



Iowa General Assembly
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Senate File 339

H-1220

- 1 Amend Senate File 339, as amended, passed, and
2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 5, by striking <regularly>
 - 4 2. Page 1, line 9, by striking <and> and inserting
5 <and or>
 - 6 3. Page 1, line 13, by striking <regularly>
 - 7 4. Page 1, by striking lines 22 through 24 and
8 inserting <inspection in accordance with section
9 321.374, subsection 2.>
 - 10 5. Page 1, line 25, by striking <regularly>
 - 11 6. Page 1, line 27, by striking <each> and
12 inserting <each a vehicle passes its>
 - 13 7. Page 1, line 32, by striking <regularly>
 - 14 8. Page 2, line 2, by striking <regularly>
 - 15 9. Page 2, after line 3 by inserting:
16 <Sec. ____ . Section 285.8, subsection 9, Code 2013,
17 is amended to read as follows:
18 9. Establish a fee for conducting ~~school bus~~
19 vehicle inspections and subsequent inspections in
20 accordance with subsection 4 and issuing school bus
21 driver authorizations in accordance with section
22 321.376, which shall not exceed the budgeted cost
23 for conducting inspections and administering
24 authorizations.>
 - 25 10. Page 2, line 6, by striking <regularly>
 - 26 11. Page 2, by striking lines 10 and 11 and
27 inserting:
28 <b. Vehicles used to transport ten or fewer
29 children in case of an emergency.>
 - 30 12. Page 2, by striking line 17 and inserting:
31 <f. Privately owned vehicles used to transport
32 children to or from before and after school programs,
33 summer programs, and child care programs if such
34 programs are not operated by a school district.>
 - 35 13. Page 2, line 21, by striking <regularly>
 - 36 14. Page 2, line 34, before <No> by inserting <1.>
 - 37 15. Page 2, line 35, by striking <regularly>
 - 38 16. Page 3, line 7, by striking <regularly>
 - 39 17. Page 3, by striking lines 12 through 17 and
40 inserting <affixed to the lower right hand corner of
41 the windshield.
 - 42 2. A vehicle used as a school bus or vehicle
43 otherwise used to transport children that does not pass
44 an inspection and receives an out-of-service violation
45 in such inspection shall be subject to a subsequent
46 inspection within no more than thirty days. A vehicle
47 that does not pass a subsequent inspection and receives
48 an out-of-service violation in such inspection shall
49 be removed from service until such time as the vehicle
50 passes an inspection. The state board of education

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1 shall establish by rule a procedure for returning
2 such vehicles to service. The board shall define
3 out-of-service violations by rule. Such definitions
4 shall include any deficiency under which operation of
5 a vehicle would create an immediate risk to the safety
6 of the driver, passengers, or the general public. The
7 department of education shall include in its vehicle
8 maintenance and inspection manual procedures for
9 inspections of vehicles otherwise used to transport
10 children, the procedure for returning vehicles
11 to service, and the definitions of out-of-service
12 violations.>

13 18. Page 3, line 21, before <A> by inserting <1.>

14 19. Page 3, line 24, by striking <regularly>

15 20. Page 3, after line 29 by inserting:

16 <2. An individual who knowingly falsifies an
17 inspection record for a school bus or vehicle otherwise
18 used to transport children that is subject to an
19 out-of-service violation as defined by the state board
20 of education commits a simple misdemeanor.>

21 21. Page 3, line 33, by striking <regularly>

22 22. By renumbering, redesignating, and correcting
23 internal references as necessary.

COMMITTEE ON EDUCATION
JORGENSEN of Woodbury, Chairperson



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House Concurrent Resolution 6 - Introduced

HOUSE CONCURRENT RESOLUTION NO. 6

BY UPMEYER and McCARTHY

1 A Concurrent Resolution relating to Pioneer Lawmakers.

2 WHEREAS, The Eighty-fifth General Assembly is
3 advised of a meeting of the Pioneer Lawmakers
4 Association to be held Wednesday, April 10, 2013; and

5 WHEREAS, The Pioneer Lawmakers request the
6 opportunity to meet formally with the General Assembly;

7 NOW THEREFORE,

8 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
9 THE SENATE CONCURRING, That the General Assembly meet
10 in joint session in the House Chamber on Wednesday,
11 April 10, 2013, at 2:00 p.m., and that the Pioneer
12 Lawmakers be invited to attend and present a program
13 on that occasion, and that the Speaker of the House
14 of Representatives and the President of the Senate be
15 designated to deliver the invitation to them.



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House File 613 - Introduced

HOUSE FILE 613
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HF 280)
(SUCCESSOR TO HSB 93)

A BILL FOR

1 An Act relating to the war orphans educational assistance fund
2 by transferring the moneys in the fund to the veterans trust
3 fund and transferring duties for providing educational
4 assistance to orphaned children of veterans to the
5 commission on veterans affairs.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 35A.13, subsection 4, Code 2013, is
 2 amended to read as follows:
 3 4. a. The minimum balance of the trust fund required prior
 4 to expenditure of moneys from the trust fund is five million
 5 dollars. Once the minimum balance is reached, the interest
 6 and earnings on the fund and the first three hundred thousand
 7 dollars transferred each fiscal year pursuant to section 99G.9A
 8 from the lottery fund to the trust fund are appropriated to the
 9 commission to be used to achieve the purposes of subsection 6
 10 of this section. Moneys appropriated to the commission that
 11 remain unobligated or unexpended at the end of each fiscal year
 12 shall revert to the trust fund. It is the intent of the general
 13 assembly that the balance in the trust fund reach fifty million
 14 dollars.

15 b. Notwithstanding paragraph "a", moneys credited to the
 16 war orphans educational assistance account shall be expended
 17 as provided in subsection 6A.

18 Sec. 2. Section 35A.13, Code 2013, is amended by adding the
 19 following new subsection:

20 NEW SUBSECTION. 6A. a. A war orphans educational
 21 assistance account shall be created as a separate account in
 22 the veterans trust fund and moneys in the account shall not
 23 be commingled with any other moneys within the fund. Moneys
 24 credited to the war orphans educational assistance account
 25 shall only be expended for the purposes of assisting in the
 26 education of orphaned children of veterans as provided in this
 27 subsection. Interest or earnings on moneys deposited in the
 28 account shall be credited to the account.

29 b. (1) The commission may provide educational assistance
 30 funds to any child who has lived in the state of Iowa
 31 for two years preceding application for state educational
 32 assistance, and who is the child of a person who died prior
 33 to September 11, 2001, during active federal military service
 34 while serving in the armed forces or during active federal
 35 military service in the Iowa national guard or other military



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1 component of the United States, to defray the expenses of
2 tuition, matriculation, laboratory and similar fees, books and
3 supplies, board, lodging, and any other reasonably necessary
4 expense for the child or children incident to attendance in
5 this state at an educational or training institution of college
6 grade, or in a business or vocational training school with
7 standards approved by the department. The commission shall not
8 expend more than six hundred dollars per year for educational
9 assistance for any one child under this paragraph.

10 (2) A child eligible to receive funds under this subsection
11 shall not receive more than three thousand dollars under this
12 paragraph "b" during the child's lifetime.

13 c. (1) Upon application by a child who is less than
14 thirty-one years of age, and who is the child of a person who
15 died on or after September 11, 2001, during active federal
16 military service while serving in the armed forces or during
17 active federal military service in the Iowa national guard
18 or other military component of the United States, and who
19 at the time of entering into active military service had
20 maintained the person's residence in the state for a period
21 of at least six months immediately before entering into
22 active military service, the commission shall provide state
23 educational assistance in an amount of no more than the highest
24 resident undergraduate tuition rate established per year for
25 an institution of higher learning under the control of the
26 state board of regents less the amount of any state and federal
27 education benefits, grants, or scholarships received by the
28 child, or the amount of the child's established financial need,
29 whichever is less, to defray the expenses of tuition at any
30 postsecondary educational institution in this state.

31 (2) A child eligible to receive state educational
32 assistance under this paragraph "c" shall begin postsecondary
33 education prior to reaching age twenty-six, shall not receive
34 more than an amount equal to five times the highest resident
35 undergraduate tuition rate established per year for an

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1 institution of higher learning under the control of the state
 2 board of regents during the child's lifetime, and shall, to
 3 remain eligible for assistance, meet the academic progress
 4 standards of the postsecondary educational institution.
 5 Payments for state educational assistance for a child under
 6 this paragraph "c" shall be made to the applicable postsecondary
 7 educational institution. The college student aid commission
 8 may, if requested, assist the commission in administering this
 9 paragraph "c".

10 *d.* Eligibility for assistance pursuant to this subsection
 11 shall be determined upon application to the commission, whose
 12 decision is final. The eligibility of applicants shall be
 13 certified by the commission to the director of the department
 14 of administrative services in a timely manner, and all amounts
 15 that are or become due an individual or a training institution
 16 under this subsection shall be paid to the individual or
 17 institution by the director of the department of administrative
 18 services upon receipt by the director of certification
 19 by the president or governing board of the educational or
 20 training institution as to accuracy of charges made, and
 21 as to the attendance of the individual at the educational
 22 or training institution. The commission may pay over the
 23 annual sum set forth in this subsection to the educational or
 24 training institution in a lump sum, or in installments as the
 25 circumstances warrant, upon receiving from the institution such
 26 written undertaking as the department may require to assure the
 27 use of funds for the child for the authorized purposes and for
 28 no other purpose. A person is not eligible for the benefits
 29 of this subsection until the person has graduated from a high
 30 school or educational institution offering a course of training
 31 equivalent to high school training.

32 *e.* Any expense incurred in carrying out the provisions of
 33 this subsection shall be chargeable to the trust fund.

34 Sec. 3. Section 35A.13, Code 2013, is amended by adding the
 35 following new subsection:

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1 deposited in the war orphans educational assistance account
2 shall be credited to the account. The bill also transfers
3 to the commission of veterans affairs current Code duties
4 regarding educational assistance to orphaned children of
5 veterans. The bill further provides that it is the intent of
6 the general assembly that appropriations be made as necessary
7 to the war orphans educational assistance account to pay all
8 claims beginning with FY 2013-2014.



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House File 614 - Introduced

HOUSE FILE 614
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 221)

A BILL FOR

1 An Act appropriating federal funds made available from federal
2 block grants and other nonstate sources, allocating portions
3 of federal block grants, and providing procedures if federal
4 funds are more or less than anticipated or if federal block
5 grants are more or less than anticipated and including
6 effective date and retroactive applicability provisions.
7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 (2) FFY 2014-2015
2 \$ 24,585

3 2. At least 20 percent of the funds remaining from the
4 appropriation made in subsection 1 for each federal fiscal year
5 shall be allocated for prevention programs.

6 3. In implementing the federal prevention and treatment of
7 substance abuse block grant under 42 U.S.C., ch. 6A, subch.
8 XVII, and any other applicable provisions of the federal Public
9 Health Service Act under 42 U.S.C., ch. 6A, the department
10 shall apply the provisions of Pub. L. No. 106-310, § 3305,
11 as codified in 42 U.S.C. § 300x-65, relating to services
12 under such federal law being provided by religious and other
13 nongovernmental organizations.

14 Sec. 2. COMMUNITY MENTAL HEALTH SERVICES APPROPRIATION.

15 1. a. There is appropriated from the fund created by
16 section 8.41 to the department of human services for the
17 following federal fiscal years beginning October 1, and ending
18 September 30, the following amounts:

19 FFY 2013-2014..... \$ 3,588,593
20 FFY 2014-2015..... \$ 3,588,593

21 b. The appropriations made in this subsection are in the
22 amounts anticipated to be received from the federal government
23 for the designated federal fiscal years under 42 U.S.C., ch.
24 6A, subch. XVII, part B, subpart i, which provides for the
25 community mental health services block grant. The department
26 shall expend the funds appropriated in this subsection as
27 provided in the federal law making the funds available and in
28 conformance with chapter 17A.

29 c. The department shall allocate not less than 95 percent
30 of the amount of the block grant each federal fiscal year
31 to eligible community mental health services providers for
32 carrying out the plan submitted to and approved by the federal
33 substance abuse and mental health services administration for
34 the fiscal year involved.

35 d. Of the amount allocated to eligible services providers

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1 in paragraph "c", 70 percent of the amount each federal fiscal
 2 year shall be distributed to the state's accredited community
 3 mental health centers designated in accordance with chapter
 4 230A. The funding distributed shall be used by recipients
 5 of the funding for the purpose of developing and providing
 6 evidence-based practices and emergency services to adults with
 7 a serious mental illness and children with a serious emotional
 8 disturbance. The distribution amounts shall be announced at
 9 the beginning of the federal fiscal year and distributed on
 10 a quarterly basis according to the formulas used in previous
 11 fiscal years. Recipients shall submit quarterly reports
 12 containing data consistent with the performance measures
 13 approved by the federal substance abuse and mental health
 14 services administration.

15 2. An amount not exceeding 5 percent of the funds
 16 appropriated in subsection 1 for each federal fiscal year shall
 17 be used by the department of human services for administrative
 18 expenses. From the funds set aside by this subsection for
 19 administrative expenses, the department shall pay to the
 20 auditor of state an amount sufficient to pay the cost of
 21 auditing the use and administration of the state's portion of
 22 the funds appropriated in subsection 1. The auditor of state
 23 shall bill the department for the costs of the audits.

24 **Sec. 3. MATERNAL AND CHILD HEALTH SERVICES APPROPRIATIONS.**

25 1. There is appropriated from the fund created by section
 26 8.41 to the department of public health for the following
 27 federal fiscal years beginning October 1, and ending September
 28 30, the following amounts:

29 FFY 2013-2014.....	\$ 6,442,068
30 FFY 2014-2015.....	\$ 6,442,068

31 a. The appropriations made in this subsection are in the
 32 amounts anticipated to be received from the federal government
 33 for the designated federal fiscal years under 42 U.S.C., ch.
 34 7, subch. V, which provides for the maternal and child health
 35 services block grant. The department shall expend the funds



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1 5. The department of public health shall administer the
2 statewide maternal and child health program and the disabled
3 children’s program by conducting mobile and regional child
4 health specialty clinics and conducting other activities to
5 improve the health of low-income women and children and to
6 promote the welfare of children with actual or potential
7 handicapping conditions and chronic illnesses in accordance
8 with the requirements of Tit. V of the federal Social Security
9 Act.

10 Sec. 4. PREVENTIVE HEALTH AND HEALTH SERVICES
11 APPROPRIATIONS.

12 1. There is appropriated from the fund created by section
13 8.41 to the department of public health for the following
14 federal fiscal years beginning October 1, and ending September
15 30, the following amounts:

16 FFY 2013-2014.....	\$ 820,982
17 FFY 2014-2015.....	\$ 820,982

18 The appropriations made in this subsection are in the
19 amounts anticipated to be received from the federal government
20 for the designated federal fiscal years under 42 U.S.C., ch.
21 6A, subch. XVII, part A, which provides for the preventive
22 health and health services block grant. The department shall
23 expend the funds appropriated in this subsection as provided in
24 the federal law making the funds available and in conformance
25 with chapter 17A.

26 2. Of the funds appropriated in subsection 1 for each
27 federal fiscal year, an amount not exceeding 10 percent shall
28 be used by the department for administrative expenses.

29 3. Of the funds appropriated in subsection 1 for each
30 federal fiscal year, the specific amount of funds stipulated
31 by the notice of the block grant award shall be allocated for
32 services to victims of sex offenses and for rape prevention
33 education.

34 4. After deducting the funds allocated in subsections 2 and
35 3, the remaining funds appropriated in subsection 1 for each



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1 federal fiscal year may be used by the department for healthy
 2 people 2020 and Iowa's health improvement plan 2012-2016
 3 program objectives, preventive health advisory committee, and
 4 risk reduction services, including nutrition programs, health
 5 incentive programs, chronic disease services, emergency medical
 6 services, monitoring of the fluoridation program and start-up
 7 fluoridation grants, and acquired immune deficiency syndrome
 8 services. The moneys specified in this subsection shall not be
 9 used by the university of Iowa hospitals and clinics or by the
 10 state hygienic laboratory for the funding of indirect costs.

11 **Sec. 5. STOP VIOLENCE AGAINST WOMEN GRANT PROGRAM**
 12 **APPROPRIATION.**

13 1. There is appropriated from the fund created by section
 14 8.41 to the department of justice for the following federal
 15 fiscal years beginning October 1, and ending September 30, the
 16 following amounts:

17 FFY 2013-2014.....	\$ 1,571,978
18 FFY 2014-2015.....	\$ 1,571,978

19 The appropriations made in this subsection are in the
 20 amounts anticipated to be received from the federal government
 21 for the designated fiscal years under 42 U.S.C., ch. 46,
 22 subch. XII-H which provides for grants to combat violent
 23 crimes against women. The department of justice shall expend
 24 the funds appropriated in this subsection as provided in the
 25 federal law making the funds available and in conformance with
 26 chapter 17A.

27 2. An amount not exceeding 10 percent of the funds
 28 appropriated in subsection 1 shall be used by the department of
 29 justice for administrative expenses. From the funds set aside
 30 by this subsection for administrative expenses, the department
 31 shall pay to the auditor of state an amount sufficient to pay
 32 the cost of auditing the use and administration of the state's
 33 portion of the funds appropriated in subsection 1.

34 **Sec. 6. RESIDENTIAL SUBSTANCE ABUSE TREATMENT FOR STATE**
 35 **PRISONERS FORMULA GRANT PROGRAM.** There is appropriated from

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1 the fund created by section 8.41 to the governor's office of
 2 drug control policy for the following federal fiscal years
 3 beginning October 1, and ending September 30, the following
 4 amounts:

5 FFY 2013-2014.....	\$ 250,000
6 FFY 2014-2015.....	\$ 250,000

7 The appropriations made in this section are the amounts
 8 anticipated to be received from the federal government for the
 9 designated federal fiscal years under 42 U.S.C., ch. 46, subch.
 10 XII-G, which provides grants for substance abuse treatment
 11 programs in state and local correctional facilities. The drug
 12 policy coordinator shall expend the funds appropriated in this
 13 section as provided in federal law making the funds available
 14 and in conformance with chapter 17A.

15 Sec. 7. EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT
 16 PROGRAM APPROPRIATION. There is appropriated from the fund
 17 created by section 8.41 to the governor's office of drug
 18 control policy for the following federal fiscal years beginning
 19 October 1, and ending September 30, the following amounts:

20 FFY 2013-2014.....	\$ 2,447,976
21 FFY 2014-2015.....	\$ 2,100,000

22 The appropriations made in this section are in the amounts
 23 anticipated to be received from the federal government for the
 24 designated fiscal years under 42 U.S.C., ch. 46, subch. V,
 25 which provides for the Edward Byrne memorial justice assistance
 26 grant program. The drug policy coordinator shall expend the
 27 funds appropriated in this section as provided in the federal
 28 law making the funds available and in conformance with chapter
 29 17A.

30 Sec. 8. COMMUNITY SERVICES APPROPRIATIONS.

31 1. a. There is appropriated from the fund created by
 32 section 8.41 to the division of community action agencies
 33 of the department of human rights for the following federal
 34 fiscal years beginning October 1, and ending September 30, the
 35 following amounts:



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1 FFY 2013-2014..... \$ 7,296,867
 2 FFY 2014-2015..... \$ 7,296,867

3 The appropriations made in this subsection are in the
 4 amounts anticipated to be received from the federal government
 5 for the designated federal fiscal years under 42 U.S.C., ch.
 6 106, which provides for the community services block grant.
 7 The division of community action agencies of the department
 8 of human rights shall expend the funds appropriated in this
 9 subsection as provided in the federal law making the funds
 10 available and in conformance with chapter 17A.

11 b. Each federal fiscal year, the administrator of the
 12 division of community action agencies of the department
 13 of human rights shall allocate not less than 96 percent of
 14 the amount of the block grants to eligible community action
 15 agencies for programs benefiting low-income persons. Each
 16 eligible agency shall receive a minimum allocation of not
 17 less than \$100,000. The minimum allocation shall be achieved
 18 by redistributing increased funds from agencies experiencing
 19 a greater share of available funds. The funds shall be
 20 distributed on the basis of the poverty-level population in the
 21 area represented by the community action areas compared to the
 22 size of the poverty-level population in the state.

23 2. An amount not exceeding 4 percent of the funds
 24 appropriated in subsection 1 for each federal fiscal year shall
 25 be used by the division of community action agencies of the
 26 department of human rights for administrative expenses. From
 27 the funds set aside by this subsection for administrative
 28 expenses, the division of community action agencies of the
 29 department of human rights shall pay to the auditor of state
 30 an amount sufficient to pay the cost of auditing the use and
 31 administration of the state's portion of the funds appropriated
 32 in subsection 1. The auditor of state shall bill the division
 33 of community action agencies for the costs of the audits.

34 **Sec. 9. COMMUNITY DEVELOPMENT APPROPRIATIONS.**

35 1. There is appropriated from the fund created by section

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1 8.41 to the economic development authority for the following
 2 federal fiscal years beginning October 1, and ending September
 3 30, the following amounts:

4 FFY 2013-2014..... \$ 23,877,960
 5 FFY 2014-2015..... \$ 23,877,960

6 The appropriations made in this subsection are in the
 7 amounts anticipated to be received from the federal government
 8 for the designated federal fiscal years under 42 U.S.C., ch.
 9 69, which provides for community development block grants.

10 The economic development authority shall expend the funds
 11 appropriated in this subsection as provided in the federal law
 12 making the funds available and in conformance with chapter 17A.

13 2. a. An amount not exceeding \$1,055,000 for the federal
 14 fiscal year beginning October 1, 2013, shall be used by the
 15 economic development authority for administrative expenses for
 16 the community development block grant. The total amount used
 17 for administrative expenses includes \$577,500 for the federal
 18 fiscal year beginning October 1, 2013, of funds appropriated
 19 in subsection 1 and a matching contribution from the state
 20 equal to \$477,500 from the appropriation of state funds for
 21 the community development block grant and state appropriations
 22 for related activities of the economic development authority.
 23 From the funds set aside for administrative expenses by this
 24 subsection, the economic development authority shall pay to
 25 the auditor of state an amount sufficient to pay the cost of
 26 auditing the use and administration of the state's portion of
 27 the funds appropriated in subsection 1. The auditor of state
 28 shall bill the authority for the costs of the audit.

29 b. An amount not exceeding \$1,055,000 for the federal
 30 fiscal year beginning October 1, 2014, shall be used by the
 31 economic development authority for administrative expenses for
 32 the community development block grant. The total amount used
 33 for administrative expenses includes \$577,500 for the federal
 34 fiscal year beginning October 1, 2014, of funds appropriated
 35 in subsection 1 and a matching contribution from the state



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1 equal to \$477,500 from the appropriation of state funds for
 2 the community development block grant and state appropriations
 3 for related activities of the economic development authority.
 4 From the funds set aside for administrative expenses by this
 5 subsection, the economic development authority shall pay to
 6 the auditor of state an amount sufficient to pay the cost of
 7 auditing the use and administration of the state's portion of
 8 the funds appropriated in subsection 1. The auditor of state
 9 shall bill the authority for the costs of the audit.

10 Sec. 10. LOW-INCOME HOME ENERGY ASSISTANCE APPROPRIATIONS.

11 1. There is appropriated from the fund created by section
 12 8.41 to the division of community action agencies of the
 13 department of human rights for the following federal fiscal
 14 years beginning October 1, and ending September 30, the
 15 following amounts:

16 FFY 2013-2014.....	\$ 54,812,000
17 FFY 2014-2015.....	\$ 54,812,000

18 The appropriations made in this subsection are in the
 19 amounts anticipated to be received from the federal government
 20 for the designated federal fiscal years under 42 U.S.C., ch.
 21 94, subch. II, which provides for the low-income home energy
 22 assistance block grants. The division of community action
 23 agencies of the department of human rights shall expend the
 24 funds appropriated in this subsection as provided in the
 25 federal law making the funds available and in conformance with
 26 chapter 17A.

27 2. Up to 15 percent of the amount appropriated in this
 28 section that is actually received for each federal fiscal year
 29 shall be used for residential weatherization or other related
 30 home repairs for low-income households. Of this allocation
 31 amount, not more than 10 percent may be used for administrative
 32 expenses.

33 3. After subtracting the allocation in subsection 2, up to
 34 10 percent of the remaining moneys for each federal fiscal year
 35 are allocated for administrative expenses of the low-income



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1 home energy assistance program of which \$377,000 is allocated
 2 each federal fiscal year for administrative expenses of the
 3 division. The costs of auditing the use and administration
 4 of the portion of the appropriation in this section that is
 5 retained by the state shall be paid from the amount allocated
 6 in this subsection each federal fiscal year to the division.
 7 The auditor of state shall bill the division for the audit
 8 costs.

9 4. The remaining moneys of the appropriation made in this
 10 section for each federal fiscal year following the allocations
 11 made in subsections 2 and 3, shall be used to help eligible
 12 households as defined in 42 U.S.C., ch. 94, subch. II, to meet
 13 home energy costs.

14 5. Not more than 10 percent of the amount appropriated in
 15 this section each federal fiscal year that is actually received
 16 may be carried forward for use in the succeeding federal fiscal
 17 year.

18 6. Expenditures for assessment and resolution of energy
 19 problems shall be limited to not more than 5 percent of the
 20 amount appropriated in this section for each federal fiscal
 21 year that is actually received.

22 **Sec. 11. SOCIAL SERVICES APPROPRIATIONS.**

23 1. There is appropriated from the fund created by section
 24 8.41 to the department of human services for the following
 25 federal fiscal years beginning October 1, and ending September
 26 30, the following amounts:

27 FFY 2013-2014.....	\$ 16,546,044
28 FFY 2014-2015.....	\$ 16,546,044

29 The appropriations made in this subsection are in the
 30 amounts anticipated to be received from the federal government
 31 for the designated federal fiscal years under 42 U.S.C., ch.
 32 7, subch. XX, which provides for the social services block
 33 grant. The department of human services shall expend the funds
 34 appropriated in this subsection as provided in the federal law
 35 making the funds available and in conformance with chapter 17A.

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1 2. Not more than the following amounts of the funds
2 appropriated in subsection 1 for the following federal fiscal
3 years shall be used by the department of human services for
4 general administration:

5 a. FFY 2013-2014
6 \$ 1,056,493

7 b. FFY 2014-2015
8 \$ 1,056,493

9 From the funds set aside in this subsection for general
10 administration for each federal fiscal year, the department
11 of human services shall pay to the auditor of state an
12 amount sufficient to pay the cost of auditing the use and
13 administration of the state's portion of the funds appropriated
14 in subsection 1.

15 3. In addition to the allocation for general administration
16 in subsection 2, the remaining funds appropriated in subsection
17 1 for each federal fiscal year shall be allocated in the
18 following amounts to supplement appropriations for the
19 following federal fiscal years for the following programs
20 within the department of human services:

21 a. Field operations:

22 (1) FFY 2013-2014
23 \$ 6,319,006

24 (2) FFY 2014-2015
25 \$ 6,319,006

26 b. Child and family services:

27 (1) FFY 2013-2014
28 \$ 946,795

29 (2) FFY 2014-2015
30 \$ 946,795

31 c. Local administrative costs and other local services:

32 (1) FFY 2013-2014
33 \$ 670,148

34 (2) FFY 2014-2015
35 \$ 670,148

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1 d. Volunteers:
2 (1) FFY 2013-2014
3 \$ 73,369
4 (2) FFY 2014-2015
5 \$ 73,369
6 e. For distribution to counties or regions for state case
7 services for persons with mental illness, and intellectual
8 disability, or a developmental disability in accordance with
9 law:
10 (1) FFY 2013-2014
11 \$ 1,122,842
12 (2) FFY 2014-2015
13 \$ 0

14 Sec. 12. SOCIAL SERVICES BLOCK GRANT PLAN. The department
15 of human services during each state fiscal year shall develop a
16 plan for the use of federal social services block grant funds
17 for the subsequent state fiscal year.

18 The proposed plan shall include all programs and services
19 at the state level which the department proposes to fund with
20 federal social services block grant funds, and shall identify
21 state and other funds which the department proposes to use to
22 fund the state programs and services.

23 The proposed plan shall also include all local programs and
24 services which are eligible to be funded with federal social
25 services block grant funds, the total amount of federal social
26 services block grant funds available for the local programs and
27 services, and the manner of distribution of the federal social
28 services block grant funds to the counties. The proposed plan
29 shall identify state and local funds which will be used to fund
30 the local programs and services.

31 The proposed plan shall be submitted with the department's
32 budget requests to the governor and the general assembly.

33 Sec. 13. PROJECTS FOR ASSISTANCE IN TRANSITION FROM
34 HOMELESSNESS.

35 1. Upon receipt of the minimum formula grant from

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1 FFY 2013-2014..... \$ 45,039,023
 2 FFY 2014-2015..... \$ 45,039,023

3 The appropriations made in this section are in the amounts
 4 anticipated to be received from the federal government for
 5 the designated federal fiscal years under 42 U.S.C., ch.
 6 105, subch. II-B, which provides for the child care and
 7 development block grant. The department shall expend the funds
 8 appropriated in this section as provided in the federal law
 9 making the funds available and in conformance with chapter 17A.

10 Moneys appropriated in this section that remain unencumbered
 11 or unobligated at the close of the fiscal year shall revert to
 12 be available for appropriation for purposes of the child care
 13 and development block grant in the succeeding fiscal year.

14 Sec. 15. PROCEDURE FOR REDUCED FEDERAL FUNDS.

15 1. If the funds received from the federal government for the
 16 block grants specified in this Act are less than the amounts
 17 appropriated, the funds actually received shall be prorated
 18 by the governor for the various programs, other than for the
 19 services to victims of sex offenses and for rape prevention
 20 education under section 4, subsection 3, of this Act, for which
 21 each block grant is available according to the percentages that
 22 each program is to receive as specified in this Act. However,
 23 if the governor determines that the funds allocated by the
 24 percentages will not be sufficient to accomplish the purposes
 25 of a particular program, or if the appropriation is not
 26 allocated by percentage, the governor may allocate the funds in
 27 a manner which will accomplish to the greatest extent possible
 28 the purposes of the various programs for which the block grants
 29 are available.

30 2. Before the governor implements the actions provided for
 31 in subsection 1, the following procedures shall be taken:

32 a. The chairpersons and ranking members of the senate and
 33 house standing committees on appropriations, the appropriate
 34 chairpersons and ranking members of subcommittees of those
 35 committees, and the director of the legislative services agency



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1 shall be notified of the proposed action.

2 b. The notice shall include the proposed allocations,
3 and information on the reasons why particular percentages or
4 amounts of funds are allocated to the individual programs,
5 the departments and programs affected, and other information
6 deemed useful. Chairpersons and ranking members notified shall
7 be allowed at least two weeks to review and comment on the
8 proposed action before the action is taken.

9 Sec. 16. PROCEDURE FOR INCREASED FEDERAL FUNDS.

10 1. If funds received from the federal government in the form
11 of block grants exceed the amounts appropriated in sections 1,
12 2, 3, 4, 7, 9, and 11 of this Act, the excess shall be prorated
13 to the appropriate programs according to the percentages
14 specified in those sections, except additional funds shall not
15 be prorated for administrative expenses.

16 2. If actual funds received from the federal government
17 from block grants exceed the amount appropriated in section 10
18 of this Act for the low-income home energy assistance program,
19 not more than 10 percent of the excess may be allocated to the
20 low-income residential weatherization program and not more than
21 15 percent of the excess may be used for administrative costs.

22 3. If funds received from the federal government from
23 community services block grants exceed the amount appropriated
24 in section 8 of this Act, 100 percent of the excess is
25 allocated to the community services block grant program.

26 Sec. 17. PROCEDURE FOR EXPENDITURE OF ADDITIONAL FEDERAL
27 FUNDS. If other federal grants, receipts, and funds and other
28 nonstate grants, receipts, and funds become available or are
29 awarded which are not available or awarded during the period
30 in which the general assembly is in session, but which require
31 expenditure by the applicable department or agency prior to
32 March 15 of the fiscal years beginning July 1, 2013, and July
33 1, 2014, these grants, receipts, and funds are appropriated to
34 the extent necessary, provided that the fiscal committee of
35 the legislative council is notified within 30 days of receipt

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1 of the grants, receipts, or funds and the fiscal committee of
2 the legislative council has an opportunity to comment on the
3 expenditure of the grants, receipts, or funds.

4 Sec. 18. OTHER GRANTS, RECEIPTS, AND FUNDS. Federal grants,
5 receipts, and funds and other nonstate grants, receipts, and
6 funds, available in whole or in part of the fiscal years
7 beginning July 1, 2013, and July 1, 2014, are appropriated to
8 the following departments and agencies that are designated
9 by and for the purposes set forth in the grants, receipts,
10 or conditions accompanying the receipt of the funds, unless
11 otherwise provided by law:

- 12 1. Department of administrative services.
- 13 2. Department on aging.
- 14 3. Department of agriculture and land stewardship.
- 15 4. Office of auditor of state.
- 16 5. Department for the blind.
- 17 6. Iowa state civil rights commission.
- 18 7. College student aid commission.
- 19 8. Department of commerce.
- 20 9. Department of corrections.
- 21 10. Department of cultural affairs.
- 22 11. Economic development authority.
- 23 12. Department of education.
- 24 13. Iowa ethics and campaign disclosure board.
- 25 14. Iowa finance authority.
- 26 15. Offices of the governor and lieutenant governor.
- 27 16. Governor's office of drug control policy.
- 28 17. Department of human rights.
- 29 18. Department of human services.
- 30 19. Department of inspections and appeals.
- 31 20. Judicial branch.
- 32 21. Department of justice.
- 33 22. Iowa law enforcement academy.
- 34 23. Department of management.
- 35 24. Department of natural resources.

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- 1 25. Board of parole.
- 2 26. Department of public defense.
- 3 27. Public employment relations board.
- 4 28. Department of public health.
- 5 29. Department of public safety.
- 6 30. State board of regents.
- 7 31. Department of revenue.
- 8 32. Office of secretary of state.
- 9 33. Iowa state fair authority.
- 10 34. Office for state-federal relations.
- 11 35. Iowa telecommunications and technology commission.
- 12 36. Office of treasurer of state.
- 13 37. Department of transportation.
- 14 38. Department of veterans affairs.
- 15 39. Department of workforce development.

DIVISION II

PREVIOUS FEDERAL FISCAL YEARS

18 Sec. 19. COMMUNITY DEVELOPMENT BLOCK GRANT — DISASTER
 19 RECOVERY ENHANCEMENT FUND.

20 1. There is appropriated from the fund created by section
 21 8.41 to the economic development authority for the federal
 22 fiscal year beginning October 1, 2007, and ending September 30,
 23 2008, the following amount:

24 \$ 92,167,641

25 2. The appropriation made in this section is in the
 26 federally designated amount awarded to the state through the
 27 federal community development block grant's disaster recovery
 28 enhancement fund pursuant to the federal Consolidated Security,
 29 Disaster Assistance, and Continuing Appropriations Act, 2009,
 30 Pub. L. No. 110-329.

31 3. The economic development authority shall expend the
 32 funds appropriated in this section for disaster relief,
 33 long-term recovery, and restoration of infrastructure as
 34 provided in the federal law making the funds available and
 35 in conformance with chapter 17A. An amount not to exceed 3



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1 Dodd-Frank Wall Street Reform and Consumer Protection Act for
2 federal fiscal year 2010-2011. This provision is retroactively
3 applicable to October 1, 2010.
4 The division takes effect upon enactment.



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House File 615 - Introduced

HOUSE FILE 615
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 585)
(SUCCESSOR TO HSB 198)

A BILL FOR

1 An Act relating to the innovation fund investment tax credit
2 by modifying the tax credit and the authority and duties of
3 the Iowa innovation corporation relating to the tax credit,
4 and including effective date and retroactive applicability
5 provisions.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 2327HZ (2) 85
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1 Section 1. Section 15.107A, Code 2013, is amended by adding
 2 the following new subsection:

3 NEW SUBSECTION. 3. The corporation may establish an
 4 innovation fund for purposes of stimulating early-stage
 5 and seed capital investment in the state. If the fund is
 6 established to qualify for innovation fund investment tax
 7 credits pursuant to section 15E.52, the corporation shall
 8 ensure that the following requirements are met:

9 a. If the corporation seeks to enter into a contract with
 10 an entity to provide investment management services to the
 11 innovation fund, such an entity shall be chosen according to an
 12 open and competitive proposal process.

13 b. The compensation package provided to an entity under
 14 paragraph "a" shall be at or below the market rate for such
 15 services as determined by at least one independent investment
 16 management evaluation group.

17 c. Any contract entered into for services pursuant to
 18 this subsection shall be made available, upon request, to the
 19 authority, the general assembly, the auditor of state, and the
 20 governor's office.

21 Sec. 2. Section 15E.52, Code 2013, is amended to read as
 22 follows:

23 **15E.52 Innovation fund investment tax credits.**

24 1. For purposes of this section, unless the context
 25 otherwise requires:

26 a. "Board" means the same as defined in section 15.102.

27 b. "Innovation fund" means one or more early-stage capital
 28 funds certified by the board.

29 c. "Innovative business" means a business applying novel
 30 or original methods to the manufacture of a product or the
 31 delivery of a service. "Innovative business" includes but is
 32 not limited to a business engaged in the industries of advanced
 33 manufacturing, biosciences, and information technology.

34 2. a. A tax credit shall be allowed against the taxes
 35 imposed in chapter 422, divisions II, III, and V, and in



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1 along with a statement containing the transferee's name, tax
 2 identification number, and address, the denomination that each
 3 replacement tax credit certificate is to carry, and any other
 4 information required by the department of revenue.

5 10. Within thirty days of receiving the transferred
 6 tax credit certificate and the transferee's statement, the
 7 department of revenue shall issue one or more replacement
 8 tax credit certificates to the transferee. Each replacement
 9 tax credit certificate must contain the information required
 10 for the original tax credit certificate. A replacement tax
 11 credit certificate may designate a different tax than the
 12 tax designated on the original tax credit certificate. A
 13 tax credit shall not be claimed by a transferee under this
 14 section until a replacement tax credit certificate identifying
 15 the transferee as the proper holder has been issued. The
 16 department of revenue shall conspicuously label on the face of
 17 the certificate any tax credit certificate that is ineligible
 18 for transfer.

19 11. The transferee may use the amount of the tax credit
 20 transferred against the taxes imposed in chapter 422, divisions
 21 II, III, and V, and in chapter 432, and against the moneys and
 22 credits tax imposed in section 533.329, for any tax year the
 23 original transferor could have claimed the tax credit. Any
 24 consideration received for the transfer of the tax credit shall
 25 not be included as income under chapter 422, divisions II, III,
 26 and V. Any consideration paid for the transfer of the tax
 27 credit shall not be deducted from income under chapter 422,
 28 divisions II, III, and V.

29 **Sec. 3. EFFECTIVE UPON ENACTMENT.** This Act, being deemed of
 30 immediate importance, takes effect upon enactment.

31 **Sec. 4. RETROACTIVE APPLICABILITY.** This Act applies
 32 retroactively to January 1, 2013, for tax years beginning on
 33 or after that date and for equity investments in an innovation
 34 fund made on or after that date.

35

EXPLANATION

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1 This bill modifies the innovation fund investment tax credit
2 and allows the Iowa innovation corporation to establish an
3 innovation fund.

4 Under current law, the economic development authority is
5 required to issue nontransferable tax credit certificates
6 equal to 20 percent of a taxpayer's equity investment in an
7 innovation fund. The tax credits available for issuance are
8 under the aggregate tax credit limit for certain economic
9 development programs in Code section 15.119, and are limited to
10 a total of \$8 million per fiscal year.

11 The bill modifies the credit by removing the 20 percent
12 limitation and specifying that for each fiscal year a total
13 of \$8 million in innovation fund investment tax credit
14 certificates shall be issued by the authority to one or more
15 nonprofit corporations operating an innovation fund.

16 The bill provides that tax credit certificates may be
17 transferred no more than two times and establishes procedures
18 for transferring the credit to another person. A nonprofit
19 corporation which receives a tax credit certificate from the
20 authority shall only transfer the certificate to taxpayers who
21 make an equity investment in the form of cash in an innovation
22 fund operated by the nonprofit corporation, which taxpayer
23 shall receive a total amount of tax credits equal to 50 percent
24 of the taxpayer's investment in the innovation fund. The
25 department of revenue and the economic development authority
26 are required to publish an annual report listing the name of
27 each person who has been issued or transferred a tax credit
28 certificate.

29 The bill provides that any innovation tax credit
30 certificates issued by the authority are deemed to be a vested
31 right of the original holder or transferee and the state shall
32 not cause them to be redeemed in such a way that amends,
33 rescinds, curtails, limits, or withdraws the tax credits,
34 except as provided in Code section 15E.52 as amended in the
35 bill. The certificates cannot pledge the credit of the state

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1 and shall not constitute a contract binding the state if a
2 certificate is pledged to secure the debt of the original
3 holder or a transferee.

4 The bill adds an additional requirement for certification of
5 an innovation fund by requiring an applicant fund to meet any
6 other criteria adopted by the economic development authority
7 by rule.

8 The bill allows the Iowa innovation corporation to establish
9 an innovation fund for purposes of stimulating early-stage
10 and seed capital investment in the state. If the fund is
11 established to qualify for innovation fund tax credits,
12 it must meet certain requirements as described in the bill
13 relating to contracts for investment management services. In
14 addition, any investor in an innovation fund operated by the
15 Iowa innovation corporation is not permitted to vote on or
16 participate in investment decisions of the innovation fund
17 related to businesses in which the investor has a greater than
18 50 percent equity interest if that investor has or will receive
19 an innovation fund tax credit.

20 The bill is effective upon enactment and applies
21 retroactively to January 1, 2013, for tax years beginning on
22 or after that date and for equity investments in an innovation
23 fund made on or after that date.



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House File 616 - Introduced

HOUSE FILE 616
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 473)
(SUCCESSOR TO HSB 168)

A BILL FOR

1 An Act relating to the requirements and administration of the
2 targeted jobs withholding credit pilot project and including
3 applicability provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 403.19A, subsection 1, paragraphs c, e,
 2 f, and g, Code 2013, are amended to read as follows:

3 c. "Employer" means a business creating or retaining
 4 targeted jobs in ~~an urban renewal area of~~ a pilot project city
 5 pursuant to a withholding agreement.

6 e. "Qualifying investment" means a capital investment
 7 in real property including the purchase price of land and
 8 existing buildings, site preparation, building construction,
 9 and long-term lease costs. "Qualifying investment" also means a
 10 capital investment in depreciable assets. For purposes of this
 11 paragraph, "long-term lease costs" means those costs incurred or
 12 expected to be incurred under a lease during the duration of a
 13 withholding agreement.

14 f. "Targeted job" means a job in a business which is or
 15 will be located in ~~an urban renewal area of~~ a pilot project
 16 city that pays a wage at least equal to the countywide average
 17 wage. "Targeted job" includes new or retained jobs from Iowa
 18 business expansions or retentions within the city limits of the
 19 pilot project city and those jobs resulting from established
 20 out-of-state businesses, as defined by the economic development
 21 authority, moving to or expanding in Iowa.

22 g. "Withholding agreement" means the agreement between a
 23 pilot project city, the economic development authority, and
 24 an employer concerning the targeted jobs withholding credit
 25 authorized in subsection 3.

26 Sec. 2. Section 403.19A, subsection 1, Code 2013, is amended
 27 by adding the following new paragraph:

28 NEW PARAGRAPH. Of. "Retained job" means a full-time
 29 equivalent position in existence at the time an employer
 30 applies to the authority for approval of a withholding
 31 agreement and which remains continuously filled and which is
 32 at risk of elimination if the project for which the employer
 33 is seeking assistance under the withholding agreement does not
 34 proceed.

35 Sec. 3. Section 403.19A, subsection 3, paragraphs a, b, c,

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1 and f, Code 2013, are amended to read as follows:

2 a. A pilot project city may provide by ~~ordinance~~ resolution
3 for the deposit into a designated ~~account in the special~~
4 withholding project fund described in section 403.19,
5 ~~subsection 2,~~ of the targeted jobs withholding credit described
6 in this section. The targeted jobs withholding credit shall
7 be based upon the wages paid to employees pursuant to a
8 withholding agreement.

9 b. An amount equal to three percent of the gross wages paid
10 by an employer to each employee under a withholding agreement
11 shall be credited from the payment made by the employer
12 pursuant to section 422.16. If the amount of the withholding
13 by the employer is less than three percent of the gross wages
14 paid to the employees covered by the withholding agreement,
15 the employer shall receive a credit against other withholding
16 taxes due by the employer or may carry the credit forward for
17 up to ten years or until depleted, whichever is the earlier.
18 The employer shall remit the amount of the credit quarterly,
19 in the same manner as withholding payments are reported to
20 the department of revenue, to the pilot project city to be
21 allocated to and when collected paid into a designated ~~account~~
22 in the special withholding project fund for the urban renewal
23 ~~area in which the targeted jobs are located~~ project. All
24 amounts so deposited shall be used or pledged by the pilot
25 project city for ~~an urban renewal~~ a project related to the
26 employer pursuant to the withholding agreement.

27 c. (1) The pilot project city and the economic development
28 authority shall enter into a withholding agreement with each
29 employer concerning the targeted jobs withholding credit. The
30 withholding agreement shall provide for the total amount of
31 withholding credits awarded, as negotiated by the economic
32 development authority, the pilot project city, and the
33 employer. An agreement shall not provide for an amount of
34 withholding credits that exceeds the amount of the qualifying
35 investment made in the project. An agreement shall not be

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1 entered into ~~by a pilot project city~~ with a business currently
 2 located in this state unless the business either creates or
 3 retains ten ~~new~~ jobs or makes a qualifying investment of at
 4 least five hundred thousand dollars within the ~~urban renewal~~
 5 area pilot project city. The withholding agreement may
 6 have a term of years negotiated by the economic development
 7 authority, the pilot project city, and the employer, of up
 8 to ten years. A withholding agreement specifying a term of
 9 years or a total amount of withholding credits shall terminate
 10 upon the expiration of the term of years specified in the
 11 agreement or upon the award of the total amount of withholding
 12 credits specified in the agreement, whichever occurs first. An
 13 employer shall not be obligated to enter into a withholding
 14 agreement. An agreement shall not be entered into with an
 15 employer not already located in a pilot project city when
 16 another Iowa community is competing for the same project and
 17 both the pilot project city and the other Iowa community are
 18 seeking assistance from the authority.

19 (2) The pilot project city and the economic development
 20 authority shall not enter into a withholding agreement after
 21 June 30, ~~2013~~ 2018.

22 (3) The employer, in conjunction with the pilot project
 23 city, shall provide on an annual basis to the economic
 24 development authority information documenting the total
 25 amount of payments and receipts under a withholding agreement,
 26 including all agreements with an employer to suspend, abate,
 27 exempt, rebate, refund, or reimburse property taxes, to provide
 28 a grant for property taxes paid or a grant not related to
 29 property taxes, or to make a direct payment of taxes, with
 30 moneys in the ~~special~~ withholding project fund. The economic
 31 development authority shall verify the information provided ~~by~~
 32 the pilot project city and determine whether the pilot project
 33 city and the employer are in compliance with this section and
 34 the rules adopted by the economic development authority to
 35 implement this section.

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1 (4) The economic development authority board, on behalf of
2 the authority, shall have the authority to approve or deny a
3 withholding agreement and according to the provisions of this
4 section. Each withholding agreement, and the total amount of
5 withholding credits allowed under the withholding agreement,
6 shall be approved by the economic development authority board
7 after taking into account the incentives or assistance received
8 by or to be received by the employer under other economic
9 development programs. The economic development authority
10 board shall only deny an agreement if the agreement fails to
11 meet the requirements of this paragraph "c" or the local match
12 requirements in paragraph "j", or if an employer is not in good
13 standing as to prior or existing agreements with the economic
14 development authority. The authority shall have the authority
15 to negotiate a withholding agreement and may suggest changes to
16 an any of the terms of the agreement.

17 f. If the economic development authority, following an
18 eighteen-month performance period beginning on the date the
19 withholding agreement is approved by the authority board,
20 determines that the employer ceases to meet the requirements
21 of the withholding agreement relating to retaining jobs, if
22 applicable, the agreement shall be terminated by the economic
23 development authority and the pilot project city and any
24 withholding credits for the benefit of the employer shall
25 cease. However, in regard to the number of jobs that are to
26 be created or retained, if the employer has met the number of
27 jobs to be created or retained pursuant to the withholding
28 agreement and subsequently the number of jobs falls below the
29 required level, the employer shall not be considered as not
30 meeting the job requirement until eighteen months after the
31 date of the decrease in the number of jobs created or retained.
32 If the economic development authority, following a three-year
33 performance period beginning on the date the withholding
34 agreement is approved by the authority board, determines
35 that the employer has not or is incapable of meeting the

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1 1. Except as provided in subsection 2, this Act applies to
 2 withholding agreements entered into on or after the effective
 3 date of this Act and withholding agreements entered into by
 4 a pilot project city prior to the effective date of this Act
 5 shall be governed by section 403.19A, Code 2013.

6 2. The section of this Act enacting section 403.19A,
 7 subsection 3, paragraph "Of", applies to withholding agreements
 8 entered into prior to the effective date of this Act or entered
 9 into on or after the effective date of this Act.

10

EXPLANATION

11 This bill modifies the targeted jobs withholding tax credit
 12 program, which is a pilot program enacted in 2006 to allow
 13 the diversion of withholding funds paid by an employer to be
 14 matched by a designated pilot project city to create economic
 15 incentives that can be directed toward businesses located
 16 within urban renewal areas in the city pursuant to the terms of
 17 a withholding agreement with a business and after approval of
 18 the agreement by the Iowa economic development authority.

19 The bill removes the requirement that an employer that is a
 20 party to a withholding agreement with a pilot project city be
 21 located in an urban renewal area. The bill removes a similar
 22 requirement relating to the definition of targeted job. The
 23 bill makes corresponding changes to Code section 403.19A to
 24 reflect the removal of the urban renewal area requirement,
 25 including providing that the targeted jobs withholding credits
 26 be deposited in a withholding project fund rather than the
 27 special fund established for urban renewal purposes.

28 The bill allows a pilot project city to provide for the
 29 deposit of the amount of the targeted jobs withholding credit
 30 into the city's withholding project fund by resolution, rather
 31 than by ordinance.

32 The bill provides a definition of long-term lease costs as
 33 part of the definition of qualifying investment under the pilot
 34 program and provides a definition of retained job.

35 Under current law, a pilot project city may not enter into a

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1 withholding agreement after June 30, 2013. The bill adds the
2 economic development authority to the list of required parties
3 to a withholding agreement and prohibits a pilot project city
4 and the economic development authority from entering into a
5 withholding agreement after June 30, 2018. The bill specifies
6 subject areas of a withholding agreement that may be negotiated
7 by the parties and provides that a withholding agreement that
8 specifies a term of years or a total amount of withholding
9 credits shall terminate upon expiration of the term of years
10 or upon the award of the total amount of withholding credits,
11 whichever occurs first.

12 The bill requires the reporting of certain withholding
13 agreement payment and receipt information by the employer,
14 in conjunction with the pilot project city, and requires the
15 economic development authority to verify such information and
16 determine whether the pilot project city and the employer are
17 in compliance with Code section 403.19A and rules adopted to
18 implement that Code section.

19 The bill provides that the economic development authority
20 board approves or denies a withholding agreement on behalf of
21 the authority and specifies considerations to be made by the
22 board in deciding whether to approve or deny a withholding
23 agreement.

24 The bill establishes an 18-month performance period
25 following which the economic development authority determines
26 compliance with the job retention requirements of the
27 withholding agreement, if applicable, establishes a three-year
28 performance period following which the authority determines
29 compliance with the job creation and investment requirements
30 of the withholding agreement, and specifies the actions to
31 be taken by the authority and the pilot project city after a
32 determination of noncompliance.

33 Except as otherwise provided in the bill, the bill applies
34 to withholding agreements entered into by a pilot project city
35 on or after the effective date of the bill. The bill provides

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1 that withholding agreements entered into by a pilot project
2 city prior to the effective date of the bill shall be governed
3 by Code section 403.19A, Code 2013. However, the section of
4 the bill enacting Code section 403.19A(3)(0f), relating to
5 compliance reporting, applies to withholding agreements entered
6 into prior to, on, or after the effective date of the bill.



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House File 617 - Introduced

HOUSE FILE 617
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 581)
(SUCCESSOR TO HSB 48)

A BILL FOR

1 An Act relating to the licensure of ambulatory surgical
2 centers, providing for fees to be considered repayment
3 receipts, providing penalties, and including effective date
4 provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. 135P.1 **Definitions.**

2 As used in this chapter, unless the context otherwise
3 requires:

4 1. "*Ambulatory surgical center*" means a distinct facility
5 that operates exclusively for the purpose of providing surgical
6 services to patients not requiring hospitalization and in which
7 the expected duration of services does not exceed twenty-four
8 hours following an admission. "*Ambulatory surgical center*" does
9 not include individual or group practice offices of private
10 physicians or podiatrists that do not contain a distinct area
11 used for outpatient surgical treatment on a regular basis, or
12 that only provide surgery routinely provided in a physician's
13 or podiatrist's office using local anesthesia or conscious
14 sedation; individual or group practice offices of private
15 dentists; or a portion of a licensed hospital designated for
16 outpatient surgical treatment.

17 2. "*Department*" means the department of inspections and
18 appeals.

19 Sec. 2. NEW SECTION. 135P.2 **Purpose.**

20 The purpose of this chapter is to protect the public
21 health, safety, and welfare by providing for the licensing and
22 regulation of ambulatory surgical centers.

23 Sec. 3. NEW SECTION. 135P.3 **Licensure.**

24 A person, acting severally or jointly with any other person,
25 shall not establish, operate, or maintain an ambulatory
26 surgical center in this state without obtaining a license as
27 provided under this chapter.

28 Sec. 4. NEW SECTION. 135P.4 **Application for license — fee.**

29 1. An applicant for an ambulatory surgical center license
30 shall submit an application to the department. Applications
31 shall be upon such forms and shall include such information
32 as the department may reasonably require, which may include
33 affirmative evidence of ability to comply with reasonable rules
34 and standards prescribed under this chapter.

35 2. a. An application for an initial license for



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1 an ambulatory surgical center that is in existence and
 2 Medicare-certified prior to July 1, 2014, shall be accompanied
 3 by a fee of fifty dollars.

4 **b.** An application for an initial license for an ambulatory
 5 surgical center established on or after July 1, 2014, shall
 6 be accompanied by a fee sufficient to cover the costs of
 7 performing the inspection required in section 135P.8 in an
 8 amount as provided in rules adopted by the department.

9 **3.** The fees collected under this section shall be considered
 10 repayment receipts as defined in section 8.2 and shall be used
 11 by the department to administer this chapter.

12 **Sec. 5. NEW SECTION. 135P.5 Issuance and renewal of**
 13 **license.**

14 **1.** Upon receipt of an application for license and the
 15 license fee, the department shall issue a license if the
 16 applicant and the ambulatory surgical center meet the
 17 requirements of this chapter and the rules adopted by the
 18 department.

19 **2.** A license shall be issued only for the premises and
 20 persons named in the application.

21 **3.** A license is not transferable or assignable except with
 22 the written approval of the department.

23 **4.** A license shall be posted in a conspicuous place on the
 24 licensed premises as prescribed by rule of the department.

25 **5.** Separate licenses are not required for ambulatory
 26 surgical center facilities that are maintained on the same
 27 physical site and that have the same ownership or control.
 28 Multiple buildings located on the same physical site under the
 29 same ownership or control shall be considered one ambulatory
 30 surgical center facility for purposes of this chapter and
 31 section 135.61, subsection 21, and may operate under one
 32 license.

33 **6.** A license, unless sooner suspended or revoked, shall
 34 expire on June 30 of each year and shall be renewed annually.
 35 The department shall renew a license upon payment of a five

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1 hundred dollar annual license renewal fee and filing of an
 2 application for renewal at least thirty days prior to the
 3 expiration of the existing license. The annual licensure fee
 4 shall be considered a repayment receipt as defined in section
 5 8.2 and dedicated to support the staffing necessary to conduct
 6 the inspections and investigations provided in section 135P.8.

7 **Sec. 6. NEW SECTION. 135P.6 Denial, suspension, or**
 8 **revocation of license — hearings and review.**

9 1. The department may deny, suspend, or revoke a license in
 10 any case where it finds there has been a substantial failure
 11 to comply with this chapter or the rules and standards adopted
 12 under this chapter.

13 2. The denial, suspension, or revocation of a license by
 14 the department and appeal from that action are governed by the
 15 procedures for a contested case hearing under chapter 17A.

16 3. *a.* If the department finds, after providing notice of
 17 noncompliance and a reasonable time for corrective action, that
 18 an ambulatory surgical center is in repeated noncompliance with
 19 this chapter or the department's rules but that noncompliance
 20 does not endanger public health or safety, the department may
 21 issue a conditional license to the ambulatory surgical center
 22 as an alternative to suspending or revoking the ambulatory
 23 surgical center's license.

24 *b.* The department shall provide notice of its intent to
 25 issue a conditional license to the ambulatory surgical center
 26 and of the items of noncompliance not less than ten days before
 27 the date the conditional license is issued.

28 *c.* The department shall designate a period of not more
 29 than one year during which the ambulatory surgical center may
 30 operate under a conditional license.

31 *d.* During the period an ambulatory surgical center is
 32 operating under a conditional license, the ambulatory surgical
 33 center shall correct the items that are in noncompliance and
 34 report the corrections to the department for approval.

35 4. The department may suspend or revoke the license of an



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1 ambulatory surgical center that does not correct items that
2 are in noncompliance or that does not comply with this chapter
3 or the rules adopted under this chapter within the applicable
4 period.

5 5. The department may issue an emergency order to suspend
6 a license issued under this chapter if the department has
7 reasonable cause to believe that the conduct of the ambulatory
8 surgical center creates an immediate danger to the public
9 health and safety. An emergency suspension is effective
10 immediately without a hearing or notice to the licensee. On
11 written request of the licensee, the department shall conduct
12 a hearing not earlier than the tenth day or later than the
13 thirtieth day after the date the hearing request is received
14 to determine if the emergency suspension is to be continued,
15 modified, or rescinded. The hearing and any appeal are
16 governed by the department's rules for a contested case hearing
17 and chapter 17A.

18 Sec. 7. NEW SECTION. 135P.7 Rules.

19 1. The department, with the advice and approval of the state
20 board of health, shall adopt rules specifying the standards for
21 ambulatory surgical centers to be licensed under this chapter.
22 The rules shall be consistent with and shall not exceed the
23 requirements of this chapter and the conditions for coverage in
24 the federal Medicare program for ambulatory surgical centers
25 under 42 C.F.R. pt. 416.

26 2. The department shall adopt rules as the department deems
27 necessary to implement the provisions of this chapter relating
28 to the issuance, renewal, denial, suspension, and revocation
29 of a license to establish, operate, and maintain an ambulatory
30 surgical center.

31 3. An ambulatory surgical center which is in operation at
32 the time of adoption of any applicable rules or standards under
33 this chapter shall be given a reasonable time, not to exceed
34 one year from the date of adoption, within which to comply with
35 such rules and standards.

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1 4. The department shall enforce the rules.
2 Sec. 8. NEW SECTION. 135P.8 **Inspections.**
3 1. The department shall make or cause to be made inspections
4 or investigations of ambulatory surgical centers to determine
5 compliance with this chapter and applicable rules and
6 standards. The department shall perform inspections on a
7 schedule that is of the same frequency required for inspections
8 of Medicare-certified ambulatory surgical centers.
9 2. The department shall recognize, in lieu of its own
10 licensure inspection, the comparable inspection and inspection
11 findings of a Medicare conditions for coverage survey completed
12 by the department or an accrediting organization authorized by
13 the centers for Medicare and Medicaid services with deeming
14 authority.
15 3. A department inspector shall not participate in an
16 inspection or investigation of an ambulatory surgical center in
17 which the inspector or a member of the inspector's immediate
18 family works or has worked within the last two years or in
19 which the inspector or the inspector's immediate family has
20 a financial ownership interest. For the purposes of this
21 section, "*immediate family member*" means a spouse, natural or
22 adoptive parent or grandparent, child, grandchild, sibling,
23 stepparent, stepchild, or stepsibling.
24 Sec. 9. NEW SECTION. 135P.9 **Employee background checks.**
25 1. a. Prior to employment of a person in an ambulatory
26 surgical center, the ambulatory surgical center shall request
27 that the department of public safety perform a criminal
28 history check and the department of human services perform
29 child and dependent adult abuse record checks of the person
30 in this state. An ambulatory surgical center shall inform
31 all persons prior to employment regarding the performance of
32 the record checks and shall obtain from the persons a signed
33 acknowledgment of the receipt of the information.
34 b. An ambulatory surgical center shall include the following
35 inquiry in an application for employment:

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1 Do you have a record of founded child or dependent adult abuse
2 or have you ever been convicted of a crime, in this state or any
3 other state?

4 2. a. If it is determined that a person being considered
5 for employment in an ambulatory surgical center has been
6 convicted of a crime, the department of public safety shall
7 notify the ambulatory surgical center that upon the request
8 of the ambulatory surgical center the department of human
9 services will perform an evaluation to determine whether the
10 crime warrants prohibition of the person's employment in the
11 ambulatory surgical center.

12 b. If a department of human services child or dependent
13 adult abuse record check shows that the person has a record of
14 founded child or dependent adult abuse, the department of human
15 services shall notify the ambulatory surgical center that upon
16 the request of the ambulatory surgical center the department of
17 human services will perform an evaluation to determine whether
18 the founded child or dependent adult abuse warrants prohibition
19 of the person's employment in the ambulatory surgical center.

20 c. An evaluation performed under this subsection shall
21 be performed in accordance with procedures adopted for this
22 purpose by the department of human services.

23 d. (1) If a person owns or operates more than one
24 ambulatory surgical center, and an employee of one of such
25 ambulatory surgical centers is transferred to another such
26 ambulatory surgical center without a lapse in employment,
27 the ambulatory surgical center is not required to request
28 additional criminal and child and dependent adult abuse record
29 checks of that employee.

30 (2) If the ownership of an ambulatory surgical center is
31 transferred, at the time of transfer the record checks required
32 by this section shall be performed for each employee for whom
33 there is no documentation that such record checks have been
34 performed. The ambulatory surgical center may continue to
35 employ such employee pending the performance of the record

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1 checks and any related evaluation.

2 3. In an evaluation, the department of human services
3 shall consider the nature and seriousness of the crime
4 or founded child or dependent adult abuse in relation to
5 the position sought or held, the time elapsed since the
6 commission of the crime or founded child or dependent adult
7 abuse, the circumstances under which the crime or founded
8 child or dependent adult abuse was committed, the degree of
9 rehabilitation, the likelihood that the person will commit
10 the crime or founded child or dependent adult abuse again,
11 and the number of crimes or founded child or dependent adult
12 abuses committed by the person involved. If the department of
13 human services performs an evaluation for the purposes of this
14 section, the department of human services has final authority
15 in determining whether prohibition of the person's employment
16 is warranted.

17 4. a. Except as provided in paragraph "b" and subsection 2,
18 a person who has been convicted of a crime or has a record of
19 founded child or dependent adult abuse shall not be employed
20 in an ambulatory surgical center licensed under this chapter
21 unless an evaluation has been performed by the department of
22 human services.

23 b. A person with a criminal or abuse record who is or was
24 employed by an ambulatory surgical center licensed under this
25 chapter and is hired by an employer who is another licensee
26 without a lapse in employment shall be subject to the criminal
27 history and abuse record checks required pursuant to subsection
28 1. However, if an evaluation was previously performed by the
29 department of human services concerning the person's criminal
30 or abuse record and it was determined that the record did not
31 warrant prohibition of the person's employment and the latest
32 record checks do not indicate a crime was committed or founded
33 abuse record was entered subsequent to that evaluation, the
34 person may commence employment with the other licensee in
35 accordance with the department of human services' evaluation

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1 and an exemption from the requirements in paragraph "a" for
2 reevaluation of the latest record checks is authorized.
3 Otherwise, the requirements of paragraph "a" remain applicable
4 to the person's employment. Authorization of an exemption
5 under this lettered paragraph "b" from requirements for
6 reevaluation of the latest record checks by the department of
7 human services is subject to all of the following provisions:
8 (1) The position with the subsequent employer is
9 substantially the same or has the same job responsibilities as
10 the position for which the previous evaluation was performed.
11 (2) Any restrictions placed on the person's employment in
12 the previous evaluation by the department of human services
13 shall remain applicable in the person's subsequent employment.
14 (3) The person subject to the record checks has maintained a
15 copy of the previous evaluation and provides the evaluation to
16 the subsequent employer or the previous licensee provides the
17 previous evaluation from the person's personnel file pursuant
18 to the person's authorization. If a physical copy of the
19 previous evaluation is not provided to the subsequent employer
20 the record checks shall be reevaluated.
21 (4) Although an exemption under this lettered paragraph "b"
22 may be authorized, the subsequent employer may instead request
23 a reevaluation of the record checks and may employ the person
24 while the reevaluation is being performed.
25 5. a. If a person employed by an ambulatory surgical center
26 licensed under this chapter is convicted of a crime or has a
27 record of founded child or dependent adult abuse entered in the
28 abuse registry after the person's employment application date,
29 the person shall inform the ambulatory surgical center of such
30 information within forty-eight hours of the criminal conviction
31 or entry of the record of founded child or dependent adult
32 abuse. The ambulatory surgical center shall act to verify
33 the information within forty-eight hours of notification. If
34 the information is verified, the requirements of subsections
35 2, 3, and 4 regarding employability and evaluations shall

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1 be applied by the ambulatory surgical center to determine
2 whether or not the person's employment is continued. The
3 ambulatory surgical center may continue to employ the person
4 pending the performance of an evaluation by the department
5 of human services to determine whether prohibition of the
6 person's employment is warranted. A person who is required by
7 this subsection to inform the ambulatory surgical center of
8 a conviction or entry of an abuse record and fails to do so
9 within the required period commits a serious misdemeanor.

10 *b.* If an ambulatory surgical center receives credible
11 information, as determined by the ambulatory surgical center,
12 that a person employed by the ambulatory surgical center has
13 been convicted of a crime or a record of founded child or
14 dependent adult abuse has been entered in the abuse registry
15 after employment from a person other than the employee and the
16 employee has not informed the ambulatory surgical center of
17 such information within the period required under paragraph
18 "a", the ambulatory surgical center shall act to verify the
19 credible information within forty-eight hours of receipt of
20 the credible information. If the information is verified, the
21 requirements of subsections 2, 3, and 4 regarding employability
22 and evaluations shall be applied by the ambulatory surgical
23 center to determine whether or not the person's employment is
24 continued.

25 *c.* The ambulatory surgical center may notify the county
26 attorney for the county where the ambulatory surgical center is
27 located of any violation or failure by an employee to notify
28 the ambulatory surgical center of a criminal conviction or
29 entry of an abuse record within the period required under
30 paragraph "a".

31 *6.* An ambulatory surgical center licensed under this
32 chapter may access the single contact repository established by
33 the department pursuant to section 135C.33 as necessary for the
34 ambulatory surgical center to perform record checks of persons
35 employed or being considered for employment by the ambulatory



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1 conviction shall be considered a separate offense.

2 Sec. 14. Section 135.11, Code 2013, is amended by adding the
 3 following new subsection:

4 NEW SUBSECTION. 32. Adopt rules requiring ambulatory
 5 surgical centers to report quality data to the department of
 6 public health that is consistent with the data required to be
 7 reported to the centers for Medicare and Medicaid services
 8 of the United States department of health and human services
 9 as authorized by the Medicare Improvements and Extension Act
 10 of 2006 under Title I of the Tax Relief and Health Care Act
 11 of 2006, Pub. L. No. 109-432, and the regulations adopted
 12 under such Acts. Notwithstanding any provision of law to
 13 the contrary, nothing in this subsection shall require an
 14 ambulatory surgical center to provide health data to the
 15 department of public health or any other public or private
 16 entity that is in addition to, different than, or exceeds
 17 the quality data required to be reported to the centers for
 18 Medicare and Medicaid services of the United States department
 19 of health and human services.

20 Sec. 15. Section 135.61, Code 2013, is amended by adding the
 21 following new subsection:

22 NEW SUBSECTION. 1A. "*Ambulatory surgical center*" means
 23 ambulatory surgical center as defined in section 135P.1.

24 Sec. 16. Section 135.61, subsection 14, paragraph d, Code
 25 2013, is amended to read as follows:

26 *d.* An ~~outpatient~~ ambulatory surgical facility center.

27 Sec. 17. Section 135.61, subsection 21, Code 2013, is
 28 amended by striking the subsection.

29 Sec. 18. EFFECTIVE DATE. This Act takes effect July 1,
 30 2014.

EXPLANATION

32 This bill creates a new Code chapter to provide for the
 33 licensing and regulation of ambulatory surgical centers.

34 The bill defines "ambulatory surgical center" as a distinct
 35 facility that operates exclusively for the purpose of providing



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1 surgical services to patients not requiring hospitalization
2 and in which the expected duration of services does not
3 exceed 24 hours following an admission. "Ambulatory surgical
4 center" does not include individual or group practice offices
5 of private physicians or podiatrists that do not contain a
6 distinct area used for outpatient surgical treatment on a
7 regular basis, or that only provide surgery routinely provided
8 in a physician's or podiatrist's office using local anesthesia
9 or conscious sedation; individual or group practice offices of
10 dentists; or a portion of a licensed hospital designated for
11 outpatient surgical treatment. The department of inspections
12 and appeals is designated to enforce the regulations.

13 The bill provides that the purpose of the new Code chapter is
14 to protect the public health, safety, and welfare by providing
15 for the licensing and regulation of ambulatory surgical
16 centers. The bill prohibits the establishment, operation,
17 or maintenance of an ambulatory surgical center in the state
18 without obtaining a license.

19 The bill provides the process for application for licensure.
20 An application for an initial license for an ambulatory
21 surgical center that is in existence and Medicare-certified
22 prior to July 1, 2014, is required to be accompanied by a
23 fee of \$50. An application for an initial license for an
24 ambulatory surgical center established on or after July 1,
25 2014, is required to be accompanied by a fee sufficient to
26 cover the costs of performing the required inspection in an
27 amount provided in rules adopted by the department. The fees
28 collected are repayment receipts and are to be used by the
29 department to administer the chapter.

30 The bill provides for the issuance and renewal of licenses.
31 A license is to be issued only for the premises and persons
32 named in the application; is not transferable or assignable
33 except with the written approval of the department; and is
34 required to be posted in a conspicuous place on the licensed
35 premises as prescribed by rule of the department. The bill

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1 provides that separate licenses are not required for ambulatory
2 surgical center facilities that are maintained on the same
3 physical site and that have the same ownership or control.
4 Multiple buildings located on the same physical site under
5 the same ownership or control are considered one ambulatory
6 surgical center facility for purposes of the new Code chapter
7 and Code chapter 135, division VI, relating to the health
8 facilities council and certificate of need provisions, and
9 are to be permitted to operate under one license. Licenses
10 expire on June 30 of each year and are required to be renewed
11 annually. The bill directs the department to renew a license
12 upon payment of a \$500 annual license renewal fee and filing
13 of an application for renewal at least 30 days prior to the
14 expiration of the existing license. The annual licensure fee
15 is considered a repayment receipt and is to be dedicated to
16 support the staffing necessary to conduct the inspections and
17 investigations under the Code chapter.

18 The bill provides for denial, suspension, or revocation of
19 licenses. A license may be denied, suspended, or revoked if
20 the department finds there has been a substantial failure to
21 comply with the Code chapter or the rules and standards adopted
22 under the Code chapter. The denial, suspension, or revocation
23 of a license by the department and appeal from that action are
24 governed by the procedures for a contested case hearing under
25 Code chapter 17A. The bill authorizes the department, after
26 providing notice of noncompliance and a reasonable time for
27 corrective action, and if the noncompliance does not endanger
28 public health or safety, to issue a conditional license to the
29 ambulatory surgical center as an alternative to suspending or
30 revoking its license.

31 The bill also authorizes the department to issue an
32 emergency order to suspend a license if the department has
33 reasonable cause to believe that the conduct of the ambulatory
34 surgical center creates an immediate danger to the public
35 health or safety. On written request of the licensee, the

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1 department is required to conduct a hearing to determine if
2 the emergency suspension is to be continued, modified, or
3 rescinded. The hearing and any appeal are governed by the
4 department's rules for a contested case hearing and Code
5 chapter 17A.

6 The bill directs the department to adopt rules with the
7 advice and approval of the state board of health to specify
8 the standards for ambulatory surgical centers. The rules are
9 required to be consistent with and not exceed the requirements
10 of the Code chapter and the conditions for coverage in the
11 federal Medicare program for ambulatory surgical centers.
12 The department is also directed to adopt rules relating to
13 provisions of the Code chapter relating to the issuance,
14 renewal, denial, suspension, and revocation of a license to
15 establish, operate, and maintain an ambulatory surgical center.
16 If an ambulatory surgical center is in operation at the time of
17 adoption of any applicable rules or standards, the center is
18 to be given a reasonable time, not to exceed one year from the
19 date of adoption, within which to comply with such rules and
20 standards.

21 The bill provides for inspections or investigations of
22 ambulatory surgical centers, and directs that the department
23 shall perform inspections on a schedule that is of the same
24 frequency required for inspections of Medicare-certified
25 ambulatory surgical centers. The bill also requires the
26 department to recognize, in lieu of its own licensure
27 inspection, the comparable inspection and inspection findings
28 of a Medicare conditions for coverage survey.

29 The bill prohibits a department inspector from participating
30 in an inspection or investigation of an ambulatory surgical
31 center in which the inspector or a member of the inspector's
32 immediate family works or has worked within the last two years
33 or in which the inspector or the inspector's immediate family
34 has a financial ownership interest.

35 The bill requires an ambulatory surgical center to comply

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1 with child and dependent adult abuse information and criminal
2 record checks and evaluations.

3 The bill provides confidentiality provisions relating to
4 ambulatory surgical center information. The final findings
5 with respect to compliance by an ambulatory surgical center
6 are to be made available to the public in a readily available
7 form and place. Other information relating to an ambulatory
8 surgical center shall not be made available to the public,
9 except in proceedings involving the denial, suspension, or
10 revocation of a license. The name of a person who files
11 a complaint with the department is required to remain
12 confidential and not be subject to discovery, subpoena, or
13 other means of legal compulsion.

14 The bill provides for injunctive relief and judicial review.

15 The bill provides that any person establishing, operating,
16 or maintaining an ambulatory surgical center without a license
17 commits a serious misdemeanor, and each day of continuing
18 violation after conviction shall be considered a separate
19 offense. A serious misdemeanor is punishable by confinement
20 for no more than one year and a fine of at least \$315 but not
21 more than \$1,875.

22 The bill also directs the department of public health
23 to adopt rules requiring ambulatory surgical centers to
24 report quality data to the department of public health that
25 is consistent with the data required to be reported to the
26 centers for Medicare and Medicaid services of the United States
27 department of health and human services. However, the rules
28 are not to require an ambulatory surgical center to provide
29 health data to the department of public health or any other
30 public or private entity that is in addition to, different
31 than, or exceeds the quality data required to be reported to
32 the centers for Medicare and Medicaid services of the United
33 States department of health and human services.

34 The bill makes conforming changes in the Code to reflect the
35 terminology of "ambulatory surgical center".



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1 The bill takes effect July 1, 2014.



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House Resolution 34 - Introduced

HOUSE RESOLUTION NO. 34

BY KAJTAZOVIC, BERRY, KRESSIG, HEDDENS, MASCHER, M.
SMITH, ABDUL-SAMAD, GAINES, RUNNING-MARQUARDT,
STAED, LENSING, WESSEL-KROESCHELL, STUTSMAN,
WINCKLER, LUNDBY, THEDE, H. MILLER, HANSON, KEARNS,
BEARINGER, THOMAS, BYRNES, OURTH, RUFF, KOESTER,
VANDER LINDEN, GASSMAN, DOLECHECK, STANERSON,
LANDON, HESS, R. TAYLOR, BACON, COSTELLO, DEYOE,
MAXWELL, WORTHAN, KAUFMANN, HIGHFILL, HANUSA,
JORGENSEN, DRAKE, and MOORE

1 A Resolution recognizing the month of April 2013 as
2 Genocide Awareness Month.
3 WHEREAS, starting in the 18th century, the world
4 entered an age of science, an age of enlightenment, and
5 age of prosperity and peace; and
6 WHEREAS, this new age also brought misery and
7 death, including the destruction of the Native
8 American peoples and their cultures, the degradation
9 and massacre of Africans transported to America in
10 bondage, the Musa Dagh resistance in 1915 followed by
11 the Armenian persecution, the Rape of Nanking in 1937,
12 the Holocaust of the 1930s and 1940s, the killings in
13 Cambodia in 1975, the massacres in Bosnia in 1992,
14 the slaughter in Rwanda in 1994, and now in the 21st
15 century the displacements and deaths in Darfur; and
16 WHEREAS, all of these tragedies, separated by time
17 and distance, have one common thread, the murder of
18 men, women, and children, young and old alike, based
19 only on where they lived, what God they worshipped,
20 what language they spoke, or to what community they



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1 belonged; and

2 WHEREAS, this phenomenon of organized mass murder
3 was given a unique name, genocide, in the last
4 century; and

5 WHEREAS, in the last 100 years genocide has
6 brought death and destruction to tens of millions of
7 people; and

8 WHEREAS, in the dawn of the 21st century the world
9 community must dedicate itself to the task of ending
10 genocide, and creating the age of prosperity and peace
11 that was dreamed of over a century ago; NOW THEREFORE,

12 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
13 the House of Representatives recognizes the month of
14 April 2013 as Genocide Awareness Month and urges Iowa's
15 schools, universities, and civic organizations to raise
16 public awareness of the history and horror of genocide
17 and encourages public debate on how genocide may be
18 eliminated.



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Senate File 374

S-3090

- 1 Amend Senate File 374 as follows:
- 2 1. Page 3, line 13, by striking <subsections> and
- 3 inserting <subsection>
- 4 2. Page 3, by striking lines 25 through 29.

DAVID JOHNSON



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House File 544

S-3091

- 1 Amend House File 544, as passed by the House, as
2 follows:
3 1. Page 1, line 27, after <commission.> by
4 inserting <The commission shall adopt rules to
5 emphasize the admission of homeless honorably
6 discharged veterans.>
7 2. Page 5, line 10, after <member.> by inserting
8 <For an individual member who is also a patient, the
9 interdisciplinary resident care committee shall also
10 include a mental health treatment staff member.>
11 3. By renumbering as necessary.

STEVE SODDERS



Iowa General Assembly
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Senate File 374

S-3092

- 1 Amend Senate File 374 as follows:
2 1. Page 3, by striking lines 6 and 7 and inserting
3 <is currently prescribed, and substituting a brand
4 version for a generic version,>
5 2. Page 3, line 13, by striking <subsections> and
6 inserting <subsection>
7 3. Page 3, line 16, after <dispense> by inserting
8 <no more than>
9 4. Page 3, line 24, after <subsection.> by
10 inserting <If a pharmacist dispenses an emergency
11 supply under this subsection, any differential in
12 cost to the pharmacy or patient resulting from the
13 substitution shall be covered by the patient's health
14 carrier as defined in section 514J.102.>
15 5. Page 3, by striking lines 25 through 29.
16 6. By renumbering as necessary.

MARY JO WILHELM



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Senate File 396

S-3093

- 1 Amend Senate File 396 as follows:
2 1. Page 5, line 23, by striking <nonprofessional>
3 2. Page 5, by striking lines 25 through 27 and
4 inserting <subchapter IV.>
5 3. Page 29, line 12, after <date> by inserting <of
6 this division>
7 4. Page 29, line 15, after <this> by inserting
8 <division of this>
9 5. Page 29, line 18, after <this> by inserting
10 <division of this>
11 6. Page 29, line 24, after <this> by inserting
12 <division of this>
13 7. Page 29, line 28, after <this> by inserting
14 <division of this>
15 8. Page 30, line 1, after <this> by inserting
16 <division of this>
17 9. Page 30, line 18, after <this> by inserting
18 <division of this>
19 10. Page 30, line 22, after <this> by inserting
20 <division of this>
21 11. Page 30, line 30, after <this> by inserting
22 <division of this>
23 12. Page 31, lines 16 and 17, by striking
24 <PROVISIONS — STANDING APPROPRIATION.> and inserting
25 <PROVISIONS.>
26 13. Page 31, line 18, by striking <1.>
27 14. Page 31, line 20, after <date> by inserting <of
28 this division>
29 15. Page 31, line 22, after <date> by inserting <of
30 this division>
31 16. Page 31, by striking lines 23 through 35.
32 17. Page 32, line 32, after <with> by inserting
33 <affected executive branch agencies and>
34 18. Page 33, after line 33 by inserting:
35 <Sec. ____ . DEPARTMENT OF ADMINISTRATIVE SERVICES
36 — HUMAN RESOURCE MANAGEMENT SYSTEM — REQUEST FOR
37 PROPOSALS. The department of administrative services
38 shall issue a request for proposals for a human
39 resource management system, including a payroll
40 system, by December 31, 2013. The human resource
41 management system is a human resource technology system
42 that is intended to automate the core administrative
43 functions of human resources, replace the existing
44 mainframe computer system utilized for this function,
45 and increase the efficiency of the department and the
46 office of the chief information officer, specifically
47 in the areas of human resources, information
48 technology, and the state accounting enterprise.>
49 19. By striking page 35, line 19, through page 42,
50 line 26.

SF396.1294 (2) 85

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1 20. By striking page 42, line 29, through page 43,
2 line 17.

3 21. Page 45, after line 29 by inserting:

4 <DIVISION _____
5 PUBLIC SAFETY COMMUNICATIONS
6 Sec. ____ . NEW SECTION. 34A.11 Communications —
7 single point-of-contact.

8 1. The joint E911 service board in each enhanced
9 911 service area shall designate a person to serve
10 as a single point-of-contact to facilitate the
11 communication of needs, issues, or concerns regarding
12 emergency communications, interoperability, and other
13 matters applicable to emergency E911 communications
14 and migration to an internet protocol-enabled next
15 generation network. The person designated as the
16 single point-of-contact shall be responsible for
17 facilitating the communication of such needs, issues,
18 or concerns between public or private safety agencies
19 within the service area, the E911 program manager,
20 the E911 communications council, the statewide
21 interoperable communications system board established
22 in section 80.28, and any other person, entity, or
23 agency the person deems necessary or appropriate.
24 The person designated shall also be responsible for
25 responding to surveys or requests for information
26 applicable to the service area received from a federal,
27 state, or local agency, entity, or board.

28 2. In the event a joint E911 service board fails
29 to designate a single point-of-contact by November 1,
30 2013, the chairperson of the joint E911 service board
31 shall serve in that capacity. The E911 service board
32 shall submit the name and contact information for the
33 person designated as the single point-of-contact to the
34 E911 program manager by January 1 annually.

35 3. The provisions of this section shall be
36 equally applicable to an alternative legal entity
37 created pursuant to chapter 28E if such an entity is
38 established as an alternative to a joint E911 service
39 board as provided in section 34A.3. If such an entity
40 is established, the governing body of that entity shall
41 designate the single point-of-contact for the entity,
42 and the chairperson or representative official of
43 the governing body shall serve in the event a single
44 point-of-contact is not designated.>

45 22. Title page, line 2, by striking <making an
46 appropriation,>

47 23. By renumbering, redesignating, and correcting
48 internal references as necessary.



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JEFF DANIELSON



Iowa General Assembly
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House Amendment to
Senate File 427

S-3094

- 1 Amend Senate File 427, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 31, by striking <direct>
- 4 2. Page 2, line 10, by striking <direct>
- 5 3. Page 3, line 25, by striking <The board> and
- 6 inserting <Consistent with fire safety rules and
- 7 standards promulgated by the state fire marshal, the
- 8 board>
- 9 4. Page 3, line 31, after <rule.> by inserting
- 10 <The board shall work in consultation with the state
- 11 fire marshal to ensure that proposed amendments do
- 12 not conflict with the fire safety rules and standards
- 13 promulgated by the state fire marshal.>
- 14 5. Page 4, line 5, after <restrictive.> by
- 15 inserting <A local jurisdiction that adopts standards
- 16 that are more restrictive than the state plumbing code
- 17 or the state mechanical code shall promptly provide
- 18 copies of those standards to the board. The board
- 19 shall maintain on its internet site the text of all
- 20 local jurisdiction standards that differ from the
- 21 applicable statewide code.>
- 22 6. By striking page 8, line 28, through page 9,
- 23 line 1.
- 24 7. Page 15, line 15, by striking <board> and
- 25 inserting <department>
- 26 8. Page 16, by striking lines 1 through 8 and
- 27 inserting:
- 28 <Sec. ____ . ADMINISTRATIVE RULES. The department
- 29 shall adopt all initial rules, and amendments to
- 30 existing rules, necessary for the implementation of
- 31 this Act.>
- 32 9. By renumbering as necessary.



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Senate File 407

S-3095

1 Amend Senate File 407 as follows:

2 1. Page 2, after line 17 by inserting:

3 <3. The state board of regents shall prohibit
4 the designation of a portion of the tuition moneys
5 collected from resident students by institutions of
6 higher education governed by the board for use for
7 student aid purposes. However, such institutions
8 may designate that a portion of the tuition moneys
9 collected from nonresident students be used for such
10 purposes.>

11 2. Page 4, after line 33 by inserting:

12 <Sec. _____. TUITION REDUCTION. A state
13 postsecondary institution which sets aside a portion of
14 the tuition moneys collected from resident students for
15 student aid purposes in the fiscal year beginning July
16 1, 2012, shall reduce the tuition for resident students
17 by an equivalent amount for the fiscal year beginning
18 July 1, 2013.>

19 3. By renumbering as necessary.

AMY SINCLAIR

SF407.1284 (3) 85

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Senate File 430 - Introduced

SENATE FILE 430
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 1246)

A BILL FOR

1 An Act relating to appropriations to the department of cultural
2 affairs, the economic development authority, the board
3 of regents and certain board of regents institutions,
4 the department of workforce development, the Iowa finance
5 authority, and the public employment relations board,
6 providing for other properly related matters, and including
7 effective date and retroactive applicability provisions.
8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 department shall allocate \$400,000 for purposes of the film
 2 office.

3 6. IOWA GREAT PLACES

4 For the Iowa great places program established under section
 5 303.3C:

6 \$ 150,000

7 7. ARCHIVE IOWA GOVERNORS' RECORDS

8 For archiving the records of Iowa governors:

9 \$ 65,933

10 8. RECORDS CENTER RENT

11 For payment of rent for the state records center:

12 \$ 227,243

13 9. BATTLE FLAGS

14 For continuation of the project recommended by the Iowa
 15 battle flag advisory committee to stabilize the condition of
 16 the battle flag collection:

17 \$ 94,000

18 10. Notwithstanding section 8.33, moneys appropriated in
 19 this section that remain unencumbered or unobligated at the
 20 close of the fiscal year shall not revert but shall remain
 21 available for expenditure for the purposes designated in this
 22 section until the close of the succeeding fiscal year.

23 Sec. 2. GOALS AND ACCOUNTABILITY — ECONOMIC DEVELOPMENT.

24 1. For the fiscal year beginning July 1, 2013, the goals
 25 for the economic development authority shall be to expand and
 26 stimulate the state economy, increase the wealth of Iowans, and
 27 increase the population of the state.

28 2. To achieve the goals in subsection 1, the economic
 29 development authority shall do all of the following for the
 30 fiscal year beginning July 1, 2013:

31 a. Concentrate its efforts on programs and activities that
 32 result in commercially viable products and services.

33 b. Adopt practices and services consistent with free
 34 market, private sector philosophies.

35 c. Ensure economic growth and development throughout the

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1 state.

2 d. Work with businesses and communities to continually
 3 improve the economic development climate along with the
 4 economic well-being and quality of life for Iowans.

5 e. Coordinate with other state agencies to ensure that they
 6 are attentive to the needs of an entrepreneurial culture.

7 f. Establish a strong and aggressive marketing image to
 8 showcase Iowa's workforce, existing industry, and potential.

9 A priority shall be placed on recruiting new businesses,
 10 business expansion, and retaining existing Iowa businesses.
 11 Emphasis shall be placed on entrepreneurial development through
 12 helping entrepreneurs secure capital, and developing networks
 13 and a business climate conducive to entrepreneurs and small
 14 businesses.

15 g. Encourage the development of communities and quality of
 16 life to foster economic growth.

17 h. Prepare communities for future growth and development
 18 through development, expansion, and modernization of
 19 infrastructure.

20 i. Develop public-private partnerships with Iowa businesses
 21 in the tourism industry, Iowa tour groups, Iowa tourism
 22 organizations, and political subdivisions in this state to
 23 assist in the development of advertising efforts.

24 j. Develop, to the fullest extent possible, cooperative
 25 efforts for advertising with contributions from other sources.

26 Sec. 3. ECONOMIC DEVELOPMENT AUTHORITY.

27 1. APPROPRIATION

28 a. There is appropriated from the general fund of the state
 29 to the economic development authority for the fiscal year
 30 beginning July 1, 2013, and ending June 30, 2014, the following
 31 amounts, or so much thereof as is necessary, to be used for the
 32 purposes designated in this subsection, and for not more than
 33 the following full-time equivalent positions:

34	\$ 16,093,118
35	FTEs 149.00

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1 b. (1) For salaries, support, miscellaneous purposes,
2 programs, marketing, and the maintenance of an administration
3 division, a business development division, a community
4 development division, a small business development division,
5 and other divisions the authority may organize.

6 (2) The full-time equivalent positions authorized under
7 this section shall be funded, in whole or in part, by the
8 moneys appropriated under subsection 1 or by other moneys
9 received by the authority, including certain federal moneys.

10 (3) For business development operations and programs,
11 international trade, export assistance, workforce recruitment,
12 and the partner state program.

13 (4) For transfer to the strategic investment fund created
14 in section 15.313.

15 (5) For community economic development programs, tourism
16 operations, community assistance, plans for Iowa green corps
17 and summer youth programs, the mainstreet and rural mainstreet
18 programs, the school-to-career program, the community
19 development block grant, and housing and shelter-related
20 programs.

21 (6) For achieving the goals and accountability, and
22 fulfilling the requirements and duties required under this Act.

23 c. Notwithstanding section 8.33, moneys appropriated in
24 this subsection that remain unencumbered or unobligated at the
25 close of the fiscal year shall not revert but shall remain
26 available for expenditure for the purposes designated in this
27 subsection until the close of the succeeding fiscal year.

28 2. FINANCIAL ASSISTANCE RESTRICTIONS

29 a. A business creating jobs through moneys appropriated in
30 subsections 1, 6, and 7 shall be subject to contract provisions
31 requiring new and retained jobs to be filled by individuals who
32 are citizens of the United States who reside within the United
33 States or any person authorized to work in the United States
34 pursuant to federal law, including legal resident aliens in the
35 United States.

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1 b. A vendor who receives moneys appropriated in subsections
2 1, 6, and 7 shall adhere to such contract provisions and
3 provide periodic assurances as the state shall require that the
4 jobs are filled solely by citizens of the United States who
5 reside within the United States or any person authorized to
6 work in the United States pursuant to federal law, including
7 legal resident aliens in the United States.

8 c. A business that receives financial assistance from the
9 authority from moneys appropriated in subsections 1, 6, and 7
10 shall only employ individuals legally authorized to work in
11 this state. In addition to all other applicable penalties
12 provided by current law, all or a portion of the assistance
13 received by a business which is found to knowingly employ
14 individuals not legally authorized to work in this state is
15 subject to recapture by the authority.

16 3. USES OF APPROPRIATIONS

17 a. From the moneys appropriated in subsections 1, 6, and 7,
18 the authority may provide financial assistance in the form of a
19 grant to a community economic development entity for conducting
20 a local workforce recruitment effort designed to recruit former
21 citizens of the state and former students at colleges and
22 universities in the state to meet the needs of local employers.

23 b. From the moneys appropriated in subsections 1, 6, and 7,
24 the authority may provide financial assistance to early stage
25 industry companies being established by women entrepreneurs.

26 c. From the moneys appropriated in subsections 1, 6, and 7,
27 the authority may provide financial assistance in the form of
28 grants, loans, or forgivable loans for advanced research and
29 commercialization projects involving value-added agriculture,
30 advanced technology, or biotechnology.

31 d. The authority shall not use any moneys appropriated in
32 subsections 1, 6, and 7 for purposes of providing financial
33 assistance for the Iowa green streets pilot project or for any
34 other program or project that involves the installation of
35 geothermal systems for melting snow and ice from streets or

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1 sidewalks.

2 4. WORLD FOOD PRIZE

3 There is appropriated from the general fund of the state
4 to the economic development authority for the fiscal year
5 beginning July 1, 2013, and ending June 30, 2014, the following
6 amount for the world food prize and in lieu of the standing
7 appropriation in section 15.368, subsection 1:

8 \$ 1,000,000

9 5. IOWA COMMISSION ON VOLUNTEER SERVICE

10 There is appropriated from the general fund of the state
11 to the economic development authority for the fiscal year
12 beginning July 1, 2013, and ending June 30, 2014, the following
13 amount for allocation to the Iowa commission on volunteer
14 service for purposes of the Iowa state commission grant
15 program, the Iowa's promise and Iowa mentoring partnership
16 programs, and for not more than the following full-time
17 equivalent positions:

18 \$ 178,133

19 FTEs 7.00

20 Of the moneys appropriated in this subsection, the
21 authority shall allocate \$75,000 for purposes of the Iowa state
22 commission grant program and \$103,133 for purposes of the
23 Iowa's promise and Iowa mentoring partnership programs.

24 Notwithstanding section 8.33, moneys appropriated in this
25 subsection that remain unencumbered or unobligated at the close
26 of the fiscal year shall not revert but shall remain available
27 for expenditure for the purposes designated until the close of
28 the succeeding fiscal year.

29 6. BUSINESS DEVELOPMENT FINANCIAL ASSISTANCE

30 There is appropriated from the general fund of the state
31 to the economic development authority for the fiscal year
32 beginning July 1, 2013, and ending June 30, 2014, the following
33 amounts to be used for the purposes of the high quality jobs
34 program as described in chapter 15, part 13:

35 \$ 18,000,000

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1 Notwithstanding section 8.33, moneys appropriated in this
2 subsection that remain unencumbered or unobligated at the close
3 of the fiscal year shall not revert but shall remain available
4 for expenditure for the purposes designated until the close of
5 the succeeding fiscal year.

6 7. EMPLOYEE STOCK OWNERSHIP PLANS FORMATION ASSISTANCE

7 a. There is appropriated from the general fund of the
8 state to the economic development authority for the fiscal
9 year beginning July 1, 2013, and ending June 30, 2014, the
10 following amounts to be used for the providing of financial
11 assistance, including establishment of a loan program, and
12 technical assistance, marketing, and education to businesses
13 interested in establishing employee stock ownership plans and
14 for procuring the services of an independent contractor with
15 expertise in the formation of the employee stock ownership
16 plans:

17 \$ 1,000,000

18 Notwithstanding section 8.33, moneys appropriated in this
19 subsection that remain unencumbered or unobligated at the close
20 of the fiscal year shall not revert but shall remain available
21 for expenditure for the purposes designated until the close of
22 the succeeding fiscal year. Notwithstanding section 12C.7,
23 subsection 2, earnings or interest on moneys appropriated
24 pursuant to this subsection shall be retained by the economic
25 development authority and used for the purposes designated
26 until expended.

27 b. On or before January 15, 2015, the authority shall submit
28 a report to the general assembly and the governor's office
29 describing the expenditure of funds pursuant to this subsection
30 and evaluating the success of the assistance and promotion
31 program.

32 8. COUNCILS OF GOVERNMENTS — ASSISTANCE

33 There is appropriated from the general fund of the state
34 to the economic development authority for the fiscal year
35 beginning July 1, 2013, and ending June 30, 2014, the following

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1 university of science and technology shall allocate at least
2 \$735,728 for purposes of funding small business development
3 centers. Iowa state university of science and technology may
4 allocate moneys appropriated in subsection 1 to the various
5 small business development centers in any manner necessary to
6 achieve the purposes of this subsection.

7 3. Iowa state university of science and technology shall do
8 all of the following:

9 a. Direct expenditures for research toward projects that
10 will provide economic stimulus for Iowa.

11 b. Provide emphasis to providing services to Iowa-based
12 companies.

13 4. It is the intent of the general assembly that the
14 industrial incentive program focus on Iowa industrial
15 sectors and seek contributions and in-kind donations from
16 businesses, industrial foundations, and trade associations,
17 and that moneys for the institute for physical research and
18 technology industrial incentive program shall be allocated
19 only for projects which are matched by private sector moneys
20 for directed contract research or for nondirected research.
21 The match required of small businesses as defined in section
22 15.102, subsection 10, for directed contract research or for
23 nondirected research shall be \$1 for each \$3 of state funds.
24 The match required for other businesses for directed contract
25 research or for nondirected research shall be \$1 for each \$1 of
26 state funds. The match required of industrial foundations or
27 trade associations shall be \$1 for each \$1 of state funds.

28 Iowa state university of science and technology shall
29 report annually to the joint appropriations subcommittee on
30 economic development and the legislative services agency the
31 total amount of private contributions, the proportion of
32 contributions from small businesses and other businesses, and
33 the proportion for directed contract research and nondirected
34 research of benefit to Iowa businesses and industrial sectors.

35 5. There is appropriated from the general fund of the state



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1 initiative, and for not more than the following full-time
 2 equivalent positions:

3 \$ 2,000,000
 4 FTEs 8.00

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

10 Sec. 9. UNIVERSITY OF NORTHERN IOWA.

11 1. There is appropriated from the general fund of the
 12 state to the university of northern Iowa for the fiscal year
 13 beginning July 1, 2013, and ending June 30, 2014, the following
 14 amount, or so much thereof as is necessary, to be used for the
 15 metal casting institute, the MyEntreNet internet application,
 16 and the institute of decision making, including salaries,
 17 support, maintenance, miscellaneous purposes, and for not more
 18 than the following full-time equivalent positions:

19 \$ 1,074,716
 20 FTEs 9.75

21 2. Of the moneys appropriated pursuant to subsection
 22 1, the university of northern Iowa shall allocate at least
 23 \$617,639 for purposes of support of entrepreneurs through the
 24 university's regional business center and economic gardening
 25 program.

26 3. The university of northern Iowa shall do all of the
 27 following:

28 a. Direct expenditures for research toward projects that
 29 will provide economic stimulus for Iowa.

30 b. Provide emphasis to providing services to Iowa-based
 31 companies.

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

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1 this section that remain unencumbered or unobligated at the
 2 close of the fiscal year shall not revert but shall remain
 3 available for expenditure for the purposes designated until the
 4 close of the succeeding fiscal year.

5 Sec. 11. BOARD OF REGENTS REPORT. The state board of
 6 regents shall submit a report on the progress of regents
 7 institutions in meeting the strategic plan for technology
 8 transfer and economic development to the secretary of the
 9 senate, the chief clerk of the house of representatives, and
 10 the legislative services agency by January 15, 2014.

11 Sec. 12. IOWA FINANCE AUTHORITY.

12 1. There is appropriated from the general fund of the state
 13 to the Iowa finance authority for the fiscal year beginning
 14 July 1, 2013, and ending June 30, 2014, the following amount,
 15 or so much thereof as is necessary, to be used to provide
 16 reimbursement for rent expenses to eligible persons under the
 17 rent subsidy program:

18 \$ 713,146

19 2. Participation in the rent subsidy program shall be
 20 limited to only those persons who meet the requirements for the
 21 nursing facility level of care for home and community-based
 22 services waiver services as in effect on July 1, 2013, and
 23 to those individuals who are eligible for the federal money
 24 follows the person grant program under the medical assistance
 25 program. Of the moneys appropriated in this section, not more
 26 than \$35,000 may be used for administrative costs.

27 Sec. 13. IOWA FINANCE AUTHORITY AUDIT. The auditor of state
 28 is requested to review the audit of the Iowa finance authority
 29 performed by the auditor hired by the authority.

30 Sec. 14. PUBLIC EMPLOYMENT RELATIONS BOARD.

31 1. There is appropriated from the general fund of the state
 32 to the public employment relations board for the fiscal year
 33 beginning July 1, 2013, and ending June 30, 2014, the following
 34 amount, or so much thereof as is necessary, for the purposes
 35 designated:

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1 \$100 filing fee for workers' compensation cases. The filing
 2 fee shall be paid by the petitioner of a claim. However, the
 3 fee can be taxed as a cost and paid by the losing party, except
 4 in cases where it would impose an undue hardship or be unjust
 5 under the circumstances. The moneys generated by the filing
 6 fee allowed under this subsection are appropriated to the
 7 department of workforce development to be used for purposes of
 8 administering the division of workers' compensation.

9 3. WORKFORCE DEVELOPMENT OPERATIONS

10 a. For the operation of field offices, the workforce
 11 development board, and for not more than the following
 12 full-time equivalent positions:

13	\$ 9,179,413
14	FTEs 130.00

15 b. Of the moneys appropriated in paragraph "a" of this
 16 subsection, the department shall allocate at least \$1,130,602
 17 for the operation of satellite field offices in Decorah,
 18 Fort Madison, Iowa City, and Webster City, and of the moneys
 19 appropriated in paragraph "a" of this subsection, the
 20 department shall allocate \$150,000 to the state library for the
 21 purpose of licensing an online resource which prepares persons
 22 to succeed in the workplace through programs which improve job
 23 skills and vocational test-taking abilities.

24 4. FIELD OFFICE OPENING

25 For the purpose of reopening satellite field offices in
 26 Ames, Atlantic, Denison, Newton, and Clinton and for not more
 27 than the following full-time equivalent positions:

28	\$ 2,760,000
29	FTEs 27.00

30 5. OFFENDER REENTRY PROGRAM

31 a. For the development and administration of an offender
 32 reentry program to provide offenders with employment skills,
 33 and for not more than the following full-time equivalent
 34 positions:

35	\$ 284,464
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1 Sec. 22. Section 15.106B, subsection 2, paragraph d,
2 subparagraph (1), Code 2013, is amended by adding the following
3 new subparagraph division:

4 NEW SUBPARAGRAPH DIVISION. (i) Services pertaining to the
5 pursuit and possible establishment of a regional hub under
6 the federal national network of manufacturing institutes to
7 accelerate development and adoption of innovative manufacturing
8 technologies for making new globally competitive products.

9 Sec. 23. Section 15.251, Code 2013, is amended to read as
10 follows:

11 **15.251 Industrial new job training program certificates —**
12 **fee.**

13 The authority may charge, within thirty days following the
14 sale of certificates under chapter 260E, the board of directors
15 of the merged area a fee of up to one percent of the gross sale
16 amount of the certificates issued. The amount of this fee
17 shall be deposited and allowed to accumulate in a job training
18 fund created in the authority. ~~At the end of each fiscal~~
19 ~~year, all funds deposited under this subsection into the job~~
20 ~~training fund during the fiscal year shall be transferred to~~
21 ~~the workforce development fund account established in section~~
22 ~~15.342A~~ Moneys in the fund are appropriated to the authority
23 for purposes of workforce development program coordination and
24 activities including salaries, support, maintenance, legal and
25 compliance, and miscellaneous purposes.

26 Sec. 24. Section 15.342A, Code 2013, is amended to read as
27 follows:

28 **15.342A Workforce development fund account.**

29 A workforce development fund account is established in the
30 office of the treasurer of state under the control of the
31 authority. The account shall receive funds pursuant to section
32 422.16A up to a maximum of ~~four~~ six million dollars per year.
33 The account shall also receive funds pursuant to section 15.251
34 with no dollar limitation.

35 Sec. 25. Section 15.343, subsection 2, paragraphs a and d,

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1 Code 2013, are amended by striking the paragraphs.

2 Sec. 26. Section 15.343, subsection 3, paragraph a, Code
 3 2013, is amended to read as follows:

4 a. ~~Three~~ Five million dollars shall be used for purposes
 5 provided in section 260F.6.

6 Sec. 27. Section 260C.18A, subsection 2, paragraph e, Code
 7 2013, is amended by striking the paragraph.

8 Sec. 28. Section 260F.6, subsection 2, Code 2013, is amended
 9 to read as follows:

10 2. To provide funds for the present payment of the costs
 11 of a training program by the business, the community college
 12 may provide to the business an advance of the moneys to be used
 13 to pay for the program costs as provided in the agreement.
 14 To receive the funds for this advance from the job training
 15 fund established in subsection 1, the community college shall
 16 submit an application to the economic development authority.
 17 The amount of the advance shall not exceed ~~twenty-five~~ fifty
 18 thousand dollars for any business site, or ~~fifty one hundred~~
 19 thousand dollars within a three-fiscal-year period for any
 20 business site. If the project involves a consortium of
 21 businesses, the maximum award per project shall not exceed
 22 ~~fifty one hundred~~ thousand dollars. Participation in a
 23 consortium does not affect a business site's eligibility for
 24 individual project assistance. Prior to approval a business
 25 shall agree to match program amounts in accordance with
 26 criteria established by the authority.

27 Sec. 29. Section 303A.4, subsection 4, Code 2013, is amended
 28 to read as follows:

29 4. a. The treasurer of state shall act as custodian of
 30 the fund, shall invest moneys in the trust fund, and shall
 31 transfer the interest attributable to the investment of trust
 32 fund moneys to the grant account created in section 303A.7.
 33 The trust fund's principal shall not be used or accessed by the
 34 department or the board for any purpose.

35 b. Notwithstanding paragraph "a", for each of the following



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1 fiscal years, the treasurer of state shall transfer the
 2 following amounts from the principal of the trust fund to the
 3 grant account created in section 303A.7:

4 (1) For the fiscal year beginning July 1, 2013, and ending
 5 June 30, 2014, seventy-eight thousand six hundred two dollars.

6 (2) For the fiscal year beginning July 1, 2014, and ending
 7 June 30, 2015, seventy-eight thousand six hundred two dollars.

8 (3) For the fiscal year beginning July 1, 2015, and ending
 9 June 30, 2016, seventy-eight thousand six hundred two dollars.

10 Sec. 30. Section 422.16A, Code 2013, is amended to read as
 11 follows:

12 **422.16A Job training withholding — certification and**
 13 **transfer.**

14 Upon the completion by a business of its repayment
 15 obligation for a training project funded under chapter
 16 260E, including a job training project funded under section
 17 15A.8 or repaid in whole or in part by the supplemental new
 18 jobs credit from withholding under section 15A.7 or section
 19 15E.197, the sponsoring community college shall report to
 20 the economic development authority the amount of withholding
 21 paid by the business to the community college during the
 22 final twelve months of withholding payments. The economic
 23 development authority shall notify the department of revenue
 24 of that amount. The department shall credit to the workforce
 25 development fund account established in section 15.342A
 26 twenty-five percent of that amount each quarter for a period
 27 of ten years. If the amount of withholding from the business
 28 or employer is insufficient, the department shall prorate the
 29 quarterly amount credited to the workforce development fund
 30 account. The maximum amount from all employers which shall be
 31 transferred to the workforce development fund account in any
 32 year is ~~four~~ six million dollars.

33 Sec. 31. 2011 Iowa Acts, chapter 130, section 1, subsection
 34 6, is amended to read as follows:

35 6. IOWA GREAT PLACES



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1 by the authority.

2 The bill appropriates moneys to the department of workforce
3 development for an employee misclassification program.

4 The bill appropriates moneys from the special employment
5 security contingency fund to the department of workforce
6 development for field offices.

7 The bill appropriates interest earned on the unemployment
8 compensation reserve fund to the department of workforce
9 development for the operation of field offices.

10 The bill requires the department of workforce development
11 to require a unique identification login for all users of
12 workforce development centers operated through electronic
13 means.

14 The bill appropriates moneys from moneys credited to
15 the state by the secretary of the treasury of the United
16 States pursuant to the Social Security Act to the department
17 of workforce development for the administration of the
18 unemployment compensation program only.

19 The bill adds that the economic development authority may
20 delegate the function of services pertaining to pursuit and
21 establishment of a regional hub under the federal national
22 network of manufacturing institutes to the Iowa innovation
23 corporation.

24 The bill increases the maximum amount that can be
25 transferred from \$4 million to \$6 million to the workforce
26 development fund account established in Code section 15.342A
27 for job training withholding moneys pursuant to Code section
28 422.16A relating to certain job training programs. The bill
29 makes changes relating to the purposes for which moneys in the
30 workforce development fund can be used. The bill increases
31 the amount that a community college can advance to a business
32 or consortium of businesses to cover the cost of job training
33 under Code chapter 260F.

34 The bill requires the treasurer of state to transfer moneys
35 from the principal of the cultural trust fund to the cultural



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1 grant account over fiscal years 2013-2014 through 2015-2016.

2 The bill provides that moneys appropriated to the department
3 of cultural affairs for FY 2012-2013 that remain unencumbered
4 or unobligated at the end of the fiscal year in which the
5 funds were appropriated do not revert but remain available
6 for expenditure for the succeeding fiscal year. Moneys
7 appropriated to the department of cultural affairs for the
8 great places program for FY 2011-2012 that remain unencumbered
9 or unobligated at the end of that fiscal year also do not
10 revert. The bill makes these sections retroactively applicable
11 to the original date for each appropriation.

12 The bill provides that the rent subsidy program for FY
13 2012-2013 is limited to persons who meet requirements for
14 nursing facility level of care for home and community-based
15 services waiver services as are in effect on July 1, 2012, and
16 makes the Code section retroactively applicable to July 1,
17 2011.

18 Division II of the bill requires the economic development
19 authority to transfer loan payments or repayments and
20 recaptures of principal, interest, or other moneys accruing
21 pursuant to an economic development agreement under a program
22 funded using moneys from the federal economic stimulus and
23 jobs holding fund into a fund established by the economic
24 development authority.

25 The bill also requires the economic development authority
26 to transfer all unencumbered and unobligated moneys as well
27 as loan payments or repayments and recaptures of principal,
28 interest, or other moneys accruing from an agreement entered
29 into under the grow Iowa values fund to a fund established
30 by the economic development authority. The grow Iowa values
31 program and fund were repealed effective June 30, 2012.

32 Division II of the bill takes effect upon enactment. The
33 provision of the division of the bill allowing the transfer
34 of moneys from the federal economic stimulus and jobs holding
35 account applies retroactively to May 26, 2009. The provision

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1 of the division of the bill allowing the transfer of grow Iowa
2 values fund moneys applies retroactively to July 1, 2011.
3 Of the moneys transferred in the division, the bill
4 allocates moneys for the main street program, infrastructure
5 building and site development for a manufacturing center, and
6 pursuing a regional hub under the federal national network of
7 manufacturing institute. Of the moneys transferred in the
8 division, the bill also requires the economic development
9 authority to transfer moneys to the small business microloan
10 program revolving fund, the river enhancement community
11 attraction and tourism fund, and the university of northern
12 Iowa.