

LAKWOOD AND LAKE DELHI APPEALS APPROVED

Appeals Approved. The Federal Emergency Management Agency (FEMA) has approved the second appeals filed in 2011 by the Iowa Homeland Security and Emergency Management Division (HSEMD) regarding the Combined Lake Delhi Recreational Facility and Water Quality District in Delaware County and the Lakewood Benefited Recreational Lake District in Warren County. FEMA had rejected the original requests stating these districts did not qualify for federal funding because they were not governmental entities. However, with the approval of the appeals both districts may be eligible to receive disaster assistance.

Additional Information. More information is available on the HSEMD website, including copies of the letters from FEMA and HSEMD: http://www.homelandsecurity.iowa.gov/news_room/press_releases.html.

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GOVERNOR COMMUTES LIFE SENTENCES

Supreme Court Ruling. The U.S. Supreme Court recently ruled in *Miller v. Alabama* that juveniles convicted of First Degree Murder must have an opportunity to be paroled. Iowa currently has 38 offenders serving a life sentence for a First Degree Murder conviction crime committed when they were juveniles. Governor Branstad announced on July 16 that he will commute the sentences of these 38 offenders to life in prison with the possibility of parole after they have served 60 years. It is probable that none of these offenders will be considered for parole within the next 20 years.

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ELECTRICAL INSPECTION POLICY FOR FARM FACILITIES

New Inspection Policy. The Department of Public Safety has issued a new policy regarding the inspection of farm facilities effective July 1, 2012. The Department has indefinitely suspended mandatory electrical inspections on a farm facility defined as a building or structure located on a farm other than a residential, industrial, or public-use building or facility. Any farmer or farmer's designee may voluntarily request an electrical inspection for additional safety if they wish to do so. Once the electrical service (installed by an electrical contractor or the farmer/owner) has been released for connection, the Department will no longer conduct inspections of the feeders or branch circuits to the accessory buildings, grain bins, pole barns, etc. unless requested or unless those structures connect to a new or existing dwelling. All installations are required to comply with the current edition of the National Electrical Code and the Department will continue to provide electrical consultation and advice to electrical contractors, farmers, and homeowners.

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Prior Projects. Electrical projects that started prior to July 1, 2012, will still require permits and an inspection. Any project that deals with a dwelling, attaches to a dwelling, or affects a dwelling in any fashion must be permitted and inspected. All new, rebuilt, or modified electrical services must be permitted and inspected, including farm electrical services. Industrial agricultural installations must be permitted and inspected. Per the Department, an industrial installation is intended for the use in the manufacture or processing of products involving systematic labor or habitual employment and includes installations in which agricultural or other products are habitually or customarily processed or stored for others, either by buying or reselling on a fee basis.

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ASHFORD UNIVERSITY ACCREDITATION

Accreditation Update. At the July 13, 2012, meeting of the College Student Aid Commission, the commissioners received a report from staff regarding the accreditation of Ashford University. Ashford is currently accredited by the Higher Learning Commission (HLC) and meets requirements to participate in State aid programs on behalf of its students attending the campus in Clinton, Iowa.

Alternate Accreditation. Because most of its administrative offices are located in California, Ashford University had been pursuing accreditation by the Western Association of Schools and Colleges (WASC). If approved by WASC, Ashford would relinquish its accreditation with HLC and no longer be eligible to participate in Iowa's college aid programs. The College Student Aid Commission had been monitoring the situation and was preparing to require Ashford to notify current Iowa aid recipients that they may not be eligible for aid in FY 2014. However, prior to the Commission's meeting, staff learned that WASC denied accreditation to Ashford, in part because of concerns related to online courses. The HLC, which had already notified Ashford of concerns regarding compliance with its accreditation standards, has reviewed the situation in light of the WASC denial. The HLC has now required Ashford to submit a report before the end of August regarding the university's plans to meet accreditation requirements for both the HLC and WASC.

Future Action. The College Student Aid Commission's Legislative Committee will work with the Attorney General's Office to consider possible future action regarding Ashford University.

Next Meeting. The next meeting of the College Student Aid Commission is scheduled for September 21, 2012, at the Commission's offices in Des Moines.

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NEXT GENERATION 911 (NG911) DEPLOYMENT

NG911 Deployment. As of July 26, 2012, 48 of the 117 Public Safety Answering Points (PSAPs) have been deployed to the NG911 network. There will be approximately one PSAP scheduled for deployment daily until the end of October to allow all PSAPs to be migrated to the NG911 network. Beginning August 1, wireless service providers will begin moving their traffic from the legacy network to the NG911 network with completion slated by the end of October. A map of completed counties can be viewed at: https://www.legis.iowa.gov/DOCS/LSA/SC_MaterialsDist/2013/SDJDA000.PDF

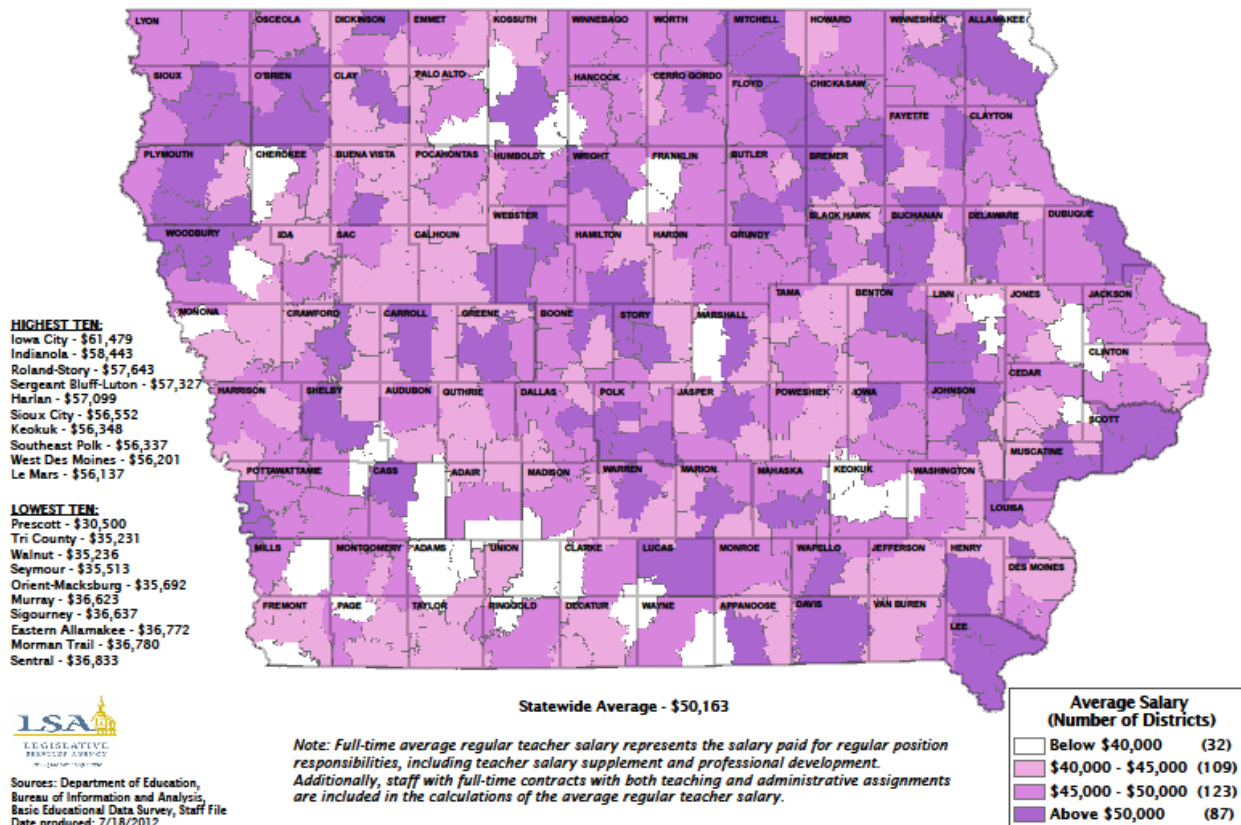
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AVERAGE TEACHER SALARY BY SCHOOL DISTRICT

Local Government Mapping Project. The following map illustrates the FY 2012 average regular salary for full-time teachers by school district. The regular salary includes the salary supplement and professional development funds.

Local government maps are available online at:
<https://www.legis.iowa.gov/LSAReports/fiscalMapWeek.aspx>.

Full-Time Average Regular Teacher Salary by School District FY 2012



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VETERANS TRUST FUND

Trust Fund Update. As of July 31, 2012, the balance in the Veterans Trust Fund was \$16.5 million. The amount available in the spendable balance was \$232,000. [House File 2466](#) (Veterans Trust Fund Act) provided a one-time appropriation of \$300,000 for FY 2012 from the Veterans Trust Fund to the Commission on Veterans Affairs to address the current backlog in pending veterans assistance applications. Of the \$300,000 transfer, \$97,000 in pending claims was processed. The remaining \$203,000 added to the \$29,000 results in the current spendable amount. Assistance categories are established in Iowa Code section [35A.13](#) and in Administrative Rules.

On July 11, 2012, the Commission reinstated Honor Guard Reimbursement claim payments from the Veterans Trust Fund. The current backlog of claims is estimated to be approximately \$70,000. In addition, HF 2466 created a standing limited appropriation, beginning FY 2013, from the Veterans Trust Fund to the Commission on Veterans Affairs requiring the first \$300,000 received from designated Lottery Fund proceeds to be deposited in the Veterans Trust Fund. The money appropriated to the Commission that remains unobligated or unexpended at the end of the fiscal year will revert to the Veterans Trust Fund.

Additional Information. More information regarding the Veterans Trust Fund is available at: https://www.legis.iowa.gov/DOCS/LSA/Fiscal_Topics/2013/FTJDA019.PDF

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FALSE CLAIMS ACT REPORT

Report Submitted. The Attorney General's Office submitted its annual report on the implementation and enforcement of Iowa's False Claims Act. The report is required by 2010 Iowa Acts, chapter 1031, section 345.

Case Filings. No cases were filed by the Office of the Attorney General in the last calendar year (2011). There were six cases filed under the Act by *qui tam* plaintiffs during calendar year 2011. These cases were filed in the U.S. District Courts as follows:

- One case was filed in the Southern District of Iowa.
- Two cases were filed in the Eastern District of Texas.
- One case was filed in the Southern District of Texas.
- One case was filed in Maryland and one case was filed in Colorado.

All of the cases involved the Medicaid program and are still pending. The Office of the Attorney General does not know if any of the *qui tam* plaintiffs previously filed an action in another jurisdiction.

No Funds Recovered. The State did not recover any funds under the False Claims Act in calendar year 2011.

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WATER RESOURCES COORDINATING COUNCIL MEETING

WRCC Meeting. The Water Resources Coordination Council (WRCC) met at the Iowa Flood Center (IFC) in Iowa City on July 27, 2012. The WRCC is a group of State, federal, and nonprofit leaders that meets monthly to coordinate water resource management. The Council heard an update on the progress of the Nutrient Reduction Strategy. The strategy is being developed to fulfill Iowa's role in the Gulf of Mexico Hypoxia Task Force, a group of states trying to reduce pollution reaching the Gulf. The strategy is currently being reviewed, and portions of it are due to be released this fall.

Iowa Flood Center Tools. The meeting showcased tools developed at the IFC, including online tools for flood forecasting, floodplain maps and stream gauge sensors. The IFC was established by the 2009 General Assembly. The IFC is a key Iowa institution for flood research, data collection and is developing a library of flood-inundation maps. Online tools developed by the IFC can be found at: <http://iowafloodcenter.org/>.

Watershed Planning Authorities. The Council also discussed Watershed Planning Authorities. These are entities of two or more political subdivisions created for the purpose of water quality and flood mitigation. The WRCC discussed the progress of existing Watershed Planning Authorities.

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CAPITOL PLANNING COMMISSION MEETING

July Meeting. The Capitol Planning Commission met on July 19, 2012. The following items are highlights from the meeting. For more information and minutes, refer to the Capitol Planning Commission website at: http://das.gse.iowa.gov/statebldg/capitol_plan_commission.html.

Oran Pape Building. House File 2335 (FY 2013 Justice Systems Appropriations Act) required that the Department of Public Safety Building be named after Oran Pape, the first member of the State Patrol killed in the line of duty and the only member of the State Patrol to have been murdered. The legislation required an appropriate commemorative plaque to be placed near the entrance of the building in recognition of Oran Pape. The Department of Administrative Services (DAS) is in the process of acquiring a new sign for the building that will follow the standards and style similar to the Ola Babcock Miller Building signage. A location for the new sign has been chosen that will allow for maximum visibility from different directions of traffic. The Commission discussed the relocation of the existing Department of Public Safety Building sign and requested that before a relocation of the sign occurs, the Commission should be consulted. In addition, the DAS staff noted that the commemorative plaque was installed at the building entrance and highlights the life of Oran Pape.

709 and 707 East Locust Street Buildings. The DAS staff noted that negotiations are being completed to relocate the 709 rowhouse (and then the DAS plans to demolish 707, the old Iowa Association of Community College Trustees building), but there has been another delay due to some interaction from the State Historical Preservation Office (SHPO). According to staff, the SHPO wants the buyer of the rowhouse to move both buildings. Currently, the buyer of the rowhouse plans to move the historical 709 rowhouse to the East Village, along Grand Avenue, between East 4th and 5th Streets. If negotiations break down and the contract with the buyer is not executed, the DAS indicated that the result might be that both buildings would be demolished, something that is not preferred by the DAS. The Commission approved a motion to show their support for the current plan and that the intent of the decision regarding the buildings, approved by the Commission, was to move 709 and demolish 707. The actions to the buildings are needed to complete the final phase of the West Capitol Terrace. The DAS plans to have any actions relating to the buildings occur after the Hy-Vee Triathlon that is scheduled in September 2012. The Commission and the DAS indicated that November 1, 2012, is the deadline in the contract that is being negotiated.

B-Cycle Station. The Commission discussed the proposed B-Cycle station that would be located during good weather months near the Lucas Building. The B-Cycle bicycle sharing program is operated by a nonprofit organization, the Des Moines Bicycle Collective, and has stations at several locations in downtown Des Moines. A rider can pick up a bike in one location and drop off at another location for varying levels of membership fees or day rates. Wellmark, an organization that provides insurance to State employees, is interested in sponsoring the station to promote improved employee health. The B-Cycle station will have minimal cost to the State, and will be removed during the winter to allow snow plows easy passage. The Commission discussed the differences between sponsorship and advertising for a transportation service that the station would provide and other more permanent structures such as works of art, statues, or other features. The Commission was noting the Site Features Policy that it had

adopted regarding advertising on features such as statues, fountains, and monuments on the Capitol grounds. The policy states that features should “not identify financial contributors to the site feature unless authorized by Executive Order of the Governor or Joint Resolution of the General Assembly.” (Note: [Iowa Code section 8A.108\(2\)\(b\)](#) restricts the DAS from establishing any permanent acknowledgement of a donor of a donation, grant, gift, or contribution unless specifically authorized by the General Assembly and approved by the Governor or unless otherwise specifically authorized by law). Concern was raised by some members that without the sponsorship of Wellmark being allowed to be noted with signage, the station might not actually be put in place. For more information on B-Cycle Stations, see their website at: <http://desmoines.bcycle.com/home.aspx>.

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BOARD OF CORRECTIONS MEETING

Board Meeting. The Board of Corrections met July 13, 2012, at the Iowa State Penitentiary at Fort Madison. Warden Nick Ludwick welcomed the Board and guests to the penitentiary and provided a brief overview of operations. The Board received testimony on how the Department of Corrections (DOC) plans to manage special populations, such as predatory sex offenders and gang members, in the future. These offenders will be housed in the Reintegration Unit (currently the Clinical Care Unit) once the new prison is operating. Director John Baldwin indicated the future Reintegration Unit differs from a super maximum security prison because these offenders will have more yard time, more access to treatment, and a shorter length of stay in the unit compared to how a super maximum security prison operates. Iowa does not have a super maximum security prison.

Director’s Report. Director Baldwin updated the Board on the 38 lifers (offenders serving a life sentence) that are impacted by the recent U.S. Supreme Court decision (*Miller vs. Alabama*) that states juveniles cannot be sentenced to life in prison with no chance of parole. The DOC is working with the Governor’s Office and the Board of Parole on compiling information regarding these offenders. The DOC will not be seeking any legislative changes regarding this issue.

Board of Parole Update. The Board of Parole is continuing to increase parole grants and the prison population continues to decrease. The DOC is working closely with the Board of Parole as it moves to one management information platform, and accesses the Iowa Corrections Offender Network (ICON).

Telephone Rebate Fund. The Board of Corrections approved the following expenditures from the Telephone Rebate Fund - \$450,000 for the Institutions’ education program, \$60,000 for administration, and \$1,000 for translation services. The DOC will be issuing a Request for Proposals (RFP) for vendors to provide a secure offender telephone system, as well as working with the DAS on options to reduce Iowa Communications Network (ICN) costs. The ICN serves as the backbone of the offender telephone system.

CBC Mental Health Court. Eighth Community-Based Corrections (CBC) District Director Dan Fell updated the Board on his District Department’s mental health court that operates similar to its drug court. Offenders serve between 12 to 18 months in the program, are closely monitored, and receive mental health treatment. Access to mental health treatment in rural areas is limited. The mental health court is currently funded through a grant from the Office of Drug Control Policy (ODCP).

Transition Plans. The Board received testimony on transition plans for moving to the new maximum security prison once construction is completed and DOC receives funds to operate it. Staff has been updating policies regarding security standards, personal property, duty rosters, tool and key control, and offender employment. Existing staff have been receiving training on direct supervision, where employees interact with offenders in the housing units. There is an Iowa Prison Industries (IPI) building at the new prison. The IPI revolving fund will be used to fund the costs of finishing that building and providing equipment. Existing equipment will be moved to the new location.

Next Meeting. The Board will meet August 24, 2012, at the Fifth CBC District Department, Fort Des Moines Residential Facility.

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FISCAL ONE-ON-ONE AUDIO INTERVIEWS

New Interviews. The Legislative Services Agency has published two new Fiscal One-on-One interviews.

- [Resource Enhancement and Protection \(REAP\) Program](#)
- [Iowa Public Television](#)

Description. Fiscal One-on-Ones are short, conversational interviews conducted by fiscal staff with various State agencies regarding topics of interest. They can be accessed online at:

<https://www.legis.iowa.gov/LSAReports/AudioVideo/fiscalOneOnOnesAudio.aspx>

Sign Up. A listserv has been created for this product to sign up for email notification when a new Fiscal One-on-One is published: <https://www.legis.iowa.gov/Subscribe/subscriptions.aspx>

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MEETINGS MONITORED

The following meetings were monitored by Fiscal Services staff. Please contact the staff listed for more information.

Meeting	Date	Staff Contact
Council on Human Services	07/11/2012	Aaron Todd (281-6764)
Natural Resource Commission	07/12/2012	Deb Kozel (281-6767)
Board of Corrections	07/13/2012	Beth Lenstra
College Student Aid Commission	07/13/2012	Robin Madison (281-5270)
Environmental Protection Commission	07/17/2012	Adam Broich (281-8223)
Iowa Telecommunications and Technology Commission	07/19/2012	Marcia Tannian (281-7942)
Capitol Planning Commission	07/19/2012	Marcia Tannian (281-7942)
Iowa Statewide Interoperable Communications System Board	07/25/2012	Jen Acton (281-7846)
Water Resources Coordination Council	07/27/2012	Adam Broich (281-8223)
Iowa Finance Authority	08/01/2012	Kent Ohms (725-2200)
Board of Regents	08/03/2012	Robin Madison (281-5270)
Teacher Leadership and Compensation Task Force	07/27/2012	Shawn Snyder (281-7799)
Teacher and Principal Leadership Symposium	08/03/2012	John Parker (725-2249) Shawn Snyder (281-7799)
School Budget Review Committee (SBRC) Retreat	08/06/2012	Shawn Snyder (281-7799)
Children's Disability Workgroup	08/06/2012	Aaron Todd (281-6764)

This document is available online at: <http://www.legis.state.ia.us/Fiscal/fiscupdt/>