



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 29, 2010

House Amendment 8653

PAG LIN

1 1 Amend Senate File 2379, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 8, by striking lines 27 and 28 and
1 4 inserting:
1 5 ~~<e. The person is not addicted to the use of~~
~~1 6 alcohol or a controlled substance.>~~
1 7 #2. Page 8, line 34, by striking <c.> and inserting
1 8 b.>
1 9 #3. Page 8, line 35, by striking <d.> and inserting
1 10 c.>

SWAIM of Davis

BAUDLER of Adair
SF2379.3026 (4) 83
rj/nh



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House Amendment 8654

PAG LIN

1 1 Amend Senate File 2389, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 17, line 13, by striking
1 4 <existingcourthouse> and inserting <existing
1 5 courthouse>
1 6 #2. Page 19, line 22, by striking <on a lake> and
1 7 inserting <in a state park>

COHOON of Des Moines
SF2389.3029 (2) 83
rh/rj



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House Amendment 8655

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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, line 37, after <who> by inserting <has
1 5 previously been convicted of a violation enumerated in
1 6 this section or an equivalent offense in another state
1 7 and, within twelve months of such conviction,>
1 8 #2. Page 11, line 45, by striking <may> and
1 9 inserting <~~may~~ shall>
1 10 #3. By renumbering as necessary.

R. OLSON of Polk
HF2531.3034 (1) 83
dea/nh



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House Amendment 8656

PAG LIN

1 1 Amend Senate File 2389 as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 75, after line 29 by inserting:
1 4 <Sec. ____ . Section 16.193, Code Supplement 2009, is
1 5 amended by adding the following new subsection:
1 6 NEW SUBSECTION. 3. a. During the term of the
1 7 Iowa jobs program, the Iowa finance authority shall
1 8 collect data on all of the projects approved for the
1 9 program. The department of management and the state
1 10 agencies associated with the projects shall assist the
1 11 authority with the data collection and in developing
1 12 the report required by this subsection. The authority
1 13 shall report quarterly to the governor and the general
1 14 assembly concerning the data.
1 15 b. The report shall include but is not limited to
1 16 all of the following:
1 17 (1) The nature of each project and its purpose.
1 18 (2) The status of each project and the amount and
1 19 percentage of program funds expended for the project.
1 20 (3) The outside funding that is matched or
1 21 leveraged by the program funds.
1 22 (4) The number of jobs created or retained by each
1 23 project.
1 24 (5) For each project, the names of the project
1 25 contractors, state of residence of the project
1 26 contractors, and the state of residence of the
1 27 contractors' employees.
1 28 c. The authority shall maintain an internet site
1 29 that allows citizens to track project data on a
1 30 county-by-county basis.>
1 31 #2. Page 80, after line 18 by inserting:
1 32 <Sec. ____ . EFFECTIVE DATE AND APPLICABILITY. This
1 33 section of this division of this Act enacting section
1 34 16.193, subsection 3, being deemed of immediate
1 35 importance, takes effect upon enactment, and applies to
1 36 projects approved on, before, and after the effective
1 37 date of the section.>
1 38 #3. By renumbering as necessary.

STECKMAN of Cerro Gordo

H. MILLER of Webster

GASKILL of Wapello

SMITH of Marshall



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THEDE of Scott

WINCKLER of Scott

BEARD of Winneshiek

T. OLSON of Linn

WENTHE of Fayette

KELLEY of Black Hawk

PETERSEN of Polk

WESSEL=KROESCHELL of Story

THOMAS of Clayton

HUNTER of Polk

REICHERT of Muscatine

COHOON of Des Moines

PALMER of Mahaska

BAILEY of Hamilton



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MAREK of Washington

REASONER of Union

WHITEAD of Woodbury

ISENHART of Dubuque

MASCHER of Johnson

RUNNING=MARQUARDT of Linn

FREVERT of Palo Alto

KUHN of Floyd

KEARNS of Lee

MERTZ of Kossuth

TAYLOR of Linn

HEDDENS of Story

BERRY of Black Hawk

LYKAM of Scott

BELL of Jasper



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SWAIM of Davis

ABDUL=SAMAD of Polk

FORD of Polk
SF2389.3022 (3) 83
rh/rj



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House Amendment 8657

PAG LIN

1 1 Amend House File 2534 as follows:
 1 2 #1. By striking everything after the enacting clause
 1 3 and inserting:
 1 4 <DIVISION I
 1 5 REBUILD IOWA INFRASTRUCTURE FUND
 1 6 Section 1. There is appropriated from the rebuild
 1 7 Iowa infrastructure fund to the following departments
 1 8 and agencies for the fiscal year beginning July 1,
 1 9 2010, and ending June 30, 2011, the following amounts,
 1 10 or so much thereof as is necessary, to be used for the
 1 11 purposes designated:
 1 12 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
 1 13 a. For distribution to other governmental entities
 1 14 for the payment of services related to the integrated
 1 15 information for Iowa system, notwithstanding section
 1 16 8.57, subsection 6, paragraph "c":
 1 17 \$ 3,700,000
 1 18 Moneys appropriated in this lettered paragraph shall
 1 19 be separately accounted for in a distribution account
 1 20 and shall be distributed to other governmental entities
 1 21 based upon a formula established by the department
 1 22 to pay for services associated with the integrated
 1 23 information for Iowa system provided during the fiscal
 1 24 year by the department.
 1 25 During the fiscal year, the department may use up
 1 26 to \$1,000,000 of unexpended or unobligated funds in
 1 27 the information technology operations fund established
 1 28 under the provisions of section 8A.123 to provide
 1 29 funding for costs associated with the integrated
 1 30 information for Iowa system. By October 31, 2011, the
 1 31 department shall report to the department of management
 1 32 and the legislative services agency regarding any
 1 33 moneys that are used for this purpose.
 1 34 b. For costs associated with Mercy capitol hospital
 1 35 building operations, notwithstanding section 8.57,
 1 36 subsection 6, paragraph "c":
 1 37 \$ 1,083,175
 1 38 c. For the state's share of support in conjunction
 1 39 with the city of Des Moines and local area businesses
 1 40 to provide a free shuttle service to the citizens
 1 41 of Iowa that includes transportation between the
 1 42 capitol complex and the downtown Des Moines area,
 1 43 notwithstanding section 8.57, subsection 6, paragraph
 1 44 "c":
 1 45 \$ 200,000
 1 46 Details for the shuttle service, including the
 1 47 route to be served, shall be determined pursuant to an
 1 48 agreement to be entered into by the department with the
 1 49 Des Moines area regional transit authority (DART) and
 1 50 any other participating entities.



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House Amendment 8657 continued

2 1 Of the amount appropriated in this lettered
 2 2 paragraph, up to \$50,000 shall be used to encourage
 2 3 state employees to utilize transit services provided by
 2 4 the Des Moines area regional transit authority.
 2 5 2. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
 2 6 For the administration of the watershed improvement
 2 7 review board established in section 466A.3,
 2 8 notwithstanding section 8.57, subsection 6, paragraph
 2 9 "c":
 2 10 \$ 50,000
 2 11 3. DEPARTMENT FOR THE BLIND
 2 12 For costs associated with universal access to audio
 2 13 information over the phone on demand for blind and
 2 14 print handicapped Iowans, notwithstanding section 8.57,
 2 15 subsection 6, paragraph "c":
 2 16 \$ 20,000
 2 17 4. DEPARTMENT OF CULTURAL AFFAIRS
 2 18 a. For continuation of the project recommended
 2 19 by the Iowa battle flag advisory committee to
 2 20 stabilize the condition of the battle flag collection,
 2 21 notwithstanding section 8.57, subsection 6, paragraph
 2 22 "c":
 2 23 \$ 60,000
 2 24 b. For purposes of maintenance and repairs of
 2 25 historic sites:
 2 26 \$ 40,000
 2 27 5. DEPARTMENT OF ECONOMIC DEVELOPMENT
 2 28 a. For deposit in the workforce training and
 2 29 economic development funds for each community college
 2 30 in section 260C.18A, notwithstanding section 8.57,
 2 31 subsection 6, paragraph "c":
 2 32 \$ 2,000,000
 2 33 b. To the 6th avenue corridor for improvements to
 2 34 the streetscape associated with the national mainstreet
 2 35 conference and for additional architectural and
 2 36 engineering design plans for economic development and
 2 37 community revitalization, notwithstanding section 8.57,
 2 38 subsection 6, paragraph "c":
 2 39 \$ 100,000
 2 40 c. To develop site plans for the southeast Iowa
 2 41 regional economic and port authority including
 2 42 plans for infrastructure for economic development,
 2 43 notwithstanding section 8.57, subsection 6, paragraph
 2 44 "c":
 2 45 \$ 50,000
 2 46 d. For equal distribution to regional sports
 2 47 authority districts certified by the department
 2 48 pursuant to section 15E.321, notwithstanding section
 2 49 8.57, subsection 6, paragraph "c":
 2 50 \$ 500,000



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House Amendment 8657 continued

3 1 e. For administration and support of the world
 3 2 food prize including the Borlaug/Ruan scholar program,
 3 3 notwithstanding section 8.57, subsection 6, paragraph
 3 4 "c":
 3 5 \$ 100,000

3 6 6. DEPARTMENT OF EDUCATION
 3 7 To provide resources for structural and
 3 8 technological improvements to local libraries and for
 3 9 the enrich Iowa program, notwithstanding section 8.57,
 3 10 subsection 6, paragraph "c":
 3 11 \$ 500,000

3 12 Of the moneys appropriated in this subsection,
 3 13 \$50,000 shall be allocated equally to each library
 3 14 service area.

3 15 7. DEPARTMENT OF NATURAL RESOURCES
 3 16 a. For floodplain management and dam safety,
 3 17 notwithstanding section 8.57, subsection 6,
 3 18 paragraph "c":
 3 19 \$ 2,000,000

3 20 Of the amounts appropriated in this lettered
 3 21 paragraph, up to \$400,000 is authorized for stream
 3 22 gages to be used for tracking and predicting flood
 3 23 events and for compiling necessary data relating to
 3 24 flood frequency analysis.

3 25 b. For costs associated with the construction of a
 3 26 permanent structure for handicapped persons and senior
 3 27 citizens in a county with a population between 37,150
 3 28 and 37,250:
 3 29 \$ 40,000

3 30 c. For costs associated with the hiring and
 3 31 employment of an asset manager at Honey creek resort
 3 32 state park, notwithstanding section 8.57, subsection
 3 33 6, paragraph "c":
 3 34 \$ 100,000

3 35 The department shall issue a request for proposals
 3 36 to competitively procure the services of an asset
 3 37 manager which shall be selected by the natural resource
 3 38 commission. The asset manager shall have hospitality
 3 39 management experience of at least five years including
 3 40 at least three years asset management experience in a
 3 41 setting similar in size and quality to the Honey creek
 3 42 resort state park with a similar type of market. The
 3 43 duties and job responsibilities of the asset manager
 3 44 shall include but are not limited to reviewing and
 3 45 commenting on the resort's sales and marketing plan,
 3 46 providing for the operation of the resort in a manner
 3 47 consistent with the requirements and limitations set
 3 48 forth in the resort's operating agreement, monitoring
 3 49 and supervising the resort including site visits,
 3 50 and negotiating and recommending an annual operating



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House Amendment 8657 continued

4 1 budget and budget plan. The asset manager shall
 4 2 report to bond counsel, the governor, the Honey creek
 4 3 authority, the department of natural resources, and the
 4 4 legislative services agency.

4 5 8. DEPARTMENT OF PUBLIC DEFENSE

4 6 a. For major maintenance projects at national guard
 4 7 armories and facilities:

4 8 \$ 1,500,000

4 9 b. For renovation and facility improvements at the
 4 10 Iowa Falls readiness center:

4 11 \$ 500,000

4 12 c. For renovation and facility improvements at the
 4 13 Cedar Rapids armed forces readiness center:

4 14 \$ 200,000

4 15 d. For renovation and facility improvements at the
 4 16 Middletown readiness center:

4 17 \$ 100,000

4 18 9. DEPARTMENT OF PUBLIC HEALTH

4 19 For a grant to an existing national affiliated
 4 20 volunteer eye organization that has an established
 4 21 program for children and adults and that is solely
 4 22 dedicated to preserving sight and preventing blindness
 4 23 through education, nationally certified vision
 4 24 screening and training, community and patient service
 4 25 programs, notwithstanding section 8.57, subsection 6,
 4 26 paragraph "c":

4 27 \$ 100,000

4 28 10. IOWA FINANCE AUTHORITY

4 29 For transfer to the Polk county housing trust
 4 30 fund for the construction of facilities to meet the
 4 31 specialized needs of adult persons with severe and
 4 32 profound disabilities who have high medical needs:

4 33 \$ 250,000

4 34 11. STATE BOARD OF REGENTS

4 35 a. For allocation by the state board of regents to
 4 36 the state university of Iowa, the Iowa state university
 4 37 of science and technology, and the university of
 4 38 northern Iowa to reimburse the institutions for
 4 39 deficiencies in the operating funds resulting from
 4 40 the pledging of tuition, student fees and charges,
 4 41 and institutional income to finance the cost of
 4 42 providing academic and administrative buildings and
 4 43 facilities and utility services at the institutions,
 4 44 notwithstanding section 8.57, subsection 6, paragraph
 4 45 "c":

4 46 \$ 24,305,412

4 47 b. For the Iowa flood center at the state
 4 48 university of Iowa for use by the university's
 4 49 college of engineering, pursuant to section 466C.1,
 4 50 notwithstanding section 8.57, subsection 6, paragraph



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5 1 "c":
5 2 \$ 1,300,000
5 3 c. To Iowa state university of science and
5 4 technology to purchase veterinary surgical and other
5 5 equipment to modernize the animal care facilities at
5 6 the blank park zoo as part of a cooperative effort of
5 7 blank park zoo and the college of veterinary medicine,
5 8 notwithstanding section 8.57, subsection 6, paragraph
5 9 "c":
5 10 \$ 400,000
5 11 12. TREASURER OF STATE
5 12 For county fair infrastructure improvements
5 13 for distribution in accordance with chapter 174 to
5 14 qualified fairs which belong to the association of Iowa
5 15 fairs:
5 16 \$ 1,060,000
5 17 13. DEPARTMENT OF TRANSPORTATION
5 18 For infrastructure improvements at general aviation
5 19 airports within the state:
5 20 \$ 750,000
5 21 14. DEPARTMENT OF VETERANS AFFAIRS
5 22 For transfer to the Iowa finance authority for the
5 23 continuation of the home ownership assistance program
5 24 for persons who are or were eligible members of the
5 25 armed forces of the United States, pursuant to section
5 26 16.54, notwithstanding section 8.57, subsection 6,
5 27 paragraph "c":
5 28 \$ 1,000,000
5 29 Sec. 2. There is appropriated from the rebuild Iowa
5 30 infrastructure fund to the following departments and
5 31 agencies for the following fiscal years, the following
5 32 amounts, or so much thereof as is necessary, to be used
5 33 for the purposes designated:
5 34 1. DEPARTMENT OF CORRECTIONS
5 35 For project management costs at Fort Madison and
5 36 Mitchellville prisons, associated with construction
5 37 projects at the department, notwithstanding section
5 38 8.57, subsection 6, paragraph "c":
5 39 FY 2011=2012..... \$ 4,500,000
5 40 FY 2012=2013..... \$ 1,000,000
5 41 FY 2013=2014..... \$ 200,000
5 42 2. DEPARTMENT OF NATURAL RESOURCES
5 43 For state park infrastructure improvements:
5 44 FY 2011=2012..... \$ 5,000,000
5 45 FY 2012=2013..... \$ 5,000,000
5 46 FY 2013=2014..... \$ 5,000,000
5 47 FY 2014=2015..... \$ 5,000,000
5 48 3. DEPARTMENT OF TRANSPORTATION
5 49 For deposit into the passenger rail service
5 50 revolving fund created in section 327J.2 for matching



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6 1 federal funding available through the federal Passenger
6 2 Rail Investment and Improvement Act of 2008 for
6 3 passenger rail service, notwithstanding section 8.57,
6 4 subsection 6, paragraph "c":
6 5 FY 2011=2012..... \$ 6,500,000

6 6 It is the intent of the general assembly to fund
6 7 up to \$20 million over a four-year period to fully
6 8 fund the state commitment for matching federal funding
6 9 available through the federal Passenger Rail Investment
6 10 and Improvement Act of 2008.

6 11 Sec. 3. REVERSION. For purposes of section 8.33,
6 12 unless specifically provided otherwise, unencumbered
6 13 or unobligated moneys made from an appropriation in
6 14 this division of this Act shall not revert but shall
6 15 remain available for expenditure for the purposes
6 16 designated until the close of the fiscal year that ends
6 17 three years after the end of the fiscal year for which
6 18 the appropriation was made. However, if the project
6 19 or projects for which such appropriation was made are
6 20 completed in an earlier fiscal year, unencumbered or
6 21 unobligated moneys shall revert at the close of that
6 22 same fiscal year.

DIVISION II

TECHNOLOGY REINVESTMENT FUND

6 25 Sec. 4. There is appropriated from the technology
6 26 reinvestment fund created in section 8.57C to the
6 27 following departments and agencies for the fiscal year
6 28 beginning July 1, 2010, and ending June 30, 2011, the
6 29 following amounts, or so much thereof as is necessary,
6 30 to be used for the purposes designated:

6 31 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
6 32 For technology improvement projects:
6 33 \$ 3,793,654

6 34 2. DEPARTMENT OF CORRECTIONS
6 35 For costs associated with the Iowa corrections
6 36 offender network data system:
6 37 \$ 500,000

6 38 3. DEPARTMENT OF EDUCATION
6 39 a. For maintenance and lease costs associated with
6 40 connections for Part III of the Iowa communications
6 41 network:
6 42 \$ 2,727,000

6 43 b. For the implementation of an educational data
6 44 warehouse that will be utilized by teachers, parents,
6 45 school district administrators, area education agency
6 46 staff, department of education staff, and policymakers:
6 47 \$ 600,000

6 48 The department may use a portion of the moneys
6 49 appropriated in this lettered paragraph for an
6 50 e-transcript data system capable of tracking students



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7 1 throughout their education via interconnectivity with
 7 2 multiple schools.

7 3 4. DEPARTMENT OF PUBLIC HEALTH

7 4 For deposit in the county mental health, mental
 7 5 retardation, and developmental disabilities services
 7 6 fund created by section 331.424A in a county with a
 7 7 population over 350,000 for a community mental health
 7 8 center created under chapter 230A which serves only
 7 9 adults:

7 10 \$ 250,000

7 11 5. IOWA TELECOMMUNICATIONS AND TECHNOLOGY
 7 12 COMMISSION

7 13 For replacement of equipment for the Iowa
 7 14 communications network:

7 15 \$ 2,244,956

7 16 The commission may continue to enter into contracts
 7 17 pursuant to section 8D.13 for the replacement of
 7 18 equipment and for operations and maintenance costs of
 7 19 the network.

7 20 In addition to moneys appropriated in this
 7 21 subsection, the commission may use a financing
 7 22 agreement entered into by the treasurer of state in
 7 23 accordance with section 12.28 for the replacement
 7 24 of equipment for the network. For purposes of this
 7 25 subsection, the treasurer of state is not subject to
 7 26 the maximum principal limitation contained in section
 7 27 12.28, subsection 6. Repayment of any amounts financed
 7 28 shall be made from receipts associated with fees
 7 29 charged for use of the network.

7 30 Sec. 5. REVERSION. For purposes of section 8.33,
 7 31 unless specifically provided otherwise, unencumbered
 7 32 or unobligated moneys made from an appropriation in
 7 33 this division of this Act shall not revert but shall
 7 34 remain available for expenditure for the purposes
 7 35 designated until the close of the fiscal year that ends
 7 36 three years after the end of the fiscal year for which
 7 37 the appropriation was made. However, if the project
 7 38 or projects for which such appropriation was made are
 7 39 completed in an earlier fiscal year, unencumbered or
 7 40 unobligated moneys shall revert at the close of that
 7 41 same fiscal year.

7 42 DIVISION III

7 43 REVENUE BONDS CAPITALS FUND == APPROPRIATIONS

7 44 Sec. 6. There is appropriated from the revenue
 7 45 bonds capitals fund created in section 12.88, to the
 7 46 following departments and agencies for the fiscal year
 7 47 beginning July 1, 2010, and ending June 30, 2011, the
 7 48 following amounts, or so much thereof as is necessary,
 7 49 to be used for the purposes designated:

7 50 1. DEPARTMENT OF ADMINISTRATIVE SERVICES



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8 1 For projects related to major repairs and major
8 2 maintenance for state buildings and facilities:
8 3 \$ 3,000,000
8 4 Moneys appropriated in this subsection shall not
8 5 be used for purposes of the renovation of the Mercy
8 6 capitol hospital building.
8 7 2. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
8 8 a. To the soil conservation division of the
8 9 department established in section 161A.4 to provide
8 10 financial assistance for the establishment of permanent
8 11 soil and water conservation practices:
8 12 \$ 1,000,000
8 13 b. Not more than 5 percent of the moneys
8 14 appropriated in paragraph "a" may be allocated for
8 15 cost sharing to abate complaints filed under section
8 16 161A.47.
8 17 c. Of the moneys appropriated in paragraph "a",
8 18 5 percent shall be allocated for financial incentives
8 19 to establish practices to protect watersheds above
8 20 publicly owned lakes of the state from soil erosion and
8 21 sediment as provided in section 161A.73.
8 22 d. Not more than 30 percent of a soil and water
8 23 conservation district's allocation of moneys as
8 24 financial incentives may be provided for the purpose
8 25 of establishing management practices to control soil
8 26 erosion on land that is row cropped, including but
8 27 not limited to no-till planting, ridge-till planting,
8 28 contouring, and contour strip-cropping as provided in
8 29 section 161A.73.
8 30 e. The state soil conservation committee created
8 31 in section 161A.4 may allocate moneys appropriated in
8 32 paragraph "a" to conduct research and demonstration
8 33 projects to promote conservation tillage and nonpoint
8 34 source pollution control practices.
8 35 f. The allocation of moneys as financial incentives
8 36 as provided in section 161A.73 may be used in
8 37 combination with moneys allocated by the department of
8 38 natural resources.
8 39 g. Moneys appropriated in this subsection shall not
8 40 be used for administrative or planning purposes.
8 41 3. DEPARTMENT OF CULTURAL AFFAIRS
8 42 For grants for Iowa great places program projects:
8 43 \$ 2,000,000
8 44 4. DEPARTMENT OF CORRECTIONS
8 45 a. For one-time costs associated with the opening
8 46 of community-based corrections facilities including the
8 47 purchase of equipment:
8 48 \$ 1,519,048
8 49 b. For use by a city with a population between
8 50 198,000 and 199,000 for a safety barrier to be



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9 1 constructed in the natural environment between the
 9 2 fifth judicial district facility and the blank park
 9 3 zoo:
 9 4 \$ 1,000,000
 9 5 c. For project management costs at Fort Madison
 9 6 and Mitchellville prisons associated with construction
 9 7 projects at the department:
 9 8 \$ 2,200,000
 9 9 5. DEPARTMENT OF ECONOMIC DEVELOPMENT
 9 10 To the Des Moines area regional transit authority
 9 11 (DART) for construction of a regional transit hub for
 9 12 economic development purposes and for providing public
 9 13 transportation in a city with a population between
 9 14 198,000 and 199,000 in the last preceding certified
 9 15 federal census:
 9 16 \$ 4,000,000
 9 17 6. DEPARTMENT OF NATURAL RESOURCES
 9 18 For implementation of lake projects that have
 9 19 established watershed improvement initiatives and
 9 20 community support in accordance with the department's
 9 21 annual lake restoration plan and report:
 9 22 \$ 7,000,000
 9 23 Of the amount appropriated in this subsection,
 9 24 \$250,000 shall be allocated for dredging,
 9 25 reconstruction, and related improvements of twin
 9 26 ponds adjacent to a nature center in a county with a
 9 27 population between 13,050, and 13,100.
 9 28 Of the amount appropriated in this subsection,
 9 29 \$2,000,000 shall be allocated for costs associated with
 9 30 dam construction; shoreline protection; boat ramp,
 9 31 parking, and road construction; and an in-lake fishing
 9 32 habitat development project for a new state recreation
 9 33 area on a lake located in a county with a population
 9 34 between 155,000 and 160,000.
 9 35 Of the amount appropriated in this subsection,
 9 36 \$100,000 shall be allocated for lake dredging and
 9 37 related improvements including ongoing dam maintenance
 9 38 and operation on a lake with public access that has
 9 39 the support of a benefited lake district located in a
 9 40 county with a population between 18,350 and 18,450 in
 9 41 the last preceding federal census.
 9 42 7. STATE BOARD OF REGENTS
 9 43 For phase II of the construction and renovation
 9 44 of the veterinary medical facilities at Iowa state
 9 45 university of science and technology, specifically
 9 46 the renovation and modernization of the area formerly
 9 47 occupied by the large animal area of the teaching
 9 48 hospital for expanded clinical services:
 9 49 \$ 13,000,000
 9 50 8. IOWA STATE FAIR



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11 1 donation, federal or other grant, reimbursement,
 11 2 repayment, judgment, transfer, payment, or
 11 3 appropriation from any source intended to be used for
 11 4 the purposes of the fund.
 11 5 3. Moneys in the revenue bonds capitals II fund are
 11 6 not subject to section 8.33. Notwithstanding section
 11 7 12C.7, subsection 2, interest or earnings on moneys in
 11 8 the fund shall be credited to the fund.
 11 9 4. Annually, on or before January 15 of each year,
 11 10 a state agency that received an appropriation from
 11 11 the revenue bonds capitals II fund shall report to
 11 12 the legislative services agency and the department of
 11 13 management the status of all projects completed or in
 11 14 progress. The report shall include a description of
 11 15 the project, the work completed, the total estimated
 11 16 cost of the project, a list of all revenue sources
 11 17 being used to fund the project, the amount of funds
 11 18 expended, the amount of funds obligated, and the date
 11 19 the project was completed or an estimated completion
 11 20 date of the project, where applicable.
 11 21 Sec. 10. There is appropriated from the revenue
 11 22 bonds capitals II fund created in section 12.88A to the
 11 23 following departments and agencies for the fiscal year
 11 24 beginning July 1, 2010, and ending June 30, 2011, the
 11 25 following amounts, or so much thereof as is necessary,
 11 26 to be used for the purposes designated:
 11 27 1. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
 11 28 a. To the soil conservation division of the
 11 29 department established in section 161A.4 to provide
 11 30 financial assistance for the establishment of permanent
 11 31 soil and water conservation practices:
 11 32 \$ 5,950,000
 11 33 (1) Not more than 5 percent of the moneys
 11 34 appropriated in this paragraph "a" may be allocated for
 11 35 cost sharing to abate complaints filed under section
 11 36 161A.47.
 11 37 (2) Of the moneys appropriated in this paragraph
 11 38 "a", 5 percent shall be allocated for financial
 11 39 incentives to establish practices to protect watersheds
 11 40 above publicly owned lakes of the state from soil
 11 41 erosion and sediment as provided in section 161A.73.
 11 42 (3) Not more than 30 percent of a soil and water
 11 43 conservation district's allocation of moneys as
 11 44 financial incentives may be provided for the purpose
 11 45 of establishing management practices to control soil
 11 46 erosion on land that is row cropped, including but
 11 47 not limited to no-till planting, ridge-till planting,
 11 48 contouring, and contour strip-cropping as provided in
 11 49 section 161A.73.
 11 50 (4) The state soil conservation committee created



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12 1 in section 161A.4 may allocate moneys appropriated in
 12 2 paragraph "a" to conduct research and demonstration
 12 3 projects to promote conservation tillage and nonpoint
 12 4 source pollution control practices.
 12 5 (5) The allocation of moneys as financial
 12 6 incentives as provided in section 161A.73 may be used
 12 7 in combination with moneys allocated by the department
 12 8 of natural resources.
 12 9 (6) Moneys appropriated in this paragraph "a" shall
 12 10 not be used for administrative or planning purposes.
 12 11 b. For grants under the conservation reserve
 12 12 enhancement program to improve water quality and
 12 13 intercept nitrates:
 12 14 \$ 2,500,000
 12 15 2. DEPARTMENT OF ECONOMIC DEVELOPMENT
 12 16 a. For deposit into the community attraction and
 12 17 tourism fund created in section 15F.204:
 12 18 \$ 12,000,000
 12 19 b. For deposit into the river enhancement community
 12 20 attraction and tourism fund created in section 15F.205:
 12 21 \$ 4,000,000
 12 22 Moneys appropriated for grants awarded in paragraphs
 12 23 "a" and "b" shall be used to assist communities in
 12 24 the development and creation of multiple purpose
 12 25 attractions or community service facilities for public
 12 26 use.
 12 27 c. For accelerated career education program capital
 12 28 projects at community colleges that are authorized
 12 29 under chapter 260G and that meet the definition of
 12 30 vertical infrastructure in section 8.57, subsection 6,
 12 31 paragraph "c":
 12 32 \$ 5,500,000
 12 33 d. For the main street Iowa program to be used as
 12 34 grants for projects that have previously applied for
 12 35 funding consideration, or have received partial funding
 12 36 for facade master plans to rehabilitate storefronts in
 12 37 main street Iowa districts, to complete streetscape
 12 38 projects where planning and the majority of funding is
 12 39 already secured, for unfunded main street challenge
 12 40 grant projects, and for other building rehabilitation
 12 41 projects that are currently on the department's highest
 12 42 priority list:
 12 43 \$ 8,450,000
 12 44 Moneys appropriated in this lettered paragraph shall
 12 45 not be used for administration or planning purposes.
 12 46 Of the amount appropriated in this lettered
 12 47 paragraph, \$300,000 shall be allocated to a city with
 12 48 a population between 25,100 and 25,200 in the last
 12 49 preceding certified federal census for a redevelopment
 12 50 project that includes improvements and modifications to



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13 1 streets and storm sewers in both the downtown and mall
 13 2 areas of the city.
 13 3 e. To north Iowa area community college (merged
 13 4 area II) for the construction of a small business
 13 5 center for economic development:
 13 6 \$ 1,500,000
 13 7 f. To kirkwood community college (merged area X)
 13 8 for the construction of a small business center for
 13 9 economic development:
 13 10 \$ 1,200,000
 13 11 3. DEPARTMENT OF EDUCATION
 13 12 For major renovation and major repair needs,
 13 13 including health, life, and fire safety needs and for
 13 14 compliance with the federal Americans with Disabilities
 13 15 Act, for state buildings and facilities under the
 13 16 purview of the community colleges:
 13 17 \$ 2,000,000
 13 18 4. IOWA FINANCE AUTHORITY
 13 19 a. To the Iowa jobs board created in section 16.191
 13 20 for disaster relief and mitigation renovation and
 13 21 construction projects:
 13 22 \$ 30,900,000
 13 23 The moneys appropriated in this paragraph "a" shall
 13 24 be allocated as follows:
 13 25 (1) To a county with a population between 189,000
 13 26 and 196,000 in the last preceding certified federal
 13 27 census for the renovation and expansion of an
 13 28 administrative office building:
 13 29 \$ 4,400,000
 13 30 (2) To a city with a population between 120,500 and
 13 31 120,800 in the last preceding certified federal census,
 13 32 for the following projects:
 13 33 (a) For renovation of an existing public building
 13 34 to make the building useful for city department
 13 35 offices:
 13 36 \$ 4,400,000
 13 37 (b) For flood mitigation or renovation in and
 13 38 around an existing courthouse:
 13 39 \$ 2,000,000
 13 40 (3) To a city with a population between 198,000 and
 13 41 199,000 in the last preceding certified federal census
 13 42 to be allocated as follows:
 13 43 (a) For site acquisition, design, engineering, and
 13 44 construction of a fire training and logistics center:
 13 45 \$ 3,000,000
 13 46 (b) For land acquisition, design, and construction
 13 47 of sewers, structures, and pumping facilities necessary
 13 48 to separate and convey sewer flow within the riverpoint
 13 49 service area:
 13 50 \$ 1,250,000



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14 1 (c) For land acquisition, design, and construction
 14 2 of sewers, structures, and pumping facilities necessary
 14 3 to separate or convey sewer flow within the Court
 14 4 avenue service area:
 14 5 \$ 3,050,000
 14 6 (d) For bank stabilization, stream bed
 14 7 stabilization, and erosion control on highly
 14 8 erodible ground that is impacting utilities, road
 14 9 infrastructure, and water quality:
 14 10 \$ 700,000
 14 11 (e) To improve utilization of two of the wastewater
 14 12 reclamation authority's existing equalization basins
 14 13 for the control of peak flows during wet weather events
 14 14 in the authority's sewer system:
 14 15 \$ 500,000
 14 16 (4) For a publicly owned acute care teaching
 14 17 hospital located in a county with a population of over
 14 18 350,000, for the construction and renovation of patient
 14 19 access and care facilities, equipment replacement and
 14 20 upgrades, and other infrastructure improvements:
 14 21 \$ 1,000,000
 14 22 (5) For a city with a population between 98,300 and
 14 23 98,400 in the last preceding certified federal census,
 14 24 for flood protection, replacement, and construction
 14 25 improvements to a recreational sports facility:
 14 26 \$ 1,050,000
 14 27 (6) For a city with a population between 68,700 and
 14 28 68,800 in the last preceding certified federal census,
 14 29 for a public works building that will allow the city to
 14 30 provide for disaster-related services:
 14 31 \$ 5,000,000
 14 32 (7) For a city with a population between 62,100 and
 14 33 62,250 in the last preceding certified federal census,
 14 34 for the demolition, relocation, and reconstruction of a
 14 35 public wastewater treatment plant and the development
 14 36 of a public green space:
 14 37 \$ 2,000,000
 14 38 (8) For a city with a population between 2,545
 14 39 and 2,555 in the last preceding certified federal
 14 40 census, for a streetscape project that reconstructs
 14 41 existing horizontal infrastructure and lighting systems
 14 42 utilizing sustainable development practices:
 14 43 \$ 1,175,000
 14 44 (9) For a city with a population between 2,200 and
 14 45 2,220 in the last preceding certified federal census,
 14 46 for construction of a public city building:
 14 47 \$ 475,000
 14 48 (10) For a city with a population between 2,558 and
 14 49 2,565 in the last preceding certified federal census,
 14 50 for the installation of backflow prevention devices for



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15 1 the city's storm sewer system:
 15 2 \$ 600,000
 15 3 (11) For a city with a population between 6,875 and
 15 4 6,890 in the last preceding certified federal census,
 15 5 for the construction of grade control structures and
 15 6 associated grading to mitigate future water damage to
 15 7 residential structures:
 15 8 \$ 300,000
 15 9 b. To the Iowa jobs board for a disaster prevention
 15 10 program created in section 16.194A for grants
 15 11 for cities and counties that apply smart planning
 15 12 principles and guidelines pursuant to sections 18B.1
 15 13 and 18B.2, as enacted in this Act:
 15 14 \$ 30,000,000
 15 15 5. DEPARTMENT OF NATURAL RESOURCES
 15 16 a. For state park infrastructure improvements:
 15 17 \$ 5,000,000
 15 18 Of the amount appropriated in this lettered
 15 19 paragraph, \$100,000 shall be allocated for the
 15 20 renovation of a clubhouse on a lake in a county with
 15 21 a population between 20,200 and 20,250 in the last
 15 22 preceding certified federal census.
 15 23 b. For implementation of lake projects that have
 15 24 established watershed improvement initiatives and
 15 25 community support in accordance with the department's
 15 26 annual lake restoration plan and report:
 15 27 \$ 3,000,000
 15 28 6. STATE BOARD OF REGENTS
 15 29 a. For costs associated with the construction and
 15 30 establishment of the Iowa institute for biomedical
 15 31 discovery at the state university of Iowa:
 15 32 \$ 10,000,000
 15 33 b. For deposit into the alternate energy revolving
 15 34 loan fund created in section 476.46 to encourage the
 15 35 development of alternate energy production facilities
 15 36 and small hydro facilities, as defined in section
 15 37 476.42, within the state:
 15 38 \$ 5,000,000
 15 39 Any award of loans to private individuals or
 15 40 organizations must be for the public purpose of
 15 41 encouraging the development of alternate energy
 15 42 production facilities and small hydro facilities
 15 43 within the state in order to conserve finite and
 15 44 expensive energy resources and to provide for their
 15 45 most efficient use. Funds from bond proceeds shall not
 15 46 be used for administration or planning purposes. These
 15 47 moneys, and any loan repayments, shall be maintained
 15 48 in separate accounts and shall only be used for these
 15 49 public purposes.
 15 50 7. DEPARTMENT OF TRANSPORTATION



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16 1 a. For grants for rail projects including wind
 16 2 energy rail port projects that provide assistance
 16 3 consistent with the purposes of section 327H.20A:
 16 4 \$ 7,500,000
 16 5 Grants awarded pursuant to this lettered paragraph
 16 6 shall meet all of the following selection criteria:
 16 7 (1) Be located in or adjacent to a rail industrial
 16 8 park.
 16 9 (2) Be a facility that serves multiple industrial
 16 10 clients with one rail infrastructure investment.
 16 11 (3) Accommodate building and loading a complete
 16 12 unit train in the rail port.
 16 13 (4) Have connection tracks with adequate clearances
 16 14 to transport large components.
 16 15 (5) Be located in an area with short unimpeded
 16 16 access for oversized wind components to a divided
 16 17 four-lane highway.
 16 18 A grant awarded for a project under this lettered
 16 19 paragraph "a" shall not exceed more than forty percent
 16 20 of the appropriation in this lettered paragraph.
 16 21 Priority in the awarding of grants shall be given to
 16 22 communities that have experienced exceptional economic
 16 23 setbacks. An additional preference shall be given to
 16 24 a county that has lost nine percent of its workforce to
 16 25 a permanent factory closing where the laid off workers
 16 26 are trade adjustment assistance eligible.
 16 27 b. For the public transit infrastructure grant
 16 28 program in section 324A.6A:
 16 29 \$ 2,000,000
 16 30 c. For infrastructure improvements at the
 16 31 commercial air service airports within the state:
 16 32 \$ 1,500,000
 16 33 Fifty percent of the funds appropriated in this
 16 34 lettered paragraph shall be allocated equally between
 16 35 each commercial air service airport, forty percent of
 16 36 the funds shall be allocated based on the percentage
 16 37 that the number of enplaned passengers at each
 16 38 commercial air service airport bears to the total
 16 39 number of enplaned passengers in the state during the
 16 40 previous fiscal year, and ten percent of the funds
 16 41 shall be allocated based on the percentage that the
 16 42 air cargo tonnage at each commercial air service
 16 43 airport bears to the total air cargo tonnage in the
 16 44 state during the previous fiscal year. In order for
 16 45 a commercial air service airport to receive funding
 16 46 under this lettered paragraph, the airport shall be
 16 47 required to submit applications for funding of specific
 16 48 projects to the department for approval by the state
 16 49 transportation commission.
 16 50 d. For infrastructure projects relating to



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17 1 functionally obsolete and structurally deficient
 17 2 bridges:
 17 3 \$ 10,000,000
 17 4 8. TREASURER OF STATE
 17 5 For transfer to the watershed improvement review
 17 6 board created in section 466A.3 for grants associated
 17 7 with the construction and restoration of wetland
 17 8 easements and flood prevention projects:
 17 9 \$ 2,000,000
 17 10 Notwithstanding section 466A.5, moneys from the
 17 11 appropriation in this subsection shall not be used for
 17 12 administrative purposes.
 17 13 Sec. 11. TAX=EXEMPT STATUS == USE OF
 17 14 APPROPRIATIONS.
 17 15 1. Payment of moneys from the appropriations in
 17 16 this division of this Act shall be made in a manner
 17 17 that does not adversely affect the tax=exempt status of
 17 18 any outstanding bonds issued by the treasurer of state.
 17 19 2. Payment of moneys from the appropriations
 17 20 in this division of this Act shall not be used for
 17 21 administrative or planning purposes.
 17 22 Sec. 12. REVERSION. For purposes of section 8.33,
 17 23 unless specifically provided otherwise, unencumbered
 17 24 or unobligated moneys made from an appropriation in
 17 25 this division of this Act shall not revert but shall
 17 26 remain available for expenditure for the purposes
 17 27 designated until the close of the fiscal year that ends
 17 28 three years after the end of the fiscal year for which
 17 29 the appropriation was made. However, if the project
 17 30 or projects for which such appropriation was made are
 17 31 completed in an earlier fiscal year, unencumbered or
 17 32 unobligated moneys shall revert at the close of that
 17 33 same fiscal year.
 17 34 DIVISION V
 17 35 PRISON BONDING
 17 36 Sec. 13. There is appropriated from the FY 2009
 17 37 prison bonding fund created pursuant to section 12.79
 17 38 to the department of corrections for the fiscal year
 17 39 beginning July 1, 2010, and ending June 30, 2011, the
 17 40 following amount, or so much thereof as is necessary,
 17 41 to be used for the purpose designated:
 17 42 For costs associated with the building of a new Iowa
 17 43 State penitentiary at Fort Madison:
 17 44 \$ 322,500
 17 45 The appropriation made in this section constitutes
 17 46 approval by the general assembly for the issuance of
 17 47 bonds by the treasurer of state pursuant to section
 17 48 12.80.
 17 49 Sec. 14. REVERSION. For purposes of section 8.33,
 17 50 unless specifically provided otherwise, unencumbered



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18 1 or unobligated moneys made from an appropriation in
18 2 this division of this Act shall not revert but shall
18 3 remain available for expenditure for the purposes
18 4 designated until the close of the fiscal year that ends
18 5 three years after the end of the fiscal year for which
18 6 the appropriation was made. However, if the project
18 7 or projects for which such appropriation was made are
18 8 completed in an earlier fiscal year, unencumbered or
18 9 unobligated moneys shall revert at the close of that
18 10 same fiscal year.

DIVISION VI

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK

FUND ==

DEPARTMENT OF TRANSPORTATION

18 15 Sec. 15. There is appropriated from the Iowa
18 16 comprehensive petroleum underground storage tank fund
18 17 to the department of transportation for the fiscal year
18 18 beginning July 1, 2010, and ending June 30, 2011, the
18 19 following amount, or so much thereof as is necessary,
18 20 to be used for the purposes designated:

18 21 Notwithstanding section 455G.3, subsection 1, for
18 22 deposit in the passenger rail service revolving fund
18 23 created in section 327J.2:

18 24 \$ 2,000,000

18 25 Such funds shall be coupled with the remaining
18 26 unobligated balance of up to one million five hundred
18 27 thousand dollars from the appropriation made in 2009
18 28 Iowa Acts, chapter 184, section 1, subsection 12,
18 29 paragraph "a", for a total commitment of three million
18 30 five hundred thousand dollars for the fiscal year
18 31 beginning July 1, 2010, and ending June 30, 2011,
18 32 for matching federal funding available through the
18 33 Passenger Rail Investment and Improvement Act of 2008.

DIVISION VII

SMART PLANNING

18 36 Sec. 16. NEW SECTION. 18B.1 Iowa smart planning
18 37 principles.

18 38 State agencies, local governments, and other public
18 39 entities shall consider and may apply the following
18 40 principles during deliberation of all appropriate
18 41 planning, zoning, development, and resource management
18 42 decisions, except that nothing in this section shall be
18 43 construed to expand the eminent domain authority of a
18 44 state agency, local government, or other public entity
18 45 beyond that which is authorized under chapter 6A or 6B:

18 46 1. Collaboration. Governmental, community, and
18 47 individual stakeholders, including those outside
18 48 the jurisdiction of the entity, are encouraged to be
18 49 involved and provide comment during deliberation of
18 50 planning, zoning, development, and resource management



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19 1 decisions and during implementation of such decisions.
19 2 The state agency, local government, or other public
19 3 entity is encouraged to develop and implement a
19 4 strategy to facilitate such participation.
19 5 2. Efficiency, transparency, and
19 6 consistency. Planning, zoning, development, and
19 7 resource management should be undertaken to provide
19 8 efficient, transparent, and consistent outcomes.
19 9 Individuals, communities, regions, and governmental
19 10 entities should share in the responsibility to promote
19 11 the equitable distribution of development benefits and
19 12 costs.
19 13 3. Clean, renewable, and efficient
19 14 energy. Planning, zoning, development, and resource
19 15 management should be undertaken to promote clean and
19 16 renewable energy use and increased energy efficiency.
19 17 4. Occupational diversity. Planning, zoning,
19 18 development, and resource management should promote
19 19 increased diversity of employment and business
19 20 opportunities, promote access to education and
19 21 training, expand entrepreneurial opportunities,
19 22 and promote the establishment of businesses in
19 23 locations near existing housing, infrastructure, and
19 24 transportation.
19 25 5. Revitalization. Planning, zoning, development,
19 26 and resource management should facilitate the
19 27 revitalization of established town centers and
19 28 neighborhoods by promoting development that conserves
19 29 land, protects historic resources, promotes pedestrian
19 30 accessibility, and integrates different uses of
19 31 property. Remediation and reuse of existing sites,
19 32 structures, and infrastructure is preferred over new
19 33 construction in undeveloped areas.
19 34 6. Housing diversity. Planning, zoning,
19 35 development, and resource management should encourage
19 36 diversity in the types of available housing, support
19 37 the rehabilitation of existing housing, and promote
19 38 the location of housing near public transportation and
19 39 employment centers.
19 40 7. Community character. Planning, zoning,
19 41 development, and resource management should promote
19 42 activities and development that are consistent with the
19 43 character and architectural style of the community and
19 44 should respond to local values regarding the physical
19 45 character of the community.
19 46 8. Natural resources and agricultural protection.
19 47 Planning, zoning, development, and resource management
19 48 should emphasize protection, preservation, and
19 49 restoration of natural resources, agricultural
19 50 land, and cultural and historic landscapes, and



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20 1 should increase the availability of open spaces and
20 2 recreational facilities.
20 3 9. Sustainable design. Planning, zoning,
20 4 development, and resource management should promote
20 5 developments, buildings, and infrastructure that
20 6 utilize sustainable design and construction standards
20 7 and conserve natural resources by reducing waste and
20 8 pollution through efficient use of land, energy, water,
20 9 air, and materials.
20 10 10. Transportation diversity. Planning, zoning,
20 11 development, and resource management should promote
20 12 expanded transportation options for residents of
20 13 the community. Consideration should be given to
20 14 transportation options that maximize mobility, reduce
20 15 congestion, conserve fuel, and improve air quality.
20 16 Sec. 17. NEW SECTION. 18B.2 Local comprehensive
20 17 planning and development guidelines.
20 18 1. For the purposes of this chapter, unless the
20 19 context otherwise requires:
20 20 a. (1) "Development" means any of the following:
20 21 (a) Construction, reconstruction, renovation,
20 22 mining, extraction, dredging, filling, excavation, or
20 23 drilling activity or operation.
20 24 (b) Man-made changes in the use or appearance of
20 25 any structure or in the land itself.
20 26 (c) The division or subdivision of land.
20 27 (d) Any change in the intensity of use or the use
20 28 of land.
20 29 (2) "Development" does not include any of the
20 30 following:
20 31 (a) Activities on or uses of agricultural land,
20 32 farm houses, or agricultural buildings or structures,
20 33 unless such buildings or structures are located in the
20 34 flood plain of a river or stream.
20 35 (b) Installation, operation, and maintenance of
20 36 soil and water conservation practices.
20 37 (c) The choice of crops or a change in the choice
20 38 of crops on agricultural land.
20 39 b. "Land development regulations" means zoning,
20 40 subdivision, site plan, corridor map, floodplain or
20 41 storm water ordinances, rules, or regulations, or other
20 42 governmental controls that affect the use of property.
20 43 c. "Municipality" means a city or a county.
20 44 2. A municipality shall consider the smart planning
20 45 principles under section 18B.1 and may include the
20 46 following information, if applicable, when developing
20 47 or amending a comprehensive plan under chapter 335 or
20 48 chapter 414 or when developing or amending other local
20 49 land development regulations:
20 50 a. Information relating to public participation



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21 1 during the creation of the comprehensive plan or land
21 2 development regulations, including documentation of
21 3 the public participation process, a compilation of
21 4 objectives, policies, and goals identified in the
21 5 public comment received, and identification of the
21 6 groups or individuals comprising any work groups or
21 7 committees that were created to assist the planning and
21 8 zoning commission or other appropriate decision-making
21 9 body of the municipality.

21 10 b. Information relating to the primary
21 11 characteristics of the municipality and a description
21 12 of how each of those characteristics impacts future
21 13 development of the municipality. Such information may
21 14 include historical information about the municipality,
21 15 the municipality's geography, natural resources,
21 16 natural hazards, population, demographics, types of
21 17 employers and industry, labor force, political and
21 18 community institutions, housing, transportation,
21 19 educational resources, and cultural and recreational
21 20 resources. The comprehensive plan or land development
21 21 regulations may also identify characteristics and
21 22 community aesthetics that are important to future
21 23 development of the municipality.

21 24 c. Objectives, information, and programs that
21 25 identify current land uses within the municipality and
21 26 that guide the future development and redevelopment
21 27 of property, consistent with the municipality's
21 28 characteristics identified under paragraph "b". The
21 29 comprehensive plan or land development regulations may
21 30 include information on the amount, type, intensity,
21 31 and density of existing land use, trends in the market
21 32 price of land used for specific purposes, and plans
21 33 for future land use throughout the municipality. The
21 34 comprehensive plan or land development regulations
21 35 may identify and include information on property
21 36 that has the possibility for redevelopment, a map of
21 37 existing and potential land use and land use conflicts,
21 38 information and maps relating to the current and
21 39 future provision of utilities within the municipality,
21 40 information and maps that identify the current
21 41 and future boundaries for areas reserved for soil
21 42 conservation, water supply conservation, flood control,
21 43 and surface water drainage and removal. Information
21 44 provided under this paragraph may also include an
21 45 analysis of the current and potential impacts on local
21 46 watersheds and air quality.

21 47 d. Objectives, policies, and programs to further
21 48 the vitality and character of established residential
21 49 neighborhoods and new residential neighborhoods and
21 50 plans to ensure an adequate housing supply that meets



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22 1 both the existing and forecasted housing demand. The
22 2 comprehensive plan or land development regulations
22 3 may include an inventory and analysis of the local
22 4 housing stock and may include specific information
22 5 such as age, condition, type, market value, occupancy,
22 6 and historical characteristics of all the housing
22 7 within the municipality. The comprehensive plan or
22 8 land development regulations may identify specific
22 9 policies and programs that promote the development
22 10 of new housing and maintenance or rehabilitation of
22 11 existing housing and that provide a range of housing
22 12 choices that meet the needs of the residents of the
22 13 municipality.

22 14 e. Objectives, policies, and programs to guide
22 15 future development of sanitary sewer service,
22 16 storm water management, water supply, solid waste
22 17 disposal, wastewater treatment technologies, recycling
22 18 facilities, and telecommunications facilities. The
22 19 comprehensive plan or land development regulations may
22 20 include estimates regarding future demand for such
22 21 utility services.

22 22 f. Objectives, policies, and programs to guide the
22 23 future development of a safe, convenient, efficient,
22 24 and economical transportation system. Plans for
22 25 such a transportation system may be coordinated
22 26 with state and regional transportation plans and
22 27 take into consideration the need for diverse modes
22 28 of transportation, accessibility, improved air
22 29 quality, and interconnectivity of the various modes of
22 30 transportation.

22 31 g. Objectives, policies, and programs to promote
22 32 the stabilization, retention, or expansion of economic
22 33 development and employment opportunities. The
22 34 comprehensive plan or land development regulations
22 35 may include an analysis of current industries and
22 36 economic activity and identify economic growth goals
22 37 for the municipality. The comprehensive plan or land
22 38 development regulations may also identify locations for
22 39 future brownfield or grayfield development.

22 40 h. Objectives, policies, and programs addressing
22 41 preservation and protection of agricultural and natural
22 42 resources.

22 43 i. Objectives, policies, and programs to assist
22 44 future development of educational facilities,
22 45 cemeteries, health care facilities, child care
22 46 facilities, law enforcement and fire protection
22 47 facilities, libraries, and other governmental
22 48 facilities that are necessary or desirable to meet the
22 49 projected needs of the municipality.

22 50 j. Objectives, policies, and programs to



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23 1 identify characteristics and qualities that make the
23 2 municipality unique and that are important to the
23 3 municipality's heritage and quality of life.
23 4 k. Objectives, policies, and programs that identify
23 5 the natural and other hazards that have the greatest
23 6 likelihood of impacting the municipality or that pose
23 7 a risk of catastrophic damage as such hazards relate
23 8 to land use and development decisions, as well as the
23 9 steps necessary to mitigate risk after considering the
23 10 local hazard mitigation plan approved by the federal
23 11 emergency management agency.
23 12 l. Objectives, policies, and programs for joint
23 13 planning and joint decision making with other
23 14 municipalities or governmental entities, including
23 15 school districts and drainage districts, for siting
23 16 and constructing public facilities and sharing public
23 17 services. The comprehensive plan or land development
23 18 regulations may identify existing or potential
23 19 conflicts between the municipality and other local
23 20 governments related to future development of the
23 21 municipality and may include recommendations for
23 22 resolving such conflicts. The comprehensive plan
23 23 or land development regulations may also identify
23 24 opportunities to collaborate and partner with
23 25 neighboring jurisdictions and other entities in the
23 26 region for projects of mutual interest.
23 27 m. A compilation of programs and specific
23 28 actions necessary to implement any provision of the
23 29 comprehensive plan, including changes to any applicable
23 30 land development regulations, official maps, or
23 31 subdivision ordinances.
23 32 3. A municipality's comprehensive plan developed
23 33 using the guidelines under this section shall address
23 34 prevention and mitigation of, response to, and recovery
23 35 from a catastrophic flood.
23 36 Sec. 18. Section 28I.4, Code 2009, is amended to
23 37 read as follows:
23 38 28I.4 Powers and duties.
23 39 1. The commission shall have the power and duty
23 40 to make comprehensive studies and plans for the
23 41 development of the area it serves which will guide
23 42 the unified development of the area and which will
23 43 eliminate planning duplication and promote economy and
23 44 efficiency in the ~~co-ordinated~~ coordinated development
23 45 of the area and the general welfare, convenience,
23 46 safety, and prosperity of its people. The plan or
23 47 plans collectively shall be known as the regional
23 48 or metropolitan development plan. The plans for
23 49 the development of the area may include, but shall
23 50 not be limited to, recommendations with respect to



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24 1 existing and proposed highways, bridges, airports,
24 2 streets, parks and recreational areas, schools and
24 3 public institutions and public utilities, public
24 4 open spaces, and sites for public buildings and
24 5 structures; districts for residence, business,
24 6 industry, recreation, agriculture, and forestry; water
24 7 supply, sanitation, drainage, protection against floods
24 8 and other disasters; areas for housing developments,
24 9 slum clearance and urban renewal and redevelopment;
24 10 location of private and public utilities, including
24 11 but not limited to sewerage and water supply systems;
24 12 and such other recommendations concerning current
24 13 and impending problems as may affect the area served
24 14 by the commission. Time and priority schedules
24 15 and cost estimates for the accomplishment of the
24 16 recommendations may also be included in the plans. The
24 17 plans shall be made with consideration of the smart
24 18 planning principles under section 18B.1. The plans
24 19 shall be based upon and include appropriate studies
24 20 of the location and extent of present and anticipated
24 21 populations; social, physical, and economic resources,
24 22 problems and trends; and governmental conditions and
24 23 trends. The commission is also authorized to make
24 24 surveys, land-use studies, and urban renewal plans,
24 25 provide technical services and other planning work
24 26 for the area it serves and for cities, counties, and
24 27 other political subdivisions in the area. A plan or
24 28 plans of the commission may be adopted, added to,
24 29 and changed from time to time by a majority vote of
24 30 the planning commission. The plan or plans may in
24 31 whole or in part be adopted by the governing bodies of
24 32 the ~~co-operating~~ cooperating cities and counties as
24 33 the general plans of such cities and counties. The
24 34 commission may also assist the governing bodies and
24 35 other public authorities or agencies within the area it
24 36 serves in carrying out any regional plan or plans, and
24 37 assist any planning commission, board or agency of the
24 38 cities and counties and political subdivisions in the
24 39 preparation or effectuation of local plans and planning
24 40 consistent with the program of the commission. The
24 41 commission may ~~co-operate~~ cooperate and confer, as far
24 42 as possible, with planning agencies of other states or
24 43 of regional groups of states adjoining its area.
24 44 2. A planning commission formed under the
24 45 provisions of this chapter shall, upon designation as
24 46 such by the governor, serve as a district, regional, or
24 47 metropolitan agency for comprehensive planning for its
24 48 area for the purpose of carrying out the functions as
24 49 defined for such an agency by federal, state, and local
24 50 laws and regulations.



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25 1 Sec. 19. Section 329.3, Code 2009, is amended to
25 2 read as follows:
25 3 329.3 Zoning regulations == powers granted.
25 4 Every municipality having an airport hazard area
25 5 within its territorial limits may adopt, administer,
25 6 and enforce in the manner and upon the conditions
25 7 prescribed by this chapter, zoning regulations for
25 8 such airport hazard area, which regulations may divide
25 9 such area into zones and, within such zones, specify
25 10 the land uses permitted, and regulate and restrict,
25 11 for the purpose of preventing airport hazards, the
25 12 height to which structures and trees may be erected
25 13 or permitted to grow. Regulations adopted under this
25 14 chapter shall be made with consideration of the smart
25 15 planning principles under section 18B.1.

25 16 Sec. 20. Section 335.5, Code 2009, is amended to
25 17 read as follows:
25 18 335.5 Objectives.
25 19 1. The regulations shall be made in accordance
25 20 with a comprehensive plan and designed to preserve
25 21 the availability of agricultural land; to consider
25 22 the protection of soil from wind and water erosion;
25 23 to encourage efficient urban development patterns; to
25 24 lessen congestion in the street or highway; to secure
25 25 safety from fire, flood, panic, and other dangers; to
25 26 protect health and the general welfare; to provide
25 27 adequate light and air; to prevent the overcrowding
25 28 of land; to avoid undue concentration of population;
25 29 to promote the conservation of energy resources; to
25 30 promote reasonable access to solar energy; and to
25 31 facilitate the adequate provision of transportation,
25 32 water, sewerage, schools, parks, and other public
25 33 requirements. However, provisions of this section
25 34 relating to the objectives of energy conservation
25 35 and access to solar energy shall not be construed as
25 36 voiding any zoning regulation existing on July 1, 1981,
25 37 or to require zoning in a county that did not have
25 38 zoning prior to July 1, 1981.

25 39 2. ~~Such~~ The regulations shall be made with
25 40 reasonable consideration, among other things, as to the
25 41 character of the area of the district and the peculiar
25 42 suitability of such area for particular uses, and
25 43 with a view to conserving the value of buildings and
25 44 encouraging the most appropriate use of land throughout
25 45 such county.

25 46 3. The regulations and comprehensive plan shall
25 47 be made with consideration of the smart planning
25 48 principles under section 18B.1 and may include the
25 49 information specified in section 18B.2, subsection 2.

25 50 4. a. A comprehensive plan recommended for



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26 1 adoption by the zoning commission established
26 2 under section 335.8, may be adopted by the board of
26 3 supervisors. The board of supervisors may amend a
26 4 proposed comprehensive plan prior to adoption. The
26 5 board of supervisors shall publish notice of the
26 6 meeting at which the comprehensive plan will be
26 7 considered for adoption. The notice shall be published
26 8 as provided in section 331.305.
26 9 b. Following its adoption, copies of the
26 10 comprehensive plan shall be sent or made available to
26 11 neighboring counties, cities within the county, the
26 12 council of governments or regional planning commission
26 13 where the county is located, and public libraries
26 14 within the county.
26 15 c. Following its adoption, a comprehensive plan may
26 16 be amended by the board of supervisors at any time.
26 17 Sec. 21. Section 335.8, Code 2009, is amended to
26 18 read as follows:
26 19 335.8 Commission appointed.
26 20 1. In order to avail itself of the powers conferred
26 21 by this chapter, the board of supervisors shall
26 22 appoint a commission, a majority of whose members shall
26 23 reside within the county but outside the corporate
26 24 limits of any city, to be known as the county zoning
26 25 commission, to recommend the boundaries of the various
26 26 original districts, and appropriate regulations and
26 27 restrictions to be enforced therein. Such commission
26 28 shall, with due diligence, prepare a preliminary report
26 29 and hold public hearings thereon before submitting
26 30 its final report; and the board of supervisors shall
26 31 not hold its public hearings or take action until it
26 32 has received the final report of such commission.
26 33 After the adoption of such regulations, restrictions,
26 34 and boundaries of districts, the zoning commission
26 35 may, from time to time, recommend to the board of
26 36 supervisors amendments, supplements, changes or
26 37 modifications.
26 38 2. The zoning commission may recommend to the
26 39 board of supervisors for adoption a comprehensive plan
26 40 pursuant to section 335.5, or amendments thereto.
26 41 3. The zoning commission, with the approval of the
26 42 board of supervisors, may contract with professional
26 43 consultants, regional planning commissions, the Iowa
26 44 department of economic development, or the federal
26 45 government, for local planning assistance.
26 46 Sec. 22. Section 414.3, Code 2009, is amended to
26 47 read as follows:
26 48 414.3 Basis of regulations.
26 49 1. The regulations shall be made in accordance
26 50 with a comprehensive plan and designed to preserve



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27 1 the availability of agricultural land; to consider
27 2 the protection of soil from wind and water erosion;
27 3 to encourage efficient urban development patterns;
27 4 to lessen congestion in the street; to secure safety
27 5 from fire, flood, panic, and other dangers; to promote
27 6 health and the general welfare; to provide adequate
27 7 light and air; to prevent the overcrowding of land; to
27 8 avoid undue concentration of population; to promote the
27 9 conservation of energy resources; to promote reasonable
27 10 access to solar energy; and to facilitate the adequate
27 11 provision of transportation, water, sewerage, schools,
27 12 parks, and other public requirements. However,
27 13 provisions of this section relating to the objectives
27 14 of energy conservation and access to solar energy do
27 15 not void any zoning regulation existing on July 1,
27 16 1981, or require zoning in a city that did not have
27 17 zoning prior to July 1, 1981.

27 18 2. ~~Such~~ The regulations shall be made with
27 19 reasonable consideration, among other things, as to the
27 20 character of the area of the district and the peculiar
27 21 suitability of such area for particular uses, and
27 22 with a view to conserving the value of buildings and
27 23 encouraging the most appropriate use of land throughout
27 24 such city.

27 25 3. The regulations and comprehensive plan shall
27 26 be made with consideration of the smart planning
27 27 principles under section 18B.1 and may include the
27 28 information specified in section 18B.2, subsection 2.

27 29 4. a. A comprehensive plan recommended for
27 30 adoption by the zoning commission established under
27 31 section 414.6, may be adopted by the council. The
27 32 council may amend the proposed comprehensive plan
27 33 prior to adoption. The council shall publish notice
27 34 of the meeting at which the comprehensive plan will be
27 35 considered for adoption. The notice shall be published
27 36 as provided in section 362.3.

27 37 b. Following its adoption, copies of the
27 38 comprehensive plan shall be sent or made available to
27 39 the county in which the city is located, neighboring
27 40 counties and cities, the council of governments or
27 41 regional planning commission where the city is located,
27 42 and public libraries within the city.

27 43 c. Following its adoption, a comprehensive plan may
27 44 be amended by the council at any time.

27 45 Sec. 23. Section 414.6, Code 2009, is amended to
27 46 read as follows:

27 47 414.6 Zoning commission.

27 48 1. In order to avail itself of the powers
27 49 conferred by this chapter, the council shall appoint
27 50 a commission, to be known as the zoning commission,



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28 1 to recommend the boundaries of the various original
28 2 districts, and appropriate regulations and restrictions
28 3 to be enforced therein. Where a city plan commission
28 4 already exists, it may be appointed as the zoning
28 5 commission. Such commission shall, with due diligence,
28 6 prepare a preliminary report and hold public hearings
28 7 thereon before submitting its final report; and such
28 8 council shall not hold its public hearings or take
28 9 action until it has received the final report of such
28 10 commission. After the adoption of such regulations,
28 11 restrictions, and boundaries of districts, the zoning
28 12 commission may, from time to time, recommend to
28 13 the council amendments, supplements, changes, or
28 14 modifications.

28 15 2. The zoning commission may recommend to the
28 16 council for adoption a comprehensive plan pursuant to
28 17 section 414.3, or amendments thereto.

28 18 Sec. 24. IOWA SMART PLANNING TASK FORCE.

28 19 1. An Iowa smart planning task force is established
28 20 consisting of twenty-nine voting members and four ex
28 21 officio, nonvoting members.

28 22 2. Members of the task force shall consist of all
28 23 of the following:

28 24 a. Fourteen state agency director or administrator
28 25 members consisting of all of the following:

28 26 (1) The director of the department on aging or the
28 27 director's designee.

28 28 (2) The director of the department of economic
28 29 development or the director's designee.

28 30 (3) The secretary of agriculture and land
28 31 stewardship or the secretary's designee.

28 32 (4) The director of the department of cultural
28 33 affairs or the director's designee.

28 34 (5) The director of the department of public health
28 35 or the director's designee.

28 36 (6) The director of the department of management or
28 37 the director's designee.

28 38 (7) The director of the department of natural
28 39 resources or the director's designee.

28 40 (8) The director of the department of workforce
28 41 development or the director's designee.

28 42 (9) The director of the office of energy
28 43 independence or the director's designee.

28 44 (10) The director of the department of
28 45 transportation or the director's designee.

28 46 (11) The administrator of the homeland security
28 47 and emergency management division of the department of
28 48 public defense or the administrator's designee.

28 49 (12) The director of the rebuild Iowa office or the
28 50 director's designee.



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29 1 (13) The state building code commissioner or the
29 2 commissioner's designee.
29 3 (14) The chairperson of the utilities board within
29 4 the utilities division of the department of commerce or
29 5 the chairperson's designee.
29 6 b. Chairperson of the department of community
29 7 and regional planning at Iowa state university or the
29 8 chairperson's designee.
29 9 c. Director of the urban and regional planning
29 10 program at the university of Iowa or the director's
29 11 designee.
29 12 d. Director of the institute for decision making
29 13 at the university of northern Iowa or the director's
29 14 designee.
29 15 e. President of the Iowa chapter of the American
29 16 planning association or the president's designee.
29 17 f. Executive director of the Iowa association of
29 18 regional councils or the executive director's designee.
29 19 g. President of the Iowa chapter of the American
29 20 institute of architects or the president's designee.
29 21 h. Executive director of the Iowa league of cities
29 22 or the executive director's designee.
29 23 i. Executive director of the Iowa state association
29 24 of counties or the executive director's designee.
29 25 j. President of the executive committee of the
29 26 school administrators of Iowa or the president's
29 27 designee.
29 28 k. A representative appointed by the governor from
29 29 a city having a population of five thousand or less
29 30 according to the 2000 certified federal census.
29 31 l. A representative appointed by the governor from
29 32 a city having a population of more than five thousand
29 33 and less than twenty-five thousand according to the
29 34 2000 certified federal census.
29 35 m. A representative appointed by the governor from
29 36 a city having a population of twenty-five thousand or
29 37 more according to the 2000 certified federal census.
29 38 n. A representative appointed by the governor from
29 39 a county having a population of ten thousand or less
29 40 according to the 2000 certified federal census.
29 41 o. A representative appointed by the governor from
29 42 a county having a population of more than ten thousand
29 43 and less than fifty thousand according to the 2000
29 44 certified federal census.
29 45 p. A representative appointed by the governor from
29 46 a county having a population of fifty thousand or more
29 47 according to the 2000 certified federal census.
29 48 3. The task force shall include four members of
29 49 the general assembly serving as ex officio, nonvoting
29 50 members, with not more than one member from each



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30 1 chamber being from the same political party. The two
30 2 senators shall be appointed one each by the majority
30 3 leader of the senate after consultation with the
30 4 president of the senate, and by the minority leader of
30 5 the senate. The two representatives shall be appointed
30 6 one each by the speaker of the house of representatives
30 7 after consultation with the majority leader of the
30 8 house of representatives, and by the minority leader of
30 9 the house of representatives.

30 10 4. The task force may establish committees and
30 11 subcommittees comprised of members of the task force.

30 12 5. Members of the task force designated in
30 13 subsection 2, paragraphs "k" through "p" shall serve at
30 14 the pleasure of the governor. For the members of the
30 15 task force designated in subsection 2, paragraphs "k"
30 16 through "p", at least one member shall have experience
30 17 in real estate, at least one member shall have
30 18 experience in land development, and at least one member
30 19 shall have experience in residential construction.

30 20 6. A vacancy on the task force shall be filled in
30 21 the same manner as the original appointment.

30 22 7. a. A majority of the members of the task force
30 23 constitutes a quorum. Any action taken by the task
30 24 force must be adopted by the affirmative vote of a
30 25 majority of its membership. A task force member's
30 26 designee may vote on task force matters in the absence
30 27 of the member.

30 28 b. The task force shall elect a chairperson and
30 29 vice chairperson from the membership of the task force.

30 30 c. The task force shall meet at least four times
30 31 before November 15, 2010. Meetings of the task force
30 32 may be called by the chairperson or by a majority of
30 33 the members. However, the first meeting of the task
30 34 force shall be called by the governor.

30 35 d. Members of the task force shall not be
30 36 compensated for meeting participation or reimbursed
30 37 for costs associated with meeting attendance. A
30 38 legislative member is not eligible for per diem and
30 39 expenses as provided in section 2.10.

30 40 8. The director of the department of management, or
30 41 the director's designee, shall provide staff assistance
30 42 and administrative support to the task force. The task
30 43 force may request information or other assistance from
30 44 the Iowa association of regional councils.

30 45 9. The director of the department of management, or
30 46 the director's designee, shall seek funding to support
30 47 municipal comprehensive planning in this state.

30 48 10. The task force shall comply with the
30 49 requirements of chapters 21 and 22. The department of
30 50 management shall be the official repository of task



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31 1 force records.

31 2 11. The duties of the task force shall include but
31 3 are not limited to the following:

31 4 a. Consult land use experts, representatives of
31 5 cities and counties, agricultural and environmental
31 6 interests, urban and regional planning experts, reports
31 7 or information from the local government innovation
31 8 commission, and all other information deemed relevant
31 9 by task force members.

31 10 b. Solicit information from the general public on
31 11 matters related to comprehensive planning.

31 12 c. Evaluate state policies, programs, statutes,
31 13 and rules to determine whether any state policies,
31 14 programs, statutes, or rules should be revised to
31 15 integrate the Iowa smart planning principles under
31 16 section 18B.1.

31 17 d. Develop statewide goals for comprehensive
31 18 planning that utilize the Iowa smart planning
31 19 principles under section 18B.1, and develop
31 20 recommendations for a process to measure progress
31 21 toward achieving those goals.

31 22 e. Evaluate and develop incentives to conduct local
31 23 and regional comprehensive planning, including but not
31 24 limited to state financial and technical assistance.

31 25 f. Develop a model for regional comprehensive
31 26 planning within the state and recommend partnerships
31 27 between state agencies, local governments, educational
31 28 institutions, and research facilities.

31 29 g. Review municipal comprehensive plans to
31 30 determine the number of such plans that address the
31 31 hazards identified in section 18B.2, subsection 2,
31 32 paragraph "k", and the adequacy of such plans in
31 33 addressing those hazards.

31 34 h. Develop a set of recommendations that is
31 35 consistent with the Iowa smart planning principles
31 36 under section 18B.1 and that does all of the following:

31 37 (1) Coordinates, facilitates, and centralizes
31 38 the exchange of information related to state and
31 39 local planning, zoning, and development between state
31 40 agencies and the general assembly.

31 41 (2) Coordinates discussions concerning a proposed
31 42 geographic information system between the producers and
31 43 the users of such systems.

31 44 (3) Allows the efficient production and
31 45 dissemination of population and other demographic
31 46 statistical forecasts.

31 47 (4) Creates a centralized electronic storage
31 48 location for all comprehensive plans adopted under
31 49 chapter 335 or chapter 414.

31 50 (5) Facilitates the cooperation of state and local



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32 1 governments with comprehensive planning, educational,
32 2 and research programs.
32 3 (6) Provides and administers technical and
32 4 financial assistance for state and local comprehensive
32 5 planning.
32 6 (7) Provides information to local governments
32 7 relating to state and federal resources and other
32 8 resources for comprehensive planning.
32 9 12. The task force shall prepare a report that
32 10 includes goals, recommendations, and other information
32 11 described in subsection 11, to the governor and the
32 12 general assembly on or before November 15, 2010.
32 13 13. The task force is dissolved on December 31,
32 14 2012.

DIVISION VIII
GROW IOWA VALUES FUND

32 15
32 16
32 17 Sec. 25. There is appropriated from the rebuild
32 18 Iowa infrastructure fund to the department of economic
32 19 development for deposit in the grow Iowa values fund,
32 20 for the fiscal year beginning July 1, 2010, and ending
32 21 June 30, 2011, the following amount, notwithstanding
32 22 section 8.57, subsection 6, paragraph "c":
32 23 \$ 38,000,000

32 24 Sec. 26. GROW IOWA VALUES FUND APPROPRIATION
32 25 REDUCTION. In lieu of the \$50,000,000 appropriated
32 26 for the fiscal year beginning July 1, 2010, and ending
32 27 June 30, 2011, from the grow Iowa values fund to the
32 28 department of economic development pursuant to section
32 29 15G.111, subsection 3, there is appropriated from the
32 30 grow Iowa values fund to the department of economic
32 31 development for the fiscal year beginning July 1, 2010,
32 32 and ending June 30, 2011, \$38,000,000 for the purposes
32 33 of making expenditures pursuant to chapter 15G.

32 34 Sec. 27. GROW IOWA VALUES FUND ALLOCATIONS. In
32 35 lieu of the amounts allocated pursuant to section
32 36 15G.111, subsections 4 through 10, for the fiscal year
32 37 beginning July 1, 2010, and ending June 30, 2011, of
32 38 the \$38,000,000 appropriated to the department of
32 39 economic development pursuant to this division of
32 40 this Act, the department shall allocate the following
32 41 amounts for the following purposes as described in
32 42 section 15G.111, subsections 4 through 10:

- 32 43 1. For departmental purposes, \$21,363,600.
- 32 44 2. For the state board of regents institutions,
32 45 \$3,800,000.
- 32 46 3. For state parks, \$760,000.
- 32 47 4. For deposit in the Iowa cultural trust fund,
32 48 \$760,000.
- 32 49 5. For community colleges, \$5,320,000.
- 32 50 6. For regional financial assistance, \$760,000.



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33 1 Of the moneys allocated pursuant to this subsection
33 2 and in lieu of the three hundred fifty thousand
33 3 dollars transferred under section 15G.111, subsection
33 4 9, paragraph "a", the department shall transfer two
33 5 hundred sixty=six thousand dollars to Iowa state
33 6 university of science and technology, for purposes
33 7 of providing financial assistance to establish small
33 8 business development centers.
33 9 7. For commercialization services, \$4,389,000.
33 10 8. For targeted small business, \$847,400.
33 11 Sec. 28. Section 15.247, subsection 3, Code
33 12 Supplement 2009, is amended to read as follows:
33 13 3. a. All moneys designated for the targeted small
33 14 business financial assistance program shall be credited
33 15 to the program account. The department shall determine
33 16 the actuarially sound reserve requirement for the
33 17 amount of guaranteed loans outstanding.
33 18 b. Of the moneys credited to the program account,
33 19 the department may allocate an amount necessary
33 20 for marketing and compliance and an amount for the
33 21 provision of the mentoring services required under
33 22 subsection 7.
33 23 Sec. 29. Section 15G.110, Code Supplement 2009, is
33 24 amended to read as follows:
33 25 15G.110 Appropriation.
33 26 1. For the fiscal period beginning July 1, 2005,
33 27 and ending June 30, 2008, and for the fiscal period
33 28 beginning July 1, ~~2010~~ 2011, and ending June 30, 2015,
33 29 there is appropriated to the department of economic
33 30 development each fiscal year fifty million dollars from
33 31 the general fund of the state for deposit in the grow
33 32 Iowa values fund.
33 33 2. For the fiscal period beginning July 1, 2008,
33 34 and ending June 30, ~~2010~~ 2011, there is appropriated
33 35 to the department of economic development each fiscal
33 36 year fifty million dollars from the rebuild Iowa
33 37 infrastructure fund for deposit in the grow Iowa values
33 38 fund, notwithstanding section 8.57, subsection 6,
33 39 paragraph "c".
33 40 Sec. 30. Section 15G.111, subsection 2, paragraph
33 41 b, Code Supplement 2009, is amended to read as follows:
33 42 b. Moneys credited to the fund are not subject to
33 43 section 8.33. Notwithstanding section 12C.7, interest
33 44 or earnings on moneys in the fund shall be credited
33 45 to the fund. Interest or earnings on moneys in the
33 46 fund are appropriated to the department. Of the
33 47 moneys appropriated to the department pursuant to this
33 48 paragraph, the department shall make the following
33 49 allocations:
33 50 (1) For each fiscal year of the fiscal period



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34 1 beginning July 1, 2010, and ending June 30, 2013, the
34 2 department shall allocate not more than one hundred
34 3 seventy-five thousand dollars for purposes of providing
34 4 financial assistance to Iowa's councils of governments.

34 5 (2) For each fiscal year of the fiscal period
34 6 beginning July 1, 2010, and ending June 30, 2013, the
34 7 department shall allocate not more than two hundred
34 8 thousand dollars for purposes of providing support and
34 9 administrative assistance to the vision Iowa board, the
34 10 community attraction and tourism program, and river
34 11 enhancement community attraction and tourism projects.

34 12 (3) For each fiscal year of the fiscal period
34 13 beginning July 1, 2010, and ending June 30, 2013, the
34 14 department shall allocate the remaining amount of
34 15 interest or earnings on moneys in the fund for purposes
34 16 of providing financial assistance under the disaster
34 17 recovery component of the grow Iowa values financial
34 18 assistance program. All moneys allocated pursuant to
34 19 this subparagraph that remain unexpended or unobligated
34 20 at the end of the fiscal year beginning July 1, 2012,
34 21 shall revert and be credited to the fund.

34 22 Sec. 31. Section 15G.111, subsection 4, unnumbered
34 23 paragraph 1, Code Supplement 2009, is amended to read
34 24 as follows:

34 25 Of the moneys appropriated to the department
34 26 pursuant to subsection 3, the department shall
34 27 allocate ~~thirty-two~~ twenty-eight million five hundred
34 28 thousand dollars each fiscal year as follows:

34 29 Sec. 32. Section 15G.111, subsection 10, Code
34 30 Supplement 2009, is amended to read as follows:

34 31 10. ~~Commercialization~~ Innovation and
34 32 commercialization services. Of the moneys appropriated
34 33 to the department pursuant to subsection 3, the
34 34 department shall allocate three five million five
34 35 hundred thousand dollars for deposit in the innovation
34 36 and commercialization development fund created in
34 37 section 15.412.

34 38 Sec. 33. Section 15G.111, Code Supplement 2009, is
34 39 amended by adding the following new subsection:

34 40 NEW SUBSECTION. 11. Targeted small businesses. Of
34 41 the moneys appropriated to the department pursuant to
34 42 subsection 3, the department shall allocate one million
34 43 dollars for deposit in the targeted small business
34 44 financial assistance program account established
34 45 pursuant to section 15.247 within the strategic
34 46 investment fund created in section 15.313.

DIVISION IX

SMALL BUSINESS LINKED INVESTMENTS

34 49 Sec. 34. Section 12.43, subsection 5, unnumbered
34 50 paragraph 1, Code 2009, is amended to read as follows:



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35 1 In order to qualify under this program, all
35 2 owners of the business or borrowers must not have
35 3 a combined net worth exceeding ~~seven~~ nine hundred
35 4 fifty seventy-five thousand dollars as defined in
35 5 rules adopted by the treasurer of state pursuant to
35 6 chapter 17A and the small business must meet all of the
35 7 following criteria:

35 8

DIVISION X

35 9

SITE DEVELOPMENT

35 10 Sec. 35. Section 15E.18, Code 2009, is amended by
35 11 striking the section and inserting in lieu thereof the
35 12 following:

35 13 15E.18 Site development consultations ==
35 14 certificates of readiness.

35 15 1. a. The department shall consult with local
35 16 governments and local economic development officials in
35 17 regard to site development techniques. For purposes
35 18 of this section, "site development techniques" include
35 19 environmental evaluations, property and wetland
35 20 delineation, and historical evaluations.

35 21 b. The department may charge a fee for providing
35 22 site development consultations. The fee shall not
35 23 exceed the reasonable cost to the department of
35 24 providing the consultations. The amount of any fees
35 25 collected by the department shall be deposited in the
35 26 general fund of the state.

35 27 2. a. A local government or local economic
35 28 development official involved with the development of
35 29 a site may apply to the department for a certificate
35 30 of readiness verifying that the site is ready for
35 31 development.

35 32 b. The department shall develop criteria for
35 33 evaluating various types of sites in order to determine
35 34 whether a particular site is ready for development
35 35 based on the site's individual circumstances and the
35 36 economic development goals of the applicant.

35 37 c. The department shall review applications for
35 38 certificates of readiness and may issue a certificate
35 39 of readiness to any site that meets the criteria
35 40 developed under paragraph "b".

35 41 3. The department shall adopt rules pursuant to
35 42 chapter 17A for the implementation of this section.

35 43 Sec. 36. SITE DEVELOPMENT CONSULTATIONS
35 44 APPROPRIATION. There is appropriated from the school
35 45 infrastructure fund created in section 12.82 to the
35 46 department of economic development for the fiscal year
35 47 beginning July 1, 2010, and ending June 30, 2011, the
35 48 following amount, or so much thereof as is necessary,
35 49 to be used for the purposes designated:

35 50 For providing site development consultations



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36 1 pursuant to section 15E.18, including salaries,
 36 2 support, maintenance, miscellaneous purposes, and
 36 3 for not more than the following full-time equivalent
 36 4 positions:
 36 5 \$ 175,000
 36 6 FTEs 1.00

36 7 Of the moneys appropriated to the department
 36 8 pursuant to this section, the department may allocate
 36 9 up to \$75,000 for purposes of contracting with third
 36 10 parties to provide site development consultations.

DIVISION XI
INTERNET SITE FOR BUSINESS
ASSISTANCE

36 14 Sec. 37. BUSINESS ASSISTANCE INTERNET SITE.
 36 15 1. The department of economic development, in
 36 16 consultation with other state agencies that provide
 36 17 financial and technical assistance to small businesses
 36 18 and with the state board of regents, shall create a
 36 19 business assistance internet site designed to assist
 36 20 small businesses in finding information related to the
 36 21 various kinds of technical and financial assistance
 36 22 available from the state of Iowa. The department
 36 23 may incorporate the internet site into its existing
 36 24 internet site as appropriate.

36 25 2. The internet site shall include links to the
 36 26 various internet sites maintained by other state
 36 27 agencies or the state board of regents that pertain
 36 28 to assistance for small businesses. The other state
 36 29 agencies and the board of regents shall assist the
 36 30 department of economic development in an effort to keep
 36 31 the information on the internet site up-to-date. The
 36 32 department of administrative services shall work with
 36 33 the department of economic development to ensure that
 36 34 the internet site is readily accessible to the public.

36 35 Sec. 38. BUSINESS ASSISTANCE INTERNET SITE
 36 36 APPROPRIATION. There is appropriated from the school
 36 37 infrastructure fund created in section 12.82 to the
 36 38 department of economic development for the fiscal year
 36 39 beginning July 1, 2010, and ending June 30, 2011, the
 36 40 following amount, or so much thereof as is necessary,
 36 41 to be used for the purposes designated:
 36 42 For purposes of creating a business assistance
 36 43 internet site:
 36 44 \$ 20,000

DIVISION XII
REGULATORY ASSISTANCE INTERIM
STUDY COMMITTEE

36 48 Sec. 39. REGULATORY ASSISTANCE INTERIM STUDY
 36 49 COMMITTEE.
 36 50 1. The legislative council is requested to



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37 1 establish an interim study committee to examine and
37 2 make recommendations regarding methods of assisting
37 3 small businesses that do not require direct financial
37 4 incentives and regarding potential changes of law
37 5 that would improve business licensing, regulatory
37 6 compliance, and tax collection procedures.

37 7 2. The study committee shall be composed of five
37 8 members of the house of representatives, five members
37 9 of the senate, and five members of the general public
37 10 who are also small business owners. Of the members
37 11 of the senate, three members shall be appointed by
37 12 the majority leader of the senate and two shall be
37 13 appointed by the minority leader of the senate. Of
37 14 the members of the house of representatives, three
37 15 members shall be appointed by the speaker of the house
37 16 of representatives, and two shall be appointed by the
37 17 minority leader of the house of representatives.

37 18 3. a. The study committee shall work with the
37 19 department of economic development, the department of
37 20 inspections and appeals, the insurance division of
37 21 the department of commerce, the department of natural
37 22 resources, the professional licensing and regulation
37 23 bureau of the banking division of the department
37 24 of commerce, the department of public health, the
37 25 department of public safety, the department of revenue,
37 26 the secretary of state, and the department of workforce
37 27 development to study ways to improve the state's
37 28 business licensing procedures.

37 29 b. In preparation for assisting with the interim
37 30 study committee, a state agency listed in this
37 31 subsection shall conduct an internal review to identify
37 32 and prioritize its procedures as they pertain to
37 33 businesses and business licensing.

37 34 c. A state agency listed in this subsection shall
37 35 provide all necessary assistance to the interim study
37 36 committee in making recommendations to the general
37 37 assembly.

37 38 4. The interim study committee shall submit its
37 39 recommendations to the general assembly on or before
37 40 January 14, 2011.

37 41 DIVISION XIII
37 42 SAVE OUR SMALL BUSINESSES FUND
37 43 AND PROGRAM

37 44 Sec. 40. NEW SECTION. 15.300 Findings and intent.

37 45 1. The general assembly finds all of the following:

37 46 a. That entrepreneurs and small businesses often
37 47 have difficulty obtaining conventional loan financing,
37 48 limiting their ability to expand, retain, and create
37 49 additional jobs.

37 50 b. That a source of capital provided by the state



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38 1 could greatly assist entrepreneurs and small businesses
38 2 in their efforts to upgrade or modernize equipment,
38 3 realize additional efficiencies in their supply
38 4 chains, improve their distribution and transportation
38 5 margins, reduce facility costs through increased energy
38 6 efficiency, and leverage other sources of business
38 7 financing.

38 8 2. The purpose of the save our small businesses
38 9 fund created in section 15.301 is to promote the
38 10 creation and retention of jobs in the state's economy
38 11 and to assist businesses to be more competitive by
38 12 addressing the needs identified in subsection 1.

38 13 Sec. 41. NEW SECTION. 15.301 Save our small
38 14 businesses fund and program.

38 15 1. a. A save our small businesses fund is created
38 16 in the state treasury under the control of the
38 17 department and consisting of any moneys appropriated to
38 18 the fund by the general assembly and any other moneys
38 19 available and obtained or accepted by the department
38 20 for placement in the fund.

38 21 b. Payments of interest, repayments of moneys
38 22 loaned pursuant to this section, and recaptures of
38 23 loans shall be deposited in the fund. The fund shall
38 24 be used to provide financial assistance in the form
38 25 of low-interest loans as provided under the program
38 26 created in this section.

38 27 c. (1) If, on March 31, 2011, there are
38 28 unobligated moneys in the fund, such unobligated moneys
38 29 shall revert to the general fund of the state.

38 30 (2) For each quarter, beginning with the first
38 31 quarter after the reversion of moneys pursuant to
38 32 subparagraph (1) and ending with the last quarter prior
38 33 to the reversion of moneys pursuant to subparagraph
38 34 (3), the department shall, on the last day of the
38 35 quarter transfer to the general fund of the state the
38 36 balance of unencumbered moneys in the fund.

38 37 (3) On March 31, 2016, all moneys in the fund shall
38 38 revert to the general fund of the state.

38 39 2. a. The department shall establish and
38 40 administer a program for purposes of providing
38 41 financial assistance to eligible small businesses.
38 42 For purposes of this section, "financial assistance"
38 43 means loans at an interest rate not to exceed three
38 44 and nine-tenths percent per annum and "eligible
38 45 small business" means a small business meeting the
38 46 requirements of subsection 3.

38 47 b. (1) The department may designate an
38 48 organization to administer the provisions of this
38 49 section on the department's behalf.

38 50 (2) In order to be designated, an organization must



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39 1 be a nonprofit organization exempt from taxation under
39 2 section 501(c)(3) of the Internal Revenue Code and
39 3 must be designated by the United States small business
39 4 administration as a statewide microloan program
39 5 provider.

39 6 (3) If the department elects to designate an
39 7 organization pursuant to subparagraph (1), the
39 8 department shall enter into an agreement with the
39 9 organization for purposes of ensuring that the program
39 10 is administered pursuant to the requirements of this
39 11 section.

39 12 (4) An organization designated pursuant to
39 13 subparagraph (1) may accept, evaluate, and approve
39 14 applications for financial assistance from eligible
39 15 small businesses pursuant to the requirements of this
39 16 section and may monitor the compliance of eligible
39 17 businesses with the terms of an agreement entered into
39 18 with the department.

39 19 (5) All disbursements of moneys to recipients
39 20 of financial assistance approved by an organization
39 21 designated pursuant to subparagraph (1) shall be made
39 22 by the department.

39 23 (6) All repayments of principal and interest on
39 24 financial assistance provided under the program shall
39 25 be remitted to the department and deposited in the
39 26 fund.

39 27 (7) The department, with the assistance of an
39 28 organization designated pursuant to subparagraph (1),
39 29 may seek the recapture of financial assistance provided
39 30 pursuant to this section as provided in subsection 4.

39 31 c. Financial assistance under the program shall be
39 32 provided from the fund created in subsection 1.

39 33 d. Financial assistance to a small business shall
39 34 be at least two thousand five hundred dollars, but
39 35 shall not exceed fifty thousand dollars.

39 36 e. The department, under the terms of an agreement
39 37 with the organization designated pursuant to paragraph
39 38 "b", shall begin to provide financial assistance from
39 39 the fund not later than August 1, 2010, and shall to
39 40 the extent practicable obligate all available moneys in
39 41 the fund prior to March 31, 2011.

39 42 f. A loan made to a small business under the
39 43 program may be for any period of time, but the terms of
39 44 such loan shall provide for the repayment of principal
39 45 and interest prior to the date the moneys in the
39 46 fund revert pursuant to subsection 1, paragraph "c",
39 47 subparagraph (3).

39 48 3. A business is eligible to apply for financial
39 49 assistance under the program if the business meets all
39 50 of the following criteria at the time of application:



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40 1 a. The business has thirty-five or fewer full-time
40 2 equivalent employees.
40 3 b. The business is located in Iowa.
40 4 c. The business is owned, operated, and actively
40 5 managed by a resident of Iowa.
40 6 d. The business has a business plan and has
40 7 received assistance in the development stage or the
40 8 expansion stage from a small business development
40 9 center or from a qualified public or nonprofit small
40 10 business consultant as defined by the department.
40 11 e. If a business has been a going concern for two
40 12 years or more, the business has not been found to be in
40 13 violation of any environmental or worker safety laws,
40 14 rules, or regulations.
40 15 f. The business only employs individuals legally
40 16 authorized to work in this state.
40 17 g. The business does not engage in the production,
40 18 depiction, or distribution of obscene material. For
40 19 purposes of this paragraph, "obscene material" means
40 20 the same as defined in section 728.1.
40 21 h. The business is not in bankruptcy and is not
40 22 imminently contemplating filing for bankruptcy.
40 23 4. Upon approval of the application for financial
40 24 assistance by the department or an organization
40 25 designated pursuant to subsection 2, paragraph "b", the
40 26 eligible business shall enter into an agreement with
40 27 the department which shall include but not be limited
40 28 to all of the following provisions:
40 29 a. If an eligible business, after receiving
40 30 financial assistance, does not continue to meet one or
40 31 more of the criteria for eligibility under subsection
40 32 3, except for subsection 3, paragraph "a", all or a
40 33 portion of the financial assistance received is subject
40 34 to disallowance, recapture, or immediate repayment.
40 35 b. If, after receiving financial assistance, an
40 36 eligible business ceases operations within the state
40 37 or removes a significant portion of its operations
40 38 to a location outside of the state, all or a portion
40 39 of the financial assistance received is subject to
40 40 disallowance, recapture, or immediate repayment.
40 41 5. a. An eligible business shall not receive more
40 42 than one award of financial assistance under this
40 43 section.
40 44 b. An eligible business that receives financial
40 45 assistance under this section may subsequently
40 46 apply for financial assistance under other programs
40 47 administered by the department.
40 48 c. An eligible business that receives financial
40 49 assistance under this section shall not use such
40 50 financial assistance for purposes of meeting payroll



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41 1 obligations to employees.
41 2 6. a. The small business development centers shall
41 3 track the number of referrals for assistance made
41 4 to the department for assistance under this section
41 5 and shall include that number in the small business
41 6 development center's annual report to the general
41 7 assembly.

41 8 b. The department in conjunction with an
41 9 organization designated pursuant to subsection 2,
41 10 paragraph "b", shall by January 15 of each year submit
41 11 a report on the program administered pursuant to
41 12 this section to the general assembly. The report
41 13 shall include information on the number of businesses
41 14 that receive loans under the program and any other
41 15 information the department deems relevant to assessing
41 16 the success of the program.

41 17 7. The department shall adopt rules pursuant to
41 18 chapter 17A as necessary to administer the program.
41 19 The department may adopt emergency rules under section
41 20 17A.4, subsection 3, and section 17A.5, subsection 2,
41 21 paragraph "b", as necessary for the administration of
41 22 this section.

41 23 Sec. 42. SAVE OUR SMALL BUSINESSES FUND
41 24 APPROPRIATION. There is appropriated from the school
41 25 infrastructure fund created in section 12.82 to the
41 26 department of economic development for deposit in the
41 27 save our small businesses fund for the fiscal year
41 28 beginning July 1, 2010, and ending June 30, 2011, the
41 29 following amount, or so much thereof as is necessary,
41 30 to be used for the purposes designated:

41 31 For purposes of providing financial assistance under
41 32 the save our small businesses program under section
41 33 15.301:
41 34 \$ 5,000,000

41 35 Of the moneys appropriated pursuant to this section,
41 36 the department may allocate an amount not to exceed
41 37 two percent of the moneys appropriated for purposes of
41 38 retaining the services of an organization designated
41 39 pursuant to section 15.301, subsection 2, paragraph
41 40 "b".

41 41 Sec. 43. EFFECTIVE UPON ENACTMENT. This division
41 42 of this Act, being deemed of immediate importance,
41 43 takes effect upon enactment.

41 44 DIVISION XIV
41 45 ALTERNATIVE PUBLIC PROJECT DELIVERY STUDY
41 46 Sec. 44. INTERIM STUDY COMMITTEE == ALTERNATIVE
41 47 PROJECT DELIVERY == REGENTS INSTITUTIONS.

41 48 1. The legislative council is requested to
41 49 establish an interim study committee to study the use
41 50 of alternative project delivery for public projects at



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42 1 institutions under the control of the state board of
42 2 regents. The study shall include but is not limited
42 3 to a review and analysis of the use of alternative
42 4 project delivery at land grant institutions and
42 5 research universities in other states. There shall
42 6 be three members from the house of representatives
42 7 and three members from the senate. In addition to
42 8 the legislative members, the membership of the study
42 9 committee shall include the following public members:
42 10 a. Two members appointed by the state board of
42 11 regents.
42 12 b. One member appointed by the Iowa chapter of the
42 13 American institute of architects.
42 14 c. One member appointed by the American council of
42 15 engineering companies of Iowa.
42 16 d. One member appointed by the Iowa chapter of the
42 17 design=build institute of America.
42 18 e. One member appointed by the master builders of
42 19 Iowa.
42 20 f. One member appointed by the mechanical
42 21 contractors association of Iowa.
42 22 g. One member appointed by the Iowa chapter of the
42 23 national electrical contractors association.
42 24 h. One member appointed by the Iowa state building
42 25 and construction trades council.
42 26 i. One member appointed by the sheet metal
42 27 contractors of Iowa.
42 28 2. The committee shall meet twice during the 2010
42 29 legislative interim and shall submit findings and any
42 30 recommendations in a report to the general assembly by
42 31 January 15, 2011.

DIVISION XV

FLOODPLAIN MAPPING

42 34 Sec. 45. FLOODPLAIN MAPPING. Using funds allocated
42 35 to the department of natural resources for floodplain
42 36 mapping from the appropriation made to the department
42 37 of economic development in 2009 Iowa Acts, chapter
42 38 183, section 67, of federal community development
42 39 block grant funds awarded to the state under the
42 40 federal Consolidated Security, Disaster Assistance,
42 41 and Continuing Appropriations Act, 2009, Pub. L. No.
42 42 110=329, the department of natural resources shall
42 43 enter an agreement in an amount of not less than
42 44 \$10,000,000 with the state university of Iowa for the
42 45 development of new floodplain maps by June 30, 2014, by
42 46 the Iowa flood center established pursuant to section
42 47 466C.1. The department of natural resources shall
42 48 structure the contract to be consistent with any plan
42 49 for use of the funds approved by any federal agency,
42 50 or, if necessary, follow any procedures necessary for



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43 1 approval of this contract.
43 2 Sec. 46. EFFECTIVE UPON ENACTMENT. This division
43 3 of this Act, being deemed of immediate importance,
43 4 takes effect upon enactment.
43 5 DIVISION XVI
43 6 DEPARTMENT OF ADMINISTRATIVE SERVICES == OFFICE
43 7 SPACE == STATE FLEET
43 8 Sec. 47. DEPARTMENT OF ADMINISTRATIVE SERVICES ==
43 9 OFFICE SPACE REQUEST FOR PROPOSALS.
43 10 1. The department of administrative services
43 11 shall issue a request for proposals concerning the
43 12 availability and cost of office space for state
43 13 employees in downtown Des Moines and in other areas
43 14 in close proximity to the state capitol complex. The
43 15 department shall consider the advantages of locating
43 16 state employees and their functions near the state
43 17 capitol complex.
43 18 2. In issuing the request for proposals, the
43 19 department shall examine current leases for office
43 20 space within the greater Des Moines area, determine
43 21 the current length and duration of those leases, and
43 22 consider the number of state employees impacted by
43 23 those leases.
43 24 3. The request for proposals shall ensure that any
43 25 office space selected shall meet all of the following
43 26 criteria:
43 27 a. The building which includes the office space has
43 28 skywalk access.
43 29 b. The building which includes the office space is
43 30 located within reasonable proximity to the free shuttle
43 31 service route that includes transportation between the
43 32 capitol complex and the downtown Des Moines area.
43 33 c. The entity leasing office space provides
43 34 adequate parking to employees utilizing the office
43 35 space which is within reasonable proximity to the
43 36 office space.
43 37 d. The office space is energy efficient.
43 38 e. The office space provides adequate space and
43 39 resources needed for the employees intending to occupy
43 40 the office space.
43 41 4. The department of administrative services
43 42 shall issue the request for proposals by December 1,
43 43 2010, and shall submit a written report to the general
43 44 assembly concerning the request for proposals by
43 45 January 14, 2011.
43 46 Sec. 48. DEPARTMENT OF ADMINISTRATIVE SERVICES ==
43 47 OFFICE SPACE == COST=BENEFIT ANALYSIS.
43 48 1. a. The department of administrative services
43 49 shall conduct a cost=benefit analysis of utilizing
43 50 existing office space for state employees in downtown



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44 1 Des Moines and other areas in close proximity to
44 2 the state capitol complex in lieu of replacing or
44 3 renovating the Wallace Building or relocating any state
44 4 agencies to any space in the mercy capitol hospital
44 5 building. The cost=benefit analysis shall include
44 6 consideration of any cost to the applicable local
44 7 jurisdiction arising from the state's utilization of
44 8 existing office space.

44 9 b. The department of administrative services shall
44 10 submit a written report to the general assembly on the
44 11 cost=benefit analysis by January 14, 2011.

44 12 2. Prior to submitting the cost=benefit analysis
44 13 report required by this section, the department of
44 14 administrative services shall not relocate any state
44 15 agencies to space in the Mercy capitol hospital
44 16 building other than any of the following:

44 17 a. A centralized department of corrections
44 18 pharmacy.

44 19 b. Offices of a state agency currently located in a
44 20 state=owned office building.

44 21 c. Any state employee located in a nonleased
44 22 facility or space.

44 23 d. A nonstate agency.

44 24 e. The office of the insurance division of the
44 25 department of commerce.

44 26 f. The agricultural development authority
44 27 established in section 175.3.

44 28 Sec. 49. DEPARTMENT OF ADMINISTRATIVE SERVICES
44 29 == STATE FLEET RELOCATION. The department of
44 30 administrative services shall evaluate and consider
44 31 relocating state fleet operations. The department
44 32 shall be authorized to relocate state fleet operations
44 33 pursuant to such evaluation.

44 34 DIVISION XVII

44 35 CHANGES TO PRIOR APPROPRIATIONS

44 36 Sec. 50. 2004 Iowa Acts, chapter 1175, section 288,
44 37 subsection 7, paragraph d, is amended by adding the
44 38 following new unnumbered paragraph:

44 39 NEW UNNUMBERED PARAGRAPH Notwithstanding section
44 40 8.33, 2004 Iowa Acts, chapter 1175, section 290,
44 41 or any other provision of law, moneys allocated in
44 42 this lettered paragraph that remain unencumbered or
44 43 unobligated at the close of a fiscal year shall not
44 44 revert but shall remain available for expenditure
44 45 for the purposes designated until the close of the
44 46 fiscal year that begins July 1, 2012. However, if the
44 47 projects for which the moneys are appropriated are
44 48 completed in an earlier fiscal year, unencumbered or
44 49 unobligated moneys shall revert at the close of that
44 50 fiscal year.



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45 1 Sec. 51. 2006 Iowa Acts, chapter 1179, section 4,
45 2 subsection 1, is amended to read as follows:
45 3 1. a. ~~Notwithstanding~~ Except as provided in
45 4 paragraph "b", notwithstanding section 8.33, moneys
45 5 appropriated for the fiscal year beginning July
45 6 1, 2006, in this division of this Act that remain
45 7 unencumbered or unobligated at the close of the fiscal
45 8 year shall not revert but shall remain available for
45 9 the purposes designated until the close of the fiscal
45 10 year that begins July 1, 2009, or until the project
45 11 for which the appropriation was made is completed,
45 12 whichever is earlier.

45 13 b. ~~Notwithstanding~~ section 8.33, moneys
45 14 appropriated for the fiscal year beginning July 1,
45 15 2006, in section 1, subsection 1, and section 1,
45 16 subsection 11, paragraph "b" of this division of this
45 17 Act that remain unencumbered or unobligated at the
45 18 close of the fiscal year shall not revert but shall
45 19 remain available for the purposes designated until the
45 20 close of the fiscal year that begins July 1, 2010, or
45 21 until the project for which the appropriation was made
45 22 is completed, whichever is earlier.

45 23 Sec. 52. 2006 Iowa Acts, chapter 1179, section 18,
45 24 is amended to read as follows:

45 25 SEC. 18. REVERSION.

45 26 1. Except as provided in subsections 2, ~~and~~ 3, ~~and~~
45 27 4, notwithstanding section 8.33, moneys appropriated
45 28 from the endowment for Iowa's health restricted
45 29 capitals fund for the fiscal years that begin July 1,
45 30 2005, and July 1, 2006, in this division of this Act
45 31 that remain unencumbered or unobligated at the close
45 32 of the fiscal year shall not revert but shall remain
45 33 available for the purposes designated until the close
45 34 of the fiscal year that begins July 1, 2009, or until
45 35 the project for which the appropriation was made is
45 36 completed, whichever is earlier.

45 37 2. Notwithstanding section 8.33, moneys
45 38 appropriated from the endowment for Iowa's health
45 39 restricted capitals fund for the fiscal year that
45 40 begins July 1, 2006, and ends June 30, 2007, in this
45 41 division of this Act to the department of veterans
45 42 affairs for capital improvement projects at the Iowa
45 43 veterans home that remain unencumbered or unobligated
45 44 at the close of the fiscal year shall not revert but
45 45 shall remain available for expenditure for the purposes
45 46 designated until the close of the fiscal year that
45 47 begins July 1, 2010.

45 48 3. Notwithstanding section 8.33, moneys
45 49 appropriated from the endowment for Iowa's health
45 50 restricted capitals fund for the fiscal year beginning



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46 1 July 1, 2006, and ending June 30, 2007, in this
 46 2 division of this Act to the department of education
 46 3 for major renovation and major repair needs at the
 46 4 community colleges that remain unencumbered or
 46 5 unobligated at the close of the fiscal year shall not
 46 6 revert but shall remain available for expenditure for
 46 7 the purposes designated until the close of the fiscal
 46 8 year beginning July 1, 2010, or until the project for
 46 9 which appropriated is completed, whichever is earlier.

46 10 4. Notwithstanding section 8.33, moneys
 46 11 appropriated from the endowment for Iowa's health
 46 12 restricted capitals fund for the fiscal year that
 46 13 begins July 1, 2006, and ends June 30, 2007, in
 46 14 this division of this Act to the department of
 46 15 administrative services for upgrades to the Woodward
 46 16 state resource center wastewater treatment system that
 46 17 remain unencumbered or unobligated at the close of the
 46 18 fiscal year shall not revert but shall remain available
 46 19 for expenditure for the purposes designated until the
 46 20 close of the fiscal year that begins July 1, 2011, or
 46 21 until the project for which the appropriation is made
 46 22 is completed, whichever is earlier.

46 23 Sec. 53. 2007 Iowa Acts, chapter 219, section 7,
 46 24 subsection 1, as amended by 2009 Iowa Acts, chapter
 46 25 170, section 20, and 2009 Iowa Acts, chapter 184,
 46 26 section 17, is amended to read as follows:

46 27 1. For costs associated with the construction and
 46 28 establishment of the Iowa institute for biomedical
 46 29 discovery at the state university of Iowa:

46 30	FY 2008=2009.....	\$	0
46 31	FY 2009=2010.....	\$	0
46 32	FY 2010=2011.....	\$	10,000,000
46 33			0

46 34 Sec. 54. 2007 Iowa Acts, chapter 219, section 15,
 46 35 is amended to read as follows:

46 36 SEC. 15. REVERSION.

46 37 1. Notwithstanding Except as provided in subsection
 46 38 2, notwithstanding section 8.33, moneys appropriated
 46 39 for the fiscal year beginning July 1, 2007, in this
 46 40 division of this Act that remain unencumbered or
 46 41 unobligated at the close of the fiscal year shall not
 46 42 revert but shall remain available for the purposes
 46 43 designated until the close of the fiscal year beginning
 46 44 July 1, 2009, or until the project for which the
 46 45 appropriation was made is completed, whichever is
 46 46 earlier.

46 47 2. Notwithstanding section 8.33, moneys
 46 48 appropriated for the fiscal year beginning July 1,
 46 49 2007, in section 14, subsections 4 and 7 of this
 46 50 division of this Act that remain unencumbered or



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47 1 unobligated at the close of the fiscal year shall not
 47 2 revert but shall remain available for the purposes
 47 3 designated until the close of the fiscal year beginning
 47 4 July 1, 2011, or until the project for which the
 47 5 appropriation was made is completed, whichever is
 47 6 earlier.

47 7 Sec. 55. 2008 Iowa Acts, chapter 1179, section 1,
 47 8 subsection 1, paragraph 1, as enacted by 2009 Iowa
 47 9 Acts, chapter 184, section 21, is amended to read as
 47 10 follows:

47 11 1. For ~~heating, ventilating, and air conditioning~~
 47 12 ~~improvements~~ building security and firewall
 47 13 protection in the Hoover state office building:

47 14	\$	165,000
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47 15 Sec. 56. 2008 Iowa Acts, chapter 1179, section 1,
 47 16 subsection 4, paragraph b, as amended by 2009 Iowa
 47 17 Acts, chapter 81, section 1, is amended to read as
 47 18 follows:

47 19 b. For historical site preservation grants to be
 47 20 used for the restoration, preservation, and development
 47 21 of historic sites:

47 22	\$	
47 23 1,000,000		

47 24 In making grants pursuant to this lettered
 47 25 paragraph, the department shall consider the existence
 47 26 and amount of other funds available to an applicant for
 47 27 the designated project. A grant awarded from moneys
 47 28 appropriated in this lettered paragraph shall not
 47 29 exceed \$100,000 per project. Not more than \$200,000
 47 30 may be awarded in the same county in the same round of
 47 31 grant reviews.

47 32 Of the amount appropriated in this lettered
 47 33 paragraph, \$20,000 shall be used for the administration
 47 34 and support of historic sites including the hiring and
 47 35 employment of seasonal workers, notwithstanding section
 47 36 8.57, subsection 6, paragraph "c".

47 37 Sec. 57. 2008 Iowa Acts, chapter 1179, section 7,
 47 38 as amended by 2009 Iowa Acts, chapter 173, section 21,
 47 39 is amended to read as follows:

47 40 SEC. 7. DEPARTMENT OF ECONOMIC DEVELOPMENT. There
 47 41 is appropriated from the rebuild Iowa infrastructure
 47 42 fund to the department of economic development for
 47 43 the designated fiscal years the following amounts, or
 47 44 so much thereof as is necessary, to be used for the
 47 45 purposes designated:

47 46 For deposit into the river enhancement community
 47 47 attraction and tourism fund created in 2008 Iowa Acts,
 47 48 Senate File 2430, if enacted:

47 49 FY 2009=2010	\$	0
47 50 FY 2010=2011	\$	10,000,000



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48 1 0

48 2 FY 2011=2012 \$ 10,000,000

48 3 FY 2012=2013 \$ 10,000,000

48 4 ~~Notwithstanding section 8.33, moneys appropriated~~

~~48 5 in this section for the fiscal year beginning July~~

~~48 6 1, 2010, and ending June 30, 2011, shall not revert~~

~~48 7 at the close of the fiscal year for which they are~~

~~48 8 appropriated but shall remain available for the purpose~~

~~48 9 designated until the close of the fiscal year that~~

~~48 10 begins July 1, 2013, or until the project for which~~

~~48 11 the appropriation was made is completed, whichever is~~

~~48 12 earlier.~~

48 13 Notwithstanding section 8.33, moneys appropriated

48 14 in this section for the fiscal year beginning July

48 15 1, 2011, and ending June 30, 2012, shall not revert

48 16 at the close of the fiscal year for which they are

48 17 appropriated but shall remain available for the purpose

48 18 designated until the close of the fiscal year that

48 19 begins July 1, 2014, or until the project for which

48 20 the appropriation was made is completed, whichever is

48 21 earlier.

48 22 Notwithstanding section 8.33, moneys appropriated

48 23 in this section for the fiscal year beginning July

48 24 1, 2012, and ending June 30, 2013, shall not revert

48 25 at the close of the fiscal year for which they are

48 26 appropriated but shall remain available for the purpose

48 27 designated until the close of the fiscal year that

48 28 begins July 1, 2015, or until the project for which

48 29 the appropriation was made is completed, whichever is

48 30 earlier.

48 31 Sec. 58. 2008 Iowa Acts, chapter 1179, section 15,

48 32 subsection 4, paragraph b, as amended by 2009 Iowa

48 33 Acts, chapter 184, section 25, is amended to read as

48 34 follows:

48 35 b. To the public broadcasting division for the

48 36 purchase and installation of generators at transmitter

48 37 sites:

48 38 \$ 1,602,437

48 39 Of the amount appropriated in this lettered

48 40 paragraph, up to \$210,477 may be used for operational

48 41 costs of the division for FY 2008=2009, ~~and~~ up to

48 42 \$1,000,000 may be used for operational costs of the

48 43 division for FY 2009=2010, and up to \$378,637 may be

48 44 used for operational costs of the division for FY

48 45 2010=2011, notwithstanding section 8.57C, subsection 2.

48 46 Sec. 59. 2008 Iowa Acts, chapter 1179, section

48 47 15, subsection 4, paragraph c, is amended to read as

48 48 follows:

48 49 c. To the public broadcasting division for the

48 50 replacement and digital conversion of the Keosauqua



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49 1 translator:

49 2 \$ 701,500

49 3 Of the amount appropriated in this lettered

49 4 paragraph, up to \$25,378 may be used for operational

49 5 costs of the division for FY 2010=2011, notwithstanding

49 6 section 8.57C, subsection 2.

49 7 Sec. 60. 2008 Iowa Acts, chapter 1179, section 18,

49 8 subsection 3, as amended by 2009 Iowa Acts, chapter

49 9 173, section 24, is amended to read as follows:

49 10 3. DEPARTMENT OF CORRECTIONS

49 11 a. For expansion of the community-based corrections

49 12 facility at Sioux City:

49 13 \$ 5,300,000

49 14 b. For expansion of the community-based corrections

49 15 facility at Ottumwa:

49 16 \$ 4,100,000

49 17 c. For expansion of the community-based corrections

49 18 facility at Waterloo:

49 19 \$ 6,000,000

49 20 d. For expansion of the community-based corrections

49 21 facility at Davenport:

49 22 \$ 2,100,000

49 23 e. For expansion, including land acquisition, of

49 24 the community-based corrections facility at Des Moines:

49 25 \$ ~~13,100,000~~

49 26 0

49 27 ~~The appropriation in this lettered paragraph~~

~~49 28 is contingent upon relocation of the sex offender~~

~~49 29 treatment program from the community-based corrections~~

~~49 30 facility at Des Moines to the property in northeast Des~~

~~49 31 Moines identified by the fifth judicial district in the~~

~~49 32 facility and site study final report submitted December~~

~~49 33 12, 2008.~~

49 34 It is the intent of the general assembly that the

49 35 funds appropriated in paragraphs "a" through "e" be

49 36 used to expand the number of beds available through new

49 37 construction and remodeling and for the expansion of

49 38 existing facilities.

49 39 f. For expansion of the Iowa correctional facility

49 40 for women at Mitchellville including costs related

49 41 to project management including the hiring and

49 42 employment of a construction manager and a correctional

49 43 specialist:

49 44 \$ 47,500,000

49 45 g. For the remodeling of kitchens at the

49 46 correctional facilities at Mount Pleasant and Rockwell

49 47 City:

49 48 \$ 12,500,000

49 49 Sec. 61. 2008 Iowa Acts, chapter 1179, section 22,

49 50 is amended to read as follows:



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50 1 SEC. 22. There is appropriated from the FY 2009
 50 2 prison bonding fund created pursuant to section
 50 3 12.79, as enacted in this Act, to the department of
 50 4 corrections for the fiscal year beginning July 1, 2008,
 50 5 and ending June 30, 2009, the following amount, or
 50 6 so much thereof as is necessary, to be used for the
 50 7 purpose designated:
 50 8 For costs associated with the building of a new Iowa
 50 9 State Penitentiary at Fort Madison including costs
 50 10 related to project management including the hiring and
 50 11 employment of a construction manager and a correctional
 50 12 specialist:
 50 13 \$130,677,500
 50 14 The appropriation made in this section constitutes
 50 15 approval by the general assembly for the issuance of
 50 16 bonds by the treasurer pursuant to section 12.80, as
 50 17 enacted in this Act.
 50 18 Sec. 62. 2009 Iowa Acts, chapter 173, section 13,
 50 19 subsection 1, is amended by adding the following new
 50 20 paragraph:
 50 21 NEW PARAGRAPH. e. Of the moneys appropriated
 50 22 in this subsection, the department may award moneys
 50 23 for the establishment of drainage district pilot
 50 24 projects. Each drainage district pilot project shall
 50 25 be presented to the state soil conservation committee
 50 26 and the watershed improvement review board to ensure
 50 27 the project design, project goals, baseline data
 50 28 collection, project data collection standards, and data
 50 29 evaluation standards are appropriate for, and advance,
 50 30 the soil and water conservation goals of the state.
 50 31 Annual progress reports on each pilot project shall
 50 32 be presented to the state soil conservation committee
 50 33 and the watershed improvement review board to ensure
 50 34 the projects continue to advance the soil and water
 50 35 conservation goals of the state. All construction
 50 36 plans, monitoring plans, project data, and project
 50 37 data analysis shall be available for public review
 50 38 and study. Experts from the United States geological
 50 39 survey, the national laboratory for agriculture and
 50 40 the environment at Iowa state university, and other
 50 41 appropriate state and federal agencies may be consulted
 50 42 on any aspect of the program.
 50 43 Sec. 63. 2009 Iowa Acts, chapter 173, section 13,
 50 44 subsection 2, is amended to read as follows:
 50 45 2. DEPARTMENT OF NATURAL RESOURCES
 50 46 For watershed rebuilding and water quality projects:
 50 47 \$ 13,500,000
 50 48 Of the moneys appropriated in this subsection,
 50 49 the department may provide moneys to construct,
 50 50 reconstruct, or repair infrastructure associated with



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51 1 the control and movement of surface water, including
51 2 but not limited to addressing issues affected by
51 3 combined sewer overflows, enrolling larger contiguous
51 4 areas in emergency watershed programs, improving
51 5 facilities or systems that provide water quality,
51 6 mitigating flood damage or the threat of flood damage
51 7 in the areas most severely affected by the 2008 flood,
51 8 and improving or replacing low-head dams. Any award
51 9 of moneys made under this subsection shall be in the
51 10 form of a grant. Any grant awards for practices on
51 11 private property shall be for the public purposes of
51 12 flood control, watershed management, or improving water
51 13 quality.

51 14 Sec. 64. 2009 Iowa Acts, chapter 173, section 13,
51 15 subsection 4, paragraphs b, c, and d, are amended to
51 16 read as follows:

51 17 b. For ~~deposit into the public service shelter~~
~~51 18 grant fund created in section 16.185~~ for grants for the
51 19 construction, renovation, and improvements to homeless
51 20 shelters, emergency shelters, and family and domestic
51 21 violence shelters:

51 22 \$ 10,000,000

51 23 c. For ~~deposit into the disaster damage housing~~
~~51 24 assistance grant fund created in section 16.186~~

~~51 25~~ for grants to ease and speed recovery efforts
51 26 from the natural disasters of 2008, including
51 27 stabilizing neighborhoods damaged by the natural
51 28 disasters, preventing population loss and neighborhood
51 29 deterioration, and improving the health, safety, and
51 30 welfare of persons living in such disaster-damaged
51 31 neighborhoods:

51 32 \$ 5,000,000

51 33 d. For ~~deposit into the affordable housing~~
~~51 34 assistance grant fund created in section 16.187~~

~~51 35~~ for grants for housing for certain elderly, disabled,
51 36 and low-income persons and public servants in critical
51 37 skills shortage areas of the state:

51 38 \$ 20,000,000

51 39 Sec. 65. 2009 Iowa Acts, chapter 173, section 13,
51 40 subsection 5, unnumbered paragraph 1, as amended by
51 41 2009 Iowa Acts, chapter 183, section 71, is amended to
51 42 read as follows:

51 43 For broadband technology grants for the deployment
51 44 and sustainability of high-speed broadband access:

51 45 \$ ~~25,000,000~~

51 46 0

51 47 Sec. 66. 2009 Iowa Acts, chapter 173, section 13,
51 48 subsection 6, is amended to read as follows:

51 49 6. DEPARTMENT OF TRANSPORTATION

51 50 For ~~deposit into the bridge safety fund created in~~



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~~52 1 section 313.68 to be used for infrastructure projects~~
52 2 relating to functionally obsolete and structurally
52 3 deficient bridges:
52 4 \$ 50,000,000
52 5 40,000,000
52 6 Sec. 67. 2009 Iowa Acts, chapter 173, section 13,
52 7 is amended by adding the following new subsection:
52 8 NEW SUBSECTION. 7. DEPARTMENT OF ECONOMIC
52 9 DEVELOPMENT
52 10 For the main street Iowa program to be used as
52 11 grants for projects that have previously applied for
52 12 funding consideration, or have received partial funding
52 13 for facade master plans to rehabilitate storefronts in
52 14 main street Iowa districts, to complete streetscape
52 15 projects where planning and the majority of funding is
52 16 already secured, for unfunded main street challenge
52 17 grant projects, and for other building rehabilitation
52 18 projects that are currently on the department's highest
52 19 priority list:
52 20 \$ 5,550,000
52 21 Moneys appropriated in this subsection shall not be
52 22 used for administration or planning purposes.
52 23 Sec. 68. 2009 Iowa Acts, chapter 174, section 6, is
52 24 repealed.
52 25 Sec. 69. 2009 Iowa Acts, chapter 184, section
52 26 1, subsection 3, paragraph d, is amended to read as
52 27 follows:
52 28 d. For historical site preservation grants to be
52 29 used for the restoration, preservation, and development
52 30 of historic sites:
52 31 \$ 1,000,000
52 32 In making grants pursuant to this lettered
52 33 paragraph, the department shall consider the existence
52 34 and amount of other funds available to an applicant for
52 35 the designated project. A grant awarded from moneys
52 36 appropriated in this lettered paragraph shall not
52 37 exceed \$100,000 per project. Not more than \$200,000
52 38 may be awarded in the same county in the same round of
52 39 grant reviews.
52 40 Of the amount appropriated in this lettered
52 41 paragraph, \$20,000 shall be used for the administration
52 42 and support of historic sites including the hiring and
52 43 employment of seasonal workers, notwithstanding section
52 44 8.57, subsection 6, paragraph "c".
52 45 Sec. 70. 2009 Iowa Acts, chapter 184, section
52 46 1, subsection 12, paragraph a, is amended to read as
52 47 follows:
52 48 a. ~~To provide funds for capital improvements~~
~~52 49 and for related studies for expanding passenger rail~~
~~52 50 services in Iowa~~ For deposit in the passenger rail



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53 1 service revolving fund created in section 327J.2,
53 2 notwithstanding section 8.57, subsection 6, paragraph
53 3 "c":
53 4 \$ 3,000,000
53 5 Sec. 71. 2009 Iowa Acts, chapter 184, section 2,
53 6 subsections 1, 2, 4, and 5, are amended by striking the
53 7 subsections.
53 8 Sec. 72. 2009 Iowa Acts, chapter 184, section
53 9 2, subsection 6, paragraph a, is amended to read as
53 10 follows:
53 11 a. For deposit into the railroad revolving loan and
53 12 grant fund created in section 327H.20A, notwithstanding
53 13 section 8.57, subsection 6, paragraph "c":
53 14 \$ 2,000,000
53 15 Of the amount appropriated in this lettered
53 16 paragraph, \$2,000,000 shall be allocated to a city
53 17 with a population between 98,300 and 98,400 in the
53 18 last preceding certified federal census, for a rail
53 19 trans=load facility if a federal match of funds is
53 20 received.
53 21 Sec. 73. EFFECTIVE UPON ENACTMENT. This division,
53 22 being deemed of immediate importance, takes effect upon
53 23 enactment.
53 24 DIVISION XVIII
53 25 MISCELLANEOUS CODE CHANGES
53 26 Sec. 74. Section 8.57, subsection 6, paragraph e,
53 27 Code Supplement 2009, is amended to read as follows:
53 28 e. (1) (a) (i) Notwithstanding provisions to the
53 29 contrary in sections 99D.17 and 99F.11, for the fiscal
53 30 year beginning July 1, 2000, and for each fiscal year
53 31 thereafter, not more than a total of sixty=six million
53 32 dollars shall be deposited in the general fund of the
53 33 state in any fiscal year pursuant to sections 99D.17
53 34 and 99F.11.
53 35 (ii) However, in lieu of the deposit in
53 36 subparagraph subdivision (i), for the fiscal year
53 37 beginning July 1, 2010, and for each fiscal year
53 38 thereafter until the principal and interest on all
53 39 bonds issued by the treasurer of state pursuant to
53 40 section 12.87 are paid, as determined by the treasurer
53 41 of state, the first fifty=five million dollars of
53 42 the moneys directed to be deposited in the general
53 43 fund of the state under subparagraph subdivision
53 44 (i) shall be deposited in the revenue bonds debt
53 45 service fund created in section 12.89, and the next
53 46 five three million seven hundred fifty thousand dollars
53 47 of the moneys directed to be deposited in the general
53 48 fund of the state under subparagraph subdivision (i)
53 49 shall be deposited in the revenue bonds federal subsidy
53 50 holdback fund created in section 12.89, and the next



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54 1 one million two hundred fifty thousand dollars of the
54 2 moneys directed to be deposited in the general fund of
54 3 the state under subparagraph subdivision (i) shall be
54 4 deposited in the general fund of the state.

54 5 (b) The next fifteen million dollars of the moneys
54 6 directed to be deposited in the general fund of the
54 7 state in a fiscal year pursuant to sections 99D.17
54 8 and 99F.11 shall be deposited in the vision Iowa fund
54 9 created in section 12.72 for the fiscal year beginning
54 10 July 1, 2000, and for each fiscal year through the
54 11 fiscal year beginning July 1, 2019.

54 12 (c) The next five million dollars of the moneys
54 13 directed to be deposited in the general fund of the
54 14 state in a fiscal year pursuant to sections 99D.17 and
54 15 99F.11 shall be deposited in the school infrastructure
54 16 fund created in section 12.82 for the fiscal year
54 17 beginning July 1, 2000, and for each fiscal year
54 18 thereafter until the principal and interest on all
54 19 bonds issued by the treasurer of state pursuant to
54 20 section 12.81 are paid, as determined by the treasurer
54 21 of state.

54 22 (d) (i) The total moneys in excess of the moneys
54 23 deposited in the revenue bonds debt service fund,
54 24 the revenue bonds federal holdback subsidy fund, the
54 25 vision Iowa fund, the school infrastructure fund,
54 26 and the general fund of the state in a fiscal year
54 27 shall be deposited in the rebuild Iowa infrastructure
54 28 fund and shall be used as provided in this section,
54 29 notwithstanding section 8.60.

54 30 (ii) However, in lieu of the deposit in
54 31 subparagraph subdivision (i), for the fiscal year
54 32 beginning July 1, 2010, and for each fiscal year
54 33 thereafter until the principal and interest on all
54 34 bonds issued by the treasurer of state pursuant to
54 35 section 12.87 are paid, as determined by the treasurer
54 36 of state, ~~fifty-five~~ sixty-four million seven hundred
54 37 fifty thousand dollars of the excess moneys directed to
54 38 be deposited in the rebuild Iowa infrastructure fund
54 39 under subparagraph subdivision (i) shall be deposited
54 40 in the general fund of the state.

54 41 (2) If the total amount of moneys directed to
54 42 be deposited in the general fund of the state under
54 43 sections 99D.17 and 99F.11 in a fiscal year is
54 44 less than the total amount of moneys directed to be
54 45 deposited in the revenue bonds debt service fund and
54 46 the revenue bonds federal subsidy holdback fund in
54 47 the fiscal year pursuant to this paragraph "e", the
54 48 difference shall be paid from moneys deposited in the
54 49 beer and liquor control fund created in section 123.53
54 50 in the manner provided in section 123.53, subsection 3.



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55 1 (3) After the deposit of moneys directed to be
55 2 deposited in the general fund of the state, ~~and~~ the
55 3 revenue bonds debt service fund, and the revenue
55 4 bonds federal subsidy holdback fund, as provided in
55 5 subparagraph (1), subparagraph division (a), if the
55 6 total amount of moneys directed to be deposited in the
55 7 general fund of the state under sections 99D.17 and
55 8 99F.11 in a fiscal year is less than the total amount
55 9 of moneys directed to be deposited in the vision Iowa
55 10 fund and the school infrastructure fund in the fiscal
55 11 year pursuant to this paragraph "e", the difference
55 12 shall be paid from lottery revenues in the manner
55 13 provided in section 99G.39, subsection 3.

55 14 Sec. 75. Section 8.57, subsection 6, paragraph f,
55 15 Code Supplement 2009, is amended to read as follows:

55 16 f. There is appropriated from the rebuild Iowa
55 17 infrastructure fund to the secure an advanced vision
55 18 for education fund created in section 423F.2, for each
55 19 fiscal year of the fiscal period beginning July 1,
55 20 2008, and ending June 30, ~~2014,~~ 2010, and for each
55 21 fiscal year of the fiscal period beginning July 1,
55 22 2011, and ending June 30, 2014, the amount of the
55 23 moneys in excess of the first forty-seven million
55 24 dollars credited to the rebuild Iowa infrastructure
55 25 fund during the fiscal year, not to exceed ten million
55 26 dollars.

55 27 Sec. 76. Section 8.57A, subsection 4, Code 2009, is
55 28 amended to read as follows:

55 29 4. a. There is appropriated from the rebuild Iowa
55 30 infrastructure fund for the fiscal ~~year~~ years beginning
55 31 July 1, 2008, July 1, 2009, and July 1, 2011, and
55 32 for each fiscal year thereafter, the sum of forty-two
55 33 million dollars to the environment first fund,
55 34 notwithstanding section 8.57, subsection 6, paragraph
55 35 "c".

55 36 b. There is appropriated from the rebuild Iowa
55 37 infrastructure fund for the fiscal year beginning
55 38 July 1, 2010, and ending June 30, 2011, the sum of
55 39 thirty-three million dollars to the environment first
55 40 fund, notwithstanding section 8.57, subsection 6,
55 41 paragraph "c".

55 42 Sec. 77. Section 8.57C, subsection 3, Code
55 43 Supplement 2009, is amended to read as follows:

55 44 3. a. There is appropriated from the general fund
55 45 of the state for the fiscal years beginning July 1,
55 46 2006, July 1, 2007, July 1, ~~2010~~ 2011, and for each
55 47 subsequent fiscal year thereafter, the sum of seventeen
55 48 million five hundred thousand dollars to the technology
55 49 reinvestment fund.

55 50 b. There is appropriated from the rebuild Iowa



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56 1 infrastructure fund for the fiscal year beginning
56 2 July 1, 2008, and ending June 30, 2009, the sum of
56 3 seventeen million five hundred thousand dollars,
56 4 and for the fiscal year beginning July 1, 2009, and
56 5 ending June 30, 2010, the sum of fourteen million five
56 6 hundred twenty-five thousand dollars to the technology
56 7 reinvestment fund, notwithstanding section 8.57,
56 8 subsection 6, paragraph "c".

56 9 c. There is appropriated from the rebuild Iowa
56 10 infrastructure fund for the fiscal year beginning
56 11 July 1, 2010, the sum of ten million dollars to the
56 12 technology reinvestment fund, notwithstanding section
56 13 8.57, subsection 6, paragraph "c".

56 14 Sec. 78. Section 12.87, subsections 1 and 2, Code
56 15 Supplement 2009, are amended to read as follows:

56 16 1. The treasurer of state is authorized to issue
56 17 and sell bonds on behalf of the state to provide funds
56 18 for certain infrastructure projects and for purposes of
56 19 the Iowa jobs program established in section 16.194.
56 20 The treasurer of state shall have all of the powers
56 21 which are necessary or convenient to issue, sell and
56 22 secure bonds and carry out the treasurer of state's
56 23 duties, and exercise the treasurer of state's authority
56 24 under this section and sections 12.88 through 12.90.
56 25 The treasurer of state may issue and sell bonds in
56 26 such amounts as the treasurer of state determines to
56 27 be necessary to provide sufficient funds for certain
56 28 infrastructure projects and the revenue bonds capitals
56 29 fund, the revenue bonds capitals II fund, the payment
56 30 of interest on the bonds, the establishment of reserves
56 31 to secure the bonds, the payment of costs of issuance
56 32 of the bonds, the payment of other expenditures of
56 33 the treasurer of state incident to and necessary or
56 34 convenient to carry out the issuance and sale of the
56 35 bonds, and the payment of all other expenditures of
56 36 the treasurer of state necessary or convenient to
56 37 administer the funds and to carry out the purposes for
56 38 which the bonds are issued and sold. The treasurer of
56 39 state may issue and sell bonds in one or more series
56 40 on the terms and conditions the treasurer of state
56 41 determines to be in the best interest of the state,
56 42 in accordance with this section in such amounts as
56 43 the treasurer of state determines to be necessary to
56 44 fund the purposes for which such bonds are issued and
56 45 sold- as follows:

56 46 a. The treasurer of state may issue and sell bonds
56 47 in amounts which provide aggregate net proceeds of
56 48 not more than ~~five hundred forty-five~~ six hundred
56 49 ninety-five million dollars, excluding any bonds issued
56 50 and sold to refund outstanding bonds issued under this



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57 1 section, as follows:

57 2 a. (1) The On or after July 1, 2009, the treasurer
57 3 of state may issue and sell bonds in amounts which
57 4 provide aggregate net proceeds of not more than
57 5 one hundred eighty-five million dollars for capital
57 6 projects which qualify as vertical infrastructure
57 7 projects as defined in section 8.57, subsection 6,
57 8 paragraph "c", to the extent practicable in any fiscal
57 9 year and without limiting other qualifying capital
57 10 expenditures.

57 11 b. (2) The On or after July 1, 2009, the treasurer
57 12 of state may issue and sell bonds in amounts which
57 13 provide aggregate net proceeds of not more than three
57 14 hundred sixty million dollars for purposes of the Iowa
57 15 jobs program established in section 16.194 and for
57 16 watershed flood rebuilding and prevention projects,
57 17 soil conservation projects, sewer infrastructure
57 18 projects, for certain housing and public service
57 19 shelter projects and public broadband and alternative
57 20 energy projects, and for projects relating to bridge
57 21 safety and the rehabilitation of deficient bridges.

57 22 (3) On or after July 1, 2010, the treasurer of
57 23 state may issue and sell bonds in amounts which provide
57 24 aggregate net proceeds of not more than one hundred
57 25 fifty million dollars for purposes of the Iowa jobs
57 26 II program established in section 16.194A and for
57 27 qualified projects in the departments of agriculture
57 28 and land stewardship, economic development, education,
57 29 natural resources, and transportation, and the
57 30 Iowa finance authority, state board of regents, and
57 31 treasurer of state.

57 32 2. Bonds issued and sold under this section are
57 33 payable solely and only out of the moneys in the
57 34 revenue bonds debt service fund, the revenue bonds
57 35 federal subsidy holdback fund, and any bond reserve
57 36 funds established pursuant to section 12.89, and
57 37 only to the extent provided in the trust indenture,
57 38 resolution, or other instrument authorizing their
57 39 issuance. All moneys in the revenue bonds debt service
57 40 fund, the revenue bonds federal subsidy holdback
57 41 fund, and any bond reserve funds established pursuant
57 42 to section 12.89 may be deposited with trustees or
57 43 depositories in accordance with the terms of the
57 44 trust indentures, resolutions, or other instruments
57 45 authorizing the issuance of bonds and pledged by the
57 46 treasurer of state to the payment thereof. Bonds
57 47 issued and sold under this section shall contain
57 48 a statement that the bonds are limited special
57 49 obligations of the state and do not constitute a debt
57 50 or indebtedness of the state or a pledge of the faith



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58 1 or credit of the state or a charge against the general
58 2 credit or general fund of the state. The treasurer of
58 3 state shall not pledge the credit or taxing power of
58 4 this state or any political subdivision of this state
58 5 or make bonds issued and sold pursuant to this section
58 6 payable out of any moneys except those in the revenue
58 7 bonds debt service fund, the revenue bonds federal
58 8 subsidy holdback fund, and any bond reserve funds
58 9 established pursuant to section 12.89.
58 10 Sec. 79. Section 12.89, subsection 2, Code
58 11 Supplement 2009, is amended by adding the following new
58 12 paragraph:
58 13 NEW PARAGRAPH. Od. Federal subsidies and any
58 14 transfers from the revenue bonds federal subsidy
58 15 holdback fund created pursuant to section 12.89A.
58 16 Sec. 80. NEW SECTION. 12.89A Revenue bonds federal
58 17 subsidy holdback fund.
58 18 1. A revenue bonds federal subsidy holdback fund
58 19 is created and established as a separate and distinct
58 20 fund in the state treasury. The treasurer of state
58 21 shall act as custodian of the fund and disburse moneys
58 22 contained in the fund.
58 23 2. The moneys in such fund shall include all of the
58 24 following:
58 25 a. The revenues required to be deposited in the
58 26 fund pursuant to section 8.57, subsection 6, paragraph
58 27 "e", subparagraphs (1) and (2).
58 28 b. Interest attributable to investment moneys in
58 29 the fund.
58 30 c. Any other moneys from any other sources which
58 31 may be legally available to the treasurer of state for
58 32 the purpose of the fund.
58 33 3. The moneys in the revenue bonds federal subsidy
58 34 holdback fund are appropriated and shall be used or
58 35 transferred to the revenue bonds debt service fund
58 36 created in section 12.89, subsection 1, solely for the
58 37 purpose of making payments of principal and interest
58 38 on federal subsidy bonds when due, if the treasurer
58 39 of state or the treasurer's designee has not received
58 40 a federal subsidy scheduled to be received for such
58 41 payment by the due date.
58 42 4. The moneys on deposit in the revenue bonds
58 43 federal subsidy holdback fund shall be used or
58 44 transferred to the revenue bonds debt service fund
58 45 created in section 12.89, subsection 1, solely for the
58 46 purpose of making payments of principal and interest on
58 47 federal subsidy bonds prior to any use or transfer of
58 48 moneys on deposit in any bond reserve fund created for
58 49 such federal subsidy bonds by the treasurer of state
58 50 pursuant to section 12.89, subsection 3, paragraph "a".



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59 1 5. At any time during each fiscal year that
59 2 there are moneys on deposit in the revenue bonds
59 3 federal subsidy holdback fund that are not needed
59 4 to pay principal and interest on federal subsidy
59 5 bonds during such fiscal year as determined by the
59 6 treasurer of state or the treasurer's designee, such
59 7 moneys on deposit in the revenue bonds federal subsidy
59 8 holdback account shall be credited to the rebuild Iowa
59 9 infrastructure fund of the state.
59 10 6. For purposes of this section:
59 11 a. "Federal subsidy" means any payment from the
59 12 federal government with respect to federal subsidy
59 13 bonds.
59 14 b. "Federal subsidy bonds" means any bonds issued
59 15 and sold pursuant to section 12.87 for which a federal
59 16 subsidy is expected to be paid on or before any date on
59 17 which interest on such bonds is due and payable.
59 18 Sec. 81. Section 15F.204, subsection 8, paragraph
59 19 a, subparagraph (6), Code Supplement 2009, is amended
59 20 by striking the subparagraph.
59 21 Sec. 82. Section 15F.204, subsection 8, paragraph
59 22 b, subparagraph (4), Code Supplement 2009, is amended
59 23 by striking the subparagraph.
59 24 Sec. 83. Section 16.181A, Code 2009, is amended to
59 25 read as follows:
59 26 16.181A Housing trust fund == appropriations.
59 27 1. There is appropriated from the rebuild Iowa
59 28 infrastructure fund to the Iowa finance authority for
59 29 deposit in the housing trust fund created in section
59 30 16.181, for the fiscal year beginning July 1, 2009, and
59 31 ending June 30, 2010, and for each succeeding fiscal
59 32 year, the sum of three million dollars.
59 33 2. There is appropriated from the rebuild Iowa
59 34 infrastructure fund to the Iowa finance authority for
59 35 deposit in the housing trust fund created in section
59 36 16.181, for the fiscal year beginning July 1, 2010 and
59 37 ending June 30, 2011, the sum of one million dollars.
59 38 Sec. 84. Section 16.192, subsections 2 and 4, Code
59 39 Supplement 2009, are amended to read as follows:
59 40 2. Establish the Iowa jobs program pursuant to
59 41 section 16.194 and the Iowa jobs II program pursuant
59 42 to section 16.194A.
59 43 4. Award financial assistance, including financial
59 44 assistance in the form of grants under the Iowa jobs
59 45 program pursuant to sections 16.194, 16.194A, and
59 46 16.195.
59 47 Sec. 85. Section 16.193, subsection 2, Code
59 48 Supplement 2009, is amended to read as follows:
59 49 2. During the term of the Iowa jobs program
59 50 established in section 16.194 and the Iowa jobs II



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60 1 program established in section 16.194A, two hundred
60 2 thousand dollars of the moneys deposited in the rebuild
60 3 Iowa infrastructure fund shall be allocated each fiscal
60 4 year to the Iowa finance authority for purposes of
60 5 administering the Iowa jobs program, notwithstanding
60 6 section 8.57, subsection 6, paragraph "c".
60 7 Sec. 86. NEW SECTION. 16.194A Iowa jobs II program ==
60 8 disaster prevention.
60 9 1. An Iowa jobs II program is created to assist in
60 10 the development and completion of public construction
60 11 projects relating to disaster prevention.
60 12 2. A city or county in this state that applies
60 13 the smart planning principles and guidelines pursuant
60 14 to sections 18B.1 and 18B.2, as enacted in this Act,
60 15 may submit an application to the Iowa jobs board
60 16 for financial assistance for a local infrastructure
60 17 competitive grant for an eligible project under the
60 18 program, notwithstanding any limitation on the state's
60 19 percentage in funding as contained in section 29C.6,
60 20 subsection 17.
60 21 3. Financial assistance under the program shall be
60 22 awarded in the form of grants.
60 23 4. The board shall consider the following criteria
60 24 in evaluating eligible projects to receive financial
60 25 assistance under the program:
60 26 a. The total number and quality of jobs to be
60 27 created and the benefits likely to accrue to areas
60 28 distressed by high unemployment.
60 29 b. Financial feasibility, including the ability
60 30 of projects to fund depreciation costs or replacement
60 31 reserves, and the availability of other federal, state,
60 32 local, and private sources of funds.
60 33 c. Sustainability and energy efficiency.
60 34 d. Benefits for disaster prevention.
60 35 e. The project's readiness to proceed.
60 36 5. An applicant must demonstrate local support for
60 37 the project as defined by rule.
60 38 6. Any award of financial assistance to a project
60 39 shall be limited to up to ninety percent of the total
60 40 cost of the development and completion of a public
60 41 construction project relating to disaster prevention.
60 42 7. In order for a project to be eligible to receive
60 43 financial assistance from the board, the project must
60 44 be a public construction project pursuant to subsection
60 45 1 with a demonstrated substantial local, regional, or
60 46 statewide economic impact.
60 47 8. The board shall not approve an application for
60 48 assistance for any of the following purposes:
60 49 a. To refinance a loan existing prior to the date
60 50 of the initial financial assistance application.



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61 1 b. For a project that has previously received
61 2 financial assistance under the program, unless the
61 3 applicant demonstrates that the financial assistance
61 4 would be used for a significant expansion of a project.

61 5 9. Any portion of an amount allocated for projects
61 6 that remains unexpended or unencumbered one year after
61 7 the allocation has been made may be reallocated to
61 8 another project category, at the discretion of the
61 9 board. The board shall ensure that all bond proceeds
61 10 be expended within three years from when the allocation
61 11 was initially made.

61 12 10. The board shall ensure that funds obligated
61 13 under this section are coordinated with other federal
61 14 program funds received by the state, and that projects
61 15 receiving funds are located in geographically diverse
61 16 areas of the state.

61 17 11. An applicant or combination of applicants for
61 18 a project within the same county shall not be awarded
61 19 more than forty percent of the funds available under
61 20 this program.

61 21 Sec. 87. Section 16.195, subsection 2, Code
61 22 Supplement 2009, is amended to read as follows:

61 23 2. A review committee composed of members of the
61 24 board as determined by the board shall review Iowa
61 25 jobs program applications submitted to the board and
61 26 make recommendations regarding the applications to the
61 27 board. When reviewing the applications, the review
61 28 committee and the authority shall consider the project
61 29 criteria specified in ~~section~~ sections 16.194 and
61 30 16.194A. The board shall develop the appropriate level
61 31 of transparency regarding project fund allocations.

61 32 Sec. 88. Section 26.3, subsection 2, Code
61 33 Supplement 2009, is amended to read as follows:

61 34 2. A governmental entity shall have an engineer
61 35 licensed under chapter 542B, a landscape architect
61 36 licensed under chapter 544B, or an architect registered
61 37 under chapter 544A prepare plans and specifications,
61 38 and calculate the estimated total cost of a proposed
61 39 public improvement. A governmental entity shall
61 40 ensure that a sufficient number of paper copies
61 41 of the project's contract documents, including
61 42 all drawings, plans, specifications, and estimated
61 43 total costs of the proposed public improvement
61 44 are made available for distribution at no charge
61 45 to prospective bidders, subcontractor bidders,
61 46 suppliers, and contractor plan room services. If
61 47 a deposit is required as part of a paper contract
61 48 documents distribution policy by the public owner, the
61 49 deposit shall not exceed two hundred fifty dollars per
61 50 set which shall be refunded upon return of the contract



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62 1 documents within fourteen days after award of the
62 2 project. If the contract documents are not returned
62 3 in a timely manner and in a reusable condition,
62 4 the deposit shall be forfeited. The governmental
62 5 entity shall reimburse the landscape architect,
62 6 architect, or professional engineer for the actual
62 7 costs of preparation and distribution of plans and
62 8 specifications.

62 9 Sec. 89. NEW SECTION. 73.14 Minority-owned and
62 10 female-owned businesses == bond issuance services.

62 11 1. The state, board of regents institutions,
62 12 counties, townships, school districts, community
62 13 colleges, cities, and other public entities, and every
62 14 person acting as contracting agent for any such entity,
62 15 shall, when issuing bonds or other obligations, make
62 16 a good-faith effort to utilize minority-owned and
62 17 female-owned businesses for attorneys, accountants,
62 18 financial advisors, banks, underwriters, insurers, and
62 19 other occupations necessary to carry out the issuance
62 20 of bonds or other obligations by the entity.

62 21 2. For purposes of this section:

62 22 a. "Female-owned business" means a business that is
62 23 fifty-one percent or more owned, operated, and actively
62 24 managed by one or more women.

62 25 b. "Minority-owned business" means a business that
62 26 is fifty-one percent or more owned, operated, and
62 27 actively managed by one or more minority persons.

62 28 Sec. 90. Section 123.53, subsections 3 and 4, Code
62 29 Supplement 2009, are amended to read as follows:

62 30 3. Notwithstanding subsection 2, if gaming revenues
62 31 under sections 99D.17 and 99F.11 are insufficient
62 32 in a fiscal year to meet the total amount of such
62 33 revenues directed to be deposited in the revenue
62 34 bonds debt service fund and the revenue bonds federal
62 35 subsidy holdback fund during the fiscal year pursuant
62 36 to section 8.57, subsection 6, paragraph "e", the
62 37 difference shall be paid from moneys deposited in the
62 38 beer and liquor control fund prior to transfer of such
62 39 moneys to the general fund pursuant to subsection 2
62 40 and prior to the transfer of such moneys pursuant
62 41 to subsections 5 and 6. If moneys deposited in the
62 42 beer and liquor control fund are insufficient during
62 43 the fiscal year to pay the difference, the remaining
62 44 difference shall be paid from moneys deposited in the
62 45 beer and liquor control fund in subsequent fiscal years
62 46 as such moneys become available.

62 47 4. The treasurer of state shall, each quarter,
62 48 prepare an estimate of the gaming revenues and of
62 49 the moneys to be deposited in the beer and liquor
62 50 control fund that will become available during the



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63 1 remainder of the appropriate fiscal year for the
63 2 purposes described in subsection 3. The department of
63 3 management, the department of inspections and appeals,
63 4 and the department of commerce shall take appropriate
63 5 actions to provide that the sum of the amount of gaming
63 6 revenues available to be deposited into the revenue
63 7 bonds debt service fund during a fiscal year and the
63 8 amount of moneys to be deposited in the beer and liquor
63 9 control fund available to be deposited into the revenue
63 10 bonds debt service fund and the revenue bonds federal
63 11 subsidy holdback fund during such fiscal year will be

63 12 sufficient to cover any anticipated deficiencies.

63 13 Sec. 91. Section 327H.20A, subsection 3, Code
63 14 Supplement 2009, is amended to read as follows:

63 15 3. Notwithstanding any other provision to the
63 16 contrary, on or after July 1, 2006, moneys received as
63 17 repayments for loans made pursuant to this chapter or
63 18 chapter 327I, Code 2009, before, on, or after July 1,
63 19 2005, other than repayments of federal moneys subject
63 20 to section 327H.21, shall be credited to the railroad
63 21 revolving loan and grant fund. Notwithstanding section
63 22 8.33, moneys in the railroad revolving loan and grant
63 23 fund shall not revert to the ~~general fund of the~~
63 24 ~~state fund from which it was appropriated~~ but shall
63 25 remain available indefinitely for expenditure under
63 26 this section.

63 27 Sec. 92. Section 327J.2, subsection 3, Code
63 28 Supplement 2009, is amended to read as follows:

63 29 3. No reversion. Notwithstanding section 8.33, any
63 30 balance in the fund on June 30 of any fiscal year shall
63 31 not revert to the ~~general fund of the state~~ fund from
63 32 which it was appropriated.

63 33 Sec. 93. REPEAL. Sections 8.57D, 12.90A, 12.90B,
63 34 12.90C, 16.185, 16.186, 16.187, and 313.68, Code
63 35 Supplement 2009, are repealed.>

COHOON of Des Moines
HF2534.3035 (4) 83
rh/rj



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House Amendment 8658

PAG LIN

1 1 Amend Senate File 2389, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 17, line 13, by striking
1 4 <existingcourthouse> and inserting <existing
1 5 courthouse>
1 6 #2. Page 19, line 22, by striking <on a lake> and
1 7 inserting <in a state park>
1 8 #3. Page 56, after line 19 by inserting:
1 9 g. The department for the blind storage facility.>
1 10 #4. Page 75, line 34, after <prevention> by
1 11 inserting <including but not limited to the
1 12 construction of, or the replacement or reconstruction
1 13 of, local public buildings in a manner that mitigates
1 14 damages from future disasters, including flooding>
1 15 #5. Page 76, line 28, after <prevention> by
1 16 inserting <consistent with the purposes of the program
1 17 as specified in subsection 1>
1 18 #6. By renumbering as necessary.

COHOON of Des Moines
SF2389.3040 (2) 83
rh/rj



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House Amendment 8659

PAG LIN

1 1 Amend Senate File 2379, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 6, before line 24 by inserting:
1 4 <1B. A sheriff shall apply all requirements of this
1 5 chapter regarding the issuance and renewal of permits
1 6 but may apply more restrictive qualifications if deemed
1 7 necessary.>
1 8 #2. Page 9, after line 24 by inserting:
1 9 <2A. A sheriff shall apply all requirements of this
1 10 chapter regarding the issuance and renewal of permits
1 11 but may apply more restrictive qualifications if deemed
1 12 necessary.>
1 13 #3. By renumbering as necessary.

MASCHER of Johnson
SF2379.3042 (1) 83
rj/nh



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House Amendment 8660

PAG LIN

1 1 Amend Senate File 2389, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 19, line 15, after <Act> by inserting <,
1 4 except that a city or county applying smart planning
1 5 principles and guidelines shall not implement or
1 6 undertake a planning, zoning, development, or resources
1 7 management decision that involves the use of eminent
1 8 domain authority under chapter 6A or 6B>
1 9 #2. Page 24, after line 1 by inserting:
1 10 <0A Property rights. Planning, zoning,
1 11 development, and resource management shall take into
1 12 account the impact of decisions upon the property
1 13 rights of landowners and shall consider opportunities
1 14 to avoid the infringement or deprivation of those
1 15 rights.>
1 16 #3. Page 67, after line 17 by inserting:
1 17 <Sec. ____ . Section 6B.14, subsection 2, Code
1 18 Supplement 2009, is amended to read as follows:
1 19 2. Prior to the meeting of the commission, the
1 20 commission or a commissioner shall not communicate
1 21 with the applicant, property owner, or tenant, or
1 22 their agents, regarding the condemnation proceedings.
1 23 The commissioners shall meet in open session to view
1 24 the property and to receive evidence, ~~but may and~~
1 25 shall deliberate and vote in closed open session.
~~1 26 When deliberating in closed session, the meeting~~
~~1 27 is closed to all persons who are not commissioners~~
~~1 28 except for personnel from the sheriff's office if~~
~~1 29 such personnel is requested by the commission. After~~
1 30 deliberations commence, the commission and each
1 31 commissioner is prohibited from communicating with
1 32 any party to the proceeding unless such communication
1 33 occurs in the presence of or with the consent of the
1 34 property owner and the other parties who appeared
1 35 before the commission or their agents. However, if
~~1 36 the commission is deliberating in closed session, and~~
~~1 37 after deliberations commence the commission requires~~
~~1 38 further information from a party or a witness, the~~
~~1 39 commission shall notify the property owner and the~~
~~1 40 acquiring agency that they are allowed to attend the~~
~~1 41 meeting at which such additional information shall~~
~~1 42 be provided but only for that period of time during~~
~~1 43 which the additional information is being provided.~~
~~1 44 The property owner and the acquiring agency shall~~
~~1 45 be given a reasonable opportunity to attend the~~
~~1 46 meeting.~~ The commission shall keep minutes of all its
1 47 meetings showing the date, time, and place, the members
1 48 present, and the action taken at each meeting. The
1 49 minutes shall show the results of each vote taken and
1 50 information sufficient to indicate the vote of each



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2 1 member present. ~~The vote of each member present shall~~
~~2 2 be made public at the open session.~~ The minutes shall
2 3 be public records open to public inspection.>
2 4 #4. Page 77, after line 30 by inserting:
2 5 <Sec. ____ . NEW SECTION. 21.12 Condemnation
2 6 proceedings == deliberations.
2 7 Compensation commissioners shall meet, deliberate,
2 8 and vote in open session when condemning private land
2 9 through the process established in chapter 6B pursuant
2 10 to section 6B.14, subsection 2.>
2 11 #5. By renumbering as necessary.

KAUFMANN of Cedar

TYMESON of Madison
SF2389.3039 (3) 83
rh/rj



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House Amendment 8661

PAG LIN

1 1 Amend Senate File 2389, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 13, line 22, by striking <July> and
1 4 inserting <April>
1 5 #2. Page 22, after line 17 by inserting:
1 6 <Sec. ____ . EFFECTIVE UPON ENACTMENT. The section
1 7 of this division of this Act enacting section 12.88A,
1 8 being deemed of immediate importance, takes effect upon
1 9 enactment.>
1 10 #3. Page 72, line 14, by striking <July> and
1 11 inserting <April>
1 12 #4. Page 75, by striking line 5 and inserting
1 13 <fiscal year beginning July 1, 2009, ~~and ending June~~
1 14 ~~30, 2010, and ending July 1, 2011,~~>
1 15 #5. Page 80, after line 18 by inserting:
1 16 <Sec. ____ . EFFECTIVE DATES AND APPLICABILITY.
1 17 1. The section of this division of this Act
1 18 amending section 12.87, being deemed of immediate
1 19 importance, takes effect upon enactment.
1 20 2. The section of this division of this Act
1 21 enacting section 16.193, subsection 3, being deemed of
1 22 immediate importance, takes effect upon enactment, and
1 23 applies to projects approved on, before, and after the
1 24 effective date of the section.>
1 25 #6. By renumbering as necessary.

COHOON of Des Moines
SF2389.3048 (3) 83
rh/rj



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House Amendment 8662

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 6, after line 33 by inserting:
1 5 <____. Page 31, after line 23 by inserting:
1 6 <Sec. ____ . IMPASSE PROCEDURE AND MEDIATION INTERIM
1 7 STUDY. The legislative council is requested to approve
1 8 an interim study committee for purposes of examining
1 9 the issues related to sections 20.19 and 20.20 and
1 10 rural water systems. >>
1 11 #2. Page 8, by striking lines 10 through 18 and
1 12 inserting:
1 13 <____. By striking page 35, line 23, through page
1 14 37, line 11.>
1 15 #3. By renumbering as necessary.

HORBACH of Tama
HF2531.3046 (2) 83
tm/jp



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House Amendment 8663

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, line 37, after <who> by inserting <has
1 5 previously been convicted of a violation enumerated in
1 6 this section or an equivalent offense in another state
1 7 and, within twelve months of such conviction,>
1 8 #2. By renumbering as necessary.

R. OLSON of Polk
HF2531.3054 (1) 83
dea/nh



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House Amendment 8664

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, after line 29 by inserting:
1 5 <____. Page 46, after line 5 by inserting:
1 6 <DIVISION ____
1 7 OPEN RECORDS AND PUBLIC MEETINGS
1 8 Sec. _____. Section 8A.341, subsection 2, Code 2009,
1 9 is amended to read as follows:
1 10 2. If money is appropriated for this purpose, by
1 11 November 1 of each year supply a report which contains
1 12 the name, gender, county, or city of residence when
1 13 possible, official title, salary received during
1 14 the previous fiscal year, base salary as computed
1 15 on July 1 of the current fiscal year, and traveling
1 16 and subsistence expense of the personnel of each
1 17 of the departments, boards, and commissions of the
1 18 state government except personnel who receive an
1 19 annual salary of less than one thousand dollars. The
1 20 number of the personnel and the total amount received
1 21 by them shall be shown for each department in the
1 22 report. All employees who have drawn salaries, fees,
1 23 or expense allowances from more than one department
1 24 or subdivision shall be listed separately under the
1 25 proper departmental heading. On the request of the
1 26 director, the head of each department, board, or
1 27 commission shall furnish the data covering that agency.
1 28 The report shall be distributed upon request without
1 29 charge in an electronic medium to each caucus of the
1 30 general assembly, the legislative services agency, the
1 31 chief clerk of the house of representatives, and the
1 32 secretary of the senate. Copies of the report shall
1 33 be made available to other persons in an electronic
1 34 medium upon payment of a fee, which shall not exceed
1 35 the cost of providing the copy of the report. Sections
1 36 22.2 through ~~22.6~~ 22.5 apply to the report. All funds
1 37 from the sale of the report shall be deposited in the
1 38 printing revolving fund established in section 8A.345.
1 39 Sec. _____. Section 8E.202, subsection 1, unnumbered
1 40 paragraph 1, Code 2009, is amended to read as follows:
1 41 The department and each agency shall provide for the
1 42 widest possible dissemination of information between
1 43 agencies and the public relating to the enterprise
1 44 strategic plan and agency strategic plans, including
1 45 but not limited to internet access. This section does
1 46 not require the department or an agency to release
1 47 information which is classified as a confidential
1 48 record under this Code, ~~including but not limited to~~
~~1 49 section 22.7.~~
1 50 Sec. _____. Section 8E.202, subsection 3, Code 2009,



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2 1 is amended to read as follows:

2 2 3. A record which is confidential under this Code,
~~2 3 including but not limited to section 22.7,~~ shall not be
2 4 released to the public under this section.

2 5 Sec. _____. Section 21.1, Code 2009, is amended by
2 6 striking the section and inserting in lieu thereof the
2 7 following:

2 8 21.1 Intent == Declaration of Policy.

2 9 1. The general assembly recognizes that open
2 10 government is a cornerstone to ensuring and protecting
2 11 the free exchange of information from government to the
2 12 people and it is therefore the intent of the general
2 13 assembly to do all of the following:

2 14 a. Provide access to governmental information as
2 15 an essential function of government and an integral
2 16 part of the routine duties of governmental officers and
2 17 employees.

2 18 b. Balance transparency in government with the need
2 19 to protect personal privacy.

2 20 c. Recognize barriers that may impede the public's
2 21 access to governmental information and participation in
2 22 governmental functions and remove those barriers.

2 23 d. Ensure and facilitate the public's right to
2 24 access and review governmental information.

2 25 2. Ambiguity in the construction or application of
2 26 this chapter should be resolved in favor of openness.

2 27 Sec. _____. Section 21.4, subsections 1 and 3, Code
2 28 2009, are amended to read as follows:

2 29 1. ~~A~~ Except as provided in subsection 3,
~~2 30 a governmental body, except township trustees, shall~~
2 31 give notice of the time, date, and place of each
2 32 meeting including a reconvened meeting of the
~~2 33 governmental body, and its the tentative agenda of~~
2 34 the meeting, in a manner reasonably calculated to
2 35 apprise the public of that information. Reasonable
2 36 notice shall include advising the news media who have
2 37 filed a request for notice with the governmental body
2 38 and posting the notice on a bulletin board or other
2 39 prominent place which is easily accessible to the
2 40 public and clearly designated for that purpose at the
2 41 principal office of the body holding the meeting, or
2 42 if no such office exists, at the building in which the
2 43 meeting is to be held.

2 44 3. Subsection 1 does not apply to any of the
2 45 following:

2 46 a. A meeting reconvened within four hours of the
2 47 start of its recess, where an announcement of the time,
2 48 date, and place of the reconvened meeting is made at
2 49 the original meeting in open session and recorded in
2 50 the minutes of the meeting and there is no change in



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3 1 the agenda.

3 2 b. A meeting held by a formally constituted subunit
3 3 of a parent governmental body ~~may conduct a meeting~~
~~3 4 without notice as required by this section during a~~
3 5 lawful meeting of the parent governmental body, or
3 6 during a recess in that meeting of up to four hours,
3 7 or a meeting of that subunit immediately following
3 8 that the meeting of the parent governmental body, if
3 9 the meeting of the that subunit is publicly announced
3 10 in open session at the parent meeting and the subject
3 11 of the meeting reasonably coincides with the subjects
3 12 discussed or acted upon by the parent governmental
3 13 body.

3 14 Sec. _____. Section 21.5, subsection 1, paragraph j,
3 15 Code Supplement 2009, is amended to read as follows:

3 16 j. To discuss the purchase of particular real
3 17 estate only where premature disclosure could be
3 18 reasonably expected to increase the price the
3 19 governmental body would have to pay for that property.
3 20 The minutes and the ~~tape~~ audio recording of a session
3 21 closed under this paragraph shall be available for
3 22 public examination when the transaction discussed is
3 23 completed.

3 24 Sec. _____. Section 21.5, subsection 4, Code
3 25 Supplement 2009, is amended to read as follows:

3 26 4. A governmental body shall keep detailed
3 27 minutes of all discussion, persons present, and
3 28 action occurring at a closed session, and shall also
3 29 ~~tape~~ audio record all of the closed session. The
3 30 detailed minutes and ~~tape~~ audio recording of a closed
3 31 session shall be sealed and shall not be public records
3 32 open to public inspection. However, upon order of
3 33 the court in an action to enforce this chapter, the
3 34 detailed minutes and ~~tape~~ audio recording shall be
3 35 unsealed and examined by the court in camera. The
3 36 court shall then determine what part, if any, of
3 37 the minutes should be disclosed to the party seeking
3 38 enforcement of this chapter for use in that enforcement
3 39 proceeding. In determining whether any portion of
3 40 the minutes or recording shall be disclosed to such
3 41 a party for this purpose, the court shall weigh
3 42 the prejudicial effects to the public interest of
3 43 the disclosure of any portion of the minutes or
3 44 recording in question, against its probative value as
3 45 evidence in an enforcement proceeding. After such a
3 46 determination, the court may permit inspection and
3 47 use of all or portions of the detailed minutes and
3 48 ~~tape~~ audio recording by the party seeking enforcement
3 49 of this chapter. A governmental body shall keep the
3 50 detailed minutes and ~~tape~~ audio recording of any closed



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4 1 session for a period of at least one year from the date
4 2 of that meeting, except as otherwise required by law.

4 3 Sec. _____. Section 21.6, subsection 3, paragraph a,
4 4 Code 2009, is amended to read as follows:

4 5 a. Shall assess each member of the governmental
4 6 body who participated in its violation damages in the
4 7 amount of not more than five hundred dollars ~~not~~ and
4 8 not less than one hundred dollars. However, if a
4 9 member of a governmental body knowingly participated
4 10 in such a violation, damages shall be in the amount of
4 11 not more than two thousand five hundred dollars and not
4 12 less than one thousand dollars. These damages shall
4 13 be paid by the court imposing it to the state of Iowa,
4 14 if the body in question is a state governmental body,
4 15 or to the local government involved if the body in
4 16 question is a local governmental body. A member of a
4 17 governmental body found to have violated this chapter
4 18 shall not be assessed such damages if that member
4 19 proves that the member did any of the following:

4 20 (1) Voted against the closed session.

4 21 (2) Had good reason to believe and in good faith
4 22 believed facts which, if true, would have indicated
4 23 compliance with all the requirements of this chapter.

4 24 (3) Reasonably relied upon a decision of a
4 25 court, ~~or~~ a formal opinion of the attorney general, or
4 26 the attorney for the governmental body, given in
4 27 writing, or as memorialized in the minutes of the
4 28 meeting at which an oral opinion was given, or an
4 29 advisory opinion of the attorney general or the
4 30 attorney for the governmental body, given in writing.

4 31 Sec. _____. Section 21.8, subsection 1, unnumbered
4 32 paragraph 1, Code 2009, is amended to read as follows:

4 33 A governmental body may conduct a meeting and
4 34 individual members of a governmental body may
4 35 participate in meetings of a governmental body by
4 36 electronic means only in circumstances where ~~such a~~
4 37 meeting in person is impossible or impractical and
4 38 only if the governmental body complies with all of the
4 39 following:

4 40 Sec. _____. NEW SECTION. 22.0A Intent == declaration
4 41 of policy.

4 42 1. The general assembly recognizes that open
4 43 government is a cornerstone to ensuring and protecting
4 44 the free exchange of information from government to the
4 45 people and it is therefore the intent of the general
4 46 assembly to do all of the following:

4 47 a. Provide access to governmental information as
4 48 an essential function of government and an integral
4 49 part of the routine duties of government officers and
4 50 employees.



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5 1 b. Balance transparency in government with the need
5 2 to protect personal privacy.
5 3 c. Recognize barriers that may impede the public's
5 4 access to governmental information and participation in
5 5 governmental functions and remove those barriers.
5 6 d. Ensure and facilitate the public's right to
5 7 access and review government information.
5 8 2. Ambiguity in the construction or application of
5 9 this chapter should be resolved in favor of openness.
5 10 Sec. _____. Section 22.2, subsection 1, Code 2009, is
5 11 amended to read as follows:
5 12 1. a. Every person shall have the right to examine
5 13 and copy a public record and to publish or otherwise
5 14 disseminate a public record or the information
5 15 contained in a public record.
5 16 b. Unless otherwise provided for by law, the right
5 17 to examine a public record shall include the right to
5 18 examine a public record without charge while the public
5 19 record is in the physical possession of the custodian
5 20 of the public record. ~~The~~
5 21 c. Unless otherwise provided for by law, the right
5 22 to copy a public record shall include the right to make
5 23 photographs or photographic copies while the public
5 24 record is in the possession of the custodian of the
5 25 public record. If a public record exists in electronic
5 26 form, the governmental body shall provide a copy of the
5 27 public record in electronic form, if reasonable. All
5 28 rights under this section are in addition to the right
5 29 to obtain a certified copy of a public record under
5 30 section 622.46.
5 31 Sec. _____. NEW SECTION. 22.2A Record requests ==
5 32 time limits.
5 33 1. Upon receipt of an oral or written request to
5 34 examine or copy a public record, the lawful custodian
5 35 shall, if reasonable in the ordinary course of
5 36 business, permit such examination or copying at the
5 37 time of the request. If it is not reasonable in the
5 38 ordinary course of business to permit examination
5 39 or copying of the public record at the time of the
5 40 request, the lawful custodian shall immediately
5 41 notify the requester, orally or in writing, when such
5 42 examination or copying may take place, which shall be
5 43 no later than five business days from the time of the
5 44 request unless there is good cause for further delay.
5 45 If further delay is necessary because of good cause in
5 46 responding to a request to examine or copy a record the
5 47 lawful custodian knows is a public record, the lawful
5 48 custodian shall provide the requester with a written
5 49 statement detailing the reason or reasons for the delay
5 50 and the date by which the request will be satisfied.



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6 1 2. If the lawful custodian is in doubt as to
6 2 whether the record requested is a public record or
6 3 whether the requester should be permitted to examine
6 4 or copy an optional public record specified in
6 5 section 22.7, the lawful custodian shall make that
6 6 determination within ten business days from the date of
6 7 the request unless further delay is necessary because
6 8 of good cause, which is communicated in writing to the
6 9 requester. Examination or copying of the government
6 10 record shall be allowed within five business days from
6 11 the date the lawful custodian makes the decision in
6 12 such circumstances to permit examination or copying of
6 13 the record unless there is good cause for further delay
6 14 in fulfilling the request as provided in subsection 1.
6 15 3. If the lawful custodian denies a request to
6 16 examine or copy a public record, the custodian must
6 17 provide the requester at the time of the denial a
6 18 written statement denying the request and detailing the
6 19 specific reason or reasons for the denial.
6 20 4. If the lawful custodian does not fulfill a
6 21 request to examine or copy a public record within the
6 22 times prescribed in this section, the request shall be
6 23 deemed denied and the requester shall be entitled to
6 24 file a lawsuit against the lawful custodian pursuant
6 25 to section 22.10.
6 26 Sec. _____. Section 22.3, Code 2009, is amended to
6 27 read as follows:
6 28 22.3 Supervision == fees.
6 29 1. The examination and copying of public records
6 30 shall be done under the supervision of the lawful
6 31 custodian of the records or the custodian's authorized
6 32 designee. The lawful custodian shall not require the
6 33 physical presence of a person requesting or receiving
6 34 a copy of a public record and shall fulfill requests
6 35 for a copy of a public record received in writing, by
6 36 telephone, or by electronic means. Fulfillment of a
6 37 request for a copy of a public record may be contingent
6 38 upon receipt of payment of expenses to be incurred
6 39 in fulfilling the request and such estimated expenses
6 40 shall be communicated to the requester upon receipt of
6 41 the request who shall be responsible for payment of
6 42 such expenses once the requester authorizes the copy
6 43 of the public record. The lawful custodian may adopt
6 44 and enforce reasonable rules regarding the examination
6 45 and copying of the records and the protection of
6 46 the records against damage or disorganization. The
6 47 lawful custodian shall provide a suitable place for
6 48 the examination and copying of the records, but if it
6 49 is impracticable to do the examination and copying of
6 50 the records in the office of the lawful custodian,



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7 1 the person desiring to examine or copy shall pay
7 2 any necessary expenses of providing a place for the
7 3 examination and copying.
7 4 2. All expenses of the examination and copying
7 5 shall be paid by the person desiring to examine or
7 6 copy. The lawful custodian may charge a reasonable
7 7 fee for the services of the lawful custodian or the
7 8 custodian's authorized designee in supervising the
7 9 examination and copying of the records or in reviewing
7 10 the records for confidential information prior to
7 11 release. If the lawful custodian is an executive
7 12 branch agency, the lawful custodian shall provide
7 13 such services at no charge to a requestor for up to
7 14 three hours per month. If copy equipment is available
7 15 at the office of the lawful custodian of any public
7 16 records, the lawful custodian shall provide any person
7 17 a reasonable number of copies of any public record in
7 18 the custody of the office upon the payment of a fee.
7 19 The fee for the copying service as determined by the
7 20 lawful custodian shall not exceed the actual cost of
7 21 providing the service. Actual costs shall include only
7 22 those expenses directly attributable to supervising
7 23 the examination of and making and providing copies of
7 24 public records. Actual costs shall not include charges
7 25 for ordinary expenses or costs such as employment
7 26 benefits, depreciation, maintenance, electricity, or
7 27 insurance associated with the administration of the
7 28 office of the lawful custodian.
7 29 Sec. _____. Section 22.7, subsection 7, Code
7 30 Supplement 2009, is amended to read as follows:
7 31 7. Appraisals or appraisal information concerning
7 32 the sale or purchase of real or personal property for
7 33 public purposes, prior to ~~public announcement of a~~
7 34 ~~project~~ the execution of any contract for such sale
7 35 or purchase or the submission of the appraisal to the
7 36 property owner or other interest holders as provided
7 37 in section 6B.45.
7 38 Sec. _____. Section 22.7, subsection 8, Code
7 39 Supplement 2009, is amended to read as follows:
7 40 8. ~~Iowa department of economic development~~
7 41 ~~information~~ Information on an industrial or commercial
7 42 development prospect with which the Iowa department
7 43 of economic development or a city is currently
7 44 negotiating, prior to submission by the department or
7 45 the city of a proposal for financial assistance or
7 46 other incentives for the prospect for approval by the
7 47 director of the department or by the governing body of
7 48 the city.
7 49 Sec. _____. Section 22.7, subsection 10, Code
7 50 Supplement 2009, is amended by striking the subsection.



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8 1 Sec. _____. Section 22.7, subsection 11, Code
8 2 Supplement 2009, is amended to read as follows:
8 3 11. a. Personal information in confidential
8 4 personnel records of ~~public~~ government bodies ~~including~~
8 5 ~~but not limited to cities, boards of supervisors and~~
8 6 ~~school districts relating to identified or identifiable~~
8 7 ~~individuals who are officials, officers, or employees~~
8 8 ~~of the government bodies. However, the following~~
8 9 ~~information relating to such individuals contained in~~
8 10 ~~personnel records shall be public records:~~
8 11 (1) The name and compensation of the individual
8 12 including any written agreement establishing
8 13 compensation or any other terms of employment
8 14 excluding any information otherwise excludable from
8 15 public information pursuant to this section or any
8 16 other applicable provision of law. For purposes
8 17 of this paragraph, "compensation" means payment of,
8 18 or agreement to pay, any money, thing of value, or
8 19 financial benefit conferred in return for labor or
8 20 services rendered by an officer, employee, or other
8 21 person plus the value of benefits including but not
8 22 limited to casualty, disability, life, or health
8 23 insurance, other health or wellness benefits, vacation,
8 24 holiday, and sick leave, severance payments, retirement
8 25 benefits, and deferred compensation.
8 26 (2) The date the individual was employed by the
8 27 government body.
8 28 (3) The positions the individual holds or has held
8 29 with the government body.
8 30 (4) The educational institutions attended by the
8 31 individual, including any diplomas and degrees earned,
8 32 and the names of the individual's previous employers,
8 33 positions previously held, and dates of previous
8 34 employment.
8 35 (5) Any final disciplinary action taken against the
8 36 individual that resulted in the individual's discharge.
8 37 b. Personal information in confidential personnel
8 38 records of government bodies relating to student
8 39 employees shall only be released pursuant to 20 U.S.C.
8 40 { 1232g.
8 41 Sec. _____. Section 22.7, subsections 40, 43, and 48,
8 42 Code Supplement 2009, are amended to read as follows:
8 43 40. The portion of a record request that contains
8 44 an internet protocol number ~~which identifies the~~
8 45 ~~computer from which a person requests a record, whether~~
8 46 ~~the person using such computer makes the request~~
8 47 ~~through the IowaAccess network or directly to a lawful~~
8 48 ~~custodian. However, such record may be released with~~
8 49 ~~the express written consent of the person requesting~~
8 50 ~~the record.~~



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9 1 43. Information obtained by the commissioner of
9 2 insurance pursuant to section 502.607, subsection 2.

9 3 48. Sex offender registry records under chapter
9 4 692A, ~~except shall only be released~~ as provided in
9 5 section 692A.121.

9 6 Sec. _____. Section 22.7, subsection 52, paragraphs
9 7 a and c, Code Supplement 2009, are amended to read as
9 8 follows:

9 9 a. The following records relating to a charitable
9 10 donation ~~made to a foundation acting solely for the~~
~~9 11 support of an institution governed by the state board~~
~~9 12 of regents, to a foundation acting solely for the~~
~~9 13 support of an institution governed by chapter 260C,~~
~~9 14 to a private foundation as defined in section 509 of~~
~~9 15 the Internal Revenue Code organized for the support~~
~~9 16 of a government body, or to an endow Iowa qualified~~
~~9 17 community foundation, as defined in section 15E.303,~~
~~9 18 organized for the support of a government body:~~

9 19 (1) Portions of records that disclose a donor's
9 20 or prospective donor's personal, financial, estate
9 21 planning, or gift planning matters.

9 22 (2) Records received from a donor or prospective
9 23 donor regarding such donor's prospective gift or
9 24 pledge.

9 25 (3) Records containing information about a donor or
9 26 a prospective donor in regard to the appropriateness
9 27 of the solicitation and dollar amount of the gift or
9 28 pledge.

9 29 (4) Portions of records that identify a
9 30 prospective donor and that provide information on the
9 31 appropriateness of the solicitation, the form of the
9 32 gift or dollar amount requested by the solicitor, and
9 33 the name of the solicitor.

9 34 (5) Portions of records disclosing the identity of
9 35 a donor or prospective donor, including the specific
9 36 form of gift or pledge that could identify a donor
9 37 or prospective donor, directly or indirectly, when
9 38 such donor has requested anonymity in connection with
9 39 the gift or pledge. This subparagraph does not apply
9 40 to a gift or pledge from a publicly held business
9 41 corporation.

9 42 c. Except as provided in paragraphs "a" and "b",
9 43 portions of records relating to the receipt, holding,
9 44 and disbursement of gifts made for the benefit of
9 45 regents institutions and made through foundations
9 46 established for support of regents institutions,
9 47 including but not limited to written fund-raising
9 48 policies and documents evidencing fund-raising
9 49 practices, shall be subject to this chapter. Unless
9 50 otherwise provided, the lawful custodian of all records



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10 1 subject to this paragraph is the regents institution to
10 2 be benefited by such gifts.

10 3 Sec. _____. Section 22.7, subsection 55, Code
10 4 Supplement 2009, is amended to read as follows:

10 5 55. An intelligence assessment and intelligence
10 6 data under chapter 692, ~~except~~ shall only be
10 7 released as provided in section 692.8A.

10 8 Sec. _____. Section 22.7, Code Supplement 2009, is
10 9 amended by adding the following new subsection:

10 10 NEW SUBSECTION. 65. Drafts, memoranda, or
10 11 notes. Drafts, memoranda, or notes in preliminary
10 12 form. However, such a record considered or used in
10 13 the final formulation, recommendation, adoption, or
10 14 execution of any official policy or action by a public
10 15 official authorized to make such decisions for the
10 16 governmental body shall be available for examination
10 17 and copying at the time the record is distributed to a
10 18 majority of the government body for consideration or is
10 19 adopted or executed as the official policy or official
10 20 action of a government body.

10 21 Sec. _____. NEW SECTION. 22.7A Social security
10 22 numbers in public records.

10 23 1. To the greatest extent feasible, a government
10 24 body shall not disclose a person's social security
10 25 number unless the disclosure is authorized by law.

10 26 2. A government body shall make reasonable efforts
10 27 to exclude social security numbers from public records,
10 28 as follows:

10 29 a. Exclude social security numbers on licenses,
10 30 permits, and other documents that may be readily
10 31 observed by the public.

10 32 b. Give individuals the option not to submit a
10 33 social security number to the government body unless
10 34 submission of the social security number is essential
10 35 to the provision of services by the government body or
10 36 is required by law.

10 37 c. Make any other efforts to prevent social
10 38 security numbers from being included in public records
10 39 and to protect such numbers from disclosure.

10 40 3. If a public record contains a social security
10 41 number, the government body shall, to the extent
10 42 practicable, make reasonable efforts to redact the
10 43 social security number prior to releasing the record
10 44 if such redaction does not materially affect the value
10 45 of the public record and is permitted by law. The
10 46 redaction of a social security number from a public
10 47 record shall not delay public access to the public
10 48 record except for the time required to perform the
10 49 actual redaction. As used in this subsection, "redact"
10 50 means to render the social security number unreadable



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11 1 or truncated so that no more than the last four digits
11 2 of the social security number may be accessed as part
11 3 of the record.

11 4 4. A government body that solicits information
11 5 containing a person's social security number or that
11 6 is the lawful custodian of public records containing
11 7 social security numbers shall, if subject to chapter
11 8 17A, adopt rules or, if a political subdivision or
11 9 other public body, adopt guidelines to administer
11 10 the use and disclosure of social security numbers
11 11 consistent with this section.

11 12 Sec. _____. Section 22.10, subsection 3, paragraph b,
11 13 Code 2009, is amended to read as follows:

11 14 b. Shall assess the persons who participated in
11 15 its violation damages in the amount of not more than
11 16 five hundred dollars ~~nor~~ and not less than one hundred
11 17 dollars. However, if a member of a government body
11 18 knowingly participated in such a violation, damages
11 19 shall be in the amount of not more than two thousand
11 20 five hundred dollars and not less than one thousand
11 21 dollars. These damages shall be paid by the court
11 22 imposing them to the state of Iowa if the body in
11 23 question is a state government body, or to the local
11 24 government involved if the body in question is a local
11 25 government body. A person found to have violated this
11 26 chapter shall not be assessed such damages if that
11 27 person proves that the person ~~either voted~~ did any of
11 28 the following:

11 29 (1) Voted against the action violating this
11 30 chapter, refused to participate in the action violating
11 31 this chapter, or engaged in reasonable efforts under
11 32 the circumstances to resist or prevent the action in
11 33 violation of this chapter; ~~had.~~

11 34 (2) Had good reason to believe and in good faith
11 35 believed facts which, if true, would have indicated
11 36 compliance with the requirements of this chapter; ~~or~~
11 37 ~~reasonably.~~

11 38 (3) Reasonably relied upon a decision of a court
11 39 ~~or an,~~ a formal opinion of the attorney general, or
11 40 the attorney for the ~~governmental~~ government body,
11 41 given in writing, or as memorialized in the minutes
11 42 of the meeting at which an oral opinion was given, or
11 43 an advisory opinion of the attorney general or the
11 44 attorney for the government body, given in writing.

11 45 Sec. _____. Section 22.10, subsection 5, Code 2009,
11 46 is amended by striking the subsection.

11 47 Sec. _____. Section 22.13, Code 2009, is amended to
11 48 read as follows:

11 49 22.13 Settlements == ~~governmental~~ government bodies.

11 50 1. A written summary of the terms of settlement,



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12 1 including amounts of payments made to or through
12 2 a claimant, or other disposition of any claim for
12 3 damages made against a ~~governmental~~ government body
12 4 or against an employee, officer, or agent of a
12 5 ~~governmental~~ government body, by an insurer pursuant
12 6 to a contract of liability insurance issued to the
12 7 ~~governmental~~ government body, shall be filed with the
12 8 ~~governmental~~ government body and shall be a public
12 9 record.

12 10 2. A final binding settlement agreement between any
12 11 government body of this state or unit or official of
12 12 such a government body that resolves a legal dispute
12 13 between such a government body and another person or
12 14 entity shall be filed with the government body. For
12 15 each such settlement agreement, the government body
12 16 shall prepare and file, together with the settlement
12 17 agreement, a brief summary indicating the identity of
12 18 the parties involved, the factual and legal nature of
12 19 the dispute, and the terms of the settlement. The
12 20 settlement agreement and summary shall be available for
12 21 public inspection.

12 22 Sec. _____. Section 22.14, subsection 3, Code 2009,
12 23 is amended to read as follows:

12 24 3. If a fiduciary or other third party with custody
12 25 of public investment transactions records fails to
12 26 produce public records within a reasonable period of
12 27 time as requested by the ~~public~~ public government body, the
12 28 ~~public~~ public government body shall make no new investments
12 29 with or through the fiduciary or other third party
12 30 and shall not renew existing investments upon their
12 31 maturity with or through the fiduciary or other third
12 32 party. The fiduciary or other third party shall
12 33 be liable for the penalties imposed under ~~section~~
12 34 ~~22.6~~ statute, common law, or contract due to the acts
12 35 or omissions of the fiduciary or other third party ~~and~~
12 36 ~~any other remedies available under statute, common law,~~
12 37 ~~or contract.~~

12 38 Sec. _____. NEW SECTION. 22.15 Judicial branch ==
12 39 rules.

12 40 This chapter does not apply to government records
12 41 owned, created, possessed, or under the control of
12 42 the judicial branch related to the performance by the
12 43 courts of their judicial functions. The supreme court
12 44 shall prescribe rules governing access to such records
12 45 consistent with the purposes of this chapter.

12 46 Sec. _____. NEW SECTION. 23.1 Open meetings, public
12 47 records, and privacy advisory committee.

12 48 1. Committee established. An open meetings, public
12 49 records, and privacy advisory committee is established
12 50 to serve as a resource for public access to government



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13 1 information in light of the policy of this state to
13 2 provide as much public access to government information
13 3 and proceedings as is consistent with the public
13 4 interest and the need to protect individuals against
13 5 undue invasions of personal privacy.
13 6 2. Membership.
13 7 a. The advisory committee shall consist of
13 8 seventeen members including twelve voting members and
13 9 five nonvoting members.
13 10 (1) The voting members shall be the following:
13 11 (a) One member representing municipal interests
13 12 recommended by the Iowa league of cities, appointed by
13 13 the governor.
13 14 (b) One member representing county or regional
13 15 interests recommended by the Iowa state association of
13 16 counties, appointed by the governor.
13 17 (c) One member representing educational interests
13 18 jointly recommended by the Iowa association of school
13 19 boards, the Iowa association of community college
13 20 trustees, and the state board of regents, appointed by
13 21 the governor.
13 22 (d) One member representing freedom of information
13 23 advocacy group interests recommended by the Iowa
13 24 freedom of information council, appointed by the
13 25 governor.
13 26 (e) One member representing newspaper interests
13 27 recommended by the Iowa newspaper association,
13 28 appointed by the governor.
13 29 (f) One member representing broadcasting interests
13 30 recommended by the Iowa broadcasters association,
13 31 appointed by the governor.
13 32 (g) Three public members, appointed by the
13 33 governor.
13 34 (h) The attorney general or the attorney general's
13 35 designee.
13 36 (i) The citizens' aide or the citizens' aide's
13 37 designee.
13 38 (j) The director of the department of cultural
13 39 affairs or the director's designee.
13 40 (2) The nonvoting members of the advisory committee
13 41 shall be a representative from the department of
13 42 administrative services with expertise in electronic
13 43 records, two state representatives, one appointed
13 44 by the speaker of the house of representatives and
13 45 one appointed by the minority leader of the house of
13 46 representatives, and two state senators, one appointed
13 47 by the majority leader of the senate and one appointed
13 48 by the minority leader of the senate.
13 49 b. A majority of the advisory committee members
13 50 shall constitute a quorum.



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14 1 3. Duties. The advisory committee shall:
14 2 a. Serve as the central coordinator of information
14 3 about the public's right to access government
14 4 information and proceedings. The advisory committee
14 5 shall provide basic information about the requirements
14 6 of chapters 21 and 22 and other relevant freedom of
14 7 information laws and shall also provide information
14 8 about best practices for state and local governments to
14 9 comply with and to enforce such laws.
14 10 b. Serve as a resource to support the establishment
14 11 and maintenance of a central publicly accessible
14 12 internet site that provides specific guidance to
14 13 members of the public about utilizing the relevant law
14 14 to be better informed and active participants in open
14 15 government.
14 16 c. Make training opportunities available to lawful
14 17 custodians, government bodies, governmental bodies, and
14 18 other persons subject to the requirements of chapters
14 19 21 and 22 and require all newly employed persons who
14 20 have responsibilities in relation to chapters 21 and
14 21 22 to receive training upon initial employment and
14 22 to require all employees to receive annual training
14 23 thereafter approved by the advisory committee.
14 24 d. Make recommendations to the governor and the
14 25 general assembly by proposing legislation relating
14 26 to issues involving public access to meetings of a
14 27 governmental body and to records of a government body
14 28 including but not limited to the following issues:
14 29 (1) The categorization of government records.
14 30 (2) Public employment applications.
14 31 (3) Information unduly invading personal privacy
14 32 including personal information on mailing lists and
14 33 opt-in provisions relating to such lists.
14 34 (4) Serial meetings of less than a majority of a
14 35 governmental body.
14 36 (5) Definitions of what constitutes a governmental
14 37 body for purposes of chapter 21 and what constitutes a
14 38 government body for purposes of chapter 22.
14 39 e. Aid the general assembly in evaluating the
14 40 impact of legislation affecting public access to
14 41 government information.
14 42 f. Conduct public hearings, conferences, workshops,
14 43 and other meetings as necessary to address problems
14 44 and suggest solutions concerning access to government
14 45 information and proceedings.
14 46 g. Review the collection, maintenance, and use of
14 47 government records by lawful custodians to ensure that
14 48 confidential records and information are handled to
14 49 adequately protect personal privacy interests.
14 50 4. Meetings. The advisory committee shall elect



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15 1 a chairperson and vice chairperson. The committee
15 2 shall meet at least three times per year but may meet
15 3 as often as necessary. At least one of the meetings
15 4 shall be held during the regular legislative session.
15 5 Meetings may be called by the chairperson or at the
15 6 request of four members. The advisory committee is
15 7 subject to the open meetings requirements of chapter
15 8 21.

15 9 5. Expenses or compensation.

15 10 a. A member of the general assembly shall be paid,
15 11 in accordance with section 2.10, per diem and necessary
15 12 travel and actual expenses incurred in attending
15 13 meetings of the advisory committee.

15 14 b. Public members appointed by the governor shall
15 15 receive reimbursement for actual and necessary expenses
15 16 incurred while serving in their official capacity.

15 17 6. Funding. The advisory committee may seek
15 18 grants, appropriations, and outside funding to fund the
15 19 costs of public hearings, conferences, workshops, and
15 20 other activities of the committee. Contributions to
15 21 support the work of the committee shall not be accepted
15 22 from a political party with a pecuniary or other vested
15 23 interest in the outcome of the issues considered by the
15 24 committee.

15 25 7. Staffing. The legislative services agency shall
15 26 provide staffing and administrative support for the
15 27 advisory committee. In addition, the committee may
15 28 contract for administrative, professional, and clerical
15 29 services subject to the availability of funding.

15 30 8. Report. The advisory committee shall conduct
15 31 an evaluation of the effectiveness of the enforcement
15 32 provisions in chapters 21 and 22, including an
15 33 evaluation of the manner in which complaints are
15 34 handled by the citizens' aide, the appropriate county
15 35 attorney, and the attorney general, and shall submit a
15 36 report of its findings and recommendations including
15 37 a recommendation relating to the need to establish
15 38 a separate enforcement agency, if necessary, to the
15 39 governor and the general assembly no later than January
15 40 9, 2012.

15 41 Sec. _____. Section 455K.4, subsection 4, Code 2009,
15 42 is amended to read as follows:

15 43 4. Information that is disclosed under subsection
15 44 2, paragraph "b", is confidential and is not subject
15 45 to disclosure under chapter 22. ~~A governmental~~
~~15 46 entity, governmental employee, or governmental~~
~~15 47 official who discloses information in violation of~~
~~15 48 this subsection is subject to the penalty provided in~~
~~15 49 section 22.6.~~

15 50 Sec. _____. Section 22.6, Code 2009, is repealed.



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16 1 Sec. ____ . APPOINTMENTS TO OPEN MEETINGS, PUBLIC
16 2 RECORDS, AND PRIVACY ADVISORY COMMITTEE. The
16 3 recommending entities for appointments to the open
16 4 meetings, public records, and privacy advisory
16 5 committee established in section 23.1, as enacted
16 6 by this division of this Act, shall consult with one
16 7 another prior to submitting final recommendations to
16 8 the governor to avoid violations of sections 69.16 and
16 9 69.16A. >>

LENSING of Johnson

MASCHER of Johnson

KOESTER of Polk

STRUYK of Pottawattamie

PETTENGILL of Benton
HF2531.3000 (3) 83
jp/sc



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Senate Amendment 5397

PAG LIN

1 1 Amend Senate File 2379, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 8, by striking lines 27 and 28 and
1 4 inserting:
1 5 <e. ~~The person is not addicted to the use of~~
~~1 6 alcohol or a controlled substance.~~>
1 7 #2. Page 8, line 34, by striking <c.> and inserting
1 8 b.>
1 9 #3. Page 8, line 35, by striking <d.> and inserting
1 10 c.>
SF2379.3043.H (1) 83
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Senate Amendment 5398

PAG LIN

1 1 Amend Senate File 2389, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 13, line 22, by striking <July> and
1 4 inserting <April>
1 5 #2. Page 17, line 13, by striking
1 6 <existingcourthouse> and inserting <existing
1 7 courthouse>
1 8 #3. Page 19, line 22, by striking <on a lake> and
1 9 inserting <in a state park>
1 10 #4. Page 22, after line 17 by inserting:
1 11 <Sec. ____ . EFFECTIVE UPON ENACTMENT. The section
1 12 of this division of this Act enacting section 12.88A,
1 13 being deemed of immediate importance, takes effect upon
1 14 enactment.>
1 15 #5. Page 56, after line 19 by inserting:
1 16 g. The department for the blind storage facility.>
1 17 #6. Page 72, line 14, by striking <July> and
1 18 inserting <April>
1 19 #7. Page 75, by striking line 5 and inserting
1 20 <fiscal year beginning July 1, 2009, ~~and ending June~~
~~1 21 30, 2010, and ending July 1, 2011,>~~
1 22 #8. Page 75, after line 29 by inserting:
1 23 <Sec. ____ . Section 16.193, Code Supplement 2009, is
1 24 amended by adding the following new subsection:
1 25 NEW SUBSECTION. 3. a. During the term of the
1 26 Iowa jobs program, the Iowa finance authority shall
1 27 collect data on all of the projects approved for the
1 28 program. The department of management and the state
1 29 agencies associated with the projects shall assist the
1 30 authority with the data collection and in developing
1 31 the report required by this subsection. The authority
1 32 shall report quarterly to the governor and the general
1 33 assembly concerning the data.
1 34 b. The report shall include but is not limited to
1 35 all of the following:
1 36 (1) The nature of each project and its purpose.
1 37 (2) The status of each project and the amount and
1 38 percentage of program funds expended for the project.
1 39 (3) The outside funding that is matched or
1 40 leveraged by the program funds.
1 41 (4) The number of jobs created or retained by each
1 42 project.
1 43 (5) For each project, the names of the project
1 44 contractors, state of residence of the project
1 45 contractors, and the state of residence of the
1 46 contractors' employees.
1 47 c. The authority shall maintain an internet site
1 48 that allows citizens to track project data on a
1 49 county=by=county basis.>
1 50 #9. Page 75, line 34, after <prevention> by



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2 1 inserting <including but not limited to the
2 2 construction of, or the replacement or reconstruction
2 3 of, local public buildings in a manner that mitigates
2 4 damages from future disasters, including flooding>
2 5 #10. Page 76, line 28, after <prevention> by
2 6 inserting <consistent with the purposes of the program
2 7 as specified in subsection 1>
2 8 #11. Page 80, after line 18 by inserting:
2 9 <Sec. ____ . EFFECTIVE DATES AND APPLICABILITY.
2 10 1. The section of this division of this Act
2 11 amending section 12.87, being deemed of immediate
2 12 importance, takes effect upon enactment.
2 13 2. The section of this division of this Act
2 14 enacting section 16.193, subsection 3, being deemed of
2 15 immediate importance, takes effect upon enactment, and
2 16 applies to projects approved on, before, and after the
2 17 effective date of the section.>
2 18 #12. By renumbering as necessary.
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