



Iowa General Assembly
Daily Bills, Amendments and Study Bills
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Senate Amendment to
House File 2369

H-8321

- 1 Amend House File 2369, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, before line 1 by inserting:
4 <Section 1. Section 144.26, subsection 3, Code
5 Supplement 2011, is amended to read as follows:
6 3. a. The county in which a dead body is found
7 is the county of death. If death occurs in a moving
8 conveyance, the county in which the dead body is first
9 removed from the conveyance is the county of death.
10 b. If a decedent died outside of the county of
11 the decedent's residence, the state registrar shall
12 send a copy of the decedent's death certificate and
13 any amendments to the county registrar of the county
14 of the decedent's residence. The county registrar
15 shall record a death certificate received pursuant to
16 this paragraph in the same records in which the death
17 certificate of a decedent who died within the county is
18 recorded. The state registrar may provide the county
19 registrars with electronic access to vital records in
20 lieu of the requirements of this paragraph.>
21 2. Page 1, after line 12 by inserting:
22 <Sec. ____ . EFFECTIVE UPON ENACTMENT. The section
23 of this Act amending section 144.26, being deemed of
24 immediate importance, takes effect upon enactment.>
25 3. Title page, line 1, after <to> by inserting
26 <vital statistics, including>
27 4. Title page, line 1, after <permit> by inserting
28 <and the transmission and recording of certain death
29 certificates, and including effective date provisions>
30 5. By renumbering as necessary.



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Senate Amendment to
House File 2336

H-8322

1 Amend House File 2336, as passed by the House, as
2 follows:

3 1. By striking everything after the enacting clause
4 and inserting:

<DIVISION I

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
GENERAL APPROPRIATIONS FOR FY 2012-2013

8 Section 1. 2011 Iowa Acts, chapter 128, section 46,
9 is amended to read as follows:

10 SEC. 46. GENERAL FUND — DEPARTMENT.

11 1. There is appropriated from the general fund of
12 the state to the department of agriculture and land
13 stewardship for the fiscal year beginning July 1, 2012,
14 and ending June 30, 2013, the following amount, or
15 so much thereof as is necessary, to be used for the
16 purposes designated:

17	For purposes of supporting the department, including	
18	its divisions, for administration, regulation, and	
19	programs; for salaries, support, maintenance, and	
20	miscellaneous purposes; and for not more than the	
21	following full-time equivalent positions:	
22	.....	\$ 8,248,654
23		<u>16,497,308</u>
24	..... FTEs	<u>366.00</u>

25 2. The department shall submit a report each
26 quarter of the fiscal year to the legislative services
27 agency, the department of management, the members of
28 the joint appropriations subcommittee on agriculture
29 and natural resources, and the chairpersons and
30 ranking members of the senate and house committees on
31 appropriations. The report shall describe in detail
32 the expenditure of moneys appropriated in this section
33 to support the department's administration, regulation,
34 and programs.

35 3. Of the amount appropriated in this section,
36 ~~\$119,000~~ \$238,000 is transferred to Iowa state
37 university of science and technology, to be used
38 for the university's midwest grape and wine industry
39 institute.

DESIGNATED APPROPRIATIONS — ANIMAL HUSBANDRY

41 Sec. 2. 2011 Iowa Acts, chapter 128, section 47, is
42 amended to read as follows:

43 SEC. 47. UNCLAIMED PARI-MUTUEL WAGERING WINNINGS —
44 HORSE AND DOG RACING. There is appropriated from the
45 moneys available under section 99D.13 to the department
46 of agriculture and land stewardship for the fiscal year
47 beginning July 1, 2012, and ending June 30, 2013, the
48 following amount, or so much thereof as is necessary,
49 to be used for the purposes designated:

50 For purposes of supporting the department's

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1 administration and enforcement of horse and dog racing
 2 law pursuant to section 99D.22, including for salaries,
 3 support, maintenance, and miscellaneous purposes:

4 \$ 152,758
 5 305,516

6 DESIGNATED APPROPRIATIONS — MOTOR FUEL

7 Sec. 3. 2011 Iowa Acts, chapter 128, section 48, is
 8 amended to read as follows:

9 SEC. 48. RENEWABLE FUEL INFRASTRUCTURE FUND —

10 MOTOR FUEL INSPECTION. There is appropriated from the
 11 renewable fuel infrastructure fund created in section
 12 ~~156.205~~ 159A.16 to the department of agriculture and
 13 land stewardship for the fiscal year beginning July 1,
 14 2012, and ending June 30, 2013, the following amount,
 15 or so much thereof as is necessary, to be used for the
 16 purposes designated:

17 For purposes of the inspection of motor fuel,
 18 including salaries, support, maintenance, and
 19 miscellaneous purposes:

20 \$ 250,000
 21 500,000

22 The department shall establish and administer
 23 programs for the auditing of motor fuel including
 24 biofuel processing and production plants, for screening
 25 and testing motor fuel, including renewable fuel,
 26 and for the inspection of motor fuel sold by dealers
 27 including retail dealers who sell and dispense motor
 28 fuel from motor fuel pumps.

29 SPECIAL APPROPRIATIONS

30 Sec. 4. 2011 Iowa Acts, chapter 128, is amended by
 31 adding the following new section:

32 NEW SECTION. SEC. 48A. GENERAL FUND — DAIRY

33 REGULATION. There is appropriated from the general
 34 fund of the state to the department of agriculture and
 35 land stewardship for the fiscal year beginning July 1,
 36 2012, and ending June 30, 2013, the following amount,
 37 or so much thereof as is necessary, to be used for the
 38 purposes designated:

39 1. For purposes of performing functions pursuant to
 40 section 192.109, including conducting a survey of grade
 41 "A" milk and certifying the results to the secretary
 42 of agriculture:

43 \$ 189,196

44 2. Notwithstanding section 8.33, moneys
 45 appropriated for the fiscal year beginning July 1,
 46 2012, in this section that remain unencumbered or
 47 unobligated at the close of the fiscal year shall not
 48 revert but shall remain available to be used for the
 49 purposes designated until the close of the succeeding
 50 fiscal year.



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1 Sec. 5. 2011 Iowa Acts, chapter 131, section 81, is
 2 amended to read as follows:

3 SEC. 81. APPROPRIATION — FARMERS WITH
 4 DISABILITIES. There is appropriated from the general
 5 fund of the state to the department of agriculture and
 6 land stewardship for the following fiscal years, the
 7 following amounts, or so much thereof as is necessary,
 8 for a program for farmers with disabilities:

9 FY 2011–2012.....	\$	97,000
10 FY 2012–2013.....	\$	48,500
11		<u>97,000</u>

12 The moneys appropriated in this section shall be
 13 used for the public purpose of providing a grant to
 14 a national nonprofit organization with over 80 years
 15 of experience in assisting children and adults with
 16 disabilities and special needs. The moneys shall
 17 be used to support a nationally recognized program
 18 that began in 1986 and has been replicated in at
 19 least 30 other states, but which is not available
 20 through any other entity in this state, and that
 21 provides assistance to farmers with disabilities in
 22 all 99 counties to allow the farmers to remain in
 23 their own homes and be gainfully engaged in farming
 24 through provision of agricultural worksite and home
 25 modification consultations, peer support services,
 26 services to families, information and referral, and
 27 equipment loan services. Notwithstanding section
 28 8.33, moneys appropriated in this section that remain
 29 unencumbered or unobligated at the close of the fiscal
 30 year shall not revert but shall remain available for
 31 expenditure for the purposes designated until the close
 32 of the succeeding fiscal year.

33 DIVISION II
 34 DEPARTMENT OF NATURAL RESOURCES
 35 GENERAL APPROPRIATIONS FOR FY 2012-2013

36 Sec. 6. 2011 Iowa Acts, chapter 128, section 49, is
 37 amended to read as follows:

38 SEC. 49. GENERAL FUND — DEPARTMENT.
 39 1. There is appropriated from the general fund of
 40 the state to the department of natural resources for
 41 the fiscal year beginning July 1, 2012, and ending June
 42 30, 2013, the following amount, or so much thereof as
 43 is necessary, to be used for the purposes designated:
 44 For purposes of supporting the department, including
 45 its divisions, for administration, regulation, and
 46 programs; for salaries, support, maintenance, and
 47 miscellaneous purposes; and for not more than the
 48 following full-time equivalent positions:

49 	\$	6,133,344
50		<u>12,466,688</u>



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1 FTEs 1,145.95
2 2. Of the number of full-time equivalent positions
3 authorized to the department pursuant to subsection 1,
4 50.00 full-time equivalent positions shall be allocated
5 by the department for seasonal employees for purposes
6 of providing maintenance, upkeep, and sanitary services
7 at state parks. This subsection shall not impact park
8 ranger positions within the department.
9 a. The department shall use 32 of the
10 full-time equivalent positions authorized pursuant
11 to subsection 1 to support full-time park ranger
12 positions, including four new full-time park ranger
13 positions.
14 b. Notwithstanding paragraph "a", if the department
15 determines that the amount of the appropriation made in
16 subsection 1 is not sufficient to support 32 full-time
17 park ranger positions, it shall support at least 30
18 full-time park ranger positions.
19 c. The department shall not reduce the number of
20 full-time park ranger positions to fewer than 30.
21 3. The department shall submit a report each
22 quarter of the fiscal year to the legislative services
23 agency, the department of management, the members of
24 the joint appropriations subcommittee on agriculture
25 and natural resources, and the chairpersons and
26 ranking members of the senate and house committees on
27 appropriations. The report shall describe in detail
28 the expenditure of moneys appropriated under this
29 section to support the department's administration,
30 regulation, and programs.
31 Sec. 7. 2011 Iowa Acts, chapter 128, section 50, is
32 amended to read as follows:
33 SEC. 50. STATE FISH AND GAME PROTECTION FUND —
34 DIVISION OF FISH AND WILDLIFE.
35 1. There is appropriated from the state fish and
36 game protection fund to the department of natural
37 resources for the fiscal year beginning July 1, 2012,
38 and ending June 30, 2013, the following amount, or
39 so much thereof as is necessary, to be used for the
40 purposes designated:
41 For purposes of supporting the division of fish and
42 wildlife, including for administration, regulation,
43 and programs; and for salaries, support, maintenance,
44 equipment, and miscellaneous purposes:
45 \$ ~~19,396,577~~
46 39,951,171
47 . From the amount appropriated in subsection
48 1, the department shall support at least 84 full-time
49 conservation officer positions.
50 2. Notwithstanding section 455A.10, the department

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1 may use the unappropriated balance remaining in the
2 state fish and game protection fund to provide for the
3 funding of health and life insurance premium payments
4 from unused sick leave balances of conservation peace
5 officers employed in a protection occupation who
6 retire, pursuant to section 97B.49B.
7 ~~3. Notwithstanding section 455A.10, the department~~
8 ~~of natural resources may use the unappropriated~~
9 ~~balance remaining in the state fish and game protection~~
10 ~~fund for the fiscal year beginning July 1, 2012,~~
11 ~~and ending June 30, 2013, as is necessary to fund~~
12 ~~salary adjustments for departmental employees which~~
13 ~~the general assembly has made an operating budget~~
14 ~~appropriation for in subsection 1.~~
15 Sec. 8. 2011 Iowa Acts, chapter 128, section 51, is
16 amended to read as follows:
17 SEC. 51. GROUNDWATER PROTECTION FUND — WATER
18 QUALITY. There is appropriated from the groundwater
19 protection fund created in section 455E.11 to the
20 department of natural resources for the fiscal year
21 beginning July 1, 2012, and ending June 30, 2013, from
22 those moneys which are not allocated pursuant to that
23 section, the following amount, or so much thereof as is
24 necessary, to be used for the purposes designated:
25 For purposes of supporting the department's
26 protection of the state's groundwater, including
27 for administration, regulation, and programs, and
28 for salaries, support, maintenance, equipment, and
29 miscellaneous purposes:
30 \$ 1,727,916
31 3,455,832
32 DESIGNATED APPROPRIATIONS — MISCELLANEOUS
33 Sec. 9. 2011 Iowa Acts, chapter 128, section 52, is
34 amended to read as follows:
35 SEC. 52. SPECIAL SNOWMOBILE FUND — SNOWMOBILE
36 PROGRAM. There is appropriated from the special
37 snowmobile fund created under section 321G.7 to the
38 department of natural resources for the fiscal year
39 beginning July 1, 2012, and ending June 30, 2013, the
40 following amount, or so much thereof as is necessary,
41 to be used for the purpose designated:
42 For purposes of administering and enforcing the
43 state snowmobile programs:
44 \$ 50,000
45 100,000
46 Sec. 10. 2011 Iowa Acts, chapter 128, section 53,
47 is amended to read as follows:
48 SEC. 53. UNASSIGNED REVENUE FUND — UNDERGROUND
49 STORAGE TANK SECTION EXPENSES. There is appropriated
50 from the unassigned revenue fund administered by the

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1 Iowa comprehensive underground storage tank fund
 2 board to the department of natural resources for the
 3 fiscal year beginning July 1, 2012, and ending June 30,
 4 2013, the following amount, or so much thereof as is
 5 necessary, to be used for the purpose designated:

6 For purposes of paying for administration expenses
 7 of the department's underground storage tank section:
 8 \$ 100,000
 9 200,000

10 **SPECIAL APPROPRIATIONS**

11 Sec. 11. 2011 Iowa Acts, chapter 128, is amended by
 12 adding the following new section:

13 **NEW SECTION. SEC. 54A. GENERAL FUND — FLOODPLAIN**
 14 **MANAGEMENT AND DAM SAFETY.**

15 1. There is appropriated from the general fund of
 16 the state to the department of natural resources for
 17 the fiscal year beginning July 1, 2012, and ending June
 18 30, 2013, the following amount, or so much thereof as
 19 is necessary, to be used for the purpose designated:

20 For purposes of supporting floodplain management and
 21 dam safety:
 22 \$ 2,000,000

23 2. Of the amount appropriated in subsection 1, up
 24 to \$400,000 may be used by the department to acquire
 25 or install stream gages for purposes of tracking and
 26 predicting flood events and for compiling necessary
 27 data to improve flood frequency analysis.

28 3. Notwithstanding section 8.33, moneys
 29 appropriated in subsection 1 that remain unencumbered
 30 or unobligated at the close of the fiscal year shall
 31 not revert but shall remain available for expenditure
 32 for the purposes designated until the close of the
 33 fiscal year beginning July 1, 2013.

34 **DIVISION III**
 35 **USE OF MONEYS IN THE STATE FISH AND GAME PROTECTION**
 36 **FUND — PURCHASE OF RADIOS**

37 Sec. 12. 2011 Iowa Acts, chapter 128, section 19,
 38 subsection 1, is amended to read as follows:

39 1. Notwithstanding 2010 Iowa Acts, chapter 1191,
 40 section 7, the department of natural resources may use
 41 the unappropriated balance remaining in the state fish
 42 and game protection fund for the fiscal year beginning
 43 July 1, 2010, and ending June 30, 2011, to purchase
 44 mobile radios to meet federal and state requirements
 45 for homeland security and public safety. This section
 46 applies to those moneys in the fund that are not
 47 otherwise used, obligated, or encumbered for payment
 48 of health and life insurance premium payments for
 49 conservation peace officer retirements for that fiscal
 50 year. The department may use such moneys until June



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1 30, 2012 2013.

2 Sec. 13. EFFECTIVE UPON ENACTMENT. This division
 3 of this Act amending 2011 Iowa Acts, chapter 128,
 4 section 19, subsection 1, being deemed of immediate
 5 importance, takes effect upon enactment.

6 DIVISION IV

7 IOWA STATE UNIVERSITY

8 APPROPRIATION FOR FY 2012-2013

9 Sec. 14. 2011 Iowa Acts, chapter 128, section 55,
 10 is amended to read as follows:

11 SEC. 55. GENERAL FUND — VETERINARY DIAGNOSTIC
 12 LABORATORY.

13 1. There is appropriated from the general fund
 14 of the state to Iowa state university of science and
 15 technology for the fiscal year beginning July 1, 2012,
 16 and ending June 30, 2013, the following amount, or
 17 so much thereof as is necessary, to be used for the
 18 purposes designated:

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

23	\$	1,618,818
24		3,237,636
25	FTEs	50.00

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

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

36 3. If by June 30, 2013, Iowa state university
 37 of science and technology fails to allocate the
 38 moneys appropriated in this section to the college of
 39 veterinary medicine in accordance with this section,
 40 the moneys appropriated in this section for that fiscal
 41 year shall revert to the general fund of the state.

42 DIVISION V

43 ENVIRONMENT FIRST FUND

44 GENERAL APPROPRIATIONS FOR FY 2012-2013

45 Sec. 15. 2011 Iowa Acts, chapter 128, section 57,
 46 is amended to read as follows:

47 SEC. 57. DEPARTMENT OF AGRICULTURE AND LAND
 48 STEWARDSHIP. There is appropriated from the
 49 environment first fund created in section 8.57A to the
 50 department of agriculture and land stewardship for the



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1 fiscal year beginning July 1, 2012, and ending June 30,
2 2013, the following amounts, or so much thereof as is
3 necessary, to be used for the purposes designated:
4 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)
5 a. For the conservation reserve enhancement program
6 to restore and construct wetlands for the purposes of
7 intercepting tile line runoff, reducing nutrient loss,
8 improving water quality, and enhancing agricultural
9 production practices:
10 \$ 500,000
11 1,000,000
12 b. Not more than 10 percent of the moneys
13 appropriated in paragraph "a" may be used for costs of
14 administration and implementation of soil and water
15 conservation practices.
16 c. Notwithstanding any other provision in law,
17 the department may provide state resources from this
18 appropriation, in combination with other appropriate
19 environment first fund appropriations, for cost sharing
20 to match United States department of agriculture,
21 natural resources conservation service, wetlands
22 reserve enhancement program (WREP) funding available
23 to Iowa.
24 2. WATERSHED PROTECTION
25 a. For continuation of a program that provides
26 multiobjective resource protections for flood control,
27 water quality, erosion control, and natural resource
28 conservation:
29 \$ 450,000
30 900,000
31 b. Not more than 10 percent of the moneys
32 appropriated in paragraph "a" may be used for costs of
33 administration and implementation of soil and water
34 conservation practices.
35 3. FARM MANAGEMENT DEMONSTRATION PROGRAM
36 a. For continuation of a statewide voluntary farm
37 management demonstration program to demonstrate the
38 effectiveness and adaptability of emerging practices in
39 agronomy that protect water resources and provide other
40 environmental benefits:
41 \$ 312,500
42 625,000
43 b. Not more than 10 percent of the moneys
44 appropriated in paragraph "a" may be used for costs of
45 administration and implementation of soil and water
46 conservation practices.
47 c. Of the amount appropriated in paragraph "a",
48 ~~\$185,000~~ \$370,000 shall be allocated to an organization
49 representing soybean growers to provide for an
50 agriculture and environment performance program in

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1 order to carry out the purposes of this subsection as
 2 specified in paragraph "a".

3 4. SOIL AND WATER CONSERVATION — ADMINISTRATION

4 For use by the department for costs of
 5 administration and implementation of soil and water
 6 conservation practices:

7 \$ ~~1,000,000~~
 8 2,000,000

9 5. CONSERVATION RESERVE PROGRAM (CRP)

10 a. To encourage and assist farmers in enrolling
 11 in and the implementation of the federal conservation
 12 reserve program and to work with them to enhance their
 13 revegetation efforts to improve water quality and
 14 habitat:

15 \$ ~~500,000~~
 16 1,000,000

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

21 6. SOIL AND WATER CONSERVATION

22 a. For use by the department in providing for soil
 23 and water conservation administration, the conservation
 24 of soil and water resources, or the support of soil and
 25 water conservation district commissioners:

26 \$ ~~3,150,000~~
 27 6,656,250

28 b. Not more than 5 percent of the moneys
 29 appropriated in paragraph "a" may be allocated for
 30 cost sharing to address complaints filed under section
 31 161A.47.

32 c. Of the moneys appropriated in paragraph "a",
 33 5 percent shall be allocated for financial incentives
 34 to establish practices to protect watersheds above
 35 publicly owned lakes of the state from soil erosion and
 36 sediment as provided in section 161A.73.

37 d. Not more than 30 percent of a soil and water
 38 conservation district's allocation of moneys as
 39 financial incentives may be provided for the purpose
 40 of establishing management practices to control soil
 41 erosion on land that is row cropped, including but
 42 not limited to no-till planting, ridge-till planting,
 43 contouring, and contour strip-cropping as provided in
 44 section 161A.73.

45 e. The state soil conservation committee
 46 established by section 161A.4 may allocate moneys
 47 appropriated in paragraph "a" to conduct research and
 48 demonstration projects to promote conservation tillage
 49 and nonpoint source pollution control practices.

50 f. The allocation of moneys as financial incentives

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1 as provided in section 161A.73 may be used in
 2 combination with moneys allocated by the department of
 3 natural resources.

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

8 h. In lieu of moneys appropriated in section
 9 466A.5, not more than \$50,000 of the moneys
 10 appropriated in paragraph "a" shall be used by the soil
 11 conservation division of the department of agriculture
 12 and land stewardship to provide administrative support
 13 to the watershed improvement review board established
 14 in section 466A.3.

15 **7. LOCAL FOOD AND FARM PROGRAM COORDINATOR**

16 a. For purposes of supporting a local food and farm
 17 program coordinator as established pursuant to new
 18 Codechapter 267Aas enacted in this Act, for salaries,
 19 support, maintenance, and miscellaneous purposes:

20	\$	37,500
21		75,000

22 b. The department shall enter into a cost-sharing
 23 agreement with Iowa state university to support the
 24 local food and farm program coordinator position as
 25 part of the university's cooperative extension service
 26 in agriculture and home economics pursuant to new
 27 Codechapter 267Aas enacted in this Act.

28 **8. AGRICULTURAL EDUCATION**

29 For purposes of allocating moneys to an Iowa
 30 association affiliated with a national organization
 31 which promotes agricultural education providing for
 32 future farmers:

33	\$	12,500
34		25,000

35 **9. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND**

36 a. For deposit in the loess hills development and
 37 conservation fund created in section 161D.2:

38	\$	237,500
39		118,750

40 ~~b. (1) Of the amount appropriated in paragraph~~
 41 ~~"a", \$178,125 shall be allocated to the fund's hungry~~
 42 ~~canyons account.~~

43 ~~(2) Not more than 10 percent of the moneys~~
 44 ~~allocated to the hungry canyons account as provided in~~
 45 ~~subparagraph (1) may be used for administrative costs.~~

46 c. (1) Of the amount appropriated in paragraph
 47 "a", \$59,375 \$118,750 shall be allocated to the fund's
 48 loess hills alliance account.

49 (2) Not more than 10 percent of the moneys
 50 allocated to the loess hills alliance account



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1 as provided in subparagraph (1) may be used for
2 administrative costs.

3 Sec. 16. 2011 Iowa Acts, chapter 128, section 58,
4 is amended to read as follows:

5 SEC. 58. DEPARTMENT OF NATURAL RESOURCES. There is
6 appropriated from the environment first fund created in
7 section 8.57A to the department of natural resources
8 for the fiscal year beginning July 1, 2012, and ending
9 June 30, 2013, the following amounts, or so much
10 thereof as is necessary, to be used for the purposes
11 designated:

12 1. KEEPERS OF THE LAND
13 For statewide coordination of volunteer efforts
14 under the water quality and keepers of the land
15 programs:

.....	\$	50,000
		<u>100,000</u>

18 2. STATE PARKS MAINTENANCE AND OPERATIONS
19 For regular maintenance of state parks and staff
20 time associated with these activities:

.....	\$	1,605,000
		<u>3,210,000</u>

23 3. FORESTRY HEALTH MANAGEMENT
24 To provide for forestry health management programs:

.....	\$	50,000
		<u>100,000</u>

27 4. GEOGRAPHIC INFORMATION SYSTEM (GIS)
28 To provide local watershed managers with geographic
29 information system data for their use in developing,
30 monitoring, and displaying results of their watershed
31 work:

.....	\$	97,500
		<u>195,000</u>

34 5. WATER QUALITY MONITORING
35 For continuing the establishment and operation of
36 water quality monitoring stations:

.....	\$	1,477,500
		<u>2,955,000</u>

39 6. PUBLIC WATER SUPPLY SYSTEM ACCOUNT
40 For deposit in the public water supply system
41 account of the water quality protection fund created
42 in section 455B.183A:

.....	\$	250,000
		<u>500,000</u>

45 7. REGULATION OF ANIMAL FEEDING OPERATIONS
46 For the regulation of animal feeding operations,
47 including as provided for in chapters 459 through 459B:

.....	\$	210,000
		<u>420,000</u>

50 8. AMBIENT AIR QUALITY

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1 For the abatement, control, and prevention of
2 ambient air pollution in this state, including measures
3 as necessary to assure attainment and maintenance of
4 ambient air quality standards from particulate matter:
5 \$ 212,500
6 425,000

7 9. WATER QUANTITY REGULATION
8 For regulating water quantity from surface and
9 subsurface sources by providing for the allocation and
10 use of water resources, the protection and management
11 of water resources, and the preclusion of conflicts
12 among users of water resources, including as provided
13 in chapter 455B, division III, part 4:
14 \$ 247,500
15 495,000

16 10. GEOLOGICAL AND WATER SURVEY
17 For continuing the operations of the department's
18 geological and water survey including but not limited
19 to providing analysis, data collection, investigative
20 programs, and information for water supply development
21 and protection:
22 \$ 100,000
23 200,000

24 DIVISION VI
25 RESOURCES ENHANCEMENT AND PROTECTION
26 (REAP) FUND FOR FY 2012-2013
27 GENERAL APPROPRIATIONS
28 Sec. 17. 2011 Iowa Acts, chapter 128, is amended by
29 adding the following new section:
30 NEW SECTION. SEC. 58A. ENVIRONMENT FIRST
31 FUND. Notwithstanding the amount of the standing
32 appropriation from the general fund of the state to
33 the Iowa resources enhancement and protection fund as
34 provided in section 455A.18, there is appropriated from
35 the environment first fund created in section 8.57A to
36 the Iowa resources enhancement and protection fund,
37 in lieu of the appropriation made in section 455A.18,
38 for the fiscal year beginning July 1, 2012, and ending
39 June 30, 2013, the following amount, to be allocated as
40 provided in section 455A.19:
41 \$ 12,000,000>
42 2. Title page, line 3, after <protection> by
43 inserting <, and including effective date provisions>

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Senate Amendment to
House File 2335

H-8323

1 Amend House File 2335, as amended, passed, and
2 reprinted by the House, as follows:

3 1. By striking everything after the enacting clause
4 and inserting:

5 <Section 1. 2011 Iowa Acts, chapter 134, section
6 30, is amended to read as follows:

7 SEC. 30. DEPARTMENT OF JUSTICE.

8 1. There is appropriated from the general fund
9 of the state to the department of justice for the
10 fiscal year beginning July 1, 2012, and ending June 30,
11 2013, the following amounts, or so much thereof as is
12 necessary, to be used for the purposes designated:

13 a. For the general office of attorney general for
14 salaries, support, maintenance, and miscellaneous
15 purposes, including the prosecuting attorneys training
16 program, matching funds for federal violence against
17 women grant programs, victim assistance grants, office
18 of drug control policy prosecuting attorney program,
19 and odometer fraud enforcement, and for not more than
20 the following full-time equivalent positions:

.....	\$	3,896,465
		<u>7,792,930</u>
.....	FTEs	<u>212.00</u>
		214.00

25 It is the intent of the general assembly that as
26 a condition of receiving the appropriation provided
27 in this lettered paragraph, the department of justice
28 shall maintain a record of the estimated time incurred
29 representing each agency or department.

30 b. For victim assistance grants:

.....	\$	1,438,200
		<u>3,026,400</u>

33 The funds appropriated in this lettered paragraph
34 shall be used to provide grants to care providers
35 providing services to crime victims of domestic abuse
36 or to crime victims of rape and sexual assault.

37 The balance of the victim compensation fund
38 established in section 915.94 may be used to provide
39 salary and support of not more than 24 FTEs and
40 to provide maintenance for the victim compensation
41 functions of the department of justice.

42 The department of justice shall transfer at least
43 \$150,000 from the victim compensation fund established
44 in section 915.94 to the victim assistance grant
45 program.

46 c. For legal services for persons in poverty grants
47 as provided in section 13.34:

.....	\$	907,416
		<u>1,914,831</u>

50 2. a. The department of justice, in submitting

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1 budget estimates for the fiscal year commencing July
 2 1, 2013, pursuant to section 8.23, shall include a
 3 report of funding from sources other than amounts
 4 appropriated directly from the general fund of the
 5 state to the department of justice or to the office of
 6 consumer advocate. These funding sources shall include
 7 but are not limited to reimbursements from other state
 8 agencies, commissions, boards, or similar entities, and
 9 reimbursements from special funds or internal accounts
 10 within the department of justice. The department of
 11 justice shall also report actual reimbursements for the
 12 fiscal year commencing July 1, 2011, and actual and
 13 expected reimbursements for the fiscal year commencing
 14 July 1, 2012.

15 b. The department of justice shall include the
 16 report required under paragraph "a", as well as
 17 information regarding any revisions occurring as a
 18 result of reimbursements actually received or expected
 19 at a later date, in a report to the co-chairpersons
 20 and ranking members of the joint appropriations
 21 subcommittee on the justice system and the legislative
 22 services agency. The department of justice shall
 23 submit the report on or before January 15, 2013.

24 Sec. 2. 2011 Iowa Acts, chapter 134, section 31, is
 25 amended to read as follows:

26 SEC. 31. OFFICE OF CONSUMER ADVOCATE. There is
 27 appropriated from the department of commerce revolving
 28 fund created in section 546.12 to the office of
 29 consumer advocate of the department of justice for the
 30 fiscal year beginning July 1, 2012, and ending June 30,
 31 2013, the following amount, or so much thereof as is
 32 necessary, to be used for the purposes designated:

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

36	\$	1,568,082
37		3,136,163
38	FTEs	22.00

39 Sec. 3. 2011 Iowa Acts, chapter 134, section 32, is
 40 amended to read as follows:

41 SEC. 32. DEPARTMENT OF CORRECTIONS — FACILITIES.

42 1. There is appropriated from the general fund of
 43 the state to the department of corrections for the
 44 fiscal year beginning July 1, 2012, and ending June
 45 30, 2013, the following amounts, or so much thereof as
 46 is necessary, to be used for the operation of adult
 47 correctional institutions, reimbursement of counties
 48 for certain confinement costs, and federal prison
 49 reimbursement, to be allocated as follows:

50 a. For the operation of the Fort Madison



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1 correctional facility, including salaries, support,
 2 maintenance, and miscellaneous purposes:
 3 \$ ~~20,515,641~~
 4 42,686,899

5 As a condition of receiving an appropriation under
 6 this lettered paragraph the department of corrections
 7 shall submit, to the co-chairpersons and ranking
 8 members of the joint appropriations subcommittee on
 9 the justice system by January 15, 2013, the plans for
 10 the integration of the John Bennett facility and the
 11 clinical care unit into the new Fort Madison maximum
 12 security correctional facility and the future plans for
 13 the use of the current Fort Madison maximum security
 14 correctional facility after the inmates are transferred
 15 to the new facility.

16 b. For the operation of the Anamosa correctional
 17 facility, including salaries, support, maintenance, and
 18 miscellaneous purposes:
 19 \$ ~~15,992,987~~
 20 33,697,392

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

24 c. For the operation of the Oakdale correctional
 25 facility, including salaries, support, maintenance, and
 26 miscellaneous purposes:
 27 \$ ~~27,797,213~~
 28 57,950,613

29 d. For the operation of the Newton correctional
 30 facility, including salaries, support, maintenance, and
 31 miscellaneous purposes:
 32 \$ ~~12,979,379~~
 33 27,127,290

34 e. For the operation of the Mt. Pleasant
 35 correctional facility, including salaries, support,
 36 maintenance, and miscellaneous purposes:
 37 \$ ~~12,958,908~~
 38 26,751,707

39 f. For the operation of the Rockwell City
 40 correctional facility, including salaries, support,
 41 maintenance, and miscellaneous purposes:
 42 \$ ~~4,658,233~~
 43 9,758,146

44 g. For the operation of the Clarinda correctional
 45 facility, including salaries, support, maintenance, and
 46 miscellaneous purposes:
 47 \$ ~~12,241,178~~
 48 26,357,056

49 Moneys received by the department of corrections as
 50 reimbursement for services provided to the Clarinda

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1 youth corporation are appropriated to the department
2 and shall be used for the purpose of operating the
3 Clarinda correctional facility.

4 h. For the operation of the Mitchellville
5 correctional facility, including salaries, support,
6 maintenance, and miscellaneous purposes:
7 \$ ~~7,807,687~~
8 16,558,690

9 i. For the operation of the Fort Dodge correctional
10 facility, including salaries, support, maintenance, and
11 miscellaneous purposes:
12 \$ ~~14,531,118~~
13 30,062,193

14 j. For reimbursement of counties for temporary
15 confinement of work release and parole violators, as
16 provided in sections 901.7, 904.908, and 906.17, and
17 for offenders confined pursuant to section 904.513:
18 \$ ~~387,546~~
19 1,075,092

20 k. For federal prison reimbursement, reimbursements
21 for out-of-state placements, and miscellaneous
22 contracts:
23 \$ ~~119,706~~
24 484,411

25 ~~1. For three correctional officer full-time~~
26 ~~equivalent positions that are to be assigned to~~
27 ~~a correctional institution by the director of the~~
28 ~~department of corrections:~~
29 \$ ~~78,581~~

30 2. The department of corrections shall use moneys
31 appropriated in subsection 1 to continue to contract
32 for the services of a Muslim imam and a Native American
33 spiritual leader.

34 Sec. 4. 2011 Iowa Acts, chapter 134, section 33, is
35 amended to read as follows:

36 SEC. 33. DEPARTMENT OF CORRECTIONS —
37 ADMINISTRATION. There is appropriated from the general
38 fund of the state to the department of corrections for
39 the fiscal year beginning July 1, 2012, and ending June
40 30, 2013, the following amounts, or so much thereof as
41 is necessary, to be used for the purposes designated:

42 1. For general administration, including salaries,
43 support, maintenance, employment of an education
44 director to administer a centralized education
45 program for the correctional system, and miscellaneous
46 purposes:
47 \$ ~~2,417,771~~
48 5,181,582

49 0b. It is the intent of the general assembly
50 that as a condition of receiving the appropriation



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1 provided in this lettered paragraph the department of
 2 corrections shall not, except as otherwise provided
 3 in paragraph "c", enter into a new contract, unless
 4 the contract is a renewal of an existing contract,
 5 for the expenditure of moneys in excess of \$100,000
 6 during the fiscal year beginning July 1, 2012, for the
 7 privatization of services performed by the department
 8 using state employees as of July 1, 2012, or for the
 9 privatization of new services by the department without
 10 prior consultation with any applicable state employee
 11 organization affected by the proposed new contract and
 12 prior notification of the co-chairpersons and ranking
 13 members of the joint appropriations subcommittee on the
 14 justice system.

15 b. It is the intent of the general assembly
 16 that each lease negotiated by the department of
 17 corrections with a private corporation for the purpose
 18 of providing private industry employment of inmates in
 19 a correctional institution shall prohibit the private
 20 corporation from utilizing inmate labor for partisan
 21 political purposes for any person seeking election to
 22 public office in this state and that a violation of
 23 this requirement shall result in a termination of the
 24 lease agreement.

25 c. It is the intent of the general assembly that as
 26 a condition of receiving the appropriation provided in
 27 this subsection the department of corrections shall not
 28 enter into a lease or contractual agreement pursuant to
 29 section 904.809 with a private corporation for the use
 30 of building space for the purpose of providing inmate
 31 employment without providing that the terms of the
 32 lease or contract establish safeguards to restrict, to
 33 the greatest extent feasible, access by inmates working
 34 for the private corporation to personal identifying
 35 information of citizens.

36 2. For educational programs for inmates at state
 37 penal institutions:

38 \$ 1,154,055
 39 2,558,109

40 b. It is the intent of the general assembly that
 41 moneys appropriated in this subsection shall be used
 42 solely for the purpose indicated and that the moneys
 43 shall not be transferred for any other purpose. In
 44 addition, it is the intent of the general assembly
 45 that the department shall consult with the community
 46 colleges in the areas in which the institutions
 47 are located to utilize moneys appropriated in this
 48 subsection to fund the high school completion, high
 49 school equivalency diploma, adult literacy, and adult
 50 basic education programs in a manner so as to maintain



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1 these programs at the institutions.

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

8 d. The director of the department of corrections
 9 may transfer moneys from Iowa prison industries and the
 10 canteen operating funds established pursuant to section
 11 904.310, for use in educational programs for inmates.

12 e. Notwithstanding section 8.33, moneys
 13 appropriated in this subsection that remain unobligated
 14 or unexpended at the close of the fiscal year shall not
 15 revert but shall remain available to be used only for
 16 the purposes designated in this subsection until the
 17 close of the succeeding fiscal year.

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

20	\$	212,182
21		424,364

22 4. For offender mental health and substance abuse
 23 treatment:

24	\$	11,160
25		22,319

26 5. For viral hepatitis prevention and treatment:

27	\$	83,941
28		167,881

29 6. It is the intent of the general assembly that
 30 for the fiscal year addressed by this section the
 31 department of corrections shall continue to operate the
 32 correctional farms under the control of the department
 33 at the same or greater level of participation and
 34 involvement as existed as of January 1, 2011; shall not
 35 enter into any rental agreement or contract concerning
 36 any farmland under the control of the department that
 37 is not subject to a rental agreement or contract as of
 38 January 1, 2011, without prior legislative approval;
 39 and shall further attempt to provide job opportunities
 40 at the farms for inmates. The department shall attempt
 41 to provide job opportunities at the farms for inmates
 42 by encouraging labor-intensive farming or gardening
 43 where appropriate; using inmates to grow produce
 44 and meat for institutional consumption; researching
 45 the possibility of instituting food canning and
 46 cook-and-chill operations; and exploring opportunities
 47 for organic farming and gardening, livestock ventures,
 48 horticulture, and specialized crops.

49 ~~7. The department of corrections shall solicit~~
 50 ~~requests for information to improve efficiencies at the~~



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1 ~~pharmacy under the control of the department.~~
2 Sec. 5. 2011 Iowa Acts, chapter 134, section 34, is
3 amended to read as follows:
4 SEC. 34. JUDICIAL DISTRICT DEPARTMENTS OF
5 CORRECTIONAL SERVICES.
6 1. There is appropriated from the general fund of
7 the state to the department of corrections for the
8 fiscal year beginning July 1, 2012, and ending June
9 30, 2013, for salaries, support, maintenance, and
10 miscellaneous purposes, the following amounts, or
11 so much thereof as is necessary, to be allocated as
12 follows:
13 a. For the first judicial district department of
14 correctional services:
15 \$ ~~6,102,474~~
16 14,301,004
17 b. For the second judicial district department of
18 correctional services:
19 \$ ~~5,168,474~~
20 11,001,278
21 c. For the third judicial district department of
22 correctional services:
23 \$ ~~2,799,883~~
24 7,245,713
25 d. For the fourth judicial district department of
26 correctional services:
27 \$ ~~2,695,678~~
28 5,520,807
29 e. For the fifth judicial district department of
30 correctional services, including funding for electronic
31 monitoring devices for use on a statewide basis:
32 \$ ~~9,371,065~~
33 19,530,766
34 f. For the sixth judicial district department of
35 correctional services:
36 \$ ~~6,556,282~~
37 14,095,408
38 g. For the seventh judicial district department of
39 correctional services:
40 \$ ~~3,246,407~~
41 7,673,973
42 h. For the eighth judicial district department of
43 correctional services:
44 \$ ~~3,439,858~~
45 7,914,828
46 2. Each judicial district department of
47 correctional services, within the funding available,
48 shall continue programs and plans established within
49 that district to provide for intensive supervision, sex
50 offender treatment, diversion of low-risk offenders

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1 to the least restrictive sanction available, job
 2 development, and expanded use of intermediate criminal
 3 sanctions.

4 3. Each judicial district department of
 5 correctional services shall provide alternatives to
 6 prison consistent with chapter 901B. The alternatives
 7 to prison shall ensure public safety while providing
 8 maximum rehabilitation to the offender. A judicial
 9 district department of correctional services may also
 10 establish a day program.

11 4. The governor's office of drug control policy
 12 or any succeeding entity of the governor's office of
 13 drug control policy shall consider federal grants made
 14 to the department of corrections for the benefit of
 15 each of the eight judicial district departments of
 16 correctional services as local government grants, as
 17 defined pursuant to federal regulations.

18 5. The department of corrections shall continue
 19 to contract with a judicial district department
 20 of correctional services to provide for the rental
 21 of electronic monitoring equipment which shall be
 22 available statewide.

23 Sec. 6. 2011 Iowa Acts, chapter 134, section 39, is
 24 amended to read as follows:

25 SEC. 39. IOWA LAW ENFORCEMENT ACADEMY.

26 1. There is appropriated from the general fund of
 27 the state to the Iowa law enforcement academy for the
 28 fiscal year beginning July 1, 2012, and ending June 30,
 29 2013, the following amount, or so much thereof as is
 30 necessary, to be used for the purposes designated:

31 For salaries, support, maintenance, miscellaneous
 32 purposes, including jailer training and technical
 33 assistance, and for not more than the following
 34 full-time equivalent positions:

.....	\$	434,349
		968,698
		<u>24.55</u>
.....	FTEs	<u>25.50</u>

39 It is the intent of the general assembly that the
 40 Iowa law enforcement academy may provide training of
 41 state and local law enforcement personnel concerning
 42 the recognition of and response to persons with
 43 Alzheimer's disease.

44 The Iowa law enforcement academy may temporarily
 45 exceed and draw more than the amount appropriated in
 46 this subsection and incur a negative cash balance as
 47 long as there are receivables equal to or greater than
 48 the negative balance and the amount appropriated in
 49 this subsection is not exceeded at the close of the
 50 fiscal year.



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1 2. The Iowa law enforcement academy may select
2 at least five automobiles of the department of public
3 safety, division of state patrol, prior to turning over
4 the automobiles to the department of administrative
5 services to be disposed of by public auction, and
6 the Iowa law enforcement academy may exchange any
7 automobile owned by the academy for each automobile
8 selected if the selected automobile is used in training
9 law enforcement officers at the academy. However,
10 any automobile exchanged by the academy shall be
11 substituted for the selected vehicle of the department
12 of public safety and sold by public auction with the
13 receipts being deposited in the depreciation fund to
14 the credit of the department of public safety, division
15 of state patrol.

16 Sec. 7. 2011 Iowa Acts, chapter 134, section 40, is
17 amended to read as follows:

18 SEC. 40. STATE PUBLIC DEFENDER. There is
19 appropriated from the general fund of the state to the
20 office of the state public defender of the department
21 of inspections and appeals for the fiscal year
22 beginning July 1, 2012, and ending June 30, 2013, the
23 following amounts, or so much thereof as is necessary,
24 to be allocated as follows for the purposes designated:

25 1. For salaries, support, maintenance,
26 miscellaneous purposes, and for not more than the
27 following full-time equivalent positions:
28 \$ ~~12,541,591~~
29 25,862,182
30 FTEs 219.00

31 2. ~~For the fees of court-appointed attorneys for~~
32 ~~indigent payments on behalf of eligible adults and~~
33 ~~juveniles from the indigent defense fund, in accordance~~
34 ~~with section 232.141 and chapter 815 815.11:~~

35 \$ ~~15,340,464~~
36 29,901,929

37 Sec. 8. 2011 Iowa Acts, chapter 134, section 41, is
38 amended to read as follows:

39 SEC. 41. BOARD OF PAROLE. There is appropriated
40 from the general fund of the state to the board of
41 parole for the fiscal year beginning July 1, 2012, and
42 ending June 30, 2013, the following amount, or so much
43 thereof as is necessary, to be used for the purposes
44 designated:

45 For salaries, support, maintenance, miscellaneous
46 purposes, and for not more than the following full-time
47 equivalent positions:

48 \$ ~~526,918~~
49 1,203,835
50 FTEs 12.50



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1 13.00
2 Sec. 9. 2011 Iowa Acts, chapter 134, section 42, is
3 amended to read as follows:
4 SEC. 42. DEPARTMENT OF PUBLIC DEFENSE. There is
5 appropriated from the general fund of the state to
6 the department of public defense for the fiscal year
7 beginning July 1, 2012, and ending June 30, 2013, the
8 following amounts, or so much thereof as is necessary,
9 to be used for the purposes designated:
10 1. MILITARY DIVISION
11 For salaries, support, maintenance, miscellaneous
12 purposes, and for not more than the following full-time
13 equivalent positions:
14 \$ ~~2,763,521~~
15 5,527,042
16 FTEs ~~313.00~~
17 296.00
18 The military division may temporarily exceed
19 and draw more than the amount appropriated in this
20 subsection and incur a negative cash balance as long
21 as there are receivables of federal funds equal to
22 or greater than the negative balance and the amount
23 appropriated in this subsection is not exceeded at the
24 close of the fiscal year.
25 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
26 DIVISION
27 For salaries, support, maintenance, miscellaneous
28 purposes, and for not more than the following full-time
29 equivalent positions:
30 \$ ~~918,439~~
31 1,836,877
32 FTEs ~~40.00~~
33 35.34
34 For statewide flood mitigation:
35 \$ 100,000
36 a. The homeland security and emergency management
37 division may temporarily exceed and draw more than
38 the ~~amount~~ amounts appropriated in this subsection
39 and incur a negative cash balance as long as there
40 are receivables of federal funds equal to or greater
41 than the negative balance and the ~~amount~~ amounts
42 appropriated in this subsection ~~is~~ are not exceeded at
43 the close of the fiscal year.
44 b. It is the intent of the general assembly that
45 the homeland security and emergency management division
46 work in conjunction with the department of public
47 safety, to the extent possible, when gathering and
48 analyzing information related to potential domestic
49 or foreign security threats, and when monitoring such
50 threats.

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1 Sec. 10. 2011 Iowa Acts, chapter 134, section 43,
 2 is amended to read as follows:

3 SEC. 43. DEPARTMENT OF PUBLIC SAFETY. There is
 4 appropriated from the general fund of the state to
 5 the department of public safety for the fiscal year
 6 beginning July 1, 2012, and ending June 30, 2013, the
 7 following amounts, or so much thereof as is necessary,
 8 to be used for the purposes designated:

9 1. For the department's administrative functions,
 10 including the criminal justice information system, and
 11 for not more than the following full-time equivalent
 12 positions:

13	\$	2,003,538
14		<u>4,007,075</u>
15	FTEs	36.00

16 2. For the division of criminal investigation,
 17 including the state's contribution to the peace
 18 officers' retirement, accident, and disability system
 19 provided in chapter 97A in the amount of the state's
 20 normal contribution rate, as defined in section
 21 97A.8, multiplied by the salaries for which the
 22 funds are appropriated, to meet federal fund matching
 23 requirements, and for not more than the following
 24 full-time equivalent positions:

25	\$	6,266,966
26		<u>12,533,931</u>
27	FTEs	<u>159.10</u>
28		154.60

29 The department shall employ one additional special
 30 agent and one additional criminalist for the purpose
 31 of investigating cold cases. Prior to employing the
 32 additional special agent and criminalist authorized
 33 in this paragraph, the department shall provide a
 34 written statement to prospective employees that states
 35 to the effect that the positions are being funded by
 36 a temporary federal grant and there are no assurances
 37 that funds from other sources will be available after
 38 the federal funding expires. If the federal funding
 39 for the additional positions expires during the fiscal
 40 year, the number of full-time equivalent positions
 41 authorized in this subsection is reduced by 2.00 FTEs.

42 3. For the criminalistics laboratory fund created
 43 in section 691.9:

44	\$	151,173
45		<u>302,345</u>

46 4. a. For the division of narcotics enforcement,
 47 including the state's contribution to the peace
 48 officers' retirement, accident, and disability system
 49 provided in chapter 97A in the amount of the state's
 50 normal contribution rate, as defined in section



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1 97A.8, multiplied by the salaries for which the
 2 funds are appropriated, to meet federal fund matching
 3 requirements, and for not more than the following
 4 full-time equivalent positions:

5	\$	3,214,942
6		6,429,884
7	FTEs	<u>74.00</u>
8		68.00

9 b. For the division of narcotics enforcement for
 10 undercover purchases:

11	\$	54,521
12		<u>109,042</u>

13 5. For the division of state fire marshal, for fire
 14 protection services as provided through the state fire
 15 service and emergency response council as created in
 16 the department, and for the state's contribution to the
 17 peace officers' retirement, accident, and disability
 18 system provided in chapter 97A in the amount of the
 19 state's normal contribution rate, as defined in section
 20 97A.8, multiplied by the salaries for which the funds
 21 are appropriated, and for not more than the following
 22 full-time equivalent positions:

23	\$	2,149,354
24		4,298,707
25	FTEs	<u>55.00</u>
26		54.00

27 6. For the division of state patrol, for salaries,
 28 support, maintenance, workers' compensation costs,
 29 and miscellaneous purposes, including the state's
 30 contribution to the peace officers' retirement,
 31 accident, and disability system provided in chapter 97A
 32 in the amount of the state's normal contribution rate,
 33 as defined in section 97A.8, multiplied by the salaries
 34 for which the funds are appropriated, and for not more
 35 than the following full-time equivalent positions:

36	\$	25,951,617
37		52,403,233
38	FTEs	<u>513.00</u>
39		502.00

40 It is the intent of the general assembly that
 41 members of the state patrol be assigned to patrol
 42 the highways and roads in lieu of assignments for
 43 inspecting school buses for the school districts.

44 7. For deposit in the sick leave benefits fund
 45 established under section 80.42 for all departmental
 46 employees eligible to receive benefits for accrued sick
 47 leave under the collective bargaining agreement:

48	\$	139,759
49		<u>279,517</u>

50 8. For costs associated with the training and



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1 equipment needs of volunteer fire fighters:
2 \$ 362,760
3 795,520

4 a. Notwithstanding section 8.33, moneys
5 appropriated in this subsection that remain
6 unencumbered or unobligated at the close of the fiscal
7 year shall not revert but shall remain available for
8 expenditure only for the purpose designated in this
9 subsection until the close of the succeeding fiscal
10 year.

11 b. Notwithstanding section 8.39, within the
12 moneys appropriated in this section, the department
13 of public safety may reallocate moneys as necessary
14 to best fulfill the needs provided for in the
15 appropriation. However, the department shall not
16 reallocate an appropriation made to the department
17 in this section unless notice of the reallocation
18 is given to the legislative services agency and
19 the department of management prior to the effective
20 date of the reallocation. The notice shall include
21 information regarding the rationale for reallocating
22 the appropriation. The department shall not reallocate
23 an appropriation made in this section for the purpose
24 of eliminating any program.

25 9. For costs associated with the training and
26 operation of the statewide interoperable communications
27 system board excluding salaries and contracts:
28 \$ 148,000

29 Sec. 11. 2011 Iowa Acts, chapter 134, section 44,
30 is amended to read as follows:
31 SEC. 44. GAMING ENFORCEMENT.
32 1. There is appropriated from the gaming
33 enforcement revolving fund created in section 80.43 to
34 the department of public safety for the fiscal year
35 beginning July 1, 2012, and ending June 30, 2013, the
36 following amount, or so much thereof as is necessary,
37 to be used for the purposes designated:
38 For any direct ~~and indirect~~ support costs for
39 agents and officers of the division of criminal
40 investigation's excursion gambling boat, gambling
41 structure, and racetrack enclosure enforcement
42 activities, including salaries, support, maintenance,
43 miscellaneous purposes, and for not more than the
44 following full-time equivalent positions:
45 \$ 4,918,153
46 10,335,709
47 FTEs 120.00
48 115.00

49 2. For each additional license to conduct gambling
50 games on an excursion gambling boat, gambling

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1 structure, or racetrack enclosure issued during
 2 the fiscal year beginning July 1, 2012, there is
 3 appropriated from the gaming enforcement fund to
 4 the department of public safety for the fiscal year
 5 beginning July 1, 2012, and ending June 30, 2013, an
 6 additional amount of not more than \$521,000 to be used
 7 for not more than 6.00 additional full-time equivalent
 8 positions.

9 3. The department of public safety, with the
 10 approval of the department of management, may employ
 11 no more than two special agents and four gaming
 12 enforcement officers for each additional riverboat
 13 or gambling structure regulated after July 1, 2012,
 14 and one special agent for each racing facility which
 15 becomes operational during the fiscal year which
 16 begins July 1, 2012. One additional gaming enforcement
 17 officer, up to a total of four per riverboat or
 18 gambling structure, may be employed for each riverboat
 19 or gambling structure that has extended operations to
 20 24 hours and has not previously operated with a 24-hour
 21 schedule. Positions authorized in this subsection
 22 are in addition to the full-time equivalent positions
 23 otherwise authorized in this section.

24 Sec. 12. 2011 Iowa Acts, chapter 134, section 45,
 25 is amended to read as follows:

26 SEC. 45. CIVIL RIGHTS COMMISSION. There is
 27 appropriated from the general fund of the state to the
 28 Iowa state civil rights commission for the fiscal year
 29 beginning July 1, 2012, and ending June 30, 2013, the
 30 following amount, or so much thereof as is necessary,
 31 to be used for the purposes designated:

32 For salaries, support, maintenance, miscellaneous
 33 purposes, and for not more than the following full-time
 34 equivalent positions:

35	\$	648,535
36		1,297,069
37	FTEs	28.00

38 The Iowa state civil rights commission may enter
 39 into a contract with a nonprofit organization to
 40 provide legal assistance to resolve civil rights
 41 complaints.

42 Sec. 13. 2011 Iowa Acts, chapter 134, is amended by
 43 adding the following new section:

44 NEW SECTION. SEC. 45A. DIVISION OF CRIMINAL AND
 45 JUVENILE JUSTICE PLANNING — APPROPRIATION. There is
 46 appropriated from the general fund of the state to the
 47 division of criminal and juvenile justice planning of
 48 the department of human rights for the fiscal year
 49 beginning July 1, 2012, and ending June 30, 2013, the
 50 following amount, or so much thereof as is necessary,

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1 to be used for the purposes designated:
2 For criminal and juvenile justice research:
3 \$ 80,000
4 FTEs 1.00
5 Sec. 14. 2011 Iowa Acts, chapter 134, section 46,
6 is amended to read as follows:
7 SEC. 46. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
8 DIVISION. There is appropriated from the wireless
9 E911 emergency communications fund created in section
10 34A.7A to the administrator of the homeland security
11 and emergency management division of the department of
12 public defense for the fiscal year beginning July 1,
13 2012, and ending June 30, 2013, an amount not exceeding
14 ~~\$200,000~~ \$250,000 to be used for implementation,
15 support, and maintenance of the functions of the
16 administrator and program manager under chapter 34A and
17 to employ the auditor of the state to perform an annual
18 audit of the wireless E911 emergency communications
19 fund.
20 Sec. 15. Section 80.18, unnumbered paragraph 2,
21 Code 2011, is amended to read as follows:
22 The department may expend moneys from the support
23 allocation of the department as reimbursement for
24 replacement or repair of personal items of the
25 department's peace officers or employees damaged or
26 destroyed during a peace officer's or employee's course
27 of employment. However, the reimbursement shall not
28 exceed the greater of ~~one hundred fifty~~ two hundred
29 dollars or the amount agreed to under the collective
30 bargaining agreement for each item. The department
31 shall adopt rules in accordance with chapter 17A to
32 administer this paragraph.
33 Sec. 16. Section 80.43, subsection 1, Code 2011, is
34 amended to read as follows:
35 1. A gaming enforcement revolving fund is created
36 in the state treasury under the control of the
37 department. The fund shall consist of fees collected
38 and deposited into the fund paid by licensees pursuant
39 to section 99D.14, subsection 2, paragraph "b", and
40 fees paid by licensees pursuant to section 99F.10,
41 subsection 4, paragraph "b". All costs for agents and
42 officers plus any direct ~~and indirect~~ support costs for
43 such agents and officers of the division of criminal
44 investigation's racetrack, excursion boat, or gambling
45 structure enforcement activities shall be paid from
46 the fund as provided in appropriations made for this
47 purpose by the general assembly.
48 Sec. 17. Section 85.67, Code 2011, is amended to
49 read as follows:
50 **85.67 Administration of fund — special counsel —**

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1 **payment of award.**

2 The attorney general shall appoint a staff member to
3 represent the treasurer of state and the fund in all
4 proceedings and matters arising under this division.
5 The attorney general shall be reimbursed up to ~~one~~
6 ~~hundred fifty~~ two hundred thousand dollars annually
7 from the fund for services provided related to the
8 fund. The commissioner of insurance shall consider the
9 reimbursement to the attorney general as an outstanding
10 liability when making a determination of funding
11 availability under section 85.65A, subsection 2. In
12 making an award under this division, the workers'
13 compensation commissioner shall specifically find the
14 amount the injured employee shall be paid weekly, the
15 number of weeks of compensation which shall be paid by
16 the employer, the date upon which payments out of the
17 fund shall begin, and, if possible, the length of time
18 the payments shall continue.

19 Sec. 18. Section 99D.14, subsection 2, paragraph b,
20 Code Supplement 2011, is amended to read as follows:

21 b. Notwithstanding sections 8.60 and 99D.17, the
22 portion of the fee paid pursuant to paragraph "a"
23 relating to the costs of special agents plus any
24 direct and indirect support costs for the agents, for
25 the division of criminal investigation's racetrack
26 activities, shall not be deposited in the general
27 fund of the state but instead shall be deposited into
28 the gaming enforcement revolving fund established
29 in section 80.43. However, the department of public
30 safety shall transfer, on an annual basis, the portion
31 of the regulatory fee attributable to the indirect
32 support costs of the special agents to the general fund
33 of the state.

34 Sec. 19. Section 99F.10, subsection 4, paragraph b,
35 Code Supplement 2011, is amended to read as follows:

36 b. Notwithstanding sections 8.60 and 99F.4, the
37 portion of the fee paid pursuant to paragraph "a"
38 relating to the costs of special agents and officers
39 plus any direct and indirect support costs for the
40 agents and officers, for the division of criminal
41 investigation's excursion gambling boat or gambling
42 structure activities, shall not be deposited in
43 the general fund of the state but instead shall be
44 deposited into the gaming enforcement revolving fund
45 established in section 80.43. However, the department
46 of public safety shall transfer, on an annual basis,
47 the portion of the regulatory fee attributable to the
48 indirect support costs of the special agents and gaming
49 enforcement officers to the general fund of the state.

50 Sec. 20. Section 654.4B, subsection 2, paragraph b,



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1 Code Supplement 2011, is amended to read as follows:
2 *b.* This subsection is repealed July 1, ~~2012~~ 2013.
3 Sec. 21. Section 904A.4A, Code 2011, is amended by
4 adding the following new subsections:
5 NEW SUBSECTION. 7. Act as the representative of
6 the board relative to the passage, defeat, approval, or
7 modification of legislation that is being considered by
8 the general assembly.
9 NEW SUBSECTION. 8. Develop a budget for the board
10 subject to the approval of the board and prepare all
11 reports required by law.
12 NEW SUBSECTION. 9. Hire and supervise all staff
13 pursuant to the provisions of chapter 8A, subchapter
14 IV.
15 Sec. 22. REPEAL. Section 904A.4B, Code 2011, is
16 repealed.
17 Sec. 23. DEPARTMENT OF PUBLIC SAFETY BUILDING
18 DESIGNATION. The state office building located at
19 215 east seventh street, which houses the department
20 of public safety, shall be named after Oran Pape, the
21 first member of the state patrol killed in the line of
22 duty and the only member of the state patrol to have
23 been murdered. An appropriate commemorative plaque
24 shall be placed near the entrance of the state building
25 in recognition of Oran Pape and his sacrifice as a
26 member of the state patrol.
27 Sec. 24. EFFECTIVE UPON ENACTMENT. The following
28 provisions of this Act, being deemed of immediate
29 importance, take effect upon enactment:
30 1. The section of this Act amending section 80.43,
31 subsection 1.
32 2. The section of this Act amending section 99D.14,
33 subsection 2, paragraph "b".
34 3. The section of this Act amending section 99F.10,
35 subsection 4.>

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Senate Amendment to
House File 2305

H-8324

1 Amend House File 2305, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 2, after line 4 by inserting:
4 <Sec. _____. Section 231.14, subsection 1, Code 2011,
5 is amended by adding the following new paragraph:
6 **NEW PARAGRAPH. j.** Adopt policies and
7 administrative rules pursuant to chapter 17A that
8 support the capabilities of the area agencies on aging
9 and the aging and disabilities resource centers to
10 serve older individuals and persons with disabilities
11 experiencing Alzheimer's disease or related dementias.>
12 2. Page 7, after line 16 by inserting:
13 <Sec. _____. Section 231.64, Code 2011, is amended by
14 striking the section and inserting in lieu thereof the
15 following:
16 **231.64 Aging and disability resource center program.**
17 1. The aging and disability resource center program
18 shall be administered by the department consistent
19 with the federal Act. The department shall designate
20 participating entities to establish a coordinated
21 system for providing all of the following:
22 a. Comprehensive information, referral, and
23 assistance regarding the full range of available public
24 and private long-term care programs, options, service
25 providers, and resources within a community, including
26 information on the availability of integrated long-term
27 care.
28 b. Personal counseling to assist individuals in
29 assessing their existing or anticipated long-term
30 care needs and developing and implementing a plan
31 for long-term care designed to meet their specific
32 needs and circumstances. The plan for long-term
33 care may include support with person-centered care
34 transitions to assist consumers and family caregivers
35 with transitions between home and care settings.
36 c. Consumer access to the range of
37 publicly-supported long-term care programs for which
38 consumers may be eligible, by serving as a convenient
39 point of entry for such programs.
40 2. The aging and disability resource center
41 program shall assist older individuals, persons with
42 disabilities age eighteen or older, family caregivers,
43 and people who inquire about or request assistance
44 on behalf of members of these groups, as they seek
45 long-term care services and supports.>
46 3. By renumbering as necessary.

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Senate Amendment to
House File 2228

H-8325

1 Amend House File 2228, as passed by the House, as
2 follows:

3 1. Page 1, after line 32 by inserting:
4 <Sec. _____. Section 321.323A, Code 2011, is amended
5 by adding the following new subsection:

6 NEW SUBSECTION. 3. a. A person convicted of a
7 violation of this section commits a simple misdemeanor
8 punishable as a scheduled violation under section
9 805.8A, subsection 11.

10 b. A person convicted of a violation of this
11 section which resulted in an accident causing bodily
12 injury to or the death of another person may be subject
13 to the following penalties in addition to the penalty
14 provided for a scheduled violation in section 805.8A,
15 subsection 11, or any other penalty provided by law:

16 (1) For a violation causing bodily injury to
17 another person, a fine of five hundred dollars.

18 (2) For a violation causing death, a fine of one
19 thousand dollars.

20 c. Upon receiving a record of a person's conviction
21 for a violation under paragraph "a" which resulted in
22 an accident causing damage to the property of another
23 person or bodily injury to or death of another person,
24 the department shall suspend the person's driver's
25 license or operating privileges, upon thirty days'
26 notice and without preliminary hearing, as follows:

27 (1) For a violation causing damage to the property
28 of another person, but not resulting in bodily injury
29 or death of to another person, the department shall
30 suspend the violator's driver's license or operating
31 privileges for ninety days.

32 (2) For a violation causing bodily injury to
33 another person, the department shall suspend the
34 violator's driver's license or operating privileges for
35 one hundred eighty days.

36 (3) For a violation causing death, the department
37 shall suspend the violator's driver's license or
38 operating privileges for one year.

39 Sec. _____. Section 321.482A, unnumbered paragraph 1,
40 Code 2011, is amended to read as follows:

41 Notwithstanding section 321.482, a person who is
42 convicted of operating a motor vehicle in violation
43 of section 321.178, subsection 2, paragraph "a",
44 subparagraph (2), section 321.180B, subsection 6,
45 section 321.194, subsection 1, paragraph "c", section
46 321.256, section 321.257, section 321.275, subsection
47 4, section 321.276, 321.297, 321.298, 321.299, 321.302,
48 321.303, 321.304, 321.305, 321.306, 321.307, 321.308,
49 section 321.309, subsection 2, or section 321.311,
50 321.319, 321.320, 321.321, 321.322, 321.323, ~~321.323A,~~

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1 321.324, 321.324A, 321.327, 321.329, or 321.333 causing
2 serious injury to or the death of another person may be
3 subject to the following penalties in addition to the
4 penalty provided for a scheduled violation in section
5 805.8A or any other penalty provided by law:
6 Sec. ____ . PUBLIC AWARENESS AND COMPLIANCE
7 PROGRAMS. The department of transportation, in
8 conjunction with the department of public safety, shall
9 establish programs to foster public awareness of and
10 compliance with the requirements of section 321.323A.>
11 2. Title page, line 2, after <to> by inserting
12 <change lanes or>
13 3. Title page, line 3, by striking <situations.>
14 and inserting <situations, and providing penalties.>
15 4. By renumbering as necessary.



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Senate Amendment to
House File 2168

H-8326

1 Amend House File 2168, as passed by the House, as
2 follows:

3 1. Page 2, after line 19 by inserting:
4 <Sec. _____. Section 12C.23A, subsection 3,
5 unnumbered paragraph 1, Code 2011, is amended to read
6 as follows:

7 If a bank is closed by its primary state or federal
8 regulator, including a bank that has accepted public
9 funds deposits under section 12B.10, subsection 7, each
10 public funds depositor with deposits in the bank shall
11 notify the treasurer of state of the amount of any
12 claim within thirty days of the closing. The treasurer
13 of state shall implement the following procedures:

14 Sec. _____. Section 12C.23A, subsection 3, paragraph
15 d, Code 2011, is amended to read as follows:

16 d. If the loss of public funds is not covered by
17 federal deposit insurance and the proceeds of the
18 closed bank's assets that are liquidated within thirty
19 days of the closing of the bank are not sufficient to
20 cover the loss, then any further payments to cover
21 the loss will come from the state sinking fund for
22 public deposits in banks. If the balance in that
23 sinking fund is inadequate to pay the entire loss,
24 then the treasurer shall obtain the additional amount
25 needed by making an assessment against other banks that
26 are organized under chapter 524, national banks with
27 offices in this state, and branches of out-of-state
28 banks located in this state whose public funds deposits
29 exceed federal deposit insurance coverage. A bank's
30 assessment shall be determined by multiplying the total
31 amount of the remaining loss to all public depositors
32 in the closed bank by a percentage that represents
33 the assessed bank's proportional share of the total
34 of uninsured public funds deposits held by all banks
35 and all branches of out-of-state banks, based upon the
36 average of the uninsured public funds of the assessed
37 bank or branch of an out-of-state bank as of the end of
38 the four calendar quarters prior to the date of closing
39 of the closed bank and the average of the uninsured
40 public funds in all banks and branches of out-of-state
41 banks as of the end of the four calendar quarters prior
42 to the date of closing of the closed bank, excluding
43 the amount of uninsured public funds held by the closed
44 bank at the end of the four calendar quarters. Each
45 bank shall pay its assessment to the treasurer of
46 state within three business days after it receives
47 notice of assessment. For purposes of this section,
48 when calculating uninsured public funds, a bank shall
49 include all deposits of customers of other financial
50 institutions as permitted by section 12B.10, subsection

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1 7.>



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Senate File 2321

H-8327

1 Amend Senate File 2321, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. By striking everything after the enacting clause
 4 and inserting:

<MIDWESTERN HIGHER EDUCATION COMPACT

6 Section 1. 2011 Iowa Acts, chapter 132, section 32,
 7 is amended to read as follows:

8 SEC. 32. There is appropriated from the general
 9 fund of the state to the department of education for
 10 the following fiscal years, the following amounts, or
 11 so much thereof as is necessary, to be used for the
 12 purposes designated:

To be distributed to the midwestern higher education compact to pay Iowa's member state annual obligation:	
FY 2010-2011.....	\$ 39,000
FY 2011-2012.....	\$ 100,000
FY 2012-2013.....	\$ 50,000
	<u>100,000</u>

19 Notwithstanding section 8.33, moneys appropriated
 20 in this section, to the department of education
 21 for purposes of paying Iowa's member state annual
 22 obligation under the midwestern higher education
 23 compact, that remain unencumbered or unobligated at the
 24 close of the fiscal year beginning July 1, 2010, and
 25 ending June 30, 2011, shall not revert but shall remain
 26 available for expenditure for the purpose designated
 27 until the close of the succeeding fiscal year.

DEPARTMENT FOR THE BLIND

29 Sec. 2. 2011 Iowa Acts, chapter 132, section 97, is
 30 amended to read as follows:

31 SEC. 97. ADMINISTRATION. There is appropriated
 32 from the general fund of the state to the department
 33 for the blind for the fiscal year beginning July 1,
 34 2012, and ending June 30, 2013, the following amount,
 35 or so much thereof as is necessary, to be used for the
 36 purposes designated:

1. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:	
.....	\$ 845,908
	<u>1,691,815</u>
..... FTEs	<u>88.00</u>

43 2. For costs associated with universal access to
 44 audio information over the phone on demand for blind
 45 and print handicapped Iowans:

.....	\$ 25,000
	<u>50,000</u>

COLLEGE STUDENT AID COMMISSION

49 Sec. 3. 2011 Iowa Acts, chapter 132, section 98, is
 50 amended to read as follows:

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1 SEC. 98. There is appropriated from the general
2 fund of the state to the college student aid commission
3 for the fiscal year beginning July 1, 2012, and ending
4 June 30, 2013, the following amounts, or so much
5 thereof as is necessary, to be used for the purposes
6 designated:

7 1. GENERAL ADMINISTRATION
8 For salaries, support, maintenance, miscellaneous
9 purposes, and for not more than the following full-time
10 equivalent positions:

11	\$	116,472
12		232,943
13	FTEs	3.95

14 ~~2. STUDENT AID PROGRAMS~~
15 ~~For payments to students for the Iowa grant program~~
16 ~~established in section 261.93:~~

17	\$	395,589
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18 ~~3. DES MOINES UNIVERSITY — HEALTH CARE~~
19 ~~PROFESSIONAL RECRUITMENT PROGRAM~~
20 ~~For forgivable loans to Iowa students attending Des~~
21 ~~Moines university — osteopathic medical center under~~
22 ~~the forgivable loan repayment program for health care~~
23 ~~professionals established pursuant to section 261.19:~~

24	\$	162,987
25		325,973

26 4. NATIONAL GUARD EDUCATIONAL ASSISTANCE PROGRAM
27 For purposes of providing national guard educational
28 assistance under the program established in section
29 261.86:

30	\$	1,593,117
31		4,486,233

32 5. TEACHER SHORTAGE LOAN FORGIVENESS PROGRAM
33 For the teacher shortage loan forgiveness program
34 established in section 261.112:

35	\$	196,226
36		392,452

37 6. ALL IOWA OPPORTUNITY FOSTER CARE GRANT PROGRAM
38 For purposes of the all Iowa opportunity foster care
39 grant program established pursuant to section 261.6:

40	\$	277,029
41		554,057

42 7. ALL IOWA OPPORTUNITY SCHOLARSHIP PROGRAM
43 a. For purposes of the all Iowa opportunity
44 scholarship program established pursuant to section
45 261.87:

46	\$	1,120,427
47		2,240,854

48 b. If the moneys appropriated by the general
49 assembly to the college student aid commission for
50 fiscal year 2012-2013 for purposes of the all Iowa



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1 opportunity scholarship program exceed \$500,000,
 2 "eligible institution" as defined in section 261.87,
 3 shall, during fiscal year 2012-2013, include accredited
 4 private institutions as defined in section 261.9,
 5 subsection 1.

6 ~~8. REGISTERED NURSE AND NURSE EDUCATOR LOAN~~
 7 ~~FORGIVENESS PROGRAM~~

8 ~~a. For purposes of the registered nurse and nurse~~
 9 ~~educator loan forgiveness program established pursuant~~
 10 ~~to section 261.23:~~

11 \$ ~~40,426~~

12 ~~b. It is the intent of the general assembly that~~
 13 ~~the commission continue to consider moneys allocated~~
 14 ~~pursuant to this subsection as moneys that meet the~~
 15 ~~state matching funds requirements of the federal~~
 16 ~~leveraging educational assistance program and the~~
 17 ~~federal supplemental leveraging educational assistance~~
 18 ~~program established under the Higher Education Act of~~
 19 ~~1965, as amended.~~

20 ~~9. BARBER AND COSMETOLOGY ARTS AND SCIENCES TUITION~~
 21 ~~GRANT PROGRAM~~

22 ~~For purposes of the barber and cosmetology arts and~~
 23 ~~sciences tuition grant program established pursuant to~~
 24 ~~section 261.18:~~

25 \$ ~~18,469~~

26 DEPARTMENT OF EDUCATION

27 Sec. 4. 2011 Iowa Acts, chapter 132, section 102,
 28 is amended to read as follows:

29 SEC. 102. There is appropriated from the general
 30 fund of the state to the department of education for
 31 the fiscal year beginning July 1, 2012, and ending June
 32 30, 2013, the following amounts, or so much thereof as
 33 is necessary, to be used for the purposes designated:

34 1. GENERAL ADMINISTRATION

35 For salaries, support, maintenance, miscellaneous
 36 purposes, and for not more than the following full-time
 37 equivalent positions:

38 \$ ~~2,956,906~~

39 ~~5,913,812~~

40 FTEs ~~81.67~~

41 2. VOCATIONAL EDUCATION ADMINISTRATION

42 For salaries, support, maintenance, miscellaneous
 43 purposes, and for not more than the following full-time
 44 equivalent positions:

45 \$ ~~224,638~~

46 ~~598,197~~

47 FTEs ~~11.50~~

48 3. VOCATIONAL REHABILITATION SERVICES DIVISION

49 a. For salaries, support, maintenance,
 50 miscellaneous purposes, and for not more than the



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1 following full-time equivalent positions:
2 \$ 2,481,584
3 4,963,168
4 FTEs 255.00
5 b. For matching funds for programs to enable
6 persons with severe physical or mental disabilities to
7 function more independently, including salaries and
8 support, and for not more than the following full-time
9 equivalent position:
10 \$ 19,564
11 39,128
12 FTEs 1.00
13 c. For the entrepreneurs with disabilities program
14 established pursuant to section 259.4, subsection 9:
15 \$ 72,768
16 145,535
17 d. For costs associated with centers for
18 independent living:
19 \$ 20,147
20 40,294
21 4. STATE LIBRARY
22 a. For salaries, support, maintenance,
23 miscellaneous purposes, and for not more than the
24 following full-time equivalent positions:
25 \$ 604,810
26 1,209,619
27 FTEs 17.00
28 b. For the enrich Iowa program established under
29 section 256.57:
30 \$ 837,114
31 1,674,227
32 5. LIBRARY SERVICE AREA SYSTEM
33 For ~~state aid~~ salaries, support, maintenance,
34 miscellaneous purposes, and for not more than the
35 following full-time equivalent positions:
36 \$ 502,722
37 1,005,444
38 FTEs 12.00
39 6. PUBLIC BROADCASTING DIVISION
40 For salaries, support, maintenance, capital
41 expenditures, miscellaneous purposes, and for not more
42 than the following full-time equivalent positions:
43 \$ 3,327,011
44 4,024,434
45 FTEs 82.00
46 ~~7. REGIONAL TELECOMMUNICATIONS COUNCILS~~
47 ~~For state aid:~~
48 \$ 496,457
49 ~~The regional telecommunications councils established~~
50 ~~in section 8D.5 shall use the moneys appropriated in~~

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1 ~~this subsection to provide technical assistance for~~
2 ~~network classrooms, planning and troubleshooting for~~
3 ~~local area networks, scheduling of video sites, and~~
4 ~~other related support activities.~~

5 8. VOCATIONAL EDUCATION TO SECONDARY SCHOOLS

6 For reimbursement for vocational education
7 expenditures made by secondary schools:

8 \$ 1,315,067
9 2,630,134

10 Moneys appropriated in this subsection shall be used
11 to reimburse school districts for vocational education
12 expenditures made by secondary schools to meet the
13 standards set in sections 256.11, 258.4, and 260C.14.

14 9. SCHOOL FOOD SERVICE

15 For use as state matching funds for federal
16 programs that shall be disbursed according to federal
17 regulations, including salaries, support, maintenance,
18 miscellaneous purposes, and for not more than the
19 following full-time equivalent positions:

20 \$ 1,088,399
21 2,176,797
22 FTEs 20.58

23 10. EARLY CHILDHOOD IOWA FUND — GENERAL AID

24 For deposit in the school ready children grants
25 account of the early childhood Iowa fund created in
26 section 256I.11:

27 \$ 2,693,057
28 5,386,113

29 a. From the moneys deposited in the school ready
30 children grants account for the fiscal year beginning
31 July 1, 2012, and ending June 30, 2013, not more than
32 \$265,950 is allocated for the early childhood Iowa
33 office and other technical assistance activities. The
34 early childhood Iowa state board shall direct staff to
35 work with the early childhood stakeholders alliance
36 created in section 256I.12 to inventory technical
37 assistance needs. Moneys allocated under this lettered
38 paragraph may be used by the early childhood Iowa state
39 board for the purpose of skills development and support
40 for ongoing training of staff. However, except as
41 otherwise provided in this subsection, moneys shall not
42 be used for additional staff or for the reimbursement
43 of staff.

44 b. As a condition of receiving moneys appropriated
45 in this subsection, each early childhood Iowa area
46 board shall report to the early childhood Iowa state
47 board progress on each of the local indicators approved
48 by the area board. Each early childhood Iowa area
49 board must also submit an annual budget for the area's
50 comprehensive school ready children grant developed for



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1 providing services for children from birth through five
2 years of age, and provide other information specified
3 by the early childhood Iowa state board, including
4 budget amendments as needed. The early childhood Iowa
5 state board shall establish a submission deadline for
6 the annual budget and any budget amendments that allow
7 a reasonable period of time for preparation by the
8 early childhood Iowa area boards and for review and
9 approval or request for modification of the materials
10 by the early childhood Iowa state board. In addition,
11 each early childhood Iowa area board must continue to
12 comply with reporting provisions and other requirements
13 adopted by the early childhood Iowa state board in
14 implementing section 256I.9.

15 c. Of the amount appropriated in this subsection
16 for deposit in the school ready children grants account
17 of the early childhood Iowa fund, \$2,318,018 shall
18 be used for efforts to improve the quality of early
19 care, health, and education programs. Moneys allocated
20 pursuant to this paragraph may be used for additional
21 staff and for the reimbursement of staff. The early
22 childhood Iowa state board may reserve a portion of the
23 allocation, not to exceed \$88,650, for the technical
24 assistance expenses of the early childhood Iowa state
25 office, including the reimbursement of staff, and
26 shall distribute the remainder to early childhood Iowa
27 areas for local quality improvement efforts through
28 a methodology identified by the early childhood Iowa
29 state board to make the most productive use of the
30 funding, which may include use of the distribution
31 formula, grants, or other means.

32 d. Of the amount appropriated in this subsection
33 for deposit in the school ready children grants account
34 of the early childhood Iowa fund, \$825,030 shall
35 be used for support of professional development and
36 training activities for persons working in early care,
37 health, and education by the early childhood Iowa
38 state board in collaboration with the professional
39 development component group of the early childhood
40 Iowa stakeholders alliance maintained pursuant to
41 section 256I.12, subsection 7, paragraph "b", and the
42 early childhood Iowa area boards. Expenditures shall
43 be limited to professional development and training
44 activities agreed upon by the parties participating in
45 the collaboration.

46 11. EARLY CHILDHOOD IOWA FUND — PRESCHOOL TUITION
47 ASSISTANCE

48 a. For deposit in the school ready children grants
49 account of the early childhood Iowa fund created in
50 section 256I.11:

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1 \$ ~~2,714,439~~
2 5,428,877

3 b. The amount appropriated in this subsection shall
4 be used for early care, health, and education programs
5 to assist low-income parents with tuition for preschool
6 and other supportive services for children ages three,
7 four, and five who are not attending kindergarten in
8 order to increase the basic family income eligibility
9 requirement to not more than 200 percent of the federal
10 poverty level. In addition, if sufficient funding is
11 available after addressing the needs of those who meet
12 the basic income eligibility requirement, an early
13 childhood Iowa area board may provide for eligibility
14 for those with a family income in excess of the basic
15 income eligibility requirement through use of a sliding
16 scale or other copayment provisions.

17 12. EARLY CHILDHOOD IOWA FUND — FAMILY SUPPORT AND
18 PARENT EDUCATION

19 a. For deposit in the school ready children grants
20 account of the early childhood Iowa fund created in
21 section 256I.11:
22 \$ ~~6,182,217~~
23 12,364,434

24 b. The amount appropriated in this subsection
25 shall be used for family support services and parent
26 education programs targeted to families expecting a
27 child or with newborn and infant children through age
28 five and shall be distributed using the distribution
29 formula approved by the early childhood Iowa state
30 board and shall be used by an early childhood Iowa
31 area board only for family support services and parent
32 education programs targeted to families expecting a
33 child or with newborn and infant children through age
34 five.

35 c. In order to implement the legislative intent
36 stated in sections 135.106 and 256I.9, that priority
37 for home visitation program funding be given to
38 programs using evidence-based or promising models
39 for home visitation, it is the intent of the general
40 assembly to phase-in the funding priority as follows:
41 (1) By July 1, 2013, 25 percent of state
42 funds expended for home visiting programs are for
43 evidence-based or promising program models.
44 (2) By July 1, 2014, 50 percent of state
45 funds expended for home visiting programs are for
46 evidence-based or promising program models.
47 (3) By July 1, 2015, 75 percent of state
48 funds expended for home visiting programs are for
49 evidence-based or promising program models.
50 (4) By July 1, 2016, 90 percent of state



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1 funds expended for home visiting programs are for
2 evidence-based or promising program models. The
3 remaining 10 percent of funds may be used for
4 innovative program models that do not yet meet the
5 definition of evidence-based or promising programs.

6 d. For the purposes of this subsection, unless the
7 context requires:

8 (1) "Evidence-based program" means a program that
9 is based on scientific evidence demonstrating that
10 the program model is effective. An evidence-based
11 program shall be reviewed onsite and compared to
12 program model standards by the model developer or the
13 developer's designee at least every five years to
14 ensure that the program continues to maintain fidelity
15 with the program model. The program model shall have
16 had demonstrated significant and sustained positive
17 outcomes in an evaluation utilizing a well-designed and
18 rigorous randomized controlled research design or a
19 quasi-experimental research design, and the evaluation
20 results shall have been published in a peer-reviewed
21 journal.

22 (2) "Family support programs" includes group-based
23 parent education or home visiting programs that are
24 designed to strengthen protective factors, including
25 parenting skills, increasing parental knowledge of
26 child development, and increasing family functioning
27 and problem solving skills. A family support program
28 may be used as an early intervention strategy to
29 improve birth outcomes, parental knowledge, family
30 economic success, the home learning environment, family
31 and child involvement with others, and coordination
32 with other community resources. A family support
33 program may have a specific focus on preventing child
34 maltreatment or ensuring children are safe, healthy,
35 and ready to succeed in school.

36 (3) "Promising program" means a program that meets
37 all of the following requirements:

38 (a) The program conforms to a clear, consistent
39 family support model that has been in existence for at
40 least three years.

41 (b) The program is grounded in relevant
42 empirically-based knowledge.

43 (c) The program is linked to program-determined
44 outcomes.

45 (d) The program is associated with a national
46 or state organization that either has comprehensive
47 program standards that ensure high-quality service
48 delivery and continuous program quality improvement
49 or the program model has demonstrated through the
50 program's benchmark outcomes that the program has



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1 achieved significant positive outcomes equivalent
2 to those achieved by program models with published
3 significant and sustained results in a peer-reviewed
4 journal.

5 (e) The program has been awarded the Iowa family
6 support credential and has been reviewed onsite
7 at least every five years to ensure the program's
8 adherence to the Iowa family support standards approved
9 by the early childhood Iowa state board created in
10 section 256I.3 or a comparable set of standards. The
11 onsite review is completed by an independent review
12 team that is not associated with the program or the
13 organization administering the program.

14 e. (1) The data reporting requirements adopted
15 by the early childhood Iowa state board pursuant
16 to section 256I.4 for the family support programs
17 targeted to families expecting a child or with newborn
18 and infant children through age five and funded
19 through the board shall require the programs to
20 participate in a state administered internet-based data
21 collection system by July 1, 2013. The data reporting
22 requirements shall be developed in a manner to provide
23 for compatibility with local data collection systems.
24 The state board's annual report submitted each January
25 to the governor and general assembly under section
26 256I.4 shall include family support program outcomes
27 beginning with the January 2015 report.

28 (2) The data on families served that is collected
29 by the family support programs funded through the
30 early childhood Iowa initiative shall include but is
31 not limited to basic demographic information, services
32 received, funding utilized, and program outcomes for
33 the children and families served. The state board
34 shall adopt performance benchmarks for the family
35 support programs and shall revise the Iowa family
36 support credential to incorporate the performance
37 benchmarks on or before January 1, 2014.

38 (3) The state board shall identify minimum
39 competency standards for the employees and supervisors
40 of family support programs funded through the early
41 childhood Iowa initiative. The state board shall
42 submit recommendations concerning the standards to the
43 governor and general assembly on or before January 1,
44 2014.

45 (4) On or before January 1, 2013, the state board
46 shall adopt criminal and child abuse record check
47 requirements for the employees and supervisors of
48 family support programs funded through the early
49 childhood Iowa initiative.

50 (5) The state board shall develop a plan to



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1 implement a coordinated intake and referral process for
 2 publicly funded family support programs in order to
 3 engage the families expecting a child or with newborn
 4 and infant children through age five in all communities
 5 in the state by July 1, 2015.

6 13. BIRTH TO AGE THREE SERVICES
 7 For expansion of the federal Individuals with
 8 Disabilities Education Improvement Act of 2004, Pub.
 9 L. No. 108-446, as amended to January 1, 2012, birth
 10 through age three services due to increased numbers of
 11 children qualifying for those services:
 12 \$ 860,700
 13 1,721,400

14 From the moneys appropriated in this subsection,
 15 \$383,769 shall be allocated to the child health
 16 specialty clinic at the state university of Iowa to
 17 provide additional support for infants and toddlers
 18 who are born prematurely, drug-exposed, or medically
 19 fragile.

20 14. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS
 21 To provide moneys for costs of providing textbooks
 22 to each resident pupil who attends a nonpublic school
 23 as authorized by section 301.1:
 24 \$ 280,107
 25 560,214

26 Funding under this subsection is limited to \$20 per
 27 pupil and shall not exceed the comparable services
 28 offered to resident public school pupils.

29 15. CORE CURRICULUM AND CAREER INFORMATION AND
 30 DECISION-MAKING SYSTEM
 31 For purposes of implementing the statewide core
 32 curriculum for school districts and accredited
 33 nonpublic schools and a state-designated career
 34 information and decision-making system:
 35 \$ 500,000
 36 1,000,000

37 16. STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM
 38 For purposes of the student achievement and teacher
 39 quality program established pursuant to chapter
 40 284, and for not more than the following full-time
 41 equivalent positions:
 42 \$ 2,392,500
 43 4,785,000
 44 FTEs 2.00

45 17. JOBS FOR AMERICA'S GRADUATES
 46 For school districts to provide direct services to
 47 the most at-risk senior high school students enrolled
 48 in school districts through direct intervention by a
 49 jobs for America's graduates specialist:
 50 \$ 20,000



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1 540,000

2 18. COMMUNITY COLLEGES

3 a. For general state financial aid to merged

4 areas as defined in section 260C.2 in accordance with

5 chapters 258 and 260C:

6 \$ ~~81,887,324~~

7 163,774,647

8 ~~The funds appropriated in this subsection shall~~

9 ~~be allocated pursuant to the formula established in~~

10 ~~section 206C.18C.~~

11 Notwithstanding the allocation formula in section

12 260C.18C, the funds appropriated in this subsection

13 shall be allocated as follows:

14 (1) Merged Area I..... \$ 8,178,529

15 (2) Merged Area II..... \$ 8,649,157

16 (3) Merged Area III..... \$ 7,965,651

17 (4) Merged Area IV..... \$ 3,912,374

18 (5) Merged Area V..... \$ 9,005,542

19 (6) Merged Area VI..... \$ 7,619,814

20 (7) Merged Area VII..... \$ 11,384,176

21 (8) Merged Area IX..... \$ 14,176,695

22 (9) Merged Area X..... \$ 25,055,309

23 (10) Merged Area XI..... \$ 25,355,377

24 (11) Merged Area XII..... \$ 9,282,987

25 (12) Merged Area XIII..... \$ 9,596,897

26 (13) Merged Area XIV..... \$ 3,974,533

27 (14) Merged Area XV..... \$ 12,453,604

28 (15) Merged Area XVI..... \$ 7,166,002

29 b. For distribution to community colleges to

30 supplement faculty salaries:

31 \$ ~~250,000~~

32 500,000

33 c. For deposit in the workforce training and

34 economic development funds created pursuant to section

35 260C.18A:

36 \$ ~~2,500,000~~

37 5,000,000

38 STATE BOARD OF REGENTS

39 Sec. 5. 2011 Iowa Acts, chapter 132, section 103,

40 is amended to read as follows:

41 SEC. 103. There is appropriated from the general

42 fund of the state to the state board of regents for the

43 fiscal year beginning July 1, 2012, and ending June 30,

44 2013, the following amounts, or so much thereof as is

45 necessary, to be used for the purposes designated:

46 1. OFFICE OF STATE BOARD OF REGENTS

47 a. For salaries, support, maintenance,

48 miscellaneous purposes, and for not more than the

49 following full-time equivalent positions:

50 \$ 532,503

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1 1,065,005

2 FTEs 15.00

3 The state board of regents shall submit a monthly

4 financial report in a format agreed upon by the state

5 board of regents office and the legislative services

6 agency.

7 Notwithstanding section 262.9, subsection 19, or any

8 other provision of law to the contrary, neither the

9 board nor any of the institutions of higher education

10 governed by the board shall implement an increase in

11 tuition at any institution of higher education the

12 board governs for the 2012-2013 fiscal year.

13 b. For moneys to be allocated to the southwest Iowa

14 graduate studies center:

15 \$ 43,736

16 87,471

17 c. For moneys to be allocated to the siouxland

18 interstate metropolitan planning council for the

19 tristate graduate center under section 262.9,

20 subsection 22:

21 \$ 33,301

22 66,601

23 d. For moneys to be allocated to the quad-cities

24 graduate studies center:

25 \$ 64,888

26 129,776

27 e. For moneys to be distributed to Iowa public

28 radio for public radio operations:

29 \$ 195,784

30 391,568

31 2. STATE UNIVERSITY OF IOWA

32 a. General university, including lakeside

33 laboratory

34 For salaries, support, maintenance, equipment,

35 miscellaneous purposes, and for not more than the

36 following full-time equivalent positions:

37 \$ 104,868,656

38 191,737,311

39 FTEs 5,058.55

40 b. Oakdale campus

41 For salaries, support, maintenance, miscellaneous

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

43 equivalent positions:

44 \$ 1,093,279

45 2,186,558

46 FTEs 38.25

47 c. State hygienic laboratory

48 For salaries, support, maintenance, miscellaneous

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

50 equivalent positions:

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1	\$	1,768,358
2			<u>3,536,716</u>
3	FTEs	102.50
4	d. Family practice program		
5	For allocation by the dean of the college of		
6	medicine, with approval of the advisory board, to		
7	qualified participants to carry out the provisions		
8	of chapter 148D for the family practice program,		
9	including salaries and support, and for not more than		
10	the following full-time equivalent positions:		
11	.....	\$	894,133
12			<u>1,788,265</u>
13	.....	FTEs	190.40
14	e. Child health care services		
15	For specialized child health care services,		
16	including childhood cancer diagnostic and treatment		
17	network programs, rural comprehensive care for		
18	hemophilia patients, and the Iowa high-risk infant		
19	follow-up program, including salaries and support, and		
20	for not more than the following full-time equivalent		
21	positions:		
22	.....	\$	329,728
23			<u>659,456</u>
24	.....	FTEs	57.97
25	f. Statewide cancer registry		
26	For the statewide cancer registry, and for not more		
27	than the following full-time equivalent positions:		
28	.....	\$	74,526
29			<u>149,051</u>
30	.....	FTEs	2.10
31	g. Substance abuse consortium		
32	For moneys to be allocated to the Iowa consortium		
33	for substance abuse research and evaluation, and		
34	for not more than the following full-time equivalent		
35	position:		
36	.....	\$	27,765
37			<u>55,529</u>
38	.....	FTEs	1.00
39	h. Center for biocatalysis		
40	For the center for biocatalysis, and for not more		
41	than the following full-time equivalent positions:		
42	.....	\$	361,864
43			<u>723,727</u>
44	.....	FTEs	6.28
45	i. Primary health care initiative		
46	For the primary health care initiative in the		
47	college of medicine, and for not more than the		
48	following full-time equivalent positions:		
49	\$	324,465
50			<u>648,930</u>

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1 FTEs 5.89
2 From the moneys appropriated in this lettered
3 paragraph, \$254,889 shall be allocated to the
4 department of family practice at the state university
5 of Iowa college of medicine for family practice faculty
6 and support staff.
7 j. Birth defects registry
8 For the birth defects registry, and for not more
9 than the following full-time equivalent position:
10 \$ 19,144
11 38,288
12 FTEs 1.00
13 k. Larned A. Waterman Iowa nonprofit resource
14 center
15 For the Larned A. Waterman Iowa nonprofit resource
16 center, and for not more than the following full-time
17 equivalent positions:
18 \$ 81,270
19 162,539
20 FTEs 2.75
21 1. Iowa online advanced placement academy science,
22 technology, engineering, and mathematics initiative
23 For the Iowa online advanced placement academy
24 science, technology, engineering, and mathematics
25 initiative:
26 \$ 240,925
27 481,849
28 3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY
29 a. General university
30 For salaries, support, maintenance, equipment,
31 miscellaneous purposes, and for not more than the
32 following full-time equivalent positions:
33 \$ 82,172,599
34 154,245,198
35 FTEs 3,647.42
36 b. Agricultural experiment station
37 For the agricultural experiment station salaries,
38 support, maintenance, miscellaneous purposes, and
39 for not more than the following full-time equivalent
40 positions:
41 \$ 14,055,939
42 28,111,877
43 FTEs 546.98
44 c. Cooperative extension service in agriculture and
45 home economics
46 For the cooperative extension service in agriculture
47 and home economics salaries, support, maintenance,
48 miscellaneous purposes, and for not more than the
49 following full-time equivalent positions:
50 \$ 8,968,361

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1 17,936,722
2 FTEs 383.34
3 d. Leopold center
4 For agricultural research grants at Iowa state
5 university of science and technology under section
6 266.39B, and for not more than the following full-time
7 equivalent positions:
8 \$ 198,709
9 397,417
10 FTEs 11.25
11 e. Livestock disease research
12 For deposit in and the use of the livestock disease
13 research fund under section 267.8:
14 \$ 86,423
15 172,845
16 4. UNIVERSITY OF NORTHERN IOWA
17 a. General university
18 For salaries, support, maintenance, equipment,
19 miscellaneous purposes, and for not more than the
20 following full-time equivalent positions:
21 \$ 37,367,293
22 71,734,586
23 FTEs 1,447.50
24 b. Recycling and reuse center
25 For purposes of the recycling and reuse center, and
26 for not more than the following full-time equivalent
27 positions:
28 \$ 87,628
29 175,256
30 FTEs 3.00
31 c. Science, technology, engineering, and
32 mathematics (STEM) collaborative initiative
33 For purposes of establishing a science, technology,
34 engineering, and mathematics (STEM) collaborative
35 initiative, and for not more than the following
36 full-time equivalent positions:
37 \$ 867,328
38 1,734,656
39 FTEs 6.20
40 (1) From the moneys appropriated in this lettered
41 paragraph, up to \$282,000 shall be allocated for
42 salaries, staffing, and institutional support. The
43 remainder of the moneys appropriated in this lettered
44 paragraph shall be expended only to support activities
45 directly related to recruitment of kindergarten
46 through grade 12 mathematics and science teachers and
47 for ongoing mathematics and science programming for
48 students enrolled in kindergarten through grade 12.
49 (2) The university of northern Iowa shall work with
50 the community colleges to develop STEM professional

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1 development programs for community college instructors
2 and STEM curriculum development.
3 d. Real estate education program
4 For purposes of the real estate education program,
5 and for not more than the following full-time
6 equivalent position:
7 \$ 62,651
8 125,302
9 FTEs 1.00
10 5. STATE SCHOOL FOR THE DEAF
11 For salaries, support, maintenance, miscellaneous
12 purposes, and for not more than the following full-time
13 equivalent positions:
14 \$ 4,339,982
15 8,679,964
16 FTEs 126.60
17 6. IOWA BRAILLE AND SIGHT SAVING SCHOOL
18 For salaries, support, maintenance, miscellaneous
19 purposes, and for not more than the following full-time
20 equivalent positions:
21 \$ 1,809,466
22 3,618,931
23 FTEs 62.87
24 7. TUITION AND TRANSPORTATION COSTS
25 For payment to local school boards for the tuition
26 and transportation costs of students residing in the
27 Iowa braille and sight saving school and the state
28 school for the deaf pursuant to section 262.43 and
29 for payment of certain clothing, prescription, and
30 transportation costs for students at these schools
31 pursuant to section 270.5:
32 \$ 5,882
33 11,763
34 8. LICENSED CLASSROOM TEACHERS
35 For distribution at the Iowa braille and sight
36 saving school and the Iowa school for the deaf based
37 upon the average yearly enrollment at each school as
38 determined by the state board of regents:
39 \$ 41,025
40 82,049
41 Sec. ____ . Section 256.86, Code 2011, is amended to
42 read as follows:
43 **256.86 Competition with private sector.**
44 1. It is the intent of the general assembly that
45 the division shall not compete with the private sector
46 by actively seeking revenue from its operations except
47 as provided in this chapter.
48 2. a. The division may receive revenue for
49 providing services, products, and usage of facilities
50 and equipment if one or more of the following

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1 conditions are met:
2 (1) The service, product, or usage is not
3 reasonably available in the private sector.
4 (2) The division can provide the service, product,
5 or usage at a time, price, location, or terms that are
6 not reasonably available through the private sector.
7 (3) The service, product, or usage is deemed by
8 the division to be related to public service or the
9 educational mission of the division.
10 b. The division may charge reasonable fees for
11 providing services, products, and usage of facilities
12 and equipment in accordance with paragraph "a",
13 including but not limited to a reasonable equipment and
14 facilities usage fee.
15 c. Fees charged in accordance with this subsection
16 shall be deposited in the capital equipment replacement
17 revolving fund created pursuant to section 256.87.
18 3. It is not the intent of the general assembly to
19 prohibit the receipt of charitable contributions as
20 defined by section 170 of the Internal Revenue Code.
21 4. The board, the governor, or the administrator
22 may apply for and accept federal or nonfederal gifts,
23 loans, or grants of funds and may use the funds for
24 projects under this chapter.
25 Sec. 6. Section 256.87, Code 2011, is amended to
26 read as follows:
27 **256.87 Costs and fees — capital equipment**
28 **replacement revolving fund.**
29 1. The board may provide noncommercial production
30 or reproduction services for other public agencies,
31 nonprofit corporations or associations organized
32 under state law, or other nonprofit organizations,
33 and may collect the costs of providing the services
34 from the public agency, corporation, association, or
35 organization, plus a separate equipment usage fee in
36 an amount determined by the board and based upon the
37 equipment used. The costs shall be deposited to the
38 credit of the board. The separate equipment usage fee
39 shall be deposited in the capital equipment replacement
40 revolving fund.
41 2. The board may establish a capital equipment
42 replacement revolving fund into which shall be
43 deposited equipment usage fees collected under
44 subsection 1 and funds from other sources designated
45 for deposit in the A capital equipment replacement
46 revolving fund is created in the state treasury. The
47 revolving fund shall be administered by the board and
48 shall consist of moneys collected by the division as
49 fees and any other moneys obtained or accepted by the
50 division for deposit in the revolving fund.



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1 2. The board may expend moneys from the capital
2 equipment replacement revolving fund to update
3 facilities and purchase technical equipment for
4 operating the educational radio and television facility
5 its operations.

6 3. Notwithstanding section 12C.7, subsection
7 2, interest or earnings on moneys in the revolving
8 fund shall be credited to the revolving fund.
9 Notwithstanding section 8.33, moneys in the revolving
10 fund that remain unencumbered or unobligated at the
11 close of the fiscal year shall not revert to any other
12 fund but shall remain available in the revolving fund
13 for the purposes designated.

14 Sec. 7. Section 261.25, subsection 2, Code
15 Supplement 2011, is amended to read as follows:

16 2. There is appropriated from the general fund of
17 the state to the commission for each fiscal year the
18 sum of ~~four~~ two million dollars for tuition grants
19 for students attending for-profit accredited private
20 institutions located in Iowa. A for-profit institution
21 which, effective March 9, 2005, or effective January
22 8, 2010, purchased an accredited private institution
23 that was exempt from taxation under section 501(c)
24 of the Internal Revenue Code, shall be an eligible
25 institution under the tuition grant program. For
26 purposes of the tuition grant program, "*for-profit*
27 *accredited private institution*" means an accredited
28 private institution which is not exempt from taxation
29 under section 501(c)(3) of the Internal Revenue Code
30 but which otherwise meets the requirements of section
31 261.9, subsection 1, paragraph "b", and whose students
32 were eligible to receive tuition grants in the fiscal
33 year beginning July 1, 2003.

34 Sec. 8. Section 261B.11, subsection 10, Code 2011,
35 is amended to read as follows:

36 10. ~~Accredited higher education institutions that~~
37 ~~meet the criteria established under section 261.92,~~
38 ~~subsection 1 Public or private institutions of higher~~
39 learning located in Iowa which are accredited by the
40 north central association of colleges and schools
41 accrediting agency; and promote equal opportunity
42 and affirmative action efforts in the recruitment,
43 appointment, assignment, and advancement of personnel
44 at the institution and provide information regarding
45 such efforts to the commission upon request.

46 Sec. 9. Section 284.13, subsection 1, paragraphs a
47 through d, Code Supplement 2011, are amended to read
48 as follows:

49 a. For the fiscal year beginning July 1, ~~2011~~ 2012,
50 and ending June 30, ~~2012~~ 2013, to the department of



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1 education, the amount of ~~six~~ five hundred eighty-five
 2 thousand dollars for the issuance of national board
 3 certification awards in accordance with section 256.44.
 4 Of the amount allocated under this paragraph, not
 5 less than eighty-five thousand dollars shall be used
 6 to administer the ambassador to education position in
 7 accordance with section 256.45.

8 *b.* For the fiscal year beginning July 1, ~~2011~~
 9 2012, and ending June 30, ~~2012~~ 2013, an amount up to
 10 two million three four hundred ninety-five sixty-three
 11 thousand one five hundred fifty-seven ninety dollars
 12 for first-year and second-year beginning teachers, to
 13 the department of education for distribution to school
 14 districts and area education agencies for purposes
 15 of the beginning teacher mentoring and induction
 16 programs. A school district or area education agency
 17 shall receive one thousand three hundred dollars per
 18 beginning teacher participating in the program. If the
 19 funds appropriated for the program are insufficient
 20 to pay mentors, school districts, and area education
 21 agencies as provided in this paragraph, the department
 22 shall prorate the amount distributed to school
 23 districts and area education agencies based upon the
 24 amount appropriated. Moneys received by a school
 25 district or area education agency pursuant to this
 26 paragraph shall be expended to provide each mentor with
 27 an award of five hundred dollars per semester, at a
 28 minimum, for participation in the school district's or
 29 area education agency's beginning teacher mentoring
 30 and induction program; to implement the plan; and to
 31 pay any applicable costs of the employer's share of
 32 contributions to federal social security and the Iowa
 33 public employees' retirement system or a pension and
 34 annuity retirement system established under chapter
 35 294, for such amounts paid by the district or area
 36 education agency.

37 *c.* For the fiscal year beginning July 1, ~~2011~~
 38 2012, and ending June 30, ~~2012~~ 2013, up to six hundred
 39 thousand dollars to the department for purposes of
 40 implementing the professional development program
 41 requirements of section 284.6, assistance in developing
 42 model evidence for teacher quality committees
 43 established pursuant to section 284.4, subsection 1,
 44 paragraph "c", and the evaluator training program in
 45 section 284.10. A portion of the funds allocated to
 46 the department for purposes of this paragraph may be
 47 used by the department for administrative purposes and
 48 for not more than four full-time equivalent positions.

49 *d.* For the fiscal year beginning July 1, ~~2011~~
 50 2012, and ending June 30, ~~2012~~ 2013, an amount up to



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1 one million one hundred ~~four~~ thirty-six thousand ~~eight~~
2 four hundred ~~forty-three~~ ten dollars to the department
3 for the establishment of teacher development academies
4 in accordance with section 284.6, subsection 10. A
5 portion of the funds allocated to the department
6 for purposes of this paragraph may be used for
7 administrative purposes.
8 Sec. 10. 2011 Iowa Acts, chapter 132, section 99,
9 is repealed.
10 Sec. 11. REPEAL. Sections 261.92, 261.93, 261.93A,
11 261.94, 261.95, 261.96, and 261.97, Code and Code
12 Supplement 2011, are repealed.>
13 2. Title page, lines 4 and 5, by striking <regents,
14 and providing effective date provisions> and inserting
15 <regents>

COMMITTEE ON APPROPRIATIONS
RAECKER of Polk, Chairperson



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Senate File 2316

H-8328

1 Amend Senate File 2316, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. By striking everything after the enacting clause
 4 and inserting:

<DIVISION I

REBUILD IOWA INFRASTRUCTURE FUND

7 Section 1. There is appropriated from the rebuild
 8 Iowa infrastructure fund to the following departments
 9 and agencies for the following fiscal years the
 10 following amounts, or so much thereof as is necessary,
 11 to be used for the purposes designated:

12 1. DEPARTMENT OF ADMINISTRATIVE SERVICES

13 a. For projects related to major repairs and major
 14 maintenance for state buildings and facilities:
 15 FY 2012-2013..... \$ 20,000,000
 16 FY 2013-2014..... \$ 20,000,000

17 b. For renovations and related improvements to a
 18 cottage at the Iowa juvenile home at Toledo:
 19 FY 2012-2013..... \$ 500,000

20 2. DEPARTMENT OF CORRECTIONS:

21 For repairs and renovation of the hot water loop
 22 system at the Newton correctional facility:
 23 FY 2012-2013..... \$ 425,000

24 3. DEPARTMENT OF CULTURAL AFFAIRS

25 a. For exterior and interior repairs and related
 26 improvements to the state historical building,
 27 including the addition of a visitor center:
 28 FY 2012-2013..... \$ 2,000,000

29 b. For deposit into the Iowa great places program
 30 fund created in section 303.3D for Iowa great places
 31 program projects that meet the definition of the term
 32 "vertical infrastructure" in section 8.57, subsection
 33 6, paragraph "c":
 34 FY 2012-2013..... \$ 1,000,000

35 4. DEPARTMENT OF EDUCATION

36 a. For accelerated career education program capital
 37 projects at community colleges that are authorized
 38 under chapter 260G and that meet the definition of
 39 the term "vertical infrastructure" in section 8.57,
 40 subsection 6, paragraph "c":
 41 FY 2012-2013..... \$ 5,000,000

42 b. For maintenance and lease costs associated with
 43 connections for part III of the Iowa communications
 44 network, notwithstanding section 8.57, subsection 6,
 45 paragraph "c":
 46 FY 2012-2013..... \$ 2,727,000

47 5. DEPARTMENT OF HUMAN SERVICES

48 For the renovation and construction of certain
 49 nursing facilities, consistent with the provisions of
 50 chapter 249K:

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1 FY 2012-2013..... \$ 250,000
2 6. IOWA TELECOMMUNICATIONS AND TECHNOLOGY
3 COMMISSION
4 For replacement of equipment for the Iowa
5 communications network, notwithstanding section 8.57,
6 subsection 6, paragraph "c":
7 FY 2012-2013..... \$ 2,248,653
8 The commission may continue to enter into contracts
9 pursuant to section 8D.13 for the replacement of
10 equipment and for operations and maintenance costs of
11 the network.
12 In addition to moneys appropriated in this
13 subsection, the commission may use a financing
14 agreement entered into by the treasurer of state in
15 accordance with section 12.28 for the replacement
16 of equipment for the network. For purposes of this
17 subsection, the treasurer of state is not subject to
18 the maximum principal limitation contained in section
19 12.28, subsection 6. Repayment of any amounts financed
20 shall be made from receipts associated with fees
21 charged for use of the network.
22 7. DEPARTMENT OF NATURAL RESOURCES
23 For implementation of lake projects that have
24 established watershed improvement initiatives
25 and community support in accordance with the
26 department's annual lake restoration plan and report,
27 notwithstanding section 8.57, subsection 6, paragraph
28 "c":
29 FY 2012-2013..... \$ 5,459,000
30 8. DEPARTMENT OF PUBLIC DEFENSE
31 a. For major maintenance projects at national guard
32 armories and facilities:
33 FY 2012-2013..... \$ 2,000,000
34 b. For construction improvement projects at
35 statewide readiness centers:
36 FY 2012-2013..... \$ 2,050,000
37 c. For construction upgrades at Camp Dodge
38 including sanitary system and sewer system
39 improvements:
40 FY 2012-2013..... \$ 610,000
41 d. For renovation, repair, and related improvements
42 at the joint forces headquarters building:
43 FY 2012-2013..... \$ 500,000
44 9. BOARD OF REGENTS
45 For allocation by the state board of regents to the
46 state university of Iowa, Iowa state university of
47 science and technology, and the university of northern
48 Iowa to reimburse the institutions for deficiencies
49 in the operating funds resulting from the pledging of
50 tuition, student fees and charges, and institutional

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1 income to finance the cost of providing academic and
2 administrative buildings and facilities and utility
3 services at the institutions:
4 FY 2012-2013..... \$ 25,130,412
5 10. DEPARTMENT OF TRANSPORTATION
6 a. For acquiring, constructing, and improving
7 recreational trails within the state:
8 FY 2012-2013..... \$ 3,000,000
9 b. For deposit into the public transit
10 infrastructure grant fund created in section 324A.6A,
11 for projects that meet the definition of "vertical
12 infrastructure" in section 8.57, subsection 6,
13 paragraph "c":
14 FY 2012-2013..... \$ 1,500,000
15 c. For infrastructure improvements at the
16 commercial service airports within the state:
17 FY 2012-2013..... \$ 1,500,000
18 d. For infrastructure improvements at general
19 aviation airports within the state:
20 FY 2012-2013..... \$ 750,000
21 e. For deposit into the railroad revolving loan and
22 grant fund created in section 327H.20A, notwithstanding
23 section 8.57, subsection 6, paragraph "c":
24 FY 2012-2013..... \$ 1,500,000
25 11. DEPARTMENT OF VETERANS AFFAIRS
26 For a boiler replacement and related improvements
27 at the Iowa veterans home:
28 FY 2012-2013..... \$ 975,919
29 12. STATE FAIR AUTHORITY
30 For renovations and improvements including but not
31 limited to the cultural center at the state fair:
32 FY 2012-2013..... \$ 500,000
33 13. TREASURER OF STATE
34 For distribution in accordance with chapter 174 to
35 qualified fairs which belong to the association of Iowa
36 fairs for county fair infrastructure improvements:
37 FY 2012-2013..... \$ 1,060,000
38 Sec. 2. REVERSION. For purposes of section 8.33,
39 unless specifically provided otherwise, unencumbered
40 or unobligated moneys made from an appropriation in
41 this division of this Act shall not revert but shall
42 remain available for expenditure for the purposes
43 designated until the close of the fiscal year that ends
44 three years after the end of the fiscal year for which
45 the appropriation is made. However, if the project
46 or projects for which such appropriation was made are
47 completed in an earlier fiscal year, unencumbered or
48 unobligated moneys shall revert at the close of that
49 same fiscal year.

DIVISION II

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1 TECHNOLOGY REINVESTMENT FUND
2 Sec. 3. There is appropriated from the technology
3 reinvestment fund created in section 8.57C to the
4 following entities for the fiscal year beginning July
5 1, 2012, and ending June 30, 2013, the following
6 amounts, or so much thereof as is necessary, to be used
7 for the purposes designated:
8 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
9 For technology improvement projects:
10 \$ 1,000,000
11 2. DEPARTMENT OF CORRECTIONS
12 a. For costs associated with the Iowa corrections
13 offender network data system:
14 \$ 500,000
15 b. For the provision of land mobile radio
16 communications equipment purchased by the department of
17 corrections with the goal of achieving compliance with
18 the federal communications commission's narrowbanding
19 mandate deadline, and for achieving interoperability as
20 defined in section 80.28:
21 \$ 3,500,000
22 If the department of public safety enters into a
23 public-private partnership, through a competitive
24 bidding process, for the provision of the statewide
25 network and the purchase of compatible equipment, the
26 department of corrections shall join that effort.
27 As a condition of this appropriation, all land
28 mobile radio communications equipment purchased by
29 the department of corrections shall be compliant with
30 the federal communications commission's narrowbanding
31 mandate and shall provide the maximum amount of
32 statewide coverage and interoperability, throughout
33 all phases of migration, to the department of public
34 safety's future statewide digital radio network
35 utilizing P-25 standards.
36 3. DEPARTMENT OF EDUCATION
37 a. For the continued development and implementation
38 of an educational data warehouse that will be utilized
39 by teachers, parents, school district administrators,
40 area education agency staff, department of education
41 staff, and policymakers:
42 \$ 600,000
43 The department may use a portion of the moneys
44 appropriated in this lettered paragraph for an
45 e-transcript data system capable of tracking students
46 throughout their education via interconnectivity with
47 multiple schools.
48 b. To the public broadcasting division for the
49 purchase of eight high-powered transmitting tubes:
50 \$ 320,000

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1 4. DEPARTMENT OF HUMAN RIGHTS
2 For the cost of equipment and computer software for
3 the continued development and implementation of Iowa's
4 criminal justice information system:
5 \$ 1,742,397
6 5. DEPARTMENT OF MANAGEMENT
7 a. For the continued development and implementation
8 of a searchable database that can be placed on the
9 internet for budget and financial information:
10 \$ 45,000
11 b. For completion of the comprehensive electronic
12 grant management system:
13 \$ 125,000
14 6. IOWA JUDICIAL BRANCH
15 For costs associated with the continued development
16 and implementation of the electronic document
17 management system:
18 \$ 4,000,000
19 Sec. 4. REVERSION. For purposes of section 8.33,
20 unless specifically provided otherwise, unencumbered
21 or unobligated moneys made from an appropriation in
22 this division of this Act shall not revert but shall
23 remain available for expenditure for the purposes
24 designated until the close of the fiscal year that ends
25 three years after the end of the fiscal year for which
26 the appropriation was made. However, if the project
27 or projects for which such appropriation was made are
28 completed in an earlier fiscal year, unencumbered or
29 unobligated moneys shall revert at the close of that
30 same fiscal year.
31 DIVISION III
32 CHILDREN'S HEALTH INSURANCE PROGRAM — TECHNOLOGY
33 REINVESTMENT FUND
34 Sec. 5. CHILDREN'S HEALTH INSURANCE PROGRAM —
35 TECHNOLOGY REINVESTMENT FUND. Moneys received from
36 the federal government through the child enrollment
37 contingency fund established pursuant to section 103
38 of the federal Children's Health Insurance Program
39 Reauthorization Act of 2009, Pub. L. No. 111-3, are
40 appropriated to the technology reinvestment fund
41 created in section 8.57C for the following fiscal
42 years, to be used, in addition to any other amounts
43 appropriated to the technology reinvestment fund, for
44 the purposes of section 8.57C, subsection 2:
45 FY 2012-2013..... \$ 14,000,000
46 FY 2013-2014..... \$ 6,000,000
47 The moneys appropriated pursuant to this section
48 shall not be used for any appropriations that receive
49 federal funding. Notwithstanding section 8.33 the
50 moneys appropriated in this section shall not revert to

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1 the fund from which appropriated.
2 DIVISION IV
3 DEPARTMENT OF TRANSPORTATION — RADIOS
4 Sec. 6. DEPARTMENT OF TRANSPORTATION —
5 RADIOS. All land mobile radio communications equipment
6 purchased by the department of transportation shall be
7 compliant with the federal communications commission's
8 narrowbanding mandate and shall provide the maximum
9 amount of statewide coverage and interoperability,
10 throughout all phases of migration, to the department
11 of public safety's future statewide digital radio
12 network utilizing P-25 standards.
13 Sec. 7. EFFECTIVE UPON ENACTMENT. This division of
14 this Act, being deemed of immediate importance, takes
15 effect upon enactment.
16 Sec. 8. RETROACTIVE APPLICABILITY. This division
17 of this Act applies retroactively to July 1, 2011.
18 DIVISION V
19 CHANGES TO PRIOR APPROPRIATIONS
20 Sec. 9. 2011 Iowa Acts, chapter 128, section 19,
21 subsection 2, is amended to read as follows:
22 2. a. The mobile radios purchased by the
23 department of natural resources pursuant to subsection
24 1 shall be compatible with a statewide public safety
25 radio network, ~~if created in legislation enacted by~~
26 ~~the 2011 regular session of the General Assembly,~~
27 ~~which may include provisions in 2011 Iowa Acts,~~
28 ~~Senate File 541, if enacted 2011 Iowa Acts, ch. 133,~~
29 section 3, subsection 8, paragraph a. The department
30 shall purchase the mobile radios after conducting a
31 competitive bidding process.
32 b. As a condition of this appropriation, all land
33 mobile radio communications equipment purchased by the
34 department of natural resources shall be compliant with
35 the federal communications commission's narrowbanding
36 mandate and shall provide the maximum amount of
37 statewide coverage and interoperability, throughout
38 all phases of migration, to the department of public
39 safety's future statewide digital radio network
40 utilizing P-25 standards.
41 Sec. 10. 2011 Iowa Acts, chapter 133, section
42 1, subsection 3, paragraph b, is amended to read as
43 follows:
44 b. For the construction project and one-time
45 furniture, fixture, and equipment costs at the Iowa
46 correctional facility for women at Mitchellville:
47 FY 2011-2012..... \$ 3,061,556
48 FY 2012-2013..... \$ 5,391,062
49 FY 2013-2014..... \$ 26,769,040
50 Sec. 11. 2011 Iowa Acts, chapter 133, section

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1 1, subsection 10, paragraph c, is amended to read as
 2 follows:

3 c. For projects for immediate fire safety needs
 4 and for compliance with the federal Americans with
 5 Disabilities Act, at the regents institutions:
 6 FY 2011-2012..... \$ 2,000,000
 7 FY 2012-2013..... \$ 2,000,000

8 Of the amounts appropriated in this lettered
 9 paragraph, up to \$2,000,000 may be used to fund
 10 deductibles on property insurance and to provide
 11 the necessary match for funds which may be available
 12 from the federal emergency management agency for the
 13 cleanup, repair, and restoration of facilities at the
 14 state school for the deaf and the Iowa braille and
 15 sight saving school due to storm damage in the calendar
 16 year 2011, notwithstanding section 8.57, subsection 6,
 17 paragraph "c".

18 Sec. 12. 2011 Iowa Acts, chapter 133, section
 19 1, subsection 13, paragraph b, is amended to read as
 20 follows:

21 b. For the Iowa veterans home to upgrade generator
 22 emissions controls to meet required stack emissions
 23 for four generators and ~~related improvements~~ for the
 24 construction of a building that secures vehicles during
 25 nonuse and inclement weather:
 26 FY 2011-2012..... \$ 250,000

27 Sec. 13. 2011 Iowa Acts, chapter 133, section
 28 3, subsection 8, paragraph a, is amended to read as
 29 follows:

30 a. For the provision of a statewide public safety
 31 radio network and the purchase of compatible radio
 32 communications equipment with the goal of achieving
 33 compliance with the federal communications commission's
 34 narrowbanding mandate deadline, and for achieving
 35 "interoperability", as defined in section 80.28:

36 FY 2011-2012..... \$ 2,500,000
 37 FY 2012-2013..... \$ 2,500,000
 38 FY 2013-2014..... \$ 2,500,000

39 Of the amounts appropriated in this lettered
 40 paragraph, the department of public safety may
 41 enter into a public-private partnership, through a
 42 competitive bidding process, for the provision of
 43 the statewide network and the purchase of compatible
 44 equipment.

45 As a condition of this appropriation, all land
 46 mobile radio communications equipment purchased by the
 47 department of public safety shall be compliant with
 48 the federal communications commission's narrowbanding
 49 mandate and shall provide the maximum amount of
 50 statewide coverage and interoperability, throughout



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1 all phases of migration, to the department of public
 2 safety's future statewide digital radio network
 3 utilizing P-25 standards.

4 On or before January 13, 2012, the department of
 5 public safety shall provide a report to the legislative
 6 services agency and the department of management.
 7 The report shall detail the status of the funds
 8 appropriated in this subsection and shall include
 9 the estimated needs of the departments of public
 10 safety, corrections, and natural resources to achieve
 11 interoperability and to meet the federal narrowbanding
 12 mandate, any changes in estimated costs to meet those
 13 needs, and the status of requests for proposals to
 14 develop a public-private partnership.

15 Sec. 14. 2011 Iowa Acts, chapter 133, section 5,
 16 subsection 1, is amended to read as follows:

17 1. DEPARTMENT OF CORRECTIONS

18 For the construction project and one-time furniture,
 19 fixture, and equipment costs at the Iowa correctional
 20 facility for women at Mitchellville:

21 \$ 4,430,952

22 Sec. 15. EFFECTIVE UPON ENACTMENT. This division
 23 of this Act, being deemed of immediate importance,
 24 takes effect upon enactment.

25 DIVISION VI

26 MISCELLANEOUS CODE CHANGES

27 Sec. 16. Section 8.57, subsection 6, paragraph
 28 e, subparagraph (1), subparagraph division (d),
 29 subparagraph subdivision (ii), Code Supplement 2011, is
 30 amended to read as follows:

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

42 Sec. 17. Section 8.57A, subsection 4, paragraph c,
 43 Code Supplement 2011, is amended to read as follows:

44 c. There is appropriated from the rebuild Iowa
 45 infrastructure fund for the fiscal year beginning
 46 July 1, 2012, and ending June 30, 2013, the sum
 47 of ~~thirty-five~~ twenty-three million dollars to the
 48 environment first fund, notwithstanding section 8.57,
 49 subsection 6, paragraph "c".

50 Sec. 18. Section 8.57C, subsection 3, paragraph a,



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1 Code Supplement 2011, is amended to read as follows:
2 *a.* (1) There is appropriated from the general fund
3 of the state for the fiscal year beginning July 1,
4 2012, and for each subsequent fiscal year thereafter
5 ending June 30, 2013, the sum of ~~seventeen five~~ million
6 ~~five hundred thousand~~ dollars, and for the fiscal year
7 beginning July 1, 2013, and ending June 30, 2014,
8 the sum of five million dollars to the technology
9 reinvestment fund.

10 (2) There is appropriated from the general fund of
11 the state for the fiscal year beginning July 1, 2014,
12 and for each subsequent fiscal year thereafter, the sum
13 of seventeen million five hundred thousand dollars to
14 the technology reinvestment fund.

15 Sec. 19. Section 16.181A, subsection 1, Code 2011,
16 is amended by striking the subsection.

17 Sec. 20. Section 428A.8, subsection 2, paragraphs
18 d, e, and f, Code 2011, are amended to read as follows:

19 *d.* For the fiscal year beginning July 1, 2012,
20 ~~seventy-five fifty-two and one-half~~ percent of the
21 receipts shall be deposited in the general fund, ~~twenty~~
22 ~~forty-two and one-half~~ percent of the receipts shall be
23 transferred to the housing trust fund, and five percent
24 of the receipts shall be transferred to the shelter
25 assistance fund.

26 *e.* For the fiscal year beginning July 1, 2013,
27 ~~seventy forty-seven and one-half~~ percent of the
28 receipts shall be deposited in the general fund,
29 ~~twenty-five forty-seven and one-half~~ percent of the
30 receipts shall be transferred to the housing trust
31 fund, and five percent of the receipts shall be
32 transferred to the shelter assistance fund.

33 *f.* For the fiscal year beginning July 1, 2014, and
34 each succeeding fiscal year, ~~sixty-five forty-two and~~
35 ~~one-half~~ percent of the receipts shall be deposited in
36 the general fund, ~~thirty fifty-two and one-half~~ percent
37 of the receipts shall be transferred to the housing
38 trust fund, and five percent of the receipts shall be
39 transferred to the shelter assistance fund.

40 Sec. 21. Section 428A.8, subsection 3, Code 2011,
41 is amended to read as follows:

42 3. Notwithstanding subsection 2, the amount of
43 money that shall be transferred pursuant to this
44 section to the housing trust fund in any one fiscal
45 year shall not exceed ~~three six~~ million dollars. Any
46 money that otherwise would be transferred pursuant to
47 this section to the housing trust fund in excess of
48 that amount shall be deposited in the general fund of
49 the state.>

50 2. Title page, by striking lines 2 through 5 and



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1 inserting <departments, agencies, and entities from the
2 rebuild Iowa infrastructure fund and the technology
3 reinvestment fund, providing for related>

COMMITTEE ON APPROPRIATIONS
RAECKER of Polk, Chairperson



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Senate File 2219

H-8329

1 Amend Senate File 2219, as passed by the Senate, as
 2 follows:

3 1. Page 1, by striking line 1 and inserting:
 4 <Section 1. Section 256D.2A, Code 2011, is amended
 5 to read as follows:

6 **256D.2A Program funding.**

7 1. For the budget year beginning July 1, 2009, and
 8 each succeeding budget year, a school district shall
 9 expend funds received pursuant to section 257.10,
 10 subsection 11, at the kindergarten through grade three
 11 levels to reduce class sizes to the state goal of
 12 seventeen students for every one teacher and to achieve
 13 a higher level of student success in the basic skills,
 14 especially reading. In order to support these efforts,
 15 school districts may expend funds received pursuant
 16 to section 257.10, subsection 11, at the kindergarten
 17 through grade three level on programs, instructional
 18 support, and materials that include but are not limited
 19 to the following: additional licensed instructional
 20 staff; additional support for students, such as before
 21 and after school programs, tutoring, and intensive
 22 summer programs; the acquisition and administration of
 23 diagnostic reading assessments; the implementation of
 24 research-based instructional intervention programs for
 25 students needing additional support; the implementation
 26 of all-day, everyday kindergarten programs; and
 27 the provision of classroom teachers with intensive
 28 training programs to improve reading instruction and
 29 professional development in best practices including
 30 but not limited to training programs related to
 31 instruction to increase students' phonemic awareness,
 32 reading abilities, and comprehension skills.

33 2. Notwithstanding subsection 1, for the budget
 34 year beginning July 1, 2012, and each succeeding fiscal
 35 year, a school district may expend two-thirds of the
 36 funds received pursuant to section 257.10, subsection
 37 11, to pay for the costs of complying with education
 38 reform legislation enacted by the 84th General
 39 Assembly, 2012 Regular Session.

40 Sec. ____ . Section 256D.9, Code 2011, is amended to
 41 read as follows:

42 **256D.9 Future repeal.**

43 This chapter is repealed effective July 1, 2012
 44 2017.>

45 2. Title page, line 2, after <program> by inserting
 46 <and to expenditures under the program,>

47 3. By renumbering as necessary.



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COMMITTEE ON APPROPRIATIONS
RAECKER of Polk, Chairperson



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Senate File 2315

H-8330

1 Amend Senate File 2315, as amended, passed and
 2 reprinted by the Senate, as follows:

3 1. Page 74, after line 13 by inserting:

4 <DIVISION _____
 5 FUNDING PROVISIONS

6 Sec. _____. NEW SECTION. 331.424D County mental
 7 health and disabilities services fund.

8 1. For the purposes of this chapter and chapter
 9 426B, unless the context otherwise requires:

10 a. *"Base year expenditures for mental health and*
 11 *disabilities services"* means the same as defined in
 12 section 331.438, Code Supplement 2011, minus the amount
 13 the county received from the property tax relief fund
 14 pursuant to section 426B.1, Code 2011, for the fiscal
 15 year beginning July 1, 2012.

16 b. *"County population expenditure target amount"*
 17 means the product of the statewide per capita
 18 expenditure target amount multiplied by a county's
 19 general population.

20 c. *"County services fund"* means a county mental
 21 health and disabilities services fund created pursuant
 22 to this section.

23 d. *"Per capita growth amount"* means the amount by
 24 which the statewide per capita expenditure target
 25 amount may grow from one year to the next.

26 e. *"Statewide per capita expenditure target amount"*
 27 means the dollar amount of a statewide expenditure
 28 target per person as established by statute.

29 2. The county finance committee created in section
 30 333A.2 shall consult with the department of human
 31 services in adopting rules and prescribing forms for
 32 administering the county services funds.

33 3. a. For the fiscal year beginning July 1, 2013,
 34 and succeeding fiscal years, revenues from taxes
 35 and other sources designated by a county for mental
 36 health and disabilities services shall be credited
 37 to a mental health and disabilities services fund
 38 which shall be created by the county. The board shall
 39 make appropriations from the county services fund
 40 for payment of services provided under the regional
 41 service system management plan approved pursuant to
 42 section 331.439A. The county may pay for the services
 43 in cooperation with other counties by combining
 44 appropriations from the county services fund with
 45 appropriations from the county services funds of other
 46 counties, through the county's regional administrator,
 47 or through another arrangement specified in the
 48 regional governance agreement entered into by the
 49 county under section 331.438E.

50 b. Appropriations specifically authorized to be

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1 made from the county services fund shall not be made
2 from any other fund of the county.

3 4. For the fiscal year beginning July 1, 2013,
4 and succeeding fiscal years, receipts from the state
5 or federal government for the mental health and
6 disabilities services administered or paid for by a
7 county shall be credited to the county services fund,
8 including moneys distributed to the county through the
9 department of human services and moneys distributed
10 pursuant to chapter 426B to the county for property tax
11 relief.

12 5. a. For the fiscal year beginning July 1, 2013,
13 and for each subsequent fiscal year, the county shall
14 certify a levy for payment of services from the county
15 services fund. For each fiscal year, county revenues
16 from taxes levied by the county and credited to the
17 county services fund shall not exceed an amount equal
18 to the amount of the county population expenditure
19 target for the fiscal year for which the budget is
20 certified.

21 b. The county auditor and the board of supervisors
22 shall certify the levy for the county services fund as
23 required by paragraph "a". A levy certified under this
24 subsection is not subject to the provisions of section
25 331.426 or to any other provision in law authorizing a
26 county to exceed, increase, or appeal a property tax
27 levy limit.

28 Sec. _____. Section 426B.1, subsection 2, Code 2011,
29 is amended by striking the subsection and inserting in
30 lieu thereof the following:

31 2. There is appropriated from the general fund
32 of the state to the property tax relief fund for the
33 indicated fiscal years the following amounts to be used
34 as provided in this chapter:

35 a. For the fiscal year beginning July 1, 2013,
36 seventeen million three hundred thirty-one thousand six
37 hundred eighty dollars.

38 b. For the fiscal year beginning July 1, 2014,
39 thirty-six million fifty-four thousand two hundred
40 eighty dollars.

41 c. For the fiscal year beginning July 1, 2015,
42 sixty-three million one hundred thirty thousand eight
43 hundred ninety-nine dollars.

44 d. For the fiscal year beginning July 1, 2016,
45 ninety-four million three hundred fifteen thousand one
46 hundred fifty-one dollars.

47 e. For the fiscal year beginning July 1, 2017,
48 and succeeding fiscal years, one hundred twenty-five
49 million seven hundred fifty-three thousand five hundred
50 thirty-four dollars.

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1 Sec. ____ . Section 426B.2, subsections 1 and 2, Code
 2 2011, are amended by striking the subsections.
 3 Sec. ____ . Section 426B.2, subsection 3, paragraph
 4 a, Code 2011, is amended to read as follows:
 5 a. The director of human services shall draw
 6 warrants on the property tax relief fund, payable to
 7 the county treasurer in the amount due to a county in
 8 accordance with ~~subsection 1~~ paragraph "b" and section
 9 426B.3A and mail the warrants to the county auditors in
 10 July and January of each year.
 11 Sec. ____ . Section 426B.3, subsection 1, Code 2011,
 12 is amended to read as follows:
 13 1. The county auditor shall reduce the certified
 14 budget amount received from the board of supervisors
 15 for the succeeding fiscal year for the county mental
 16 health, ~~mental retardation,~~ and ~~developmental~~
 17 ~~disabilities services fund created in pursuant to~~
 18 ~~section 331.424A~~ 331.424D by an amount equal to the
 19 amount the county will receive from the property
 20 tax relief fund pursuant to section ~~426B.2~~ 426B.3A,
 21 subsection 6, for the succeeding fiscal year for
 22 purposes of replacing the designated portion of the
 23 per capita county base property tax equivalent and
 24 for any equalization payment and the auditor shall
 25 determine the rate of taxation necessary to raise the
 26 reduced amount. On the tax list, the county auditor
 27 shall compute the amount of taxes due and payable
 28 on each parcel before and after the amount received
 29 from the property tax relief fund is used to reduce
 30 the county budget. The director of human services
 31 shall notify the county auditor of each county of the
 32 amount of moneys the county will receive from the
 33 property tax relief fund pursuant to section ~~426B.2~~
 34 426B.3A, subsection 6, for the succeeding fiscal year
 35 for purposes of replacing the designated portion of
 36 the per capita county base property tax equivalent.
 37 If the amount the county will receive pursuant to
 38 section 426B.3A, for any purpose is changed after the
 39 county has certified its budget, the county board of
 40 supervisors may amend the certified budget to reflect
 41 the change and the county auditor shall revise the levy
 42 rate and amount of taxes due and payable on each parcel
 43 accordingly. Such an amendment to the budget shall be
 44 made without public hearing and without being subject
 45 to protest.
 46 Sec. ____ . **NEW SECTION. 426B.3A Per capita funding.**
 47 1. Commencing with the fiscal year beginning July
 48 1, 2013, the state and county funding for the mental
 49 health and disability services administered or paid for
 50 by counties shall be provided based on a statewide per



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1 capita expenditure target amount computed in accordance
2 with this section.

3 2. The statewide per capita expenditure target
4 amount shall consist of the sum of the following:

5 a. A county base property tax equivalent to
6 forty-one dollars and twenty-eight cents per capita.

7 b. A per capita growth amount, which may be stated
8 as a percentage of the prior fiscal year's county base
9 property tax per capita amount, as established by
10 statute.

11 3. There is appropriated each fiscal year from the
12 general fund of the state an amount necessary to pay
13 the per capita growth amount established for the fiscal
14 year.

15 4. The per capita growth amount for the fiscal year
16 beginning July 1, 2013, is three percent of the per
17 capita amount established in subsection 2, paragraph
18 "a".

19 5. The per capita growth amount established
20 by statute shall provide funding for increases in
21 non-Medicaid expenditures from county services funds
22 due to service costs, additional service populations,
23 additional core service domains, and numbers of persons
24 receiving services.

25 6. a. For the fiscal year beginning July 1, 2013,
26 each county with a county population expenditure target
27 amount that exceeds the county's base year expenditures
28 for mental health and disabilities services shall
29 receive an equalization payment in the amount of the
30 difference. The equalization payments shall be made
31 from the moneys appropriated to the property tax relief
32 fund in section 426B.1, subsection 2. The counties
33 receiving an equalization payment under this paragraph
34 shall receive an equalization payment in the same
35 amount for each succeeding fiscal year.

36 b. For the fiscal year beginning July 1, 2013, the
37 moneys appropriated to the property tax relief fund in
38 section 426B.1, subsection 2, shall be distributed to
39 provide the equalization payments required in paragraph
40 "a".

41 c. For the fiscal year beginning July 1, 2014, the
42 moneys appropriated to the property tax relief fund in
43 section 426B.1, subsection 2, shall be distributed to
44 provide the equalization payment required in paragraph
45 "a" and for the state to replace an amount equal to ten
46 dollars and forty-two cents per capita of the county
47 base property tax equivalent to forty-one dollars and
48 twenty-eight cents per capita.

49 d. For the fiscal year beginning July 1, 2015, the
50 moneys appropriated to the property tax relief fund in

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1 section 426B.1, subsection 2, shall be distributed to
2 provide the equalization payment required in paragraph
3 "a" and for the state to replace an amount equal to
4 twenty dollars and seventy-five cents per capita of
5 the county base property tax equivalent to forty-one
6 dollars and twenty-eight cents per capita.
7 e. For the fiscal year beginning July 1, 2016, the
8 moneys appropriated to the property tax relief fund in
9 section 426B.1, subsection 2, shall be distributed to
10 provide the equalization payment required in paragraph
11 "a" and for the state to replace an amount equal to
12 thirty-one dollars and seven cents per capita of
13 the county base property tax equivalent to forty-one
14 dollars and twenty-eight cents per capita.
15 f. For the fiscal year beginning July 1, 2017, and
16 each succeeding fiscal year, the moneys appropriated
17 to the property tax relief fund in section 426B.1,
18 subsection 2, shall be distributed to provide the
19 equalization payment required in paragraph "a" and
20 for the state to replace an amount equal to forty-one
21 dollars and twenty-eight cents per capita of the county
22 base property tax equivalent to forty-one dollars and
23 twenty-eight cents per capita.
24 Sec. _____. Section 426B.6, Code Supplement 2011, is
25 amended to read as follows:
26 **426B.6 Future repeal.**
27 This chapter is repealed July 1, ~~2013~~ 2018.
28 Sec. _____. EFFECTIVE DATE. The following provisions
29 of this division of this Act takes effect July 1, 2013:
30 1. The section of this Act amending section 426B.1.
31 2. The sections of this Act amending section
32 426B.2.
33 3. The section of this Act amending section 426B.3.
34 Sec. _____. APPLICABILITY. The following provisions
35 of this division of this Act are applicable commencing
36 with the budget and tax levy certification process for
37 the fiscal year beginning July 1, 2013:
38 1. The section of this Act amending section 426B.1.
39 2. The sections of this Act amending section
40 426B.2.
41 3. The section of this Act amending section
42 426B.3.>
43 2. Title page, line 4, after <regions> by inserting
44 <, making appropriations, revising related property tax
45 levy provisions,>

COMMITTEE ON APPROPRIATIONS
RAECKER of Polk, Chairperson

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Senate File 2237

H-8331

- 1 Amend Senate File 2237, as passed by the Senate, as
2 follows:
3 1. Page 2, after line 21 by inserting:
4 <Sec. _____. Section 99B.8, subsection 6, paragraph
5 b, Code 2011, is amended by adding the following new
6 subparagraph:
7 NEW SUBPARAGRAPH. (4) A qualified organization
8 that has been licensed under this chapter prior to
9 January 1, 2012, and that is a religious organization.>
10 2. Title page, line 1, after <An Act> by inserting
11 <relating to social and charitable gambling concerning
12 allowable prizes at annual game nights conducted by
13 religious organizations and>
14 3. By renumbering as necessary.

LUKAN of Dubuque



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House File 2449 - Introduced

HOUSE FILE 2449
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 2434)
(SUCCESSOR TO HSB 645)

A BILL FOR

1 An Act relating to government operations and efficiency, school
2 elections, eliminating certain tax credits, and including
3 effective date and applicability provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 agencies and departments by December 31, 2013. The department
2 shall submit a copy of the schedule to the general assembly
3 by July 31, 2012, and shall provide periodic updates to the
4 general assembly on the progress of meeting the time deadlines
5 contained in the schedule.

6 2. In procuring information technology as provided in
7 section 8A.207, the department of administrative services
8 should explore strategies of procuring information technology
9 through leasing.

DIVISION II

PERSONNEL AND BENEFITS

12 Sec. 4. NEW SECTION. **8A.440 Group health insurance —**
13 **family enrollment.**

14 1. If a state employee covered by a collective bargaining
15 agreement entered into pursuant to chapter 20 and the state
16 employee's spouse, who is also a state employee, are both
17 members of a state group health insurance plan for employees
18 of the state established under chapter 509A, the employee and
19 the spouse shall be required to enroll in a single family group
20 health insurance plan.

21 2. If a state employee not covered by a collective
22 bargaining agreement as provided in chapter 20 and the state
23 employee's spouse, who is also a state employee, are both
24 members of a state group health insurance plan for employees
25 of the state established under chapter 509A, the employee and
26 spouse shall be required to enroll in a single family group
27 health insurance plan for both state employees in the same
28 manner as is required under the collective bargaining agreement
29 that covers the greatest number of state employees in the state
30 government entity employing the state employee.

31 Sec. 5. NEW SECTION. **9.8 Employee classifications.**

32 In addition to public employees listed in section 20.4,
33 public employees of the secretary of state who hold positions
34 as information technology specialists are excluded from chapter
35 20.



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1 Sec. 6. Section 97B.1A, subsection 26, paragraph a,
 2 subparagraph (1), subparagraph division (d), Code Supplement
 3 2011, is amended to read as follows:

4 (d) For a member of the general assembly, the total
 5 compensation received by a member of the general assembly,
 6 ~~whether paid in the form of per diem or annual salary,~~
 7 ~~exclusive of expense~~ expenses, per diem, and travel allowances
 8 paid to a member of the general assembly ~~except as otherwise~~
 9 ~~provided in this subparagraph division. Wages includes per~~
 10 ~~diem payments paid to members of the general assembly during~~
 11 ~~interim periods between sessions of the general assembly.~~
 12 ~~Wages also includes daily allowances to members of the general~~
 13 ~~assembly for nontravel expenses of office during a session of~~
 14 ~~the general assembly, but does not include the portion of the~~
 15 ~~daily allowance which exceeds the maximum established by law~~
 16 ~~for members from Polk county.~~

17 Sec. 7. Section 97B.1A, subsection 26, paragraph a,
 18 subparagraph (2), subparagraph divisions (h) and (i), Code
 19 Supplement 2011, are amended to read as follows:

20 (h) Reimbursements of employee business expenses ~~except for~~
 21 ~~those expenses included as wages for a member of the general~~
 22 ~~assembly.~~

23 (i) Payments for allowances ~~except for those allowances~~
 24 ~~included as wages for a member of the general assembly.~~

25 Sec. 8. GROUP HEALTH INSURANCE COVERAGE FOR STATE
 26 EMPLOYEES.

27 1. The state's executive and judicial branch authorities
 28 responsible for negotiating the collective bargaining
 29 agreements entered into under chapter 20 shall engage in
 30 discussions with the applicable state employee organizations
 31 to renegotiate provisions involving health insurance coverage
 32 of state employees and their families in order to achieve cost
 33 savings for the state. The discussions shall include but
 34 are not limited to a requirement for a state employee who is
 35 covered by a collective bargaining agreement and whose spouse

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1 is also a state employee, where both the state employee covered
2 by the agreement and the spouse are members of a state group
3 health insurance plan for employees of the state established
4 under chapter 509A, to enroll in a single family group health
5 insurance plan for both state employees.

6 2. If collective bargaining agreements are renegotiated
7 to achieve cost savings pursuant to subsection 1, the cost
8 savings provisions shall also apply to state employees who are
9 not covered by collective bargaining as provided in chapter
10 20 and are members of a state group health insurance plan for
11 employees of the state established under chapter 509A.

12 3. Beginning on the effective date of this section, a state
13 legislator or legislative staff member whose spouse is a state
14 employee, where both employees are members of a state group
15 health insurance plan for employees of the state established
16 under chapter 509A, shall be required to enroll in a single
17 family group health insurance plan for both employees.

18 Sec. 9. DEPARTMENT OF ADMINISTRATIVE SERVICES —
19 HUMAN RESOURCES ADMINISTRATION STUDY. The department of
20 administrative services shall conduct a study to examine the
21 feasibility of issuing a request for proposals to enter into
22 a contract with a private entity for the provision of human
23 resources services provided by the department of administrative
24 services for state employees, to include management of
25 human resources, employee benefits, payroll, payroll tax
26 administration, and workers' compensation. The study shall
27 identify potential cost savings, legal requirements, and other
28 relevant issues, in considering entering into a contract with a
29 private entity for the provision of human resources services
30 for state employees. The department shall submit a report to
31 the general assembly detailing the results of its study by
32 January 1, 2013.

33 Sec. 10. APPLICABILITY. The section of this division
34 of this Act enacting section 8A.440, applies to collective
35 bargaining agreements entered into on or after the effective

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1 date of that section of this division of this Act.
 2 Sec. 11. EFFECTIVE UPON ENACTMENT. The following sections
 3 of this division of this Act, being deemed of immediate
 4 importance, take effect upon enactment:
 5 1. The section of this division enacting section 8A.440.
 6 2. The section of this division relating to group health
 7 insurance coverage for state employees.
 8 3. The section of this division relating to applicability.

9 DIVISION III

10 MEDICATION THERAPY MANAGEMENT

11 Sec. 12. NEW SECTION. **8A.441 Medication therapy management.**

12 1. As used in this section, unless the context otherwise
 13 requires:
 14 *a. "Eligible employee"* means an employee of the state, with
 15 the exception of an employee of the state board of regents or
 16 institutions under the state board of regents, for whom group
 17 health plans are established pursuant to chapter 509A providing
 18 for third-party payment or prepayment for health or medical
 19 expenses.
 20 *b. "Medication therapy management"* means a systematic
 21 process performed by a licensed pharmacist, designed to improve
 22 quality outcomes for patients and lower health care costs,
 23 including emergency room, hospital, provider, and other costs,
 24 by optimizing appropriate medication use linked directly to
 25 achievement of the clinical goals of therapy. Medication
 26 therapy management shall include all of the following services:
 27 (1) A medication therapy review and in-person consultation
 28 relating to all medications, vitamins, and herbal supplements
 29 currently being taken by an eligible individual.
 30 (2) A medication action plan, subject to the limitations
 31 specified in this section, communicated to the individual and
 32 the individual's primary care physician or other appropriate
 33 prescriber to address issues including appropriateness,
 34 effectiveness, safety, drug interactions, and adherence. The
 35 medication action plan may include drug therapy recommendations

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1 to prescribers that are needed to meet clinical goals and
2 achieve optimal patient outcomes.

3 (3) Documentation and follow-up to ensure consistent levels
4 of pharmacy services and positive outcomes.

5 2. a. The department shall utilize a request for proposals
6 process and shall enter into a contract for the provision of
7 medication therapy management services for eligible employees
8 who meet any of the following criteria:

9 (1) An individual who takes four or more prescription drugs
10 to treat or prevent two or more chronic medical conditions.

11 (2) An individual with a prescription drug therapy problem
12 who is identified by the prescribing physician or other
13 appropriate prescriber, and referred to a pharmacist for
14 medication therapy management services.

15 (3) An individual who meets other criteria established by
16 the third-party payment provider contract, policy, or plan.

17 b. The contract shall require the entity to provide annual
18 reports to the general assembly detailing the costs, savings,
19 estimated cost avoidance and return on investment, and improved
20 patient outcomes related to the medication therapy management
21 services provided. The entity shall guarantee demonstrated
22 annual savings for overall health care costs, including
23 emergency room, hospital, provider, and other costs, with
24 savings including associated cost avoidance, at least equal
25 to the program's costs with any shortfall amount refunded to
26 the state. The contract shall include terms, conditions,
27 and applicable measurement standards associated with the
28 demonstration of savings. The department shall verify the
29 demonstrated savings reported by the entity were achieved in
30 accordance with the agreed upon measurement standards. The
31 entity shall be prohibited from using the entity's employees to
32 provide the medication therapy management services and shall
33 instead be required to contract with licensed pharmacies,
34 pharmacists, or physicians.

35 c. The department may establish an advisory committee

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1 comprised of an equal number of physicians and pharmacists
 2 to provide advice and oversight in evaluating the results of
 3 the program. The department shall appoint the members of the
 4 advisory committee based upon designees of the Iowa pharmacy
 5 association, the Iowa medical society, and the Iowa osteopathic
 6 medical association.

7 *d.* The fees for pharmacist-delivered medication therapy
 8 management services shall be separate from the reimbursement
 9 for prescription drug product or dispensing services; shall
 10 be determined by each third-party payment provider contract,
 11 policy, or plan; and must be reasonable based on the resources
 12 and time required to provide the service.

13 *e.* A fee shall be established for physician reimbursement
 14 for services delivered for medication therapy management as
 15 determined by each third-party payment provider contract,
 16 policy, or plan, and must be reasonable based on the resources
 17 and time required to provide the service.

18 *f.* If any part of the medication therapy management
 19 plan developed by a pharmacist incorporates services which
 20 are outside the pharmacist's independent scope of practice
 21 including the initiation of therapy, modification of dosages,
 22 therapeutic interchange, or changes in drug therapy, the
 23 express authorization of the individual's physician or other
 24 appropriate prescriber is required.

25 Sec. 13. EFFECTIVE UPON ENACTMENT. This division of this
 26 Act, being deemed of immediate importance, takes effect upon
 27 enactment.

DIVISION IV

IOWA LAW ENFORCEMENT ACADEMY

30 Sec. 14. IOWA LAW ENFORCEMENT ACADEMY — CURRICULUM AND
 31 COURSE EFFICIENCIES. The director of the Iowa law enforcement
 32 academy, in consultation with the Iowa law enforcement academy
 33 council, shall examine its course offerings to law enforcement
 34 officers with the goal of offering core courses to all law
 35 enforcement officers instead of offering distinct courses to

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1 different groupings of law enforcement officers.

2 DIVISION V

3 STATE PHYSICAL RESOURCES

4 Sec. 15. STATE EMPLOYEE WORK ENVIRONMENT ANALYSIS
5 AND REPORT. By September 30, 2012, the department of
6 administrative services shall conduct a high level needs
7 analysis of state employee work stations and office standards,
8 assessing square footage needs, and focusing on reducing
9 state office space costs while creating healthy, productive,
10 and efficient work environments. Overall objectives of the
11 analysis shall include improving employee density; properly
12 allocating space for individual and group work; improving
13 worker health and safety; improving technology integration;
14 and improving energy efficiency and sustainability in
15 state offices. The department shall submit findings and
16 recommendations to the capitol planning commission and to the
17 legislative government oversight committees by October 30,
18 2012.

19 Sec. 16. DEPARTMENT OF NATURAL RESOURCES — REAL PROPERTY
20 INVENTORY AND REPORT.

21 1. The department of natural resources shall conduct
22 an inventory of all real property under the control of the
23 department and shall submit a report to the general assembly
24 providing detailed information relative to this inventory by
25 January 1, 2013.

26 2. The inventory and report submitted by the department
27 shall include all of the following information concerning real
28 property owned by or under the control of the department of
29 natural resources:

30 a. The location and acreage of each parcel of real property.

31 b. The approximate fair market value of each parcel of real
32 property.

33 c. Current utilization of each parcel of real property, to
34 include whether the land has been used for farming, hunting, or
35 other recreational purposes, and the extent of each use for a

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1 particular purpose in the previous five years.

2 d. Information on whether a particular parcel of real
3 property is leased and if the parcel is leased, information
4 on the process used to lease the property and the terms of
5 the lease, including the length of the lease, rental payment
6 requirements, and any other provisions relative to terminating
7 or extending the lease.

8 e. How the department acquired each parcel of real property,
9 such as through gift, devise, or purchase by the department,
10 and whether any restrictions exist on the department's ability
11 to sell the real property.

12 Sec. 17. NEW SECTION. **455A.14 Agricultural land —**
13 **restrictions.**

14 The department shall not purchase real property that is
15 agricultural land as defined in section 9H.1.

16 Sec. 18. **EFFECTIVE UPON ENACTMENT.** This division of this
17 Act, being deemed of immediate importance, takes effect upon
18 enactment.

DIVISION VI

FILM PROJECT AND TAX CREDIT PROGRAM

21 Sec. 19. Section 2.48, subsection 3, paragraph c,
22 subparagraph (5), Code 2011, is amended by striking the
23 subparagraph.

24 Sec. 20. Section 15.119, subsection 2, paragraph b, Code
25 Supplement 2011, is amended by striking the paragraph.

26 Sec. 21. Section 422.7, subsection 52, Code Supplement
27 2011, is amended by striking the subsection.

28 Sec. 22. Section 422.33, subsections 23 and 24, Code
29 Supplement 2011, are amended by striking the subsections.

30 Sec. 23. Section 422.35, subsection 23, Code Supplement
31 2011, is amended by striking the subsection.

32 Sec. 24. Section 422.60, subsections 10 and 11, Code
33 Supplement 2011, are amended by striking the subsections.

34 Sec. 25. Section 533.329, subsection 2, paragraphs f and g,
35 Code Supplement 2011, are amended by striking the paragraphs.

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1 Sec. 26. REPEAL. Sections 15.391, 15.392, 15.393, 422.11T,
 2 422.11U, 432.12J, and 432.12K, Code and Code Supplement 2011,
 3 are repealed.

4 Sec. 27. EFFECTIVE UPON ENACTMENT. This division of this
 5 Act, being deemed of immediate importance, takes effect upon
 6 enactment.

7 Sec. 28. RETROACTIVE APPLICABILITY. This division of this
 8 Act applies retroactively to January 1, 2012, for tax years
 9 beginning on or after that date.

10 Sec. 29. APPLICABILITY. This division of this Act does not
 11 apply to contracts or agreements entered into on or before the
 12 effective date of this division of this Act.

DIVISION VII

HUMAN SERVICES — FOOD ASSISTANCE PROGRAM

15 Sec. 30. FOOD ASSISTANCE PROGRAM — AUTHORITY TO RESTRICT
 16 USE OF BENEFITS. The department of human services shall submit
 17 a request to the United States department of agriculture for
 18 authorization for a waiver, pilot project, or other approach
 19 for restricting the use of food assistance benefits, as
 20 administered by the state under the federal supplemental
 21 nutrition assistance program, for food items with a low
 22 nutritional value. The request shall be submitted within 60
 23 days of the effective date of this division of this Act. The
 24 department shall regularly report on the status of the request
 25 to the members of the joint appropriations subcommittee on
 26 health and human services and the legislative services agency.

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

DIVISION VIII

MENTAL HEALTH SERVICES

32 Sec. 32. Section 225C.6, subsection 1, paragraph k, Code
 33 Supplement 2011, is amended to read as follows:

34 *k.* Coordinate activities with the governor's developmental
 35 disabilities council and the mental health planning council,

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1 created pursuant to federal law. The commission shall receive
 2 any official reports from the two councils and shall consider
 3 any recommendations made in the reports. The commission shall
 4 work with other state agencies on coordinating, collaborating,
 5 and communicating concerning activities involving persons with
 6 disabilities.

7 Sec. 33. Section 426B.5, subsection 2, paragraph c, Code
 8 Supplement 2011, is amended to read as follows:

9 c. A The mental health and disability services commission
 10 created in section 225C.5 shall serve as the risk pool board
 11 is created and shall fulfill the duties of the risk pool board
 12 in accordance with this section. ~~The board shall consist of~~
 13 ~~two county supervisors, two county auditors, a member of the~~
 14 ~~mental health and disability services commission who is not a~~
 15 ~~member of a county board of supervisors, a member of the county~~
 16 ~~finance committee created in chapter 333A who is not an elected~~
 17 ~~official, a representative of a provider of mental health or~~
 18 ~~developmental disabilities services selected from nominees~~
 19 ~~submitted by the Iowa association of community providers, and~~
 20 ~~two central point of coordination process administrators,~~
 21 ~~all appointed by the governor, and one member appointed by~~
 22 ~~the director of human services. All members appointed by~~
 23 ~~the governor shall be subject to confirmation by the senate.~~
 24 ~~Members shall serve for three-year terms. A vacancy shall~~
 25 ~~be filled in the same manner as the original appointment.~~
 26 ~~Expenses and other costs of the risk pool board members~~
 27 ~~representing counties shall be paid by the county of origin.~~
 28 ~~Expenses and other costs of risk pool board members who do~~
 29 ~~not represent counties shall be paid from a source determined~~
 30 ~~by the governor.~~ The mental health and disability services
 31 commission may appoint a risk pool advisory committee which may
 32 include the interests comprising the risk pool board under this
 33 section, Code 2011, to make recommendations to the commission
 34 regarding the risk pool board decisions and other functions
 35 required by this section. ~~Staff assistance to the for risk~~

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1 pool board decision making shall be provided by the department
 2 of human services and counties. Actuarial expenses and other
 3 direct administrative costs shall be charged to the pool.

4 DIVISION IX

5 ELECTRONIC COMMUNICATIONS

6 Sec. 34. Section 22.7, Code Supplement 2011, is amended by
 7 adding the following new subsection:

8 NEW SUBSECTION. 65. Electronic mail addresses of
 9 individuals collected by state departments and agencies for the
 10 purpose of electronic communications.

11 Sec. 35. STATE DEPARTMENT AND AGENCY LIMITATIONS ON
 12 MAIL. Notwithstanding any provision of the law to the
 13 contrary, a state department or agency shall provide
 14 departmental or agency notices or information through the
 15 department's or agency's internet site or through electronic
 16 mail to the fullest extent possible. This requirement shall
 17 not apply to department and agency communications required for
 18 purposes of pursuing legal action or to comply with federal
 19 law. Departments and agencies shall have rulemaking authority
 20 to implement this section and to collect electronic mail
 21 addresses for the purpose of electronic communications.

22 DIVISION X

23 STATE RECORDS

24 Sec. 36. Section 96.11, subsection 11, Code 2011, is amended
 25 to read as follows:

26 11. *Destruction of records.* The department may destroy
 27 or dispose of such original reports or records as have been
 28 properly recorded or summarized in the permanent records of
 29 the department and are deemed by the director and the ~~state~~
 30 ~~records commission~~ department of cultural affairs to be no
 31 longer necessary to the proper administration of this chapter.
 32 Wage records of the individual worker or transcripts therefrom
 33 may be destroyed or disposed of, if approved by the ~~state~~
 34 ~~records commission~~ department of cultural affairs, two years
 35 after the expiration of the period covered by such wage records

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1 or upon proof of the death of the worker. Such destruction
 2 or disposition shall be made only by order of the director in
 3 consultation with the ~~state records commission~~ department of
 4 cultural affairs. Any moneys received from the disposition of
 5 such records shall be deposited to the credit of the employment
 6 security administration fund, subject to rules promulgated by
 7 the department.

8 Sec. 37. Section 305.2, subsection 2, Code 2011, is amended
 9 to read as follows:

10 2. "*Archives*" means records that have been appraised by
 11 the ~~state records commission~~ department as having sufficient
 12 historical, research, evidential, or informational value to
 13 warrant permanent preservation and that have been transferred
 14 to the custody of the state archives.

15 Sec. 38. Section 305.2, subsections 3 and 5, Code 2011, are
 16 amended by striking the subsections.

17 Sec. 39. Section 305.2, Code 2011, is amended by adding the
 18 following new subsection:

19 NEW SUBSECTION. 4A. "*Department*" means the department of
 20 cultural affairs.

21 Sec. 40. Section 305.2, subsection 10, Code 2011, is amended
 22 to read as follows:

23 10. "*Records series retention and disposition schedule*"
 24 means a timetable established by the ~~state records commission~~
 25 department that describes the length of time a records series
 26 of an agency or multiple agencies must be retained in active
 27 and inactive status and provides authorization for a final
 28 disposition of the records series by destruction or permanent
 29 retention.

30 Sec. 41. Section 305.4, unnumbered paragraph 1, Code 2011,
 31 is amended to read as follows:

32 The ~~commission~~ department shall adopt government information
 33 policies, standards, and guidelines to do all of the following:

34 Sec. 42. Section 305.8, subsection 1, unnumbered paragraph
 35 1, Code 2011, is amended to read as follows:



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1 The ~~commission~~ department shall do all of the following:
2 Sec. 43. Section 305.8, subsection 1, Code 2011, is amended
3 by adding the following new paragraph:

4 NEW PARAGRAPH. *0e.* Provide training, advice, and counsel
5 to agencies on government information policies, standards, and
6 guidelines.

7 Sec. 44. Section 305.8, subsection 1, Code 2011, is amended
8 by adding the following new paragraphs:

9 NEW PARAGRAPH. *0f.* Develop and distribute operating
10 procedures for agencies to use to implement the plans,
11 policies, standards, and guidelines adopted by the department.

12 NEW PARAGRAPH. *00f.* Manage any centralized records storage
13 facility established by the department for the temporary
14 storage of agency records prior to their final disposition by
15 destruction or permanent preservation in accordance with the
16 records series retention and disposition schedules.

17 NEW PARAGRAPH. *000f.* Appoint a state archivist to head the
18 state archives and records program.

19 NEW PARAGRAPH. *0000f.* Manage the state archives and develop
20 operating procedures for the transfer, accession, arrangement,
21 description, preservation, protection, and public access of
22 those records the department identifies as having permanent
23 value.

24 NEW PARAGRAPH. *00000f.* Maintain physical custody and legal
25 custody of archives that have been transferred and delivered
26 to the state archives.

27 (1) Upon receipt by the state archivist, the archives shall
28 not be removed without the state archivist's consent except in
29 response to a subpoena of a court of record or in accordance
30 with approved records series retention and disposition
31 schedules or after review and approval of the department.

32 (2) Upon request, the state archivist shall make a certified
33 copy of any record in the legal custody or in the physical
34 custody of the state archivist, or a certified transcript
35 of any record if reproduction is inappropriate because of



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1 legal or physical considerations. If a copy or transcript is
 2 properly authenticated, it has the same legal effect as though
 3 certified by the officer from whose office it was transferred
 4 or by the secretary of state. The department shall establish
 5 reasonable fees for certified copies or certified transcripts
 6 of records in the legal custody or physical custody of the
 7 state archivist.

8 NEW PARAGRAPH. *000000f.* Establish, maintain, and administer
 9 an archive of records created and maintained in electronic
 10 format in order to preserve and provide public access to state
 11 government records identified as having permanent historical
 12 value by the department.

13 Sec. 45. Section 305.8, subsection 1, Code 2011, is amended
 14 by adding the following new paragraph:

15 NEW PARAGRAPH. *Oi.* Establish rates to be charged an agency
 16 by the department for storage and retention of records of
 17 the agency in a records storage facility maintained by the
 18 department. Rates established shall be reviewed annually by
 19 the department and shall be reasonably related to the cost of
 20 storing and retaining records of an agency.

21 Sec. 46. Section 305.8, subsection 2, unnumbered paragraph
 22 1, Code 2011, is amended to read as follows:

23 The ~~commission~~ department may do all of the following:

24 Sec. 47. Section 305.8, subsection 2, Code 2011, is amended
 25 by adding the following new paragraph:

26 NEW PARAGRAPH. *Og.* Upon written consent of the state
 27 archivist, accept records of political subdivisions that are
 28 voluntarily transferred to the state archives.

29 Sec. 48. Section 305.8, subsection 2, paragraph e, Code
 30 2011, is amended to read as follows:

31 *e.* Make, or cause to be made, preservation duplicates of
 32 records, which may include existing copies of original state
 33 records. Any preservation duplicate record shall be durable,
 34 accurate, complete, and clear, and shall be made by means
 35 designated by the ~~commission~~ department.



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1 Sec. 49. NEW SECTION. 305.8A Records retention and storage
2 costs — billing — internal service fund.

3 1. The department may bill an agency for records storage
4 and retention services rendered by the department pursuant to
5 the rates established by the department for these services.
6 The department shall periodically render a billing statement
7 to an agency outlining the cost of services provided. The
8 amount indicated on the statement shall be paid by the agency
9 and amounts received by the department shall be considered
10 repayment receipts as defined in section 8.2, and deposited
11 into the accounts of the department.

12 2. a. The department may establish and maintain an internal
13 service fund in accordance with generally accepted accounting
14 principles, as defined in section 8.57, for the records storage
15 and retention activities of the department which are primarily
16 funded from billings to agencies for services rendered by the
17 department.

18 b. The internal service fund shall be administered by
19 the department and shall consist of moneys collected by the
20 department from billings issued in accordance with this section
21 and any other moneys obtained or accepted by the department,
22 including but not limited to gifts, loans, donations, grants,
23 and contributions, which are designated to support the
24 activities of the internal service fund.

25 c. The proceeds of the internal service fund established
26 pursuant to this section shall be used by the department
27 for the operations of the department in records storage and
28 retention consistent with this chapter.

29 d. Section 8.33 does not apply to any moneys in the
30 internal service fund established pursuant to this section.
31 Notwithstanding section 12C.7, subsection 2, interest or
32 earnings on moneys deposited in the fund shall be credited to
33 the fund.

34 e. The director of the department shall annually provide
35 financial information and reports relative to the internal

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1 service fund established pursuant to this section to the
 2 department of management and the general assembly. The
 3 information provided may include the recommendation that a
 4 portion of unexpended net income be periodically returned to
 5 the appropriate funding source.

6 Sec. 50. Section 305.10, subsection 1, paragraphs c, d, e,
 7 f, and j, Code 2011, are amended to read as follows:

8 *c.* Cooperate with the ~~state records commission~~ department
 9 and the state archives and records program in the development
 10 and implementation of government information policies,
 11 standards, and guidelines, and in the development and
 12 implementation of records series retention and disposition
 13 schedules.

14 *d.* Comply with requests from the ~~state records commission~~
 15 ~~or department~~ and the state archives and records program to
 16 examine records in the possession, constructive possession, or
 17 control of the agency in order to carry out the purposes of
 18 this chapter.

19 *e.* Inventory agency records in accordance with ~~state~~
 20 ~~records commission~~ department policies to draft records series
 21 retention and disposition schedules.

22 *f.* Identify vital operating records in accordance with
 23 the policies, standards, and guidelines of the ~~state records~~
 24 ~~commission~~ department.

25 *j.* Provide for compliance with this chapter and the rules
 26 adopted by the ~~state records commission~~ department.

27 Sec. 51. Section 305.10, subsection 2, Code 2011, is amended
 28 to read as follows:

29 2. Agency heads may petition the ~~state records commission~~
 30 department to create or modify government information policies,
 31 standards, and guidelines, and to create or modify records
 32 series retention and disposition schedules.

33 Sec. 52. Section 305.11, Code 2011, is amended to read as
 34 follows:

35 **305.11 Termination of state agency — records transfer.**



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1 Upon the termination of a state agency whose functions have
2 not been transferred to another agency, custody of the records
3 of the agency shall transfer to the ~~commission~~ department.

4 Sec. 53. Section 305.14, Code 2011, is amended to read as
5 follows:

6 **305.14 Liability precluded.**

7 No ~~member~~ employee of the ~~commission~~ department or head of
8 an agency shall be held liable for damages or loss, or civil
9 or criminal liability, because of the destruction of public
10 records pursuant to the provisions of this chapter or any other
11 law authorizing their destruction.

12 Sec. 54. Section 305.15, Code 2011, is amended to read as
13 follows:

14 **305.15 Exemptions — duties of state department of
15 transportation and state board of regents.**

16 The state department of transportation and the agencies and
17 institutions under the control of the state board of regents
18 are exempt from the state records manual and the provisions of
19 this chapter. However, the state department of transportation
20 and the state board of regents shall adopt rules pursuant to
21 chapter 17A for their employees, agencies, and institutions
22 that are consistent with the objectives of this chapter.
23 The rules shall be approved by the ~~state records commission~~
24 department.

25 Sec. 55. Section 305.16, subsection 6, paragraph b,
26 subparagraph (1), Code 2011, is amended to read as follows:

27 (1) Serve in an advisory capacity to the ~~state records~~
28 ~~commission~~ department, the state archives and records program,
29 and other statewide archival or records agencies.

30 Sec. 56. Section 321.31, subsection 1, paragraph b, Code
31 2011, is amended to read as follows:

32 *b.* The department may make photostatic, microfilm, or other
33 photographic copies of certificates of title, registration
34 receipts, or other records, reports or documents which are
35 required to be retained by the department. When copies have



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1 been made, the department may destroy the original records in
 2 such manner as prescribed by the director. The photostatic,
 3 microfilm, or other photographic copies, when no longer of use,
 4 may be destroyed in the manner prescribed by the director,
 5 subject to the approval of the ~~state records commission~~
 6 department of cultural affairs. Photostatic, microfilm, or
 7 other photographic copies of records shall be admissible in
 8 evidence when duly certified and authenticated by the officer
 9 having custody and control of the copies of records. Records
 10 of vehicle certificates of title may be destroyed seven years
 11 after the date of issue.

12 Sec. 57. REPEAL. Sections 305.3, 305.5, 305.6, 305.7, and
 13 305.9, Code 2011, are repealed.

14 Sec. 58. IOWA BUILDING — CENTRALIZED RECORDS STORAGE
 15 FACILITY. The department of cultural affairs shall utilize the
 16 Iowa building as the centralized records storage facility for
 17 records received by the department upon the conclusion of the
 18 existing lease for the building currently utilized for this
 19 purpose. The department, in collaboration with the department
 20 of administrative services, shall conduct an assessment of the
 21 Iowa building and shall identify space within the building
 22 that can be utilized for this purpose. If modifications
 23 or renovations to the Iowa building are necessary for the
 24 department to utilize space in the building for a centralized
 25 records storage facility, the department, in collaboration with
 26 the department of administrative services, shall determine the
 27 estimated cost of the modifications or renovations needed and
 28 shall provide this information to the general assembly.

29 Sec. 59. ADMINISTRATIVE RULES — TRANSITION PROVISIONS.

30 1. Any rule, regulation, form, order, or directive
 31 promulgated by the state records commission relative to the
 32 provisions of this Act in existence on the effective date of
 33 this division of this Act shall continue in full force and
 34 effect until amended, repealed, or supplemented by affirmative
 35 action of the department of cultural affairs under the duties



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1 and powers established in this division of this Act and under
 2 the procedure established in subsection 2.

3 2. In regard to updating references and format in the Iowa
 4 administrative code in order to correspond to the transferring
 5 of duties as established in this division of this Act, the
 6 administrative rules coordinator and the administrative rules
 7 review committee, in consultation with the administrative code
 8 editor, shall jointly develop a schedule for the necessary
 9 updating of the Iowa administrative code.

10

DIVISION XI

11

LOCAL GOVERNMENT

12 Sec. 60. Section 39.2, subsection 4, paragraph c, Code 2011,
 13 is amended to read as follows:

14 c. For a school district or merged area, in the odd-numbered
 15 year, the first Tuesday in February, the first Tuesday in
 16 April, the last Tuesday in June, or the ~~second~~ first Tuesday
 17 ~~in September~~ after the first Monday in November. For a school
 18 district or merged area, in the even-numbered year, the first
 19 Tuesday in February, the first Tuesday in April, the second
 20 Tuesday in September, or the first Tuesday in December.

21 Sec. 61. Section 260C.12, subsection 1, Code 2011, is
 22 amended to read as follows:

23 1. The board of directors of the merged area shall organize
 24 at the first regular meeting in ~~October~~ December following the
 25 regular school election. Organization of the board shall be
 26 effected by the election of a president and other officers from
 27 the board membership as board members determine. The board
 28 of directors shall appoint a secretary and a treasurer who
 29 shall each give bond as prescribed in section 291.2 and who
 30 shall each receive the salary determined by the board. The
 31 secretary and treasurer shall perform duties under chapter 291
 32 and additional duties the board of directors deems necessary.
 33 However, the board may appoint one person to serve as the
 34 secretary and treasurer. If one person serves as the secretary
 35 and treasurer, only one bond is necessary for that person. The

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1 frequency of meetings other than organizational meetings shall
2 be as determined by the board of directors but the president
3 or a majority of the members may call a special meeting at any
4 time.

5 Sec. 62. Section 260C.13, subsection 1, Code 2011, is
6 amended to read as follows:

7 1. The board of a merged area may change the number of
8 directors on the board and shall make corresponding changes
9 in the boundaries of director districts. Changes shall be
10 completed not later than ~~June~~ August 1 of the year of the
11 regular school election. As soon as possible after adoption
12 of the boundary changes, notice of changes in the director
13 district boundaries shall be submitted by the merged area to
14 the county commissioner of elections in all counties included
15 in whole or in part in the merged area.

16 Sec. 63. Section 273.8, subsection 2, paragraphs a and b,
17 Code 2011, are amended to read as follows:

18 a. Notice of the election shall be published by the area
19 education agency administrator not later than ~~July~~ September 15
20 of the odd-numbered year in at least one newspaper of general
21 circulation in the director district. The cost of publication
22 shall be paid by the area education agency.

23 b. A candidate for election to the area education agency
24 board shall file a statement of candidacy with the area
25 education agency secretary not later than ~~August~~ October 15 of
26 the odd-numbered year, on forms prescribed by the department
27 of education. The statement of candidacy shall include the
28 candidate's name, address, and school district. The list of
29 candidates shall be sent by the secretary of the area education
30 agency in ballot form by certified mail to the presidents of
31 the boards of directors of all school districts within the
32 director district not later than ~~September~~ November 1. In
33 order for the ballot to be counted, the ballot must be received
34 in the secretary's office by the end of the normal business
35 day on ~~September~~ November 30 or be clearly postmarked by an

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1 officially authorized postal service not later than ~~September~~
2 November 29 and received by the secretary not later than noon
3 on the first Monday following ~~September~~ November 30.

4 Sec. 64. Section 273.8, subsection 4, paragraph a, Code
5 2011, is amended to read as follows:

6 a. The board of directors of each area education agency
7 shall meet and organize at the first regular meeting in ~~October~~
8 December following the regular school election at a suitable
9 place designated by the president. Directors whose terms
10 commence at the organizational meeting shall qualify by taking
11 the oath of office required by section 277.28 at or before the
12 organizational meeting.

13 Sec. 65. Section 273.8, subsection 6, Code 2011, is amended
14 to read as follows:

15 6. *Change in directors.* The board of an area education
16 agency may change the number of directors on the board and
17 shall make corresponding changes in the boundaries of director
18 districts. Changes shall be completed not later than ~~July~~
19 September 1 of a ~~fiscal~~ the odd-numbered year for the director
20 district conventions to be held the following ~~September~~
21 November.

22 Sec. 66. Section 277.1, Code 2011, is amended to read as
23 follows:

24 **277.1 Regular election.**

25 The regular election shall be held biennially on the ~~second~~
26 first Tuesday in September after the first Monday in November
27 of each odd-numbered year in each school district for the
28 election of officers of the district and merged area and for
29 the purpose of submitting to the voters any matter authorized
30 by law.

31 Sec. 67. Section 277.20, Code 2011, is amended to read as
32 follows:

33 **277.20 Canvassing returns.**

34 ~~On the next Friday after~~ After the regular school election,
35 the county board of supervisors shall canvass the returns



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1 made to the county commissioner of elections from the several
 2 precinct polling places and the absentee ballot counting board,
 3 ascertain the result of the voting with regard to every matter
 4 voted upon and cause a record to be made thereof, all as
 5 required by section 50.24. Special elections held in school
 6 districts shall be canvassed at the time and in the manner
 7 required by that section. The board shall declare the results
 8 of the voting for members of boards of directors of school
 9 corporations nominated pursuant to section 277.4, and the
 10 commissioner shall at once issue a certificate of election to
 11 each person declared elected. The board shall also declare the
 12 results of the voting on any public question submitted to the
 13 voters of a single school district, and the commissioner shall
 14 certify the result as required by section 50.27.

15 The abstracts of the votes cast for members of the board
 16 of directors of any merged area, and of the votes cast on any
 17 public question submitted to the voters of any merged area,
 18 shall be promptly certified by the commissioner to the county
 19 commissioner of elections who is responsible under section 47.2
 20 for conducting the elections held for that merged area.

21 Sec. 68. EFFECTIVE DATE. This division of this Act takes
 22 effect January 1, 2014.

DIVISION XII

LOCAL GOVERNMENTS — ELECTRONIC PAYMENT

25 Sec. 69. LOCAL GOVERNMENTS — ELECTRONIC PAYMENT. Local
 26 governments shall encourage persons to pay fees and taxes
 27 collected by local governments by credit or debit card or
 28 other electronic means of payment. In authorizing payment
 29 by electronic means, a local government shall seek to reduce
 30 convenience or other handling fees charged by the local
 31 government if electronic means of payment are used. Handling
 32 or other fees charged should be limited to the actual cost of
 33 authorizing that means of payment and should not be utilized to
 34 raise additional revenue.

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COMMODITY ORGANIZATION AUDITS

1
2 Sec. 70. Section 182.18, subsection 1, Code 2011, is amended
3 to read as follows:

4 1. Moneys collected under this chapter are subject to audit
5 by the auditor of state and shall be used by the Iowa sheep and
6 wool promotion board first for the payment of collection and
7 refund expenses, second for payment of the costs and expenses
8 arising in connection with conducting referendums, and third
9 for the purposes identified in section 182.11, ~~and fourth for~~
10 ~~the cost of audits for the auditor of state.~~ Moneys of the
11 board remaining after a referendum is held at which a majority
12 of the voters favor termination of the board and the assessment
13 shall continue to be expended in accordance with this chapter
14 until exhausted. ~~The auditor of state may seek reimbursement~~
15 ~~for the cost of the audit.~~

16 Sec. 71. Section 184.14, subsection 2, Code 2011, is amended
17 to read as follows:

18 2. Moneys collected, deposited in the fund, and transferred
19 to the council as provided in this chapter are subject to
20 audit by the auditor of state. ~~The auditor of state may~~
21 ~~seek reimbursement for the cost of the audit.~~ The moneys
22 transferred to the council shall be used by the council first
23 for the payment of collection expenses, second for payment of
24 the costs and expenses arising in connection with conducting
25 referendums, and third to perform the functions and carry out
26 the duties of the council as provided in this chapter, ~~and~~
27 ~~fourth for the cost of audits by the auditor of state.~~ Moneys
28 remaining after the council is abolished and the imposition of
29 an assessment is terminated pursuant to a referendum conducted
30 pursuant to section 184.5 shall continue to be expended in
31 accordance with this chapter until exhausted.

32 Sec. 72. Section 184A.6, subsection 2, Code 2011, is amended
33 to read as follows:

34 2. The council shall expend moneys from the account first
35 for the payment of expenses for the collection of assessments,

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1 ~~second and then~~ for the payment of expenses related to
 2 conducting a referendum as provided in section 184A.12,
 3 ~~and third for the cost of audits by the auditor of state as~~
 4 ~~required in section 184A.9.~~ The council shall expend remaining
 5 moneys for market development, producer education, and the
 6 payment of refunds to producers as provided in this chapter.

7 Sec. 73. Section 184A.9, Code 2011, is amended to read as
 8 follows:

9 **184A.9 Audit.**

10 Moneys required to be deposited in the turkey council
 11 account as provided in section 184A.4 shall be subject to
 12 audit by the auditor of state. ~~The auditor of state may seek~~
 13 ~~reimbursement for the cost of the audit from moneys deposited~~
 14 ~~in the turkey council account.~~

15 Sec. 74. Section 185C.26, Code 2011, is amended to read as
 16 follows:

17 **185C.26 Deposit of moneys — corn promotion fund.**

18 A state assessment collected by the board from a sale of corn
 19 shall be deposited in the office of the treasurer of state in
 20 a special fund known as the corn promotion fund. The fund may
 21 include any gifts, rents, royalties, interest, license fees,
 22 or a federal or state grant received by the board. Moneys
 23 collected, deposited in the fund, and transferred to the board
 24 as provided in this chapter shall be subject to audit by the
 25 auditor of state. ~~The auditor of state may seek reimbursement~~
 26 ~~for the cost of the audit from moneys deposited in the fund as~~
 27 ~~provided in this chapter.~~ The department of administrative
 28 services shall transfer moneys from the fund to the board
 29 for deposit into an account established by the board in a
 30 qualified financial institution. The department shall transfer
 31 the moneys as provided in a resolution adopted by the board.
 32 However, the department is only required to transfer moneys
 33 once during each day and only during hours when the offices of
 34 the state are open. From moneys collected, the board shall
 35 first pay all the direct and indirect costs incurred by the



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1 secretary and the costs of referendums, elections, and other
 2 expenses incurred in the administration of this chapter, before
 3 moneys may be expended for the purpose of carrying out the
 4 purposes of this chapter as provided in section 185C.11.

5 Sec. 75. EFFECTIVE UPON ENACTMENT. This division of this
 6 Act, being deemed of immediate importance, takes effect upon
 7 enactment.

8 DIVISION XIV

9 ONGOING PROGRAM REVIEW

10 Sec. 76. NEW SECTION. 8.71 Ongoing program review — repeal
 11 dates.

12 1. The general assembly finds that a regular review of
 13 the programs and projects administered by state government is
 14 necessary to determine whether each program and project is
 15 effectively and efficiently meeting the needs for which created
 16 and whether the needs remain applicable. The general assembly
 17 further finds that a regular, systematic review process can
 18 identify the programs and projects that are no longer relevant
 19 or functioning at a desirable level and can eliminate or
 20 reorganize those programs and projects so that state resources
 21 can be used most effectively or diverted to other priorities.

22 2. The state government efficiency review committee
 23 established in section 2.69 shall propose legislation for
 24 consideration by the Eighty-fifth General Assembly, 2014
 25 session, providing a staggered schedule for establishing an
 26 automatic repeal date for each program or project administered
 27 by a department of state government over the succeeding
 28 five-year period. The review committee shall consult with
 29 the office of the governor and the department of management
 30 in formulating the staggered schedule and the office and
 31 department shall cooperate in providing necessary information
 32 requested by the committee. The repeal date provisions shall
 33 be implemented in a manner so that any program or project that
 34 is reauthorized by law is again subject to automatic repeal
 35 five years after reauthorization.

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1 evaluating eligible projects to receive financial assistance
2 under the program:

3 Sec. 81. Section 16.194, subsection 7, Code 2011, is amended
4 to read as follows:

5 7. In order for a project to be eligible to receive
6 financial assistance from the ~~board~~ authority, the project
7 must be a public construction project pursuant to subsection 1
8 with a demonstrated substantial local, regional, or statewide
9 economic impact.

10 Sec. 82. Section 16.194, subsection 8, unnumbered paragraph
11 1, Code 2011, is amended to read as follows:

12 The ~~board~~ authority shall not approve an application for
13 assistance for any of the following purposes:

14 Sec. 83. Section 16.194, subsection 9, paragraph b, Code
15 2011, is amended to read as follows:

16 **b.** Any portion of an amount allocated for projects
17 that remains unexpended or unencumbered one year after the
18 allocation has been made may be reallocated to another project
19 category, at the discretion of the ~~board~~ authority. The ~~board~~
20 authority shall ensure that all bond proceeds be expended
21 within three years from when the allocation was initially made.

22 Sec. 84. Section 16.194, subsection 10, Code 2011, is
23 amended to read as follows:

24 10. The ~~board~~ authority shall ensure that funds obligated
25 under this section are coordinated with other federal program
26 funds received by the state, and that projects receiving funds
27 are located in geographically diverse areas of the state.

28 Sec. 85. Section 16.194A, subsections 2, 7, 9, and 10, Code
29 2011, are amended to read as follows:

30 2. A city or county in this state that applies the smart
31 planning principles and guidelines pursuant to sections 18B.1
32 and 18B.2 may submit an application to the ~~Iowa jobs board~~
33 authority for financial assistance for a local infrastructure
34 competitive grant for an eligible project under the program,
35 notwithstanding any limitation on the state's percentage in



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1 funding as contained in section 29C.6, subsection 17.

2 7. In order for a project to be eligible to receive
 3 financial assistance from the ~~board~~ authority, the project
 4 must be a public construction project pursuant to subsection 1
 5 with a demonstrated substantial local, regional, or statewide
 6 economic impact.

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

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

17 Sec. 86. Section 16.194A, subsection 4, unnumbered
 18 paragraph 1, Code 2011, is amended to read as follows:

19 The ~~board~~ authority shall consider the following criteria in
 20 evaluating eligible projects to receive financial assistance
 21 under the program:

22 Sec. 87. Section 16.194A, subsection 8, unnumbered
 23 paragraph 1, Code 2011, is amended to read as follows:

24 The ~~board~~ authority shall not approve an application for
 25 assistance for any of the following purposes:

26 Sec. 88. Section 16.195, Code Supplement 2011, is amended
 27 to read as follows:

28 **16.195 Iowa jobs program application review.**

29 1. Applications for assistance under the Iowa jobs program
 30 and Iowa jobs II program shall be submitted to the Iowa finance
 31 authority for review and approval. ~~The authority shall provide~~
 32 ~~a staff review and evaluation of applications to the Iowa jobs~~
 33 ~~program review committee referred to in subsection 2 and to the~~
 34 ~~Iowa jobs board.~~

35 2. ~~A review committee composed of members of the board~~

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

8 3. Upon approval of an application for financial assistance
 9 under the program, the ~~board~~ authority shall notify the
 10 treasurer of state regarding the amount of moneys needed to
 11 satisfy the award of financial assistance and the terms of the
 12 award. The treasurer of state shall notify the Iowa finance
 13 authority any time moneys are disbursed to a recipient of
 14 financial assistance under the program.

15 Sec. 89. Section 16.196, Code 2011, is amended to read as
 16 follows:

17 **16.196 Iowa jobs ~~restricted capitals fund~~ — appropriations.**

18 ~~1. An Iowa jobs restricted capitals fund is created and~~
 19 ~~established as a separate and distinct fund in the state~~
 20 ~~treasury. The fund consists of moneys appropriated from~~
 21 ~~the revenue bonds capitals fund created in section 12.88.~~
 22 ~~The moneys in the fund are appropriated to the Iowa jobs~~
 23 ~~board for purposes of the Iowa jobs program established in~~
 24 ~~section 16.194. Moneys in the fund shall not be subject to~~
 25 ~~appropriation for any other purpose by the general assembly,~~
 26 ~~but shall be used only for the purposes of the Iowa jobs~~
 27 ~~program. The treasurer of state shall act as custodian of the~~
 28 ~~fund and disburse moneys contained in the fund. The fund shall~~
 29 ~~be administered by the board which shall make allocations from~~
 30 ~~the fund consistent with the purposes of the Iowa jobs program.~~

31 ~~2.~~ 1. There is appropriated from the revenue bonds capitals
 32 fund created in section 12.88, ~~to the Iowa jobs restricted~~
 33 ~~capitals fund,~~ for the fiscal year beginning July 1, 2009, and
 34 ending June 30, 2010, one hundred sixty-five million dollars to
 35 be allocated as follows:

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1 *a.* One hundred eighteen million five hundred thousand
2 dollars for competitive grants for local infrastructure
3 projects relating to disaster rebuilding, reconstruction
4 and replacement of local buildings, flood control and flood
5 protection, and future flood prevention public projects. An
6 applicant for a local infrastructure grant shall not receive
7 more than fifty million dollars in financial assistance from
8 the fund.

9 *b.* Forty-six million five hundred thousand dollars for
10 disaster relief and mitigation and local infrastructure
11 grants for the following renovation and construction projects,
12 notwithstanding any limitation on the state's percentage
13 participation in funding as contained in section 29C.6,
14 subsection 17:

15 (1) For grants to a county with a population between
16 one hundred eighty-nine thousand and one hundred ninety-six
17 thousand in the latest preceding certified federal census, to
18 be distributed as follows:

19 (a) Ten million dollars for the construction of a new,
20 shared facility between nonprofit human service organizations
21 serving the public, especially the needs of low-income Iowans,
22 including those displaced as a result of the disaster of 2008.

23 (b) Five million dollars for the construction or renovation
24 of a facility for a county-funded workshop program serving
25 the public and particularly persons with mental illness or
26 developmental disabilities.

27 (2) For grants to a city with a population between one
28 hundred ten thousand and one hundred twenty thousand in the
29 latest preceding certified federal census, to be distributed
30 as follows:

31 (a) Five million dollars for an economic redevelopment
32 project benefiting the public by improving energy efficiency
33 and the development of alternative and renewable energy
34 technologies.

35 (b) Ten million dollars for a museum serving the public and

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1 dedicated to the preservation of an eastern European cultural
2 heritage through the collection, exhibition, preservation, and
3 interpretation of historical artifacts.

4 (c) Five million dollars for a theater serving the public
5 and promoting culture, entertainment, and tourism.

6 (d) Five million dollars for a public library.

7 (e) Five million dollars for a public works building.

8 (3) One million five hundred thousand dollars, to be
9 distributed as follows:

10 (a) Five hundred thousand dollars to a city with a
11 population between six hundred and six hundred fifty in the
12 latest preceding certified federal census, for a public fire
13 station.

14 (b) Five hundred thousand dollars to a city with a
15 population between one thousand four hundred and one thousand
16 five hundred in the latest preceding certified federal census,
17 for a public fire station.

18 (c) Five hundred thousand dollars for a city with a
19 population between seven thousand eight hundred and seven
20 thousand eight hundred fifty, for a public fire station.

21 ~~3.~~ 2. Grant awards for a project under subsection 2,
22 paragraph "b", are contingent upon submission of a plan for
23 each project by the applicable county or city governing board
24 or in the case of a project submitted pursuant to subsection
25 2, paragraph "b", subparagraph (2), subparagraph division (b),
26 by the board of directors, to the ~~Iowa jobs board~~ authority,
27 no later than September 1, 2009, detailing a description of
28 the project, the plan to rebuild, and the amount or percentage
29 of federal, state, local, or private matching moneys which
30 will be or have been provided for the project. Funds not
31 utilized in accordance with subsection 2, paragraph "b", due
32 to failure to file a plan by the September 1 deadline shall
33 revert to the ~~Iowa jobs restricted~~ revenue bonds capitals fund
34 to be available for local infrastructure competitive grants. A
35 grant recipient under subsection 2, paragraph "b", shall not be

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1 precluded from applying for a local infrastructure competitive
 2 grant pursuant to this section and section 16.195.

3 ~~4. Moneys in the fund are not subject to section 8.33.~~
 4 ~~Notwithstanding section 12C.7, subsection 2, interest or~~
 5 ~~earnings on moneys in the fund shall be credited to the fund.~~

6 ~~5.~~ 3. Annually, on or before January 15 of each year, the
 7 ~~board~~ authority shall report to the legislative services agency
 8 and the department of management the status of all projects
 9 receiving moneys from the fund completed or in progress. The
 10 report shall include a description of the project, the progress
 11 of work completed, the total estimated cost of the project, a
 12 list of all revenue sources being used to fund the project, the
 13 amount of funds expended, the amount of funds obligated, and
 14 the date the project was completed or an estimated completion
 15 date of the project, where applicable.

16 ~~6.~~ 4. Payment of moneys appropriated from the fund shall be
 17 made in a manner that does not adversely affect the tax-exempt
 18 status of any outstanding bonds issued by the treasurer of
 19 state.

20 Sec. 90. Section 16.197, Code 2011, is amended to read as
 21 follows:

22 **16.197 Limitation of liability.**

23 ~~A member of the Iowa jobs board, a person acting on behalf of~~
 24 ~~the board while acting within the scope of their employment or~~
 25 ~~agency,~~ The authority or the treasurer of state, shall not be
 26 subject to personal liability resulting from carrying out the
 27 powers and duties of the ~~board~~ authority or the treasurer, as
 28 applicable, in sections ~~16.192~~ 16.193 through 16.196.

29 Sec. 91. IOWA JOBS BOARD — TRANSITION PROVISIONS —
 30 LIMITATION OF LIABILITY.

31 1. Any contract or agreement issued or entered into by the
 32 Iowa jobs board relating to the provisions of this division
 33 of this Act, in effect on the effective date of this division
 34 of this Act, shall continue in full force and effect and
 35 any responsibility of the board relative to the contracts or



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1 agreements as provided in those contracts or agreements shall
 2 be transferred to the Iowa finance authority.

3 2. A member of the Iowa jobs board or a person acting on
 4 behalf of the board while acting within the scope of that
 5 person's employment or agency shall not be subject to personal
 6 liability resulting from carrying out the powers and duties
 7 of the board prior to the effective date of this division of
 8 this Act, as applicable, in sections 12.87 through 12.90 and in
 9 sections 16.192 through 16.196, Code and Code Supplement 2011.

10 Sec. 92. REPEAL. Sections 16.191 and 16.192, Code
 11 Supplement 2011, are repealed.

DIVISION XVI

BOARDS AND COMMISSIONS

14 Sec. 93. Section 34A.2A, subsection 2, Code 2011, is amended
 15 to read as follows:

16 2. The E911 program manager shall act under the supervisory
 17 control of the administrator of the homeland security and
 18 emergency management division of the department of public
 19 defense, and in consultation with the ~~E911 communications~~
 20 ~~council~~ state interoperable communications system board
 21 established in section 80.28, and perform the duties
 22 specifically set forth in this chapter and as assigned by the
 23 administrator.

24 Sec. 94. Section 34A.7A, subsection 2, paragraph h, Code
 25 2011, is amended to read as follows:

26 h. The administrator, in consultation with the program
 27 manager and the ~~E911 communications council~~ state interoperable
 28 communications system board established in section 80.28, shall
 29 adopt rules pursuant to chapter 17A governing the distribution
 30 of the surcharge collected and distributed pursuant to this
 31 subsection. The rules shall include provisions that all joint
 32 E911 service boards and the department of public safety which
 33 answer or service wireless E911 calls are eligible to receive
 34 an equitable portion of the receipts.

35 Sec. 95. Section 80.29, Code 2011, is amended by adding the



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1 following new subsection:

2 NEW SUBSECTION. 12A. Advise and make recommendations
 3 to the administrator of the homeland security and emergency
 4 management division of the department of public defense and
 5 the E911 program manager appointed pursuant to section 34A.2A
 6 regarding the implementation of chapter 34A. Such advice and
 7 recommendations shall be provided on issues at the request of
 8 the administrator or program manager or as deemed necessary
 9 by the board. However, the authority of the board as to this
 10 duty is limited to the issues specifically identified in this
 11 subsection and does not preempt the authority of the utilities
 12 board, created in section 474.1, to act on issues within the
 13 jurisdiction of the utilities board.

14 Sec. 96. Section 190A.3, subsection 4, Code 2011, is amended
 15 to read as follows:

16 4. The ~~farm-to-school council~~ department of agriculture and
 17 land stewardship and the department of education shall actively
 18 seek financial or in-kind contributions from organizations or
 19 persons to support the program.

20 Sec. 97. Section 256.9, subsection 55, paragraph j, Code
 21 Supplement 2011, is amended by striking the paragraph.

22 Sec. 98. REPEAL. Section 34A.15, Code Supplement 2011, is
 23 repealed.

24 Sec. 99. REPEAL. Section 190A.2, Code 2011, is repealed.

DIVISION XVII

OBSOLETE PROVISIONS

27 Sec. 100. Section 84A.5, subsection 7, paragraphs a and c,
 28 Code Supplement 2011, are amended by striking the paragraphs.

29 Sec. 101. Section 97B.1A, subsection 8, paragraph b,
 30 subparagraph (8), Code Supplement 2011, is amended by striking
 31 the subparagraph.

32 Sec. 102. REPEAL. Sections 84A.7, 84A.9, 84A.10, 303.3E,
 33 and 303.17, Code 2011, are repealed.

34 Sec. 103. REPEAL. Section 15.112, Code Supplement 2011, is
 35 repealed.

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1 in cooperation with the small business assistance center at
2 the university of northern Iowa, shall work with generators
3 of hazardous wastes in the state to develop and implement
4 aggressive waste minimization programs. ~~The goal of these~~
5 ~~programs is to reduce the volume of hazardous waste generated~~
6 ~~in the state as a whole by twenty-five percent of the amount~~
7 ~~generated as of January 1, 1987, as reported in the biennial~~
8 ~~reports collected by the United States environmental protection~~
9 ~~agency. The twenty-five percent reduction goal shall be~~
10 ~~reached as expeditiously as possible and no later than July~~
11 ~~1, 1994. In meeting the reduction goal, elements "a" through~~
12 ~~"d" of the hazardous waste management hierarchy shall be~~
13 ~~utilized. The department, in cooperation with the small~~
14 ~~business assistance center, shall reassess the twenty-five~~
15 ~~percent reduction goal in 1994. The department shall promote~~
16 ~~research and development, provide and promote educational~~
17 ~~and informational programs, promote and encourage provide~~
18 confidential, voluntary technical assistance to hazardous waste
19 generators, promote assistance by the small business assistance
20 center, and promote other activities by the public and private
21 sectors that support this goal. ~~In the promotion of the goal,~~
22 the following ~~hazardous waste management~~ pollution prevention
23 hierarchy, in descending order of preference, ~~is established~~
24 ~~by the department:~~

- 25 a. Source reduction for waste elimination.
26 b. Reuse.
27 c. On-site recycling.
28 ~~e.~~ d. Off-site recycling.
29 ~~d.~~ e. Waste treatment.
30 ~~e.~~ f. Incineration Combustion with energy recovery.
31 ~~f.~~ g. Land disposal.

32 Sec. 106. Section 455B.481, subsections 4 and 5, Code 2011,
33 are amended by striking the subsections.

34 Sec. 107. Section 455B.482, Code 2011, is amended by adding
35 the following new subsection:

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1 NEW SUBSECTION. 7A. "*Pollution prevention*" means employment
2 of a practice that reduces the industrial use of toxic
3 substances or reduces the environmental and health hazards
4 associated with an environmental waste without diluting or
5 concentrating the waste before the release, handling, storage,
6 transport, treatment, or disposal of the waste.

7 Sec. 108. Section 455B.484, Code 2011, is amended by adding
8 the following new subsection:

9 NEW SUBSECTION. 1A. Implement the waste management policy
10 provided in section 455B.481.

11 Sec. 109. Section 455B.484, subsections 2, 3, 4, 6, 7, 9,
12 and 10, Code 2011, are amended by striking the subsections.

13 Sec. 110. Section 455B.484A, subsection 1, paragraph c,
14 Code 2011, is amended to read as follows:

15 c. "*Assistance program*" means the ~~waste reduction assistance~~
16 pollution prevention program of the department or of the Iowa
17 waste reduction center for safe and economic management of
18 solid waste and hazardous substances conducted pursuant to
19 section 268.4.

20 Sec. 111. Section 455B.485, subsections 3 and 5, Code 2011,
21 are amended by striking the subsections.

22 Sec. 112. Section 455B.486, subsection 1, Code 2011, is
23 amended by striking the subsection.

24 Sec. 113. Section 455B.487, unnumbered paragraph 1, Code
25 2011, is amended to read as follows:

26 The commission shall adopt rules establishing criteria for
27 the identification of land areas or sites which are suitable
28 for the operation of facilities for the management of ~~hazardous~~
29 ~~and~~ low-level radioactive wastes. Upon request, the department
30 shall assist in locating suitable sites for the location of
31 a facility. The commission may purchase or condemn land to
32 be leased or used for the operation of a facility subject to
33 chapter 6A. Consideration for a contract for purchase of land
34 shall not be in excess of funds appropriated by the general
35 assembly for that purpose. The commission may lease land

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1 purchased under this section to any person including the state
2 or a state agency. This section authorizes the state to own or
3 operate ~~hazardous waste facilities and~~ low-level radioactive
4 waste facilities, subject to the approval of the general
5 assembly.

6 Sec. 114. Section 455B.487, unnumbered paragraph 11, Code
7 2011, is amended by striking the unnumbered paragraph.

8 Sec. 115. Section 455B.487, subsections 1 through 3, Code
9 2011, are amended by striking the subsections.

10 Sec. 116. Section 455D.1, Code 2011, is amended by adding
11 the following new subsection:

12 NEW SUBSECTION. 4A. "*Pollution prevention techniques*" means
13 any of the following practices employed by the user of a toxic
14 substance:

15 a. Input substitution, which is the replacement of a toxic
16 substance or raw material used in a production process with a
17 nontoxic or less toxic substance.

18 b. Product reformulation, which is the substitution of an
19 end product which is nontoxic or less toxic upon use or release
20 for an existing end product.

21 c. Production process redesign or modification, which is
22 the development and use of production processes of a different
23 design other than those currently in use.

24 d. Production process modernization, which is the upgrading
25 or replacing of existing production process equipment or
26 methods with other equipment or methods based on the same
27 production process.

28 e. Improved operation and maintenance of existing production
29 process equipment and methods, which is the modification or
30 addition to existing equipment or methods, including but not
31 limited to such techniques as improved housekeeping practices,
32 system adjustments, product and process inspections, and
33 production process control equipment or methods.

34 f. Recycling, reuse, or extended use of toxic substances by
35 using equipment or methods that become an integral part of the

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1 production process.

2 Sec. 117. Section 455D.7, subsection 1, Code 2011, is
 3 amended to read as follows:

4 1. Unless otherwise specified in this chapter, adopt rules
 5 necessary to implement this chapter pursuant to chapter 17A.
 6 ~~Initial rules shall be adopted no later than April 1, 1992.~~

7 Sec. 118. Section 455D.7, subsection 4, Code 2011, is
 8 amended by striking the subsection.

9 Sec. 119. Section 455D.15, subsection 2, Code Supplement
 10 2011, is amended by striking the subsection and inserting in
 11 lieu thereof the following:

12 2. The fund shall be utilized by the department for
 13 providing technical assistance to Iowa businesses in developing
 14 and implementing pollution prevention techniques.

15 Sec. 120. Section 455D.15, subsection 3, Code Supplement
 16 2011, is amended by striking the subsection.

17 Sec. 121. Section 455E.8, subsections 2 and 3, Code 2011,
 18 are amended by striking the subsections.

19 Sec. 122. REPEAL. Sections 455B.516, 455B.517, and
 20 455B.518, Code 2011, are repealed.

21 DIVISION XIX

22 HOMELAND SECURITY AND EMERGENCY MANAGEMENT ORGANIZATION

23 Sec. 123. LEGISLATIVE INTENT — HOMELAND SECURITY AND
 24 EMERGENCY MANAGEMENT ORGANIZATION. It is the intent of
 25 the general assembly to enact legislation providing for the
 26 establishment of a homeland security and emergency management
 27 department separate from the department of public defense.

28 EXPLANATION

29 This bill relates to government efficiency, including other
 30 matters related to the operation of state and local government.

31 DIVISION I — GOVERNMENT INFORMATION TECHNOLOGY SERVICES.

32 This division amends Code section 8A.205, concerning
 33 digital government, to encourage state agencies to utilize
 34 duplex printing. The division directs the department of
 35 administrative services (DAS) to conduct an inventory of

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1 information technology devices utilized by state agencies
2 with the goal of identifying possibilities to reduce costs.
3 DAS is required to submit a report to the general assembly
4 by January 1, 2013, concerning the results of the inventory.
5 This division of the bill also directs DAS to establish a
6 schedule for departments to comply with information technology
7 coordination and management requirements of Code chapter
8 8A. In addition, DAS is encouraged to procure information
9 technology for participating agencies through leasing.

10 DIVISION II — PERSONNEL AND BENEFITS. This division enacts
11 new Code section 8A.440 to provide that collective bargaining
12 agreements negotiated after the effective date of this section
13 of the bill shall include provisions requiring state employees
14 whose spouse is also a state employee enroll in a family group
15 health insurance plan for both employees. The bill provides
16 that this new Code section takes effect upon enactment.

17 This division also directs those state entities negotiating
18 collective bargaining agreements to enter into discussions
19 with employee organizations representing state employees to
20 renegotiate provisions in the agreement to provide that state
21 employees whose spouse is also a state employee enroll in a
22 family group health insurance plan for both employees. If the
23 agreements are renegotiated, the changed provisions shall also
24 apply to state employees who are not covered by a collective
25 bargaining agreement. In addition, this division of the bill
26 applies the same family group health insurance requirement to a
27 state legislator and legislative staff. These provisions of
28 the bill take effect upon enactment.

29 This division of the bill also excludes employees of the
30 secretary of state who hold positions that are classified
31 as information technology specialists from Code chapter 20,
32 relating to public employee collective bargaining.

33 This division of the bill also amends Code section
34 97B.1A(26), concerning the definition of wages for purposes
35 of the Iowa public employees' retirement system (IPERS) for

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1 members of the general assembly. The division provides that
2 per diem payments to members of the general assembly and daily
3 allowance paid to members of the general assembly are not
4 considered wages for purposes of IPERS.

5 This division also requires DAS to conduct a study to
6 consider the feasibility of entering into a contract with a
7 private entity to provide human resources services currently
8 provided by DAS to state employees. DAS is required to submit
9 a report to the general assembly relative to the study by
10 January 1, 2013.

11 DIVISION III — MEDICATION THERAPY MANAGEMENT. This
12 division of the bill relates to medication therapy management.
13 The bill codifies the pilot program for medication therapy
14 management implemented on July 1, 2010, for eligible state
15 employees, making the program an ongoing program and directing
16 DAS to utilize a request for proposals process and to enter
17 into a contract to continue the program. This division of the
18 bill takes effect upon enactment.

19 DIVISION IV — IOWA LAW ENFORCEMENT ACADEMY. This division
20 directs the director of the Iowa law enforcement academy, in
21 consultation with the Iowa law enforcement academy council, to
22 examine its course offerings to law enforcement officers with
23 the goal of offering more core courses to all law enforcement
24 officers instead of offering distinct courses geared to
25 particular law enforcement officers.

26 DIVISION V — STATE PHYSICAL RESOURCES. This division of the
27 bill requires that DAS conduct an analysis of state employee
28 workstations and office standards by September 30, 2012. The
29 division further requires the department to submit findings
30 and recommendations to the capitol planning commission and the
31 legislative government oversight committees by October 30,
32 2012.

33 This division of the bill also requires the department of
34 natural resources to conduct an inventory of all real property
35 under the control of the department and to submit a report to

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1 the general assembly providing detailed information relative to
2 the inventory by January 1, 2013.

3 New Code section 455A.14 provides that the department of
4 natural resources shall not purchase real property that is
5 agricultural land.

6 This division takes effect upon enactment.

7 DIVISION VI — FILM PROJECT AND TAX CREDIT PROGRAM. This
8 division of the bill repeals the film, television, and video
9 project promotion program within the economic development
10 authority. The bill also repeals the various tax credits and
11 tax exclusions provided under the program. The repeal takes
12 effect immediately upon enactment and applies retroactively
13 to January 1, 2012, for tax years beginning on or after that
14 date. The division does not impact existing contracts or
15 agreements entered into on or before the effective date of this
16 division of the bill. The division makes changes corresponding
17 to the repeal of the program and the related tax credits and
18 exclusions.

19 DIVISION VII — HUMAN SERVICES — FOOD ASSISTANCE PROGRAM.

20 This division of the bill requires the department of human
21 services to request authorization from the United States
22 department of agriculture to allow the state to restrict the
23 use of food assistance benefits for food items with a low
24 nutritional value. The state administers the food assistance
25 benefits, formerly known as food stamps, under the federal
26 supplemental nutritional assistance program (SNAP).

27 The department is directed to submit the request within
28 60 days of the bill division's effective date and to report
29 regularly on the status of the request to the members of the
30 joint appropriations subcommittee on health and human services
31 and the legislative services agency.

32 The division takes effect upon enactment.

33 DIVISION VIII — MENTAL HEALTH SERVICES. Code section
34 225C.6, concerning the duties of the mental health and
35 disability services commission, is amended to provide that the

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1 commission shall receive and consider any official reports
2 from the governor's developmental disabilities council and the
3 mental health planning council.

4 Code section 426B.5(2), concerning the risk pool board
5 for mental health, mental retardation, and developmental
6 disabilities services, is amended by eliminating the risk pool
7 board and providing that the mental health and disability
8 services commission serve as the risk pool board.

9 DIVISION IX — ELECTRONIC COMMUNICATIONS. This division
10 provides that each state department and agency shall provide
11 departmental or agency notices or information through the
12 department's or agency's internet site or through electronic
13 mail to the fullest extent possible. Code section 22.7,
14 concerning confidential public records, is amended to provide
15 that electronic mail addresses of individuals collected by
16 state departments and agencies for the purpose of electronic
17 communications shall be considered confidential.

18 DIVISION X — STATE RECORDS. This division eliminates
19 the state records commission and transfers the duties and
20 responsibilities of the state records commission to the
21 department of cultural affairs. The division includes a
22 transition provision that any rule promulgated by the state
23 records commission shall continue until changed by the
24 department of cultural affairs.

25 This division also authorizes the department of cultural
26 affairs to bill agencies for records storage and retention.
27 Code section 305.8 is amended to provide that the state records
28 commission establish rates to charge agencies for providing
29 records storage and retention services. New Code section
30 305.8A authorizes the department of cultural affairs to bill
31 agencies for records storage and retention services, establish
32 an internal service fund for receipt of moneys from agencies
33 billed for this purpose, and authorizes the department to
34 utilize moneys received and deposited in the fund for the
35 operations of the department in records storage and retention.

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1 The division also provides that the department of cultural
 2 affairs utilize the Iowa building as the centralized records
 3 storage facility upon conclusion of the existing lease on the
 4 building currently used for this purpose.

5 DIVISION XI — LOCAL GOVERNMENT. This division of the bill
 6 changes the date of regular school elections for local school
 7 districts, merged areas, and area education agencies. The bill
 8 moves the date of the regular school election from the second
 9 Tuesday in September in odd-numbered years to the first Tuesday
 10 after the first Monday in November of odd-numbered years, which
 11 is the date of the regular city election.

12 Because area education agency board directors are elected at
 13 the director district conventions by members of school boards,
 14 the bill also changes the date of their election from September
 15 to November in the odd-numbered year. This division takes
 16 effect January 1, 2014.

17 DIVISION XII — LOCAL GOVERNMENTS — ELECTRONIC PAYMENT.
 18 This division provides that local governments shall encourage
 19 persons to pay fees and taxes collected by local governments
 20 by credit card, debit card, or other electronic means. The
 21 division provides that local governments should reduce
 22 convenience or other handling fees charged persons for
 23 utilizing electronic payment.

24 DIVISION XIII — COMMODITY ORGANIZATION AUDITS. This
 25 division of this bill relates to four commodity organizations
 26 representing producers of sheep (and wool), eggs, turkeys,
 27 and corn. The marketing, research, and promotional purposes
 28 of these organizations are financed by an excise tax or state
 29 assessment (commonly referred to as a checkoff) imposed upon
 30 the first purchasers of the commodities. Moneys derived from
 31 each checkoff are controlled by the governing body of each
 32 organization, including the Iowa sheep and wool promotion
 33 board, the Iowa egg council, the Iowa turkey marketing council,
 34 and the Iowa corn promotion board. In each case, the collected
 35 moneys are subject to audit by the auditor of state. In 2010,

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1 the general assembly enacted SF 2367 (2010 Iowa Acts, ch. 1189)
2 which amended a number of sections referring to those audits,
3 by authorizing the auditor of state to be reimbursed from the
4 organizations for the cost of the audits. This division of
5 this bill eliminates the changes made in SF 2367 and restores
6 the sections to the language as it existed prior to that
7 legislation.

8 The division takes effect upon enactment.

9 DIVISION XIV — ONGOING PROGRAM REVIEW. This division of
10 the bill addresses regular review of programs and projects
11 administered by executive branch departments by providing for
12 implementation of an organized system of ongoing repeal dates
13 for the programs and projects. Code section 8.2 defines the
14 term "department" to mean any executive department, commission,
15 board, institution, bureau, office, or other agency of the
16 state government, that uses, expends, or receives any state
17 funds.

18 New Code section 8.71 states legislative findings as to the
19 purposes for performing a regular review of state programs and
20 projects. The state government efficiency review committee is
21 directed to propose legislation for the Eighty-fifth General
22 Assembly, 2014 session, providing a staggered schedule for
23 establishing an automatic repeal date for each program or
24 project administered by a department over the succeeding
25 five-year period. The review committee is required to
26 consult with the office of the governor and the department of
27 management in formulating the staggered schedule and the office
28 and the department are required to cooperate in providing
29 information requested by the committee. The repeal date
30 provisions are required to be implemented in a manner so that
31 any program or project that is reauthorized by law is again
32 subject to automatic repeal five years after reauthorization.

33 DIVISION XV — IOWA JOBS BOARD. This division of this bill
34 eliminates the Iowa jobs board and provides that any duties
35 or responsibilities of the Iowa jobs board shall become the

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1 responsibility of the Iowa finance authority. The division of
2 the bill also amends Code section 16.196, concerning the Iowa
3 jobs restricted capitals fund and associated appropriations, to
4 reflect the elimination of the Iowa jobs board. The division
5 also provides transition provisions relative to any contracts
6 or agreements entered into by the Iowa jobs board and provides
7 for a limitation of personal liability for actions by a member
8 or agent of the board taken prior to the effective date of this
9 division of the bill relative to the duties of the board.

10 DIVISION XVI — BOARDS AND COMMISSIONS. This division
11 of the bill eliminates the E911 communications council and
12 transfers the duties of that council to the state interoperable
13 communications system board. This division of the bill also
14 repeals the farm-to-school council.

15 DIVISION XVII — OBSOLETE PROVISIONS. This division of
16 the bill removes obsolete language from the Code relating
17 to programs administered by the department of workforce
18 development which are no longer active or funded.

19 The programs removed are the Iowa conservation corps, the
20 statewide mentoring program, and the new employment opportunity
21 program. The Iowa conservation corps was established to
22 provide public services jobs for certain specified segments of
23 the population in conservation-related areas. The statewide
24 mentoring program was established to recruit, screen, train,
25 and match individuals in mentoring relationships. The new
26 employment opportunity program was established to assist
27 individuals in underutilized segments of the workforce to gain
28 and retain employment.

29 This division of the bill repeals Code section 15.112,
30 relating to matching funds for a farmworks national
31 demonstration project; Code chapter 15C, relating to a world
32 trade center; Code chapter 15D, relating to the midwest nuclear
33 compact; and Code section 28K, relating to mid-America port
34 agreement. Code chapter 15D contains provisions relating to
35 repeal and withdrawal from the compact.

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1 This division of the bill also repeals Code section 303.3E,
2 the culture, history, and arts teams program, and Code section
3 303.17, concerning Iowa studies and the Iowa studies committee.

4 DIVISION XVIII — POLLUTION PREVENTION AND WASTE MANAGEMENT
5 ASSISTANCE. This division of this bill relates to pollution
6 prevention and waste management assistance.

7 This division amends the waste management assistance
8 provisions of Code chapter 455B by updating the waste
9 management policy. The division includes reuse and combustion
10 with energy recovery in the pollution prevention hierarchy and
11 removes incineration from the hierarchy.

12 This division includes a new definition for "pollution
13 prevention" and uses the term to replace "hazardous waste
14 management" and "waste reduction assistance". The division
15 eliminates references to hazardous waste throughout Code
16 chapter 455B, division IV, part 9, including duties of the
17 department and the environmental protection commission relating
18 to hazardous waste and the location, acquisition, and operation
19 of hazardous waste management facilities.

20 This division eliminates many of the duties of the
21 department in relation to waste management and includes a new
22 general duty to implement the waste management policy.

23 This division eliminates two duties of the environmental
24 protection commission in relation to waste management policy.
25 The duties relate to budget requests and approval of certain
26 contracts and agreements.

27 This division eliminates a duty of the commission to
28 recommend to the general assembly, annually, the imposition of
29 waste abatement fees, rebates, and deposits.

30 This division amends provisions related to the waste volume
31 reduction and recycling fund. This division eliminates a
32 requirement that grants from the fund be awarded based on the
33 solid waste management hierarchy. This division provides that
34 the fund shall be utilized for purposes of providing technical
35 assistance to Iowa businesses in developing and implementing

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1 pollution prevention techniques.
2 This division eliminates two duties of the director of the
3 department relating to groundwater reporting requirements.
4 This division repeals Code sections 455B.516, 455B.517,
5 and 455B.518, which relate to the toxics pollution prevention
6 program.
7 DIVISION XIX — HOMELAND SECURITY AND EMERGENCY MANAGEMENT
8 ORGANIZATION. This division provides that it is the intent of
9 the general assembly to enact legislation providing for the
10 establishment of a homeland security and emergency management
11 department separate from the department of public defense.



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House File 2450 - Introduced

HOUSE FILE 2450
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HF 2214)
(SUCCESSOR TO HF 2048)

A BILL FOR

1 An Act prohibiting the use of automated traffic law enforcement
2 systems, and including effective date provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5038HZ (1) 84
dea/nh



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H.F. 2450

1 Section 1. **NEW SECTION. 321.5A Automated traffic law**
 2 **enforcement systems prohibited.**

3 1. The department or a local authority shall not place
 4 or cause to be placed on or adjacent to a street or highway,
 5 or maintain or employ the use of, an automated traffic law
 6 enforcement system for the enforcement of any provision of this
 7 chapter or any local ordinance relating to vehicular traffic or
 8 to prove a violation of any such provision or ordinance.

9 2. For purposes of this section, *“automated traffic law*
 10 *enforcement system”* means a device with one or more sensors
 11 working in conjunction with a traffic control signal or device
 12 or a speed-measuring device to produce recorded images of
 13 vehicles being operated in violation of traffic or speed laws.
 14 *“Automated traffic law enforcement system”* does not include a
 15 device operated in the presence of a peace officer or a device
 16 mounted on a school bus and operated in the presence of the
 17 driver of the school bus.

18 Sec. 2. **TERMINATION OF AUTOMATED TRAFFIC LAW ENFORCEMENT**
 19 **PROGRAMS — REMOVAL OF SYSTEMS — VALIDITY OF PRIOR NOTICES AND**
 20 **CITATIONS.**

21 1. A local authority using an automated traffic law
 22 enforcement system shall discontinue using the system on or
 23 before the effective date of this Act. A local authority shall
 24 remove all automated traffic law enforcement system equipment
 25 from the highways on or before July 1, 2012.

26 2. As of the effective date of this Act, all local
 27 ordinances authorizing the use of an automated traffic law
 28 enforcement system are void. However, notices of violations
 29 mailed or citations issued pursuant to such an ordinance
 30 prior to the date the ordinance becomes void shall not be
 31 invalidated under this Act and shall be processed according to
 32 the provisions of the law under which they were authorized.

33 Sec. 3. **EFFECTIVE UPON ENACTMENT.** This Act, being deemed of
 34 immediate importance, takes effect upon enactment.

35

EXPLANATION

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1 This bill prohibits the use of automated traffic law
2 enforcement systems in Iowa.

3 Automated traffic law enforcement systems, commonly known
4 as "red light cameras" or "speed cameras", are devices with
5 one or more sensors which work in conjunction with a traffic
6 control signal or device or a speed-measuring device to produce
7 recorded images of vehicles being operated in violation of
8 traffic or speed laws. The bill specifies that the term
9 "automated traffic law enforcement system" does not include a
10 device operated in the presence of a peace officer or a device
11 mounted on a school bus and operated in the presence of the
12 school bus driver.

13 The bill requires that a local authority currently using
14 an automated traffic law enforcement system shall discontinue
15 using the system on or before the effective date of the bill.
16 All automated traffic law enforcement system equipment must be
17 removed from the highways by July 1, 2012.

18 A local authority's ordinance authorizing the use of
19 automated traffic law enforcement systems is void on the
20 effective date of the bill, but notices of violations mailed
21 or citations issued under such an ordinance shall not be
22 invalidated and shall be processed according to the prior law.

23 The bill is effective upon enactment.



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House File 2451 - Introduced

HOUSE FILE 2451
BY ISENHART, HANSON, KRESSIG,
and H. MILLER

A BILL FOR

1 An Act appropriating moneys to support a local food and farm
2 initiative.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5407YH (3) 84
da/rj



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1 Section 1. Section 267A.2, subsection 4, Code Supplement
 2 2011, is amended to read as follows:

3 4. "Fund" means the local food and farm ~~program~~ innovation
 4 fund created in section 267A.5.

5 Sec. 2. Section 267A.5, Code Supplement 2011, is amended to
 6 read as follows:

7 **267A.5 Local food and farm ~~program~~ innovation fund —**
 8 **creation.**

9 A local food and farm ~~program~~ innovation fund is created in
 10 the state treasury under the control of the department. The
 11 fund is separate from the general fund of the state. The fund
 12 is composed of moneys appropriated by the general assembly and
 13 moneys available to and obtained or accepted by the local food
 14 and farm program from the United States government or private
 15 sources for placement in the fund. Moneys in the fund shall
 16 be used to carry out the purpose and goals of this chapter
 17 as provided in section 267A.1, including but not limited to
 18 administering the local food and farm program as provided in
 19 section 267A.6. The fund shall be managed by the department in
 20 consultation with the local food and farm coordinator, under
 21 the supervision of the local food and farm program council.

22 Sec. 3. NEW SECTION. **267A.5A Local food and farm innovation**
 23 **fund — appropriation.**

24 Each fiscal year, there is appropriated from the general
 25 fund of the state for deposit in the local food and farm
 26 innovation fund created pursuant to section 267A.5, up to fifty
 27 thousand dollars. The appropriation of each dollar in this
 28 section is contingent upon a dollar match contributed to the
 29 fund by a private person.

30 EXPLANATION

31 CURRENT LAW. During its 2011 session, the general assembly
 32 enacted SF 509 (2011 Iowa Acts, ch. 128) which in part
 33 established a local food and farm program fund within the
 34 department of agriculture and land stewardship to support an
 35 initiative to improve communication and cooperation between

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1 and among farmers, food entrepreneurs, and consumers; and to
2 foster coordination between and among government agencies,
3 public universities and community colleges, organizations, and
4 private-sector firms working on local food and farm-related
5 issues.

6 BILL. This bill changes the name of the local food and
7 farm program fund to the local food and farm innovation fund
8 and each fiscal year appropriates up to \$50,000 to the fund
9 contingent upon each dollar appropriated to the fund being
10 matched with a dollar from a private contribution.



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House File 2452 - Introduced

HOUSE FILE 2452
BY ISENHART

A BILL FOR

1 An Act establishing a property tax exemption for property
2 meeting specified energy efficiency and environmental
3 quality standards and meeting certain utility grid
4 standards.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5955YH (5) 84
md/sc



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H.F. 2452

1 Section 1. Section 427.1, Code Supplement 2011, is amended
2 by adding the following new subsection:

3 NEW SUBSECTION. 38. *Energy-efficient, sustainable*
4 *development, water saving, and environmental quality property.*

5 a. For assessment years beginning on or after January 1,
6 2013, the exemption provided under this subsection for each
7 eligible property is limited to one of the following:

8 (1) Two percent of the amount of actual value of the
9 permanent improvements to the property if the property was
10 certified by the United States green building council during
11 the previous five years as meeting or exceeding the LEED silver
12 rating.

13 (2) Five percent of the amount of actual value of the
14 permanent improvements to the property if the property was
15 certified by the United States green building council during
16 the previous five years as meeting or exceeding the LEED gold
17 rating and certified as being smart grid-ready.

18 (3) Ten percent of the amount of actual value of the
19 permanent improvements to the property if the property was
20 certified by the United States green building council during
21 the previous five years as meeting or exceeding the LEED
22 platinum rating and certified as being smart grid-ready as
23 defined in paragraph "b", subparagraph (6), subparagraph
24 division (c).

25 b. For the purposes of this subsection:

26 (1) "Demand response program" means a system with the
27 capability to reduce or change an electrical energy customer's
28 normal or typical electrical energy consumption in response
29 to specified circumstances or in response to peak electrical
30 energy demand events.

31 (2) "LEED silver rating" means the United States green
32 building council leadership in energy and environmental design
33 green building rating system, version 3.0, referred to as the
34 silver standard.

35 (3) "LEED gold rating" means the United States green

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1 building council leadership in energy and environmental design
2 green building rating system, version 3.0, referred to as the
3 gold standard.

4 (4) "*LEED platinum rating*" means the United States green
5 building council leadership in energy and environmental design
6 green building rating system, version 3.0, referred to as the
7 platinum standard.

8 (5) "*Smart grid*" means a digital network as part of
9 an electrical energy grid that connects electrical energy
10 providers through two-way communications with electrical energy
11 delivery systems and electrical energy customers to make energy
12 generation and delivery systems more efficient and to increase
13 electrical energy grid reliability.

14 (6) "*Smart grid-ready*" means that a property is one of the
15 following:

16 (a) Determined to have the ability to participate in a
17 demand response program.

18 (b) Determined to be capable of being connected to a smart
19 grid.

20 (c) Determined to be connected to a smart grid and
21 determined to be participating in a demand response program.

22 *c.* Each taxpayer claiming an exemption under this subsection
23 shall file with the assessor not later than February 1 of the
24 assessment year for which the exemption is first requested,
25 a statement upon forms to be prescribed by the director
26 of revenue specifying the applicable LEED rating and, if
27 applicable, the smart grid requirements that have been
28 certified for the property during the previous five years
29 by the United States green building council. The statement
30 shall be accompanied by other supporting documentation of the
31 certification as required by the department of revenue.

32 *d.* Once the exemption is granted, the exemption shall be
33 allowed for five assessment years without further filing so
34 long as the permanent improvements to the property continue
35 to meet the applicable requirements for the exemption. The

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1 taxpayer shall notify the assessing authority if during the
 2 five-year exemption period, the property ceases to meet the
 3 applicable requirements for the exemption.
 4 e. Following the expiration of the exemption under paragraph
 5 "d", the property shall not be eligible for another exemption
 6 under this subsection.
 7 Sec. 2. IMPLEMENTATION. Section 25B.7 shall not apply to
 8 this Act.

EXPLANATION

9
 10 This bill establishes a property tax exemption for property
 11 meeting specified energy efficiency and environmental quality
 12 standards. For assessment years beginning on or after January
 13 1, 2013, the exemption provided in the bill for each eligible
 14 property is limited to one of the following: (1) 2 percent
 15 of the amount of actual value of the permanent improvements
 16 to the property if the property was certified by the United
 17 States green building council during the previous five years
 18 as meeting or exceeding the LEED silver rating, as defined in
 19 the bill; (2) 5 percent of the amount of actual value of the
 20 permanent improvements to the property if the property was
 21 certified by the United States green building council during
 22 the previous five years as meeting or exceeding the LEED gold
 23 rating, as defined in the bill, and as being smart grid-ready,
 24 as defined in the bill; and (3) 10 percent of the amount of
 25 actual value of the permanent improvements to the property if
 26 the property was certified by the United States green building
 27 council during the previous five years as meeting or exceeding
 28 the LEED platinum rating, as defined in the bill, and as being
 29 smart grid-ready, defined in the bill as being connected to a
 30 smart grid and participating in a demand response program.
 31 The bill requires each taxpayer claiming an exemption
 32 to file with the assessor not later than February 1 of the
 33 assessment year for which the exemption is first requested,
 34 a statement upon forms to be prescribed by the director
 35 of revenue specifying the applicable LEED rating and, if

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1 applicable, the smart grid requirements that have been
2 certified by the United States green building council during
3 the previous five years for the property. This statement must
4 also be accompanied by other supporting documentation of the
5 certification as required by the department of revenue.

6 If granted, the exemption continues for five assessment
7 years without further filing as long as the permanent
8 improvements to the property continue to meet the applicable
9 requirements for the exemption. The taxpayer is required
10 to notify the assessing authority if during the five-year
11 exemption period, the property ceases to meet the applicable
12 requirements for the exemption.

13 The bill provides that following expiration of the
14 exemption, the property is not eligible for the exemption under
15 the bill in any future assessment year.

16 The bill provides that the provisions in Code section 25B.7,
17 relating to the obligation of the state to reimburse local
18 jurisdictions for property tax credits and exemptions, do not
19 apply to the exemption in the bill.



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House Study Bill 669 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
WAYS AND MEANS BILL BY
CHAIRPERSON SANDS)

A BILL FOR

1 An Act relating to retailers maintaining a place of business
2 in this state for purposes of the collection of sales and
3 use taxes, agreements relating to the collection of sales
4 and use taxes in the state, and sales of tangible personal
5 property and services to the state.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5408HC (1) 84
mm/sc



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1 Section 1. Section 423.1, subsection 48, Code Supplement
 2 2011, is amended to read as follows:

3 48. a. *“Retailer maintaining a place of business in this*
 4 *state”* or any like term includes any retailer having or
 5 maintaining within this state, directly or by a subsidiary,
 6 an office, distribution house, sales house, warehouse, or
 7 other place of business, or any representative operating
 8 within this state under the authority of the retailer or its
 9 subsidiary, irrespective of whether that place of business or
 10 representative is located here permanently or temporarily, or
 11 whether the retailer or subsidiary is admitted to do business
 12 within this state pursuant to chapter 490.

13 b. (1) A retailer shall be presumed to be maintaining a
 14 place of business in this state, as defined in paragraph “a”, if
 15 any person that has substantial nexus in this state, other than
 16 a person acting in its capacity as a common carrier, does any
 17 of the following:

18 (a) Sells a similar line of products as the retailer and
 19 does so under the same or similar business name.

20 (b) Maintains an office, distribution facility, warehouse,
 21 storage place, or similar place of business in this state to
 22 facilitate the delivery of property or services sold by the
 23 retailer to the retailer’s customers.

24 (c) Uses trademarks, service marks, or trade names in this
 25 state that are the same or substantially similar to those used
 26 by the retailer.

27 (d) Delivers, installs, assembles, or performs maintenance
 28 services for the retailer’s customers.

29 (e) Facilitates the retailer’s delivery of property to
 30 customers in this state by allowing the retailer’s customers to
 31 take delivery of property sold by the retailer at an office,
 32 distribution facility, warehouse, storage place, or similar
 33 place of business maintained by the person in this state.

34 (f) Conducts any other activities in this state that
 35 are significantly associated with the retailer’s ability



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1 to establish and maintain a market in this state for the
 2 retailer's sales.

3 (2) The presumption established in this paragraph may be
 4 rebutted by a showing of proof that the person's activities in
 5 this state are not significantly associated with the retailer's
 6 ability to establish or maintain a market in this state for the
 7 retailer's sales.

8 Sec. 2. NEW SECTION. 423.13A Administration —
 9 effectiveness of agreements with retailers.

10 1. Notwithstanding any provision of this chapter to the
 11 contrary, any ruling, agreement, or contract, whether written
 12 or oral, express or implied, entered into after the effective
 13 date of this Act between a retailer and a state agency which
 14 provides that a retailer is not required to collect sales and
 15 use tax in this state despite the presence in this state of
 16 a warehouse, distribution center, or fulfillment center that
 17 is owned and operated by the retailer or an affiliate of the
 18 retailer shall be null and void unless such ruling, agreement,
 19 or contract is approved by a majority vote of both houses of
 20 the general assembly.

21 2. For purposes of this section, "state agency" means
 22 the executive branch, including any executive department,
 23 commission, board, institution, division, bureau, office,
 24 agency, or other entity of state government. "State agency"
 25 does not mean the general assembly, or the judicial branch as
 26 provided in section 602.1102.

27 Sec. 3. Section 423.36, Code 2011, is amended by adding the
 28 following new subsection:

29 NEW SUBSECTION. 1A. a. Notwithstanding subsection 1,
 30 if any person will make taxable sales of tangible personal
 31 property or furnish services to any state agency, that person
 32 shall, prior to the sale, apply for and receive a permit
 33 to collect sales or use tax pursuant to this section. A
 34 state agency shall not purchase tangible personal property
 35 or services from any person unless that person has a valid,



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1 unexpired permit issued pursuant to this section and is in
 2 compliance with all other requirements in this chapter imposed
 3 upon retailers, including but not limited to the requirement to
 4 collect and remit sales and use tax and file sales tax returns.
 5 *b.* For purposes of this subsection, "state agency" means
 6 any executive, judicial, or legislative department, commission,
 7 board, institution, division, bureau, office, agency, or other
 8 entity of state government.

9 EXPLANATION

10 This bill relates to the collection of sales and use taxes
 11 by retailers maintaining a place of business in this state,
 12 agreements relating to the collection of sales and use taxes,
 13 and sales of tangible personal property and services to state
 14 agencies.

15 A retailer located in this state, or maintaining a place of
 16 business in this state, must collect and remit sales and use
 17 taxes to the department of revenue. Currently, as defined in
 18 Code section 423.1, the term "retailer maintaining a place of
 19 business in this state" includes certain places of business,
 20 and representatives operating under the authority of the
 21 retailer.

22 The bill provides that a retailer will be presumed to be
 23 maintaining a place of business in this state if any person
 24 that has substantial nexus in this state, other than a common
 25 carrier, engages in any of six activities specified in the
 26 bill. The presumption may be rebutted by a showing of proof
 27 that the person's activities are not significantly associated
 28 with the retailer's ability to establish or maintain a market
 29 in this state for the retailer's sales.

30 The bill provides that any ruling, agreement, or contract
 31 entered into after the effective date of the bill between a
 32 retailer and a state agency which provides that a retailer is
 33 not required to collect sales and use tax in this state despite
 34 the presence in this state of a warehouse, distribution center,
 35 or fulfillment center owned and operated by the retailer or



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1 an affiliate shall be null and void unless it is specifically
2 approved by a majority vote of both houses of the general
3 assembly. For purposes of this provision of the bill, "state
4 agency" does not include the general assembly or the judicial
5 branch.

6 The bill provides that no person shall make taxable sales or
7 furnish taxable services to a state agency unless that person
8 obtains a sales tax permit. Also, the state is prohibited
9 from purchasing taxable property or services from any person
10 unless that person has a valid, unexpired sales tax permit and
11 is in compliance with all other sales tax laws imposed upon
12 retailers. For purposes of this provision of the bill, "state
13 agency" includes the executive branch, the general assembly,
14 and the judicial branch.



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Senate File 2322 - Introduced

SENATE FILE 2322
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SSB 3195)

A BILL FOR

1 An Act providing volunteer fire fighters and emergency medical
2 services personnel with an individual income tax credit and
3 including effective date and applicability provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 422.12, subsection 1, Code 2011, is
 2 amended by adding the following new paragraphs:
 3 NEW PARAGRAPH. *Ob.* "Emergency medical services personnel"
 4 means an emergency medical care provider, as defined in section
 5 147A.1, who is certified as a first responder pursuant to
 6 chapter 147A.

7 NEW PARAGRAPH. *d.* "Volunteer fire fighter" means a
 8 volunteer fire fighter as defined in section 85.61 who has met
 9 the minimum training standards established by the fire service
 10 training bureau pursuant to chapter 100B.

11 Sec. 2. Section 422.12, subsection 2, Code 2011, is amended
 12 by adding the following new paragraph:

13 NEW PARAGRAPH. *c.* (1) A volunteer fire fighter and
 14 volunteer emergency medical services personnel credit equal
 15 to fifty dollars to compensate the taxpayer for the voluntary
 16 services if the volunteer served for the entire tax year.

17 If the taxpayer is not a volunteer fire fighter or volunteer
 18 emergency medical services personnel for the entire tax
 19 year, the maximum amount of the credit shall be prorated
 20 and the amount of credit for the taxpayer shall equal the
 21 maximum amount of credit for the tax year, divided by twelve,
 22 multiplied by the number of months in the tax year the taxpayer
 23 was a volunteer. The credit shall be rounded to the nearest
 24 dollar. If the taxpayer is a volunteer during any part of a
 25 month, the taxpayer shall be considered a volunteer for the
 26 entire month. If the taxpayer is a volunteer fire fighter and
 27 a volunteer emergency medical services personnel during the
 28 same month, a credit may be claimed for only one volunteer
 29 position for that month.

30 (2) The taxpayer is required to have a written statement
 31 from the fire chief or other appropriate supervisor verifying
 32 that the taxpayer was a volunteer fire fighter or volunteer
 33 emergency medical services personnel for the months for which
 34 the credit under this paragraph is claimed.

35 Sec. 3. EFFECTIVE DATE. This Act takes effect January 1,

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1 2013.

2 Sec. 4. APPLICABILITY. This Act applies to tax years
3 beginning on or after January 1, 2013.

4 EXPLANATION

5 This bill provides a nonrefundable individual income tax
6 credit for an individual who was a volunteer fire fighter who
7 has met the minimum training standards or certified volunteer
8 emergency medical services personnel for the entire tax year.
9 The credit is to compensate the individual for the volunteer
10 services. The amount of the credit equals \$50. If the
11 individual was not a volunteer for the entire tax year, the
12 amount of credit is prorated based upon the months of volunteer
13 service. A credit may be claimed for only one volunteer
14 position per month.

15 The bill takes effect January 1, 2013, and applies to tax
16 years beginning on or after January 1, 2013.



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Senate File 2323 - Introduced

SENATE FILE 2323
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SF 2291)
(SUCCESSOR TO SSB 3095)

A BILL FOR

1 An Act providing for charitable food donations to food banks
2 and similar organizations, including by providing for
3 appropriations and a tax credit and including applicability
4 provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 of the Internal Revenue Code and exempt from taxation under
 2 section 501(a) of the Internal Revenue Code.

3 *c.* It receives contributions that are deductible under
 4 section 170 of the Internal Revenue Code.

5 5. "Iowa food bank association" or "association" means an
 6 organization that meets all of the following requirements:

7 *a.* It is organized as a nonprofit corporation under chapter
 8 504.

9 *b.* Its principal office is or has been located in this
 10 state.

11 *c.* It is an organization described in section 501(c)(3)
 12 of the Internal Revenue Code and exempt from taxation under
 13 section 501(a) of the Internal Revenue Code.

14 *d.* It receives contributions that are deductible under
 15 section 170 of the Internal Revenue Code.

16 *e.* Its members include Iowa food banks, or affiliations
 17 of Iowa food banks, that together serve all counties in this
 18 state.

19 SUBCHAPTER II

20 IOWA FOOD-LINK TO FOOD-BANK INITIATIVE

21 Sec. 3. NEW SECTION. 190B.201 Definition.

22 As used in this subchapter, "department" means the department
 23 of human services.

24 Sec. 4. NEW SECTION. 190B.202 Department of human services
 25 — cooperation with other agencies.

26 1. This subchapter shall be administered by the department
 27 of human services.

28 2. The department shall adopt all rules necessary to
 29 administer this subchapter.

30 3. Each fiscal year, the department shall award the
 31 amount appropriated in section 190B.203, to an Iowa food bank
 32 association selected by the department to manage programs
 33 associated with an Iowa food-link to food-bank initiative.

34 The department shall execute a contract with the association
 35 to provide for the terms and conditions of the program's



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1 management. A contract shall not obligate the state to pay
 2 moneys for multiple fiscal years.

3 4. The department of agriculture and land stewardship,
 4 the department of public health, and the department of
 5 inspections and appeals shall cooperate with the department of
 6 human services to administer the Iowa food-link to food-bank
 7 initiative.

8 Sec. 5. NEW SECTION. 190B.203 Iowa food-link to food-bank
 9 initiative — appropriation.

10 1. For the fiscal year beginning July 1, 2012, and ending
 11 June 30, 2013, and for each subsequent fiscal year, there
 12 is appropriated from the general fund of the state to the
 13 department of human services the amount of two million dollars
 14 to support an Iowa food-link to food-bank initiative to further
 15 the purpose provided in section 190B.101.

16 2. The department of human services shall allocate
 17 one million eight hundred thousand dollars of the amount
 18 appropriated in subsection 1 to an Iowa food bank association
 19 selected by the department as provided in section 190B.201 for
 20 purposes of supporting the following programs:

21 a. An Iowa emergency food purchase program. The department
 22 shall allocate one million seven hundred thousand dollars to
 23 the association for the purchase of food on behalf of an Iowa
 24 emergency feeding organization or for the distribution of
 25 moneys to Iowa emergency feeding organizations for the purchase
 26 of food.

27 (1) A preference shall be provided to the purchase of food
 28 produced, processed, or packaged within this state whenever
 29 reasonably practicable.

30 (2) The food shall be purchased in a manner that best
 31 furthers a significant economic benefit to communities of this
 32 state.

33 b. An Iowa emergency food nutritional education program.
 34 The department shall allocate one hundred thousand dollars to
 35 the association to distribute the moneys to one or more Iowa

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1 emergency feeding organizations in order to provide instruction
 2 regarding nutrition and promote a lifelong healthy diet.

3 3. The department of human services shall allocate two
 4 hundred thousand dollars of the amount appropriated in
 5 subsection 1 to an Iowa food bank association selected by the
 6 department as provided in section 190B.202 for purposes of
 7 administering the programs provided in that section.

8 SUBCHAPTER III

9 FROM FARM TO FOOD DONATION TAX CREDIT

10 Sec. 6. NEW SECTION. 190B.301 **Definitions.**

11 As used in this subchapter, unless the context otherwise
 12 requires:

13 1. "*Agricultural land*" means the same as defined in section
 14 425A.2.

15 2. "*Department*" means the department of revenue.

16 3. "*Food commodity*" means any commodity that is derived
 17 from an agricultural animal or crop, both as defined in section
 18 717A.1, which was produced on agricultural land and which is
 19 intended to be used as food.

20 4. "*Tax credit*" means the from farm to food donation tax
 21 credit as established in this subchapter.

22 Sec. 7. NEW SECTION. 190B.302 **Department of revenue —**
 23 **cooperation with other departments.**

24 1. This subchapter shall be administered by the department
 25 of revenue.

26 2. The department shall adopt all rules necessary to
 27 administer this subchapter.

28 3. The department of agriculture and land stewardship, the
 29 department of public health, the department of human services,
 30 and the department of inspections and appeals shall cooperate
 31 with the department of revenue to administer this subchapter.

32 Sec. 8. NEW SECTION. 190B.303 **From farm to food donation**
 33 **tax credit.**

34 A from farm to food donation tax credit is allowed against
 35 the taxes imposed in chapter 422, divisions II and III, as

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1 provided in this subchapter.

2 Sec. 9. NEW SECTION. 190B.304 From farm to food donation
3 tax credit — eligibility.

4 In order to qualify for a from farm to food donation tax
5 credit, all of the following must apply:

6 1. The taxpayer must produce the donated food commodity.

7 2. The taxpayer must transfer title to a food commodity to
8 an Iowa food bank, or an Iowa emergency feeding organization,
9 recognized by the department. The taxpayer shall not receive
10 remuneration for the transfer.

11 3. a. The food commodity must be intended for human
12 consumption in its raw or processed state.

13 (1) A food commodity in its raw state for processing
14 includes but is not limited to milk, eggs, vegetables, fruits,
15 nuts, syrup, and honey.

16 (2) A food commodity in its processed state includes but is
17 not limited to dairy products, meat, or poultry products.

18 b. A food commodity cannot be damaged or out-of-condition
19 and declared to be unfit for human consumption by a federal,
20 state, or local health official. A food commodity that meets
21 the requirements for donated foods pursuant to the federal
22 emergency food assistance program satisfies this requirement.

23 4. A taxpayer claiming the tax credit shall provide
24 documentation supporting the tax credit claim in a form and
25 manner prescribed by the department by rule.

26 Sec. 10. NEW SECTION. 190B.305 From farm to food donation
27 tax credit — claims filed by individuals who belong to business
28 entities.

29 An individual may claim a from farm to food donation
30 tax credit of a partnership, limited liability company,
31 S corporation, estate, or trust electing to have income
32 taxed directly to the individual. The amount claimed by the
33 individual shall be based upon the pro rata share of the
34 individual's earnings from the partnership, limited liability
35 company, S corporation, estate, or trust.

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1 Sec. 11. NEW SECTION. 190B.306 From farm to food donation
2 tax credit — limits on claims.

3 A from farm to food donation tax credit is subject to all of
4 the following limitations:

5 1. The tax credit shall not exceed a qualifying amount for
6 the tax year that the tax credit is claimed. The qualifying
7 amount is the lesser of the following:

8 a. Ten percent of the value of the commodities donated
9 during the tax year for which the credit is claimed. The value
10 of the commodities shall be determined in the same manner as a
11 charitable contribution of food for federal tax purposes under
12 section 170(e)(3)(C) of the Internal Revenue Code.

13 b. Five thousand dollars.

14 2. A tax credit in excess of the taxpayer's liability for
15 the tax year is not refundable but may be credited to the tax
16 liability for the following five years or until depleted,
17 whichever is earlier.

18 3. The amount of the contribution for which the tax credit
19 is claimed shall not be deductible in determining taxable
20 income for state tax purposes.

21 4. A tax credit shall not be carried back to a tax year
22 prior to the tax year in which the taxpayer claims the tax
23 credit.

24 Sec. 12. NEW SECTION. 422.11L From farm to food donation
25 tax credit.

26 The taxes imposed under this division, less the credits
27 allowed under section 422.12, shall be reduced by a from farm
28 to food donation tax credit as allowed under chapter 190B,
29 subchapter III.

30 Sec. 13. Section 422.33, Code Supplement 2011, is amended by
31 adding the following new subsection:

32 NEW SUBSECTION. 29. The taxes imposed under this division
33 shall be reduced by a from farm to food donation tax credit as
34 allowed under chapter 190B, subchapter III.

35 Sec. 14. APPLICABILITY. The provisions of this Act

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