equipment for the network. For purposes
 9 9 of this subsection, the treasurer of state is not subject to
 9 10 the maximum principal limitation contained in section 12.28,
 9 11 subsection 6. Repayment of any amounts financed shall be made
 9 12 from receipts associated with fees charged for use of the
 9 13 network.
 9 14 Sec. 5. REVERSION. For purposes of section 8.33, unless
 9 15 specifically provided otherwise, unencumbered or unobligated
 9 16 moneys made from an appropriation in this division of this Act
 9 17 shall not revert but shall remain available for expenditure for
 9 18 the purposes designated until the close of the fiscal year that
 9 19 ends three years after the end of the fiscal year for which the
 9 20 appropriation was made. However, if the project or projects
 9 21 for which such appropriation was made are completed in an
 9 22 earlier fiscal year, unencumbered or unobligated moneys shall
 9 23 revert at the close of that same fiscal year.
 9 24 DIVISION III
 9 25 REVENUE BONDS CAPITALS FUND == APPROPRIATIONS
 9 26 Sec. 6. There is appropriated from the revenue bonds
 9 27 capitals fund created in section 12.88, to the following
 9 28 departments and agencies for the fiscal year beginning July
 9 29 1, 2010, and ending June 30, 2011, the following amounts, or
 9 30 so much thereof as is necessary, to be used for the purposes
 9 31 designated:
 9 32 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
 9 33 For projects related to major repairs and major maintenance
 9 34 for state buildings and facilities:
 9 35 \$ 3,000,000



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10 1 Moneys appropriated in this subsection shall not be used
10 2 for purposes of the renovation of the Mercy capitol hospital
10 3 building.
10 4 2. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
10 5 a. To the soil conservation division of the department
10 6 established in section 161A.4 to provide financial assistance
10 7 for the establishment of permanent soil and water conservation
10 8 practices:
10 9 \$ 1,000,000
10 10 b. Not more than 5 percent of the moneys appropriated
10 11 in paragraph "a" may be allocated for cost sharing to abate
10 12 complaints filed under section 161A.47.
10 13 c. Of the moneys appropriated in paragraph "a", 5 percent
10 14 shall be allocated for financial incentives to establish
10 15 practices to protect watersheds above publicly owned lakes of
10 16 the state from soil erosion and sediment as provided in section
10 17 161A.73.
10 18 d. Not more than 30 percent of a soil and water conservation
10 19 district's allocation of moneys as financial incentives may be
10 20 provided for the purpose of establishing management practices
10 21 to control soil erosion on land that is row cropped, including
10 22 but not limited to no-till planting, ridge-till planting,
10 23 contouring, and contour strip-cropping as provided in section
10 24 161A.73.
10 25 e. The state soil conservation committee created in section
10 26 161A.4 may allocate moneys appropriated in paragraph "a"
10 27 to conduct research and demonstration projects to promote
10 28 conservation tillage and nonpoint source pollution control
10 29 practices.
10 30 f. The allocation of moneys as financial incentives as
10 31 provided in section 161A.73 may be used in combination with
10 32 moneys allocated by the department of natural resources.
10 33 g. Moneys appropriated in this subsection shall not be used
10 34 for administrative or planning purposes.
10 35 3. DEPARTMENT OF CULTURAL AFFAIRS



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House File 2534 - Introduced continued

11 1 For grants for Iowa great places program projects:
 11 2 \$ 2,000,000
 11 3 4. DEPARTMENT OF CORRECTIONS
 11 4 a. For one-time costs associated with the opening of
 11 5 community-based corrections facilities including the purchase
 11 6 of equipment:
 11 7 \$ 1,519,048
 11 8 b. For use by a city with a population between 198,000 and
 11 9 199,000 for a safety barrier to be constructed in the natural
 11 10 environment between the fifth judicial district facility and
 11 11 the blank park zoo:
 11 12 \$ 1,000,000
 11 13 c. For project management costs at Fort Madison and
 11 14 Mitchellville prisons associated with construction projects at
 11 15 the department:
 11 16 \$ 2,200,000
 11 17 5. DEPARTMENT OF ECONOMIC DEVELOPMENT
 11 18 To the Des Moines area regional transit authority (DART) for
 11 19 construction of a regional transit hub for economic development
 11 20 purposes and for providing public transportation in a city with
 11 21 a population between 198,000 and 199,000 in the last preceding
 11 22 certified federal census:
 11 23 \$ 4,000,000
 11 24 6. DEPARTMENT OF NATURAL RESOURCES
 11 25 For implementation of lake projects that have established
 11 26 watershed improvement initiatives and community support in
 11 27 accordance with the department's annual lake restoration plan
 11 28 and report:
 11 29 \$ 7,000,000
 11 30 Of the amount appropriated in this subsection, \$250,000
 11 31 shall be allocated for dredging, reconstruction, and related
 11 32 improvements of twin ponds adjacent to a nature center in a
 11 33 county with a population between 13,050, and 13,100.
 11 34 Of the amount appropriated in this subsection, \$2,000,000
 11 35 shall be allocated for costs associated with dam construction;



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House File 2534 - Introduced continued

12 1 shoreline protection; boat ramp, parking, and road
 12 2 construction; and an in-lake fishing habitat development
 12 3 project for a new state recreation area on a lake located in a
 12 4 county with a population between 155,000 and 160,000.
 12 5 Of the amount appropriated in this subsection, \$100,000
 12 6 shall be allocated for lake dredging and related improvements
 12 7 including ongoing dam maintenance and operation on a lake with
 12 8 public access that has the support of a benefited lake district
 12 9 located in a county with a population between 18,350 and 18,450
 12 10 in the last preceding federal census.
 12 11 7. STATE BOARD OF REGENTS
 12 12 For phase II of the construction and renovation of the
 12 13 veterinary medical facilities at Iowa state university of
 12 14 science and technology, specifically the renovation and
 12 15 modernization of the area formerly occupied by the large animal
 12 16 area of the teaching hospital for expanded clinical services:
 12 17 \$ 13,000,000
 12 18 8. IOWA STATE FAIR
 12 19 For infrastructure improvements to the Iowa state
 12 20 fairgrounds including but not limited to the construction of an
 12 21 agricultural exhibition center on the Iowa state fairgrounds:
 12 22 \$ 2,500,000
 12 23 9. IOWA FINANCE AUTHORITY
 12 24 For grants for purposes of the housing trust fund created in
 12 25 section 16.181:
 12 26 \$ 2,000,000
 12 27 Sec. 7. TAX-EXEMPT STATUS == USE OF APPROPRIATIONS.
 12 28 1. Payment of moneys from the appropriations in this
 12 29 division of this Act shall be made in a manner that does not
 12 30 adversely affect the tax-exempt status of any outstanding bonds
 12 31 issued by the treasurer of state.
 12 32 2. Payment of moneys from the appropriations in this
 12 33 division of this Act shall not be used for administrative or
 12 34 planning purposes.
 12 35 Sec. 8. REVERSION. For purposes of section 8.33, unless



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13 1 specifically provided otherwise, unencumbered or unobligated
13 2 moneys made from an appropriation in this division of this Act
13 3 shall not revert but shall remain available for expenditure for
13 4 the purposes designated until the close of the fiscal year that
13 5 ends three years after the end of the fiscal year for which the
13 6 appropriation was made. However, if the project or projects
13 7 for which such appropriation was made are completed in an
13 8 earlier fiscal year, unencumbered or unobligated moneys shall
13 9 revert at the close of that same fiscal year.

13 10 DIVISION IV

13 11 REVENUE BONDS CAPITALS II FUND == APPROPRIATIONS

13 12 Sec. 9. NEW SECTION. 12.88A Revenue bonds capitals II fund.

13 13 1. A revenue bonds capitals II fund is created and
13 14 established as a separate and distinct fund in the state
13 15 treasury. The treasurer of state shall act as custodian of the
13 16 fund and disburse moneys contained in the fund.

13 17 2. Revenue for the revenue bonds capitals II fund shall
13 18 include but is not limited to the following, which shall be
13 19 deposited with the treasurer of state or the treasurer of
13 20 state's designee as provided by any bond or security documents
13 21 and credited to the fund:

13 22 a. The net proceeds of bonds issued after July 1, 2010,
13 23 pursuant to section 12.87 other than bonds issued for the
13 24 purpose of refunding such bonds, and investment earnings on the
13 25 net proceeds.

13 26 b. Interest attributable to investment of moneys in the fund
13 27 or an account of the fund.

13 28 c. Moneys in the form of a devise, gift, bequest, donation,
13 29 federal or other grant, reimbursement, repayment, judgment,
13 30 transfer, payment, or appropriation from any source intended to
13 31 be used for the purposes of the fund.

13 32 3. Moneys in the revenue bonds capitals II fund are not
13 33 subject to section 8.33. Notwithstanding section 12C.7,
13 34 subsection 2, interest or earnings on moneys in the fund shall
13 35 be credited to the fund.



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14 1 4. Annually, on or before January 15 of each year, a state
14 2 agency that received an appropriation from the revenue bonds
14 3 capitals II fund shall report to the legislative services
14 4 agency and the department of management the status of all
14 5 projects completed or in progress. The report shall include
14 6 a description of the project, the work completed, the total
14 7 estimated cost of the project, a list of all revenue sources
14 8 being used to fund the project, the amount of funds expended,
14 9 the amount of funds obligated, and the date the project was
14 10 completed or an estimated completion date of the project, where
14 11 applicable.

14 12 Sec. 10. There is appropriated from the revenue bonds
14 13 capitals II fund created in section 12.88A to the following
14 14 departments and agencies for the fiscal year beginning July
14 15 1, 2010, and ending June 30, 2011, the following amounts, or
14 16 so much thereof as is necessary, to be used for the purposes
14 17 designated:

14 18 1. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

14 19 a. To the soil conservation division of the department
14 20 established in section 161A.4 to provide financial assistance
14 21 for the establishment of permanent soil and water conservation
14 22 practices:

14 23 \$ 5,950,000

14 24 (1) Not more than 5 percent of the moneys appropriated in
14 25 this paragraph "a" may be allocated for cost sharing to abate
14 26 complaints filed under section 161A.47.

14 27 (2) Of the moneys appropriated in this paragraph "a",
14 28 5 percent shall be allocated for financial incentives to
14 29 establish practices to protect watersheds above publicly owned
14 30 lakes of the state from soil erosion and sediment as provided
14 31 in section 161A.73.

14 32 (3) Not more than 30 percent of a soil and water
14 33 conservation district's allocation of moneys as financial
14 34 incentives may be provided for the purpose of establishing
14 35 management practices to control soil erosion on land that is



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15 1 row cropped, including but not limited to no-till planting,
 15 2 ridge-till planting, contouring, and contour strip-cropping as
 15 3 provided in section 161A.73.
 15 4 (4) The state soil conservation committee created in
 15 5 section 161A.4 may allocate moneys appropriated in paragraph
 15 6 "a" to conduct research and demonstration projects to promote
 15 7 conservation tillage and nonpoint source pollution control
 15 8 practices.
 15 9 (5) The allocation of moneys as financial incentives as
 15 10 provided in section 161A.73 may be used in combination with
 15 11 moneys allocated by the department of natural resources.
 15 12 (6) Moneys appropriated in this paragraph "a" shall not be
 15 13 used for administrative or planning purposes.
 15 14 b. For grants under the conservation reserve enhancement
 15 15 program to improve water quality and intercept nitrates:
 15 16 \$ 2,500,000
 15 17 2. DEPARTMENT OF ECONOMIC DEVELOPMENT
 15 18 a. For deposit into the community attraction and tourism
 15 19 fund created in section 15F.204:
 15 20 \$ 12,000,000
 15 21 b. For deposit into the river enhancement community
 15 22 attraction and tourism fund created in section 15F.205:
 15 23 \$ 4,000,000
 15 24 Moneys appropriated for grants awarded in paragraphs "a" and
 15 25 "b" shall be used to assist communities in the development and
 15 26 creation of multiple purpose attractions or community service
 15 27 facilities for public use.
 15 28 c. For accelerated career education program capital
 15 29 projects at community colleges that are authorized under
 15 30 chapter 260G and that meet the definition of vertical
 15 31 infrastructure in section 8.57, subsection 6, paragraph "c":
 15 32 \$ 5,500,000
 15 33 d. For the main street Iowa program to be used as grants
 15 34 for projects that have previously applied for funding
 15 35 consideration, or have received partial funding for facade



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16 1 master plans to rehabilitate storefronts in main street Iowa
 16 2 districts, to complete streetscape projects where planning
 16 3 and the majority of funding is already secured, for unfunded
 16 4 main street challenge grant projects, and for other building
 16 5 rehabilitation projects that are currently on the department's
 16 6 highest priority list:
 16 7 \$ 8,450,000
 16 8 Moneys appropriated in this lettered paragraph shall not be
 16 9 used for administration or planning purposes.
 16 10 Of the amount appropriated in this lettered paragraph,
 16 11 \$300,000 shall be allocated to a city with a population between
 16 12 25,100 and 25,200 in the last preceding certified federal
 16 13 census for a redevelopment project that includes improvements
 16 14 and modifications to streets and storm sewers in both the
 16 15 downtown and mall areas of the city.
 16 16 e. To north Iowa area community college (merged area II)
 16 17 for the construction of a small business center for economic
 16 18 development:
 16 19 \$ 1,500,000
 16 20 f. To Kirkwood community college (merged area X) for
 16 21 the construction of a small business center for economic
 16 22 development:
 16 23 \$ 1,200,000
 16 24 3. DEPARTMENT OF EDUCATION
 16 25 For major renovation and major repair needs, including
 16 26 health, life, and fire safety needs and for compliance with the
 16 27 federal Americans with Disabilities Act, for state buildings
 16 28 and facilities under the purview of the community colleges:
 16 29 \$ 2,000,000
 16 30 4. IOWA FINANCE AUTHORITY
 16 31 a. To the Iowa jobs board created in section 16.191 for
 16 32 disaster relief and mitigation renovation and construction
 16 33 projects:
 16 34 \$ 30,900,000
 16 35 The moneys appropriated in this paragraph "a" shall be



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17 1 allocated as follows:

17 2 (1) To a county with a population between 189,000 and

17 3 196,000 in the last preceding certified federal census for the

17 4 renovation and expansion of an administrative office building:

17 5 \$ 4,400,000

17 6 (2) To a city with a population between 120,500 and 120,800

17 7 in the last preceding certified federal census, for the

17 8 following projects:

17 9 (a) For renovation of an existing public building to make

17 10 the building useful for city department offices:

17 11 \$ 4,400,000

17 12 (b) For flood mitigation or renovation in and around an

17 13 existing courthouse:

17 14 \$ 2,000,000

17 15 (3) To a city with a population between 198,000 and 199,000

17 16 in the last preceding certified federal census to be allocated

17 17 as follows:

17 18 (a) For site acquisition, design, engineering, and

17 19 construction of a fire training and logistics center:

17 20 \$ 3,000,000

17 21 (b) For land acquisition, design, and construction of

17 22 sewers, structures, and pumping facilities necessary to

17 23 separate and convey sewer flow within the riverpoint service

17 24 area:

17 25 \$ 1,250,000

17 26 (c) For land acquisition, design, and construction of

17 27 sewers, structures, and pumping facilities necessary to

17 28 separate or convey sewer flow within the Court avenue service

17 29 area:

17 30 \$ 3,050,000

17 31 (d) For bank stabilization, stream bed stabilization, and

17 32 erosion control on highly erodible ground that is impacting

17 33 utilities, road infrastructure, and water quality:

17 34 \$ 700,000

17 35 (e) To improve utilization of two of the wastewater



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18 1 reclamation authority's existing equalization basins for
18 2 the control of peak flows during wet weather events in the
18 3 authority's sewer system:
18 4 \$ 500,000
18 5 (4) For a publicly owned acute care teaching hospital
18 6 located in a county with a population of over 350,000, for
18 7 the construction and renovation of patient access and care
18 8 facilities, equipment replacement and upgrades, and other
18 9 infrastructure improvements:
18 10 \$ 1,000,000
18 11 (5) For a city with a population between 98,300 and 98,400
18 12 in the last preceding certified federal census, for flood
18 13 protection, replacement, and construction improvements to a
18 14 recreational sports facility:
18 15 \$ 1,050,000
18 16 (6) For a city with a population between 68,700 and
18 17 68,800 in the last preceding certified federal census, for a
18 18 public works building that will allow the city to provide for
18 19 disaster-related services:
18 20 \$ 5,000,000
18 21 (7) For a city with a population between 62,100 and
18 22 62,250 in the last preceding certified federal census, for
18 23 the demolition, relocation, and reconstruction of a public
18 24 wastewater treatment plant and the development of a public
18 25 green space:
18 26 \$ 2,000,000
18 27 (8) For a city with a population between 2,545 and 2,555 in
18 28 the last preceding certified federal census, for a streetscape
18 29 project that reconstructs existing horizontal infrastructure
18 30 and lighting systems utilizing sustainable development
18 31 practices:
18 32 \$ 1,175,000
18 33 (9) For a city with a population between 2,200 and 2,220 in
18 34 the last preceding certified federal census, for construction
18 35 of a public city building:



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19 1 \$ 475,000
 19 2 (10) For a city with a population between 2,558 and 2,565
 19 3 in the last preceding certified federal census, for the
 19 4 installation of backflow prevention devices for the city's
 19 5 storm sewer system:
 19 6 \$ 600,000
 19 7 (11) For a city with a population between 6,875 and 6,890
 19 8 in the last preceding certified federal census, for the
 19 9 construction of grade control structures and associated grading
 19 10 to mitigate future water damage to residential structures:
 19 11 \$ 300,000
 19 12 b. To the Iowa jobs board for a disaster prevention program
 19 13 created in section 16.194A for grants for cities and counties
 19 14 that apply smart planning principles and guidelines pursuant to
 19 15 sections 18B.1 and 18B.2, if enacted by 2010 Iowa Acts, Senate
 19 16 File 2265, sections 1 and 2:
 19 17 \$ 30,000,000
 19 18 5. DEPARTMENT OF NATURAL RESOURCES
 19 19 a. For state park infrastructure improvements:
 19 20 \$ 5,000,000
 19 21 Of the amount appropriated in this lettered paragraph,
 19 22 \$100,000 shall be allocated for the renovation of a clubhouse
 19 23 on a lake in a county with a population between 20,200 and
 19 24 20,250 in the last preceding certified federal census.
 19 25 b. For implementation of lake projects that have
 19 26 established watershed improvement initiatives and community
 19 27 support in accordance with the department's annual lake
 19 28 restoration plan and report:
 19 29 \$ 3,000,000
 19 30 6. STATE BOARD OF REGENTS
 19 31 a. For costs associated with the construction and
 19 32 establishment of the Iowa institute for biomedical discovery at
 19 33 the state university of Iowa:
 19 34 \$ 10,000,000
 19 35 b. For deposit into the alternate energy revolving loan



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20 1 fund created in section 476.46 to encourage the development
 20 2 of alternate energy production facilities and small hydro
 20 3 facilities, as defined in section 476.42, within the state:
 20 4 \$ 5,000,000
 20 5 Any award of loans to private individuals or organizations
 20 6 must be for the public purpose of encouraging the development
 20 7 of alternate energy production facilities and small hydro
 20 8 facilities within the state in order to conserve finite and
 20 9 expensive energy resources and to provide for their most
 20 10 efficient use. Funds from bond proceeds shall not be used for
 20 11 administration or planning purposes. These moneys, and any
 20 12 loan repayments, shall be maintained in separate accounts and
 20 13 shall only be used for these public purposes.

20 14 7. DEPARTMENT OF TRANSPORTATION

20 15 a. For grants for rail projects including wind energy rail
 20 16 port projects that provide assistance consistent with the
 20 17 purposes of section 327H.20A:
 20 18 \$ 7,500,000

20 19 Grants awarded pursuant to this lettered paragraph shall
 20 20 meet all of the following selection criteria:

20 21 (1) Be located in or adjacent to a rail industrial park.
 20 22 (2) Be a facility that serves multiple industrial clients
 20 23 with one rail infrastructure investment.
 20 24 (3) Accommodate building and loading a complete unit train
 20 25 in the rail port.
 20 26 (4) Have connection tracks with adequate clearances to
 20 27 transport large components.
 20 28 (5) Be located in an area with short unimpeded access for
 20 29 oversized wind components to a divided four-lane highway.

20 30 Priority in the awarding of grants shall be given to
 20 31 communities that have experienced exceptional economic
 20 32 setbacks. An additional preference shall be given to a county
 20 33 that has lost nine percent of its workforce to a permanent
 20 34 factory closing where the laid off workers are trade adjustment
 20 35 assistance eligible.



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21 1 b. For the public transit infrastructure grant program in
 21 2 section 324A.6A:
 21 3 \$ 2,000,000
 21 4 c. For infrastructure improvements at the commercial air
 21 5 service airports within the state:
 21 6 \$ 1,500,000
 21 7 Fifty percent of the funds appropriated in this lettered
 21 8 paragraph shall be allocated equally between each commercial
 21 9 air service airport, forty percent of the funds shall be
 21 10 allocated based on the percentage that the number of enplaned
 21 11 passengers at each commercial air service airport bears to the
 21 12 total number of enplaned passengers in the state during the
 21 13 previous fiscal year, and ten percent of the funds shall be
 21 14 allocated based on the percentage that the air cargo tonnage
 21 15 at each commercial air service airport bears to the total air
 21 16 cargo tonnage in the state during the previous fiscal year. In
 21 17 order for a commercial air service airport to receive funding
 21 18 under this lettered paragraph, the airport shall be required
 21 19 to submit applications for funding of specific projects to the
 21 20 department for approval by the state transportation commission.
 21 21 d. For infrastructure projects relating to functionally
 21 22 obsolete and structurally deficient bridges:
 21 23 \$ 10,000,000
 21 24 8. TREASURER OF STATE
 21 25 For transfer to the watershed improvement review board
 21 26 created in section 466A.3 for grants associated with the
 21 27 construction and restoration of wetland easements and flood
 21 28 prevention projects:
 21 29 \$ 2,000,000
 21 30 Notwithstanding section 466A.5, moneys from the
 21 31 appropriation in this subsection shall not be used for
 21 32 administrative purposes.
 21 33 Sec. 11. TAX=EXEMPT STATUS == USE OF APPROPRIATIONS.
 21 34 1. Payment of moneys from the appropriations in this
 21 35 division of this Act shall be made in a manner that does not



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22 1 adversely affect the tax-exempt status of any outstanding bonds
22 2 issued by the treasurer of state.

22 3 2. Payment of moneys from the appropriations in this
22 4 division of this Act shall not be used for administrative or
22 5 planning purposes.

22 6 Sec. 12. REVERSION. For purposes of section 8.33, unless
22 7 specifically provided otherwise, unencumbered or unobligated
22 8 moneys made from an appropriation in this division of this Act
22 9 shall not revert but shall remain available for expenditure for
22 10 the purposes designated until the close of the fiscal year that
22 11 ends three years after the end of the fiscal year for which the
22 12 appropriation was made. However, if the project or projects
22 13 for which such appropriation was made are completed in an
22 14 earlier fiscal year, unencumbered or unobligated moneys shall
22 15 revert at the close of that same fiscal year.

DIVISION V

PRISON BONDING

22 18 Sec. 13. There is appropriated from the FY 2009 prison
22 19 bonding fund created pursuant to section 12.79 to the
22 20 department of corrections for the fiscal year beginning July
22 21 1, 2010, and ending June 30, 2011, the following amount, or
22 22 so much thereof as is necessary, to be used for the purpose
22 23 designated:

22 24 For costs associated with the building of a new Iowa State
22 25 penitentiary at Fort Madison:
22 26 \$ 322,500

22 27 The appropriation made in this section constitutes approval
22 28 by the general assembly for the issuance of bonds by the
22 29 treasurer of state pursuant to section 12.80.

22 30 Sec. 14. REVERSION. For purposes of section 8.33, unless
22 31 specifically provided otherwise, unencumbered or unobligated
22 32 moneys made from an appropriation in this division of this Act
22 33 shall not revert but shall remain available for expenditure for
22 34 the purposes designated until the close of the fiscal year that
22 35 ends three years after the end of the fiscal year for which the



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23 1 appropriation was made. However, if the project or projects
23 2 for which such appropriation was made are completed in an
23 3 earlier fiscal year, unencumbered or unobligated moneys shall
23 4 revert at the close of that same fiscal year.

DIVISION VI

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE

TANK FUND == DEPARTMENT OF TRANSPORTATION

23 8 Sec. 15. There is appropriated from the Iowa comprehensive
23 9 petroleum underground storage tank fund to the department of
23 10 transportation for the fiscal year beginning July 1, 2010, and
23 11 ending June 30, 2011, the following amount, or so much thereof
23 12 as is necessary, to be used for the purposes designated:

23 13 Notwithstanding section 455G.3, subsection 1, for deposit in
23 14 the passenger rail service revolving fund created in section
23 15 327J.2:

23 16 \$ 2,000,000

23 17 Such funds shall be coupled with the remaining unobligated
23 18 balance of up to one million five hundred thousand dollars from
23 19 the appropriation made in 2009 Iowa Acts, chapter 184, section
23 20 1, subsection 12, paragraph "a", for a total commitment of
23 21 three million five hundred thousand dollars for the fiscal year
23 22 beginning July 1, 2010, and ending June 30, 2011, for matching
23 23 federal funding available through the Passenger Rail Investment
23 24 and Improvement Act of 2008.

DIVISION VII

GROW IOWA VALUES FUND

23 27 Sec. 16. There is appropriated from the rebuild Iowa
23 28 infrastructure fund to the department of economic development
23 29 for deposit in the grow Iowa values fund, for the fiscal year
23 30 beginning July 1, 2010, and ending June 30, 2011, the following
23 31 amount, notwithstanding section 8.57, subsection 6, paragraph
23 32 "c":

23 33 \$ 38,000,000

23 34 Sec. 17. GROW IOWA VALUES FUND APPROPRIATION REDUCTION. In
23 35 lieu of the \$50,000,000 appropriated for the fiscal year



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24 1 beginning July 1, 2010, and ending June 30, 2011, from
24 2 the grow Iowa values fund to the department of economic
24 3 development pursuant to section 15G.111, subsection 3, there is
24 4 appropriated from the grow Iowa values fund to the department
24 5 of economic development for the fiscal year beginning July 1,
24 6 2010, and ending June 30, 2011, \$38,000,000 for the purposes of
24 7 making expenditures pursuant to chapter 15G.
24 8 Sec. 18. GROW IOWA VALUES FUND ALLOCATIONS. In lieu of the
24 9 amounts allocated pursuant to section 15G.111, subsections 4
24 10 through 10, for the fiscal year beginning July 1, 2010, and
24 11 ending June 30, 2011, of the \$38,000,000 appropriated to the
24 12 department of economic development pursuant to this division of
24 13 this Act, the department shall allocate the following amounts
24 14 for the following purposes as described in section 15G.111,
24 15 subsections 4 through 10:
24 16 1. For departmental purposes, \$21,363,600.
24 17 2. For the state board of regents institutions, \$3,800,000.
24 18 3. For state parks, \$760,000.
24 19 4. For deposit in the Iowa cultural trust fund, \$760,000.
24 20 5. For community colleges, \$5,320,000.
24 21 6. For regional financial assistance, \$760,000.
24 22 Of the moneys allocated pursuant to this subsection and in
24 23 lieu of the three hundred fifty thousand dollars transferred
24 24 under section 15G.111, subsection 9, paragraph "a", the
24 25 department shall transfer two hundred sixty-six thousand
24 26 dollars to Iowa state university of science and technology, for
24 27 purposes of providing financial assistance to establish small
24 28 business development centers.
24 29 7. For commercialization services, \$4,389,000.
24 30 8. For targeted small business, \$847,400.
24 31 Sec. 19. Section 15.247, subsection 3, Code Supplement
24 32 2009, is amended to read as follows:
24 33 3. a. All moneys designated for the targeted small business
24 34 financial assistance program shall be credited to the program
24 35 account. The department shall determine the actuarially



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25 1 sound reserve requirement for the amount of guaranteed loans
25 2 outstanding.

25 3 b. Of the moneys credited to the program account, the
25 4 department may allocate an amount necessary for marketing and
25 5 compliance and an amount for the provision of the mentoring
25 6 services required under subsection 7.

25 7 Sec. 20. Section 15G.110, Code Supplement 2009, is amended
25 8 to read as follows:

25 9 15G.110 Appropriation.

25 10 1. For the fiscal period beginning July 1, 2005, and ending
25 11 June 30, 2008, and for the fiscal period beginning July 1,
25 12 ~~2010~~ 2011, and ending June 30, 2015, there is appropriated to
25 13 the department of economic development each fiscal year fifty
25 14 million dollars from the general fund of the state for deposit
25 15 in the grow Iowa values fund.

25 16 2. For the fiscal period beginning July 1, 2008, and ending
25 17 June 30, ~~2010~~ 2011, there is appropriated to the department of
25 18 economic development each fiscal year fifty million dollars
25 19 from the rebuild Iowa infrastructure fund for deposit in the
25 20 grow Iowa values fund, notwithstanding section 8.57, subsection
25 21 6, paragraph "c".

25 22 Sec. 21. Section 15G.111, subsection 2, paragraph b, Code
25 23 Supplement 2009, is amended to read as follows:

25 24 b. Moneys credited to the fund are not subject to section
25 25 8.33. Notwithstanding section 12C.7, interest or earnings on
25 26 moneys in the fund shall be credited to the fund. Interest
25 27 or earnings on moneys in the fund are appropriated to the
25 28 department. Of the moneys appropriated to the department
25 29 pursuant to this paragraph, the department shall make the
25 30 following allocations:

25 31 (1) For each fiscal year of the fiscal period beginning
25 32 July 1, 2010, and ending June 30, 2013, the department shall
25 33 allocate not more than one hundred seventy-five thousand
25 34 dollars for purposes of providing financial assistance to
25 35 Iowa's councils of governments.



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26 1 (2) For each fiscal year of the fiscal period beginning
26 2 July 1, 2010, and ending June 30, 2013, the department shall
26 3 allocate not more than two hundred thousand dollars for
26 4 purposes of providing support and administrative assistance to
26 5 the vision Iowa board, the community attraction and tourism
26 6 program, and river enhancement community attraction and tourism
26 7 projects.

26 8 (3) For each fiscal year of the fiscal period beginning
26 9 July 1, 2010, and ending June 30, 2013, the department shall
26 10 allocate the remaining amount of interest or earnings on moneys
26 11 in the fund for purposes of providing financial assistance
26 12 under the disaster recovery component of the grow Iowa values
26 13 financial assistance program. All moneys allocated pursuant to
26 14 this subparagraph that remain unexpended or unobligated at the
26 15 end of the fiscal year beginning July 1, 2012, shall revert and
26 16 be credited to the fund.

26 17 Sec. 22. Section 15G.111, subsection 4, unnumbered
26 18 paragraph 1, Code Supplement 2009, is amended to read as
26 19 follows:

26 20 Of the moneys appropriated to the department pursuant
26 21 to subsection 3, the department shall allocate
26 22 ~~thirty-two~~ twenty-eight million five hundred thousand dollars
26 23 each fiscal year as follows:

26 24 Sec. 23. Section 15G.111, subsection 10, Code Supplement
26 25 2009, is amended to read as follows:

26 26 10. ~~Commercialization~~ Innovation and commercialization
26 27 services. Of the moneys appropriated to the department
26 28 pursuant to subsection 3, the department shall allocate
26 29 ~~three~~ five million five hundred thousand dollars for deposit in
26 30 the innovation and commercialization development fund created
26 31 in section 15.412.

26 32 Sec. 24. Section 15G.111, Code Supplement 2009, is amended
26 33 by adding the following new subsection:

26 34 NEW SUBSECTION. 11. Targeted small businesses. Of the
26 35 moneys appropriated to the department pursuant to subsection 3,



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27 1 the department shall allocate one million dollars for deposit
27 2 in the targeted small business financial assistance program
27 3 account established pursuant to section 15.247 within the
27 4 strategic investment fund created in section 15.313.

27 5 DIVISION VIII

27 6 SMALL BUSINESS LINKED INVESTMENTS

27 7 Sec. 25. Section 12.43, subsection 5, unnumbered paragraph
27 8 1, Code 2009, is amended to read as follows:

27 9 In order to qualify under this program, all owners of the
27 10 business or borrowers must not have a combined net worth
27 11 exceeding ~~seven~~ nine hundred ~~fifty~~ seventy=five thousand
27 12 dollars as defined in rules adopted by the treasurer of state
27 13 pursuant to chapter 17A and the small business must meet all of
27 14 the following criteria:

27 15 DIVISION IX

27 16 SITE DEVELOPMENT

27 17 Sec. 26. Section 15E.18, Code 2009, is amended by striking
27 18 the section and inserting in lieu thereof the following:

27 19 15E.18 Site development consultations == certificates of
27 20 readiness.

27 21 1. a. The department shall consult with local governments
27 22 and local economic development officials in regard to site
27 23 development techniques. For purposes of this section, "site
27 24 development techniques" include environmental evaluations,
27 25 property and wetland delineation, and historical evaluations.

27 26 b. The department may charge a fee for providing site
27 27 development consultations. The fee shall not exceed
27 28 the reasonable cost to the department of providing the
27 29 consultations. The amount of any fees collected by the
27 30 department shall be deposited in the general fund of the state.

27 31 2. a. A local government or local economic development
27 32 official involved with the development of a site may apply to
27 33 the department for a certificate of readiness verifying that
27 34 the site is ready for development.

27 35 b. The department shall develop criteria for evaluating



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28 1 various types of sites in order to determine whether a
28 2 particular site is ready for development based on the site's
28 3 individual circumstances and the economic development goals of
28 4 the applicant.

28 5 c. The department shall review applications for certificates
28 6 of readiness and may issue a certificate of readiness to any
28 7 site that meets the criteria developed under paragraph "b".

28 8 3. The department shall adopt rules pursuant to chapter 17A
28 9 for the implementation of this section.

28 10 Sec. 27. SITE DEVELOPMENT CONSULTATIONS

28 11 APPROPRIATION. There is appropriated from the school
28 12 infrastructure fund created in section 12.82 to the department
28 13 of economic development for the fiscal year beginning July
28 14 1, 2010, and ending June 30, 2011, the following amount, or
28 15 so much thereof as is necessary, to be used for the purposes
28 16 designated:

28 17 For providing site development consultations pursuant to
28 18 section 15E.18, including salaries, support, maintenance,
28 19 miscellaneous purposes, and for not more than the following
28 20 full-time equivalent positions:

28 21	\$	175,000
28 22	FTEs	1.00

28 23 Of the moneys appropriated to the department pursuant to
28 24 this section, the department may allocate up to \$75,000 for
28 25 purposes of contracting with third parties to provide site
28 26 development consultations.

28 27 DIVISION X
28 28 INTERNET SITE FOR BUSINESS
28 29 ASSISTANCE

28 30 Sec. 28. BUSINESS ASSISTANCE INTERNET SITE.

28 31 1. The department of economic development, in consultation
28 32 with other state agencies that provide financial and technical
28 33 assistance to small businesses and with the state board of
28 34 regents, shall create a business assistance internet site
28 35 designed to assist small businesses in finding information



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29 1 related to the various kinds of technical and financial
 29 2 assistance available from the state of Iowa. The department
 29 3 may incorporate the internet site into its existing internet
 29 4 site as appropriate.
 29 5 2. The internet site shall include links to the various
 29 6 internet sites maintained by other state agencies or the
 29 7 state board of regents that pertain to assistance for small
 29 8 businesses. The other state agencies and the board of regents
 29 9 shall assist the department of economic development in an
 29 10 effort to keep the information on the internet site up-to-date.
 29 11 The department of administrative services shall work with the
 29 12 department of economic development to ensure that the internet
 29 13 site is readily accessible to the public.
 29 14 Sec. 29. BUSINESS ASSISTANCE INTERNET SITE
 29 15 APPROPRIATION. There is appropriated from the school
 29 16 infrastructure fund created in section 12.82 to the department
 29 17 of economic development for the fiscal year beginning July
 29 18 1, 2010, and ending June 30, 2011, the following amount, or
 29 19 so much thereof as is necessary, to be used for the purposes
 29 20 designated:
 29 21 For purposes of creating a business assistance internet
 29 22 site:
 29 23 \$ 20,000
 29 24 DIVISION XI
 29 25 REGULATORY ASSISTANCE INTERIM
 29 26 STUDY COMMITTEE
 29 27 Sec. 30. REGULATORY ASSISTANCE INTERIM STUDY COMMITTEE.
 29 28 1. The legislative council is requested to establish an
 29 29 interim study committee to examine and make recommendations
 29 30 regarding methods of assisting small business that do not
 29 31 require direct financial incentives and regarding potential
 29 32 changes of law that would improve business licensing,
 29 33 regulatory compliance, and tax collection procedures.
 29 34 2. The study committee shall be composed of five members of
 29 35 the house of representatives, five members of the senate, and



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30 1 five members of the general public who are also small business
30 2 owners. Of the members of the senate, three members shall be
30 3 appointed by the majority leader of the senate and two shall
30 4 be appointed by the minority leader of the senate. Of the
30 5 members of the house of representatives, three members shall
30 6 be appointed by the speaker of the house of representatives,
30 7 and two shall be appointed by the minority leader of the house
30 8 of representatives.

30 9 3. a. The study committee shall work with the department
30 10 of economic development, the department of inspections and
30 11 appeals, the insurance division of the department of commerce,
30 12 the department of natural resources, the professional licensing
30 13 and regulation bureau of the banking division of the department
30 14 of commerce, the department of public health, the department
30 15 of public safety, the department of revenue, the secretary of
30 16 state, and the department of workforce development to study
30 17 ways to improve the state's business licensing procedures.

30 18 b. In preparation for assisting with the interim study
30 19 committee, a state agency listed in this subsection shall
30 20 conduct an internal review to identify and prioritize
30 21 its procedures as they pertain to businesses and business
30 22 licensing.

30 23 c. A state agency listed in this subsection shall provide
30 24 all necessary assistance to the interim study committee in
30 25 making recommendations to the general assembly.

30 26 4. The interim study committee shall submit its
30 27 recommendations to the general assembly on or before January
30 28 14, 2011.

30 29 DIVISION XII

30 30 SAVE OUR SMALL BUSINESSES FUND

30 31 AND PROGRAM

30 32 Sec. 31. NEW SECTION. 15.300 Findings and intent.

30 33 1. The general assembly finds all of the following:

30 34 a. That entrepreneurs and small businesses often have
30 35 difficulty obtaining conventional loan financing, limiting



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31 1 their ability to expand, retain, and create additional jobs.
31 2 b. That a source of capital provided by the state could
31 3 greatly assist entrepreneurs and small businesses in their
31 4 efforts to upgrade or modernize equipment, realize additional
31 5 efficiencies in their supply chains, improve their distribution
31 6 and transportation margins, reduce facility costs through
31 7 increased energy efficiency, and leverage other sources of
31 8 business financing.
31 9 2. The purpose of the save our small businesses fund created
31 10 in section 15.301 is to promote the creation and retention of
31 11 jobs in the state's economy and to assist businesses to be more
31 12 competitive by addressing the needs identified in subsection 1.
31 13 Sec. 32. NEW SECTION. 15.301 Save our small businesses fund
31 14 and program.
31 15 1. a. A save our small businesses fund is created in
31 16 the state treasury under the control of the department and
31 17 consisting of any moneys appropriated to the fund by the
31 18 general assembly and any other moneys available and obtained or
31 19 accepted by the department for placement in the fund.
31 20 b. Payments of interest, repayments of moneys loaned
31 21 pursuant to this section, and recaptures of loans shall be
31 22 deposited in the fund. The fund shall be used to provide
31 23 financial assistance in the form of low-interest loans as
31 24 provided under the program created in this section.
31 25 c. (1) If, on March 31, 2011, there are unobligated moneys
31 26 in the fund, such unobligated moneys shall revert to the
31 27 general fund of the state.
31 28 (2) For each quarter, beginning with the first quarter after
31 29 the reversion of moneys pursuant to subparagraph (1) and ending
31 30 with the last quarter prior to the reversion of moneys pursuant
31 31 to subparagraph (3), the department shall, on the last day
31 32 of the quarter transfer to the general fund of the state the
31 33 balance of unencumbered moneys in the fund.
31 34 (3) On March 31, 2016, all moneys in the fund shall revert
31 35 to the general fund of the state.



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32 1 2. a. The department shall establish and administer a
32 2 program for purposes of providing financial assistance to
32 3 eligible small businesses. For purposes of this section,
32 4 "financial assistance" means loans at an interest rate not to
32 5 exceed three and nine-tenths percent per annum and "eligible
32 6 small business" means a small business meeting the requirements
32 7 of subsection 3.
32 8 b. (1) The department may designate an organization to
32 9 administer the provisions of this section on the department's
32 10 behalf.
32 11 (2) In order to be designated, an organization must be
32 12 a nonprofit organization exempt from taxation under section
32 13 501(c)(3) of the Internal Revenue Code and must be designated
32 14 by the United States small business administration as a
32 15 statewide microloan program provider.
32 16 (3) If the department elects to designate an organization
32 17 pursuant to subparagraph (1), the department shall enter into
32 18 an agreement with the organization for purposes of ensuring
32 19 that the program is administered pursuant to the requirements
32 20 of this section.
32 21 (4) An organization designated pursuant to subparagraph (1)
32 22 may accept, evaluate, and approve applications for financial
32 23 assistance from eligible small businesses pursuant to the
32 24 requirements of this section and may monitor the compliance of
32 25 eligible businesses with the terms of an agreement entered into
32 26 with the department.
32 27 (5) All disbursements of moneys to recipients of financial
32 28 assistance approved by an organization designated pursuant to
32 29 subparagraph (1) shall be made by the department.
32 30 (6) All repayments of principal and interest on financial
32 31 assistance provided under the program shall be remitted to the
32 32 department and deposited in the fund.
32 33 (7) The department, with the assistance of an organization
32 34 designated pursuant to subparagraph (1), may seek the recapture
32 35 of financial assistance provided pursuant to this section as



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- 33 1 provided in subsection 4.
- 33 2 c. Financial assistance under the program shall be provided
- 33 3 from the fund created in subsection 1.
- 33 4 d. Financial assistance to a small business shall be at
- 33 5 least two thousand five hundred dollars, but shall not exceed
- 33 6 fifty thousand dollars.
- 33 7 e. The department, under the terms of an agreement with the
- 33 8 organization designated pursuant to paragraph "b", shall begin
- 33 9 to provide financial assistance from the fund not later than
- 33 10 August 1, 2010, and shall to the extent practicable obligate
- 33 11 all available moneys in the fund prior to March 31, 2011.
- 33 12 f. A loan made to a small business under the program may
- 33 13 be for any period of time, but the terms of such loan shall
- 33 14 provide for the repayment of principal and interest prior to
- 33 15 the date the moneys in the fund revert pursuant to subsection
- 33 16 1, paragraph "c", subparagraph (3).
- 33 17 3. A business is eligible to apply for financial assistance
- 33 18 under the program if the business meets all of the following
- 33 19 criteria at the time of application:
- 33 20 a. The business has thirty-five or fewer full-time
- 33 21 equivalent employees.
- 33 22 b. The business is located in Iowa.
- 33 23 c. The business is owned, operated, and actively managed by
- 33 24 a resident of Iowa.
- 33 25 d. The business has a business plan and has received
- 33 26 assistance in the development stage or the expansion stage
- 33 27 from a small business development center or from a qualified
- 33 28 public or nonprofit small business consultant as defined by the
- 33 29 department.
- 33 30 e. If a business has been a going concern for two years or
- 33 31 more, the business has not been found to be in violation of any
- 33 32 environmental or worker safety laws, rules, or regulations.
- 33 33 f. The business only employs individuals legally authorized
- 33 34 to work in this state.
- 33 35 g. The business does not engage in the production,



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34 1 depiction, or distribution of obscene material. For purposes
34 2 of this paragraph, "obscene material" means the same as defined
34 3 in section 728.1.
34 4 h. The business is not in bankruptcy and is not imminently
34 5 contemplating filing for bankruptcy.
34 6 4. Upon approval of the application for financial
34 7 assistance by the department or an organization designated
34 8 pursuant to subsection 2, paragraph "b", the eligible business
34 9 shall enter into an agreement with the department which shall
34 10 include but not be limited to all of the following provisions:
34 11 a. If an eligible business, after receiving financial
34 12 assistance, does not continue to meet one or more of the
34 13 criteria for eligibility under subsection 3, except for
34 14 subsection 3, paragraph "a", all or a portion of the financial
34 15 assistance received is subject to disallowance, recapture, or
34 16 immediate repayment.
34 17 b. If, after receiving financial assistance, an eligible
34 18 business ceases operations within the state or removes a
34 19 significant portion of its operations to a location outside
34 20 of the state, all or a portion of the financial assistance
34 21 received is subject to disallowance, recapture, or immediate
34 22 repayment.
34 23 5. a. An eligible business shall not receive more than one
34 24 award of financial assistance under this section.
34 25 b. An eligible business that receives financial assistance
34 26 under this section may subsequently apply for financial
34 27 assistance under other programs administered by the department.
34 28 c. An eligible business that receives financial assistance
34 29 under this section shall not use such financial assistance for
34 30 purposes of meeting payroll obligations to employees.
34 31 6. a. The small business development centers shall track
34 32 the number of referrals for assistance made to the department
34 33 for assistance under this section and shall include that number
34 34 in the small business development center's annual report to the
34 35 general assembly.



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35 1 b. The department in conjunction with an organization
 35 2 designated pursuant to subsection 2, paragraph "b", shall
 35 3 by January 15 of each year submit a report on the program
 35 4 administered pursuant to this section to the general assembly.
 35 5 The report shall include information on the number of
 35 6 businesses that receive loans under the program and any other
 35 7 information the department deems relevant to assessing the
 35 8 success of the program.

35 9 7. The department shall adopt rules pursuant to chapter 17A
 35 10 as necessary to administer the program. The department may
 35 11 adopt emergency rules under section 17A.4, subsection 3, and
 35 12 section 17A.5, subsection 2, paragraph "b", as necessary for the
 35 13 administration of this section.

35 14 Sec. 33. SAVE OUR SMALL BUSINESSES FUND
 35 15 APPROPRIATION. There is appropriated from the school
 35 16 infrastructure fund created in section 12.82 to the department
 35 17 of economic development for deposit in the save our small
 35 18 businesses fund for the fiscal year beginning July 1, 2010, and
 35 19 ending June 30, 2011, the following amount, or so much thereof
 35 20 as is necessary, to be used for the purposes designated:

35 21 For purposes of providing financial assistance under the
 35 22 save our small businesses program under section 15.301:
 35 23 \$ 5,000,000
 35 24 Of the moneys appropriated pursuant to this section, the
 35 25 department may allocate an amount not to exceed two percent of
 35 26 the moneys appropriated for purposes of retaining the services
 35 27 of an organization designated pursuant to section 15.301,
 35 28 subsection 2, paragraph "b".

35 29 Sec. 34. EFFECTIVE UPON ENACTMENT. This division of this
 35 30 Act, being deemed of immediate importance, takes effect upon
 35 31 enactment.

35 32 DIVISION XIII
 35 33 FLOODPLAIN MAPPING

35 34 Sec. 35. FLOODPLAIN MAPPING. Using funds allocated to the
 35 35 department of natural resources for floodplain mapping from the



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36 1 appropriation made to the department of economic development in
36 2 2009 Iowa Acts, chapter 183, section 67, of federal community
36 3 development block grant funds awarded to the state under
36 4 the federal Consolidated Security, Disaster Assistance, and
36 5 Continuing Appropriations Act, 2009, Pub. L. No. 110=329, the
36 6 department of natural resources shall enter an agreement in an
36 7 amount of not less than \$10,000,000 with the state university
36 8 of Iowa for the development of new floodplain maps by June 30,
36 9 2014, by the Iowa flood center established pursuant to section
36 10 466C.1. The department of natural resources shall structure
36 11 the contract to be consistent with any plan for use of the
36 12 funds approved by any federal agency, or, if necessary, follow
36 13 any procedures necessary for approval of this contract.

36 14 Sec. 36. EFFECTIVE UPON ENACTMENT. This division of this
36 15 Act, being deemed of immediate importance, takes effect upon
36 16 enactment.

36 17 DIVISION XIV

36 18 DEPARTMENT OF ADMINISTRATIVE SERVICES == OFFICE SPACE

36 19 Sec. 37. DEPARTMENT OF ADMINISTRATIVE SERVICES == OFFICE
36 20 SPACE REQUEST FOR PROPOSALS.

36 21 1. The department of administrative services shall issue a
36 22 request for proposals concerning the availability and cost of
36 23 office space for state employees in downtown Des Moines and in
36 24 other areas in close proximity to the state capitol complex.
36 25 The department shall consider the advantages of locating state
36 26 employees and their functions near the state capitol complex.

36 27 2. In issuing the request for proposals, the department
36 28 shall examine current leases for office space within the
36 29 greater Des Moines area, determine the current length and
36 30 duration of those leases, and consider the number of state
36 31 employees impacted by those leases.

36 32 3. The request for proposals shall ensure that any office
36 33 space selected shall meet all of the following criteria:

36 34 a. The building which includes the office space has skywalk
36 35 access.



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37 1 b. The building which includes the office space is located
37 2 within reasonable proximity to the free shuttle service route
37 3 that includes transportation between the capitol complex and
37 4 the downtown Des Moines area.

37 5 c. The entity leasing office space provides adequate
37 6 parking to employees utilizing the office space which is within
37 7 reasonable proximity to the office space.

37 8 d. The office space is energy efficient.

37 9 e. The office space provides adequate space and resources
37 10 needed for the employees intending to occupy the office space.

37 11 4. The department of administrative services shall issue
37 12 the request for proposals by December 1, 2010, and shall submit
37 13 a written report to the general assembly concerning the request
37 14 for proposals by January 14, 2011.

37 15 Sec. 38. DEPARTMENT OF ADMINISTRATIVE SERVICES == OFFICE
37 16 SPACE == COST=BENEFIT ANALYSIS.

37 17 1. a. The department of administrative services shall
37 18 conduct a cost-benefit analysis of utilizing existing office
37 19 space for state employees in downtown Des Moines and other
37 20 areas in close proximity to the state capitol complex in
37 21 lieu of replacing or renovating the Wallace Building or
37 22 relocating any state agencies to any space in the mercy capitol
37 23 hospital building. The cost-benefit analysis shall include
37 24 consideration of any cost to the applicable local jurisdiction
37 25 arising from the state's utilization of existing office space.

37 26 b. The department of administrative services shall submit
37 27 a written report to the general assembly on the cost-benefit
37 28 analysis by January 14, 2011.

37 29 2. Prior to submitting the cost-benefit analysis report
37 30 required by this section, the department of administrative
37 31 services shall not relocate any state agencies to space in
37 32 the Mercy capitol hospital building other than any of the
37 33 following:

37 34 a. A centralized department of corrections pharmacy.
37 35 b. Offices of a state agency currently located in a



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38 1 state-owned office building.

38 2 c. The agricultural development authority established in
38 3 section 175.3.

38 4 d. Any state employee located in a nonleased facility or
38 5 space.

38 6 e. A nonstate agency.

38 7 DIVISION XV

38 8 CHANGES TO PRIOR APPROPRIATIONS

38 9 Sec. 39. 2004 Iowa Acts, chapter 1175, section 288,
38 10 subsection 7, paragraph d, is amended by adding the following
38 11 new unnumbered paragraph:

38 12 NEW UNNUMBERED PARAGRAPH Notwithstanding section 8.33,
38 13 2004 Iowa Acts, chapter 1175, section 290, or any other
38 14 provision of law, moneys allocated in this lettered paragraph
38 15 that remain unencumbered or unobligated at the close of a
38 16 fiscal year shall not revert but shall remain available for
38 17 expenditure for the purposes designated until the close of the
38 18 fiscal year that begins July 1, 2012. However, if the projects
38 19 for which the moneys are appropriated are completed in an
38 20 earlier fiscal year, unencumbered or unobligated moneys shall
38 21 revert at the close of that fiscal year.

38 22 Sec. 40. 2006 Iowa Acts, chapter 1179, section 4, subsection
38 23 1, is amended to read as follows:

38 24 1. a. ~~Notwithstanding~~ Except as provided in paragraph
38 25 "b", notwithstanding section 8.33, moneys appropriated for the
38 26 fiscal year beginning July 1, 2006, in this division of this
38 27 Act that remain unencumbered or unobligated at the close of
38 28 the fiscal year shall not revert but shall remain available
38 29 for the purposes designated until the close of the fiscal year
38 30 that begins July 1, 2009, or until the project for which the
38 31 appropriation was made is completed, whichever is earlier.

38 32 b. Notwithstanding section 8.33, moneys appropriated for the
38 33 fiscal year beginning July 1, 2006, in section 1, subsection 1,
38 34 and section 1, subsection 11, paragraph "b" of this division of
38 35 this Act that remain unencumbered or unobligated at the close



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39 1 of the fiscal year shall not revert but shall remain available
39 2 for the purposes designated until the close of the fiscal year
39 3 that begins July 1, 2010, or until the project for which the
39 4 appropriation was made is completed, whichever is earlier.

39 5 Sec. 41. 2006 Iowa Acts, chapter 1179, section 18, is
39 6 amended to read as follows:

39 7 SEC. 18. REVERSION.

39 8 1. Except as provided in subsections 2, ~~and~~ 3, and
39 9 4, notwithstanding section 8.33, moneys appropriated from the
39 10 endowment for Iowa's health restricted capitals fund for the
39 11 fiscal years that begin July 1, 2005, and July 1, 2006, in this
39 12 division of this Act that remain unencumbered or unobligated at
39 13 the close of the fiscal year shall not revert but shall remain
39 14 available for the purposes designated until the close of the
39 15 fiscal year that begins July 1, 2009, or until the project for
39 16 which the appropriation was made is completed, whichever is
39 17 earlier.

39 18 2. Notwithstanding section 8.33, moneys appropriated from
39 19 the endowment for Iowa's health restricted capitals fund
39 20 for the fiscal year that begins July 1, 2006, and ends June
39 21 30, 2007, in this division of this Act to the department of
39 22 veterans affairs for capital improvement projects at the Iowa
39 23 veterans home that remain unencumbered or unobligated at the
39 24 close of the fiscal year shall not revert but shall remain
39 25 available for expenditure for the purposes designated until the
39 26 close of the fiscal year that begins July 1, 2010.

39 27 3. Notwithstanding section 8.33, moneys appropriated from
39 28 the endowment for Iowa's health restricted capitals fund
39 29 for the fiscal year beginning July 1, 2006, and ending June
39 30 30, 2007, in this division of this Act to the department of
39 31 education for major renovation and major repair needs at the
39 32 community colleges that remain unencumbered or unobligated at
39 33 the close of the fiscal year shall not revert but shall remain
39 34 available for expenditure for the purposes designated until
39 35 the close of the fiscal year beginning July 1, 2010, or until



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40 1 the project for which appropriated is completed, whichever is
40 2 earlier.

40 3 4. Notwithstanding section 8.33, moneys appropriated from
40 4 the endowment for Iowa's health restricted capitals fund
40 5 for the fiscal year that begins July 1, 2006, and ends June
40 6 30, 2007, in this division of this Act to the department of
40 7 administrative services for upgrades to the Woodward state
40 8 resource center wastewater treatment system that remain
40 9 unencumbered or unobligated at the close of the fiscal year
40 10 shall not revert but shall remain available for expenditure
40 11 for the purposes designated until the close of the fiscal year
40 12 that begins July 1, 2011, or until the project for which the
40 13 appropriation is made is completed, whichever is earlier.

40 14 Sec. 42. 2007 Iowa Acts, chapter 219, section 7, subsection
40 15 1, as amended by 2009 Iowa Acts, chapter 170, section 20, and
40 16 2009 Iowa Acts, chapter 184, section 17, is amended to read as
40 17 follows:

40 18 1. For costs associated with the construction and
40 19 establishment of the Iowa institute for biomedical discovery at
40 20 the state university of Iowa:

40 21	FY 2008=2009.....	\$	0
40 22	FY 2009=2010.....	\$	0
40 23	FY 2010=2011.....	\$	10,000,000
40 24			<u>0</u>

40 25 Sec. 43. 2007 Iowa Acts, chapter 219, section 15, is amended
40 26 to read as follows:

40 27 SEC. 15. REVERSION.

40 28 1. ~~Notwithstanding~~ Except as provided in subsection 2,
40 29 notwithstanding section 8.33, moneys appropriated for the
40 30 fiscal year beginning July 1, 2007, in this division of this
40 31 Act that remain unencumbered or unobligated at the close of
40 32 the fiscal year shall not revert but shall remain available
40 33 for the purposes designated until the close of the fiscal year
40 34 beginning July 1, 2009, or until the project for which the
40 35 appropriation was made is completed, whichever is earlier.



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41 1 2. Notwithstanding section 8.33, moneys appropriated
41 2 for the fiscal year beginning July 1, 2007, in section 14,
41 3 subsections 4 and 7 of this division of this Act that remain
41 4 unencumbered or unobligated at the close of the fiscal year
41 5 shall not revert but shall remain available for the purposes
41 6 designated until the close of the fiscal year beginning July 1,
41 7 2011, or until the project for which the appropriation was made
41 8 is completed, whichever is earlier.

41 9 Sec. 44. 2008 Iowa Acts, chapter 1179, section 1, subsection
41 10 1, paragraph 1, as enacted by 2009 Iowa Acts, chapter 184,
41 11 section 21, is amended to read as follows:
41 12 1. For ~~heating, ventilating, and air conditioning~~
41 13 ~~improvements~~ building security and firewall protection in the
41 14 Hoover state office building:
41 15 \$ 165,000

41 16 Sec. 45. 2008 Iowa Acts, chapter 1179, section 1, subsection
41 17 4, paragraph b, as amended by 2009 Iowa Acts, chapter 81,
41 18 section 1, is amended to read as follows:
41 19 b. For historical site preservation grants to be used for
41 20 the restoration, preservation, and development of historic
41 21 sites:
41 22 \$ 1,000,000

41 23 In making grants pursuant to this lettered paragraph, the
41 24 department shall consider the existence and amount of other
41 25 funds available to an applicant for the designated project.
41 26 A grant awarded from moneys appropriated in this lettered
41 27 paragraph shall not exceed \$100,000 per project. Not more than
41 28 \$200,000 may be awarded in the same county in the same round of
41 29 grant reviews.

41 30 Of the amount appropriated in this lettered paragraph,
41 31 \$20,000 shall be used for the administration and support of
41 32 historic sites including the hiring and employment of seasonal
41 33 workers, notwithstanding section 8.57, subsection 6, paragraph
41 34 "c".

41 35 Sec. 46. 2008 Iowa Acts, chapter 1179, section 7, as amended



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42 1 by 2009 Iowa Acts, chapter 173, section 21, is amended to read
42 2 as follows:

42 3 SEC. 7. DEPARTMENT OF ECONOMIC DEVELOPMENT. There is
42 4 appropriated from the rebuild Iowa infrastructure fund to
42 5 the department of economic development for the designated
42 6 fiscal years the following amounts, or so much thereof as is
42 7 necessary, to be used for the purposes designated:

42 8 For deposit into the river enhancement community attraction
42 9 and tourism fund created in 2008 Iowa Acts, Senate File 2430,
42 10 if enacted:

42 11	FY 2009=2010	\$	0
42 12	FY 2010=2011	\$	10,000,000
42 13	0		
42 14	FY 2011=2012	\$	10,000,000
42 15	FY 2012=2013	\$	10,000,000

~~42 16 Notwithstanding section 8.33, moneys appropriated in this
42 17 section for the fiscal year beginning July 1, 2010, and ending
42 18 June 30, 2011, shall not revert at the close of the fiscal year
42 19 for which they are appropriated but shall remain available
42 20 for the purpose designated until the close of the fiscal year
42 21 that begins July 1, 2013, or until the project for which the
42 22 appropriation was made is completed, whichever is earlier.~~

42 23 Notwithstanding section 8.33, moneys appropriated in this
42 24 section for the fiscal year beginning July 1, 2011, and ending
42 25 June 30, 2012, shall not revert at the close of the fiscal year
42 26 for which they are appropriated but shall remain available
42 27 for the purpose designated until the close of the fiscal year
42 28 that begins July 1, 2014, or until the project for which the
42 29 appropriation was made is completed, whichever is earlier.

42 30 Notwithstanding section 8.33, moneys appropriated in this
42 31 section for the fiscal year beginning July 1, 2012, and ending
42 32 June 30, 2013, shall not revert at the close of the fiscal year
42 33 for which they are appropriated but shall remain available
42 34 for the purpose designated until the close of the fiscal year
42 35 that begins July 1, 2015, or until the project for which the



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43 1 appropriation was made is completed, whichever is earlier.
43 2 Sec. 47. 2008 Iowa Acts, chapter 1179, section 15,
43 3 subsection 4, paragraph b, as amended by 2009 Iowa Acts,
43 4 chapter 184, section 25, is amended to read as follows:
43 5 b. To the public broadcasting division for the purchase and
43 6 installation of generators at transmitter sites:
43 7 \$ 1,602,437
43 8 Of the amount appropriated in this lettered paragraph, up to
43 9 \$210,477 may be used for operational costs of the division for
43 10 FY 2008=2009, ~~and~~ up to \$1,000,000 may be used for operational
43 11 costs of the division for FY 2009=2010, and up to \$378,637
43 12 may be used for operational costs of the division for FY
43 13 2010=2011, notwithstanding section 8.57C, subsection 2.
43 14 Sec. 48. 2008 Iowa Acts, chapter 1179, section 15,
43 15 subsection 4, paragraph c, is amended to read as follows:
43 16 c. To the public broadcasting division for the replacement
43 17 and digital conversion of the Keosauqua translator:
43 18 \$ 701,500
43 19 Of the amount appropriated in this lettered paragraph, up to
43 20 \$25,378 may be used for operational costs of the division for
43 21 FY 2010=2011, notwithstanding section 8.57C, subsection 2.
43 22 Sec. 49. 2008 Iowa Acts, chapter 1179, section 18,
43 23 subsection 3, as amended by 2009 Iowa Acts, chapter 173,
43 24 section 24, is amended to read as follows:
43 25 3. DEPARTMENT OF CORRECTIONS
43 26 a. For expansion of the community-based corrections
43 27 facility at Sioux City:
43 28 \$ 5,300,000
43 29 b. For expansion of the community-based corrections
43 30 facility at Ottumwa:
43 31 \$ 4,100,000
43 32 c. For expansion of the community-based corrections
43 33 facility at Waterloo:
43 34 \$ 6,000,000
43 35 d. For expansion of the community-based corrections



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44 1 facility at Davenport:
 44 2 \$ 2,100,000
 44 3 e. For expansion, including land acquisition, of the
 44 4 community-based corrections facility at Des Moines:
 44 5 \$ 13,100,000
 44 6 0
 44 7 ~~The appropriation in this lettered paragraph is contingent~~
 44 8 ~~upon relocation of the sex offender treatment program from~~
 44 9 ~~the community-based corrections facility at Des Moines to~~
 44 10 ~~the property in northeast Des Moines identified by the fifth~~
 44 11 ~~judicial district in the facility and site study final report~~
 44 12 ~~submitted December 12, 2008.~~
 44 13 It is the intent of the general assembly that the funds
 44 14 appropriated in paragraphs "a" through "e" be used to expand
 44 15 the number of beds available through new construction and
 44 16 remodeling and for the expansion of existing facilities.
 44 17 f. For expansion of the Iowa correctional facility for women
 44 18 at Mitchellville including costs related to project management
 44 19 including the hiring and employment of a construction manager
 44 20 and a correctional specialist:
 44 21 \$ 47,500,000
 44 22 g. For the remodeling of kitchens at the correctional
 44 23 facilities at Mount Pleasant and Rockwell City:
 44 24 \$ 12,500,000
 44 25 Sec. 50. 2008 Iowa Acts, chapter 1179, section 22, is
 44 26 amended to read as follows:
 44 27 SEC. 22. There is appropriated from the FY 2009 prison
 44 28 bonding fund created pursuant to section 12.79, as enacted in
 44 29 this Act, to the department of corrections for the fiscal year
 44 30 beginning July 1, 2008, and ending June 30, 2009, the following
 44 31 amount, or so much thereof as is necessary, to be used for the
 44 32 purpose designated:
 44 33 For costs associated with the building of a new Iowa State
 44 34 Penitentiary at Fort Madison including costs related to
 44 35 project management including the hiring and employment of a



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45 1 construction manager and a correctional specialist:
45 2 \$130,677,500
45 3 The appropriation made in this section constitutes approval
45 4 by the general assembly for the issuance of bonds by the
45 5 treasurer pursuant to section 12.80, as enacted in this Act.
45 6 Sec. 51. 2009 Iowa Acts, chapter 173, section 13, subsection
45 7 1, is amended by adding the following new paragraph:
45 8 NEW PARAGRAPH. e. Of the moneys appropriated in
45 9 this subsection, the department may award moneys for the
45 10 establishment of drainage district pilot projects. Each
45 11 drainage district pilot project shall be presented to the state
45 12 soil conservation committee and the watershed improvement
45 13 review board to ensure the project design, project goals,
45 14 baseline data collection, project data collection standards,
45 15 and data evaluation standards are appropriate for, and advance,
45 16 the soil and water conservation goals of the state. Annual
45 17 progress reports on each pilot project shall be presented
45 18 to the state soil conservation committee and the watershed
45 19 improvement review board to ensure the projects continue to
45 20 advance the soil and water conservation goals of the state.
45 21 All construction plans, monitoring plans, project data, and
45 22 project data analysis shall be available for public review and
45 23 study. Experts from the United States geological survey, the
45 24 national laboratory for agriculture and the environment at
45 25 Iowa state university, and other appropriate state and federal
45 26 agencies may be consulted on any aspect of the program.
45 27 Sec. 52. 2009 Iowa Acts, chapter 173, section 13, subsection
45 28 2, is amended to read as follows:
45 29 2. DEPARTMENT OF NATURAL RESOURCES
45 30 For watershed rebuilding and water quality projects:
45 31 \$ 13,500,000
45 32 Of the moneys appropriated in this subsection, the
45 33 department may provide moneys to construct, reconstruct, or
45 34 repair infrastructure associated with the control and movement
45 35 of surface water, including but not limited to addressing



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46 1 issues affected by combined sewer overflows, enrolling larger
46 2 contiguous areas in emergency watershed programs, improving
46 3 facilities or systems that provide water quality, mitigating
46 4 flood damage or the threat of flood damage in the areas most
46 5 severely affected by the 2008 flood, and improving or replacing
46 6 low-head dams. Any award of moneys made under this subsection
46 7 shall be in the form of a grant. Any grant awards for practices
46 8 on private property shall be for the public purposes of flood
46 9 control, watershed management, or improving water quality.

46 10 Sec. 53. 2009 Iowa Acts, chapter 173, section 13, subsection
46 11 4, paragraphs b, c, and d, are amended to read as follows:

~~46 12 b. For deposit into the public service shelter grant fund
46 13 created in section 16.185 for grants for the construction,
46 14 renovation, and improvements to homeless shelters, emergency
46 15 shelters, and family and domestic violence shelters:~~

~~46 16 \$ 10,000,000~~

~~46 17 c. For deposit into the disaster damage housing assistance
46 18 grant fund created in section 16.186 for grants to ease and
46 19 speed recovery efforts from the natural disasters of 2008,
46 20 including stabilizing neighborhoods damaged by the natural
46 21 disasters, preventing population loss and neighborhood
46 22 deterioration, and improving the health, safety, and welfare of
46 23 persons living in such disaster-damaged neighborhoods:~~

~~46 24 \$ 5,000,000~~

~~46 25 d. For deposit into the affordable housing assistance grant
46 26 fund created in section 16.187 for grants for housing for
46 27 certain elderly, disabled, and low-income persons and public
46 28 servants in critical skills shortage areas of the state:~~

~~46 29 \$ 20,000,000~~

46 30 Sec. 54. 2009 Iowa Acts, chapter 173, section 13, subsection
46 31 5, unnumbered paragraph 1, as amended by 2009 Iowa Acts,
46 32 chapter 183, section 71, is amended to read as follows:

46 33 For broadband technology grants for the deployment and
46 34 sustainability of high-speed broadband access:

46 35 \$ ~~25,000,000~~



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47 1 0
 47 2 Sec. 55. 2009 Iowa Acts, chapter 173, section 13, subsection
 47 3 6, is amended to read as follows:
 47 4 6. DEPARTMENT OF TRANSPORTATION
 47 5 For ~~deposit into the bridge safety fund created in section~~
~~47 6 313.68 to be used for infrastructure projects relating to~~
 47 7 functionally obsolete and structurally deficient bridges:
 47 8 \$ ~~50,000,000~~
 47 9 40,000,000
 47 10 Sec. 56. 2009 Iowa Acts, chapter 173, section 13, is amended
 47 11 by adding the following new subsection:
 47 12 NEW SUBSECTION. 7. DEPARTMENT OF ECONOMIC DEVELOPMENT
 47 13 For the main street Iowa program to be used as grants
 47 14 for projects that have previously applied for funding
 47 15 consideration, or have received partial funding for facade
 47 16 master plans to rehabilitate storefronts in main street Iowa
 47 17 districts, to complete streetscape projects where planning
 47 18 and the majority of funding is already secured, for unfunded
 47 19 main street challenge grant projects, and for other building
 47 20 rehabilitation projects that are currently on the department's
 47 21 highest priority list:
 47 22 \$ 5,550,000
 47 23 Moneys appropriated in this subsection shall not be used for
 47 24 administration or planning purposes.
 47 25 Sec. 57. 2009 Iowa Acts, chapter 174, section 6, is
 47 26 repealed.
 47 27 Sec. 58. 2009 Iowa Acts, chapter 184, section 1, subsection
 47 28 3, paragraph d, is amended to read as follows:
 47 29 d. For historical site preservation grants to be used for
 47 30 the restoration, preservation, and development of historic
 47 31 sites:
 47 32 \$ 1,000,000
 47 33 In making grants pursuant to this lettered paragraph, the
 47 34 department shall consider the existence and amount of other
 47 35 funds available to an applicant for the designated project.



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48 1 A grant awarded from moneys appropriated in this lettered
48 2 paragraph shall not exceed \$100,000 per project. Not more than
48 3 \$200,000 may be awarded in the same county in the same round of
48 4 grant reviews.

48 5 Of the amount appropriated in this lettered paragraph,
48 6 \$20,000 shall be used for the administration and support of
48 7 historic sites including the hiring and employment of seasonal
48 8 workers, notwithstanding section 8.57, subsection 6, paragraph
48 9 "c".

48 10 Sec. 59. 2009 Iowa Acts, chapter 184, section 1, subsection
48 11 12, paragraph a, is amended to read as follows:

~~48 12 a. To provide funds for capital improvements and for related~~
~~48 13 studies for expanding passenger rail services in Iowa For~~
48 14 deposit in the passenger rail service revolving fund created
48 15 in section 327J.2, notwithstanding section 8.57, subsection 6,
48 16 paragraph "c":

48 17 \$ 3,000,000

48 18 Sec. 60. 2009 Iowa Acts, chapter 184, section 2, subsections
48 19 1, 2, 4, and 5, are amended by striking the subsections.

48 20 Sec. 61. 2009 Iowa Acts, chapter 184, section 2, subsection
48 21 6, paragraph a, is amended to read as follows:

48 22 a. For deposit into the railroad revolving loan and grant
48 23 fund created in section 327H.20A, notwithstanding section 8.57,
48 24 subsection 6, paragraph "c":

48 25 \$ 2,000,000

48 26 Of the amount appropriated in this lettered paragraph,
48 27 \$2,000,000 shall be allocated to a city with a population
48 28 between 98,300 and 98,400 in the last preceding certified
48 29 federal census, for a rail trans=load facility if a federal
48 30 match of funds is received.

48 31 Sec. 62. EFFECTIVE UPON ENACTMENT. This division, being
48 32 deemed of immediate importance, takes effect upon enactment.

48 33 DIVISION XVI

48 34 MISCELLANEOUS CODE CHANGES

48 35 Sec. 63. Section 8.57, subsection 6, paragraph e, Code



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49 1 Supplement 2009, is amended to read as follows:
49 2 e. (1) (a) (i) Notwithstanding provisions to the contrary
49 3 in sections 99D.17 and 99F.11, for the fiscal year beginning
49 4 July 1, 2000, and for each fiscal year thereafter, not more
49 5 than a total of sixty-six million dollars shall be deposited
49 6 in the general fund of the state in any fiscal year pursuant to
49 7 sections 99D.17 and 99F.11.
49 8 (ii) However, in lieu of the deposit in subparagraph
49 9 subdivision (i), for the fiscal year beginning July 1, 2010,
49 10 and for each fiscal year thereafter until the principal and
49 11 interest on all bonds issued by the treasurer of state pursuant
49 12 to section 12.87 are paid, as determined by the treasurer of
49 13 state, the first fifty-five million dollars of the moneys
49 14 directed to be deposited in the general fund of the state under
49 15 subparagraph subdivision (i) shall be deposited in the revenue
49 16 bonds debt service fund created in section 12.89, and the next
49 17 five three million seven hundred fifty thousand dollars of the
49 18 moneys directed to be deposited in the general fund of the
49 19 state under subparagraph subdivision (i) shall be deposited
49 20 in the revenue bonds federal subsidy holdback fund created
49 21 in section 12.89, and the next one million two hundred fifty
49 22 thousand dollars of the moneys directed to be deposited in the
49 23 general fund of the state under subparagraph subdivision (i)
49 24 shall be deposited in the general fund of the state.
49 25 (b) The next fifteen million dollars of the moneys directed
49 26 to be deposited in the general fund of the state in a fiscal
49 27 year pursuant to sections 99D.17 and 99F.11 shall be deposited
49 28 in the vision Iowa fund created in section 12.72 for the fiscal
49 29 year beginning July 1, 2000, and for each fiscal year through
49 30 the fiscal year beginning July 1, 2019.
49 31 (c) The next five million dollars of the moneys directed to
49 32 be deposited in the general fund of the state in a fiscal year
49 33 pursuant to sections 99D.17 and 99F.11 shall be deposited in
49 34 the school infrastructure fund created in section 12.82 for the
49 35 fiscal year beginning July 1, 2000, and for each fiscal year



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50 1 thereafter until the principal and interest on all bonds issued
50 2 by the treasurer of state pursuant to section 12.81 are paid,
50 3 as determined by the treasurer of state.

50 4 (d) (i) The total moneys in excess of the moneys deposited
50 5 in the revenue bonds debt service fund, the revenue bonds
50 6 federal holdback subsidy fund, the vision Iowa fund, the
50 7 school infrastructure fund, and the general fund of the
50 8 state in a fiscal year shall be deposited in the rebuild Iowa
50 9 infrastructure fund and shall be used as provided in this
50 10 section, notwithstanding section 8.60.

50 11 (ii) However, in lieu of the deposit in subparagraph
50 12 subdivision (i), for the fiscal year beginning July 1, 2010,
50 13 and for each fiscal year thereafter until the principal and
50 14 interest on all bonds issued by the treasurer of state pursuant
50 15 to section 12.87 are paid, as determined by the treasurer
50 16 of state, ~~fifty-five~~ sixty-four million seven hundred fifty
50 17 thousand dollars of the excess moneys directed to be deposited
50 18 in the rebuild Iowa infrastructure fund under subparagraph
50 19 subdivision (i) shall be deposited in the general fund of the
50 20 state.

50 21 (2) If the total amount of moneys directed to be deposited
50 22 in the general fund of the state under sections 99D.17 and
50 23 99F.11 in a fiscal year is less than the total amount of moneys
50 24 directed to be deposited in the revenue bonds debt service
50 25 fund and the revenue bonds federal subsidy holdback fund in
50 26 the fiscal year pursuant to this paragraph "e", the difference
50 27 shall be paid from moneys deposited in the beer and liquor
50 28 control fund created in section 123.53 in the manner provided
50 29 in section 123.53, subsection 3.

50 30 (3) After the deposit of moneys directed to be deposited
50 31 in the general fund of the state, ~~and~~ the revenue bonds debt
50 32 service fund, and the revenue bonds federal subsidy holdback
50 33 fund, as provided in subparagraph (1), subparagraph division
50 34 (a), if the total amount of moneys directed to be deposited
50 35 in the general fund of the state under sections 99D.17 and



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51 1 99F.11 in a fiscal year is less than the total amount of
51 2 moneys directed to be deposited in the vision Iowa fund and
51 3 the school infrastructure fund in the fiscal year pursuant to
51 4 this paragraph "e", the difference shall be paid from lottery
51 5 revenues in the manner provided in section 99G.39, subsection
51 6 3.

51 7 Sec. 64. Section 8.57, subsection 6, paragraph f, Code
51 8 Supplement 2009, is amended to read as follows:

51 9 f. There is appropriated from the rebuild Iowa
51 10 infrastructure fund to the secure an advanced vision for
51 11 education fund created in section 423F.2, for each fiscal year
51 12 of the fiscal period beginning July 1, 2008, and ending June
51 13 30, ~~2014~~, 2010, and for each fiscal year of the fiscal period
51 14 beginning July 1, 2011, and ending June 30, 2014, the amount of
51 15 the moneys in excess of the first forty-seven million dollars
51 16 credited to the rebuild Iowa infrastructure fund during the
51 17 fiscal year, not to exceed ten million dollars.

51 18 Sec. 65. Section 8.57A, subsection 4, Code 2009, is amended
51 19 to read as follows:

51 20 4. a. There is appropriated from the rebuild Iowa
51 21 infrastructure fund for the fiscal ~~year~~ years beginning July
51 22 1, 2008, July 1, 2009, and July 1, 2011, and for each fiscal
51 23 year thereafter, the sum of forty-two million dollars to
51 24 the environment first fund, notwithstanding section 8.57,
51 25 subsection 6, paragraph "c".

51 26 b. There is appropriated from the rebuild Iowa
51 27 infrastructure fund for the fiscal year beginning July 1, 2010,
51 28 and ending June 30, 2011, the sum of thirty-three million
51 29 dollars to the environment first fund, notwithstanding section
51 30 8.57, subsection 6, paragraph "c".

51 31 Sec. 66. Section 8.57C, subsection 3, Code Supplement 2009,
51 32 is amended to read as follows:

51 33 3. a. There is appropriated from the general fund of the
51 34 state for the fiscal years beginning July 1, 2006, July 1,
51 35 2007, July 1, ~~2010~~ 2011, and for each subsequent fiscal year



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52 1 thereafter, the sum of seventeen million five hundred thousand
52 2 dollars to the technology reinvestment fund.
52 3 b. There is appropriated from the rebuild Iowa
52 4 infrastructure fund for the fiscal year beginning July 1, 2008,
52 5 and ending June 30, 2009, the sum of seventeen million five
52 6 hundred thousand dollars, and for the fiscal year beginning
52 7 July 1, 2009, and ending June 30, 2010, the sum of fourteen
52 8 million five hundred twenty-five thousand dollars to the
52 9 technology reinvestment fund, notwithstanding section 8.57,
52 10 subsection 6, paragraph "c".
52 11 c. There is appropriated from the rebuild Iowa
52 12 infrastructure fund for the fiscal year beginning July 1, 2010,
52 13 the sum of ten million dollars to the technology reinvestment
52 14 fund, notwithstanding section 8.57, subsection 6, paragraph
52 15 "c".
52 16 Sec. 67. Section 12.87, subsections 1 and 2, Code Supplement
52 17 2009, are amended to read as follows:
52 18 1. The treasurer of state is authorized to issue and sell
52 19 bonds on behalf of the state to provide funds for certain
52 20 infrastructure projects and for purposes of the Iowa jobs
52 21 program established in section 16.194. The treasurer of state
52 22 shall have all of the powers which are necessary or convenient
52 23 to issue, sell and secure bonds and carry out the treasurer of
52 24 state's duties, and exercise the treasurer of state's authority
52 25 under this section and sections 12.88 through 12.90. The
52 26 treasurer of state may issue and sell bonds in such amounts as
52 27 the treasurer of state determines to be necessary to provide
52 28 sufficient funds for certain infrastructure projects and the
52 29 revenue bonds capitals fund, the revenue bonds capitals II
52 30 fund, the payment of interest on the bonds, the establishment
52 31 of reserves to secure the bonds, the payment of costs of
52 32 issuance of the bonds, the payment of other expenditures of
52 33 the treasurer of state incident to and necessary or convenient
52 34 to carry out the issuance and sale of the bonds, and the
52 35 payment of all other expenditures of the treasurer of state



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53 1 necessary or convenient to administer the funds and to carry
53 2 out the purposes for which the bonds are issued and sold.
53 3 The treasurer of state may issue and sell bonds in one or
53 4 more series on the terms and conditions the treasurer of
53 5 state determines to be in the best interest of the state, in
53 6 accordance with this section in such amounts as the treasurer
53 7 of state determines to be necessary to fund the purposes for
53 8 which such bonds are issued and sold- as follows:
53 9 a. The treasurer of state may issue and sell bonds in
53 10 amounts which provide aggregate net proceeds of not more
53 11 than ~~five hundred forty=five~~ six hundred ninety=five million
53 12 dollars, excluding any bonds issued and sold to refund
53 13 outstanding bonds issued under this section, as follows:
53 14 a- (1) ~~The~~ On or after July 1, 2009, the treasurer of
53 15 state may issue and sell bonds in amounts which provide
53 16 aggregate net proceeds of not more than one hundred eighty=five
53 17 million dollars for capital projects which qualify as vertical
53 18 infrastructure projects as defined in section 8.57, subsection
53 19 6, paragraph "c", to the extent practicable in any fiscal year
53 20 and without limiting other qualifying capital expenditures.
53 21 b- (2) ~~The~~ On or after July 1, 2009, the treasurer of state
53 22 may issue and sell bonds in amounts which provide aggregate
53 23 net proceeds of not more than three hundred sixty million
53 24 dollars for purposes of the Iowa jobs program established
53 25 in section 16.194 and for watershed flood rebuilding and
53 26 prevention projects, soil conservation projects, sewer
53 27 infrastructure projects, for certain housing and public service
53 28 shelter projects and public broadband and alternative energy
53 29 projects, and for projects relating to bridge safety and the
53 30 rehabilitation of deficient bridges.
53 31 (3) On or after July 1, 2010, the treasurer of state may
53 32 issue and sell bonds in amounts which provide aggregate net
53 33 proceeds of not more than one hundred fifty million dollars
53 34 for purposes of the Iowa jobs II program established in
53 35 section 16.194A and for qualified projects in the departments



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54 1 of agriculture and land stewardship, economic development,
54 2 education, natural resources, and transportation, and the Iowa
54 3 finance authority, state board of regents, and treasurer of
54 4 state.

54 5 2. Bonds issued and sold under this section are payable
54 6 solely and only out of the moneys in the revenue bonds debt
54 7 service fund, the revenue bonds federal subsidy holdback
54 8 fund, and any bond reserve funds established pursuant to
54 9 section 12.89, and only to the extent provided in the trust
54 10 indenture, resolution, or other instrument authorizing their
54 11 issuance. All moneys in the revenue bonds debt service fund,
54 12 the revenue bonds federal subsidy holdback fund, and any bond
54 13 reserve funds established pursuant to section 12.89 may be
54 14 deposited with trustees or depositories in accordance with
54 15 the terms of the trust indentures, resolutions, or other
54 16 instruments authorizing the issuance of bonds and pledged by
54 17 the treasurer of state to the payment thereof. Bonds issued
54 18 and sold under this section shall contain a statement that the
54 19 bonds are limited special obligations of the state and do not
54 20 constitute a debt or indebtedness of the state or a pledge
54 21 of the faith or credit of the state or a charge against the
54 22 general credit or general fund of the state. The treasurer
54 23 of state shall not pledge the credit or taxing power of this
54 24 state or any political subdivision of this state or make bonds
54 25 issued and sold pursuant to this section payable out of any
54 26 moneys except those in the revenue bonds debt service fund,
54 27 the revenue bonds federal subsidy holdback fund, and any bond
54 28 reserve funds established pursuant to section 12.89.

54 29 Sec. 68. Section 12.89, subsection 2, Code Supplement 2009,
54 30 is amended by adding the following new paragraph:

54 31 NEW PARAGRAPH. Od. Federal subsidies and any transfers
54 32 from the revenue bonds federal subsidy holdback fund created
54 33 pursuant to section 12.89A.

54 34 Sec. 69. NEW SECTION. 12.89A Revenue bonds federal subsidy
54 35 holdback fund.



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55 1 1. A revenue bonds federal subsidy holdback fund is created
55 2 and established as a separate and distinct fund in the state
55 3 treasury. The treasurer of state shall act as custodian of the
55 4 fund and disburse moneys contained in the fund.
55 5 2. The moneys in such fund shall include all of the
55 6 following:
55 7 a. The revenues required to be deposited in the fund
55 8 pursuant to section 8.57, subsection 6, paragraph "e",
55 9 subparagraphs (1) and (2).
55 10 b. Interest attributable to investment moneys in the fund.
55 11 c. Any other moneys from any other sources which may be
55 12 legally available to the treasurer of state for the purpose of
55 13 the fund.
55 14 3. The moneys in the revenue bonds federal subsidy holdback
55 15 fund are appropriated and shall be used or transferred to the
55 16 revenue bonds debt service fund created in section 12.89,
55 17 subsection 1, solely for the purpose of making payments of
55 18 principal and interest on federal subsidy bonds when due, if
55 19 the treasurer of state or the treasurer's designee has not
55 20 received a federal subsidy scheduled to be received for such
55 21 payment by the due date.
55 22 4. The moneys on deposit in the revenue bonds federal
55 23 subsidy holdback fund shall be used or transferred to the
55 24 revenue bonds debt service fund created in section 12.89,
55 25 subsection 1, solely for the purpose of making payments of
55 26 principal and interest on federal subsidy bonds prior to any
55 27 use or transfer of moneys on deposit in any bond reserve fund
55 28 created for such federal subsidy bonds by the treasurer of
55 29 state pursuant to section 12.89, subsection 3, paragraph "a".
55 30 5. At any time during each fiscal year that there are moneys
55 31 on deposit in the revenue bonds federal subsidy holdback fund
55 32 that are not needed to pay principal and interest on federal
55 33 subsidy bonds during such fiscal year as determined by the
55 34 treasurer of state or the treasurer's designee, such moneys on
55 35 deposit in the revenue bonds federal subsidy holdback account



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56 1 shall be credited to the rebuild Iowa infrastructure fund of
56 2 the state.

56 3 6. For purposes of this section:

56 4 a. "Federal subsidy" means any payment from the federal
56 5 government with respect to federal subsidy bonds.

56 6 b. "Federal subsidy bonds" means any bonds issued and
56 7 sold pursuant to section 12.87 for which a federal subsidy is
56 8 expected to be paid on or before any date on which interest on
56 9 such bonds is due and payable.

56 10 Sec. 70. Section 15F.204, subsection 8, paragraph a,
56 11 subparagraph (6), Code Supplement 2009, is amended by striking
56 12 the subparagraph.

56 13 Sec. 71. Section 15F.204, subsection 8, paragraph b,
56 14 subparagraph (4), Code Supplement 2009, is amended by striking
56 15 the subparagraph.

56 16 Sec. 72. Section 16.181A, Code 2009, is amended to read as
56 17 follows:

56 18 16.181A Housing trust fund == appropriations.

56 19 1. There is appropriated from the rebuild Iowa
56 20 infrastructure fund to the Iowa finance authority for deposit
56 21 in the housing trust fund created in section 16.181, for the
56 22 fiscal year beginning July 1, 2009, and ending June 30, 2010,
56 23 and for each succeeding fiscal year, the sum of three million
56 24 dollars.

56 25 2. There is appropriated from the rebuild Iowa
56 26 infrastructure fund to the Iowa finance authority for deposit
56 27 in the housing trust fund created in section 16.181, for the
56 28 fiscal year beginning July 1, 2010 and ending June 30, 2011,
56 29 the sum of one million dollars.

56 30 Sec. 73. Section 16.192, subsections 2 and 4, Code
56 31 Supplement 2009, are amended to read as follows:

56 32 2. Establish the Iowa jobs program pursuant to section
56 33 16.194 and the Iowa jobs II program pursuant to section
56 34 16.194A.

56 35 4. Award financial assistance, including financial



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57 1 assistance in the form of grants under the Iowa jobs program
57 2 pursuant to sections 16.194, 16.194A, and 16.195.
57 3 Sec. 74. Section 16.193, subsection 2, Code Supplement
57 4 2009, is amended to read as follows:
57 5 2. During the term of the Iowa jobs program established
57 6 in section 16.194 and the Iowa jobs II program established
57 7 in section 16.194A, two hundred thousand dollars of the
57 8 moneys deposited in the rebuild Iowa infrastructure fund
57 9 shall be allocated each fiscal year to the Iowa finance
57 10 authority for purposes of administering the Iowa jobs program,
57 11 notwithstanding section 8.57, subsection 6, paragraph "c".
57 12 Sec. 75. NEW SECTION. 16.194A Iowa jobs II program ==
57 13 disaster prevention.
57 14 1. An Iowa jobs II program is created to assist in the
57 15 development and completion of public construction projects
57 16 relating to disaster prevention.
57 17 2. A city or county in this state that applies the
57 18 smartplanning principles and guidelines pursuant to sections
57 19 18B.1 and 18B.2, if enacted in 2010 Iowa Acts, Senate
57 20 File 2265, may submit an application to the Iowa jobs
57 21 board for financial assistance for a local infrastructure
57 22 competitive grant for an eligible project under the program,
57 23 notwithstanding any limitation on the state's percentage in
57 24 funding as contained in section 29C.6, subsection 17.
57 25 3. Financial assistance under the program shall be awarded
57 26 in the form of grants.
57 27 4. The board shall consider the following criteria in
57 28 evaluating eligible projects to receive financial assistance
57 29 under the program:
57 30 a. The total number and quality of jobs to be created and
57 31 the benefits likely to accrue to areas distressed by high
57 32 unemployment.
57 33 b. Financial feasibility, including the ability of projects
57 34 to fund depreciation costs or replacement reserves, and the
57 35 availability of other federal, state, local, and private



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- 58 1 sources of funds.
- 58 2 c. Sustainability and energy efficiency.
- 58 3 d. Benefits for disaster prevention.
- 58 4 e. The project's readiness to proceed.
- 58 5 5. An applicant must demonstrate local support for the
- 58 6 project as defined by rule.
- 58 7 6. Any award of financial assistance to a project shall
- 58 8 be limited to up to ninety percent of the total cost of the
- 58 9 development and completion of a public construction project
- 58 10 relating to disaster prevention.
- 58 11 7. In order for a project to be eligible to receive
- 58 12 financial assistance from the board, the project must be a
- 58 13 public construction project pursuant to subsection 1 with a
- 58 14 demonstrated substantial local, regional, or statewide economic
- 58 15 impact.
- 58 16 8. The board shall not approve an application for assistance
- 58 17 for any of the following purposes:
- 58 18 a. To refinance a loan existing prior to the date of the
- 58 19 initial financial assistance application.
- 58 20 b. For a project that has previously received financial
- 58 21 assistance under the program, unless the applicant demonstrates
- 58 22 that the financial assistance would be used for a significant
- 58 23 expansion of a project.
- 58 24 9. Any portion of an amount allocated for projects
- 58 25 that remains unexpended or unencumbered one year after the
- 58 26 allocation has been made may be reallocated to another project
- 58 27 category, at the discretion of the board. The board shall
- 58 28 ensure that all bond proceeds be expended within three years
- 58 29 from when the allocation was initially made.
- 58 30 10. The board shall ensure that funds obligated under
- 58 31 this section are coordinated with other federal program funds
- 58 32 received by the state, and that projects receiving funds are
- 58 33 located in geographically diverse areas of the state.
- 58 34 11. An applicant or combination of applicants for a project
- 58 35 within the same county shall not be awarded more than forty



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59 1 percent of the funds available under this program.

59 2 Sec. 76. Section 16.195, subsection 2, Code Supplement
59 3 2009, is amended to read as follows:

59 4 2. A review committee composed of members of the
59 5 board as determined by the board shall review Iowa jobs
59 6 program applications submitted to the board and make
59 7 recommendations regarding the applications to the board. When
59 8 reviewing the applications, the review committee and the
59 9 authority shall consider the project criteria specified in
59 10 ~~section~~ sections 16.194 and 16.194A. The board shall develop
59 11 the appropriate level of transparency regarding project fund
59 12 allocations.

59 13 Sec. 77. Section 26.3, subsection 2, Code Supplement 2009,
59 14 is amended to read as follows:

59 15 2. A governmental entity shall have an engineer licensed
59 16 under chapter 542B, a landscape architect licensed under
59 17 chapter 544B, or an architect registered under chapter
59 18 544A prepare plans and specifications, and calculate the
59 19 estimated total cost of a proposed public improvement. A
59 20 governmental entity shall ensure that a sufficient number
59 21 of paper copies of the project's contract documents, including
59 22 all drawings, plans, specifications, and estimated total costs
59 23 of the proposed public improvement are made available for
59 24 distribution at no charge to prospective bidders, subcontractor
59 25 bidders, suppliers, and contractor plan room services. If
59 26 a deposit is required as part of a paper contract documents
59 27 distribution policy by the public owner, the deposit shall
59 28 not exceed two hundred fifty dollars per set which shall be
59 29 refunded upon return of the contract documents within fourteen
59 30 days after award of the project. If the contract documents are
59 31 not returned in a timely manner and in a reusable condition,
59 32 the deposit shall be forfeited. The governmental entity shall
59 33 reimburse the landscape architect, architect, or professional
59 34 engineer for the actual costs of preparation and distribution
59 35 of plans and specifications.



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60 1 Sec. 78. NEW SECTION. 73.14 Minority-owned and female-owned
60 2 businesses == bond issuance services.
60 3 1. The state, board of regents institutions, counties,
60 4 townships, school districts, community colleges, cities, and
60 5 other public entities, and every person acting as contracting
60 6 agent for any such entity, shall, when issuing bonds or other
60 7 obligations, make a good-faith effort to utilize minority-owned
60 8 and female-owned businesses for attorneys, accountants,
60 9 financial advisors, banks, underwriters, insurers, and other
60 10 occupations necessary to carry out the issuance of bonds or
60 11 other obligations by the entity, whether or not such businesses
60 12 are located in the state.
60 13 2. For purposes of this section:
60 14 a. "Female-owned business" means a business that is
60 15 fifty-one percent or more owned, operated, and actively managed
60 16 by one or more women.
60 17 b. "Minority-owned business" means a business that is
60 18 fifty-one percent or more owned, operated, and actively managed
60 19 by one or more minority persons.
60 20 Sec. 79. Section 123.53, subsections 3 and 4, Code
60 21 Supplement 2009, are amended to read as follows:
60 22 3. Notwithstanding subsection 2, if gaming revenues under
60 23 sections 99D.17 and 99F.11 are insufficient in a fiscal year to
60 24 meet the total amount of such revenues directed to be deposited
60 25 in the revenue bonds debt service fund and the revenue bonds
60 26 federal subsidy holdback fund during the fiscal year pursuant
60 27 to section 8.57, subsection 6, paragraph "e", the difference
60 28 shall be paid from moneys deposited in the beer and liquor
60 29 control fund prior to transfer of such moneys to the general
60 30 fund pursuant to subsection 2 and prior to the transfer of such
60 31 moneys pursuant to subsections 5 and 6. If moneys deposited in
60 32 the beer and liquor control fund are insufficient during the
60 33 fiscal year to pay the difference, the remaining difference
60 34 shall be paid from moneys deposited in the beer and liquor
60 35 control fund in subsequent fiscal years as such moneys become



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61 1 available.

61 2 4. The treasurer of state shall, each quarter, prepare
61 3 an estimate of the gaming revenues and of the moneys to be
61 4 deposited in the beer and liquor control fund that will become
61 5 available during the remainder of the appropriate fiscal year
61 6 for the purposes described in subsection 3. The department
61 7 of management, the department of inspections and appeals, and
61 8 the department of commerce shall take appropriate actions to
61 9 provide that the sum of the amount of gaming revenues available
61 10 to be deposited into the revenue bonds debt service fund during
61 11 a fiscal year and the amount of moneys to be deposited in the
61 12 beer and liquor control fund available to be deposited into
61 13 the revenue bonds debt service fund and the revenue bonds
61 14 federal subsidy holdback fund during such fiscal year will be
61 15 sufficient to cover any anticipated deficiencies.

61 16 Sec. 80. Section 327H.20A, subsection 3, Code Supplement
61 17 2009, is amended to read as follows:

61 18 3. Notwithstanding any other provision to the contrary,
61 19 on or after July 1, 2006, moneys received as repayments for
61 20 loans made pursuant to this chapter or chapter 327I, Code 2009,
61 21 before, on, or after July 1, 2005, other than repayments of
61 22 federal moneys subject to section 327H.21, shall be credited to
61 23 the railroad revolving loan and grant fund. Notwithstanding
61 24 section 8.33, moneys in the railroad revolving loan and grant
61 25 fund shall not revert to the ~~general fund of the state fund~~
61 26 from which it was appropriated but shall remain available
61 27 indefinitely for expenditure under this section.

61 28 Sec. 81. Section 327J.2, subsection 3, Code Supplement
61 29 2009, is amended to read as follows:

61 30 3. No reversion. Notwithstanding section 8.33, any balance
61 31 in the fund on June 30 of any fiscal year shall not revert
61 32 to the ~~general fund of the state fund~~ from which it was
61 33 appropriated.

61 34 Sec. 82. REPEAL. Sections 8.57D, 12.90A, 12.90B, 12.90C,
61 35 16.185, 16.186, 16.187, and 313.68, Code Supplement 2009, are



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62 1 repealed.

62 2 EXPLANATION

62 3 This bill makes appropriations to state departments and
62 4 agencies from the rebuild Iowa infrastructure fund, the
62 5 technology reinvestment fund, the revenue bonds capitals fund,
62 6 the revenue bonds capitals II fund, the FY 2009 prison bonding
62 7 fund, and other funds, creates the Iowa jobs II program and the
62 8 revenue bonds federal subsidy holdback fund, and provides for
62 9 related matters.

62 10 DIVISION I == REBUILD IOWA INFRASTRUCTURE FUND

62 11 APPROPRIATIONS. This division appropriates project funding
62 12 for FY 2010=2011 from the rebuild Iowa infrastructure fund,
62 13 including projects for the departments of administrative
62 14 services, agriculture and land stewardship, for the blind,
62 15 cultural affairs, economic development, education, natural
62 16 resources, public defense, public health, transportation, and
62 17 veterans affairs, and to the Iowa finance authority, the state
62 18 board of regents, and the treasurer of state.

62 19 The division appropriates project funding for FY 2011=2012,
62 20 FY 2012=2013, and FY 2013=2014 from the rebuild Iowa
62 21 infrastructure fund to the department of corrections, for FY
62 22 2011=2012, FY 2012=2013, FY 2013=2014, and FY 2014=2015 from
62 23 the rebuild Iowa infrastructure fund to the department of
62 24 natural resources and for FY 2011=2012 from the rebuild Iowa
62 25 infrastructure fund to the department of transportation.

62 26 DIVISION II == TECHNOLOGY REINVESTMENT FUND ==

62 27 APPROPRIATIONS. This division appropriates project funding
62 28 for FY 2010=2011 from the technology reinvestment fund for
62 29 the departments of administrative services, corrections,
62 30 education, and public health, and the Iowa telecommunications
62 31 and technology commission.

62 32 DIVISION III == REVENUE BONDS CAPITALS FUND ==

62 33 APPROPRIATIONS. This division appropriates project funding
62 34 for FY 2010=2011 from the revenue bonds capitals fund for
62 35 the departments of administrative services, agriculture and



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63 1 land stewardship, cultural affairs, corrections, economic
63 2 development, natural resources, and the Iowa state fair, state
63 3 board of regents, and the Iowa finance authority.
63 4 DIVISION IV == REVENUE BONDS CAPITALS II FUND ==
63 5 APPROPRIATIONS. The division creates a revenue bonds capitals
63 6 II fund. Revenue for the revenue bonds capitals II fund shall
63 7 include but is not limited to the net proceeds of certain bonds
63 8 issued by the treasurer of state on or after July 1, 2010,
63 9 interest attributable to investment of moneys in the fund or
63 10 an account of the fund, and moneys in the form of a devise,
63 11 gift, bequest, donation, federal or other grant, reimbursement,
63 12 repayment, judgment, transfer, payment, or appropriation from
63 13 any source intended to be used for the purposes of the fund.
63 14 Annually, on or before January 15 of each year, a state agency
63 15 that received an appropriation from the revenue bonds capitals
63 16 II fund shall report to the legislative services agency and the
63 17 department of management the status of all projects completed
63 18 or in progress.
63 19 The division appropriates project funding for FY 2010=2011
63 20 from the revenue bonds capitals II fund created in the bill to
63 21 the departments of agriculture and land stewardship, economic
63 22 development, education, natural resources, and transportation
63 23 and to the Iowa finance authority including to the Iowa jobs
63 24 board for purposes of the Iowa jobs II program, created in the
63 25 bill, state board of regents, and treasurer of state.
63 26 DIVISION V == FY 2009 PRISON BONDING FUND. This division
63 27 appropriates project funding for FY 2010=2011 to the department
63 28 of corrections.
63 29 DIVISION VI == IOWA COMPREHENSIVE PETROLEUM UNDERGROUND
63 30 STORAGE TANK FUND. This division relates to underground
63 31 storage tank fund appropriations to the department of
63 32 transportation.
63 33 DIVISION VII == GROW IOWA VALUES FUND. Currently, the Code
63 34 provides that for each fiscal year through the fiscal period
63 35 ending June 30, 2015, the grow Iowa values fund is to receive



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64 1 an annual appropriation of \$50 million from either the general
64 2 fund or the rebuild Iowa infrastructure fund. The division
64 3 provides that the appropriation for FY 2010=2011 shall be
64 4 from the rebuild Iowa infrastructure fund. The department is
64 5 directed to allocate that \$50 million for certain purposes.
64 6 This division appropriates \$38 million from the rebuild
64 7 Iowa infrastructure fund to the grow Iowa values fund for
64 8 FY 2010=2011. The division also decreases the FY 2010=2011
64 9 standing appropriation from the grow Iowa values fund to the
64 10 department of economic development from \$50 million to \$38
64 11 million and makes conforming changes to certain allocations.
64 12 The division allows the department to allocate, of the
64 13 moneys in the targeted small business financial assistance
64 14 program account of the strategic investment fund, amounts
64 15 necessary for marketing, compliance, and the provision of
64 16 mentoring services.
64 17 Currently, the department must allocate \$3 million for
64 18 deposit in the innovation and commercialization development
64 19 fund. The division amends this allocation to require the
64 20 department to allocate \$5.5 million for deposit in the
64 21 innovation and commercialization development fund.
64 22 The division also creates a new allocation of \$1 million for
64 23 deposit in the targeted small business financial assistance
64 24 program account within the strategic investment fund.
64 25 Currently, the Code does not appropriate interest on moneys
64 26 in the grow Iowa values fund. The division appropriates the
64 27 interest to the department and directs the department to
64 28 allocate it for certain purposes.
64 29 DIVISION VIII == SMALL BUSINESS LINKED INVESTMENTS. This
64 30 division relates to qualifications under the small business
64 31 linked investments program.
64 32 DIVISION IX == SITE DEVELOPMENT. This division relates to
64 33 site development techniques.
64 34 DIVISION X == INTERNET SITE FOR BUSINESS ASSISTANCE. This
64 35 division relates to an internet site for business assistance.



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65 1 DIVISION XI == REGULATORY ASSISTANCE INTERIM STUDY
65 2 COMMITTEE. This division relates to a regulatory assistance
65 3 interim study.
65 4 DIVISION XII == SAVE OUR SMALL BUSINESSES FUND AND PROGRAM.
65 5 This division creates a save our small businesses program and
65 6 fund.
65 7 DIVISION XIII == FLOODPLAIN MAPPING. This division provides
65 8 for the use of funds allocated to the department of natural
65 9 resources for floodplain mapping from the appropriation made
65 10 to the department of economic development in 2009 Iowa Acts,
65 11 chapter 183, section 67, of federal community development block
65 12 grant funds awarded to the state under the federal Consolidated
65 13 Security, Disaster Assistance, and Continuing Appropriations
65 14 Act, 2009, Pub. L. No. 110=329, the department of economic
65 15 development shall enter an agreement in an amount of not less
65 16 than \$10,000,000 with the state university of Iowa for the
65 17 development of new floodplain maps by June 30, 2014, by the
65 18 Iowa flood center established pursuant to section 466C.1. The
65 19 department of economic development shall structure the contract
65 20 to be consistent with any plan for use of the funds approved
65 21 by any federal agency, or, if necessary, follow any procedures
65 22 necessary for approval of this contract.
65 23 DIVISION XIV == DEPARTMENT OF ADMINISTRATIVE SERVICES ==
65 24 OFFICE SPACE. This division requires the department of
65 25 administrative services to issue a request for proposals
65 26 by December 1, 2010, concerning the availability and cost
65 27 of office space for state employees in downtown Des Moines
65 28 and in other areas in close proximity to the state capitol
65 29 complex. The department shall submit a written report to
65 30 the general assembly concerning the request for proposals by
65 31 January 14, 2011. The department is also required to conduct
65 32 a cost-benefit analysis of utilizing existing office space in
65 33 downtown Des Moines and other areas in close proximity to the
65 34 state capitol complex in lieu of replacing or renovating the
65 35 Wallace Building. The department shall submit a written report



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66 1 to the general assembly concerning the cost-benefit analysis by
66 2 January 14, 2011.

66 3 DIVISION XV == CHANGES TO PRIOR YEAR APPROPRIATIONS. This
66 4 division makes changes to prior year appropriations for FY
66 5 2006=2007 from the rebuild Iowa infrastructure fund for the
66 6 department of public safety and from Iowa's health restricted
66 7 capitals fund for the department of administrative services.
66 8 The division makes changes to prior year appropriations
66 9 for FY 2007=2008 from the rebuild Iowa infrastructure fund
66 10 for the state board of regents and from the technology
66 11 reinvestment fund for the department of human rights and the
66 12 Iowa workforce development. The division makes changes to
66 13 prior year appropriations for FY 2008=2009 from the technology
66 14 reinvestment fund for the department of education, from the
66 15 revenue bonds capitals fund for the department of corrections,
66 16 from the rebuild Iowa infrastructure fund for the departments
66 17 of administrative services and cultural affairs, and from the
66 18 FY 2009 prison bonding fund for the department of corrections.
66 19 The division makes changes to prior year appropriations for
66 20 FY 2009=2010 from the revenue bonds capitals fund for the
66 21 departments of agriculture and land stewardship, economic
66 22 development, natural resources, transportation, and the
66 23 Iowa telecommunications and technology commission, and from
66 24 the rebuild Iowa infrastructure fund for the departments of
66 25 cultural affairs and transportation.

66 26 The division makes changes to prior year appropriations
66 27 for FY 2010=2011 from the rebuild Iowa infrastructure fund to
66 28 the department of economic development and from the rebuild
66 29 Iowa infrastructure fund to the departments of administrative
66 30 services, corrections, state board of regents, and the Iowa
66 31 state fair.

66 32 This division takes effect upon enactment.

66 33 DIVISION XVI == MISCELLANEOUS CODE CHANGES. The division
66 34 eliminates the standing FY 2010=2011 \$10 million appropriation
66 35 from the rebuild Iowa infrastructure fund to the secure an



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67 1 advanced vision for education (SAVE) fund.
67 2 The division reduces the FY 2010=2011 standing appropriation
67 3 from the rebuild Iowa infrastructure fund to the environment
67 4 first fund from \$42 million to \$33 million.
67 5 The division appropriates \$10 million from the rebuild Iowa
67 6 infrastructure fund to the technology reinvestment fund for FY
67 7 2010=2011.
67 8 The division makes changes to Code section 8.57 relating
67 9 to the distribution of wagering tax allocations for purposes
67 10 of pledging a revenue stream for revenue bonds issued on or
67 11 after July 1, 2010, authorized under the bill. In addition,
67 12 the division makes changes to Code section 123.53 relating to
67 13 the beer and liquor control fund to provide for a secondary
67 14 source of revenue funding for the revenue bonds relating to the
67 15 revenue bonds federal subsidy holdback fund.
67 16 The division authorizes the treasurer of state to issue and
67 17 sell bonds in amounts which provide aggregate net proceeds of
67 18 not more than \$150 million for purposes of an Iowa jobs grant
67 19 program relating to disaster prevention for qualified projects
67 20 in the departments of agriculture and land stewardship,
67 21 economic development, education, and transportation, and the
67 22 Iowa finance authority, the state board of regents, and the
67 23 treasurer of state.
67 24 The division creates a revenue bonds federal subsidy
67 25 holdback fund comprised of the wagering tax revenues required
67 26 to be deposited in the fund, interest attributable to
67 27 investment moneys in the fund, and any other moneys from any
67 28 other sources which may be legally available to the treasurer
67 29 of state for the purpose of the fund. The moneys in the
67 30 revenue bonds federal subsidy holdback fund are appropriated
67 31 and shall be used or transferred to the revenue bonds debt
67 32 service fund solely for the purpose of making payments of
67 33 principal and interest on the federal subsidy bonds when due,
67 34 if the treasurer of state or the treasurer's designee has not
67 35 received a federal subsidy scheduled to be received for such



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68 1 payment by the due date. The moneys on deposit in the revenue
68 2 bonds federal subsidy holdback fund are required to be used
68 3 or transferred to the revenue bonds debt service fund solely
68 4 for the purpose of making payments of principal and interest
68 5 on federal subsidy bonds prior to any use or transfer of
68 6 moneys on deposit in any bond reserve fund created for such
68 7 federal subsidy bonds by the treasurer of state. At any time
68 8 during each fiscal year that there are moneys on deposit in
68 9 the revenue bonds federal subsidy holdback fund that are not
68 10 needed to pay principal and interest on federal subsidy bonds
68 11 during such fiscal year, all moneys on deposit in the revenue
68 12 bonds federal subsidy holdback account shall be credited to
68 13 the general fund. For purposes of the bill, "federal subsidy"
68 14 means any payment from the federal government with respect to
68 15 federal subsidy bonds and "federal subsidy bonds" means any
68 16 bonds issued and sold pursuant to Code section 12.87 for which
68 17 a federal subsidy is expected to be paid on or before any date
68 18 on which interest on such bonds is due and payable.

68 19 The division eliminates standing appropriations for FY
68 20 2010=2011 from the rebuild Iowa infrastructure fund to the
68 21 community attraction and tourism fund and from the franchise
68 22 tax revenues deposited in the general fund of the state to the
68 23 community attraction and tourism fund.

68 24 The division eliminates standing appropriations from the
68 25 rebuild Iowa infrastructure fund and the general fund for FY
68 26 2010=2011 to the department of economic development for the
68 27 community attraction and tourism program.

68 28 The division appropriates funds from the rebuild Iowa
68 29 infrastructure fund to the Iowa finance authority for deposit
68 30 into the housing trust fund for FY 2010=2011.

68 31 The division creates an Iowa jobs II program to assist
68 32 in the development and completion of public construction
68 33 projects relating to disaster prevention. A city or county
68 34 in this state or a regional transit district as defined in
68 35 chapter 28M that applies the smart planning principles and



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69 1 guidelines pursuant to Code sections 18B.1 and 18B.2 if
69 2 enacted in 2010 Iowa Acts, Senate File 2265, may submit an
69 3 application to the Iowa jobs board created in Code section
69 4 16.191 for a local infrastructure competitive grant for an
69 5 eligible project under the program. The board is required to
69 6 consider certain criteria in evaluating eligible projects to
69 7 receive financial assistance under the program. Any award
69 8 of financial assistance to a project is limited to up to 75
69 9 percent of the total cost of the total cost of the development
69 10 and completion of a public construction project relating to
69 11 disaster prevention.

69 12 The division amends Code section 26.3 relating to
69 13 competitive bids for public improvement contracts. The
69 14 division provides that a governmental entity shall ensure that
69 15 a sufficient number of paper copies of the project's contract
69 16 documents, including all drawings, plans, specifications, and
69 17 estimated total costs of the proposed public improvement are
69 18 made available for distribution at no charge to prospective
69 19 bidders, subcontractor bidders, suppliers, and contractor
69 20 plan room services. If a deposit is required as part of a
69 21 paper contract documents distribution policy by the public
69 22 owner, the deposit shall not exceed \$250 per set which shall be
69 23 refunded upon return of the contract documents within 14 days
69 24 after award of the project. If the contract documents are not
69 25 returned in a timely manner and in a reusable condition, the
69 26 deposit shall be forfeited.

69 27 The division adds a provision relating to minority-owned and
69 28 female-owned businesses relating to bond issuance services.

69 29 The division makes technical changes relating to the
69 30 reversion of funds provisions in Code sections 327H.20A
69 31 (railroad revolving loan and grant fund) and 327J.2 (passenger
69 32 rail service revolving fund).

69 33 The division repeals Code section 12.90A authorizing the
69 34 treasurer of state to issue annual appropriation bonds on or
69 35 after July 1, 2010, and makes conforming changes by repealing



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70 1 the annual appropriation bonds debt service fund (Code section
70 2 12.90B), the appropriations bonds capitals fund (Code section
70 3 12.90C), and the vertical infrastructure restricted capitals
70 4 fund (Code section 8.57D).
70 5 The division repeals the public service shelter grant
70 6 fund (Code section 16.185), the disaster damage housing
70 7 assistance grant fund (Code section 16.186), the affordable
70 8 housing assistance grant fund (Code section 16.187), and the
70 9 bridge safety fund (Code section 313.68), and makes conforming
70 10 changes.

LSB 6280HV (3) 83

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Senate Amendment 5393

PAG LIN

1 1 Amend Senate File 2383, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 8, by striking lines 19 through 22 and
1 4 inserting <debt coordinator, on behalf of the state,
1 5 shall have a right to a lien against all monetary
1 6 claims arising from a civil action which the debtor may
1 7 file against a third party. A lien under this section
1 8 becomes effective once the state debt coordinator files
1 9 a notice of>
1 10 #2. Page 10, lines 17 and 18, by striking <has
1 11 authority to file a satisfaction of the lien> and
1 12 inserting <shall file a satisfaction of the lien in the
1 13 civil action if the state debt coordinator, pursuant
1 14 to this subsection, settles any part of the debt
1 15 obligation owed the state.>
1 16 #3. Page 11, line 5, by striking <The> and inserting
1 17 <Except as provided in subsection 7, the>
1 18 #4. Page 11, after line 8 by inserting:
1 19 <7. An insurance company that makes a payment to
1 20 the debtor or the debtor's attorney in a civil action
1 21 that is subject to a lien under this section shall have
1 22 no further liability for the lien filed in the civil
1 23 action.>
1 24 #5. Page 11, by striking lines 9 through 14 and
1 25 inserting:
1 26 <8. As used in this section, unless the context
1 27 otherwise requires:
1 28 a. "Insurance company" means an insurer organized or
1 29 operating under chapter 508, 514, 514B, 515, 518, 518A,
1 30 519, or 520, or authorized to do business in Iowa as an
1 31 insurer or an insurance producer under chapter 522B.
1 32 b. "Third party" means an individual, institution,
1 33 corporation, or public or private agency which is or
1 34 may be liable to pay all or part of a debtor's monetary
1 35 claim. "Third party" does not include a financial
1 36 institution as defined in section 572.2.>
1 37 #6. Page 15, after line 31 by inserting:
1 38 <Sec. ____ . NEW SECTION. 421C.5 Future repeal.
1 39 This chapter is repealed January 1, 2014. The
1 40 general assembly shall consider corresponding
1 41 amendments to the Code of Iowa to effectuate the repeal
1 42 of this chapter.>
1 43 #7. Page 20, lines 16 and 17, by striking <case in
1 44 which the debt accrued> and inserting <eligible debt>
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Senate Amendment 5394

PAG LIN

1 1 Amend Senate File 2389 as follows:
1 2 #1. Page 19, by striking lines 15 and 16 and
1 3 inserting <sections 18B.1 and 18B.2, as enacted in this
1 4 Act:>
1 5 #2. Page 28, line 6, by striking <utilities such as>
1 6 #3. Page 28, line 8, after <facilities,> by
1 7 inserting <and>
1 8 #4. Page 28, by striking lines 9 and 10 and
1 9 inserting <telecommunications facilities. The
1 10 comprehensive plan or land development>
1 11 #5. Page 47, line 21, by striking <business> and
1 12 inserting <businesses>
1 13 #6. Page 56, after line 31 by inserting:
1 14 e. The office of the insurance division of the
1 15 department of commerce.
1 16 f. The agricultural development authority
1 17 established in section 175.3.>
1 18 #7. Page 56, line 34, by striking <the>
1 19 #8. Page 56, line 35, after <fleet> by inserting
1 20 <operations>
1 21 #9. Page 56, line 35, by striking <the>
1 22 #10. Page 57, line 1, after <fleet> by inserting
1 23 <operations>
1 24 #11. Page 76, line 13, by striking <smartplanning>
1 25 and inserting <smart planning>
1 26 #12. Page 79, by striking lines 6 and 7 and
1 27 inserting <other obligations by the entity.>

MATT McCOY
SF2389.3015 (2) 83
rh/nh



Iowa General Assembly
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Senate Amendment 5395

PAG LIN

1 1 Amend Senate File 2389 as follows:
1 2 #1. Page 20, after line 29 by inserting:
1 3 <A grant awarded for a project under this lettered
1 4 paragraph "a" shall not exceed more than forty percent
1 5 of the appropriation in this lettered paragraph.>
1 6 #2. By renumbering as necessary.

WILLIAM DOTZLER

MERLIN BARTZ
SF2389.3016 (2) 83
rh/rj



Iowa General Assembly
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Senate Amendment 5396

PAG LIN

1 1 Amend Senate File 2389 as follows:
1 2 #1. Page 23, line 31, after <decisions> by inserting
1 3 <, except that nothing in this section shall be
1 4 construed to expand the eminent domain authority of a
1 5 state agency, local government, or other public entity
1 6 beyond that which is authorized under chapter 6A or 6B>
1 7 #2. By striking page 40, line 28, through page 41,
1 8 line 12.

WILLIAM HECKROTH
SF2389.3017 (2) 83
rh/sc



Iowa General Assembly
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Senate File 2389 - Introduced

SENATE FILE
BY COMMITTEE ON
APPROPRIATIONS

(SUCCESSOR TO SSB
3258)

A BILL FOR

1 An Act relating to and making, reducing, and transferring
2 appropriations to state departments and agencies from
3 the rebuild Iowa infrastructure fund, the technology
4 reinvestment fund, the revenue bonds capitals fund, the
5 revenue bonds capitals II fund, the FY 2009 prison bonding
6 fund, and other funds, creating the Iowa jobs II program,
7 and the revenue bonds federal subsidy holdback fund,
8 providing for related matters, and providing an effective
9 date.
10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 6280SV (3) 83
rh/tm



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Senate File 2389 - Introduced continued

2 1 Des Moines area, notwithstanding section 8.57, subsection 6,
 2 2 paragraph "c":
 2 3 \$ 200,000
 2 4 Details for the shuttle service, including the route to
 2 5 be served, shall be determined pursuant to an agreement to
 2 6 be entered into by the department with the Des Moines area
 2 7 regional transit authority (DART) and any other participating
 2 8 entities.
 2 9 Of the amount appropriated in this lettered paragraph, up to
 2 10 \$50,000 shall be used to encourage state employees to utilize
 2 11 transit services provided by the Des Moines area regional
 2 12 transit authority.
 2 13 2. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
 2 14 For the administration of the watershed improvement review
 2 15 board established in section 466A.3, notwithstanding section
 2 16 8.57, subsection 6, paragraph "c":
 2 17 \$ 50,000
 2 18 3. DEPARTMENT FOR THE BLIND
 2 19 For costs associated with universal access to audio
 2 20 information over the phone on demand for blind and print
 2 21 handicapped Iowans, notwithstanding section 8.57, subsection
 2 22 6, paragraph "c":
 2 23 \$ 20,000
 2 24 4. DEPARTMENT OF CULTURAL AFFAIRS
 2 25 a. For continuation of the project recommended by the Iowa
 2 26 battle flag advisory committee to stabilize the condition of
 2 27 the battle flag collection, notwithstanding section 8.57,
 2 28 subsection 6, paragraph "c":
 2 29 \$ 60,000
 2 30 b. For purposes of maintenance and repairs of historic
 2 31 sites:
 2 32 \$ 40,000
 2 33 5. DEPARTMENT OF ECONOMIC DEVELOPMENT
 2 34 a. For deposit in the workforce training and economic
 2 35 development funds for each community college in section



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Senate File 2389 - Introduced continued

3 1 260C.18A, notwithstanding section 8.57, subsection 6, paragraph
3 2 "c":
3 3 \$ 2,000,000
3 4 b. To the 6th avenue corridor for improvements to the
3 5 streetscape associated with the national mainstreet conference
3 6 and for additional architectural and engineering design
3 7 plans for economic development and community revitalization,
3 8 notwithstanding section 8.57, subsection 6, paragraph "c":
3 9 \$ 100,000
3 10 c. To develop site plans for the southeast Iowa regional
3 11 economic and port authority including plans for infrastructure
3 12 for economic development, notwithstanding section 8.57,
3 13 subsection 6, paragraph "c":
3 14 \$ 50,000
3 15 d. For equal distribution to regional sports authority
3 16 districts certified by the department pursuant to section
3 17 15E.321, notwithstanding section 8.57, subsection 6, paragraph
3 18 "c":
3 19 \$ 500,000
3 20 e. For administration and support of the world food prize
3 21 including the Borlaug/Ruan scholar program, notwithstanding
3 22 section 8.57, subsection 6, paragraph "c":
3 23 \$ 100,000
3 24 6. DEPARTMENT OF EDUCATION
3 25 To provide resources for structural and technological
3 26 improvements to local libraries and for the enrich Iowa
3 27 program, notwithstanding section 8.57, subsection 6, paragraph
3 28 "c":
3 29 \$ 500,000
3 30 Of the moneys appropriated in this subsection, \$50,000 shall
3 31 be allocated equally to each library service area.
3 32 7. DEPARTMENT OF NATURAL RESOURCES
3 33 a. For floodplain management and dam safety,
3 34 notwithstanding section 8.57, subsection 6, paragraph "c":
3 35 \$ 2,000,000



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Senate File 2389 - Introduced continued

4 1 Of the amounts appropriated in this lettered paragraph,
 4 2 up to \$400,000 is authorized for stream gages to be used
 4 3 for tracking and predicting flood events and for compiling
 4 4 necessary data relating to flood frequency analysis.
 4 5 b. For costs associated with the construction of a permanent
 4 6 structure for handicapped persons and senior citizens in a
 4 7 county with a population between 37,150 and 37,250:
 4 8 \$ 40,000
 4 9 c. For costs associated with the hiring and employment of an
 4 10 asset manager at Honey creek resort state park, notwithstanding
 4 11 section 8.57, subsection 6, paragraph "c":
 4 12 \$ 100,000
 4 13 The department shall issue a request for proposals to
 4 14 competitively procure the services of an asset manager which
 4 15 shall be selected by the natural resource commission. The
 4 16 asset manager shall have hospitality management experience
 4 17 of at least five years including at least three years asset
 4 18 management experience in a setting similar in size and quality
 4 19 to the Honey creek resort state park with a similar type of
 4 20 market. The duties and job responsibilities of the asset
 4 21 manager shall include but are not limited to reviewing and
 4 22 commenting on the resort's sales and marketing plan, providing
 4 23 for the operation of the resort in a manner consistent with
 4 24 the requirements and limitations set forth in the resort's
 4 25 operating agreement, monitoring and supervising the resort
 4 26 including site visits, and negotiating and recommending an
 4 27 annual operating budget and budget plan. The asset manager
 4 28 shall report to bond counsel, the governor, the Honey creek
 4 29 authority, the department of natural resources, and the
 4 30 legislative services agency.
 4 31 8. DEPARTMENT OF PUBLIC DEFENSE
 4 32 a. For major maintenance projects at national guard
 4 33 armories and facilities:
 4 34 \$ 1,500,000
 4 35 b. For renovation and facility improvements at the Iowa



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Senate File 2389 - Introduced continued

5 1 Falls readiness center:
5 2 \$ 500,000
5 3 c. For renovation and facility improvements at the Cedar
5 4 Rapids armed forces readiness center:
5 5 \$ 200,000
5 6 d. For renovation and facility improvements at the
5 7 Middletown readiness center:
5 8 \$ 100,000
5 9 9. DEPARTMENT OF PUBLIC HEALTH
5 10 For a grant to an existing national affiliated volunteer eye
5 11 organization that has an established program for children and
5 12 adults and that is solely dedicated to preserving sight and
5 13 preventing blindness through education, nationally certified
5 14 vision screening and training, community and patient service
5 15 programs, notwithstanding section 8.57, subsection 6, paragraph
5 16 "c":
5 17 \$ 100,000
5 18 10. IOWA FINANCE AUTHORITY
5 19 For transfer to the Polk county housing trust fund for the
5 20 construction of facilities to meet the specialized needs of
5 21 adult persons with severe and profound disabilities who have
5 22 high medical needs:
5 23 \$ 250,000
5 24 11. STATE BOARD OF REGENTS
5 25 a. For allocation by the state board of regents to the
5 26 state university of Iowa, the Iowa state university of
5 27 science and technology, and the university of northern Iowa to
5 28 reimburse the institutions for deficiencies in the operating
5 29 funds resulting from the pledging of tuition, student fees
5 30 and charges, and institutional income to finance the cost of
5 31 providing academic and administrative buildings and facilities
5 32 and utility services at the institutions, notwithstanding
5 33 section 8.57, subsection 6, paragraph "c":
5 34 \$ 24,305,412
5 35 b. For the Iowa flood center at the state university of Iowa



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Senate File 2389 - Introduced continued

6 1 for use by the university's college of engineering, pursuant
6 2 to section 466C.1, notwithstanding section 8.57, subsection 6,
6 3 paragraph "c":
6 4 \$ 1,300,000
6 5 c. To Iowa state university of science and technology to
6 6 purchase veterinary surgical and other equipment to modernize
6 7 the animal care facilities at the blank park zoo as part of
6 8 a cooperative effort of blank park zoo and the college of
6 9 veterinary medicine, notwithstanding section 8.57, subsection
6 10 6, paragraph "c":
6 11 \$ 400,000
6 12 12. TREASURER OF STATE
6 13 For county fair infrastructure improvements for distribution
6 14 in accordance with chapter 174 to qualified fairs which belong
6 15 to the association of Iowa fairs:
6 16 \$ 1,060,000
6 17 13. DEPARTMENT OF TRANSPORTATION
6 18 For infrastructure improvements at general aviation airports
6 19 within the state:
6 20 \$ 750,000
6 21 14. DEPARTMENT OF VETERANS AFFAIRS
6 22 For transfer to the Iowa finance authority for the
6 23 continuation of the home ownership assistance program for
6 24 persons who are or were eligible members of the armed forces of
6 25 the United States, pursuant to section 16.54, notwithstanding
6 26 section 8.57, subsection 6, paragraph "c":
6 27 \$ 1,000,000
6 28 Sec. 2. There is appropriated from the rebuild Iowa
6 29 infrastructure fund to the following departments and agencies
6 30 for the following fiscal years, the following amounts, or so
6 31 much thereof as is necessary, to be used for the purposes
6 32 designated:
6 33 1. DEPARTMENT OF CORRECTIONS
6 34 For project management costs at Fort Madison and
6 35 Mitchellville prisons, associated with construction projects



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Senate File 2389 - Introduced continued

7 1 at the department, notwithstanding section 8.57, subsection 6,
 7 2 paragraph "c":
 7 3 FY 2011=2012..... \$ 4,500,000
 7 4 FY 2012=2013..... \$ 1,000,000
 7 5 FY 2013=2014..... \$ 200,000
 7 6 2. DEPARTMENT OF NATURAL RESOURCES
 7 7 For state park infrastructure improvements:
 7 8 FY 2011=2012..... \$ 5,000,000
 7 9 FY 2012=2013..... \$ 5,000,000
 7 10 FY 2013=2014..... \$ 5,000,000
 7 11 FY 2014=2015..... \$ 5,000,000
 7 12 3. DEPARTMENT OF TRANSPORTATION
 7 13 For deposit into the passenger rail service revolving
 7 14 fund created in section 327J.2 for matching federal funding
 7 15 available through the federal Passenger Rail Investment
 7 16 and Improvement Act of 2008 for passenger rail service,
 7 17 notwithstanding section 8.57, subsection 6, paragraph "c":
 7 18 FY 2011=2012..... \$ 6,500,000
 7 19 It is the intent of the general assembly to fund up to
 7 20 \$20 million over a four-year period to fully fund the state
 7 21 commitment for matching federal funding available through the
 7 22 federal Passenger Rail Investment and Improvement Act of 2008.
 7 23 Sec. 3. REVERSION. For purposes of section 8.33, unless
 7 24 specifically provided otherwise, unencumbered or unobligated
 7 25 moneys made from an appropriation in this division of this Act
 7 26 shall not revert but shall remain available for expenditure for
 7 27 the purposes designated until the close of the fiscal year that
 7 28 ends three years after the end of the fiscal year for which the
 7 29 appropriation was made. However, if the project or projects
 7 30 for which such appropriation was made are completed in an
 7 31 earlier fiscal year, unencumbered or unobligated moneys shall
 7 32 revert at the close of that same fiscal year.
 7 33 DIVISION II
 7 34 TECHNOLOGY REINVESTMENT FUND
 7 35 Sec. 4. There is appropriated from the technology



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Senate File 2389 - Introduced continued

8 1 reinvestment fund created in section 8.57C to the following
 8 2 departments and agencies for the fiscal year beginning July
 8 3 1, 2010, and ending June 30, 2011, the following amounts, or
 8 4 so much thereof as is necessary, to be used for the purposes
 8 5 designated:

8 6 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
 8 7 For technology improvement projects:
 8 8 \$ 3,793,654

8 9 2. DEPARTMENT OF CORRECTIONS
 8 10 For costs associated with the Iowa corrections offender
 8 11 network data system:
 8 12 \$ 500,000

8 13 3. DEPARTMENT OF EDUCATION
 8 14 a. For maintenance and lease costs associated with
 8 15 connections for Part III of the Iowa communications network:
 8 16 \$ 2,727,000
 8 17 b. For the implementation of an educational data warehouse
 8 18 that will be utilized by teachers, parents, school district
 8 19 administrators, area education agency staff, department of
 8 20 education staff, and policymakers:
 8 21 \$ 600,000

8 22 The department may use a portion of the moneys appropriated
 8 23 in this lettered paragraph for an e-transcript data system
 8 24 capable of tracking students throughout their education via
 8 25 interconnectivity with multiple schools.

8 26 4. DEPARTMENT OF PUBLIC HEALTH
 8 27 For deposit in the county mental health, mental retardation,
 8 28 and developmental disabilities services fund created by section
 8 29 331.424A in a county with a population over 350,000 for a
 8 30 community mental health center created under chapter 230A which
 8 31 serves only adults:
 8 32 \$ 250,000

8 33 5. IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION
 8 34 For replacement of equipment for the Iowa communications
 8 35 network:



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9 1 \$ 2,244,956
 9 2 The commission may continue to enter into contracts pursuant
 9 3 to section 8D.13 for the replacement of equipment and for
 9 4 operations and maintenance costs of the network.
 9 5 In addition to moneys appropriated in this subsection,
 9 6 the commission may use a financing agreement entered into by
 9 7 the treasurer of state in accordance with section 12.28 for
 9 8 the replacement of equipment for the network. For purposes
 9 9 of this subsection, the treasurer of state is not subject to
 9 10 the maximum principal limitation contained in section 12.28,
 9 11 subsection 6. Repayment of any amounts financed shall be made
 9 12 from receipts associated with fees charged for use of the
 9 13 network.
 9 14 Sec. 5. REVERSION. For purposes of section 8.33, unless
 9 15 specifically provided otherwise, unencumbered or unobligated
 9 16 moneys made from an appropriation in this division of this Act
 9 17 shall not revert but shall remain available for expenditure for
 9 18 the purposes designated until the close of the fiscal year that
 9 19 ends three years after the end of the fiscal year for which the
 9 20 appropriation was made. However, if the project or projects
 9 21 for which such appropriation was made are completed in an
 9 22 earlier fiscal year, unencumbered or unobligated moneys shall
 9 23 revert at the close of that same fiscal year.
 9 24 DIVISION III
 9 25 REVENUE BONDS CAPITALS FUND == APPROPRIATIONS
 9 26 Sec. 6. There is appropriated from the revenue bonds
 9 27 capitals fund created in section 12.88, to the following
 9 28 departments and agencies for the fiscal year beginning July
 9 29 1, 2010, and ending June 30, 2011, the following amounts, or
 9 30 so much thereof as is necessary, to be used for the purposes
 9 31 designated:
 9 32 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
 9 33 For projects related to major repairs and major maintenance
 9 34 for state buildings and facilities:
 9 35 \$ 3,000,000



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Senate File 2389 - Introduced continued

10 1 Moneys appropriated in this subsection shall not be used
 10 2 for purposes of the renovation of the Mercy capitol hospital
 10 3 building.

10 4 2. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

10 5 a. To the soil conservation division of the department
 10 6 established in section 161A.4 to provide financial assistance
 10 7 for the establishment of permanent soil and water conservation
 10 8 practices:

10 9 \$ 1,000,000

10 10 b. Not more than 5 percent of the moneys appropriated
 10 11 in paragraph "a" may be allocated for cost sharing to abate
 10 12 complaints filed under section 161A.47.

10 13 c. Of the moneys appropriated in paragraph "a", 5 percent
 10 14 shall be allocated for financial incentives to establish
 10 15 practices to protect watersheds above publicly owned lakes of
 10 16 the state from soil erosion and sediment as provided in section
 10 17 161A.73.

10 18 d. Not more than 30 percent of a soil and water conservation
 10 19 district's allocation of moneys as financial incentives may be
 10 20 provided for the purpose of establishing management practices
 10 21 to control soil erosion on land that is row cropped, including
 10 22 but not limited to no-till planting, ridge-till planting,
 10 23 contouring, and contour strip-cropping as provided in section
 10 24 161A.73.

10 25 e. The state soil conservation committee created in section
 10 26 161A.4 may allocate moneys appropriated in paragraph "a"
 10 27 to conduct research and demonstration projects to promote
 10 28 conservation tillage and nonpoint source pollution control
 10 29 practices.

10 30 f. The allocation of moneys as financial incentives as
 10 31 provided in section 161A.73 may be used in combination with
 10 32 moneys allocated by the department of natural resources.

10 33 g. Moneys appropriated in this subsection shall not be used
 10 34 for administrative or planning purposes.

10 35 3. DEPARTMENT OF CULTURAL AFFAIRS



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Senate File 2389 - Introduced continued

11 1 For grants for Iowa great places program projects:
 11 2 \$ 2,000,000
 11 3 4. DEPARTMENT OF CORRECTIONS
 11 4 a. For one-time costs associated with the opening of
 11 5 community-based corrections facilities including the purchase
 11 6 of equipment:
 11 7 \$ 1,519,048
 11 8 b. For use by a city with a population between 198,000 and
 11 9 199,000 for a safety barrier to be constructed in the natural
 11 10 environment between the fifth judicial district facility and
 11 11 the blank park zoo:
 11 12 \$ 1,000,000
 11 13 c. For project management costs at Fort Madison and
 11 14 Mitchellville prisons associated with construction projects at
 11 15 the department:
 11 16 \$ 2,200,000
 11 17 5. DEPARTMENT OF ECONOMIC DEVELOPMENT
 11 18 To the Des Moines area regional transit authority (DART) for
 11 19 construction of a regional transit hub for economic development
 11 20 purposes and for providing public transportation in a city with
 11 21 a population between 198,000 and 199,000 in the last preceding
 11 22 certified federal census:
 11 23 \$ 4,000,000
 11 24 6. DEPARTMENT OF NATURAL RESOURCES
 11 25 For implementation of lake projects that have established
 11 26 watershed improvement initiatives and community support in
 11 27 accordance with the department's annual lake restoration plan
 11 28 and report:
 11 29 \$ 7,000,000
 11 30 Of the amount appropriated in this subsection, \$250,000
 11 31 shall be allocated for dredging, reconstruction, and related
 11 32 improvements of twin ponds adjacent to a nature center in a
 11 33 county with a population between 13,050, and 13,100.
 11 34 Of the amount appropriated in this subsection, \$2,000,000
 11 35 shall be allocated for costs associated with dam construction;



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Senate File 2389 - Introduced continued

12 1 shoreline protection; boat ramp, parking, and road
 12 2 construction; and an in-lake fishing habitat development
 12 3 project for a new state recreation area on a lake located in a
 12 4 county with a population between 155,000 and 160,000.
 12 5 Of the amount appropriated in this subsection, \$100,000
 12 6 shall be allocated for lake dredging and related improvements
 12 7 including ongoing dam maintenance and operation on a lake with
 12 8 public access that has the support of a benefited lake district
 12 9 located in a county with a population between 18,350 and 18,450
 12 10 in the last preceding federal census.
 12 11 7. STATE BOARD OF REGENTS
 12 12 For phase II of the construction and renovation of the
 12 13 veterinary medical facilities at Iowa state university of
 12 14 science and technology, specifically the renovation and
 12 15 modernization of the area formerly occupied by the large animal
 12 16 area of the teaching hospital for expanded clinical services:
 12 17 \$ 13,000,000
 12 18 8. IOWA STATE FAIR
 12 19 For infrastructure improvements to the Iowa state
 12 20 fairgrounds including but not limited to the construction of an
 12 21 agricultural exhibition center on the Iowa state fairgrounds:
 12 22 \$ 2,500,000
 12 23 9. IOWA FINANCE AUTHORITY
 12 24 For grants for purposes of the housing trust fund created in
 12 25 section 16.181:
 12 26 \$ 2,000,000
 12 27 Sec. 7. TAX-EXEMPT STATUS == USE OF APPROPRIATIONS.
 12 28 1. Payment of moneys from the appropriations in this
 12 29 division of this Act shall be made in a manner that does not
 12 30 adversely affect the tax-exempt status of any outstanding bonds
 12 31 issued by the treasurer of state.
 12 32 2. Payment of moneys from the appropriations in this
 12 33 division of this Act shall not be used for administrative or
 12 34 planning purposes.
 12 35 Sec. 8. REVERSION. For purposes of section 8.33, unless



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13 1 specifically provided otherwise, unencumbered or unobligated
13 2 moneys made from an appropriation in this division of this Act
13 3 shall not revert but shall remain available for expenditure for
13 4 the purposes designated until the close of the fiscal year that
13 5 ends three years after the end of the fiscal year for which the
13 6 appropriation was made. However, if the project or projects
13 7 for which such appropriation was made are completed in an
13 8 earlier fiscal year, unencumbered or unobligated moneys shall
13 9 revert at the close of that same fiscal year.

13 10 DIVISION IV

13 11 REVENUE BONDS CAPITALS II FUND == APPROPRIATIONS

13 12 Sec. 9. NEW SECTION. 12.88A Revenue bonds capitals II fund.

13 13 1. A revenue bonds capitals II fund is created and
13 14 established as a separate and distinct fund in the state
13 15 treasury. The treasurer of state shall act as custodian of the
13 16 fund and disburse moneys contained in the fund.

13 17 2. Revenue for the revenue bonds capitals II fund shall
13 18 include but is not limited to the following, which shall be
13 19 deposited with the treasurer of state or the treasurer of
13 20 state's designee as provided by any bond or security documents
13 21 and credited to the fund:

13 22 a. The net proceeds of bonds issued after July 1, 2010,
13 23 pursuant to section 12.87 other than bonds issued for the
13 24 purpose of refunding such bonds, and investment earnings on the
13 25 net proceeds.

13 26 b. Interest attributable to investment of moneys in the fund
13 27 or an account of the fund.

13 28 c. Moneys in the form of a devise, gift, bequest, donation,
13 29 federal or other grant, reimbursement, repayment, judgment,
13 30 transfer, payment, or appropriation from any source intended to
13 31 be used for the purposes of the fund.

13 32 3. Moneys in the revenue bonds capitals II fund are not
13 33 subject to section 8.33. Notwithstanding section 12C.7,
13 34 subsection 2, interest or earnings on moneys in the fund shall
13 35 be credited to the fund.



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14 1 4. Annually, on or before January 15 of each year, a state
14 2 agency that received an appropriation from the revenue bonds
14 3 capitals II fund shall report to the legislative services
14 4 agency and the department of management the status of all
14 5 projects completed or in progress. The report shall include
14 6 a description of the project, the work completed, the total
14 7 estimated cost of the project, a list of all revenue sources
14 8 being used to fund the project, the amount of funds expended,
14 9 the amount of funds obligated, and the date the project was
14 10 completed or an estimated completion date of the project, where
14 11 applicable.

14 12 Sec. 10. There is appropriated from the revenue bonds
14 13 capitals II fund created in section 12.88A to the following
14 14 departments and agencies for the fiscal year beginning July
14 15 1, 2010, and ending June 30, 2011, the following amounts, or
14 16 so much thereof as is necessary, to be used for the purposes
14 17 designated:

14 18 1. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

14 19 a. To the soil conservation division of the department
14 20 established in section 161A.4 to provide financial assistance
14 21 for the establishment of permanent soil and water conservation
14 22 practices:

14 23 \$ 5,950,000

14 24 (1) Not more than 5 percent of the moneys appropriated in
14 25 this paragraph "a" may be allocated for cost sharing to abate
14 26 complaints filed under section 161A.47.

14 27 (2) Of the moneys appropriated in this paragraph "a",
14 28 5 percent shall be allocated for financial incentives to
14 29 establish practices to protect watersheds above publicly owned
14 30 lakes of the state from soil erosion and sediment as provided
14 31 in section 161A.73.

14 32 (3) Not more than 30 percent of a soil and water
14 33 conservation district's allocation of moneys as financial
14 34 incentives may be provided for the purpose of establishing
14 35 management practices to control soil erosion on land that is



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15 1 row cropped, including but not limited to no-till planting,
 15 2 ridge-till planting, contouring, and contour strip-cropping as
 15 3 provided in section 161A.73.
 15 4 (4) The state soil conservation committee created in
 15 5 section 161A.4 may allocate moneys appropriated in paragraph
 15 6 "a" to conduct research and demonstration projects to promote
 15 7 conservation tillage and nonpoint source pollution control
 15 8 practices.
 15 9 (5) The allocation of moneys as financial incentives as
 15 10 provided in section 161A.73 may be used in combination with
 15 11 moneys allocated by the department of natural resources.
 15 12 (6) Moneys appropriated in this paragraph "a" shall not be
 15 13 used for administrative or planning purposes.
 15 14 b. For grants under the conservation reserve enhancement
 15 15 program to improve water quality and intercept nitrates:
 15 16 \$ 2,500,000
 15 17 2. DEPARTMENT OF ECONOMIC DEVELOPMENT
 15 18 a. For deposit into the community attraction and tourism
 15 19 fund created in section 15F.204:
 15 20 \$ 12,000,000
 15 21 b. For deposit into the river enhancement community
 15 22 attraction and tourism fund created in section 15F.205:
 15 23 \$ 4,000,000
 15 24 Moneys appropriated for grants awarded in paragraphs "a" and
 15 25 "b" shall be used to assist communities in the development and
 15 26 creation of multiple purpose attractions or community service
 15 27 facilities for public use.
 15 28 c. For accelerated career education program capital
 15 29 projects at community colleges that are authorized under
 15 30 chapter 260G and that meet the definition of vertical
 15 31 infrastructure in section 8.57, subsection 6, paragraph "c":
 15 32 \$ 5,500,000
 15 33 d. For the main street Iowa program to be used as grants
 15 34 for projects that have previously applied for funding
 15 35 consideration, or have received partial funding for facade



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16 1 master plans to rehabilitate storefronts in main street Iowa
 16 2 districts, to complete streetscape projects where planning
 16 3 and the majority of funding is already secured, for unfunded
 16 4 main street challenge grant projects, and for other building
 16 5 rehabilitation projects that are currently on the department's
 16 6 highest priority list:
 16 7 \$ 8,450,000
 16 8 Moneys appropriated in this lettered paragraph shall not be
 16 9 used for administration or planning purposes.
 16 10 Of the amount appropriated in this lettered paragraph,
 16 11 \$300,000 shall be allocated to a city with a population between
 16 12 25,100 and 25,200 in the last preceding certified federal
 16 13 census for a redevelopment project that includes improvements
 16 14 and modifications to streets and storm sewers in both the
 16 15 downtown and mall areas of the city.
 16 16 e. To north Iowa area community college (merged area II)
 16 17 for the construction of a small business center for economic
 16 18 development:
 16 19 \$ 1,500,000
 16 20 f. To kirkwood community college (merged area X) for
 16 21 the construction of a small business center for economic
 16 22 development:
 16 23 \$ 1,200,000
 16 24 3. DEPARTMENT OF EDUCATION
 16 25 For major renovation and major repair needs, including
 16 26 health, life, and fire safety needs and for compliance with the
 16 27 federal Americans with Disabilities Act, for state buildings
 16 28 and facilities under the purview of the community colleges:
 16 29 \$ 2,000,000
 16 30 4. IOWA FINANCE AUTHORITY
 16 31 a. To the Iowa jobs board created in section 16.191 for
 16 32 disaster relief and mitigation renovation and construction
 16 33 projects:
 16 34 \$ 30,900,000
 16 35 The moneys appropriated in this paragraph "a" shall be



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17 1 allocated as follows:

17 2 (1) To a county with a population between 189,000 and

17 3 196,000 in the last preceding certified federal census for the

17 4 renovation and expansion of an administrative office building:

17 5 \$ 4,400,000

17 6 (2) To a city with a population between 120,500 and 120,800

17 7 in the last preceding certified federal census, for the

17 8 following projects:

17 9 (a) For renovation of an existing public building to make

17 10 the building useful for city department offices:

17 11 \$ 4,400,000

17 12 (b) For flood mitigation or renovation in and around an

17 13 existing courthouse:

17 14 \$ 2,000,000

17 15 (3) To a city with a population between 198,000 and 199,000

17 16 in the last preceding certified federal census to be allocated

17 17 as follows:

17 18 (a) For site acquisition, design, engineering, and

17 19 construction of a fire training and logistics center:

17 20 \$ 3,000,000

17 21 (b) For land acquisition, design, and construction of

17 22 sewers, structures, and pumping facilities necessary to

17 23 separate and convey sewer flow within the riverpoint service

17 24 area:

17 25 \$ 1,250,000

17 26 (c) For land acquisition, design, and construction of

17 27 sewers, structures, and pumping facilities necessary to

17 28 separate or convey sewer flow within the Court avenue service

17 29 area:

17 30 \$ 3,050,000

17 31 (d) For bank stabilization, stream bed stabilization, and

17 32 erosion control on highly erodible ground that is impacting

17 33 utilities, road infrastructure, and water quality:

17 34 \$ 700,000

17 35 (e) To improve utilization of two of the wastewater



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18 1 reclamation authority's existing equalization basins for
18 2 the control of peak flows during wet weather events in the
18 3 authority's sewer system:
18 4 \$ 500,000
18 5 (4) For a publicly owned acute care teaching hospital
18 6 located in a county with a population of over 350,000, for
18 7 the construction and renovation of patient access and care
18 8 facilities, equipment replacement and upgrades, and other
18 9 infrastructure improvements:
18 10 \$ 1,000,000
18 11 (5) For a city with a population between 98,300 and 98,400
18 12 in the last preceding certified federal census, for flood
18 13 protection, replacement, and construction improvements to a
18 14 recreational sports facility:
18 15 \$ 1,050,000
18 16 (6) For a city with a population between 68,700 and
18 17 68,800 in the last preceding certified federal census, for a
18 18 public works building that will allow the city to provide for
18 19 disaster-related services:
18 20 \$ 5,000,000
18 21 (7) For a city with a population between 62,100 and
18 22 62,250 in the last preceding certified federal census, for
18 23 the demolition, relocation, and reconstruction of a public
18 24 wastewater treatment plant and the development of a public
18 25 green space:
18 26 \$ 2,000,000
18 27 (8) For a city with a population between 2,545 and 2,555 in
18 28 the last preceding certified federal census, for a streetscape
18 29 project that reconstructs existing horizontal infrastructure
18 30 and lighting systems utilizing sustainable development
18 31 practices:
18 32 \$ 1,175,000
18 33 (9) For a city with a population between 2,200 and 2,220 in
18 34 the last preceding certified federal census, for construction
18 35 of a public city building:



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19 1 \$ 475,000
 19 2 (10) For a city with a population between 2,558 and 2,565
 19 3 in the last preceding certified federal census, for the
 19 4 installation of backflow prevention devices for the city's
 19 5 storm sewer system:
 19 6 \$ 600,000
 19 7 (11) For a city with a population between 6,875 and 6,890
 19 8 in the last preceding certified federal census, for the
 19 9 construction of grade control structures and associated grading
 19 10 to mitigate future water damage to residential structures:
 19 11 \$ 300,000
 19 12 b. To the Iowa jobs board for a disaster prevention program
 19 13 created in section 16.194A for grants for cities and counties
 19 14 that apply smart planning principles and guidelines pursuant to
 19 15 sections 18B.1 and 18B.2, if enacted by 2010 Iowa Acts, Senate
 19 16 File 2265, sections 1 and 2:
 19 17 \$ 30,000,000
 19 18 5. DEPARTMENT OF NATURAL RESOURCES
 19 19 a. For state park infrastructure improvements:
 19 20 \$ 5,000,000
 19 21 Of the amount appropriated in this lettered paragraph,
 19 22 \$100,000 shall be allocated for the renovation of a clubhouse
 19 23 on a lake in a county with a population between 20,200 and
 19 24 20,250 in the last preceding certified federal census.
 19 25 b. For implementation of lake projects that have
 19 26 established watershed improvement initiatives and community
 19 27 support in accordance with the department's annual lake
 19 28 restoration plan and report:
 19 29 \$ 3,000,000
 19 30 6. STATE BOARD OF REGENTS
 19 31 a. For costs associated with the construction and
 19 32 establishment of the Iowa institute for biomedical discovery at
 19 33 the state university of Iowa:
 19 34 \$ 10,000,000
 19 35 b. For deposit into the alternate energy revolving loan



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20 1 fund created in section 476.46 to encourage the development
 20 2 of alternate energy production facilities and small hydro
 20 3 facilities, as defined in section 476.42, within the state:
 20 4 \$ 5,000,000
 20 5 Any award of loans to private individuals or organizations
 20 6 must be for the public purpose of encouraging the development
 20 7 of alternate energy production facilities and small hydro
 20 8 facilities within the state in order to conserve finite and
 20 9 expensive energy resources and to provide for their most
 20 10 efficient use. Funds from bond proceeds shall not be used for
 20 11 administration or planning purposes. These moneys, and any
 20 12 loan repayments, shall be maintained in separate accounts and
 20 13 shall only be used for these public purposes.

20 14 7. DEPARTMENT OF TRANSPORTATION

20 15 a. For grants for rail projects including wind energy rail
 20 16 port projects that provide assistance consistent with the
 20 17 purposes of section 327H.20A:
 20 18 \$ 7,500,000

20 19 Grants awarded pursuant to this lettered paragraph shall
 20 20 meet all of the following selection criteria:

20 21 (1) Be located in or adjacent to a rail industrial park.
 20 22 (2) Be a facility that serves multiple industrial clients
 20 23 with one rail infrastructure investment.
 20 24 (3) Accommodate building and loading a complete unit train
 20 25 in the rail port.
 20 26 (4) Have connection tracks with adequate clearances to
 20 27 transport large components.
 20 28 (5) Be located in an area with short unimpeded access for
 20 29 oversized wind components to a divided four-lane highway.

20 30 Priority in the awarding of grants shall be given to
 20 31 communities that have experienced exceptional economic
 20 32 setbacks. An additional preference shall be given to a county
 20 33 that has lost nine percent of its workforce to a permanent
 20 34 factory closing where the laid off workers are trade adjustment
 20 35 assistance eligible.



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21 1 b. For the public transit infrastructure grant program in
 21 2 section 324A.6A:
 21 3 \$ 2,000,000
 21 4 c. For infrastructure improvements at the commercial air
 21 5 service airports within the state:
 21 6 \$ 1,500,000
 21 7 Fifty percent of the funds appropriated in this lettered
 21 8 paragraph shall be allocated equally between each commercial
 21 9 air service airport, forty percent of the funds shall be
 21 10 allocated based on the percentage that the number of enplaned
 21 11 passengers at each commercial air service airport bears to the
 21 12 total number of enplaned passengers in the state during the
 21 13 previous fiscal year, and ten percent of the funds shall be
 21 14 allocated based on the percentage that the air cargo tonnage
 21 15 at each commercial air service airport bears to the total air
 21 16 cargo tonnage in the state during the previous fiscal year. In
 21 17 order for a commercial air service airport to receive funding
 21 18 under this lettered paragraph, the airport shall be required
 21 19 to submit applications for funding of specific projects to the
 21 20 department for approval by the state transportation commission.
 21 21 d. For infrastructure projects relating to functionally
 21 22 obsolete and structurally deficient bridges:
 21 23 \$ 10,000,000
 21 24 8. TREASURER OF STATE
 21 25 For transfer to the watershed improvement review board
 21 26 created in section 466A.3 for grants associated with the
 21 27 construction and restoration of wetland easements and flood
 21 28 prevention projects:
 21 29 \$ 2,000,000
 21 30 Notwithstanding section 466A.5, moneys from the
 21 31 appropriation in this subsection shall not be used for
 21 32 administrative purposes.
 21 33 Sec. 11. TAX=EXEMPT STATUS == USE OF APPROPRIATIONS.
 21 34 1. Payment of moneys from the appropriations in this
 21 35 division of this Act shall be made in a manner that does not



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22 1 adversely affect the tax-exempt status of any outstanding bonds
22 2 issued by the treasurer of state.

22 3 2. Payment of moneys from the appropriations in this
22 4 division of this Act shall not be used for administrative or
22 5 planning purposes.

22 6 Sec. 12. REVERSION. For purposes of section 8.33, unless
22 7 specifically provided otherwise, unencumbered or unobligated
22 8 moneys made from an appropriation in this division of this Act
22 9 shall not revert but shall remain available for expenditure for
22 10 the purposes designated until the close of the fiscal year that
22 11 ends three years after the end of the fiscal year for which the
22 12 appropriation was made. However, if the project or projects
22 13 for which such appropriation was made are completed in an
22 14 earlier fiscal year, unencumbered or unobligated moneys shall
22 15 revert at the close of that same fiscal year.

DIVISION V

PRISON BONDING

22 18 Sec. 13. There is appropriated from the FY 2009 prison
22 19 bonding fund created pursuant to section 12.79 to the
22 20 department of corrections for the fiscal year beginning July
22 21 1, 2010, and ending June 30, 2011, the following amount, or
22 22 so much thereof as is necessary, to be used for the purpose
22 23 designated:

22 24 For costs associated with the building of a new Iowa State
22 25 penitentiary at Fort Madison:
22 26 \$ 322,500

22 27 The appropriation made in this section constitutes approval
22 28 by the general assembly for the issuance of bonds by the
22 29 treasurer of state pursuant to section 12.80.

22 30 Sec. 14. REVERSION. For purposes of section 8.33, unless
22 31 specifically provided otherwise, unencumbered or unobligated
22 32 moneys made from an appropriation in this division of this Act
22 33 shall not revert but shall remain available for expenditure for
22 34 the purposes designated until the close of the fiscal year that
22 35 ends three years after the end of the fiscal year for which the



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23 1 appropriation was made. However, if the project or projects
23 2 for which such appropriation was made are completed in an
23 3 earlier fiscal year, unencumbered or unobligated moneys shall
23 4 revert at the close of that same fiscal year.

23 5 DIVISION VI

23 6 IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND ==
23 7 DEPARTMENT OF TRANSPORTATION

23 8 Sec. 15. There is appropriated from the Iowa comprehensive
23 9 petroleum underground storage tank fund to the department of
23 10 transportation for the fiscal year beginning July 1, 2010, and
23 11 ending June 30, 2011, the following amount, or so much thereof
23 12 as is necessary, to be used for the purposes designated:

23 13 Notwithstanding section 455G.3, subsection 1, for deposit in
23 14 the passenger rail service revolving fund created in section
23 15 327J.2:

23 16 \$ 2,000,000

23 17 Such funds shall be coupled with the remaining unobligated
23 18 balance of up to one million five hundred thousand dollars from
23 19 the appropriation made in 2009 Iowa Acts, chapter 184, section
23 20 1, subsection 12, paragraph "a", for a total commitment of
23 21 three million five hundred thousand dollars for the fiscal year
23 22 beginning July 1, 2010, and ending June 30, 2011, for matching
23 23 federal funding available through the Passenger Rail Investment
23 24 and Improvement Act of 2008.

23 25 DIVISION VII

23 26 SMART PLANNING

23 27 Sec. 16. NEW SECTION. 18B.1 Iowa smart planning principles.
23 28 State agencies, local governments, and other public entities
23 29 shall consider and may apply the following principles during
23 30 deliberation of all appropriate planning, zoning, development,
23 31 and resource management decisions:

23 32 1. Collaboration. Governmental, community, and individual
23 33 stakeholders, including those outside the jurisdiction of the
23 34 entity, are encouraged to be involved and provide comment
23 35 during deliberation of planning, zoning, development, and



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24 1 resource management decisions and during implementation of such
24 2 decisions. The state agency, local government, or other public
24 3 entity is encouraged to develop and implement a strategy to
24 4 facilitate such participation.

24 5 2. Efficiency, transparency, and consistency. Planning,
24 6 zoning, development, and resource management should be
24 7 undertaken to provide efficient, transparent, and consistent
24 8 outcomes. Individuals, communities, regions, and governmental
24 9 entities should share in the responsibility to promote the
24 10 equitable distribution of development benefits and costs.

24 11 3. Clean, renewable, and efficient energy. Planning, zoning,
24 12 development, and resource management should be undertaken to
24 13 promote clean and renewable energy use and increased energy
24 14 efficiency.

24 15 4. Occupational diversity. Planning, zoning, development,
24 16 and resource management should promote increased diversity
24 17 of employment and business opportunities, promote access to
24 18 education and training, expand entrepreneurial opportunities,
24 19 and promote the establishment of businesses in locations near
24 20 existing housing, infrastructure, and transportation.

24 21 5. Revitalization. Planning, zoning, development, and
24 22 resource management should facilitate the revitalization
24 23 of established town centers and neighborhoods by promoting
24 24 development that conserves land, protects historic resources,
24 25 promotes pedestrian accessibility, and integrates different
24 26 uses of property. Remediation and reuse of existing
24 27 sites, structures, and infrastructure is preferred over new
24 28 construction in undeveloped areas.

24 29 6. Housing diversity. Planning, zoning, development, and
24 30 resource management should encourage diversity in the types
24 31 of available housing, support the rehabilitation of existing
24 32 housing, and promote the location of housing near public
24 33 transportation and employment centers.

24 34 7. Community character. Planning, zoning, development, and
24 35 resource management should promote activities and development



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25 1 that are consistent with the character and architectural style
25 2 of the community and should respond to local values regarding
25 3 the physical character of the community.
25 4 8. Natural resources and agricultural protection.
25 5 Planning, zoning, development, and resource management should
25 6 emphasize protection, preservation, and restoration of natural
25 7 resources, agricultural land, and cultural and historic
25 8 landscapes, and should increase the availability of open spaces
25 9 and recreational facilities.
25 10 9. Sustainable design. Planning, zoning, development, and
25 11 resource management should promote developments, buildings, and
25 12 infrastructure that utilize sustainable design and construction
25 13 standards and conserve natural resources by reducing waste and
25 14 pollution through efficient use of land, energy, water, air,
25 15 and materials.
25 16 10. Transportation diversity. Planning, zoning,
25 17 development, and resource management should promote expanded
25 18 transportation options for residents of the community.
25 19 Consideration should be given to transportation options that
25 20 maximize mobility, reduce congestion, conserve fuel, and
25 21 improve air quality.
25 22 Sec. 17. NEW SECTION. 18B.2 Local comprehensive planning
25 23 and development guidelines.
25 24 1. For the purposes of this chapter, unless the context
25 25 otherwise requires:
25 26 a. (1) "Development" means any of the following:
25 27 (a) Construction, reconstruction, renovation, mining,
25 28 extraction, dredging, filling, excavation, or drilling activity
25 29 or operation.
25 30 (b) Man-made changes in the use or appearance of any
25 31 structure or in the land itself.
25 32 (c) The division or subdivision of land.
25 33 (d) Any change in the intensity of use or the use of land.
25 34 (2) "Development" does not include any of the following:
25 35 (a) Activities on or uses of agricultural land, farm houses,



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26 1 or agricultural buildings or structures, unless such buildings
26 2 or structures are located in the flood plain of a river or
26 3 stream.
26 4 (b) Installation, operation, and maintenance of soil and
26 5 water conservation practices.
26 6 (c) The choice of crops or a change in the choice of crops
26 7 on agricultural land.
26 8 b. "Land development regulations" means zoning, subdivision,
26 9 site plan, corridor map, floodplain or storm water ordinances,
26 10 rules, or regulations, or other governmental controls that
26 11 affect the use of property.
26 12 c. "Municipality" means a city or a county.
26 13 2. A municipality shall consider the smart planning
26 14 principles under section 18B.1 and may include the following
26 15 information, if applicable, when developing or amending
26 16 a comprehensive plan under chapter 335 or chapter 414 or
26 17 when developing or amending other local land development
26 18 regulations:
26 19 a. Information relating to public participation during
26 20 the creation of the comprehensive plan or land development
26 21 regulations, including documentation of the public
26 22 participation process, a compilation of objectives, policies,
26 23 and goals identified in the public comment received, and
26 24 identification of the groups or individuals comprising any work
26 25 groups or committees that were created to assist the planning
26 26 and zoning commission or other appropriate decision-making body
26 27 of the municipality.
26 28 b. Information relating to the primary characteristics
26 29 of the municipality and a description of how each of those
26 30 characteristics impacts future development of the municipality.
26 31 Such information may include historical information about
26 32 the municipality, the municipality's geography, natural
26 33 resources, natural hazards, population, demographics, types of
26 34 employers and industry, labor force, political and community
26 35 institutions, housing, transportation, educational resources,



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27 1 and cultural and recreational resources. The comprehensive
27 2 plan or land development regulations may also identify
27 3 characteristics and community aesthetics that are important to
27 4 future development of the municipality.
27 5 c. Objectives, information, and programs that identify
27 6 current land uses within the municipality and that guide the
27 7 future development and redevelopment of property, consistent
27 8 with the municipality's characteristics identified under
27 9 paragraph "b". The comprehensive plan or land development
27 10 regulations may include information on the amount, type,
27 11 intensity, and density of existing land use, trends in
27 12 the market price of land used for specific purposes, and
27 13 plans for future land use throughout the municipality. The
27 14 comprehensive plan or land development regulations may identify
27 15 and include information on property that has the possibility
27 16 for redevelopment, a map of existing and potential land use
27 17 and land use conflicts, information and maps relating to
27 18 the current and future provision of utilities within the
27 19 municipality, information and maps that identify the current
27 20 and future boundaries for areas reserved for soil conservation,
27 21 water supply conservation, flood control, and surface water
27 22 drainage and removal. Information provided under this
27 23 paragraph may also include an analysis of the current and
27 24 potential impacts on local watersheds and air quality.
27 25 d. Objectives, policies, and programs to further the
27 26 vitality and character of established residential neighborhoods
27 27 and new residential neighborhoods and plans to ensure an
27 28 adequate housing supply that meets both the existing and
27 29 forecasted housing demand. The comprehensive plan or land
27 30 development regulations may include an inventory and analysis
27 31 of the local housing stock and may include specific information
27 32 such as age, condition, type, market value, occupancy, and
27 33 historical characteristics of all the housing within the
27 34 municipality. The comprehensive plan or land development
27 35 regulations may identify specific policies and programs that



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28 1 promote the development of new housing and maintenance or
28 2 rehabilitation of existing housing and that provide a range of
28 3 housing choices that meet the needs of the residents of the
28 4 municipality.
28 5 e. Objectives, policies, and programs to guide future
28 6 development of utilities such as sanitary sewer service,
28 7 storm water management, water supply, solid waste disposal,
28 8 wastewater treatment technologies, recycling facilities,
28 9 telecommunications facilities, power generating plants, and
28 10 transmission lines. The comprehensive plan or land development
28 11 regulations may include estimates regarding future demand for
28 12 such utility services.
28 13 f. Objectives, policies, and programs to guide the future
28 14 development of a safe, convenient, efficient, and economical
28 15 transportation system. Plans for such a transportation system
28 16 may be coordinated with state and regional transportation
28 17 plans and take into consideration the need for diverse modes
28 18 of transportation, accessibility, improved air quality, and
28 19 interconnectivity of the various modes of transportation.
28 20 g. Objectives, policies, and programs to promote the
28 21 stabilization, retention, or expansion of economic development
28 22 and employment opportunities. The comprehensive plan or land
28 23 development regulations may include an analysis of current
28 24 industries and economic activity and identify economic growth
28 25 goals for the municipality. The comprehensive plan or land
28 26 development regulations may also identify locations for future
28 27 brownfield or grayfield development.
28 28 h. Objectives, policies, and programs addressing
28 29 preservation and protection of agricultural and natural
28 30 resources.
28 31 i. Objectives, policies, and programs to assist future
28 32 development of educational facilities, cemeteries, health
28 33 care facilities, child care facilities, law enforcement and
28 34 fire protection facilities, libraries, and other governmental
28 35 facilities that are necessary or desirable to meet the



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29 1 projected needs of the municipality.
29 2 j. Objectives, policies, and programs to identify
29 3 characteristics and qualities that make the municipality unique
29 4 and that are important to the municipality's heritage and
29 5 quality of life.
29 6 k. Objectives, policies, and programs that identify the
29 7 natural and other hazards that have the greatest likelihood of
29 8 impacting the municipality or that pose a risk of catastrophic
29 9 damage as such hazards relate to land use and development
29 10 decisions, as well as the steps necessary to mitigate risk
29 11 after considering the local hazard mitigation plan approved by
29 12 the federal emergency management agency.
29 13 l. Objectives, policies, and programs for joint planning
29 14 and joint decision making with other municipalities or
29 15 governmental entities, including school districts and drainage
29 16 districts, for siting and constructing public facilities and
29 17 sharing public services. The comprehensive plan or land
29 18 development regulations may identify existing or potential
29 19 conflicts between the municipality and other local governments
29 20 related to future development of the municipality and may
29 21 include recommendations for resolving such conflicts. The
29 22 comprehensive plan or land development regulations may
29 23 also identify opportunities to collaborate and partner with
29 24 neighboring jurisdictions and other entities in the region for
29 25 projects of mutual interest.
29 26 m. A compilation of programs and specific actions necessary
29 27 to implement any provision of the comprehensive plan, including
29 28 changes to any applicable land development regulations,
29 29 official maps, or subdivision ordinances.
29 30 3. A municipality's comprehensive plan developed using the
29 31 guidelines under this section shall address prevention and
29 32 mitigation of, response to, and recovery from a catastrophic
29 33 flood.
29 34 Sec. 18. Section 28I.4, Code 2009, is amended to read as
29 35 follows:



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30 1 28I.4 Powers and duties.
30 2 1. The commission shall have the power and duty to
30 3 make comprehensive studies and plans for the development
30 4 of the area it serves which will guide the unified
30 5 development of the area and which will eliminate planning
30 6 duplication and promote economy and efficiency in the
30 7 ~~co-ordinated~~ coordinated development of the area and the
30 8 general welfare, convenience, safety, and prosperity of its
30 9 people. The plan or plans collectively shall be known as
30 10 the regional or metropolitan development plan. The plans
30 11 for the development of the area may include, but shall not
30 12 be limited to, recommendations with respect to existing
30 13 and proposed highways, bridges, airports, streets, parks
30 14 and recreational areas, schools and public institutions and
30 15 public utilities, public open spaces, and sites for public
30 16 buildings and structures; districts for residence, business,
30 17 industry, recreation, agriculture, and forestry; water supply,
30 18 sanitation, drainage, protection against floods and other
30 19 disasters; areas for housing developments, slum clearance
30 20 and urban renewal and redevelopment; location of private
30 21 and public utilities, including but not limited to sewerage
30 22 and water supply systems; and such other recommendations
30 23 concerning current and impending problems as may affect the
30 24 area served by the commission. Time and priority schedules and
30 25 cost estimates for the accomplishment of the recommendations
30 26 may also be included in the plans. The plans shall be made
30 27 with consideration of the smart planning principles under
30 28 section 18B.1. The plans shall be based upon and include
30 29 appropriate studies of the location and extent of present
30 30 and anticipated populations; social, physical, and economic
30 31 resources, problems and trends; and governmental conditions and
30 32 trends. The commission is also authorized to make surveys,
30 33 land-use studies, and urban renewal plans, provide technical
30 34 services and other planning work for the area it serves and
30 35 for cities, counties, and other political subdivisions in



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31 1 the area. A plan or plans of the commission may be adopted,
31 2 added to, and changed from time to time by a majority
31 3 vote of the planning commission. The plan or plans may in
31 4 whole or in part be adopted by the governing bodies of the
31 5 ~~co-operating~~ cooperating cities and counties as the general
31 6 plans of such cities and counties. The commission may also
31 7 assist the governing bodies and other public authorities or
31 8 agencies within the area it serves in carrying out any regional
31 9 plan or plans, and assist any planning commission, board or
31 10 agency of the cities and counties and political subdivisions
31 11 in the preparation or effectuation of local plans and planning
31 12 consistent with the program of the commission. The commission
31 13 may ~~co-operate~~ cooperate and confer, as far as possible, with
31 14 planning agencies of other states or of regional groups of
31 15 states adjoining its area.

31 16 2. A planning commission formed under the provisions of
31 17 this chapter shall, upon designation as such by the governor,
31 18 serve as a district, regional, or metropolitan agency for
31 19 comprehensive planning for its area for the purpose of carrying
31 20 out the functions as defined for such an agency by federal,
31 21 state, and local laws and regulations.

31 22 Sec. 19. Section 329.3, Code 2009, is amended to read as
31 23 follows:

31 24 329.3 Zoning regulations == powers granted.

31 25 Every municipality having an airport hazard area within
31 26 its territorial limits may adopt, administer, and enforce
31 27 in the manner and upon the conditions prescribed by this
31 28 chapter, zoning regulations for such airport hazard area,
31 29 which regulations may divide such area into zones and, within
31 30 such zones, specify the land uses permitted, and regulate
31 31 and restrict, for the purpose of preventing airport hazards,
31 32 the height to which structures and trees may be erected or
31 33 permitted to grow. Regulations adopted under this chapter
31 34 shall be made with consideration of the smart planning
31 35 principles under section 18B.1.



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32 1 Sec. 20. Section 335.5, Code 2009, is amended to read as
32 2 follows:

32 3 335.5 Objectives.

32 4 1. The regulations shall be made in accordance with a
32 5 comprehensive plan and designed to preserve the availability
32 6 of agricultural land; to consider the protection of soil
32 7 from wind and water erosion; to encourage efficient urban
32 8 development patterns; to lessen congestion in the street or
32 9 highway; to secure safety from fire, flood, panic, and other
32 10 dangers; to protect health and the general welfare; to provide
32 11 adequate light and air; to prevent the overcrowding of land;
32 12 to avoid undue concentration of population; to promote the
32 13 conservation of energy resources; to promote reasonable access
32 14 to solar energy; and to facilitate the adequate provision of
32 15 transportation, water, sewerage, schools, parks, and other
32 16 public requirements. However, provisions of this section
32 17 relating to the objectives of energy conservation and access
32 18 to solar energy shall not be construed as voiding any zoning
32 19 regulation existing on July 1, 1981, or to require zoning in a
32 20 county that did not have zoning prior to July 1, 1981.

32 21 2. ~~Such~~ The regulations shall be made with reasonable
32 22 consideration, among other things, as to the character of the
32 23 area of the district and the peculiar suitability of such area
32 24 for particular uses, and with a view to conserving the value
32 25 of buildings and encouraging the most appropriate use of land
32 26 throughout such county.

32 27 3. The regulations and comprehensive plan shall be made with
32 28 consideration of the smart planning principles under section
32 29 18B.1 and may include the information specified in section
32 30 18B.2, subsection 2.

32 31 4. a. A comprehensive plan recommended for adoption by
32 32 the zoning commission established under section 335.8, may be
32 33 adopted by the board of supervisors. The board of supervisors
32 34 may amend a proposed comprehensive plan prior to adoption. The
32 35 board of supervisors shall publish notice of the meeting at



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33 1 which the comprehensive plan will be considered for adoption.

33 2 The notice shall be published as provided in section 331.305.

33 3 b. Following its adoption, copies of the comprehensive plan

33 4 shall be sent or made available to neighboring counties, cities

33 5 within the county, the council of governments or regional

33 6 planning commission where the county is located, and public

33 7 libraries within the county.

33 8 c. Following its adoption, a comprehensive plan may be

33 9 amended by the board of supervisors at any time.

33 10 Sec. 21. Section 335.8, Code 2009, is amended to read as

33 11 follows:

33 12 335.8 Commission appointed.

33 13 1. In order to avail itself of the powers conferred by this

33 14 chapter, the board of supervisors shall appoint a commission,

33 15 a majority of whose members shall reside within the county

33 16 but outside the corporate limits of any city, to be known as

33 17 the county zoning commission, to recommend the boundaries of

33 18 the various original districts, and appropriate regulations

33 19 and restrictions to be enforced therein. Such commission

33 20 shall, with due diligence, prepare a preliminary report and

33 21 hold public hearings thereon before submitting its final

33 22 report; and the board of supervisors shall not hold its public

33 23 hearings or take action until it has received the final report

33 24 of such commission. After the adoption of such regulations,

33 25 restrictions, and boundaries of districts, the zoning

33 26 commission may, from time to time, recommend to the board of

33 27 supervisors amendments, supplements, changes or modifications.

33 28 2. The zoning commission may recommend to the board of

33 29 supervisors for adoption a comprehensive plan pursuant to

33 30 section 335.5, or amendments thereto.

33 31 3. The zoning commission, with the approval of the board

33 32 of supervisors, may contract with professional consultants,

33 33 regional planning commissions, the Iowa department of economic

33 34 development, or the federal government, for local planning

33 35 assistance.



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34 1 Sec. 22. Section 414.3, Code 2009, is amended to read as
34 2 follows:

34 3 414.3 Basis of regulations.

34 4 1. The regulations shall be made in accordance with a
34 5 comprehensive plan and designed to preserve the availability of
34 6 agricultural land; to consider the protection of soil from wind
34 7 and water erosion; to encourage efficient urban development
34 8 patterns; to lessen congestion in the street; to secure safety
34 9 from fire, flood, panic, and other dangers; to promote health
34 10 and the general welfare; to provide adequate light and air; to
34 11 prevent the overcrowding of land; to avoid undue concentration
34 12 of population; to promote the conservation of energy resources;
34 13 to promote reasonable access to solar energy; and to facilitate
34 14 the adequate provision of transportation, water, sewerage,
34 15 schools, parks, and other public requirements. However,
34 16 provisions of this section relating to the objectives of energy
34 17 conservation and access to solar energy do not void any zoning
34 18 regulation existing on July 1, 1981, or require zoning in a
34 19 city that did not have zoning prior to July 1, 1981.

34 20 2. ~~Such~~ The regulations shall be made with reasonable
34 21 consideration, among other things, as to the character of the
34 22 area of the district and the peculiar suitability of such area
34 23 for particular uses, and with a view to conserving the value
34 24 of buildings and encouraging the most appropriate use of land
34 25 throughout such city.

34 26 3. The regulations and comprehensive plan shall be made with
34 27 consideration of the smart planning principles under section
34 28 18B.1 and may include the information specified in section
34 29 18B.2, subsection 2.

34 30 4. a. A comprehensive plan recommended for adoption by
34 31 the zoning commission established under section 414.6, may be
34 32 adopted by the council. The council may amend the proposed
34 33 comprehensive plan prior to adoption. The council shall
34 34 publish notice of the meeting at which the comprehensive plan
34 35 will be considered for adoption. The notice shall be published



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35 1 as provided in section 362.3.

35 2 b. Following its adoption, copies of the comprehensive plan
35 3 shall be sent or made available to the county in which the city
35 4 is located, neighboring counties and cities, the council of
35 5 governments or regional planning commission where the city is
35 6 located, and public libraries within the city.

35 7 c. Following its adoption, a comprehensive plan may be
35 8 amended by the council at any time.

35 9 Sec. 23. Section 414.6, Code 2009, is amended to read as
35 10 follows:

35 11 414.6 Zoning commission.

35 12 1. In order to avail itself of the powers conferred by
35 13 this chapter, the council shall appoint a commission, to be
35 14 known as the zoning commission, to recommend the boundaries of
35 15 the various original districts, and appropriate regulations
35 16 and restrictions to be enforced therein. Where a city plan
35 17 commission already exists, it may be appointed as the zoning
35 18 commission. Such commission shall, with due diligence, prepare
35 19 a preliminary report and hold public hearings thereon before
35 20 submitting its final report; and such council shall not hold
35 21 its public hearings or take action until it has received the
35 22 final report of such commission. After the adoption of such
35 23 regulations, restrictions, and boundaries of districts, the
35 24 zoning commission may, from time to time, recommend to the
35 25 council amendments, supplements, changes, or modifications.

35 26 2. The zoning commission may recommend to the council for
35 27 adoption a comprehensive plan pursuant to section 414.3, or
35 28 amendments thereto.

35 29 Sec. 24. IOWA SMART PLANNING TASK FORCE.

35 30 1. An Iowa smart planning task force is established
35 31 consisting of twenty-nine voting members and four ex officio,
35 32 nonvoting members.

35 33 2. Members of the task force shall consist of all of the
35 34 following:

35 35 a. Fourteen state agency director or administrator members



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- 36 1 consisting of all of the following:
- 36 2 (1) The director of the department on aging or the
36 3 director's designee.
- 36 4 (2) The director of the department of economic development
36 5 or the director's designee.
- 36 6 (3) The secretary of agriculture and land stewardship or the
36 7 secretary's designee.
- 36 8 (4) The director of the department of cultural affairs or
36 9 the director's designee.
- 36 10 (5) The director of the department of public health or the
36 11 director's designee.
- 36 12 (6) The director of the department of management or the
36 13 director's designee.
- 36 14 (7) The director of the department of natural resources or
36 15 the director's designee.
- 36 16 (8) The director of the department of workforce development
36 17 or the director's designee.
- 36 18 (9) The director of the office of energy independence or the
36 19 director's designee.
- 36 20 (10) The director of the department of transportation or the
36 21 director's designee.
- 36 22 (11) The administrator of the homeland security and
36 23 emergency management division of the department of public
36 24 defense or the administrator's designee.
- 36 25 (12) The director of the rebuild Iowa office or the
36 26 director's designee.
- 36 27 (13) The state building code commissioner or the
36 28 commissioner's designee.
- 36 29 (14) The chairperson of the utilities board within the
36 30 utilities division of the department of commerce or the
36 31 chairperson's designee.
- 36 32 b. Chairperson of the department of community and regional
36 33 planning at Iowa state university or the chairperson's
36 34 designee.
- 36 35 c. Director of the urban and regional planning program at



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37 1 the university of Iowa or the director's designee.
37 2 d. Director of the institute for decision making at the
37 3 university of northern Iowa or the director's designee.
37 4 e. President of the Iowa chapter of the American planning
37 5 association or the president's designee.
37 6 f. Executive director of the Iowa association of regional
37 7 councils or the executive director's designee.
37 8 g. President of the Iowa chapter of the American institute
37 9 of architects or the president's designee.
37 10 h. Executive director of the Iowa league of cities or the
37 11 executive director's designee.
37 12 i. Executive director of the Iowa state association of
37 13 counties or the executive director's designee.
37 14 j. President of the executive committee of the school
37 15 administrators of Iowa or the president's designee.
37 16 k. A representative appointed by the governor from a city
37 17 having a population of five thousand or less according to the
37 18 2000 certified federal census.
37 19 l. A representative appointed by the governor from a city
37 20 having a population of more than five thousand and less than
37 21 twenty-five thousand according to the 2000 certified federal
37 22 census.
37 23 m. A representative appointed by the governor from a city
37 24 having a population of twenty-five thousand or more according
37 25 to the 2000 certified federal census.
37 26 n. A representative appointed by the governor from a county
37 27 having a population of ten thousand or less according to the
37 28 2000 certified federal census.
37 29 o. A representative appointed by the governor from a county
37 30 having a population of more than ten thousand and less than
37 31 fifty thousand according to the 2000 certified federal census.
37 32 p. A representative appointed by the governor from a county
37 33 having a population of fifty thousand or more according to the
37 34 2000 certified federal census.
37 35 3. The task force shall include four members of the general



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38 1 assembly serving as ex officio, nonvoting members, with not
38 2 more than one member from each chamber being from the same
38 3 political party. The two senators shall be appointed one each
38 4 by the majority leader of the senate after consultation with
38 5 the president of the senate, and by the minority leader of the
38 6 senate. The two representatives shall be appointed one each by
38 7 the speaker of the house of representatives after consultation
38 8 with the majority leader of the house of representatives, and
38 9 by the minority leader of the house of representatives.

38 10 4. The task force may establish committees and
38 11 subcommittees comprised of members of the task force.

38 12 5. Members of the task force designated in subsection 2,
38 13 paragraphs "k" through "p" shall serve at the pleasure of the
38 14 governor. For the members of the task force designated in
38 15 subsection 2, paragraphs "k" through "p", at least one member
38 16 shall have experience in real estate, at least one member shall
38 17 have experience in land development, and at least one member
38 18 shall have experience in residential construction.

38 19 6. A vacancy on the task force shall be filled in the same
38 20 manner as the original appointment.

38 21 7. a. A majority of the members of the task force
38 22 constitutes a quorum. Any action taken by the task force
38 23 must be adopted by the affirmative vote of a majority of its
38 24 membership. A task force member's designee may vote on task
38 25 force matters in the absence of the member.

38 26 b. The task force shall elect a chairperson and vice
38 27 chairperson from the membership of the task force.

38 28 c. The task force shall meet at least four times before
38 29 November 15, 2010. Meetings of the task force may be called
38 30 by the chairperson or by a majority of the members. However,
38 31 the first meeting of the task force shall be called by the
38 32 governor.

38 33 d. Members of the task force shall not be compensated for
38 34 meeting participation or reimbursed for costs associated with
38 35 meeting attendance. A legislative member is not eligible for



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39 1 per diem and expenses as provided in section 2.10.
39 2 8. The director of the department of management, or the
39 3 director's designee, shall provide staff assistance and
39 4 administrative support to the task force. The task force
39 5 may request information or other assistance from the Iowa
39 6 association of regional councils.
39 7 9. The director of the department of management, or the
39 8 director's designee, shall seek funding to support municipal
39 9 comprehensive planning in this state.
39 10 10. The task force shall comply with the requirements of
39 11 chapters 21 and 22. The department of management shall be the
39 12 official repository of task force records.
39 13 11. The duties of the task force shall include but are not
39 14 limited to the following:
39 15 a. Consult land use experts, representatives of cities
39 16 and counties, agricultural and environmental interests, urban
39 17 and regional planning experts, reports or information from
39 18 the local government innovation commission, and all other
39 19 information deemed relevant by task force members.
39 20 b. Solicit information from the general public on matters
39 21 related to comprehensive planning.
39 22 c. Evaluate state policies, programs, statutes, and rules
39 23 to determine whether any state policies, programs, statutes, or
39 24 rules should be revised to integrate the Iowa smart planning
39 25 principles under section 18B.1.
39 26 d. Develop statewide goals for comprehensive planning that
39 27 utilize the Iowa smart planning principles under section 18B.1,
39 28 and develop recommendations for a process to measure progress
39 29 toward achieving those goals.
39 30 e. Evaluate and develop incentives to conduct local and
39 31 regional comprehensive planning, including but not limited to
39 32 state financial and technical assistance.
39 33 f. Develop a model for regional comprehensive planning
39 34 within the state and recommend partnerships between state
39 35 agencies, local governments, educational institutions, and



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40 1 research facilities.

40 2 g. Review municipal comprehensive plans to determine the

40 3 number of such plans that address the hazards identified in

40 4 section 18B.2, subsection 2, paragraph "k", and the adequacy of

40 5 such plans in addressing those hazards.

40 6 h. Develop a set of recommendations that is consistent with

40 7 the Iowa smart planning principles under section 18B.1 and that

40 8 does all of the following:

40 9 (1) Coordinates, facilitates, and centralizes the exchange

40 10 of information related to state and local planning, zoning, and

40 11 development between state agencies and the general assembly.

40 12 (2) Coordinates discussions concerning a proposed

40 13 geographic information system between the producers and the

40 14 users of such systems.

40 15 (3) Allows the efficient production and dissemination of

40 16 population and other demographic statistical forecasts.

40 17 (4) Creates a centralized electronic storage location for

40 18 all comprehensive plans adopted under chapter 335 or chapter

40 19 414.

40 20 (5) Facilitates the cooperation of state and local

40 21 governments with comprehensive planning, educational, and

40 22 research programs.

40 23 (6) Provides and administers technical and financial

40 24 assistance for state and local comprehensive planning.

40 25 (7) Provides information to local governments relating

40 26 to state and federal resources and other resources for

40 27 comprehensive planning.

40 28 i. (1) Develop a model ordinance for the regulation of

40 29 a two-tenths percent floodplain by political subdivisions.

40 30 The model ordinance shall include a definition of the

40 31 term "two-tenths percent floodplain" as applicable to the

40 32 ordinance's provisions.

40 33 (2) The taskforce may consider all of the following in the

40 34 model ordinance:

40 35 (a) Requirements for the purchase of flood insurance for



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- 41 1 property.
- 41 2 (b) Requirements for new development or modification or
- 41 3 improvement of existing development to mitigate the effects of
- 41 4 future flooding.
- 41 5 (c) The effect of flood control levees.
- 41 6 (d) The use of fill and offsets required for the use of
- 41 7 fill.
- 41 8 (e) Categories of development that should be prohibited.
- 41 9 (f) Interaction with regulations by the federal emergency
- 41 10 management agency.
- 41 11 (g) Any other issues that the taskforce finds should be
- 41 12 addressed in the model ordinance.

41 13 12. The task force shall prepare a report that includes

41 14 goals, recommendations, and other information described in

41 15 subsection 11, to the governor and the general assembly on or

41 16 before November 15, 2010.

41 17 13. The task force is dissolved on December 31, 2012.

DIVISION VIII

GROW IOWA VALUES FUND

41 20 Sec. 25. There is appropriated from the rebuild Iowa

41 21 infrastructure fund to the department of economic development

41 22 for deposit in the grow Iowa values fund, for the fiscal year

41 23 beginning July 1, 2010, and ending June 30, 2011, the following

41 24 amount, notwithstanding section 8.57, subsection 6, paragraph

41 25 "c":

41 26 \$ 38,000,000

41 27 Sec. 26. GROW IOWA VALUES FUND APPROPRIATION REDUCTION. In

41 28 lieu of the \$50,000,000 appropriated for the fiscal year

41 29 beginning July 1, 2010, and ending June 30, 2011, from

41 30 the grow Iowa values fund to the department of economic

41 31 development pursuant to section 15G.111, subsection 3, there is

41 32 appropriated from the grow Iowa values fund to the department

41 33 of economic development for the fiscal year beginning July 1,

41 34 2010, and ending June 30, 2011, \$38,000,000 for the purposes of

41 35 making expenditures pursuant to chapter 15G.



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42 1 Sec. 27. GROW IOWA VALUES FUND ALLOCATIONS. In lieu of the
42 2 amounts allocated pursuant to section 15G.111, subsections 4
42 3 through 10, for the fiscal year beginning July 1, 2010, and
42 4 ending June 30, 2011, of the \$38,000,000 appropriated to the
42 5 department of economic development pursuant to this division of
42 6 this Act, the department shall allocate the following amounts
42 7 for the following purposes as described in section 15G.111,
42 8 subsections 4 through 10:

- 42 9 1. For departmental purposes, \$21,363,600.
- 42 10 2. For the state board of regents institutions, \$3,800,000.
- 42 11 3. For state parks, \$760,000.
- 42 12 4. For deposit in the Iowa cultural trust fund, \$760,000.
- 42 13 5. For community colleges, \$5,320,000.
- 42 14 6. For regional financial assistance, \$760,000.

42 15 Of the moneys allocated pursuant to this subsection and in
42 16 lieu of the three hundred fifty thousand dollars transferred
42 17 under section 15G.111, subsection 9, paragraph "a", the
42 18 department shall transfer two hundred sixty-six thousand
42 19 dollars to Iowa state university of science and technology, for
42 20 purposes of providing financial assistance to establish small
42 21 business development centers.

42 22 7. For commercialization services, \$4,389,000.

42 23 8. For targeted small business, \$847,400.

42 24 Sec. 28. Section 15.247, subsection 3, Code Supplement
42 25 2009, is amended to read as follows:

42 26 3. a. All moneys designated for the targeted small business
42 27 financial assistance program shall be credited to the program
42 28 account. The department shall determine the actuarially
42 29 sound reserve requirement for the amount of guaranteed loans
42 30 outstanding.

42 31 b. Of the moneys credited to the program account, the
42 32 department may allocate an amount necessary for marketing and
42 33 compliance and an amount for the provision of the mentoring
42 34 services required under subsection 7.

42 35 Sec. 29. Section 15G.110, Code Supplement 2009, is amended



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43 1 to read as follows:

43 2 15G.110 Appropriation.

43 3 1. For the fiscal period beginning July 1, 2005, and ending
43 4 June 30, 2008, and for the fiscal period beginning July 1,
43 5 ~~2010~~ 2011, and ending June 30, 2015, there is appropriated to
43 6 the department of economic development each fiscal year fifty
43 7 million dollars from the general fund of the state for deposit
43 8 in the grow Iowa values fund.

43 9 2. For the fiscal period beginning July 1, 2008, and ending
43 10 June 30, ~~2010~~ 2011, there is appropriated to the department of
43 11 economic development each fiscal year fifty million dollars
43 12 from the rebuild Iowa infrastructure fund for deposit in the
43 13 grow Iowa values fund, notwithstanding section 8.57, subsection
43 14 6, paragraph "c".

43 15 Sec. 30. Section 15G.111, subsection 2, paragraph b, Code
43 16 Supplement 2009, is amended to read as follows:

43 17 b. Moneys credited to the fund are not subject to section
43 18 8.33. Notwithstanding section 12C.7, interest or earnings on
43 19 moneys in the fund shall be credited to the fund. Interest
43 20 or earnings on moneys in the fund are appropriated to the
43 21 department. Of the moneys appropriated to the department
43 22 pursuant to this paragraph, the department shall make the
43 23 following allocations:

43 24 (1) For each fiscal year of the fiscal period beginning
43 25 July 1, 2010, and ending June 30, 2013, the department shall
43 26 allocate not more than one hundred seventy-five thousand
43 27 dollars for purposes of providing financial assistance to
43 28 Iowa's councils of governments.

43 29 (2) For each fiscal year of the fiscal period beginning
43 30 July 1, 2010, and ending June 30, 2013, the department shall
43 31 allocate not more than two hundred thousand dollars for
43 32 purposes of providing support and administrative assistance to
43 33 the vision Iowa board, the community attraction and tourism
43 34 program, and river enhancement community attraction and tourism
43 35 projects.



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44 1 (3) For each fiscal year of the fiscal period beginning
44 2 July 1, 2010, and ending June 30, 2013, the department shall
44 3 allocate the remaining amount of interest or earnings on moneys
44 4 in the fund for purposes of providing financial assistance
44 5 under the disaster recovery component of the grow Iowa values
44 6 financial assistance program. All moneys allocated pursuant to
44 7 this subparagraph that remain unexpended or unobligated at the
44 8 end of the fiscal year beginning July 1, 2012, shall revert and
44 9 be credited to the fund.

44 10 Sec. 31. Section 15G.111, subsection 4, unnumbered
44 11 paragraph 1, Code Supplement 2009, is amended to read as
44 12 follows:

44 13 Of the moneys appropriated to the department pursuant
44 14 to subsection 3, the department shall allocate
44 15 ~~thirty-two~~ twenty-eight million five hundred thousand dollars
44 16 each fiscal year as follows:

44 17 Sec. 32. Section 15G.111, subsection 10, Code Supplement
44 18 2009, is amended to read as follows:

44 19 10. ~~Commercialization~~ Innovation and commercialization
44 20 services. Of the moneys appropriated to the department
44 21 pursuant to subsection 3, the department shall allocate
44 22 ~~three~~ five million five hundred thousand dollars for deposit in
44 23 the innovation and commercialization development fund created
44 24 in section 15.412.

44 25 Sec. 33. Section 15G.111, Code Supplement 2009, is amended
44 26 by adding the following new subsection:

44 27 NEW SUBSECTION. 11. Targeted small businesses. Of the
44 28 moneys appropriated to the department pursuant to subsection 3,
44 29 the department shall allocate one million dollars for deposit
44 30 in the targeted small business financial assistance program
44 31 account established pursuant to section 15.247 within the
44 32 strategic investment fund created in section 15.313.

44 33 DIVISION IX

44 34 SMALL BUSINESS LINKED INVESTMENTS

44 35 Sec. 34. Section 12.43, subsection 5, unnumbered paragraph



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45 1 1, Code 2009, is amended to read as follows:

45 2 In order to qualify under this program, all owners of the
45 3 business or borrowers must not have a combined net worth
45 4 exceeding ~~seven~~ nine hundred ~~fifty~~ seventy=five thousand
45 5 dollars as defined in rules adopted by the treasurer of state
45 6 pursuant to chapter 17A and the small business must meet all of
45 7 the following criteria:

45 8 DIVISION X

45 9 SITE DEVELOPMENT

45 10 Sec. 35. Section 15E.18, Code 2009, is amended by striking
45 11 the section and inserting in lieu thereof the following:

45 12 15E.18 Site development consultations == certificates of
45 13 readiness.

45 14 1. a. The department shall consult with local governments
45 15 and local economic development officials in regard to site
45 16 development techniques. For purposes of this section, "site
45 17 development techniques" include environmental evaluations,
45 18 property and wetland delineation, and historical evaluations.

45 19 b. The department may charge a fee for providing site
45 20 development consultations. The fee shall not exceed
45 21 the reasonable cost to the department of providing the
45 22 consultations. The amount of any fees collected by the
45 23 department shall be deposited in the general fund of the state.

45 24 2. a. A local government or local economic development
45 25 official involved with the development of a site may apply to
45 26 the department for a certificate of readiness verifying that
45 27 the site is ready for development.

45 28 b. The department shall develop criteria for evaluating
45 29 various types of sites in order to determine whether a
45 30 particular site is ready for development based on the site's
45 31 individual circumstances and the economic development goals of
45 32 the applicant.

45 33 c. The department shall review applications for certificates
45 34 of readiness and may issue a certificate of readiness to any
45 35 site that meets the criteria developed under paragraph "b".



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46 1 3. The department shall adopt rules pursuant to chapter 17A
46 2 for the implementation of this section.

46 3 Sec. 36. SITE DEVELOPMENT CONSULTATIONS APPROPRIATION.

46 4 There is appropriated from the school infrastructure fund
46 5 created in section 12.82 to the department of economic
46 6 development for the fiscal year beginning July 1, 2010, and
46 7 ending June 30, 2011, the following amount, or so much thereof
46 8 as is necessary, to be used for the purposes designated:

46 9 For providing site development consultations pursuant to
46 10 section 15E.18, including salaries, support, maintenance,
46 11 miscellaneous purposes, and for not more than the following
46 12 full-time equivalent positions:

46 13	\$	175,000
46 14	FTEs	1.00

46 15 Of the moneys appropriated to the department pursuant to
46 16 this section, the department may allocate up to \$75,000 for
46 17 purposes of contracting with third parties to provide site
46 18 development consultations.

46 19 DIVISION XI
46 20 INTERNET SITE FOR BUSINESS
46 21 ASSISTANCE

46 22 Sec. 37. BUSINESS ASSISTANCE INTERNET SITE.

46 23 1. The department of economic development, in consultation
46 24 with other state agencies that provide financial and technical
46 25 assistance to small businesses and with the state board of
46 26 regents, shall create a business assistance internet site
46 27 designed to assist small businesses in finding information
46 28 related to the various kinds of technical and financial
46 29 assistance available from the state of Iowa. The department
46 30 may incorporate the internet site into its existing internet
46 31 site as appropriate.

46 32 2. The internet site shall include links to the various
46 33 internet sites maintained by other state agencies or the
46 34 state board of regents that pertain to assistance for small
46 35 businesses. The other state agencies and the board of regents



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47 1 shall assist the department of economic development in an
47 2 effort to keep the information on the internet site up-to-date.
47 3 The department of administrative services shall work with the
47 4 department of economic development to ensure that the internet
47 5 site is readily accessible to the public.

47 6 Sec. 38. BUSINESS ASSISTANCE INTERNET SITE APPROPRIATION.
47 7 There is appropriated from the school infrastructure fund
47 8 created in section 12.82 to the department of economic
47 9 development for the fiscal year beginning July 1, 2010, and
47 10 ending June 30, 2011, the following amount, or so much thereof
47 11 as is necessary, to be used for the purposes designated:

47 12 For purposes of creating a business assistance internet
47 13 site:
47 14 \$ 20,000

DIVISION XII
REGULATORY ASSISTANCE INTERIM
STUDY COMMITTEE

47 18 Sec. 39. REGULATORY ASSISTANCE INTERIM STUDY COMMITTEE.

47 19 1. The legislative council is requested to establish an
47 20 interim study committee to examine and make recommendations
47 21 regarding methods of assisting small business that do not
47 22 require direct financial incentives and regarding potential
47 23 changes of law that would improve business licensing,
47 24 regulatory compliance, and tax collection procedures.

47 25 2. The study committee shall be composed of five members of
47 26 the house of representatives, five members of the senate, and
47 27 five members of the general public who are also small business
47 28 owners. Of the members of the senate, three members shall be
47 29 appointed by the majority leader of the senate and two shall
47 30 be appointed by the minority leader of the senate. Of the
47 31 members of the house of representatives, three members shall
47 32 be appointed by the speaker of the house of representatives,
47 33 and two shall be appointed by the minority leader of the house
47 34 of representatives.

47 35 3. a. The study committee shall work with the department



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48 1 of economic development, the department of inspections and
48 2 appeals, the insurance division of the department of commerce,
48 3 the department of natural resources, the professional licensing
48 4 and regulation bureau of the banking division of the department
48 5 of commerce, the department of public health, the department
48 6 of public safety, the department of revenue, the secretary of
48 7 state, and the department of workforce development to study
48 8 ways to improve the state's business licensing procedures.

48 9 b. In preparation for assisting with the interim study
48 10 committee, a state agency listed in this subsection shall
48 11 conduct an internal review to identify and prioritize
48 12 its procedures as they pertain to businesses and business
48 13 licensing.

48 14 c. A state agency listed in this subsection shall provide
48 15 all necessary assistance to the interim study committee in
48 16 making recommendations to the general assembly.

48 17 4. The interim study committee shall submit its
48 18 recommendations to the general assembly on or before January
48 19 14, 2011.

48 20 DIVISION XIII

48 21 SAVE OUR SMALL BUSINESSES FUND

48 22 AND PROGRAM

48 23 Sec. 40. NEW SECTION. 15.300 Findings and intent.

48 24 1. The general assembly finds all of the following:

48 25 a. That entrepreneurs and small businesses often have
48 26 difficulty obtaining conventional loan financing, limiting
48 27 their ability to expand, retain, and create additional jobs.

48 28 b. That a source of capital provided by the state could
48 29 greatly assist entrepreneurs and small businesses in their
48 30 efforts to upgrade or modernize equipment, realize additional
48 31 efficiencies in their supply chains, improve their distribution
48 32 and transportation margins, reduce facility costs through
48 33 increased energy efficiency, and leverage other sources of
48 34 business financing.

48 35 2. The purpose of the save our small businesses fund created



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49 1 in section 15.301 is to promote the creation and retention of
49 2 jobs in the state's economy and to assist businesses to be more
49 3 competitive by addressing the needs identified in subsection 1.
49 4 Sec. 41. NEW SECTION. 15.301 Save our small businesses fund
49 5 and program.
49 6 1. a. A save our small businesses fund is created in
49 7 the state treasury under the control of the department and
49 8 consisting of any moneys appropriated to the fund by the
49 9 general assembly and any other moneys available and obtained or
49 10 accepted by the department for placement in the fund.
49 11 b. Payments of interest, repayments of moneys loaned
49 12 pursuant to this section, and recaptures of loans shall be
49 13 deposited in the fund. The fund shall be used to provide
49 14 financial assistance in the form of low-interest loans as
49 15 provided under the program created in this section.
49 16 c. (1) If, on March 31, 2011, there are unobligated moneys
49 17 in the fund, such unobligated moneys shall revert to the
49 18 general fund of the state.
49 19 (2) For each quarter, beginning with the first quarter after
49 20 the reversion of moneys pursuant to subparagraph (1) and ending
49 21 with the last quarter prior to the reversion of moneys pursuant
49 22 to subparagraph (3), the department shall, on the last day
49 23 of the quarter transfer to the general fund of the state the
49 24 balance of unencumbered moneys in the fund.
49 25 (3) On March 31, 2016, all moneys in the fund shall revert
49 26 to the general fund of the state.
49 27 2. a. The department shall establish and administer a
49 28 program for purposes of providing financial assistance to
49 29 eligible small businesses. For purposes of this section,
49 30 "financial assistance" means loans at an interest rate not to
49 31 exceed three and nine-tenths percent per annum and "eligible
49 32 small business" means a small business meeting the requirements
49 33 of subsection 3.
49 34 b. (1) The department may designate an organization to
49 35 administer the provisions of this section on the department's



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50 1 behalf.

50 2 (2) In order to be designated, an organization must be
50 3 a nonprofit organization exempt from taxation under section
50 4 501(c)(3) of the Internal Revenue Code and must be designated
50 5 by the United States small business administration as a
50 6 statewide microloan program provider.

50 7 (3) If the department elects to designate an organization
50 8 pursuant to subparagraph (1), the department shall enter into
50 9 an agreement with the organization for purposes of ensuring
50 10 that the program is administered pursuant to the requirements
50 11 of this section.

50 12 (4) An organization designated pursuant to subparagraph (1)
50 13 may accept, evaluate, and approve applications for financial
50 14 assistance from eligible small businesses pursuant to the
50 15 requirements of this section and may monitor the compliance of
50 16 eligible businesses with the terms of an agreement entered into
50 17 with the department.

50 18 (5) All disbursements of moneys to recipients of financial
50 19 assistance approved by an organization designated pursuant to
50 20 subparagraph (1) shall be made by the department.

50 21 (6) All repayments of principal and interest on financial
50 22 assistance provided under the program shall be remitted to the
50 23 department and deposited in the fund.

50 24 (7) The department, with the assistance of an organization
50 25 designated pursuant to subparagraph (1), may seek the recapture
50 26 of financial assistance provided pursuant to this section as
50 27 provided in subsection 4.

50 28 c. Financial assistance under the program shall be provided
50 29 from the fund created in subsection 1.

50 30 d. Financial assistance to a small business shall be at
50 31 least two thousand five hundred dollars, but shall not exceed
50 32 fifty thousand dollars.

50 33 e. The department, under the terms of an agreement with the
50 34 organization designated pursuant to paragraph "b", shall begin
50 35 to provide financial assistance from the fund not later than



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51 1 August 1, 2010, and shall to the extent practicable obligate
51 2 all available moneys in the fund prior to March 31, 2011.
51 3 f. A loan made to a small business under the program may
51 4 be for any period of time, but the terms of such loan shall
51 5 provide for the repayment of principal and interest prior to
51 6 the date the moneys in the fund revert pursuant to subsection
51 7 1, paragraph "c", subparagraph (3).
51 8 3. A business is eligible to apply for financial assistance
51 9 under the program if the business meets all of the following
51 10 criteria at the time of application:
51 11 a. The business has thirty-five or fewer full-time
51 12 equivalent employees.
51 13 b. The business is located in Iowa.
51 14 c. The business is owned, operated, and actively managed by
51 15 a resident of Iowa.
51 16 d. The business has a business plan and has received
51 17 assistance in the development stage or the expansion stage
51 18 from a small business development center or from a qualified
51 19 public or nonprofit small business consultant as defined by the
51 20 department.
51 21 e. If a business has been a going concern for two years or
51 22 more, the business has not been found to be in violation of any
51 23 environmental or worker safety laws, rules, or regulations.
51 24 f. The business only employs individuals legally authorized
51 25 to work in this state.
51 26 g. The business does not engage in the production,
51 27 depiction, or distribution of obscene material. For purposes
51 28 of this paragraph, "obscene material" means the same as defined
51 29 in section 728.1.
51 30 h. The business is not in bankruptcy and is not imminently
51 31 contemplating filing for bankruptcy.
51 32 4. Upon approval of the application for financial
51 33 assistance by the department or an organization designated
51 34 pursuant to subsection 2, paragraph "b", the eligible business
51 35 shall enter into an agreement with the department which shall



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52 1 include but not be limited to all of the following provisions:
52 2 a. If an eligible business, after receiving financial
52 3 assistance, does not continue to meet one or more of the
52 4 criteria for eligibility under subsection 3, except for
52 5 subsection 3, paragraph "a", all or a portion of the financial
52 6 assistance received is subject to disallowance, recapture, or
52 7 immediate repayment.
52 8 b. If, after receiving financial assistance, an eligible
52 9 business ceases operations within the state or removes a
52 10 significant portion of its operations to a location outside
52 11 of the state, all or a portion of the financial assistance
52 12 received is subject to disallowance, recapture, or immediate
52 13 repayment.
52 14 5. a. An eligible business shall not receive more than one
52 15 award of financial assistance under this section.
52 16 b. An eligible business that receives financial assistance
52 17 under this section may subsequently apply for financial
52 18 assistance under other programs administered by the department.
52 19 c. An eligible business that receives financial assistance
52 20 under this section shall not use such financial assistance for
52 21 purposes of meeting payroll obligations to employees.
52 22 6. a. The small business development centers shall track
52 23 the number of referrals for assistance made to the department
52 24 for assistance under this section and shall include that number
52 25 in the small business development center's annual report to the
52 26 general assembly.
52 27 b. The department in conjunction with an organization
52 28 designated pursuant to subsection 2, paragraph "b", shall
52 29 by January 15 of each year submit a report on the program
52 30 administered pursuant to this section to the general assembly.
52 31 The report shall include information on the number of
52 32 businesses that receive loans under the program and any other
52 33 information the department deems relevant to assessing the
52 34 success of the program.
52 35 7. The department shall adopt rules pursuant to chapter 17A



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53 1 as necessary to administer the program. The department may
53 2 adopt emergency rules under section 17A.4, subsection 3, and
53 3 section 17A.5, subsection 2, paragraph "b", as necessary for the
53 4 administration of this section.

53 5 Sec. 42. SAVE OUR SMALL BUSINESSES FUND APPROPRIATION.
53 6 There is appropriated from the school infrastructure fund
53 7 created in section 12.82 to the department of economic
53 8 development for deposit in the save our small businesses fund
53 9 for the fiscal year beginning July 1, 2010, and ending June 30,
53 10 2011, the following amount, or so much thereof as is necessary,
53 11 to be used for the purposes designated:

53 12 For purposes of providing financial assistance under the
53 13 save our small businesses program under section 15.301:
53 14 \$ 5,000,000

53 15 Of the moneys appropriated pursuant to this section, the
53 16 department may allocate an amount not to exceed two percent of
53 17 the moneys appropriated for purposes of retaining the services
53 18 of an organization designated pursuant to section 15.301,
53 19 subsection 2, paragraph "b".

53 20 Sec. 43. EFFECTIVE UPON ENACTMENT. This division of this
53 21 Act, being deemed of immediate importance, takes effect upon
53 22 enactment.

DIVISION XIV

ALTERNATIVE PUBLIC PROJECT DELIVERY STUDY

53 25 Sec. 44. INTERIM STUDY COMMITTEE == ALTERNATIVE PROJECT
53 26 DELIVERY == REGENTS INSTITUTIONS.

53 27 1. The legislative council is requested to establish an
53 28 interim study committee to study the use of alternative project
53 29 delivery for public projects at institutions under the control
53 30 of the state board of regents. The study shall include but is
53 31 not limited to a review and analysis of the use of alternative
53 32 project delivery at land grant institutions and research
53 33 universities in other states. There shall be three members
53 34 from the house of representatives and three members from the
53 35 senate. In addition to the legislative members, the membership



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54 1 of the study committee shall include the following public
54 2 members:
54 3 a. Two members appointed by the state board of regents.
54 4 b. One member appointed by the Iowa chapter of the American
54 5 institute of architects.
54 6 c. One member appointed by the American council of
54 7 engineering companies of Iowa.
54 8 d. One member appointed by the Iowa chapter of the
54 9 design=build institute of America.
54 10 e. One member appointed by the master builders of Iowa.
54 11 f. One member appointed by the mechanical contractors
54 12 association of Iowa.
54 13 g. One member appointed by the Iowa chapter of the national
54 14 electrical contractors association.
54 15 h. One member appointed by the Iowa state building and
54 16 construction trades council.
54 17 i. One member appointed by the sheet metal contractors of
54 18 Iowa.
54 19 2. The committee shall meet twice during the 2010
54 20 legislative interim and shall submit findings and any
54 21 recommendations in a report to the general assembly by January
54 22 15, 2011.

DIVISION XV
FLOODPLAIN MAPPING

54 23
54 24
54 25 Sec. 45. FLOODPLAIN MAPPING. Using funds allocated to the
54 26 department of natural resources for floodplain mapping from the
54 27 appropriation made to the department of economic development in
54 28 2009 Iowa Acts, chapter 183, section 67, of federal community
54 29 development block grant funds awarded to the state under
54 30 the federal Consolidated Security, Disaster Assistance, and
54 31 Continuing Appropriations Act, 2009, Pub. L. No. 110=329, the
54 32 department of natural resources shall enter an agreement in an
54 33 amount of not less than \$10,000,000 with the state university
54 34 of Iowa for the development of new floodplain maps by June 30,
54 35 2014, by the Iowa flood center established pursuant to section



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55 1 466C.1. The department of natural resources shall structure
55 2 the contract to be consistent with any plan for use of the
55 3 funds approved by any federal agency, or, if necessary, follow
55 4 any procedures necessary for approval of this contract.
55 5 Sec. 46. EFFECTIVE UPON ENACTMENT. This division of this
55 6 Act, being deemed of immediate importance, takes effect upon
55 7 enactment.

DIVISION XVI

DEPARTMENT OF ADMINISTRATIVE SERVICES == OFFICE
SPACE == STATE FLEET

55 8
55 9
55 10
55 11 Sec. 47. DEPARTMENT OF ADMINISTRATIVE SERVICES == OFFICE
55 12 SPACE REQUEST FOR PROPOSALS.

55 13 1. The department of administrative services shall issue a
55 14 request for proposals concerning the availability and cost of
55 15 office space for state employees in downtown Des Moines and in
55 16 other areas in close proximity to the state capitol complex.
55 17 The department shall consider the advantages of locating state
55 18 employees and their functions near the state capitol complex.

55 19 2. In issuing the request for proposals, the department
55 20 shall examine current leases for office space within the
55 21 greater Des Moines area, determine the current length and
55 22 duration of those leases, and consider the number of state
55 23 employees impacted by those leases.

55 24 3. The request for proposals shall ensure that any office
55 25 space selected shall meet all of the following criteria:

55 26 a. The building which includes the office space has skywalk
55 27 access.

55 28 b. The building which includes the office space is located
55 29 within reasonable proximity to the free shuttle service route
55 30 that includes transportation between the capitol complex and
55 31 the downtown Des Moines area.

55 32 c. The entity leasing office space provides adequate
55 33 parking to employees utilizing the office space which is within
55 34 reasonable proximity to the office space.

55 35 d. The office space is energy efficient.



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56 1 e. The office space provides adequate space and resources
56 2 needed for the employees intending to occupy the office space.
56 3 4. The department of administrative services shall issue
56 4 the request for proposals by December 1, 2010, and shall submit
56 5 a written report to the general assembly concerning the request
56 6 for proposals by January 14, 2011.
56 7 Sec. 48. DEPARTMENT OF ADMINISTRATIVE SERVICES == OFFICE
56 8 SPACE == COST=BENEFIT ANALYSIS.
56 9 1. a. The department of administrative services shall
56 10 conduct a cost=benefit analysis of utilizing existing office
56 11 space for state employees in downtown Des Moines and other
56 12 areas in close proximity to the state capitol complex in
56 13 lieu of replacing or renovating the Wallace Building or
56 14 relocating any state agencies to any space in the mercy capitol
56 15 hospital building. The cost=benefit analysis shall include
56 16 consideration of any cost to the applicable local jurisdiction
56 17 arising from the state's utilization of existing office space.
56 18 b. The department of administrative services shall submit
56 19 a written report to the general assembly on the cost=benefit
56 20 analysis by January 14, 2011.
56 21 2. Prior to submitting the cost=benefit analysis report
56 22 required by this section, the department of administrative
56 23 services shall not relocate any state agencies to space in
56 24 the Mercy capitol hospital building other than any of the
56 25 following:
56 26 a. A centralized department of corrections pharmacy.
56 27 b. Offices of a state agency currently located in a
56 28 state=owned office building.
56 29 c. Any state employee located in a nonleased facility or
56 30 space.
56 31 d. A nonstate agency.
56 32 Sec. 49. DEPARTMENT OF ADMINISTRATIVE SERVICES
56 33 == STATE FLEET RELOCATION. The department of administrative
56 34 services shall evaluate and consider relocating the state
56 35 fleet. The department shall be authorized to relocate the



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57 1 state fleet pursuant to such evaluation.

57 2 DIVISION XVII

57 3 CHANGES TO PRIOR APPROPRIATIONS

57 4 Sec. 50. 2004 Iowa Acts, chapter 1175, section 288,
57 5 subsection 7, paragraph d, is amended by adding the following
57 6 new unnumbered paragraph:

57 7 NEW UNNUMBERED PARAGRAPH Notwithstanding section 8.33,
57 8 2004 Iowa Acts, chapter 1175, section 290, or any other
57 9 provision of law, moneys allocated in this lettered paragraph
57 10 that remain unencumbered or unobligated at the close of a
57 11 fiscal year shall not revert but shall remain available for
57 12 expenditure for the purposes designated until the close of the
57 13 fiscal year that begins July 1, 2012. However, if the projects
57 14 for which the moneys are appropriated are completed in an
57 15 earlier fiscal year, unencumbered or unobligated moneys shall
57 16 revert at the close of that fiscal year.

57 17 Sec. 51. 2006 Iowa Acts, chapter 1179, section 4, subsection
57 18 1, is amended to read as follows:

57 19 1. a. ~~Notwithstanding~~ Except as provided in paragraph
57 20 "b", ~~notwithstanding~~ section 8.33, moneys appropriated for the
57 21 fiscal year beginning July 1, 2006, in this division of this
57 22 Act that remain unencumbered or unobligated at the close of
57 23 the fiscal year shall not revert but shall remain available
57 24 for the purposes designated until the close of the fiscal year
57 25 that begins July 1, 2009, or until the project for which the
57 26 appropriation was made is completed, whichever is earlier.

57 27 b. ~~Notwithstanding~~ section 8.33, moneys appropriated for the
57 28 fiscal year beginning July 1, 2006, in section 1, subsection 1,
57 29 and section 1, subsection 11, paragraph "b" of this division of
57 30 this Act that remain unencumbered or unobligated at the close
57 31 of the fiscal year shall not revert but shall remain available
57 32 for the purposes designated until the close of the fiscal year
57 33 that begins July 1, 2010, or until the project for which the
57 34 appropriation was made is completed, whichever is earlier.

57 35 Sec. 52. 2006 Iowa Acts, chapter 1179, section 18, is



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58 1 amended to read as follows:

58 2 SEC. 18. REVERSION.

58 3 1. Except as provided in subsections 2, ~~and~~ 3, and

58 4 4, notwithstanding section 8.33, moneys appropriated from the

58 5 endowment for Iowa's health restricted capitals fund for the

58 6 fiscal years that begin July 1, 2005, and July 1, 2006, in this

58 7 division of this Act that remain unencumbered or unobligated at

58 8 the close of the fiscal year shall not revert but shall remain

58 9 available for the purposes designated until the close of the

58 10 fiscal year that begins July 1, 2009, or until the project for

58 11 which the appropriation was made is completed, whichever is

58 12 earlier.

58 13 2. Notwithstanding section 8.33, moneys appropriated from

58 14 the endowment for Iowa's health restricted capitals fund

58 15 for the fiscal year that begins July 1, 2006, and ends June

58 16 30, 2007, in this division of this Act to the department of

58 17 veterans affairs for capital improvement projects at the Iowa

58 18 veterans home that remain unencumbered or unobligated at the

58 19 close of the fiscal year shall not revert but shall remain

58 20 available for expenditure for the purposes designated until the

58 21 close of the fiscal year that begins July 1, 2010.

58 22 3. Notwithstanding section 8.33, moneys appropriated from

58 23 the endowment for Iowa's health restricted capitals fund

58 24 for the fiscal year beginning July 1, 2006, and ending June

58 25 30, 2007, in this division of this Act to the department of

58 26 education for major renovation and major repair needs at the

58 27 community colleges that remain unencumbered or unobligated at

58 28 the close of the fiscal year shall not revert but shall remain

58 29 available for expenditure for the purposes designated until

58 30 the close of the fiscal year beginning July 1, 2010, or until

58 31 the project for which appropriated is completed, whichever is

58 32 earlier.

58 33 4. Notwithstanding section 8.33, moneys appropriated from

58 34 the endowment for Iowa's health restricted capitals fund

58 35 for the fiscal year that begins July 1, 2006, and ends June



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59 1 30, 2007, in this division of this Act to the department of
 59 2 administrative services for upgrades to the Woodward state
 59 3 resource center wastewater treatment system that remain
 59 4 unencumbered or unobligated at the close of the fiscal year
 59 5 shall not revert but shall remain available for expenditure
 59 6 for the purposes designated until the close of the fiscal year
 59 7 that begins July 1, 2011, or until the project for which the
 59 8 appropriation is made is completed, whichever is earlier.

59 9 Sec. 53. 2007 Iowa Acts, chapter 219, section 7, subsection
 59 10 1, as amended by 2009 Iowa Acts, chapter 170, section 20, and
 59 11 2009 Iowa Acts, chapter 184, section 17, is amended to read as
 59 12 follows:

59 13 1. For costs associated with the construction and
 59 14 establishment of the Iowa institute for biomedical discovery at
 59 15 the state university of Iowa:

59 16	FY 2008=2009.....	\$	0
59 17	FY 2009=2010.....	\$	0
59 18	FY 2010=2011.....	\$	10,000,000
59 19			<u>0</u>

59 20 Sec. 54. 2007 Iowa Acts, chapter 219, section 15, is amended
 59 21 to read as follows:

59 22 SEC. 15. REVERSION.

59 23 1. Notwithstanding Except as provided in subsection 2,
 59 24 notwithstanding section 8.33, moneys appropriated for the
 59 25 fiscal year beginning July 1, 2007, in this division of this
 59 26 Act that remain unencumbered or unobligated at the close of
 59 27 the fiscal year shall not revert but shall remain available
 59 28 for the purposes designated until the close of the fiscal year
 59 29 beginning July 1, 2009, or until the project for which the
 59 30 appropriation was made is completed, whichever is earlier.

59 31 2. Notwithstanding section 8.33, moneys appropriated
 59 32 for the fiscal year beginning July 1, 2007, in section 14,
 59 33 subsections 4 and 7 of this division of this Act that remain
 59 34 unencumbered or unobligated at the close of the fiscal year
 59 35 shall not revert but shall remain available for the purposes



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60 1 designated until the close of the fiscal year beginning July 1,
 60 2 2011, or until the project for which the appropriation was made
 60 3 is completed, whichever is earlier.

60 4 Sec. 55. 2008 Iowa Acts, chapter 1179, section 1, subsection
 60 5 1, paragraph 1, as enacted by 2009 Iowa Acts, chapter 184,
 60 6 section 21, is amended to read as follows:

60 7 1. ~~For heating, ventilating, and air conditioning~~
 60 8 ~~improvements building security and firewall protection in the~~
 60 9 Hoover state office building:

60 10 \$ 165,000

60 11 Sec. 56. 2008 Iowa Acts, chapter 1179, section 1, subsection
 60 12 4, paragraph b, as amended by 2009 Iowa Acts, chapter 81,
 60 13 section 1, is amended to read as follows:

60 14 b. For historical site preservation grants to be used for
 60 15 the restoration, preservation, and development of historic
 60 16 sites:

60 17 \$ 1,000,000

60 18 In making grants pursuant to this lettered paragraph, the
 60 19 department shall consider the existence and amount of other
 60 20 funds available to an applicant for the designated project.
 60 21 A grant awarded from moneys appropriated in this lettered
 60 22 paragraph shall not exceed \$100,000 per project. Not more than
 60 23 \$200,000 may be awarded in the same county in the same round of
 60 24 grant reviews.

60 25 Of the amount appropriated in this lettered paragraph,
 60 26 \$20,000 shall be used for the administration and support of
 60 27 historic sites including the hiring and employment of seasonal
 60 28 workers, notwithstanding section 8.57, subsection 6, paragraph
 60 29 "c".

60 30 Sec. 57. 2008 Iowa Acts, chapter 1179, section 7, as amended
 60 31 by 2009 Iowa Acts, chapter 173, section 21, is amended to read
 60 32 as follows:

60 33 SEC. 7. DEPARTMENT OF ECONOMIC DEVELOPMENT. There is
 60 34 appropriated from the rebuild Iowa infrastructure fund to
 60 35 the department of economic development for the designated



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61 1 fiscal years the following amounts, or so much thereof as is
 61 2 necessary, to be used for the purposes designated:
 61 3 For deposit into the river enhancement community attraction
 61 4 and tourism fund created in 2008 Iowa Acts, Senate File 2430,
 61 5 if enacted:
 61 6 FY 2009=2010 \$ 0
 61 7 FY 2010=2011 \$ ~~10,000,000~~
 61 8 0
 61 9 FY 2011=2012 \$ 10,000,000
 61 10 FY 2012=2013 \$ 10,000,000
 61 11 ~~Notwithstanding section 8.33, moneys appropriated in this~~
~~61 12 section for the fiscal year beginning July 1, 2010, and ending~~
~~61 13 June 30, 2011, shall not revert at the close of the fiscal year~~
~~61 14 for which they are appropriated but shall remain available~~
~~61 15 for the purpose designated until the close of the fiscal year~~
~~61 16 that begins July 1, 2013, or until the project for which the~~
~~61 17 appropriation was made is completed, whichever is earlier.~~
 61 18 Notwithstanding section 8.33, moneys appropriated in this
 61 19 section for the fiscal year beginning July 1, 2011, and ending
 61 20 June 30, 2012, shall not revert at the close of the fiscal year
 61 21 for which they are appropriated but shall remain available
 61 22 for the purpose designated until the close of the fiscal year
 61 23 that begins July 1, 2014, or until the project for which the
 61 24 appropriation was made is completed, whichever is earlier.
 61 25 Notwithstanding section 8.33, moneys appropriated in this
 61 26 section for the fiscal year beginning July 1, 2012, and ending
 61 27 June 30, 2013, shall not revert at the close of the fiscal year
 61 28 for which they are appropriated but shall remain available
 61 29 for the purpose designated until the close of the fiscal year
 61 30 that begins July 1, 2015, or until the project for which the
 61 31 appropriation was made is completed, whichever is earlier.
 61 32 Sec. 58. 2008 Iowa Acts, chapter 1179, section 15,
 61 33 subsection 4, paragraph b, as amended by 2009 Iowa Acts,
 61 34 chapter 184, section 25, is amended to read as follows:
 61 35 b. To the public broadcasting division for the purchase and



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62 1 installation of generators at transmitter sites:
62 2 \$ 1,602,437
62 3 Of the amount appropriated in this lettered paragraph, up to
62 4 \$210,477 may be used for operational costs of the division for
62 5 FY 2008=2009, ~~and~~ up to \$1,000,000 may be used for operational
62 6 costs of the division for FY 2009=2010, and up to \$378,637
62 7 may be used for operational costs of the division for FY
62 8 2010=2011, notwithstanding section 8.57C, subsection 2.
62 9 Sec. 59. 2008 Iowa Acts, chapter 1179, section 15,
62 10 subsection 4, paragraph c, is amended to read as follows:
62 11 c. To the public broadcasting division for the replacement
62 12 and digital conversion of the Keosauqua translator:
62 13 \$ 701,500
62 14 Of the amount appropriated in this lettered paragraph, up to
62 15 \$25,378 may be used for operational costs of the division for
62 16 FY 2010=2011, notwithstanding section 8.57C, subsection 2.
62 17 Sec. 60. 2008 Iowa Acts, chapter 1179, section 18,
62 18 subsection 3, as amended by 2009 Iowa Acts, chapter 173,
62 19 section 24, is amended to read as follows:
62 20 3. DEPARTMENT OF CORRECTIONS
62 21 a. For expansion of the community-based corrections
62 22 facility at Sioux City:
62 23 \$ 5,300,000
62 24 b. For expansion of the community-based corrections
62 25 facility at Ottumwa:
62 26 \$ 4,100,000
62 27 c. For expansion of the community-based corrections
62 28 facility at Waterloo:
62 29 \$ 6,000,000
62 30 d. For expansion of the community-based corrections
62 31 facility at Davenport:
62 32 \$ 2,100,000
62 33 e. For expansion, including land acquisition, of the
62 34 community-based corrections facility at Des Moines:
62 35 \$ ~~13,100,000~~



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63 1 0
63 2 ~~The appropriation in this lettered paragraph is contingent~~
~~63 3 upon relocation of the sex offender treatment program from~~
~~63 4 the community-based corrections facility at Des Moines to~~
~~63 5 the property in northeast Des Moines identified by the fifth~~
~~63 6 judicial district in the facility and site study final report~~
~~63 7 submitted December 12, 2008.~~
63 8 It is the intent of the general assembly that the funds
63 9 appropriated in paragraphs "a" through "e" be used to expand
63 10 the number of beds available through new construction and
63 11 remodeling and for the expansion of existing facilities.
63 12 f. For expansion of the Iowa correctional facility for women
63 13 at Mitchellville including costs related to project management
63 14 including the hiring and employment of a construction manager
63 15 and a correctional specialist:
63 16 \$ 47,500,000
63 17 g. For the remodeling of kitchens at the correctional
63 18 facilities at Mount Pleasant and Rockwell City:
63 19 \$ 12,500,000
63 20 Sec. 61. 2008 Iowa Acts, chapter 1179, section 22, is
63 21 amended to read as follows:
63 22 SEC. 22. There is appropriated from the FY 2009 prison
63 23 bonding fund created pursuant to section 12.79, as enacted in
63 24 this Act, to the department of corrections for the fiscal year
63 25 beginning July 1, 2008, and ending June 30, 2009, the following
63 26 amount, or so much thereof as is necessary, to be used for the
63 27 purpose designated:
63 28 For costs associated with the building of a new Iowa State
63 29 Penitentiary at Fort Madison including costs related to
63 30 project management including the hiring and employment of a
63 31 construction manager and a correctional specialist:
63 32 \$130,677,500
63 33 The appropriation made in this section constitutes approval
63 34 by the general assembly for the issuance of bonds by the
63 35 treasurer pursuant to section 12.80, as enacted in this Act.



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64 1 Sec. 62. 2009 Iowa Acts, chapter 173, section 13, subsection
64 2 1, is amended by adding the following new paragraph:
64 3 NEW PARAGRAPH. e. Of the moneys appropriated in
64 4 this subsection, the department may award moneys for the
64 5 establishment of drainage district pilot projects. Each
64 6 drainage district pilot project shall be presented to the state
64 7 soil conservation committee and the watershed improvement
64 8 review board to ensure the project design, project goals,
64 9 baseline data collection, project data collection standards,
64 10 and data evaluation standards are appropriate for, and advance,
64 11 the soil and water conservation goals of the state. Annual
64 12 progress reports on each pilot project shall be presented
64 13 to the state soil conservation committee and the watershed
64 14 improvement review board to ensure the projects continue to
64 15 advance the soil and water conservation goals of the state.
64 16 All construction plans, monitoring plans, project data, and
64 17 project data analysis shall be available for public review and
64 18 study. Experts from the United States geological survey, the
64 19 national laboratory for agriculture and the environment at
64 20 Iowa state university, and other appropriate state and federal
64 21 agencies may be consulted on any aspect of the program.

64 22 Sec. 63. 2009 Iowa Acts, chapter 173, section 13, subsection
64 23 2, is amended to read as follows:

64 24 2. DEPARTMENT OF NATURAL RESOURCES

64 25 For watershed rebuilding and water quality projects:
64 26 \$ 13,500,000

64 27 Of the moneys appropriated in this subsection, the
64 28 department may provide moneys to construct, reconstruct, or
64 29 repair infrastructure associated with the control and movement
64 30 of surface water, including but not limited to addressing
64 31 issues affected by combined sewer overflows, enrolling larger
64 32 contiguous areas in emergency watershed programs, improving
64 33 facilities or systems that provide water quality, mitigating
64 34 flood damage or the threat of flood damage in the areas most
64 35 severely affected by the 2008 flood, and improving or replacing



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65 1 low-head dams. Any award of moneys made under this subsection
65 2 shall be in the form of a grant. Any grant awards for practices
65 3 on private property shall be for the public purposes of flood
65 4 control, watershed management, or improving water quality.

65 5 Sec. 64. 2009 Iowa Acts, chapter 173, section 13, subsection
65 6 4, paragraphs b, c, and d, are amended to read as follows:

65 7 b. For ~~deposit into the public service shelter grant fund~~
~~65 8 created in section 16.185~~ for grants for the construction,
65 9 renovation, and improvements to homeless shelters, emergency
65 10 shelters, and family and domestic violence shelters:
65 11 \$ 10,000,000

65 12 c. For ~~deposit into the disaster damage housing assistance~~
~~65 13 grant fund created in section 16.186~~ for grants to ease and
65 14 speed recovery efforts from the natural disasters of 2008,
65 15 including stabilizing neighborhoods damaged by the natural
65 16 disasters, preventing population loss and neighborhood
65 17 deterioration, and improving the health, safety, and welfare of
65 18 persons living in such disaster-damaged neighborhoods:
65 19 \$ 5,000,000

65 20 d. For ~~deposit into the affordable housing assistance grant~~
~~65 21 fund created in section 16.187~~ for grants for housing for
65 22 certain elderly, disabled, and low-income persons and public
65 23 servants in critical skills shortage areas of the state:
65 24 \$ 20,000,000

65 25 Sec. 65. 2009 Iowa Acts, chapter 173, section 13, subsection
65 26 5, unnumbered paragraph 1, as amended by 2009 Iowa Acts,
65 27 chapter 183, section 71, is amended to read as follows:

65 28 For broadband technology grants for the deployment and
65 29 sustainability of high-speed broadband access:
65 30 \$ ~~25,000,000~~
65 31 0

65 32 Sec. 66. 2009 Iowa Acts, chapter 173, section 13, subsection
65 33 6, is amended to read as follows:

65 34 6. DEPARTMENT OF TRANSPORTATION

65 35 For ~~deposit into the bridge safety fund created in section~~



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~~66 1 313.68 to be used for infrastructure projects relating to~~
 66 2 functionally obsolete and structurally deficient bridges:
 66 3 \$ ~~50,000,000~~
 66 4 40,000,000
 66 5 Sec. 67. 2009 Iowa Acts, chapter 173, section 13, is amended
 66 6 by adding the following new subsection:
 66 7 NEW SUBSECTION. 7. DEPARTMENT OF ECONOMIC DEVELOPMENT
 66 8 For the main street Iowa program to be used as grants
 66 9 for projects that have previously applied for funding
 66 10 consideration, or have received partial funding for facade
 66 11 master plans to rehabilitate storefronts in main street Iowa
 66 12 districts, to complete streetscape projects where planning
 66 13 and the majority of funding is already secured, for unfunded
 66 14 main street challenge grant projects, and for other building
 66 15 rehabilitation projects that are currently on the department's
 66 16 highest priority list:
 66 17 \$ 5,550,000
 66 18 Moneys appropriated in this subsection shall not be used for
 66 19 administration or planning purposes.
 66 20 Sec. 68. 2009 Iowa Acts, chapter 174, section 6, is
 66 21 repealed.
 66 22 Sec. 69. 2009 Iowa Acts, chapter 184, section 1, subsection
 66 23 3, paragraph d, is amended to read as follows:
 66 24 d. For historical site preservation grants to be used for
 66 25 the restoration, preservation, and development of historic
 66 26 sites:
 66 27 \$ 1,000,000
 66 28 In making grants pursuant to this lettered paragraph, the
 66 29 department shall consider the existence and amount of other
 66 30 funds available to an applicant for the designated project.
 66 31 A grant awarded from moneys appropriated in this lettered
 66 32 paragraph shall not exceed \$100,000 per project. Not more than
 66 33 \$200,000 may be awarded in the same county in the same round of
 66 34 grant reviews.
 66 35 Of the amount appropriated in this lettered paragraph,



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67 1 \$20,000 shall be used for the administration and support of
67 2 historic sites including the hiring and employment of seasonal
67 3 workers, notwithstanding section 8.57, subsection 6, paragraph
67 4 "c".

67 5 Sec. 70. 2009 Iowa Acts, chapter 184, section 1, subsection
67 6 12, paragraph a, is amended to read as follows:

67 7 a. ~~To provide funds for capital improvements and for related~~
67 8 ~~studies for expanding passenger rail services in Iowa For~~
67 9 deposit in the passenger rail service revolving fund created
67 10 in section 327J.2, notwithstanding section 8.57, subsection 6,
67 11 paragraph "c":

67 12 \$ 3,000,000

67 13 Sec. 71. 2009 Iowa Acts, chapter 184, section 2, subsections
67 14 1, 2, 4, and 5, are amended by striking the subsections.

67 15 Sec. 72. 2009 Iowa Acts, chapter 184, section 2, subsection
67 16 6, paragraph a, is amended to read as follows:

67 17 a. For deposit into the railroad revolving loan and grant
67 18 fund created in section 327H.20A, notwithstanding section 8.57,
67 19 subsection 6, paragraph "c":

67 20 \$ 2,000,000

67 21 Of the amount appropriated in this lettered paragraph,
67 22 \$2,000,000 shall be allocated to a city with a population
67 23 between 98,300 and 98,400 in the last preceding certified
67 24 federal census, for a rail trans-load facility if a federal
67 25 match of funds is received.

67 26 Sec. 73. EFFECTIVE UPON ENACTMENT. This division, being
67 27 deemed of immediate importance, takes effect upon enactment.

67 28 DIVISION XVIII

67 29 MISCELLANEOUS CODE CHANGES

67 30 Sec. 74. Section 8.57, subsection 6, paragraph e, Code
67 31 Supplement 2009, is amended to read as follows:

67 32 e. (1) (a) (i) Notwithstanding provisions to the contrary
67 33 in sections 99D.17 and 99F.11, for the fiscal year beginning
67 34 July 1, 2000, and for each fiscal year thereafter, not more
67 35 than a total of sixty-six million dollars shall be deposited



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68 1 in the general fund of the state in any fiscal year pursuant to
68 2 sections 99D.17 and 99F.11.

68 3 (ii) However, in lieu of the deposit in subparagraph
68 4 subdivision (i), for the fiscal year beginning July 1, 2010,
68 5 and for each fiscal year thereafter until the principal and
68 6 interest on all bonds issued by the treasurer of state pursuant
68 7 to section 12.87 are paid, as determined by the treasurer of
68 8 state, the first fifty-five million dollars of the moneys
68 9 directed to be deposited in the general fund of the state under
68 10 subparagraph subdivision (i) shall be deposited in the revenue
68 11 bonds debt service fund created in section 12.89, and the next
68 12 five three million seven hundred fifty thousand dollars of the
68 13 moneys directed to be deposited in the general fund of the
68 14 state under subparagraph subdivision (i) shall be deposited
68 15 in the revenue bonds federal subsidy holdback fund created
68 16 in section 12.89, and the next one million two hundred fifty
68 17 thousand dollars of the moneys directed to be deposited in the
68 18 general fund of the state under subparagraph subdivision (i)
68 19 shall be deposited in the general fund of the state.

68 20 (b) The next fifteen million dollars of the moneys directed
68 21 to be deposited in the general fund of the state in a fiscal
68 22 year pursuant to sections 99D.17 and 99F.11 shall be deposited
68 23 in the vision Iowa fund created in section 12.72 for the fiscal
68 24 year beginning July 1, 2000, and for each fiscal year through
68 25 the fiscal year beginning July 1, 2019.

68 26 (c) The next five million dollars of the moneys directed to
68 27 be deposited in the general fund of the state in a fiscal year
68 28 pursuant to sections 99D.17 and 99F.11 shall be deposited in
68 29 the school infrastructure fund created in section 12.82 for the
68 30 fiscal year beginning July 1, 2000, and for each fiscal year
68 31 thereafter until the principal and interest on all bonds issued
68 32 by the treasurer of state pursuant to section 12.81 are paid,
68 33 as determined by the treasurer of state.

68 34 (d) (i) The total moneys in excess of the moneys deposited
68 35 in the revenue bonds debt service fund, the revenue bonds



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69 1 federal holdback subsidy fund, the vision Iowa fund, the
69 2 school infrastructure fund, and the general fund of the
69 3 state in a fiscal year shall be deposited in the rebuild Iowa
69 4 infrastructure fund and shall be used as provided in this
69 5 section, notwithstanding section 8.60.
69 6 (ii) However, in lieu of the deposit in subparagraph
69 7 subdivision (i), for the fiscal year beginning July 1, 2010,
69 8 and for each fiscal year thereafter until the principal and
69 9 interest on all bonds issued by the treasurer of state pursuant
69 10 to section 12.87 are paid, as determined by the treasurer
69 11 of state, ~~fifty-five~~ sixty-four million seven hundred fifty
69 12 thousand dollars of the excess moneys directed to be deposited
69 13 in the rebuild Iowa infrastructure fund under subparagraph
69 14 subdivision (i) shall be deposited in the general fund of the
69 15 state.
69 16 (2) If the total amount of moneys directed to be deposited
69 17 in the general fund of the state under sections 99D.17 and
69 18 99F.11 in a fiscal year is less than the total amount of moneys
69 19 directed to be deposited in the revenue bonds debt service
69 20 fund and the revenue bonds federal subsidy holdback fund in
69 21 the fiscal year pursuant to this paragraph "e", the difference
69 22 shall be paid from moneys deposited in the beer and liquor
69 23 control fund created in section 123.53 in the manner provided
69 24 in section 123.53, subsection 3.
69 25 (3) After the deposit of moneys directed to be deposited
69 26 in the general fund of the state, ~~and~~ the revenue bonds debt
69 27 service fund, and the revenue bonds federal subsidy holdback
69 28 fund, as provided in subparagraph (1), subparagraph division
69 29 (a), if the total amount of moneys directed to be deposited
69 30 in the general fund of the state under sections 99D.17 and
69 31 99F.11 in a fiscal year is less than the total amount of
69 32 moneys directed to be deposited in the vision Iowa fund and
69 33 the school infrastructure fund in the fiscal year pursuant to
69 34 this paragraph "e", the difference shall be paid from lottery
69 35 revenues in the manner provided in section 99G.39, subsection



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70 1 3.

70 2 Sec. 75. Section 8.57, subsection 6, paragraph f, Code
70 3 Supplement 2009, is amended to read as follows:

70 4 f. There is appropriated from the rebuild Iowa
70 5 infrastructure fund to the secure an advanced vision for
70 6 education fund created in section 423F.2, for each fiscal year
70 7 of the fiscal period beginning July 1, 2008, and ending June
70 8 30, ~~2014, 2010, and for each fiscal year of the fiscal period~~
70 9 beginning July 1, 2011, and ending June 30, 2014, the amount of
70 10 the moneys in excess of the first forty-seven million dollars
70 11 credited to the rebuild Iowa infrastructure fund during the
70 12 fiscal year, not to exceed ten million dollars.

70 13 Sec. 76. Section 8.57A, subsection 4, Code 2009, is amended
70 14 to read as follows:

70 15 4. a. There is appropriated from the rebuild Iowa
70 16 infrastructure fund for the fiscal ~~year~~ years beginning July
70 17 1, 2008, July 1, 2009, and July 1, 2011, and for each fiscal
70 18 year thereafter, the sum of forty-two million dollars to
70 19 the environment first fund, notwithstanding section 8.57,
70 20 subsection 6, paragraph "c".

70 21 b. There is appropriated from the rebuild Iowa
70 22 infrastructure fund for the fiscal year beginning July 1, 2010,
70 23 and ending June 30, 2011, the sum of thirty-three million
70 24 dollars to the environment first fund, notwithstanding section
70 25 8.57, subsection 6, paragraph "c".

70 26 Sec. 77. Section 8.57C, subsection 3, Code Supplement 2009,
70 27 is amended to read as follows:

70 28 3. a. There is appropriated from the general fund of the
70 29 state for the fiscal years beginning July 1, 2006, July 1,
70 30 2007, July 1, ~~2010~~ 2011, and for each subsequent fiscal year
70 31 thereafter, the sum of seventeen million five hundred thousand
70 32 dollars to the technology reinvestment fund.

70 33 b. There is appropriated from the rebuild Iowa
70 34 infrastructure fund for the fiscal year beginning July 1, 2008,
70 35 and ending June 30, 2009, the sum of seventeen million five



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71 1 hundred thousand dollars, and for the fiscal year beginning
71 2 July 1, 2009, and ending June 30, 2010, the sum of fourteen
71 3 million five hundred twenty-five thousand dollars to the
71 4 technology reinvestment fund, notwithstanding section 8.57,
71 5 subsection 6, paragraph "c".
71 6 c. There is appropriated from the rebuild Iowa
71 7 infrastructure fund for the fiscal year beginning July 1, 2010,
71 8 the sum of ten million dollars to the technology reinvestment
71 9 fund, notwithstanding section 8.57, subsection 6, paragraph
71 10 "c".
71 11 Sec. 78. Section 12.87, subsections 1 and 2, Code Supplement
71 12 2009, are amended to read as follows:
71 13 1. The treasurer of state is authorized to issue and sell
71 14 bonds on behalf of the state to provide funds for certain
71 15 infrastructure projects and for purposes of the Iowa jobs
71 16 program established in section 16.194. The treasurer of state
71 17 shall have all of the powers which are necessary or convenient
71 18 to issue, sell and secure bonds and carry out the treasurer of
71 19 state's duties, and exercise the treasurer of state's authority
71 20 under this section and sections 12.88 through 12.90. The
71 21 treasurer of state may issue and sell bonds in such amounts as
71 22 the treasurer of state determines to be necessary to provide
71 23 sufficient funds for certain infrastructure projects and the
71 24 revenue bonds capitals fund, the revenue bonds capitals II
71 25 fund, the payment of interest on the bonds, the establishment
71 26 of reserves to secure the bonds, the payment of costs of
71 27 issuance of the bonds, the payment of other expenditures of
71 28 the treasurer of state incident to and necessary or convenient
71 29 to carry out the issuance and sale of the bonds, and the
71 30 payment of all other expenditures of the treasurer of state
71 31 necessary or convenient to administer the funds and to carry
71 32 out the purposes for which the bonds are issued and sold.
71 33 The treasurer of state may issue and sell bonds in one or
71 34 more series on the terms and conditions the treasurer of
71 35 state determines to be in the best interest of the state, in



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72 1 accordance with this section in such amounts as the treasurer
72 2 of state determines to be necessary to fund the purposes for
72 3 which such bonds are issued and sold- as follows:

72 4 a. The treasurer of state may issue and sell bonds in
72 5 amounts which provide aggregate net proceeds of not more
72 6 than ~~five hundred forty-five~~ six hundred ninety-five million
72 7 dollars, excluding any bonds issued and sold to refund
72 8 outstanding bonds issued under this section, as follows:

72 9 ~~a-~~ (1) The On or after July 1, 2009, the treasurer of
72 10 state may issue and sell bonds in amounts which provide
72 11 aggregate net proceeds of not more than one hundred eighty-five
72 12 million dollars for capital projects which qualify as vertical
72 13 infrastructure projects as defined in section 8.57, subsection
72 14 6, paragraph "c", to the extent practicable in any fiscal year
72 15 and without limiting other qualifying capital expenditures.

72 16 ~~b-~~ (2) The On or after July 1, 2009, the treasurer of state
72 17 may issue and sell bonds in amounts which provide aggregate
72 18 net proceeds of not more than three hundred sixty million
72 19 dollars for purposes of the Iowa jobs program established
72 20 in section 16.194 and for watershed flood rebuilding and
72 21 prevention projects, soil conservation projects, sewer
72 22 infrastructure projects, for certain housing and public service
72 23 shelter projects and public broadband and alternative energy
72 24 projects, and for projects relating to bridge safety and the
72 25 rehabilitation of deficient bridges.

72 26 (3) On or after July 1, 2010, the treasurer of state may
72 27 issue and sell bonds in amounts which provide aggregate net
72 28 proceeds of not more than one hundred fifty million dollars
72 29 for purposes of the Iowa jobs II program established in
72 30 section 16.194A and for qualified projects in the departments
72 31 of agriculture and land stewardship, economic development,
72 32 education, natural resources, and transportation, and the Iowa
72 33 finance authority, state board of regents, and treasurer of
72 34 state.

72 35 2. Bonds issued and sold under this section are payable



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73 1 solely and only out of the moneys in the revenue bonds debt
73 2 service fund, the revenue bonds federal subsidy holdback
73 3 fund, and any bond reserve funds established pursuant to
73 4 section 12.89, and only to the extent provided in the trust
73 5 indenture, resolution, or other instrument authorizing their
73 6 issuance. All moneys in the revenue bonds debt service fund,
73 7 the revenue bonds federal subsidy holdback fund, and any bond
73 8 reserve funds established pursuant to section 12.89 may be
73 9 deposited with trustees or depositories in accordance with
73 10 the terms of the trust indentures, resolutions, or other
73 11 instruments authorizing the issuance of bonds and pledged by
73 12 the treasurer of state to the payment thereof. Bonds issued
73 13 and sold under this section shall contain a statement that the
73 14 bonds are limited special obligations of the state and do not
73 15 constitute a debt or indebtedness of the state or a pledge
73 16 of the faith or credit of the state or a charge against the
73 17 general credit or general fund of the state. The treasurer
73 18 of state shall not pledge the credit or taxing power of this
73 19 state or any political subdivision of this state or make bonds
73 20 issued and sold pursuant to this section payable out of any
73 21 moneys except those in the revenue bonds debt service fund,
73 22 the revenue bonds federal subsidy holdback fund, and any bond
73 23 reserve funds established pursuant to section 12.89.
73 24 Sec. 79. Section 12.89, subsection 2, Code Supplement 2009,
73 25 is amended by adding the following new paragraph:
73 26 NEW PARAGRAPH. Od. Federal subsidies and any transfers
73 27 from the revenue bonds federal subsidy holdback fund created
73 28 pursuant to section 12.89A.
73 29 Sec. 80. NEW SECTION. 12.89A Revenue bonds federal subsidy
73 30 holdback fund.
73 31 1. A revenue bonds federal subsidy holdback fund is created
73 32 and established as a separate and distinct fund in the state
73 33 treasury. The treasurer of state shall act as custodian of the
73 34 fund and disburse moneys contained in the fund.
73 35 2. The moneys in such fund shall include all of the



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74 1 following:
74 2 a. The revenues required to be deposited in the fund
74 3 pursuant to section 8.57, subsection 6, paragraph "e",
74 4 subparagraphs (1) and (2).
74 5 b. Interest attributable to investment moneys in the fund.
74 6 c. Any other moneys from any other sources which may be
74 7 legally available to the treasurer of state for the purpose of
74 8 the fund.
74 9 3. The moneys in the revenue bonds federal subsidy holdback
74 10 fund are appropriated and shall be used or transferred to the
74 11 revenue bonds debt service fund created in section 12.89,
74 12 subsection 1, solely for the purpose of making payments of
74 13 principal and interest on federal subsidy bonds when due, if
74 14 the treasurer of state or the treasurer's designee has not
74 15 received a federal subsidy scheduled to be received for such
74 16 payment by the due date.
74 17 4. The moneys on deposit in the revenue bonds federal
74 18 subsidy holdback fund shall be used or transferred to the
74 19 revenue bonds debt service fund created in section 12.89,
74 20 subsection 1, solely for the purpose of making payments of
74 21 principal and interest on federal subsidy bonds prior to any
74 22 use or transfer of moneys on deposit in any bond reserve fund
74 23 created for such federal subsidy bonds by the treasurer of
74 24 state pursuant to section 12.89, subsection 3, paragraph "a".
74 25 5. At any time during each fiscal year that there are moneys
74 26 on deposit in the revenue bonds federal subsidy holdback fund
74 27 that are not needed to pay principal and interest on federal
74 28 subsidy bonds during such fiscal year as determined by the
74 29 treasurer of state or the treasurer's designee, such moneys on
74 30 deposit in the revenue bonds federal subsidy holdback account
74 31 shall be credited to the rebuild Iowa infrastructure fund of
74 32 the state.
74 33 6. For purposes of this section:
74 34 a. "Federal subsidy" means any payment from the federal
74 35 government with respect to federal subsidy bonds.



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75 1 b. "Federal subsidy bonds" means any bonds issued and
75 2 sold pursuant to section 12.87 for which a federal subsidy is
75 3 expected to be paid on or before any date on which interest on
75 4 such bonds is due and payable.

75 5 Sec. 81. Section 15F.204, subsection 8, paragraph a,
75 6 subparagraph (6), Code Supplement 2009, is amended by striking
75 7 the subparagraph.

75 8 Sec. 82. Section 15F.204, subsection 8, paragraph b,
75 9 subparagraph (4), Code Supplement 2009, is amended by striking
75 10 the subparagraph.

75 11 Sec. 83. Section 16.181A, Code 2009, is amended to read as
75 12 follows:

75 13 16.181A Housing trust fund == appropriations.

75 14 1. There is appropriated from the rebuild Iowa
75 15 infrastructure fund to the Iowa finance authority for deposit
75 16 in the housing trust fund created in section 16.181, for the
75 17 fiscal year beginning July 1, 2009, and ending June 30, 2010,
75 18 and for each succeeding fiscal year, the sum of three million
75 19 dollars.

75 20 2. There is appropriated from the rebuild Iowa
75 21 infrastructure fund to the Iowa finance authority for deposit
75 22 in the housing trust fund created in section 16.181, for the
75 23 fiscal year beginning July 1, 2010 and ending June 30, 2011,
75 24 the sum of one million dollars.

75 25 Sec. 84. Section 16.192, subsections 2 and 4, Code
75 26 Supplement 2009, are amended to read as follows:

75 27 2. Establish the Iowa jobs program pursuant to section
75 28 16.194 and the Iowa jobs II program pursuant to section
75 29 16.194A.

75 30 4. Award financial assistance, including financial
75 31 assistance in the form of grants under the Iowa jobs program
75 32 pursuant to sections 16.194, 16.194A, and 16.195.

75 33 Sec. 85. Section 16.193, subsection 2, Code Supplement
75 34 2009, is amended to read as follows:

75 35 2. During the term of the Iowa jobs program established



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76 1 in section 16.194 and the Iowa jobs II program established
76 2 in section 16.194A, two hundred thousand dollars of the
76 3 moneys deposited in the rebuild Iowa infrastructure fund
76 4 shall be allocated each fiscal year to the Iowa finance
76 5 authority for purposes of administering the Iowa jobs program,
76 6 notwithstanding section 8.57, subsection 6, paragraph "c".
76 7 Sec. 86. NEW SECTION. 16.194A Iowa jobs II program ==
76 8 disaster prevention.
76 9 1. An Iowa jobs II program is created to assist in the
76 10 development and completion of public construction projects
76 11 relating to disaster prevention.
76 12 2. A city or county in this state that applies the
76 13 smartplanning principles and guidelines pursuant to sections
76 14 18B.1 and 18B.2, as enacted in this Act, may submit an
76 15 application to the Iowa jobs board for financial assistance
76 16 for a local infrastructure competitive grant for an eligible
76 17 project under the program, notwithstanding any limitation on
76 18 the state's percentage in funding as contained in section
76 19 29C.6, subsection 17.
76 20 3. Financial assistance under the program shall be awarded
76 21 in the form of grants.
76 22 4. The board shall consider the following criteria in
76 23 evaluating eligible projects to receive financial assistance
76 24 under the program:
76 25 a. The total number and quality of jobs to be created and
76 26 the benefits likely to accrue to areas distressed by high
76 27 unemployment.
76 28 b. Financial feasibility, including the ability of projects
76 29 to fund depreciation costs or replacement reserves, and the
76 30 availability of other federal, state, local, and private
76 31 sources of funds.
76 32 c. Sustainability and energy efficiency.
76 33 d. Benefits for disaster prevention.
76 34 e. The project's readiness to proceed.
76 35 5. An applicant must demonstrate local support for the



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77 1 project as defined by rule.
77 2 6. Any award of financial assistance to a project shall
77 3 be limited to up to ninety percent of the total cost of the
77 4 development and completion of a public construction project
77 5 relating to disaster prevention.
77 6 7. In order for a project to be eligible to receive
77 7 financial assistance from the board, the project must be a
77 8 public construction project pursuant to subsection 1 with a
77 9 demonstrated substantial local, regional, or statewide economic
77 10 impact.
77 11 8. The board shall not approve an application for assistance
77 12 for any of the following purposes:
77 13 a. To refinance a loan existing prior to the date of the
77 14 initial financial assistance application.
77 15 b. For a project that has previously received financial
77 16 assistance under the program, unless the applicant demonstrates
77 17 that the financial assistance would be used for a significant
77 18 expansion of a project.
77 19 9. Any portion of an amount allocated for projects
77 20 that remains unexpended or unencumbered one year after the
77 21 allocation has been made may be reallocated to another project
77 22 category, at the discretion of the board. The board shall
77 23 ensure that all bond proceeds be expended within three years
77 24 from when the allocation was initially made.
77 25 10. The board shall ensure that funds obligated under
77 26 this section are coordinated with other federal program funds
77 27 received by the state, and that projects receiving funds are
77 28 located in geographically diverse areas of the state.
77 29 11. An applicant or combination of applicants for a project
77 30 within the same county shall not be awarded more than forty
77 31 percent of the funds available under this program.
77 32 Sec. 87. Section 16.195, subsection 2, Code Supplement
77 33 2009, is amended to read as follows:
77 34 2. A review committee composed of members of the
77 35 board as determined by the board shall review Iowa jobs



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78 1 program applications submitted to the board and make
78 2 recommendations regarding the applications to the board. When
78 3 reviewing the applications, the review committee and the
78 4 authority shall consider the project criteria specified in
78 5 ~~section~~ sections 16.194 and 16.194A. The board shall develop
78 6 the appropriate level of transparency regarding project fund
78 7 allocations.
78 8 Sec. 88. Section 26.3, subsection 2, Code Supplement 2009,
78 9 is amended to read as follows:
78 10 2. A governmental entity shall have an engineer licensed
78 11 under chapter 542B, a landscape architect licensed under
78 12 chapter 544B, or an architect registered under chapter
78 13 544A prepare plans and specifications, and calculate the
78 14 estimated total cost of a proposed public improvement. A
78 15 governmental entity shall ensure that a sufficient number
78 16 of paper copies of the project's contract documents, including
78 17 all drawings, plans, specifications, and estimated total costs
78 18 of the proposed public improvement are made available for
78 19 distribution at no charge to prospective bidders, subcontractor
78 20 bidders, suppliers, and contractor plan room services. If
78 21 a deposit is required as part of a paper contract documents
78 22 distribution policy by the public owner, the deposit shall
78 23 not exceed two hundred fifty dollars per set which shall be
78 24 refunded upon return of the contract documents within fourteen
78 25 days after award of the project. If the contract documents are
78 26 not returned in a timely manner and in a reusable condition,
78 27 the deposit shall be forfeited. The governmental entity shall
78 28 reimburse the landscape architect, architect, or professional
78 29 engineer for the actual costs of preparation and distribution
78 30 of plans and specifications.
78 31 Sec. 89. NEW SECTION. 73.14 Minority-owned and female-owned
78 32 businesses == bond issuance services.
78 33 1. The state, board of regents institutions, counties,
78 34 townships, school districts, community colleges, cities, and
78 35 other public entities, and every person acting as contracting



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79 1 agent for any such entity, shall, when issuing bonds or other
79 2 obligations, make a good-faith effort to utilize minority-owned
79 3 and female-owned businesses for attorneys, accountants,
79 4 financial advisors, banks, underwriters, insurers, and other
79 5 occupations necessary to carry out the issuance of bonds or
79 6 other obligations by the entity, whether or not such businesses
79 7 are located in the state.

79 8 2. For purposes of this section:

79 9 a. "Female-owned business" means a business that is
79 10 fifty-one percent or more owned, operated, and actively managed
79 11 by one or more women.

79 12 b. "Minority-owned business" means a business that is
79 13 fifty-one percent or more owned, operated, and actively managed
79 14 by one or more minority persons.

79 15 Sec. 90. Section 123.53, subsections 3 and 4, Code
79 16 Supplement 2009, are amended to read as follows:

79 17 3. Notwithstanding subsection 2, if gaming revenues under
79 18 sections 99D.17 and 99F.11 are insufficient in a fiscal year to
79 19 meet the total amount of such revenues directed to be deposited
79 20 in the revenue bonds debt service fund and the revenue bonds
79 21 federal subsidy holdback fund during the fiscal year pursuant
79 22 to section 8.57, subsection 6, paragraph "e", the difference
79 23 shall be paid from moneys deposited in the beer and liquor
79 24 control fund prior to transfer of such moneys to the general
79 25 fund pursuant to subsection 2 and prior to the transfer of such
79 26 moneys pursuant to subsections 5 and 6. If moneys deposited in
79 27 the beer and liquor control fund are insufficient during the
79 28 fiscal year to pay the difference, the remaining difference
79 29 shall be paid from moneys deposited in the beer and liquor
79 30 control fund in subsequent fiscal years as such moneys become
79 31 available.

79 32 4. The treasurer of state shall, each quarter, prepare
79 33 an estimate of the gaming revenues and of the moneys to be
79 34 deposited in the beer and liquor control fund that will become
79 35 available during the remainder of the appropriate fiscal year



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80 1 for the purposes described in subsection 3. The department
80 2 of management, the department of inspections and appeals, and
80 3 the department of commerce shall take appropriate actions to
80 4 provide that the sum of the amount of gaming revenues available
80 5 to be deposited into the revenue bonds debt service fund during
80 6 a fiscal year and the amount of moneys to be deposited in the
80 7 beer and liquor control fund available to be deposited into
80 8 the revenue bonds debt service fund and the revenue bonds
80 9 federal subsidy holdback fund during such fiscal year will be
80 10 sufficient to cover any anticipated deficiencies.

80 11 Sec. 91. Section 327H.20A, subsection 3, Code Supplement
80 12 2009, is amended to read as follows:

80 13 3. Notwithstanding any other provision to the contrary,
80 14 on or after July 1, 2006, moneys received as repayments for
80 15 loans made pursuant to this chapter or chapter 327I, Code 2009,
80 16 before, on, or after July 1, 2005, other than repayments of
80 17 federal moneys subject to section 327H.21, shall be credited to
80 18 the railroad revolving loan and grant fund. Notwithstanding
80 19 section 8.33, moneys in the railroad revolving loan and grant
80 20 fund shall not revert to the ~~general fund of the state fund~~
80 21 from which it was appropriated but shall remain available
80 22 indefinitely for expenditure under this section.

80 23 Sec. 92. Section 327J.2, subsection 3, Code Supplement
80 24 2009, is amended to read as follows:

80 25 3. No reversion. Notwithstanding section 8.33, any balance
80 26 in the fund on June 30 of any fiscal year shall not revert
80 27 to the ~~general fund of the state fund~~ from which it was
80 28 appropriated.

80 29 Sec. 93. REPEAL. Sections 8.57D, 12.90A, 12.90B, 12.90C,
80 30 16.185, 16.186, 16.187, and 313.68, Code Supplement 2009, are
80 31 repealed.

80 32 EXPLANATION

80 33 This bill makes appropriations to state departments and
80 34 agencies from the rebuild Iowa infrastructure fund, the
80 35 technology reinvestment fund, the revenue bonds capitals fund,



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81 1 the revenue bonds capitals II fund, the FY 2009 prison bonding
81 2 fund, and other funds, creates the Iowa jobs II program and the
81 3 revenue bonds federal subsidy holdback fund, and provides for
81 4 related matters.

81 5 DIVISION I == REBUILD IOWA INFRASTRUCTURE FUND
81 6 APPROPRIATIONS. This division appropriates project funding
81 7 for FY 2010=2011 from the rebuild Iowa infrastructure fund,
81 8 including projects for the departments of administrative
81 9 services, agriculture and land stewardship, for the blind,
81 10 cultural affairs, economic development, education, natural
81 11 resources, public defense, public health, transportation, and
81 12 veterans affairs, and to the Iowa finance authority, the state
81 13 board of regents, and the treasurer of state.

81 14 The division appropriates project funding for FY 2011=2012,
81 15 FY 2012=2013, and FY 2013=2014 from the rebuild Iowa
81 16 infrastructure fund to the department of corrections, for FY
81 17 2011=2012, FY 2012=2013, FY 2013=2014, and FY 2014=2015 from
81 18 the rebuild Iowa infrastructure fund to the department of
81 19 natural resources, and for FY 2011=2012 from the rebuild Iowa
81 20 infrastructure fund to the department of transportation.

81 21 DIVISION II == TECHNOLOGY REINVESTMENT FUND ==
81 22 APPROPRIATIONS. This division appropriates project funding
81 23 for FY 2010=2011 from the technology reinvestment fund for
81 24 the departments of administrative services, corrections,
81 25 education, and public health, and the Iowa telecommunications
81 26 and technology commission.

81 27 DIVISION III == REVENUE BONDS CAPITALS FUND ==
81 28 APPROPRIATIONS. This division appropriates project funding
81 29 for FY 2010=2011 from the revenue bonds capitals fund for
81 30 the departments of administrative services, agriculture and
81 31 land stewardship, cultural affairs, corrections, economic
81 32 development, natural resources, and the Iowa state fair, state
81 33 board of regents, and the Iowa finance authority.

81 34 DIVISION IV == REVENUE BONDS CAPITALS II FUND ==
81 35 APPROPRIATIONS. The division creates a revenue bonds capitals



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82 1 II fund. Revenue for the revenue bonds capitals II fund shall
82 2 include but is not limited to the net proceeds of certain bonds
82 3 issued by the treasurer of state on or after July 1, 2010,
82 4 interest attributable to investment of moneys in the fund or
82 5 an account of the fund, and moneys in the form of a devise,
82 6 gift, bequest, donation, federal or other grant, reimbursement,
82 7 repayment, judgment, transfer, payment, or appropriation from
82 8 any source intended to be used for the purposes of the fund.
82 9 Annually, on or before January 15 of each year, a state agency
82 10 that received an appropriation from the revenue bonds capitals
82 11 II fund shall report to the legislative services agency and the
82 12 department of management the status of all projects completed
82 13 or in progress.

82 14 The division appropriates project funding for FY 2010=2011
82 15 from the revenue bonds capitals II fund created in the bill to
82 16 the departments of agriculture and land stewardship, economic
82 17 development, education, natural resources, and transportation
82 18 and to the Iowa finance authority including to the Iowa jobs
82 19 board for purposes of the Iowa jobs II program, created in the
82 20 bill, state board of regents, and treasurer of state.

82 21 DIVISION V == FY 2009 PRISON BONDING FUND. This division
82 22 appropriates project funding for FY 2010=2011 to the department
82 23 of corrections.

82 24 DIVISION VI == IOWA COMPREHENSIVE PETROLEUM UNDERGROUND
82 25 STORAGE TANK FUND == DEPARTMENT OF TRANSPORTATION. This
82 26 division appropriates money from the Iowa comprehensive
82 27 petroleum underground storage tank fund to the department of
82 28 transportation for the fiscal year beginning July 1, 2010, and
82 29 ending June 30, 2011.

82 30 DIVISION VII == SMART PLANNING. Division VII of the bill
82 31 creates new Code section 18B.1, which establishes 10 smart
82 32 planning principles. State agencies, local governments,
82 33 and other public entities are required to consider and
82 34 may apply the principles during all appropriate planning,
82 35 zoning, development, and resource management decisions.



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83 1 The smart planning principles encourage collaboration
83 2 with other groups and individuals, identify the importance
83 3 of efficiency, transparency, and consistency, advise
83 4 the use of clean and renewable energy, advise the use of
83 5 energy-efficient and sustainable design options, encourage
83 6 occupational, transportation, and housing diversity, encourage
83 7 revitalization, identify the importance of community character,
83 8 and encourage decisions that will protect natural and
83 9 agricultural resources.
83 10 Municipalities, defined in new Code section 18B.2 as a
83 11 city or a county, are also directed to consider the smart
83 12 planning principles if the municipality develops or amends a
83 13 comprehensive plan under Code chapter 335 or Code chapter 414,
83 14 as applicable. Under new Code section 18B.2, a municipality
83 15 may also consider including certain specified information
83 16 in any such comprehensive plan or other land development
83 17 regulations. The list of items includes information relating
83 18 to public participation during the creation of the plan,
83 19 objectives, policies, goals, and programs relating to
83 20 utilities, housing, transportation, economic development,
83 21 employment, protection of agricultural and natural resources,
83 22 future development of certain specified public facilities,
83 23 characteristics unique to the municipality, and natural or
83 24 other hazards. A comprehensive plan or land development
83 25 regulations may also include information relating to joint
83 26 planning and joint decision making with other governmental
83 27 entities. New Code section 18B.2 provides that a comprehensive
83 28 plan may include a compilation of programs and specific
83 29 actions to be completed, including changes to any applicable
83 30 land development regulations, official maps, or subdivision
83 31 ordinances that are necessary to implement any provision of the
83 32 plan. A municipality's comprehensive plan that is developed
83 33 using guidelines under new Code section 18B.2 must address
83 34 prevention and mitigation of, response to, and recovery from a
83 35 catastrophic flood.



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84 1 Division VII of the bill amends several provisions of Code
84 2 chapters 335 and 414 relating to county and city zoning and
84 3 planning by allowing county and city zoning commissions to
84 4 recommend a comprehensive plan, or amendments thereto, to the
84 5 county board of supervisors or the city council, as applicable,
84 6 and by specifying certain duties and powers of boards of
84 7 supervisors and city councils relating to the consideration and
84 8 adoption of a comprehensive plan.

84 9 Division VII of the bill establishes an Iowa smart planning
84 10 task force consisting of 29 voting members and four ex officio,
84 11 nonvoting members from the general assembly. The voting
84 12 members consist of the heads of 14 specified state agencies and
84 13 15 other members from specified academic programs, governmental
84 14 entities and organizations, and industry associations. Members
84 15 of the task force, other than those who are the head of a state
84 16 agency or who are from specified programs, organizations,
84 17 and associations, serve at the pleasure of the governor.
84 18 The task force is required to meet at least four times
84 19 before November 15, 2010. Members of the task force are not
84 20 compensated for meeting participation and are not reimbursed
84 21 for costs associated with meeting attendance. The director
84 22 of the department of management is required to provide staff
84 23 assistance and administrative support to the task force. The
84 24 task force may request information or other assistance from
84 25 the Iowa association of regional councils. The task force is
84 26 required to comply with the requirements of Code chapters 21
84 27 and 22, relating to meetings and public records. The director
84 28 of the department of management is required to seek funding to
84 29 support local comprehensive planning in the state.

84 30 The task force is required to consult land use experts,
84 31 representatives of cities and counties, agricultural and
84 32 environmental interests, urban and regional planning experts,
84 33 reports or information from the local government innovation
84 34 commission, and all other information deemed relevant by
84 35 task force members. The task force is also required to



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85 1 solicit information from the public on matters related to
85 2 comprehensive planning, evaluate state policies, programs,
85 3 statutes, and rules to determine whether any state policies,
85 4 programs, statutes, or rules should be revised to integrate the
85 5 Iowa smart planning principles, develop statewide goals for
85 6 comprehensive planning that utilize the Iowa smart planning
85 7 principles, and develop recommendations for a process to
85 8 measure progress toward achieving those goals. The task
85 9 force is further directed to evaluate and develop methods
85 10 to incentivize comprehensive planning, develop a model for
85 11 regional comprehensive planning within the state, review local
85 12 comprehensive plans for specified purposes, develop a set of
85 13 specified recommendations that operate consistently with the
85 14 Iowa smart planning principles, and develop a model ordinance
85 15 relating to floodplains.

85 16 The task force is required to prepare a report that includes
85 17 goals, recommendations, and other specified information and
85 18 submit it to the governor and general assembly on or before
85 19 November 15, 2010. The task force is dissolved on December 31,
85 20 2012.

85 21 DIVISION VIII == GROW IOWA VALUES FUND. Currently, the
85 22 Code provides that for each fiscal year through the fiscal
85 23 period ending June 30, 2015, the grow Iowa values fund is to
85 24 receive an annual appropriation of \$50 million from either the
85 25 general fund or the rebuild Iowa infrastructure fund. The
85 26 division provides that the appropriation for FY 2010=2011
85 27 shall be from the rebuild Iowa infrastructure fund. The
85 28 department is directed to allocate that \$50 million for certain
85 29 purposes. This division appropriates \$38 million from the
85 30 rebuild Iowa infrastructure fund to the grow Iowa values fund
85 31 for FY 2010=2011. The division also decreases the FY 2010=2011
85 32 standing appropriation from the grow Iowa values fund to the
85 33 department of economic development from \$50 million to \$38
85 34 million and makes conforming changes to certain allocations.

85 35 The division allows the department to allocate, of the



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86 1 moneys in the targeted small business financial assistance
86 2 program account of the strategic investment fund, amounts
86 3 necessary for marketing, compliance, and the provision of
86 4 mentoring services.

86 5 Currently, the department must allocate \$3 million for
86 6 deposit in the innovation and commercialization development
86 7 fund. The division amends this allocation to require the
86 8 department to allocate \$5.5 million for deposit in the
86 9 innovation and commercialization development fund.

86 10 The division also creates a new allocation of \$1 million for
86 11 deposit in the targeted small business financial assistance
86 12 program account within the strategic investment fund.

86 13 Currently, the Code does not appropriate interest on moneys
86 14 in the grow Iowa values fund. The division appropriates the
86 15 interest to the department and directs the department to
86 16 allocate it for certain purposes.

86 17 DIVISION IX == SMALL BUSINESS LINKED INVESTMENTS. Division
86 18 IX relates to the small business linked investments program.
86 19 Currently, in order to qualify under the program, the net worth
86 20 of the owners of the business must be \$750,000 or less. The
86 21 division increases the threshold to \$975,000.

86 22 DIVISION X == SITE DEVELOPMENT. Division X relates to the
86 23 preparation of sites for economic development. Currently,
86 24 Code section 15E.18 provides for certain targeted economic
86 25 development site preparation. The division replaces this
86 26 Code section with a new program that directs the department
86 27 of economic development to provide site readiness consulting
86 28 services to local governments and officials and to issue
86 29 certificates of readiness to those sites that meet criteria
86 30 for readiness developed by the department. The division
86 31 appropriates \$175,000 to the department and authorizes one
86 32 full-time equivalent position.

86 33 DIVISION XI == INTERNET SITE FOR BUSINESS ASSISTANCE.
86 34 Division XI directs the department of economic development
86 35 in consultation with other agencies of state government and



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87 1 the board of regents, to create an internet site that brings
87 2 together all the information on financial and technical
87 3 assistance the state offers to businesses. The division
87 4 appropriates \$20,000 to the department for purposes of creating
87 5 the site.

87 6 DIVISION XII == REGULATORY ASSISTANCE INTERIM STUDY
87 7 COMMITTEE. Division XII requests the legislative council
87 8 to establish an interim study committee to examine and make
87 9 recommendations regarding methods of assisting small businesses
87 10 that do not require direct financial incentives and regarding
87 11 potential changes of law that would improve business licensing,
87 12 regulatory compliance, and tax collection procedures.

87 13 DIVISION XIII == SAVE OUR SMALL BUSINESSES FUND AND PROGRAM.
87 14 Division V creates a save our small businesses fund and
87 15 program. The fund is created in the state treasury under the
87 16 control of the department of economic development and consists
87 17 of moneys appropriated to it and repayments of principle and
87 18 interest on moneys loaned under the program.

87 19 The division appropriates \$5 million for purposes of
87 20 providing loans to certain eligible small businesses. The
87 21 department must begin to provide the loans no later than
87 22 August 1, 2010. If, on March 31, 2011, the department has not
87 23 obligated the full amount of the appropriation, the moneys
87 24 in the fund revert to the general fund of the state. The
87 25 loans must be at least \$2,500 but not more than \$50,000, and
87 26 the interest rate on the loans must not exceed 3.9 percent.
87 27 Repayments of principle and interest on the loans must be
87 28 deposited in the fund. Each quarter, the moneys in the fund
87 29 revert to the general fund of the state. On March 31, 2016,
87 30 all moneys in the fund revert to the general fund of the state.
87 31 The term of a loan may be for any period of time, but the loan
87 32 agreement must provide for the repayment of all principle and
87 33 interest prior to statutory reversion on March 31, 2016.

87 34 The department is allowed to designate a nonprofit
87 35 organization to administer the program provided the



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88 1 organization is designated as a statewide microloan program
88 2 provider by the United States small business administration.
88 3 The department, with the assistance of an organization
88 4 designated to administer the program, must submit a report on
88 5 the program to the general assembly each year by January 15.
88 6 The department is directed to adopt rules to administer the
88 7 program and may adopt emergency rules.
88 8 The division is effective upon enactment.
88 9 DIVISION XIV == ALTERNATIVE PUBLIC PROJECT DELIVERY STUDY.
88 10 This division relates to the establishment of an interim study
88 11 by the legislative council to study the use of alternative
88 12 project delivery for public projects at institutions under the
88 13 control of the state board of regents.
88 14 DIVISION XV == FLOODPLAIN MAPPING. This division provides
88 15 for the use of funds allocated to the department of natural
88 16 resources for floodplain mapping from the appropriation made
88 17 to the department of economic development in 2009 Iowa Acts,
88 18 chapter 183, section 67, of federal community development block
88 19 grant funds awarded to the state under the federal Consolidated
88 20 Security, Disaster Assistance, and Continuing Appropriations
88 21 Act, 2009, Pub. L. No. 110=329, the department of economic
88 22 development shall enter an agreement in an amount of not less
88 23 than \$10 million with the state university of Iowa for the
88 24 development of new floodplain maps by June 30, 2014, by the
88 25 Iowa flood center established pursuant to Code section 466C.1.
88 26 The department of economic development shall structure the
88 27 contract to be consistent with any plan for use of the funds
88 28 approved by any federal agency, or, if necessary, follow any
88 29 procedures necessary for approval of this contract.
88 30 DIVISION XVI == DEPARTMENT OF ADMINISTRATIVE SERVICES ==
88 31 OFFICE SPACE == STATE FLEET RELOCATION. This division requires
88 32 the department of administrative services to issue a request
88 33 for proposals by December 1, 2010, concerning the availability
88 34 and cost of office space for state employees in downtown Des
88 35 Moines and in other areas in close proximity to the state



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89 1 capitol complex. The department shall submit a written report
89 2 to the general assembly concerning the request for proposals by
89 3 January 14, 2011. The department is also required to conduct
89 4 a cost=benefit analysis of utilizing existing office space in
89 5 downtown Des Moines and other areas in close proximity to the
89 6 state capitol complex in lieu of replacing or renovating the
89 7 Wallace Building. The department shall submit a written report
89 8 to the general assembly concerning the cost=benefit analysis by
89 9 January 14, 2011.

89 10 The division also requires the department of administrative
89 11 services to evaluate and consider relocating the state vehicle
89 12 fleet.

89 13 DIVISION XVII == CHANGES TO PRIOR YEAR APPROPRIATIONS. This
89 14 division makes changes to prior year appropriations for FY
89 15 2006=2007 from the rebuild Iowa infrastructure fund for the
89 16 department of public safety and from Iowa's health restricted
89 17 capitals fund for the department of administrative services.
89 18 The division makes changes to prior year appropriations
89 19 for FY 2007=2008 from the rebuild Iowa infrastructure fund
89 20 for the state board of regents and from the technology
89 21 reinvestment fund for the department of human rights and the
89 22 Iowa workforce development. The division makes changes to
89 23 prior year appropriations for FY 2008=2009 from the technology
89 24 reinvestment fund for the department of education, from the
89 25 revenue bonds capitals fund for the department of corrections,
89 26 from the rebuild Iowa infrastructure fund for the departments
89 27 of administrative services and cultural affairs, and from the
89 28 FY 2009 prison bonding fund for the department of corrections.
89 29 The division makes changes to prior year appropriations for
89 30 FY 2009=2010 from the revenue bonds capitals fund for the
89 31 departments of agriculture and land stewardship, economic
89 32 development, natural resources, transportation, and the
89 33 Iowa telecommunications and technology commission, and from
89 34 the rebuild Iowa infrastructure fund for the departments of
89 35 cultural affairs and transportation.



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90 1 The division makes changes to prior year appropriations
90 2 for FY 2010=2011 from the rebuild Iowa infrastructure fund to
90 3 the department of economic development and from the rebuild
90 4 Iowa infrastructure fund to the departments of administrative
90 5 services, corrections, state board of regents, and the Iowa
90 6 state fair.
90 7 This division takes effect upon enactment.
90 8 DIVISION XVIII == MISCELLANEOUS CODE CHANGES. The division
90 9 eliminates the standing FY 2010=2011 \$10 million appropriation
90 10 from the rebuild Iowa infrastructure fund to the secure an
90 11 advanced vision for education (SAVE) fund.
90 12 The division reduces the FY 2010=2011 standing appropriation
90 13 from the rebuild Iowa infrastructure fund to the environment
90 14 first fund from \$42 million to \$33 million.
90 15 The division appropriates \$10 million from the rebuild Iowa
90 16 infrastructure fund to the technology reinvestment fund for FY
90 17 2010=2011.
90 18 The division makes changes to Code section 8.57 relating
90 19 to the distribution of wagering tax allocations for purposes
90 20 of pledging a revenue stream for revenue bonds issued on or
90 21 after July 1, 2010, authorized under the bill. In addition,
90 22 the division makes changes to Code section 123.53 relating to
90 23 the beer and liquor control fund to provide for a secondary
90 24 source of revenue funding for the revenue bonds relating to the
90 25 revenue bonds federal subsidy holdback fund.
90 26 The division authorizes the treasurer of state to issue and
90 27 sell bonds in amounts which provide aggregate net proceeds of
90 28 not more than \$150 million for purposes of an Iowa jobs grant
90 29 program relating to disaster prevention for qualified projects
90 30 in the departments of agriculture and land stewardship,
90 31 economic development, education, and transportation, and the
90 32 Iowa finance authority, the state board of regents, and the
90 33 treasurer of state.
90 34 The division creates a revenue bonds federal subsidy
90 35 holdback fund comprised of the wagering tax revenues required



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91 1 to be deposited in the fund, interest attributable to
91 2 investment moneys in the fund, and any other moneys from any
91 3 other sources which may be legally available to the treasurer
91 4 of state for the purpose of the fund. The moneys in the
91 5 revenue bonds federal subsidy holdback fund are appropriated
91 6 and shall be used or transferred to the revenue bonds debt
91 7 service fund solely for the purpose of making payments of
91 8 principal and interest on the federal subsidy bonds when due,
91 9 if the treasurer of state or the treasurer's designee has not
91 10 received a federal subsidy scheduled to be received for such
91 11 payment by the due date. The moneys on deposit in the revenue
91 12 bonds federal subsidy holdback fund are required to be used
91 13 or transferred to the revenue bonds debt service fund solely
91 14 for the purpose of making payments of principal and interest
91 15 on federal subsidy bonds prior to any use or transfer of
91 16 moneys on deposit in any bond reserve fund created for such
91 17 federal subsidy bonds by the treasurer of state. At any time
91 18 during each fiscal year that there are moneys on deposit in
91 19 the revenue bonds federal subsidy holdback fund that are not
91 20 needed to pay principal and interest on federal subsidy bonds
91 21 during such fiscal year, all moneys on deposit in the revenue
91 22 bonds federal subsidy holdback account shall be credited to
91 23 the general fund. For purposes of the bill, "federal subsidy"
91 24 means any payment from the federal government with respect to
91 25 federal subsidy bonds and "federal subsidy bonds" means any
91 26 bonds issued and sold pursuant to Code section 12.87 for which
91 27 a federal subsidy is expected to be paid on or before any date
91 28 on which interest on such bonds is due and payable.
91 29 The division eliminates standing appropriations for FY
91 30 2010=2011 from the rebuild Iowa infrastructure fund to the
91 31 community attraction and tourism fund and from the franchise
91 32 tax revenues deposited in the general fund of the state to the
91 33 community attraction and tourism fund.
91 34 The division eliminates standing appropriations from the
91 35 rebuild Iowa infrastructure fund and the general fund for FY



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92 1 2010=2011 to the department of economic development for the
92 2 community attraction and tourism program.
92 3 The division appropriates funds from the rebuild Iowa
92 4 infrastructure fund to the Iowa finance authority for deposit
92 5 into the housing trust fund for FY 2010=2011.
92 6 The division creates an Iowa jobs II program to assist
92 7 in the development and completion of public construction
92 8 projects relating to disaster prevention. A city or county
92 9 in this state or a regional transit district as defined in
92 10 chapter 28M that applies the smart planning principles and
92 11 guidelines pursuant to Code sections 18B.1 and 18B.2 if
92 12 enacted in 2010 Iowa Acts, Senate File 2265, may submit an
92 13 application to the Iowa jobs board created in Code section
92 14 16.191 for a local infrastructure competitive grant for an
92 15 eligible project under the program. The board is required to
92 16 consider certain criteria in evaluating eligible projects to
92 17 receive financial assistance under the program. Any award
92 18 of financial assistance to a project is limited to up to 75
92 19 percent of the total cost of the total cost of the development
92 20 and completion of a public construction project relating to
92 21 disaster prevention.
92 22 The division amends Code section 26.3 relating to
92 23 competitive bids for public improvement contracts. The
92 24 division provides that a governmental entity shall ensure that
92 25 a sufficient number of paper copies of the project's contract
92 26 documents, including all drawings, plans, specifications, and
92 27 estimated total costs of the proposed public improvement are
92 28 made available for distribution at no charge to prospective
92 29 bidders, subcontractor bidders, suppliers, and contractor plan
92 30 room services. If a deposit is required as part of a paper
92 31 contract documents distribution policy by the public owner,
92 32 the deposit shall not exceed \$2,50 per set which shall be
92 33 refunded upon return of the contract documents within 14 days
92 34 after award of the project. If the contract documents are not
92 35 returned in a timely manner and in a reusable condition, the



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93 1 deposit shall be forfeited.
93 2 The division contains a provision relating to minority-owned
93 3 and female-owned businesses and bond issuance services.
93 4 The division makes technical changes relating to the
93 5 reversion of funds provisions in Code sections 327H.20A
93 6 (railroad revolving loan and grant fund) and 327J.2 (passenger
93 7 rail service revolving fund).
93 8 The division repeals Code section 12.90A authorizing the
93 9 treasurer of state to issue annual appropriation bonds on or
93 10 after July 1, 2010, and makes conforming changes by repealing
93 11 the annual appropriation bonds debt service fund (Code section
93 12 12.90B), the appropriations bonds capitals fund (Code section
93 13 12.90C), and the vertical infrastructure restricted capitals
93 14 fund (Code section 8.57D).
93 15 The division repeals the public service shelter grant
93 16 fund (Code section 16.185), the disaster damage housing
93 17 assistance grant fund (Code section 16.186), the affordable
93 18 housing assistance grant fund (Code section 16.187), and the
93 19 bridge safety fund (Code section 313.68), and makes conforming
93 20 changes.

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