

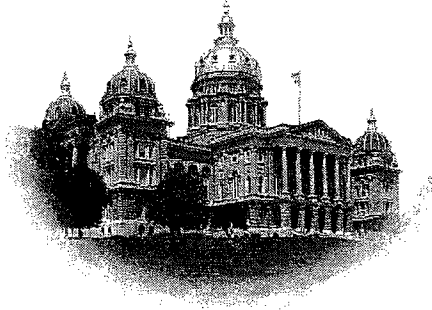
2005 SESSION FISCAL REPORT

**81st General Assembly
State of Iowa**

**Fiscal Services Division
Legislative Services Agency
August 2005**

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August 2005

Members of the 81st General Assembly of Iowa and Other Interested Citizens:

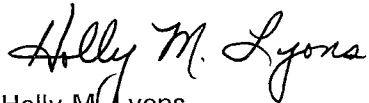
The **Fiscal Report**, issued by the Legislative Services Agency, contains a summary of fiscal information and legislation passed by the 2005 Session of the 81st General Assembly.

This report is intended to provide interested persons with information on General Fund and non-General Fund appropriations, receipts, and bills which have a significant fiscal impact upon the State of Iowa.

Included in this summary report is the following information: appropriations summary; General Fund balance sheet; balance sheets for various other funds; bill summaries for subcommittee appropriations acts, miscellaneous appropriation acts, and ways and means acts; and a summary of Fiscal Services reports.

Legislative Services Agency staff are available to answer any questions concerning the contents of this document.

Sincerely,



Holly M. Lyons,
Fiscal Services Director

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THE YEAR IN REVIEW

FY 2005

Revenue growth projections in Iowa continue to improve in FY 2005, with the Revenue Estimating Conference (REC) estimating growth in total receipts (accruals) to be 4.1%, up from the December 2004 growth estimate of 2.7%. Iowa utilized some one-time sources of funds and tapped the reserve funds to help balance the FY 2005 budget. Approximately \$430.0 million in General Fund expenditures were shifted to other fund sources. This included shifting \$159.7 million in property tax credits to the Cash Reserve Fund and \$132.4 million in Medicaid expenditures to the Senior Living Trust Fund.

The 2005 General Assembly passed General Fund supplemental appropriations totaling \$80.5 million for the following purposes:

General Fund Supplemental Appropriations (\$ in millions)	
Medical Assistance	\$ 70.0
Medical Contracts	1.0
Glenwood Resource Center	1.0
Woodward Resource Center	1.0
Public Defender	1.6
Indigent Defense Appropriation	2.9
Sexual Predator Civil Commitment	0.8
National Special Olympics	0.5
Other Supplemental Appropriations	1.7
Total Supplemental Appropriations	<u>\$ 80.5</u>

The current projected General Fund ending balance for FY 2005 is \$235.6 million, but the General Assembly notwithstanding Section 8.57, Code of Iowa, and appropriates \$159.7 million of the FY 2005 surplus to the Property Tax Credit Fund for payment of the FY 2006 property tax credits. The remaining FY 2005 surplus is estimated to be \$75.9 million and will be appropriated to the Cash Reserve Fund.

FY 2006

Revenue growth projections in Iowa are cautiously optimistic for FY 2006. The April REC projects growth in total receipts (before refunds and accruals) to be 2.0% for FY 2006. Like many other states, revenues are surpassing estimates, but increases in Medicaid, other health care spending, and K-12 education are outpacing revenue growth rates. According to the National Conference of State Legislatures, this mismatch between resources and spending needs is creating a structural budget gap in nearly

THE YEAR IN REVIEW

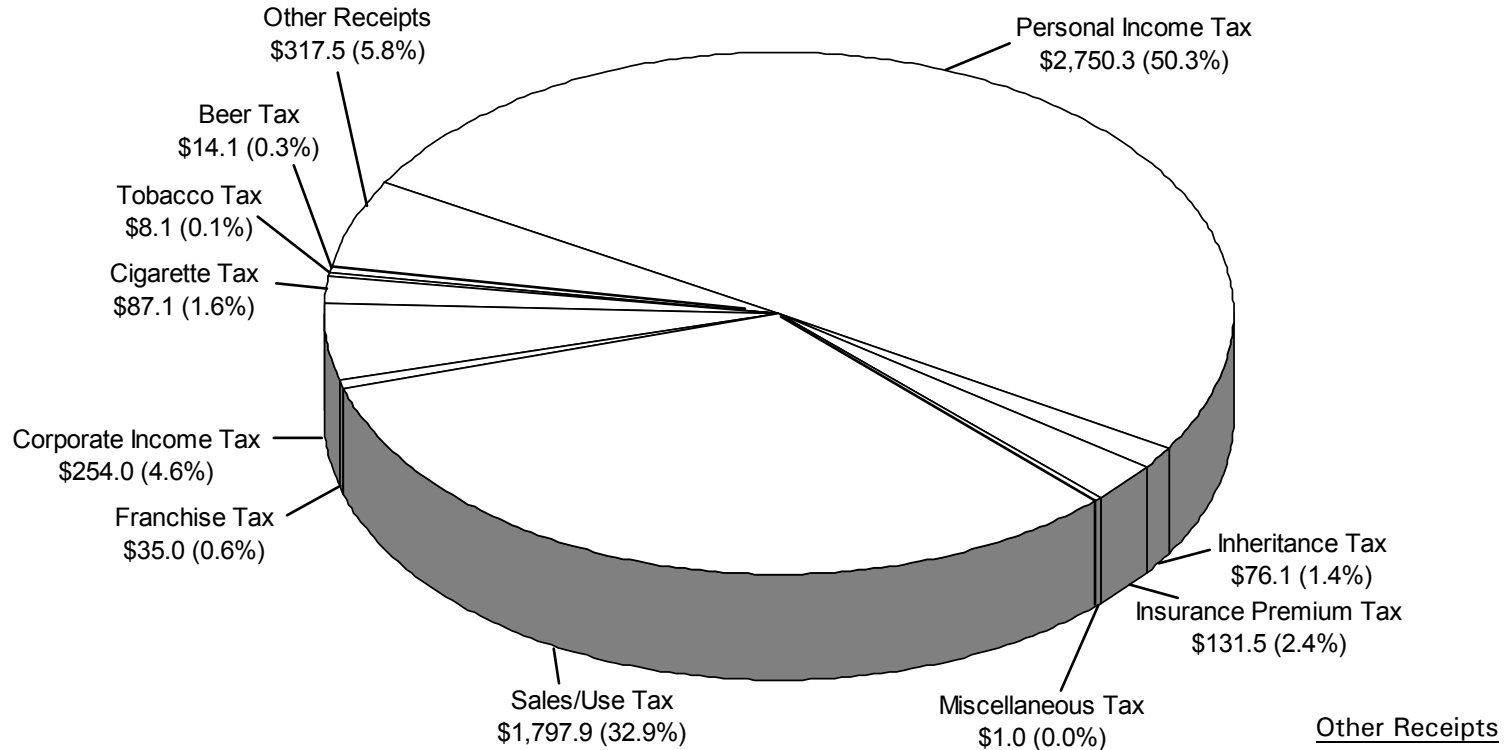
half of the states. In Iowa, economic factors have contributed to reductions in the revenue growth rate, but tax reductions and revenue adjustments enacted by the General Assembly have played a role in reducing the rate of General Fund net revenue growth over the past five years and contributing to the structural budget gap.

The Iowa General Assembly appropriated \$4.939 billion from the General Fund for FY 2006 and shifted approximately \$374.8 million in expenditures from the General Fund to the other sources. This includes the \$159.7 million in property tax credits and \$135.0 million in Medicaid expenditures.

After the Governor's item vetoes, the projected General Fund ending balance is \$64.1 million.

FY 2005 Estimated Total General Fund Receipts (In Millions)

As estimated by the April 8, 2005, Revenue Estimating Conference.
Totals may not add due to rounding.



Other Receipts

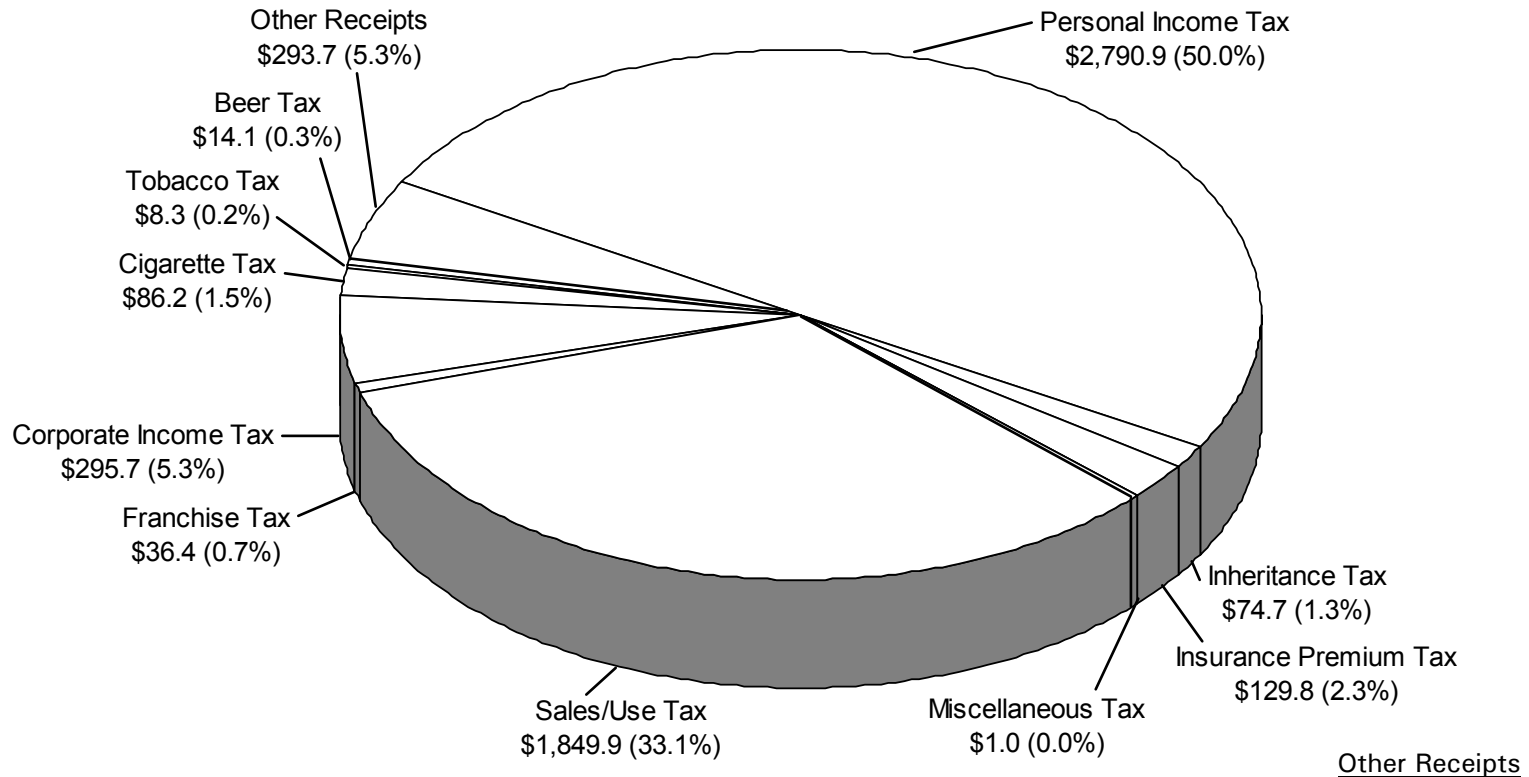
Interest	\$ 7.0
Racing & Gaming Receipts	\$60.0
Liquor Profits	\$59.0
Miscellaneous Receipts	\$53.8
Judicial Revenue	\$57.3
Fees	\$67.6
Institutional Payments	\$12.8

Total General Fund receipts do not include adjustments for transfers, refunds, and accruals. Net General Fund receipts (after adjustments) equal \$4,825.8.

Total: \$5,472.6

FY 2006 Estimated Total General Fund Receipts (In Millions)

As estimated by the April 8, 2005, Revenue Estimating Conference.
Totals may not add due to rounding.



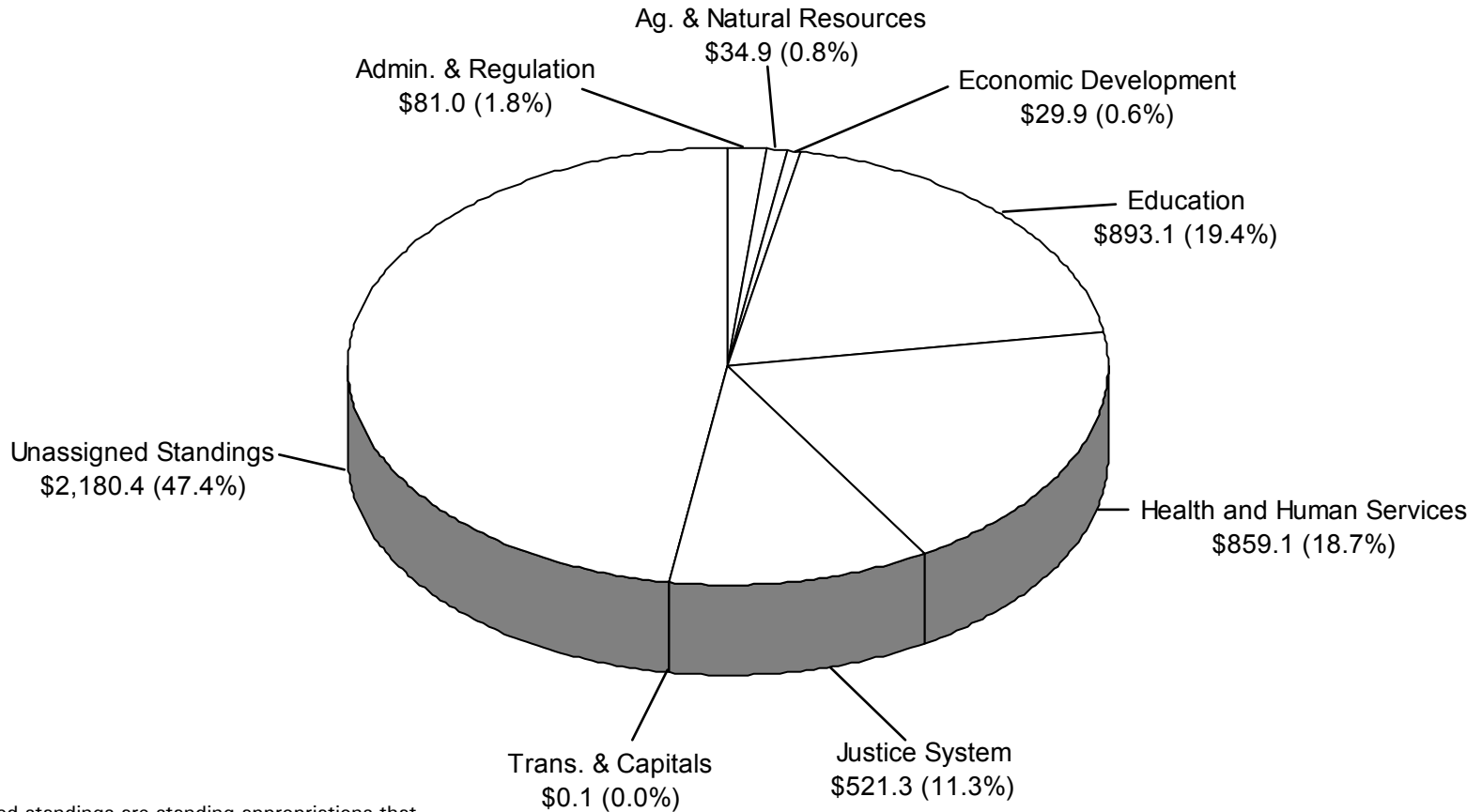
Other Receipts

Interest	\$ 7.5
Racing & Gaming Receipts	\$60.0
Liquor Transfers	\$59.0
Miscellaneous Receipts	\$27.7
Judicial Revenue	\$57.3
Fees	\$69.4
Institutional Payments	\$12.8

Total General Fund receipts do not include adjustments for transfers, refunds, and accruals. Net General Fund receipts (after adjustments and including adjustments made by the Legislature) equal \$4,990.2.

Total: \$5,580.7

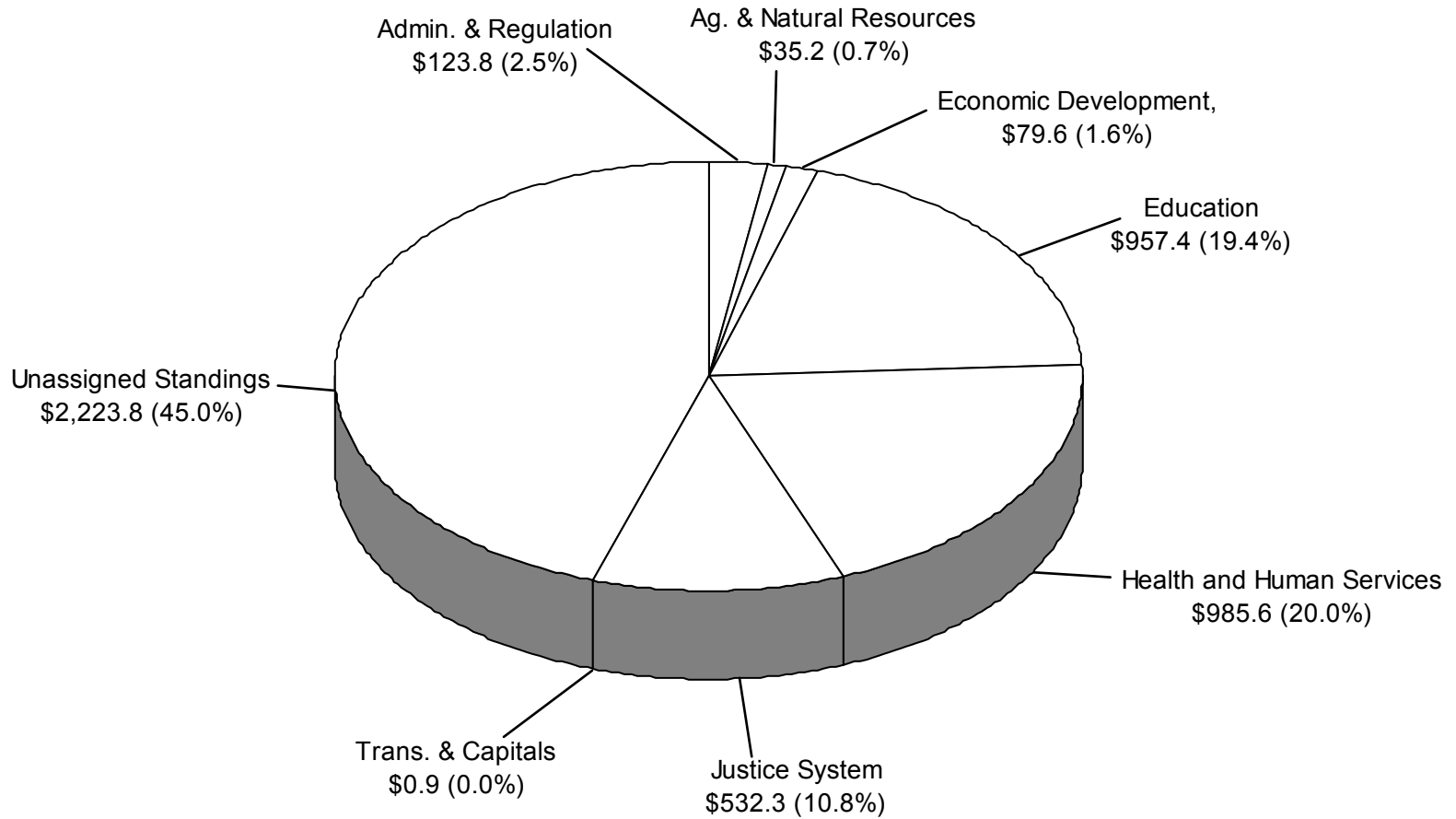
FY 2005 Estimated Net General Fund Appropriations (In Millions)



Total: \$4,599.8

Unassigned standings are standing appropriations that were not considered at the appropriations subcommittee level. All subcommittee totals include salary funding. Totals may not add due to rounding.

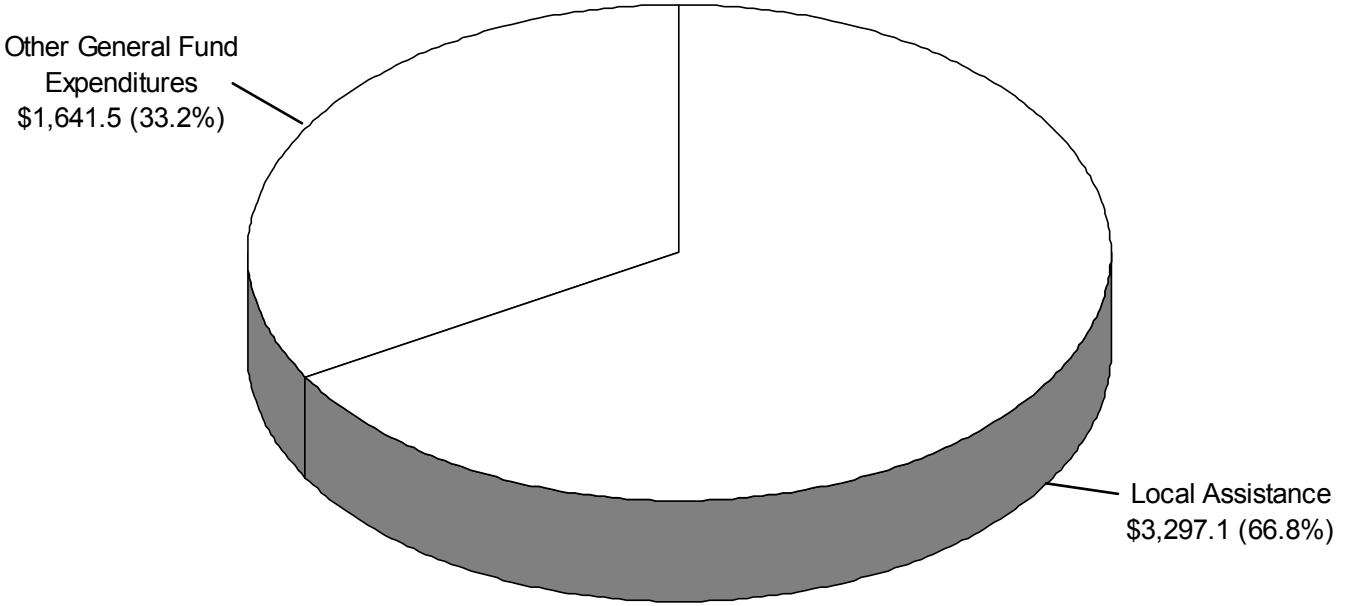
FY 2006 Net Final Action General Fund Appropriations (In Millions)



Total: \$4,938.6

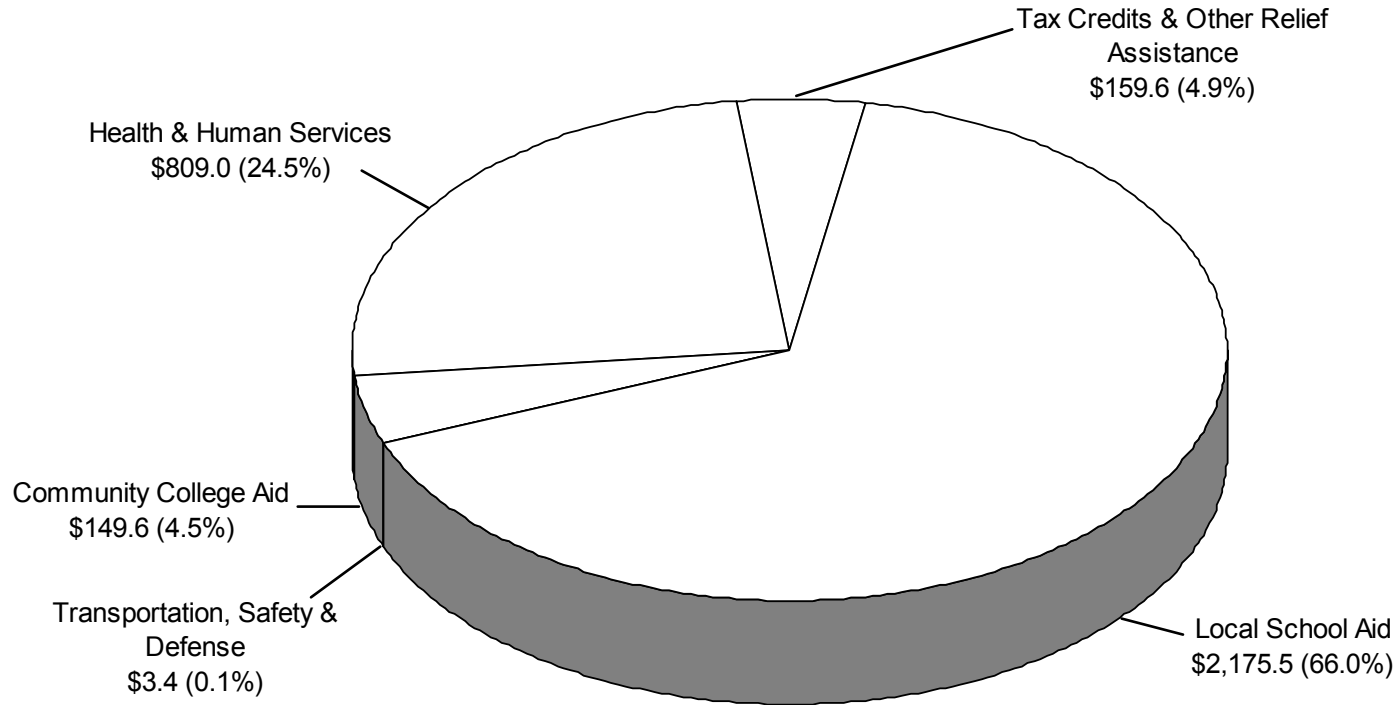
Unassigned standings are standing appropriations that were not considered at the appropriations subcommittee level. Totals may not add due to rounding.

FY 2006 Net Final Action General Fund Expenditures Local/State Distribution (In Millions)



Total: \$4,938.6

FY 2006 Estimated Local Tax Credits and Program Aids (In Millions)



Total: \$3,297.1

**STATE OF IOWA
GENERAL FUND BALANCE**

(Dollars in Millions)

	Actual FY 2004	Estimated FY 2005	Legislative Action FY 2006
<i>Estimated Funds Available:</i>			
Estimated Receipts (Dec. 2004)	\$ 5,315.4	\$ 5,496.4	\$ 5,562.0
REC Adjustment (Apr. 2005)		79.5	85.0
Revenue Adjustments (Exh. 1)		0.1	1.5
<i>Vetoes - Revenue Adjustments (Exh. 1)</i>			<i>0.7</i>
Tax Refunds	- 715.0	- 700.6	- 668.8
Accruals	83.0	- 49.6	9.8
<i>Total Funds Available</i>	4,683.4	4,825.8	4,990.2
<i>Expenditure Limitation (Exh. 3)</i>			4,940.2
<i>Estimated Appropriations and Expenditures:</i>			
Appropriations (Exh. 2)	4,524.4	4,519.4	4,938.6
FY 2005 Supplemental		80.5	
Total Appropriations	4,524.4	4,599.9	4,938.6
Reversions	- 7.0	- 9.7	- 12.5
<i>Net Appropriations</i>	4,517.4	4,590.2	4,926.1
<i>Ending Balance</i>	\$ 166.0	\$ 235.6	\$ 64.1
Approp. to Property Tax Credit Fund	0.0	159.7	0.0
<i>Surplus to Cash Reserve Fund</i>	\$ 166.0	\$ 75.9	\$ 64.1
		Above/(Below) Exp. Limitation	\$ - 1.6

STATE OF IOWA
GENERAL FUND REVENUE ADJUSTMENTS

(Dollars in Millions)

Exhibit 1

	Estimated FY 2005	FY 2006		
		Leg. Action	Vetoes	Net Final Act
Revenue Adjustments				
HF 275 Alcohol Purchases by Minors Act	\$ 0.0	\$ 0.6	\$ 0.0	\$ 0.6
HF 645 Ad-Tabs and the Lottery Act		1.0		1.0
HF 682 Criminal Penalty Surcharge and Deferred Judgment Act		1.4		1.4
HF 807 Judicial Branch Appropriations Act		0.3		0.3
HF 810 Admin. & Regulation Appropriations Act - Banking Division Fees		0.2		0.2
HF 810 Admin. & Regulation Appropriations Act - Utility Division Fees		0.1		0.1
HF 810 Admin. & Regulation Appropriations Act - Inspections & Appeals R & G Fee	0.1	0.7		0.7
HF 816 Education Appropriations Act - Board of Ed. Examiners Fees		- 0.4		- 0.4
HF 825 Health & Human Services Appropriations Act - Public Health Fees		0.1		0.1
HF 826 Speed Limit Act		0.6		0.6
HF 856 Habitat for Humanity Sales Tax Exemption Act		- 0.1		- 0.1
HF 857 Housing Development Tax Credit Act		- 0.8		- 0.8
HF 859 Cooperative Associations Act		2.5		2.5
HF 868 Grow Iowa Values Fund Act		- 3.0		- 3.0
HF 869 Beginning Farmer Tax Credit and Exemption Act (Vetoed)		- 0.5	0.5	0.0
HF 882 Standing Appropriations Act (Item Vetoed)		- 0.2	0.2	0.0
SF 360 Insurance Omnibus and Tax Rebate Act		- 0.2		- 0.2
SF 395 Wine Revenue Act		- 0.3		- 0.3
SF 405 Interior Design Act		0.1		0.1
SF 413 Streamline Sales Tax Act - Drainage System Tax Exemption		- 0.7		- 0.7
SF 2059 Birth Defects Registry Act		0.1		0.1
Total Revenue Adjustments	\$ 0.1	\$ 1.5	\$ 0.7	\$ 2.2

**STATE OF IOWA
GENERAL FUND APPROPRIATIONS**

(Dollars in Millions)

Exhibit 2

Appropriations by Subcommittee	Actual	Estimated	Leg.	
	FY 2004	FY 2005	Action	FY 2006
Administration & Regulation	\$ 83.3	\$ 80.9	\$ 82.5	HF 810
Agriculture & Natural Resources	34.3	34.9	35.3	HF 808
Economic Development	22.5	29.4	73.0	HF 809
Workforce Development Standing			6.5	SF 2311
Education	882.4	893.0	957.2	HF 816
Health & Human Services	765.7	785.0	997.1	HF 825
Justice System	383.5	395.5	411.9	HF 811
Judicial Branch	118.2	120.1	120.5	HF 807
Transportation	- 0.1	0.1	0.1	HF 466
Infrastructure			0.8	HF 875
Salary Act			38.5	HF 881
Standing Appropriations			103.0	HF 882
Other Unassigned Standings	2,234.6	2,180.5	2,112.2	
Asset Disregard/Medical Assistance			*	HF 819
Supplemental Appropriations		80.5		
Total Appropriations	\$ 4,524.4	\$ 4,599.9	\$ 4,938.6	

* HF 819 makes a \$300,000 contingent appropriation.

Exhibit 3

Expenditure Limitation

(Dollars in Millions)

		Fiscal Year 2006		
		Amount	%	Expend. Limit
Revenue Estimating Conference - Dec. 2004 Estimate		\$ 5,562.0	99%	\$ 5,506.4
REC Adjustment (April 2005)		85.0	99%	84.2
Refund of Taxes		- 668.8	99%	- 662.1
Accrued Revenue Changes		9.8	99%	9.7
Total		<u>\$ 4,988.0</u>		<u>\$ 4,938.1</u>
Revenue Adjustments:				
HF 275	Alcohol Purchases by Minors Act	\$ 0.6	95%	\$ 0.6
HF 645	Ad-Tabs and the Lottery Act	1.0	95%	1.0
HF 682	Criminal Penalty Surcharge and Deferred Judgment Act	1.4	95%	1.3
HF 807	Judicial Branch Appropriations Act	0.3	95%	0.3
HF 810	Admin. & Regulation Appropriations Act - Banking Division Fees	0.2	99%	0.2
HF 810	Admin. & Regulation Appropriations Act - Utility Division Fees	0.1	99%	0.1
HF 810	Admin. & Regulation Appropriations Act - Inspections & Appeals R & G Fee	0.7	99%	0.7
HF 816	Education Appropriations Act - Board of Ed. Examiners Fees	- 0.4	99%	- 0.4
HF 825	Health & Human Services Appropriations Act - Public Health Fees	0.1	95%	0.1
HF 826	Speed Limit Act	0.6	95%	0.6
HF 856	Habitat for Humanity Sales Tax Exemption Act	- 0.1	95%	- 0.1
HF 857	Housing Development Tax Credit Act	- 0.8	95%	- 0.8
HF 859	Cooperative Associations Act	2.5	95%	2.4
HF 868	Grow Iowa Values Fund Act	- 3.0	95%	- 2.9
HF 869	Beginning Farmer Tax Credit and Exemption Act (Vetoed)	0.0	95%	0.0
HF 882	Standing Appropriations Act (Item Vetoed)	0.0	95%	0.0
SF 360	Insurance Omnibus and Tax Rebate Act	- 0.2	95%	- 0.2
SF 395	Wine Revenue Act	- 0.3	95%	- 0.3
SF 405	Interior Design	0.1	95%	0.1
SF 413	Streamline Sales Tax Act - Drainage System Tax Exemption	- 0.7	95%	- 0.7
SF 2059	Birth Defects Registry Act	0.1	99%	0.1
Total Adjustments		<u>\$ 2.2</u>		
Expenditure Limitation				<u><u>\$ 4,940.2</u></u>

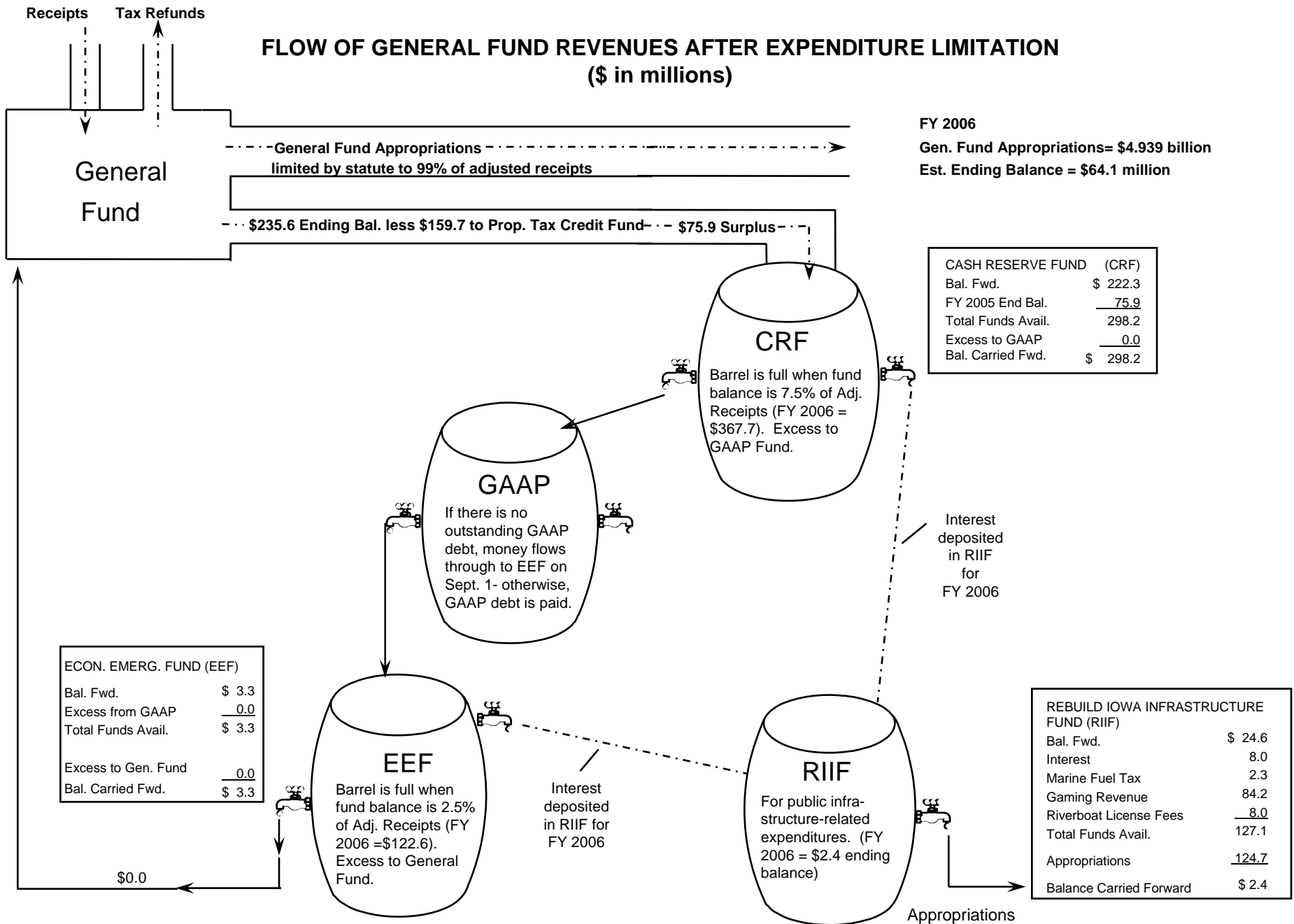
STATE OF IOWA
General Fund Revenues after Expenditure Limitation
(Dollars in Millions)

CASH RESERVE FUND (CRF)	Actual FY 2004	Estimated FY 2005	Estimated FY 2006
Balance Brought Forward	\$ 205.5	\$ 159.7	\$ 222.3
Revenues:			
General Fund Ending Bal. prior year		166.0	75.9
Transfer from Senior Living Trust Fund	0.0	0.0	0.0
General Fund Approp. (1.0% Requirement) ¹		45.5	
Reimbursement from RIIF	17.5		
Federal Economic Stimulus Fund Approp.		10.7	
Total Funds Available	<u>223.0</u>	<u>381.9</u>	<u>298.2</u>
Transfers/Appropriations:			
Transfer to Environment First Fund	-17.5		
Transfer to GF to Close Out FY 2003	-45.8		
Appropriations to Tax Credits		-159.6	
Excess Transferred to Econ. Emergency Fund	0.0	0.0	0.0
Balance Carried Forward	<u>\$ 159.7</u>	<u>\$ 222.3</u>	<u>\$ 298.2</u>
<i>Maximum 5.0%/7.5%</i>	\$ 226.3	\$ 341.3	\$ 367.7

IOWA ECONOMIC EMERGENCY FUND (EEF)	Actual FY 2004	Estimated FY 2005	Estimated FY 2006
Balance Brought Forward	\$ 3.3	\$ 3.3	\$ 3.3
Estimated Revenues:			
Excess from Cash Reserve	0.0	0.0	0.0
Total Funds Available	<u>3.3</u>	<u>3.3</u>	<u>3.3</u>
Excess Transferred to General Fund	0.0	0.0	0.0
Balance Carried Forward	<u>\$ 3.3</u>	<u>\$ 3.3</u>	<u>\$ 3.3</u>
<i>Maximum 5.0%/2.5%</i>	\$ 226.3	\$ 113.8	\$ 122.6

¹ Section 8.57(1)(a), *Code of Iowa*, requires that an appropriation equal to 1.0% of the Adjusted Revenue Estimate be made if the Cash Reserve Fund balance is equal to or less than 6.5% of the Adjusted Revenue Estimate. If the balance in the Cash Reserve Fund is greater than 6.5% but less than 7.5%, the appropriation will be the amount necessary to bring the balance to 7.5%. The General Assembly notwithstanding this provision of the *Code*.

FLOW OF GENERAL FUND REVENUES AFTER EXPENDITURE LIMITATION (\$ in millions)



CASH RESERVE FUND (CRF)	
Bal. Fwd.	\$ 222.3
FY 2005 End Bal.	75.9
Total Funds Avail.	298.2
Excess to GAAP	0.0
Bal. Carried Fwd.	\$ 298.2

ECON. EMERG. FUND (EEF)	
Bal. Fwd.	\$ 3.3
Excess from GAAP	0.0
Total Funds Avail.	\$ 3.3
Excess to Gen. Fund	0.0
Bal. Carried Fwd.	\$ 3.3

REBUILD IOWA INFRASTRUCTURE FUND (RIIF)	
Bal. Fwd.	\$ 24.6
Interest	8.0
Marine Fuel Tax	2.3
Gaming Revenue	84.2
Riverboat License Fees	8.0
Total Funds Avail.	127.1
Appropriations	124.7
Balance Carried Forward	\$ 2.4

Rebuild Iowa Infrastructure Fund

	Actual FY 2004	Estimated FY 2005	Estimated FY 2006	Estimated FY 2007	Estimated FY 2008	Estimated FY 2009
Resources						
Balance Forward	\$ 1,174,860	\$ 14,801,235	\$ 24,647,982	\$ 2,361,949	\$ 0	\$ 0
Revenue						
Wagering Tax Allocation	69,728,686	69,200,000	69,200,000	80,000,000	150,000,000	150,000,000
Endowment for Iowa's Health Account Transfer	0	10,966,960	0	0	0	0
Racetrack Table Game License Fees	10,000,000	10,000,000	0	0	0	0
Riverboat Special Assessment	0	15,000,000	15,000,000	0	0	0
Riverboat License Fees	0	8,000,000	8,000,000	8,000,000	8,000,000	8,000,000
Wagering Tax Transfer to General Fund	-10,000,000	0	0	0	0	0
Cash Reserve Fund	17,500,000	0	0	0	0	0
Cash Reserve Fund Reimbursement	-17,500,000	0	0	0	0	0
Reserve Fund Interest	0	3,000,000	6,000,000	0	0	0
Interest	273,213	1,000,000	2,000,000	1,000,000	2,000,000	2,000,000
Marine Fuel Tax	2,352,388	2,300,000	2,300,000	2,300,000	2,300,000	2,300,000
Miscellaneous Revenues/Adjustments	-282,625	0	0	0	0	0
Total Resources	\$ 73,246,522	\$ 134,268,195	\$ 127,147,982	\$ 93,661,949	\$ 162,300,000	\$ 162,300,000
Appropriations						
Dept. of Administrative Services						
Routine Maintenance	\$ 1,664,000	\$ 2,000,000	\$ 2,000,000	\$ 0	\$ 0	\$ 0
Employee Relocation Expenses/Leases	631,449	2,271,617	1,824,000	0	0	0
Pool Tech/Data Warehouse Projects	0	1,861,496	3,802,000	0	0	0
Major Maintenance	0	4,300,000	291,891	0	0	0
Records and Property Building Remodel	4,750,000	5,000,000	4,700,000	2,200,000	0	0
Capitol Complex Electrical Dist. System Upgrade	0	0	1,843,878	0	0	0
DHS-CCUSO Renovation	0	0	1,400,000	0	0	0
DHS - Toledo Juvenile Home	0	0	1,161,045	1,521,045	0	0
Monument Lighting	0	35,000	0	0	0	0
Wallace Bldg. Study/Renovation	50,000	0	625,000	0	0	0
Lab. Facility - Maintenance/Operation	0	355,500	0	0	0	0
Records Relocation	729,237	0	0	0	0	0
Medical and Education Building	250,000	0	0	0	0	0
African-American Museum	300,000	0	0	0	0	0
Terrace Hill Improvements	0	0	571,000	0	0	0
Pooled Technology Projects	2,000,000	0	0	0	0	0
Dept. for the Blind						
Orientation Center	0	67,000	0	0	0	0
Dept. of Corrections						
Electrical System Lease Purchase	333,168	333,168	333,168	0	0	0
Davenport CBC Facility Construction	0	3,000,000	3,750,000	3,750,000	0	0
Jesse Parker Building Rent	0	0	105,300	0	0	0
Fort Dodge CBC Residential Facility	0	0	50,000	1,400,000	2,450,000	0
Anamosa Dietary Renovation	0	0	940,000	1,840,000	0	0
DOC Facility Leases	0	0	122,000	0	0	0
Luster Heights Expansion	92,000	0	0	0	0	0
Clarinda Bed Expansion	730,400	0	0	0	0	0

Rebuild Iowa Infrastructure Fund

	Actual FY 2004	Estimated FY 2005	Estimated FY 2006	Estimated FY 2007	Estimated FY 2008	Estimated FY 2009
Dept. of Cultural Affairs						
Historical Preservation Grant Program	830,000	500,000	0	0	0	0
Iowa Battle Flags	150,000	100,000	220,000	0	0	0
State Hist. Society - Medal of Honor Kiosk	125,000	0	0	0	0	0
Dept. of Economic Development						
Community Attraction & Tourism	0	12,000,000	5,000,000	5,000,000	5,000,000	5,000,000
Local Housing/IFA Housing Trust Fund	800,000	0	0	0	0	0
Federal Enterprise Zone Matching Funds	0	0	500,000	0	0	0
Lewis & Clark Bicentennial	0	50,000	0	0	0	0
Non-Profit Family Recreation Grant	0	200,000	0	0	0	0
National Special Olympics Games	0	500,000	0	0	0	0
IFA - Transitional Housing	0	0	1,400,000	0	0	0
Ferryboat Study	0	0	60,000	0	0	0
Accelerated Career Education (ACE) Program	3,000,000	5,500,000	0	0	0	0
Dept. of Education						
Secure an Advance Vision for Education (SAVE)	0	10,000,000	10,000,000	10,000,000	10,000,000	10,000,000
Enrich Iowa Libraries	600,000	600,000	900,000	0	0	0
ICN Part III Maintenance/Lease Costs	2,727,000	2,727,000	2,727,000	0	0	0
Parker Building Remodel	0	303,632	0	0	0	0
IPTV - Replace Transmitters	0	0	2,000,000	0	0	0
IPTV - High Definition TV Conversion	0	8,000,000	8,000,000	2,300,000	0	0
Community Colleges Infrastructure	0	0	2,000,000	2,000,000	2,000,000	2,000,000
Iowa Learning Technologies	0	0	500,000	0	0	0
Vocational Rehab. Indirect Cost Replacement	0	0	0	0	0	0
Dept. of Management						
Vertical Infrastructure Fund	0	0	15,000,000	15,000,000	50,000,000	50,000,000
Environment First Fund	35,000,000	35,000,000	35,000,000	35,000,000	35,000,000	35,000,000
Dept. of Human Services						
Residential Treatment Facility	0	0	250,000	0	0	0
Dept. of Natural Resources						
Destination Park	0	500,000	3,000,000	0	0	0
Waubonsie State Park	0	0	1,500,000	0	0	0
Fort Atkinson Restoration	0	0	500,000	0	0	0
Mid-America Port Commission	0	0	80,000	0	0	0
Lake Cornelia	0	0	429,000	0	0	0
State Fair Authority						
Fairs Improvements	0	250,000	750,000	0	0	0
Dept. of Public Defense						
Iowa City Readiness Center	195,000	2,150,000	0	0	0	0
Facility Maintenance	0	1,269,636	0	0	0	0
Boone Armory Addition	0	1,096,000	0	0	0	0
Fort Dodge Readiness Center	750,000	750,000	0	0	0	0

Rebuild Iowa Infrastructure Fund

	Actual FY 2004	Estimated FY 2005	Estimated FY 2006	Estimated FY 2007	Estimated FY 2008	Estimated FY 2009
Dept. of Public Safety						
Capitol Building Security	800,000	800,000	0	0	0	0
Capitol Complex Security Upgrades	0	300,000	0	0	0	0
AFIS Lease Purchase	0	550,000	550,000	0	0	0
Iowa System Grant Match	0	500,000	0	0	0	0
Fire Equipment Revolving Loan Fund	500,000	500,000	500,000	0	0	0
Fire Training Facilities	50,000	150,000	800,000	0	0	0
Dept. of Transportation						
Aviation Improvement Program	500,000	500,000	564,792	0	0	0
Rail Assistance	0	0	35,959	0	0	0
Commercial Aviation Infrastructure	0	1,100,000	0	0	0	0
Recreational Trails	0	0	1,000,000	0	0	0
General Aviation Airport Grants	0	581,400	750,000	0	0	0
Treasurer of State						
County Fairs Infrastructure	0	1,060,000	0	0	0	0
Veterans Affairs Commission						
Veterans Trust Fund	0	1,000,000	0	0	0	0
Board Regents						
Tuition Replacement	350,000	858,764	0	0	0	0
Major/Deferred Maintenance	0	0	6,250,000	0	0	0
Special School Maintenance	200,000	500,000	500,000	0	0	0
UNI - Program for Playground Safety	500,000	500,000	500,000	0	0	0
Net Appropriations	\$ 58,607,254	\$ 109,620,213	\$ 124,786,033	\$ 80,011,045	\$ 104,450,000	\$ 102,000,000
Reversions	-161,967	0	0	0	0	0
Ending Balance	\$ 14,801,235	\$ 24,647,982	\$ 2,361,949	\$ 13,650,904	\$ 57,850,000	\$ 60,300,000

Vertical Infrastructure Fund

	Estimated FY 2006	Estimated FY 2007	Estimated FY 2008	Estimated FY 2009
Resources				
RIIF Appropriation	\$ 15,000,000	\$ 15,000,000	\$ 50,000,000	\$ 50,000,000
Total Available Resources	\$ 15,000,000	\$ 15,000,000	\$ 50,000,000	\$ 50,000,000
Appropriations				
Dept. of Administrative Services				
Major Maintenance	\$ 5,623,200	\$ 10,000,000	\$ 40,000,000	\$ 40,000,000
Dept. of Cultural Affairs				
Historical Site Preservation Grant	500,000	0	0	0
Dept. of Economic Development				
Accelerated Career Ed. (ACE) Program	4,000,000	0	0	0
Dept. of Public Defense				
Fort Dodge Readiness Center	608,000	0	0	0
Camp Dodge Water Treatment	1,939,800	0	0	0
Facility Maintenance	1,269,000	0	0	0
Treasurer of State				
County Fair improvements	1,060,000	0	0	0
Total Appropriations	\$ 15,000,000	\$ 10,000,000	\$ 40,000,000	\$ 40,000,000
Ending Balance	\$ 0	\$ 5,000,000	\$ 10,000,000	\$ 10,000,000

Environment First Fund

	Actual FY 2004	Estimated FY 2005	Estimated FY 2006
Revenue			
Balance	\$ 7,695	\$ 10,779	\$ 10,779
RIF Environment First Appropriation	35,000,000	35,000,000	35,000,000
Miscellaneous Receipts	2,797	0	0
Total Revenue	\$ 35,010,492	\$ 35,010,779	\$ 35,010,779
Appropriations			
Dept. of Agriculture			
Soil Conservation Cost Share	\$ 5,500,000	\$ 5,500,000	\$ 5,500,000
Watershed Protection Program	2,700,000	2,700,000	2,700,000
Cons. Reserve Enhancement Prog. (CREP)	1,500,000	1,500,000	1,500,000
Conservation Reserve Program (CRP)	2,000,000	2,000,000	2,000,000
Farm Demonstration Program	850,000	850,000	850,000
Agricultural Drainage Wells	500,000	500,000	500,000
Loess Hills Conservation Authority	600,000	600,000	600,000
So. Iowa Conservation & Dev. Authority	300,000	300,000	300,000
Dept. of Natural Resources			
REAP Formula Allocation	11,000,000	11,000,000	11,000,000
Marine Fuel Tax Capital Projects	2,300,000	2,300,000	2,300,000
Park Operations	2,000,000	2,000,000	2,000,000
Volunteer Water Quality Initiative	100,000	100,000	100,000
Air Quality Monitoring Equipment	500,000	500,000	0
Water Quality Protection	500,000	500,000	500,000
Geographic Information System Development	195,000	195,000	195,000
Water Quality Monitoring Stations	2,955,000	2,955,000	2,955,000
Lake Dredging	1,000,000	1,000,000	1,500,000
Dept. of Economic Development			
Brownfield Redevelopment Program	500,000	500,000	500,000
Total Appropriations	\$ 35,000,000	\$ 35,000,000	\$ 35,000,000
Reversions	-287	\$ 0	\$ 0
Ending Balance	\$ 10,779	\$ 10,779	\$ 10,779

Healthy Iowans Tobacco Trust Fund

	Actual FY 2004	Estimated FY 2005	Final Action FY 2006	Item Vetoes FY 2006	Net Final Action FY 2006
Resources					
Balance Forward	\$ 1,526,749	\$ 107,654	\$ 263,806	\$ 0	\$ 263,806
Transfer from Endowment for Iowa's Health Account	56,662,375	57,512,311	58,374,995	0	58,374,995
Endowment (Wagering Tax Allocation)	5,206,960	6,316,077	7,600,000	0	7,600,000
Interest Earned	79,061	120,000	120,000	0	120,000
Miscellaneous	2,322	0	0	0	0
Total Available Resources	\$ 63,477,467	\$ 64,056,042	\$ 66,358,801	\$ 0	\$ 66,358,801
Appropriations					
Dept. of Public Health					
Tobacco Use Prevention/Control	\$ 5,011,565	\$ 5,011,565	\$ 5,011,565	\$ 0	\$ 5,011,565
Substance Abuse Prevention	400,000	0	200,000	0	200,000
Substance Abuse Treatment	11,800,000	11,800,000	11,800,000	0	11,800,000
Substance Abuse Prevention - Boys and Girls Clubs	0	0	200,000	0	200,000
Substance Abuse Prevention - Children	0	0	400,000	0	400,000
Healthy Iowans 2010	2,346,960	2,346,960	2,509,960	0	2,509,960
Smoking Cessation Products	75,000	75,000	75,000	0	75,000
Defibrillator Grant Program	0	250,000	250,000	0	250,000
Capitol Complex Defibrillator	0	0	100,000	0	100,000
Birth Defects Institute	0	26,000	26,000	0	26,000
PKU Assistance	0	0	60,000	0	60,000
AIDS Drug Assistance Program	0	0	275,000	0	275,000
Total Dept. of Public Health	\$ 19,633,525	\$ 19,509,525	\$ 20,907,525	\$ 0	\$ 20,907,525
Dept. of Human Services					
Physician and Other Medical Providers	\$ 8,095,718	\$ 8,095,718	\$ 0	\$ 0	\$ 0
Dental Provider	3,814,973	3,814,973	0	0	0
Hospital Provider	3,035,278	3,035,278	0	0	0
Home Health Care Provider	2,108,279	2,108,279	0	0	0
Critical Access Hospitals	250,000	250,000	0	0	0
Home Health and Habilitative Day Care Expansion	1,975,496	1,975,496	0	0	0
Respite Care Expansion	1,137,309	1,137,309	0	0	0
CHIP Expansion to 200% of Federal Poverty Level	200,000	200,000	200,000	0	200,000
Breast/Cervical Cancer Treatment	250,000	250,000	0	0	0
Supplement Medicaid	14,346,750	14,346,750	35,013,803	0	35,013,803
Child and Family Services	0	0	4,257,623	0	4,257,623
Res. Treatment Support Services Provider	3,243,026	3,243,026	0	0	0
Adoption, Ind. Living, Shelter Care, and Home Studies Pro.	468,967	468,967	0	0	0
Provider Rate/Methodology Changes	545,630	545,630	0	0	0
Purchase of Service Provider	146,750	146,750	146,750	0	146,750
General Administration	0	274,000	274,000	0	274,000
Total Dept. of Human Services	\$ 39,618,176	\$ 39,892,176	\$ 39,892,176	\$ 0	\$ 39,892,176

Healthy Iowans Tobacco Trust Fund

	Actual FY 2004	Estimated FY 2005	Final Action FY 2006	Item Vetoes FY 2006	Net Final Action FY 2006
Dept. of Corrections					
CBC District II	\$ 127,217	\$ 127,217	\$ 296,217	\$ 0	\$ 296,217
CBC District III	35,359	35,359	100,359	0	100,359
CBC District IV	191,731	191,731	191,731	0	191,731
CBC District V	255,693	255,693	255,693	0	255,693
Fort Madison Special Needs Unit	1,187,285	1,187,285	1,187,285	0	1,187,285
CBC Drug Courts/Day Programming	0	0	800,000	0	800,000
Newton Value-Based Program	310,000	370,000	310,000	0	310,000
Mitchellville Value-Based Program	0	0	60,000	-60,000	0
Total Dept. of Corrections	\$ 2,107,285	\$ 2,167,285	\$ 3,201,285	\$ -60,000	\$ 3,141,285
Dept. of Education					
Iowa Empowerment Fund	\$ 2,153,250	\$ 2,153,250	\$ 2,153,250	\$ 0	\$ 2,153,250
Dept. for the Blind					
Newslines for the Blind	\$ 0	\$ 130,000	\$ 130,000	\$ 0	\$ 130,000
Total Appropriations	\$ 63,512,236	\$ 63,852,236	\$ 66,284,236	\$ -60,000	\$ 66,224,236
Reversions	-142,423	-60,000	0	0	0
Ending Balance	\$ 107,654	\$ 263,806	\$ 74,565	\$ 60,000	\$ 134,565

**Tobacco Settlement Trust Fund
Restricted Capital Funds Account**

	Actual FY 2004	Estimated FY 2005	Estimated FY 2006	Estimated FY 2007
Resources				
Balance Forward	\$ 253,192,702	\$ 117,923,552	\$ 57,205,881	\$ 15,048,791
Interest	11,263,696	7,475,989	1,800,000	600,000
Reimbursements	682,285	0	0	0
TSA Operations & Enforcement Acct. Exp.	-581,505	-200,000	-200,000	-200,000
Total Available Resources	264,557,178	\$ 125,199,541	\$ 58,805,881	\$ 15,448,791
Appropriations				
Dept. of Economic Development				
Accelerated Career Education (ACE) Program	\$ 2,500,000	\$ 0	\$ 1,500,000	\$ 0
Dept. of Education				
IPTV - High Definition TV Conversion	10,000,000	0	0	0
Telecommunication and Tech. Commission				
ICN - Equipment Replacement	0	0	1,704,719	0
Dept. of Administrative Services				
Major Maintenance	11,500,000	0	3,000,000	0
Capitol Interior Renovation	0	3,500,000	4,500,000	0
DHS - CCUSO Renovation	0	0	650,000	0
Capitol Interior Renovation N.E. Quadrant	6,239,000	0	0	0
Laboratory Facility	16,660,000	0	0	0
Information Technology Department				
Integrated Information for Iowa System	6,131,075	6,049,284	0	0
State Fair Authority				
State Fair Infrastructure	500,000	0	0	0
Dept. of Natural Resources				
Destination State Park	0	0	0	0
Restore the Outdoors Program	2,500,000	0	0	0
Lewis & Clark Rural Water System	1,500,000	2,450,000	2,500,000	0
Dept. of Public Defense				
Armory Maintenance	1,269,636	0	0	0
Boone Armory	1,095,000	0	0	0
Estherville Readiness Center	461,000	0	0	0

**Tobacco Settlement Trust Fund
Restricted Capital Funds Account**

	Actual FY 2004	Estimated FY 2005	Estimated FY 2006	Estimated FY 2007
Dept. of Public Safety				
Dubuque Fire Training Facility	0	0	100,000	0
Capitol Complex Security Upgrades	1,000,000	0	0	0
Dept. of Transportation				
Commercial Aviation Infrastructure	1,100,000	0	1,500,000	0
General Aviation Airports	581,400	0	0	0
Recreational Trails	1,000,000	0	0	0
Dept. of Corrections				
Anamosa Kitchen	0	0	600,000	0
Fort Dodge	0	0	0	0
Davenport CBC Facility Construction	0	0	0	0
Oakdale Bed Expansion	7,500,000	11,700,000	11,700,000	0
Dept. of Human Services				
Family Resource Center	0	0	250,000	0
Board of Regents				
Regents - Tuition Replacement	10,610,409	10,437,174	10,329,981	9,991,858 ¹
SUI- Old Capitol Improvements	350,000	0	0	0
ISU - Classrooms & Auditoriums	10,177,300	1,949,100	0	0
SUI - School of Journalism Building	7,200,000	3,575,000	0	0
SUI - Art Building	3,653,000	0	0	0
UNI - Teaching Center Bldg. (East Gym)	6,490,000	9,880,000	0	0
UNI - Steam Distribution	4,390,000	0	0	0
Treasurer of State				
County Fairs	1,060,000	0	0	0
Attorney Litigation Payments	700,000	0	0	0
ICN - Debt Service	13,039,378	13,039,778	0	0
Prison Construction Debt Service	5,411,986	5,413,324	5,422,390	5,416,604 ¹
Community Attraction/Tourism	12,500,000	0	0	0
Total Appropriations	<u>147,119,184</u>	<u>\$ 67,993,660</u>	<u>\$ 43,757,090</u>	<u>\$ 15,408,462</u>
Reversions	-485,557	0	0	0
Ending Balance	<u>\$ 117,923,552</u>	<u>\$ 57,205,881</u>	<u>\$ 15,048,791</u>	<u>\$ 40,329</u>

¹ The debt service appropriations for FY 2007 have not been appropriated but are considered obligations of the Fund.

Tobacco Settlement Trust Fund Endowment for Iowa's Health Account

	Actual FY 2004	Estimated FY 2005	Estimated FY 2006
Resources			
Balance	\$ 25,800,689	\$ 27,187,146	\$ 38,845,798
Bond Proceeds	0	0	0
General Fund Transfers	28,251,000	29,785,000	29,562,000
Wagering Tax Allocation	70,000,000	70,000,000	70,000,000
22% of MSA Payment	12,812,926	12,122,000	12,320,000
Litigation Revenue	0	3,582,000	3,076,000
Interest Earned	714,604	750,000	750,000
Deappropriations	-28,251,000	-29,785,000	-29,562,000
Miscellaneous	-271,738	0	0
Total Resources	\$ 109,056,481	\$ 113,641,146	\$ 124,991,798
Appropriations and Transfers			
Healthy Iowans Tobacco Trust	\$ 56,662,375	\$ 57,512,311	\$ 58,374,995
Healthy Iowans Tobacco Trust	5,206,960	6,316,077	7,600,000
Transfer to General Fund	20,000,000	0	0
Transfer to Rebuild Iowa Infra. Fund	0	10,966,960	0
Total Appropriations and Transfers	\$ 81,869,335	\$ 74,795,348	\$ 65,974,995
Reversions	0	0	0
Ending Balance	\$ 27,187,146	\$ 38,845,798	\$ 59,016,803

MSA = Master Settlement Agreement

SENIOR LIVING TRUST FUND

	Actual FY 2001	Actual FY 2002	Actual FY 2003	Actual FY 2004	Estimated FY 2005	Appropriated FY 2006
Revenues						
Beginning Balance	\$ 0	\$ 60,891,949	\$ 127,046,631	\$ 366,831,372	\$ 285,736,450	\$ 138,168,869 ¹
Intergovernmental Transfer	95,621,331	129,880,808	120,587,491	52,876,607	5,453,818	0
Intergovernmental Transfer (Hospital Trust Fund)	0	13,203,977	0	0	0	0
Medicaid Transfer	0	5,964,781	28,039,039	0	0	0
Pending Fund Transfer	0	0	169,484,518	0	0	0
Interest	3,807,946	4,408,806	6,358,599	7,297,465	5,459,818	2,590,666
Total Revenues	\$ 99,429,277	\$ 214,350,321	\$ 451,516,278	\$ 427,005,444	\$ 296,650,086	\$ 140,759,535
Expenditures						
IFA - Assisted Living Rent Subsidy Program	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 700,000 ²
DHS Grants and Services						
NF Conversion Grants/LTC HCBS Funds	\$ 454,258	\$ 7,939,565	\$ 1,791,701	580,780	\$ 13,500,000	\$ 0
NF Conversion Grant Carry Forward	0	0	0	0	2,675,693	0
Assisted Living Rent Subsidy	0	75,552	283,817	529,153	700,000	0
Medicaid HCBS Elderly Waiver	0	710,000	710,000	710,000	710,000	710,000
NF Case Mix Methodology	33,650,000	24,750,000	29,950,000	29,950,000	29,950,000	29,950,000
Medicaid Supplement	0	48,500,000	45,465,000	101,600,000	101,600,000	69,000,490
DHS Administration & Contracts	341,792	7,050	0	0	323,406	323,406
DHS Total	\$ 34,446,050	\$ 81,982,167	\$ 78,200,518	\$ 133,369,933	\$ 149,459,099	\$ 99,983,896
Medicaid Subtotal	\$ 33,650,000	\$ 73,960,000	\$ 76,125,000	\$ 132,260,000	\$ 134,260,000	\$ 99,660,490
DEA Service Delivery						
Senior Living Program	\$ 3,798,109	\$ 4,897,625	\$ 5,987,285	\$ 6,965,460	\$ 7,698,461	\$ 7,698,461
Administration & Contracts	293,169	423,898	497,103	523,657	523,657	590,907
DEA Total	\$ 4,091,278	\$ 5,321,523	\$ 6,484,388	\$ 7,489,117	\$ 8,222,118	\$ 8,289,368
DIA - Asst'd. Living & Adult Day Care Oversight	\$ 0	\$ 0	\$ 0	\$ 409,944	\$ 800,000	\$ 732,750
Total Expenditures	\$ 38,537,328	\$ 87,303,690	\$ 84,684,906	\$ 141,268,994	\$ 158,481,217	\$ 109,706,014
Ending Trust Fund Value	\$ 60,891,949	\$ 127,046,631	\$ 366,831,372	\$ 285,736,450	\$ 138,168,869	\$ 31,053,521

¹ House File 841 (Iowacare Medicaid Reform Act) eliminated Intergovernmental Transfers (IGTs); therefore no additional revenue will be received from this source.

² This amount was appropriated to the DHS for the same purpose in previous years.

KEY: NF = Nursing Facility LTC = Long-Term Care DEA = Dept. of Elder Affairs DHS = Dept. of Human Services
 IFA = Iowa Finance Authority DIA = Dept. of Inspections and Appeals HCBS = Home and Community-Based Services

Summary Data General Fund

	Actual FY 2004	Estimated FY 2005	Supplemental FY 2005	Estimated Net FY 2005	Final Action FY 2006
	(1)	(2)	(3)	(4)	(5)
Administration and Regulation	\$ 83,297,608	\$ 80,852,473	\$ 158,000	\$ 81,010,473	\$ 123,776,104
Ag. and Natural Resources	34,251,883	34,940,463	0	34,940,463	35,216,459
Economic Development	22,526,441	29,431,965	500,000	29,931,965	79,566,965
Education	882,421,320	892,987,731	100,000	893,087,731	957,417,556
Health and Human Services	765,720,814	785,029,622	74,025,000	859,054,622	985,596,026
Justice System	501,735,761	515,597,513	5,705,573	521,303,086	532,270,946
Trans., Infra., and Capitals	-90,676	100,751	0	100,751	876,164
Unassigned Standing	<u>2,234,602,363</u>	<u>2,180,405,782</u>	<u>0</u>	<u>2,180,405,782</u>	<u>2,223,840,433</u>
Grand Total	<u>\$ 4,524,465,514</u>	<u>\$ 4,519,346,300</u>	<u>\$ 80,488,573</u>	<u>\$ 4,599,834,873</u>	<u>\$ 4,938,560,653</u>
Contingency Totals*					
⁸⁰ Long-Term Care Ed. Prog	\$ 0	\$ 0	\$ 0	\$ 0	\$ 300,000
⁸¹ Indigent Patient Program: UIHC	0	0	0	0	0

Column Explanations:

- (1) Actual FY 2004 - The actual FY 2004 appropriations. Reversions are not deducted from the appropriations.
- (2) Estimated FY 2005 - The FY 2005 legislative action prior to adjustments by deappropriations or supplemental appropriations.
- (3) Supplemental FY 2005 - Additional appropriations enacted during the 2005 Legislative Session to supplement FY 2005 budgets.
- (4) Estimated Net FY 2005 - The sum of columns 2 and 3.
- (5) Final Action FY 2006 - Final legislative action from the Regular Legislative Session.

* Contingent appropriations are not included in the calculation of totals or subtotals.

Summary Data

General Fund

	Actual FY 2004	Estimated FY 2005	Supplemental FY 2005	Estimated Net FY 2005	Final Action FY 2006
	(1)	(2)	(3)	(4)	(5)
Bill Totals					
H.F. 466 Transportation Appropriations Act			\$ 0		\$ 100,751
H.F. 807 Judicial Branch Appropriations Act			0		120,543,946
H.F. 808 Ag. and Natural Resources Appropriations Act			0		35,266,459
H.F. 809 Economic Development Appropriations Act			500,000		72,956,965
H.F. 810 Administration and Regulation Appropriations Act			358,000		82,473,181
H.F. 811 Justice System Appropriations Act			5,705,573		411,877,000
H.F. 816 Education Appropriations Act			0		957,167,556
H.F. 819 Long -Term Care/Medicaid Act			0		0
H.F. 825 Health and Humans Services Appropriations Act			0		997,089,407
H.F. 841 lowacare Medicaid Reform Act			0		0
H.F. 875 Infrastructure Appropriations Act			0		800,413
H.F. 881 FY 2006 Salary Adjustment Act			0		38,500,000
H.F. 882 Standing Appropriations Act			-100,000		103,049,052
S.F. 342 FY 2005 Supplemental Act			74,025,000		0

Administration and Regulation

General Fund

	Actual FY 2004	Estimated FY 2005	Supplemental FY 2005	Estimated Net FY 2005	Final Action FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Administrative Services, Dept. of</u>							
Admin. Services General Office	\$ 17,510,688	\$ 5,248,434	\$ 0	\$ 5,248,434	\$ 4,798,641	H.F. 810	PG 1 LN 7
Utilities	0	2,576,000	0	2,576,000	3,080,865	H.F. 810	PG 1 LN 32
Distribution Account	0	1,032,852	0	1,032,852	158,295	H.F. 810	PG 2 LN 4
DAS - Revolving Fund	0	1,889,610	0	1,889,610	0		
Financial Administration	0	0	0	0	200,000	H.F. 882	PG 13 LN 25
Total Administrative Services, Dept. of	\$ 17,510,688	\$ 10,746,896	\$ 0	\$ 10,746,896	\$ 8,237,801		
<u>Auditor of State</u>							
Auditor of State - General Office	\$ 1,147,676	\$ 1,172,208	\$ 0	\$ 1,172,208	\$ 1,207,341	H.F. 810	PG 3 LN 26
<u>Ethics and Campaign Disclosure</u>							
Ethics and Campaign Disclosure	\$ 412,332	\$ 425,245	\$ 8,000	\$ 433,245	\$ 457,864	H.F. 810	PG 4 LN 7
<u>Commerce, Department of</u>							
Insurance - Actuarial Study	\$ 14,662	\$ 0	\$ 0	\$ 0	\$ 0		
Alcoholic Beverages	1,876,497	1,883,441	0	1,883,441	1,883,441	H.F. 810	PG 4 LN 23
Banking Division	6,360,637	6,364,545	0	6,364,545	6,793,223	H.F. 810	PG 4 LN 29
Credit Union Division	1,380,786	1,382,568	0	1,382,568	1,382,568	H.F. 810	PG 4 LN 35
Insurance Division	3,860,184	3,870,891	0	3,870,891	4,369,854	H.F. 810	PG 5 LN 6
Professional Licensing	857,665	782,671	0	782,671	836,921	H.F. 810	PG 5 LN 31
Utilities Division	6,894,696	6,898,108	0	6,898,108	7,000,000	H.F. 810	PG 6 LN 5
Long-Term Care Ed. Program	0	0	0	0 ⁸⁰	300,000	H.F. 819	PG 6 LN 1
Total Commerce, Department of	\$ 21,245,127	\$ 21,182,224	\$ 0	\$ 21,182,224	\$ 22,266,007		
<u>Governor</u>							
General Office	\$ 1,540,820	\$ 1,569,857	\$ 0	\$ 1,569,857	\$ 1,729,857	H.F. 810	PG 7 LN 15
Terrace Hill Quarters	106,852	343,149	0	343,149	343,149	H.F. 810	PG 7 LN 22
Admin Rules Coordinator	136,800	136,458	0	136,458	136,458	H.F. 810	PG 7 LN 28

Administration and Regulation

General Fund

	Actual FY 2004	Estimated FY 2005	Supplemental FY 2005	Estimated Net FY 2005	Final Action FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Governor (cont.)</u>							
Nat'l. Governors Association	64,393	64,393	300,000	364,393	64,393	H.F. 810	PG 7 LN 35
Nat'l. Governors Association Reduction	0	0	-200,000	-200,000	0	H.F. 882	PG 10 LN 25
State-Federal Relations	111,518	111,236	0	111,236	111,236	H.F. 810	PG 8 LN 4
Total Governor	\$ 1,960,383	\$ 2,225,093	\$ 100,000	\$ 2,325,093	\$ 2,385,093		
<u>Gov. Office of Drug Control Policy</u>							
Drug Policy Coordinator	\$ 255,033	\$ 263,195	\$ 0	\$ 263,195	\$ 313,195	H.F. 810	PG 8 LN 10
Gov. Office of Drug Control	0	0	0	0	-13,195	H.F. 882	PG 14 LN 10
Total Gov. Office of Drug Control Policy	\$ 255,033	\$ 263,195	\$ 0	\$ 263,195	\$ 300,000		
<u>Human Rights, Department of</u>							
Administration	\$ 264,762	\$ 312,660	\$ 0	\$ 312,660	\$ 312,660	H.F. 810	PG 8 LN 34
Deaf Services	363,591	362,710	0	362,710	362,710	H.F. 810	PG 9 LN 5
Asian & Pacific Islanders	0	0	0	0	6,000	H.F. 810	PG 9 LN 16
Persons with Disabilities	185,429	184,971	0	184,971	184,971	H.F. 810	PG 9 LN 20
Division of Latino Affairs	167,131	166,718	0	166,718	166,718	H.F. 810	PG 9 LN 26
Status of Women	330,368	329,530	0	329,530	329,530	H.F. 810	PG 9 LN 32
Status of African Americans	118,599	118,296	0	118,296	119,991	H.F. 810	PG 10 LN 4
Criminal & Juvenile Justice	404,775	403,774	0	403,774	752,398	H.F. 810	PG 10 LN 10
CJJP Sex Offender Task Force	0	0	0	0	75,000	H.F. 811	PG 20 LN 10
Total Human Rights, Department of	\$ 1,834,655	\$ 1,878,659	\$ 0	\$ 1,878,659	\$ 2,309,978		
<u>Inspections & Appeals, Dept of</u>							
<u>Inspections and Appeals</u>							
Administration Division	\$ 739,386	\$ 1,661,342	\$ 0	\$ 1,661,342	\$ 1,564,755	H.F. 810	PG 10 LN 29
DIA Administration	0	0	0	0	-49,000	H.F. 882	PG 14 LN 17
Administrative Hearings Div.	615,575	614,114	0	614,114	614,114	H.F. 810	PG 10 LN 35

Administration and Regulation

General Fund

	Actual FY 2004	Estimated FY 2005	Supplemental FY 2005	Estimated Net FY 2005	Final Action FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Inspections & Appeals, Dept of (cont.)</u>							
Inspections and Appeals (cont.)							
Investigations Division	1,410,839	1,407,295	0	1,407,295	1,407,295	H.F. 810	PG 11 LN 6
Health Facilities Division	2,282,598	2,276,836	0	2,276,836	2,356,836	H.F. 810	PG 11 LN 12
Inspections Division	753,466	0	0	0	0		
Employment Appeal Board	35,304	52,869	0	52,869	52,869	H.F. 810	PG 11 LN 21
Child Advocacy Board	1,757,187	1,962,059	0	1,962,059	1,962,059	H.F. 810	PG 12 LN 1
Total Inspections and Appeals	7,594,355	7,974,515	0	7,974,515	7,908,928		
Racing Commission							
Pari-Mutuel Regulation	2,206,967	2,208,807	0	2,208,807	2,574,702	H.F. 810	PG 12 LN 22
Excursion Boat Gambling Reg.	1,810,581	1,813,403	50,000	1,863,403	2,417,052	H.F. 810	PG 12 LN 35
Pari-Mutuel Investigations	0	217,161	0	217,161	0		
Total Racing Commission	4,017,548	4,239,371	50,000	4,289,371	4,991,754		
Total Inspections & Appeals, Dept of	\$ 11,611,903	\$ 12,213,886	\$ 50,000	\$ 12,263,886	\$ 12,900,682		
<u>Management, Department of</u>							
DOM General Office	\$ 2,143,194	\$ 2,164,904	\$ 0	\$ 2,164,904	\$ 2,164,904	H.F. 810	PG 13 LN 30
Salary Adjustment	-13,410,826	0	0	0	38,500,000	H.F. 881	PG 6 LN 11
Salary Adjustment	0	0	0	0	2,400,000	H.F. 882	PG 11 LN 7
Enterprise Resource Planning	57,582	57,435	0	57,435	57,435	H.F. 810	PG 14 LN 1
Salary Model Administrator	0	123,598	0	123,598	123,598	H.F. 810	PG 14 LN 16
Performance Audits	0	0	0	0	216,000	H.F. 882	PG 13 LN 33
Reinvent Government	6,207,125	0	0	0	0		
Local Government Innovation Fund	977,500	0	0	0	0		
Charter Agency Grant Fund	2,967,375	0	0	0	0		
Total Management, Department of	\$ -1,058,050	\$ 2,345,937	\$ 0	\$ 2,345,937	\$ 43,461,937		

Administration and Regulation

General Fund

	Actual FY 2004	Estimated FY 2005	Supplemental FY 2005	Estimated Net FY 2005	Final Action FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Revenue, Dept. of							
Compliance	\$ 24,506,391	\$ 25,205,162	\$ 0	\$ 25,205,162	\$ 26,623,360	H.F. 810	PG 17 LN 12
Revenue Operations	0	0	0	0	-25,882	H.F. 882	PG 14 LN 25
Collection Costs and Fees	21,254	27,462	0	27,462	27,462	H.F. 810	PG 17 LN 30
Total Revenue, Dept. of	\$ 24,527,645	\$ 25,232,624	\$ 0	\$ 25,232,624	\$ 26,624,940		
Secretary of State							
Administration and Elections	\$ 662,796	\$ 660,233	\$ 0	\$ 660,233	\$ 660,233	H.F. 810	PG 15 LN 21
Business Services	1,619,836	1,684,012	0	1,684,012	1,837,967	H.F. 810	PG 15 LN 31
Help America Vote Act	765,000	0	0	0	0		
LLC Biennial Reporting	0	0	0	0	275,000	H.F. 810	PG 16 LN 2
Total Secretary of State	\$ 3,047,632	\$ 2,344,245	\$ 0	\$ 2,344,245	\$ 2,773,200		
Treasurer of State							
Treasurer - General Office	\$ 802,584	\$ 822,261	\$ 0	\$ 822,261	\$ 851,261	H.F. 810	PG 16 LN 23
Total Administration and Regulation	\$ 83,297,608	\$ 80,852,473	\$ 158,000	\$ 81,010,473	\$ 123,776,104		
Contingency ⁸⁰ Long-Term Care Ed. Prog	\$ 0	\$ 0	\$ 0	\$ 0	\$ 300,000		

Ag. and Natural Resources

General Fund

	Actual FY 2004	Estimated FY 2005	Supplemental FY 2005	Estimated Net FY 2005	Final Action FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Ag. & Land Stewardship</u>							
Administrative Division	\$ 16,989,251	\$ 17,263,319	\$ 0	\$ 17,263,319	\$ 17,213,319	H.F. 808	PG 1 LN 4
Sr. Farmers Market Program	0	0	0	0	77,000	H.F. 808	PG 1 LN 19
Chronic Wasting Disease	0	0	0	0	100,000	H.F. 808	PG 1 LN 31
Missouri River Authority	9,560	9,535	0	9,535	9,535	H.F. 808	PG 2 LN 14
Regulatory Dairy Products	633,790	632,170	0	632,170	643,166	H.F. 808	PG 2 LN 33
Avian Influenza	0	50,000	0	50,000	50,000	H.F. 808	PG 3 LN 8
Apiary	0	0	0	0	40,000	H.F. 808	PG 3 LN 21
Soil Commissioners Expense	0	0	0	0	250,000	H.F. 808	PG 3 LN 31
Soil & Water Conservation Districts	0	0	0	0	-50,000	H.F. 882	PG 14 LN 32
Total Ag. & Land Stewardship	\$ 17,632,601	\$ 17,955,024	\$ 0	\$ 17,955,024	\$ 18,333,020		
<u>Natural Resources, Department of</u>							
DNR Operations	\$ 16,619,282	\$ 16,968,439	\$ 0	\$ 16,968,439	\$ 16,883,439	H.F. 808	PG 4 LN 16
Help Us Stop Hunger	0	17,000	0	17,000	0		
Total Natural Resources, Department of	\$ 16,619,282	\$ 16,985,439	\$ 0	\$ 16,985,439	\$ 16,883,439		
Total Ag. and Natural Resources	\$ 34,251,883	\$ 34,940,463	\$ 0	\$ 34,940,463	\$ 35,216,459		

Economic Development

General Fund

	Actual FY 2004 <u>(1)</u>	Estimated FY 2005 <u>(2)</u>	Supplemental FY 2005 <u>(3)</u>	Estimated Net FY 2005 <u>(4)</u>	Final Action FY 2006 <u>(5)</u>	Bill Number <u>(6)</u>	Page & Line Number <u>(7)</u>
<u>Economic Development, Dept. of</u>							
Administrative Services							
General Administration	\$ 1,566,233	\$ 1,956,332	\$ 0	\$ 1,956,332	\$ 1,956,332	H.F. 809	PG 1 LN 21
General Admin. Reduction	0	0	0	0	-115,000	H.F. 882	PG 9 LN 16
World Food Prize	285,000	285,000	0	285,000	285,000	H.F. 809	PG 4 LN 14
Junior Olympics	50,000	0	0	0	0		
Nat'l. Special Olympics	0	0	500,000	500,000	0	H.F. 809	PG 16 LN 19
Total Administrative Services	1,901,233	2,241,332	500,000	2,741,332	2,126,332		
Business Development							
Business Development	6,100,548	6,084,500	0	6,084,500	6,084,500	H.F. 809	PG 1 LN 35
Community & Rural Devel.							
School to Career Refund	0	27,786	0	27,786	0		
Community Development	5,747,336	5,505,725	0	5,505,725	5,533,511	H.F. 809	PG 3 LN 18
Total Community & Rural Devel.	5,747,336	5,533,511	0	5,533,511	5,533,511		
Finance Authority							
Entrepreneurs w/Disabilities	0	0	0	0	200,000	H.F. 882	PG 71 LN 23
Grow Iowa Values Fund							
Endow Iowa Grants	0	0	0	0	50,000	H.F. 809	PG 10 LN 35
Grow Iowa Values Fund	0	0	0	0	50,000,000	H.F. 809	PG 11 LN 15
Total Grow Iowa Values Fund	0	0	0	0	50,050,000		
Total Economic Development, Dept. of	\$ 13,749,117	\$ 13,859,343	\$ 500,000	\$ 14,359,343	\$ 63,994,343		
<u>Iowa Workforce Development</u>							
General Office	\$ 4,901,776	\$ 5,151,919	\$ 0	\$ 5,151,919	\$ 5,151,919	H.F. 809	PG 9 LN 1

Economic Development

General Fund

	Actual FY 2004	Estimated FY 2005	Supplemental FY 2005	Estimated Net FY 2005	Final Action FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Iowa Workforce Development (cont.)</u>							
Welfare-To-Work Match	-1,931	0	0	0	0		
Workforce Dev. Field Offices	0	6,525,000	0	6,525,000	6,525,000	S.F. 2311	2004 Special Session
Total Iowa Workforce Development	\$ 4,899,845	\$ 11,676,919	\$ 0	\$ 11,676,919	\$ 11,676,919		
<u>Public Employment Relations Board</u>							
General Office	\$ 898,007	\$ 923,850	\$ 0	\$ 923,850	\$ 923,850	H.F. 809	PG 10 LN 25
<u>Regents, Board of</u>							
ISU - Economic Development	\$ 2,369,617	\$ 2,363,557	\$ 0	\$ 2,363,557	\$ 2,363,557	H.F. 809	PG 6 LN 6
SUI - Economic Development	247,638	247,005	0	247,005	247,005	H.F. 809	PG 7 LN 21
UNI - Economic Development	362,217	361,291	0	361,291	361,291	H.F. 809	PG 8 LN 8
Total Regents, Board of	\$ 2,979,472	\$ 2,971,853	\$ 0	\$ 2,971,853	\$ 2,971,853		
Total Economic Development	\$ 22,526,441	\$ 29,431,965	\$ 500,000	\$ 29,931,965	\$ 79,566,965		

Education

General Fund

	Actual FY 2004	Estimated FY 2005	Supplemental FY 2005	Estimated Net FY 2005	Final Action FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Blind, Iowa Commission for the</u>							
Department for the Blind	\$ 1,545,797	\$ 1,591,275	\$ 0	\$ 1,591,275	\$ 1,886,842	H.F. 816	PG 1 LN 7
<u>College Aid Commission</u>							
Operations & Loan Program							
Scholarship and Grant Admin	\$ 299,577	\$ 349,494	\$ 0	\$ 349,494	\$ 349,494	H.F. 816	PG 1 LN 18
Student Aid Program (IA Grants)	1,029,784	1,029,784	0	1,029,784	1,029,784	H.F. 816	PG 1 LN 24
Osteopathic Forgivable Loans	0	50,000	0	50,000	50,000	H.F. 816	PG 1 LN 27
Osteopathic University Prime	347,339	346,451	0	346,451	346,451	H.F. 816	PG 2 LN 1
National Guard Loan Program	1,146,739	2,900,000	0	2,900,000	3,800,000	H.F. 816	PG 2 LN 5
Nat'l Guard Loan Decrease	0	0	0	0	-75,000	H.F. 882	PG 15 LN 7
Teacher Shortage Forgive. Loan	461,653	460,472	0	460,472	285,000	H.F. 816	PG 2 LN 9
ACE Opportunity Grants	217,653	0	0	0	0		
Total Operations & Loan Program	3,502,745	5,136,201	0	5,136,201	5,785,729		
Standing Grant & Loan Program							
College Work-Study Program	0	0	0	0	140,000	H.F. 816	PG 3 LN 4
Tuition Grant Standing - Nonprofit	45,200,787	47,157,515	0	47,157,515	49,673,575	H.F. 816	PG 46 LN 8
Scholarship Program Standing	446,986	465,175	0	465,175	0	H.F. 816	PG 46 LN 34
Voc Tech Grant Standing	2,277,714	2,533,115	0	2,533,115	2,533,115	Standing	
Total Standing Grant & Loan Program	47,925,487	50,155,805	0	50,155,805	52,346,690		
Total College Aid Commission	\$ 51,428,232	\$ 55,292,006	\$ 0	\$ 55,292,006	\$ 58,132,419		
<u>Cultural Affairs, Dept. of</u>							
Cultural Affairs Administration	\$ 214,475	\$ 235,636	\$ 0	\$ 235,636	\$ 235,636	H.F. 816	PG 3 LN 23
Cultural Grants	299,240	299,240	0	299,240	299,240	H.F. 816	PG 3 LN 31
State Historical Society	2,876,505	3,040,920	0	3,040,920	3,040,920	H.F. 816	PG 3 LN 35
Historical Sites	527,800	526,459	0	526,459	526,459	H.F. 816	PG 4 LN 6
Iowa Arts Council	1,160,437	1,157,486	0	1,157,486	1,157,486	H.F. 816	PG 4 LN 10

Education

General Fund

	Actual FY 2004	Estimated FY 2005	Supplemental FY 2005	Estimated Net FY 2005	Final Action FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Cultural Affairs, Dept. of (cont.)</u>							
Great Places	0	0	0	0	200,000	H.F. 816	PG 4 LN 16
Great Places Supplemental	0	0	100,000	100,000	0	H.F. 882	PG 8 LN 22
Governors' Papers	0	0	0	0	75,000	H.F. 816	PG 4 LN 20
Nonprofit Music	0	0	0	0	25,000	H.F. 882	PG 6 LN 7
Total Cultural Affairs, Dept. of	\$ 5,078,457	\$ 5,259,741	\$ 100,000	\$ 5,359,741	\$ 5,559,741		
<u>Education, Department of</u>							
Administration							
Dept. of Ed. Administration	\$ 5,181,134	\$ 5,419,542	\$ 0	\$ 5,419,542	\$ 5,139,542	H.F. 816	PG 4 LN 29
Vocational Ed. Administration	516,108	514,828	0	514,828	514,828	H.F. 816	PG 5 LN 14
Board of Ed. Examiners	40,974	0	0	0	0		
Vocational Rehabilitation	4,289,621	4,340,050	0	4,340,050	4,475,050	H.F. 816	PG 5 LN 20
Independent Living	54,288	54,150	0	54,150	54,150	H.F. 816	PG 6 LN 13
State Library	1,265,788	1,378,555	0	1,378,555	1,378,555	H.F. 816	PG 6 LN 24
Library Service Areas	1,380,087	1,376,558	0	1,376,558	1,376,558	H.F. 816	PG 8 LN 28
Iowa Public Television	6,442,718	6,596,394	0	6,596,394	7,356,722	H.F. 816	PG 8 LN 31
IPTV - Regional Councils	1,604,891	1,600,806	0	1,600,806	1,240,478	H.F. 816	PG 9 LN 2
Total Administration	20,775,609	21,280,883	0	21,280,883	21,535,883		
Grants & State Aid							
Enrich Iowa Libraries	1,702,787	1,698,432	0	1,698,432	1,698,432	H.F. 816	PG 6 LN 30
Vocational Educ Secondary	2,944,434	2,936,904	0	2,936,904	2,936,904	H.F. 816	PG 9 LN 11
School Food Service	2,516,118	2,509,683	0	2,509,683	2,509,683	H.F. 816	PG 9 LN 23
Empowerment Board - Early Childhood	13,415,906	13,381,594	0	13,381,594	23,781,594	H.F. 816	PG 9 LN 28
Nonpublic Textbooks	565,855	590,458	0	590,458	614,058	H.F. 816	PG 11 LN 24
Student Achievement	43,230,004	45,283,894	0	45,283,894	69,593,894	H.F. 816	PG 11 LN 31

Education

General Fund

	Actual FY 2004	Estimated FY 2005	Supplemental FY 2005	Estimated Net FY 2005	Final Action FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Education, Department of (cont.)</u>							
Grants & State Aid (cont.)							
Jobs for America's Grads	0	400,000	0	400,000	400,000	H.F. 882	PG 13 LN 14
Achievement Gap	0	500,000	0	500,000	0		
Total Grants & State Aid	64,375,104	67,300,965	0	67,300,965	101,534,565		
Community College							
MAS - General Aid	136,127,396	139,779,244	0	139,779,244	149,579,244	H.F. 816	PG 12 LN 1
Total Education, Department of	\$ 221,278,109	\$ 228,361,092	\$ 0	\$ 228,361,092	\$ 272,649,692		
<u>Management, Department of</u>							
Institute for Tomorrow's Workforce	\$ 0	\$ 0	\$ 0	\$ 0	\$ 250,000	H.F. 816	PG 26 LN 9
Inst. for Tomorrow's Work. - Reduction	0	0	0	0	-100,000	H.F. 882	PG 15 LN 15
Total Management, Department of	\$ 0	\$ 0	\$ 0	\$ 0	\$ 150,000		
<u>Regents, Board of</u>							
Regents, Board of							
Regents Board Office	\$ 1,163,373	\$ 1,167,137	\$ 0	\$ 1,167,137	\$ 1,167,137	H.F. 816	PG 16 LN 9
Tuition Replacement	13,042,831	13,009,474	0	13,009,474	13,975,431	H.F. 816	PG 16 LN 23
Southwest Iowa Resource Center	106,228	105,956	0	105,956	105,956	H.F. 816	PG 17 LN 2
Tri State Graduate Center	78,141	77,941	0	77,941	77,941	H.F. 816	PG 17 LN 5
Quad Cities Graduate Center	157,547	157,144	0	157,144	157,144	H.F. 816	PG 17 LN 9
Regents Universities	0	0	0	0	14,969,288	H.F. 816	PG 17 LN 12
Midwest Higher Ed Compact	0	0	0	0	90,000	H.F. 816	PG 20 LN 2
Total Regents, Board of	14,548,120	14,517,652	0	14,517,652	30,542,897		
University of Iowa							
Univ. of Iowa: Gen. University	220,501,286	220,131,572	0	220,131,572	220,131,572	H.F. 816	PG 20 LN 7
Indigent Patient Program: UIHC	27,354,545	27,284,584	0	27,284,584	27,284,584	H.F. 816	PG 20 LN 19

Education

General Fund

	Actual FY 2004	Estimated FY 2005	Supplemental FY 2005	Estimated Net FY 2005	Final Action FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Regents, Board of (cont.)</u>							
University of Iowa (cont.)							
Indigent Patient Program: UIHC	0	0	0	0 ⁸¹	-27,284,584	H.F. 841	PG 52 LN 11
Psychiatric Hospital	7,061,115	7,043,056	0	7,043,056	7,043,056	H.F. 816	PG 22 LN 3
Center Dis. & Dev. (Hosp-Sch)	6,379,581	6,363,265	0	6,363,265	6,363,265	H.F. 816	PG 22 LN 11
Oakdale Campus	2,664,149	2,657,335	0	2,657,335	2,657,335	H.F. 816	PG 22 LN 20
University Hygienic Laboratory	3,812,270	3,849,461	0	3,849,461	3,849,461	H.F. 816	PG 22 LN 26
Family Practice Program	2,081,271	2,075,948	0	2,075,948	2,075,948	H.F. 816	PG 22 LN 32
SCHS - Hemophilia, Cancer	650,730	649,066	0	649,066	649,066	H.F. 816	PG 23 LN 5
State of Iowa Cancer Registry	179,197	178,739	0	178,739	178,739	H.F. 816	PG 23 LN 14
SUI Substance Abuse Consortium	65,037	64,871	0	64,871	64,871	H.F. 816	PG 23 LN 19
Biocatalysis	883,644	881,384	0	881,384	881,384	H.F. 816	PG 23 LN 25
Primary Health Care	761,823	759,875	0	759,875	759,875	H.F. 816	PG 23 LN 30
Iowa Birth Defects Registry	44,750	44,636	0	44,636	44,636	H.F. 816	PG 24 LN 5
Total University of Iowa	272,439,398	271,983,792	0	271,983,792	271,983,792		
Iowa State University							
Iowa State: Gen. University	173,633,827	173,269,729	0	173,269,729	173,269,729	H.F. 816	PG 24 LN 11
ISU Ag & Home Ec. Exp. Sta.	31,099,057	31,019,520	0	31,019,520	31,019,520	H.F. 816	PG 24 LN 20
ISU Cooperative Extension	19,789,043	19,738,432	0	19,738,432	19,738,432	H.F. 816	PG 24 LN 26
ISU Leopold Center	465,510	464,319	0	464,319	464,319	H.F. 816	PG 24 LN 33
Livestock Disease Research	221,274	220,708	0	220,708	220,708	H.F. 816	PG 25 LN 4
Total Iowa State University	225,208,711	224,712,708	0	224,712,708	224,712,708		
Univ. of Northern Iowa							
University of Northern Iowa	78,004,006	77,831,821	0	77,831,821	77,831,821	H.F. 816	PG 25 LN 9
Recycling & Reuse Center	212,401	211,858	0	211,858	211,858	H.F. 816	PG 25 LN 19
Total Univ. of Northern Iowa	78,216,407	78,043,679	0	78,043,679	78,043,679		

Education

General Fund

	Actual FY 2004	Estimated FY 2005	Supplemental FY 2005	Estimated Net FY 2005	Final Action FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Regents, Board of (cont.)</u>							
Special Schools							
Iowa School for the Deaf	8,120,310	8,470,471	0	8,470,471	8,810,471	H.F. 816	PG 25 LN 24
Braille & Sight Saving School	4,543,016	4,740,295	0	4,740,295	4,930,295	H.F. 816	PG 25 LN 30
Tuition and Transportation	14,763	15,020	0	15,020	15,020	H.F. 816	PG 26 LN 1
Total Special Schools	<u>12,678,089</u>	<u>13,225,786</u>	<u>0</u>	<u>13,225,786</u>	<u>13,755,786</u>		
Total Regents, Board of	<u>\$ 603,090,725</u>	<u>\$ 602,483,617</u>	<u>\$ 0</u>	<u>\$ 602,483,617</u>	<u>\$ 619,038,862</u>		
Total Education	<u>\$ 882,421,320</u>	<u>\$ 892,987,731</u>	<u>\$ 100,000</u>	<u>\$ 893,087,731</u>	<u>\$ 957,417,556</u>		
Contingency ⁸¹ Indigent Patient Program: UIHC	\$ 0	\$ 0	\$ 0	\$ 0	\$ -27,284,584		

Health and Human Services

General Fund

	Actual FY 2004	Estimated FY 2005	Supplemental FY 2005	Estimated Net FY 2005	Final Action FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Elder Affairs, Department of</u>							
Aging Programs	\$ 2,639,378	\$ 2,730,522	\$ 0	\$ 2,730,522	\$ 2,792,116	H.F. 825	PG 1 LN 10
<u>Health, Department of Public</u>							
Addictive Disorders	\$ 1,270,342	\$ 1,267,111	\$ 0	\$ 1,267,111	\$ 1,759,020	H.F. 825	PG 2 LN 10
Adult Wellness	254,719	304,067	0	304,067	304,067	H.F. 825	PG 2 LN 29
Child and Adolescent Wellness	817,895	915,803	0	915,803	915,761	H.F. 825	PG 2 LN 33
Chronic Conditions	1,022,647	845,863	0	845,863	1,265,342	H.F. 825	PG 3 LN 4
Community Capacity	1,312,056	1,267,359	0	1,267,359	1,264,299	H.F. 825	PG 3 LN 14
Elderly Wellness	9,257,662	9,233,985	0	9,233,985	9,233,985	H.F. 825	PG 3 LN 24
Environmental Hazards	341,682	251,808	0	251,808	401,808	H.F. 825	PG 3 LN 28
Environment Hazards Reduction	0	0	0	0	-50,000	H.F. 882	PG 15 LN 31
Infectious Diseases	1,079,987	1,079,703	0	1,079,703	1,078,039	H.F. 825	PG 4 LN 7
Injuries	1,382,894	1,379,358	0	1,379,358	1,379,258	H.F. 825	PG 4 LN 13
Injuries Reduction	0	0	0	0	-50,000	H.F. 882	PG 15 LN 33
Public Protection	6,526,668	6,620,172	0	6,620,172	6,964,033	H.F. 825	PG 4 LN 33
Public Protection Reduction	0	0	0	0	-40,000	H.F. 882	PG 15 LN 35
Resource Management	701,068	978,634	0	978,634	1,073,884	H.F. 825	PG 5 LN 8
Hearing Impaired Licensure	0	60,390	0	60,390	0		
Uninsured Prescription Drug Access	0	10,000	0	10,000	0		
PKU Assistance	0	0	0	0	100,000	H.F. 882	PG 6 LN 21
Total Health, Department of Public	\$ 23,967,620	\$ 24,214,253	\$ 0	\$ 24,214,253	\$ 25,599,496		
<u>Human Services, Department of</u>							
Economic Assistance							
Family Investment Program	\$ 36,189,791	\$ 39,077,222	\$ 0	\$ 39,077,222	\$ 40,439,695	H.F. 825	PG 14 LN 32
Child Support Recoveries	5,915,656	7,773,099	0	7,773,099	7,829,317	H.F. 825	PG 15 LN 19
Total Economic Assistance	42,105,447	46,850,321	0	46,850,321	48,269,012		

Health and Human Services

General Fund

	Actual FY 2004	Estimated FY 2005	Supplemental FY 2005	Estimated Net FY 2005	Final Action FY 2006	Bill Number	Page & Line Number
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Human Services, Department of (cont.)							
Medical Services							
Medical Assistance	348,686,073	352,810,068	0	352,810,068	519,040,317	H.F. 825	PG 16 LN 8
Medical Assistance Supplemental	0	0	70,000,000	70,000,000	0	S.F. 342	PG 1 LN 20
Medicaid Adjustment	0	0	0	0	-11,353,381	H.F. 882	PG 16 LN 2
Medicaid Increase	0	0	0	0 ⁸¹	53,158,795	H.F. 841	PG 51 LN 25
Health Insurance Premium Pmt.	606,429	615,213	0	615,213	612,574	H.F. 825	PG 20 LN 7
Medical Contracts	8,990,035	9,725,035	0	9,725,035	14,711,985	H.F. 825	PG 20 LN 19
Medical Contracts	0	0	1,000,000	1,000,000	0	S.F. 342	PG 1 LN 31
State Children's Health Ins.	11,118,275	12,118,275	0	12,118,275	16,618,275	H.F. 825	PG 21 LN 24
Children's Health Insurance Reduction	0	0	0	0	-50,000	H.F. 882	PG 16 LN 24
State Supplementary Assistance	19,198,735	19,273,135	0	19,273,135	19,810,335	H.F. 825	PG 20 LN 27
County Hospitals	312,000	200,000	0	200,000	0		
Total Medical Services	388,911,547	394,741,726	71,000,000	465,741,726	559,390,105		
Child and Family Services							
Child Care Services	5,050,752	5,050,752	0	5,050,752	15,800,752	H.F. 825	PG 22 LN 1
Toledo Juvenile Home	6,061,266	6,091,283	0	6,091,283	6,226,283	H.F. 825	PG 23 LN 23
Eldora Training School	9,570,563	9,622,692	0	9,622,692	9,830,692	H.F. 825	PG 23 LN 28
Child and Family Services	97,091,253	97,457,784	0	97,457,784	75,200,000	H.F. 825	PG 24 LN 4
Adoption Subsidy	0	0	0	0	32,250,000	H.F. 825	PG 30 LN 20
Family Support Subsidy	1,936,434	1,936,434	0	1,936,434	1,936,434	H.F. 825	PG 32 LN 9
Child Welfare Redesign Loan	1,000,000	0	0	0	0		
Child Welfare Tech & Training	1,200,000	0	0	0	0		
Total Child and Family Services	121,910,268	120,158,945	0	120,158,945	141,244,161		
MH/MR/DD/BI							
Connors Training	42,623	42,623	0	42,623	42,623	H.F. 825	PG 32 LN 25
Cherokee MHI	13,226,585	12,986,389	0	12,986,389	13,079,889	H.F. 825	PG 33 LN 6
Cherokee MHI	0	0	0	0 ⁸¹	-9,098,425	H.F. 841	PG 52 LN 2

Health and Human Services

General Fund

	Actual FY 2004	Estimated FY 2005	Supplemental FY 2005	Estimated Net FY 2005	Final Action FY 2006	Bill Number	Page & Line Number
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Human Services, Department of (cont.)							
MH/MR/DD/BI (cont.)							
Clarinda MHI	7,403,022	7,439,591	0	7,439,591	7,439,591	H.F. 825	PG 33 LN 12
Clarinda MHI	0	0	0	0 ⁸¹	-1,977,305	H.F. 841	PG 52 LN 4
Independence MHI	17,153,722	17,324,891	0	17,324,891	17,334,091	H.F. 825	PG 33 LN 18
Independence MHI	0	0	0	0 ⁸¹	-9,045,894	H.F. 841	PG 52 LN 6
Mt. Pleasant MHI	5,903,546	6,131,181	0	6,131,181	6,131,181	H.F. 825	PG 33 LN 24
Mt. Pleasant MHI	0	0	0	0 ⁸¹	-5,752,587	H.F. 841	PG 52 LN 8
Glenwood Resource Center	6,060,778	8,683,925	0	8,683,925	12,600,000	H.F. 825	PG 34 LN 1
Glenwood Resource Center	0	0	1,000,000	1,000,000	0	S.F. 342	PG 2 LN 7
Woodward Resource Center	4,578,453	4,615,615	0	4,615,615	7,050,000	H.F. 825	PG 34 LN 4
Woodward Resource Center	0	0	1,000,000	1,000,000	0	S.F. 342	PG 2 LN 13
MI/MR State Cases	11,014,619	11,014,619	0	11,014,619	10,914,619	H.F. 825	PG 35 LN 6
MI/MR State Cases	0	0	250,000	250,000	0	S.F. 342	PG 2 LN 17
MI/MR State Cases Reduction	0	0	0	0	-50,000	H.F. 882	PG 16 LN 26
MH/DD Community Services	17,757,890	17,757,890	0	17,757,890	17,757,890	H.F. 825	PG 35 LN 29
Personal Assistance	205,748	205,748	0	205,748	0		
Sexual Predator Civil Commitment	2,801,472	2,846,338	0	2,846,338	3,621,338	H.F. 825	PG 37 LN 30
Sexual Predator Civil Commitment	0	0	775,000	775,000	0	S.F. 342	PG 2 LN 34
MH/DD Growth Factor	19,073,638	23,738,749	0	23,738,749	28,507,362	H.F. 825	
Total MH/MR/DD/BI	105,222,096	112,787,559	3,025,000	115,812,559	124,428,584		
Managing and Delivering Services							
Field Operations	52,727,745	53,519,372	0	53,519,372	53,790,628	H.F. 825	PG 38 LN 18
General Administration	11,480,872	13,312,196	0	13,312,196	13,342,196	H.F. 825	PG 38 LN 30
Volunteers	109,568	109,568	0	109,568	109,568	H.F. 825	PG 39 LN 14
Total Managing and Delivering Services	64,318,185	66,941,136	0	66,941,136	67,242,392		
Total Human Services, Department of	\$ 722,467,543	\$ 741,479,687	\$ 74,025,000	\$ 815,504,687	\$ 940,574,254		

Health and Human Services

General Fund

	Actual FY 2004	Estimated FY 2005	Supplemental FY 2005	Estimated Net FY 2005	Final Action FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Veterans Affairs, Comm. of</u>							
Veterans Affairs, Comm of	\$ 294,714	\$ 295,717	\$ 0	\$ 295,717	\$ 320,717	H.F. 825	PG 9 LN 22
Iowa Veterans Home	16,351,559	16,309,443	0	16,309,443	16,309,443	H.F. 825	PG 10 LN 4
Total Veterans Affairs, Comm. of	\$ 16,646,273	\$ 16,605,160	\$ 0	\$ 16,605,160	\$ 16,630,160		
Total Health and Human Services	\$ 765,720,814	\$ 785,029,622	\$ 74,025,000	\$ 859,054,622	\$ 985,596,026		
Contingency ⁸¹ Medicaid Increase	\$ 0	\$ 0	\$ 0	\$ 0	\$ 27,284,584		

Justice System

General Fund

	Actual FY 2004	Estimated FY 2005	Supplemental FY 2005	Estimated Net FY 2005	Final Action FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Justice, Department of</u>							
General Office A.G.	\$ 7,584,225	\$ 7,774,280	\$ 0	\$ 7,774,280	\$ 8,024,280	H.F. 811	PG 1 LN 10
General Office Reduction	0	0	0	0	-25,000	H.F. 882	PG 16 LN 28
Consumer Advocate	2,810,944	2,810,442	0	2,810,442	2,810,442	H.F. 811	PG 4 LN 32
Victim Assistance Grants	0	5,000	0	5,000	5,000	H.F. 811	PG 1 LN 25
Legal Services Poverty Grant	0	0	0	0	900,000	H.F. 811	PG 1 LN 31
Total Justice, Department of	\$ 10,395,169	\$ 10,589,722	\$ 0	\$ 10,589,722	\$ 11,714,722		
<u>Civil Rights Commission</u>							
Civil Rights Commission	\$ 827,835	\$ 858,088	\$ 86,000	\$ 944,088	\$ 950,788	H.F. 811	PG 20 LN 2
<u>Corrections, Department of</u>							
Corrections Institutions							
Ft. Madison Inst.	\$ 37,393,149	\$ 38,170,426	\$ 0	\$ 38,170,426	\$ 38,840,761	H.F. 811	PG 5 LN 17
Anamosa Inst.	26,468,726	27,015,049	0	27,015,049	27,199,702	H.F. 811	PG 5 LN 21
Oakdale Inst.	23,127,382	23,624,725	100,000	23,724,725	25,650,778	H.F. 811	PG 5 LN 29
Newton Inst.	24,007,011	24,631,729	0	24,631,729	24,916,132	H.F. 811	PG 5 LN 33
Mt Pleasant Inst.	22,306,420	22,560,276	0	22,560,276	23,694,840	H.F. 811	PG 6 LN 2
Rockwell City Inst.	7,711,007	7,797,776	0	7,797,776	8,039,378	H.F. 811	PG 6 LN 6
Clarinda Inst.	20,271,253	22,590,992	0	22,590,992	22,853,497	H.F. 811	PG 6 LN 10
Mitchellville Inst.	12,998,051	13,248,001	0	13,248,001	13,867,603	H.F. 811	PG 6 LN 19
Ft. Dodge Inst.	25,785,046	25,984,774	0	25,984,774	26,244,693	H.F. 811	PG 6 LN 23
Total Corrections Institutions	200,068,045	205,623,748	100,000	205,723,748	211,307,384		
Corrections Central Office							
Substance Abuse/Mental Health	0	0	0	0	125,000	H.F. 811	PG 9 LN 8
County Confinement	674,954	674,954	0	674,954	674,954	H.F. 811	PG 6 LN 32
Federal Prisoners/Contractual	241,293	241,293	0	241,293	241,293	H.F. 811	PG 6 LN 35
Central Office Corrections	2,784,393	2,829,708	414,416	3,244,124	2,829,708	H.F. 811	PG 7 LN 9

Justice System

General Fund

	Actual FY 2004	Estimated FY 2005	Supplemental FY 2005	Estimated Net FY 2005	Final Action FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Corrections, Department of (cont.)</u>							
Corrections Central Office (cont.)							
Corrections Education	1,000,000	1,008,358	0	1,008,358	1,058,358	H.F. 811	PG 8 LN 12
Iowa Corrections Offender Network	427,700	427,700	0	427,700	427,700	H.F. 811	PG 9 LN 5
Inmate Substance Abuse	0	0	0	0	-100,000	H.F. 882	PG 16 LN 34
Total Corrections Central Office	5,128,340	5,182,013	414,416	5,596,429	5,257,013		
CBC Districts							
CBC District I	9,853,209	10,113,032	52,125	10,165,157	10,501,186	H.F. 811	PG 10 LN 27
CBC District II	7,657,081	7,772,849	47,625	7,820,474	8,230,603	H.F. 811	PG 10 LN 33
CBC District III	4,527,819	4,640,744	37,125	4,677,869	4,805,458	H.F. 811	PG 11 LN 4
CBC District IV	4,201,565	4,256,613	19,500	4,276,113	4,427,796	H.F. 811	PG 11 LN 10
CBC District V	12,793,238	13,009,486	122,625	13,132,111	14,167,169	H.F. 811	PG 11 LN 16
CBC District VI	9,952,952	10,087,064	40,500	10,127,564	10,378,668	H.F. 811	PG 11 LN 24
CBC District VII	5,554,925	5,689,384	23,625	5,713,009	5,870,653	H.F. 811	PG 11 LN 30
CBC District VIII	5,513,905	5,586,576	31,875	5,618,451	5,970,648	H.F. 811	PG 12 LN 1
Total CBC Districts	60,054,694	61,155,748	375,000	61,530,748	64,352,181		
Total Corrections, Department of	\$ 265,251,079	\$ 271,961,509	\$ 889,416	\$ 272,850,925	\$ 280,916,578		
<u>IA Telecommun & Technology Commission</u>							
ICN Operations/Edu. Subsidy	\$ 488,750	\$ 0	\$ 0	\$ 0	\$ 0		
<u>Inspections & Appeals, Dept of</u>							
Public Defender	\$ 16,705,522	\$ 16,860,849	\$ 1,584,115	\$ 18,444,964	\$ 18,444,964	H.F. 811	PG 14 LN 21
Indigent Defense Appropriation	19,404,926	19,355,297	2,896,042	22,251,339	21,163,082	H.F. 811	PG 14 LN 26
Total Inspections & Appeals, Dept of	\$ 36,110,448	\$ 36,216,146	\$ 4,480,157	\$ 40,696,303	\$ 39,608,046		
<u>Judicial Branch</u>							
Judicial Branch	\$ 116,172,603	\$ 118,084,282	\$ 0	\$ 118,084,282	\$ 118,404,282	H.F. 807	PG 1 LN 8

Justice System

General Fund

	Actual FY 2004	Estimated FY 2005	Supplemental FY 2005	Estimated Net FY 2005	Final Action FY 2006	Bill Number	Page & Line Number
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<u>Judicial Branch (cont.)</u>							
Judicial Branch Reduction	0	0	0	0	-50,000	H.F. 882	PG 17 LN 15
Judicial Retirement	2,039,664	2,039,664	0	2,039,664	2,039,664	H.F. 807	PG 3 LN 27
Youth Enrichment Pilot Project	0	0	0	0	100,000	H.F. 807	PG 1 LN 21
Total Judicial Branch	\$ 118,212,267	\$ 120,123,946	\$ 0	\$ 120,123,946	\$ 120,493,946		
<u>Law Enforcement Academy</u>							
Operations	\$ 1,069,586	\$ 1,075,138	\$ 0	\$ 1,075,138	\$ 1,075,138	H.F. 811	PG 14 LN 31
<u>Parole, Board of</u>							
Parole Board	\$ 1,020,495	\$ 1,072,560	\$ 0	\$ 1,072,560	\$ 1,121,044	H.F. 811	PG 15 LN 29
<u>Public Defense, Department of</u>							
Public Defense, Dept. of							
Military Division	\$ 5,097,065	\$ 5,130,040	\$ 0	\$ 5,130,040	\$ 5,130,040	H.F. 811	PG 16 LN 11
Emergency Management Division							
Homeland Security	1,126,202	1,172,230	0	1,172,230	1,172,230	H.F. 811	PG 16 LN 23
Civil Air Patrol	0	0	0	0	100,000	H.F. 882	PG 8 LN 3
Total Emergency Management Division	1,126,202	1,172,230	0	1,172,230	1,272,230		
Total Public Defense, Department of	\$ 6,223,267	\$ 6,302,270	\$ 0	\$ 6,302,270	\$ 6,402,270		
<u>Public Safety, Department of</u>							
Public Safety Administration	\$ 2,445,482	\$ 3,073,274	\$ 0	\$ 3,073,274	\$ 3,073,274	H.F. 811	PG 16 LN 34
Investigation, DCI	13,130,579	14,058,510	150,000	14,208,510	14,760,898	H.F. 811	PG 17 LN 4
Narcotics Enforcement	3,721,083	3,930,089	0	3,930,089	4,701,141	H.F. 811	PG 17 LN 28
Undercover Funds	120,568	123,343	0	123,343	123,343	H.F. 811	PG 18 LN 2
Fire Marshal	1,846,495	2,181,998	100,000	2,281,998	2,256,998	H.F. 811	PG 18 LN 5
Fire Service	599,358	638,021	0	638,021	638,021	H.F. 811	PG 18 LN 13

Justice System

General Fund

	Actual FY 2004	Estimated FY 2005	Supplemental FY 2005	Estimated Net FY 2005	Final Action FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Public Safety, Department of (cont.)</u>							
Iowa State Patrol	38,237,606	42,517,133	0	42,517,133	43,076,973	H.F. 811	PG 18 LN 25
Capitol Police	1,292,932	0	0	0	0		
DPS/SPOC Sick Leave Payout	211,242	316,179	0	316,179	316,179	H.F. 811	PG 19 LN 4
Fire Fighter Training	530,910	559,587	0	559,587	699,587	H.F. 811	PG 19 LN 21
Medical Injuries - DPS Custody	610	0	0	0	0		
DCI Crime Lab	0	0	0	0	342,000	H.F. 811	PG 17 LN 13
Total Public Safety, Department of	\$ 62,136,865	\$ 67,398,134	\$ 250,000	\$ 67,648,134	\$ 69,988,414		
Total Justice System	\$ 501,735,761	\$ 515,597,513	\$ 5,705,573	\$ 521,303,086	\$ 532,270,946		

Trans., Infra., and Capitals

General Fund

	Actual FY 2004	Estimated FY 2005	Supplemental FY 2005	Estimated Net FY 2005	Final Action FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Transportation, Department of</u>							
Aviation Assistance	\$ -58,313	\$ 64,792	\$ 0	\$ 64,792	\$ 64,792	H.F. 466	PG 4 LN 30
Aviation Assistance Reduction	0	0	0	0	-64,792	H.F. 875	PG 12 LN 9
Rail Assistance	-32,363	35,959	0	35,959	35,959	H.F. 466	PG 5 LN 1
Rail Assistance Reduction	0	0	0	0	-35,959	H.F. 875	PG 12 LN 9
Total Transportation, Department of	\$ -90,676	\$ 100,751	\$ 0	\$ 100,751	\$ 0		
<u>Public Safety Capital</u>							
Capitol Bldg Security	\$ 0	\$ 0	\$ 0	\$ 0	\$ 800,000	H.F. 875	PG 1 LN 12
Capitol Bldg Security Reduction	0	0	0	0	-25,000	H.F. 882	PG 17 LN 7
Total Public Safety Capital	\$ 0	\$ 0	\$ 0	\$ 0	\$ 775,000		
<u>Education Capital</u>							
Voc. Rehab. Indirect Costs	\$ 0	\$ 0	\$ 0	\$ 0	\$ 101,164	H.F. 875	PG 1 LN 8
Total Trans., Infra., and Capitals	\$ -90,676	\$ 100,751	\$ 0	\$ 100,751	\$ 876,164		

Unassigned Standing

General Fund

	Actual FY 2004	Estimated FY 2005	Supplemental FY 2005	Estimated Net FY 2005	Final Action FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Administrative Services, Dept. of</u>							
Deferred Compensation Program	\$ 55,230	\$ 55,088	\$ 0	\$ 55,088	\$ 0		
Federal Cash Management	537,625	436,250	0	436,250	436,250	Standing	
Unemployment Comp - State	72,338	538,750	0	538,750	538,750	Standing	
Mun. Fire & Police Retirement	2,752,825	2,745,784	0	2,745,784	2,745,784	H.F. 882	PG 3 LN 16
Sac Fox Attorney Costs	440	0	0	0	0		
Total Administrative Services, Dept. of	\$ 3,418,458	\$ 3,775,872	\$ 0	\$ 3,775,872	\$ 3,720,784		
<u>Corrections, Department of</u>							
State Cases	\$ 0	\$ 66,370	\$ 0	\$ 66,370	\$ 66,370	Standing	
<u>Economic Development, Dept. of</u>							
Comm. Attraction & Tourism	\$ 0	\$ 0	\$ 0	\$ 0	\$ 7,000,000	Standing	
<u>Education, Department of</u>							
School Foundation Aid	\$ 1,780,398,844	\$ 1,881,213,399	\$ 0	\$ 1,881,213,399	\$ 1,974,586,719	Standing	
Area Ed. Assoc. Reduction	0	0	0	0	-11,798,703	H.F. 882	PG 5 LN 18
Instructional Support	14,465,267	14,428,271	0	14,428,271	14,428,271	H.F. 882	PG 2 LN 32
Child Development	11,244,023	11,271,000	0	11,271,000	11,271,000	H.F. 882	PG 2 LN 35
Transportation - Nonpublic	7,624,060	7,955,541	0	7,955,541	8,273,763	H.F. 882	PG 3 LN 6
Educational Excellence	55,611,281	55,469,053	0	55,469,053	55,469,053	H.F. 882	PG 3 LN 13
Early Intervention Block Grant	29,325,000	29,250,000	0	29,250,000	29,250,000	H.F. 882	PG 12 LN 15
Total Education, Department of	\$ 1,898,668,475	\$ 1,999,587,264	\$ 0	\$ 1,999,587,264	\$ 2,081,480,103		
<u>Executive Council</u>							
Court Costs	\$ 312,482	\$ 73,125	\$ 0	\$ 73,125	\$ 73,125	Standing	
Public Improvements	0	48,750	0	48,750	48,750	Standing	

Unassigned Standing

General Fund

	Actual FY 2004	Estimated FY 2005	Supplemental FY 2005	Estimated Net FY 2005	Final Action FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Executive Council (cont.)</u>							
Performance of Duty	811,109	1,462,500	0	1,462,500	1,462,500	Standing	
Drainage Assessment	22,575	24,375	0	24,375	24,375	Standing	
Total Executive Council	\$ 1,146,166	\$ 1,608,750	\$ 0	\$ 1,608,750	\$ 1,608,750		
<u>Legislative Branch</u>							
Legislature	\$ 25,232,956	\$ 27,557,439	\$ 0	\$ 27,557,439	\$ 27,557,439	Standing	
<u>Governor</u>							
Interstate Extradition Expense	\$ 0	\$ 3,710	\$ 0	\$ 3,710	\$ 3,710	Standing	
Presidential Electors	0	600	0	600	0		
Total Governor	\$ 0	\$ 4,310	\$ 0	\$ 4,310	\$ 3,710		
<u>Health, Department of Public</u>							
Birth Defects Registry	\$ 0	\$ 120,000	\$ 0	\$ 120,000	\$ 200,000	H.F. 882	PG 18 LN 29
<u>Human Services, Department of</u>							
Commission of Inquiry	\$ 0	\$ 1,706	\$ 0	\$ 1,706	\$ 1,706	Standing	
Non-Resident MR/MI Transfer	0	82	0	82	82	Standing	
Non-Resident Commitment	138,061	174,704	0	174,704	174,704	Standing	
MH Property Tax Relief	95,000,000	95,000,000	0	95,000,000	95,000,000	Standing	
Child Abuse Prevention	186,062	240,000	0	240,000	240,000	Standing	
Total Human Services, Department of	\$ 95,324,123	\$ 95,416,492	\$ 0	\$ 95,416,492	\$ 95,416,492		
<u>Management, Department of</u>							
Special Olympics Fund	\$ 30,000	\$ 30,000	\$ 0	\$ 30,000	\$ 30,000	Standing	
Indian Settlement Officer	25,000	25,000	0	25,000	25,000	Standing	
Appeal Board	24,242,566	4,387,500	0	4,387,500	4,387,500	Standing	

Unassigned Standing

General Fund

	Actual FY 2004	Estimated FY 2005	Supplemental FY 2005	Estimated Net FY 2005	Final Action FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Management, Department of (cont.)</u>							
Cash Reserve Fund Goal	0	45,500,000	0	45,500,000	0	H.F. 882	PG 5 LN 30
Special Olympic Inc.	0	0	0	0	20,000	H.F. 882	PG 5 LN 8
Total Management, Department of	\$ 24,297,566	\$ 49,942,500	\$ 0	\$ 49,942,500	\$ 4,462,500		
<u>Public Defense, Department of</u>							
Compensation & Expense	\$ 316,048	\$ 421,639		\$ 421,639	\$ 421,639	Standing	
<u>Revenue, Dept. of</u>							
Machinery/Equip. Tax Replace.	\$ 11,027,841	\$ 0	\$ 0	\$ 0	\$ 0		
Printing Cigarette Stamps	107,579	107,304	0	107,304	107,304	Standing	
Livestock Producers Credit	1,749,903	1,770,342	0	1,770,342	1,770,342	H.F. 882	PG 3 LN 19
Homestead Tax Credit Aid	103,209,341	0	0	0	0		
Ag Land Tax Credit	34,553,196	0	0	0	0		
Military Service Tax Credit	2,517,998	0	0	0	0		
Elderly & Disabled Tax Credit	16,084,146	0	0	0	0		
Franchise Tax Reimbursement	8,595,113	0	0	0	0		
Collection Agencies Reimburse	70	0	0	0	0		
Tobacco Enforcement	50,000	25,000	0	25,000	25,000	Standing	
Total Revenue, Dept. of	\$ 177,895,187	\$ 1,902,646	\$ 0	\$ 1,902,646	\$ 1,902,646		
<u>Secretary of State</u>							
Servicemen's Ballot Comm.	\$ 3,135	\$ 0	\$ 0	\$ 0	\$ 0		
Constitutional Amendments	0	2,500	0	2,500	0		
Total Secretary of State	\$ 3,135	\$ 2,500	\$ 0	\$ 2,500	\$ 0		
<u>Transportation, Department of</u>							
Public Transit Assistance	\$ 8,300,249	\$ 0	\$ 0	\$ 0	\$ 0		
Total Unassigned Standing	\$ 2,234,602,363	\$ 2,180,405,782	\$ 0	\$ 2,180,405,782	\$ 2,223,840,433		

Summary Data

Non General Fund

	Actual FY 2004 <u>(1)</u>	Estimated FY 2005 <u>(2)</u>	Final Action FY 2006 <u>(3)</u>	Item Veto FY 2006 <u>(4)</u>	Net Final Act FY 2006 <u>(5)</u>
Administration and Regulation	\$ 100,090,609	\$ 124,875,124	\$ 88,096,802	\$ 0	\$ 88,096,802
Ag. and Natural Resources	74,445,666	78,008,871	77,105,171	0	77,105,171
Economic Development	611,797,801	608,075,933	556,356,516	0	556,356,516
Education	790,766,272	818,252,674	835,817,912	0	835,817,912
Health and Human Services	2,592,246,702	2,555,046,371	2,546,945,834	0	2,546,945,834
Justice System	75,661,566	164,449,654	151,785,854	-60,000	151,725,854
Trans., Infra., and Capitals	848,089,738	741,108,927	739,119,940	0	739,119,940
Unassigned Standing	<u>6,875,000</u>	<u>168,178,964</u>	<u>166,538,964</u>	<u>0</u>	<u>166,538,964</u>
Grand Total	<u>\$ 5,099,973,354</u>	<u>\$ 5,257,996,518</u>	<u>\$ 5,161,766,993</u>	<u>\$ -60,000</u>	<u>\$ 5,161,706,993</u>
Contingency Totals*					
¹³ Fine Paper Anti-Trust	\$ 0	\$ 0	\$ 200,000	\$ 0	\$ 200,000
¹⁴ Consumer Fraud Refunds	0	0	1,200,000	0	1,200,000
¹⁵ Environmental Crime Investigations	0	0	20,000	0	20,000
¹⁸ SLTF Prescription Drug Program	0	0	250,000	-250,000	0
⁷² Microsoft - State Patrol	0	0	785,000	0	785,000
⁸¹ UIHC Indigent Patient - ICA	0	0	72,405,295	0	72,405,295
⁸² Microsoft - DPS DNA	0	0	929,206	0	929,206

Column Explanations:

- (1) Actual FY 2004 - The actual FY 2004 appropriations. Reversions are not deducted from the appropriations.
- (2) Estimated FY 2005 - The FY 2005 legislative action prior to adjustments by deappropriations or supplemental appropriations.
- (3) Final Action FY 2006 - Final legislative action from the Regular Legislative Session.
- (4) Item Veto FY 2006 - Appropriations vetoed by the Governor.
- (5) Net Final Action FY 2006 - Final action for FY 2006 less the item vetoes.

* Contingent appropriations are not included in the calculation of totals or subtotals.

Summary Data

Non General Fund

	Actual FY 2004 <u>(1)</u>	Estimated FY 2005 <u>(2)</u>	Final Action FY 2006 <u>(3)</u>	Item Veto FY 2006 <u>(4)</u>	Net Final Act FY 2006 <u>(5)</u>
Bill Totals					
H.F. 466 Transportation Appropriations Act			\$ 294,581,817	\$ 0	\$ 294,581,817
H.F. 808 Ag. and Natural Resources Appropriations Act			36,932,114	0	36,932,114
H.F. 809 Economic Development Appropriations Act			54,841,000	0	54,841,000
H.F. 810 Administration and Regulation Appropriations Act			13,375,137	0	13,375,137
H.F. 811 Justice System Appropriations Act			800,000	0	800,000
H.F. 821 Prescription Drug Assistance Clearing House Program			0	0	0
H.F. 825 Health and Humans Services Appropriations Act			274,140,259	0	274,140,259
H.F. 839 State Information Technology Reorganization Act			250,000	0	250,000
H.F. 841 lowacare Medicaid Reform Act			0	0	0
H.F. 862 Healthy Iowans Tobacco Trust Appropriations Act			65,949,236	-60,000	65,889,236
H.F. 875 Infrastructure Appropriations Act			122,968,123	0	122,968,123
H.F. 881 FY 2006 Salary Adjustment Act			10,868,803	0	10,868,803
H.F. 882 Standing Appropriations Act			173,752,345	0	173,752,345
S.F. 346 Block Grant Appropriations Act			4,060,783,159	0	4,060,783,159

Administration and Regulation

Non General Fund

	Actual FY 2004	Estimated FY 2005	Final Action FY 2006	Item Veto FY 2006	Net Final Act FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Administrative Services, Dept. of</u>							
Purchasing Operations	\$ 1,325,570	\$ 0	\$ 0	\$ 0	\$ 0		
Printing Operations	1,688,394	0	0	0	0		
Vehicle Dispatcher Operations	1,043,175	0	0	0	0		
Primary Road Approp.	465,491	491,752	0	0	0		
Ready To Work Program	89,416	89,416	0	0	0		
Road Use Tax Approp.	76,059	80,505	0	0	0		
lowAccess Revolving Fund	0	0	250,000	0	250,000	H.F. 839	PG 6 LN 24
Total Administrative Services, Dept. of	\$ 4,688,105	\$ 661,673	\$ 250,000	\$ 0	\$ 250,000		
<u>Commerce, Department of</u>							
Insurance Division							
SLTF Prescription Drug Program	\$ 0	\$ 0 ¹⁸	\$ 250,000 ⁸³	\$ -250,000	\$ 0	H.F. 821	PG 3 LN 9
Professional Licensing & Reg.							
Real Estate Trust Act. Auditor	62,317	62,317	62,317	0	62,317	H.F. 810	PG 6 LN 33
Department of Commerce							
Commerce - Fed. Funds	0	0	250,000	0	250,000	S.F. 346	PG 17 LN 17
Total Commerce, Department of	\$ 62,317	\$ 62,317	\$ 312,317	\$ 0	\$ 312,317		
<u>Gov. Office of Drug Control Policy</u>							
Drug Policy - Fed. Funds	\$ 1,700,211	\$ 5,432,952	\$ 0	\$ 0	\$ 0		
Local Law Enforce. - Fed. Funds	304,748	150,000	3,121,266	0	3,121,266	S.F. 346	PG 7 LN 10
Drug Control Improvement - Fed. Funds	4,876,707	4,655,208	7,209,318	0	7,209,318	S.F. 346	PG 19 LN 8
Substance Abuse Treat. - Fed. Funds	633,248	0	297,225	0	297,225	S.F. 346	PG 6 LN 28
Total Gov. Office of Drug Control Policy	\$ 7,514,914	\$ 10,238,160	\$ 10,627,809	\$ 0	\$ 10,627,809		
<u>Human Rights, Department of</u>							
Community Services - Fed. Funds	\$ 6,956,142	\$ 6,955,510	\$ 6,856,891	\$ 0	\$ 6,856,891	S.F. 346	PG 7 LN 32

Administration and Regulation

Non General Fund

	Actual FY 2004	Estimated FY 2005	Final Action FY 2006	Item Veto FY 2006	Net Final Act FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Human Rights, Department of (cont.)</u>							
Energy Assistance - Fed. Funds	31,116,126	38,877,807	34,570,110	0	34,570,110	S.F. 346	PG 9 LN 31
Human Rights - Fed. Funds	10,267,185	8,345,581	5,156,437	0	5,156,437	S.F. 346	PG 19 LN 16
Total Human Rights, Department of	\$ 48,339,453	\$ 54,178,898	\$ 46,583,438	\$ 0	\$ 46,583,438		
<u>Inspections & Appeals, Dept of</u>							
DIA - Use Tax Appropriation	\$ 1,325,631	\$ 1,424,042	\$ 1,424,042	\$ 0	\$ 1,424,042	H.F. 810	PG 13 LN 13
DIA - Fed. Funds	3,086,223	3,779,069	5,791,615	0	5,791,615	S.F. 346	PG 19 LN 32
Total Inspections & Appeals, Dept of	\$ 4,411,854	\$ 5,203,111	\$ 7,215,657	\$ 0	\$ 7,215,657		
<u>Management, Department of</u>							
Road Use Tax Salary Adjustment	\$ 3,000,000	\$ 3,000,000	\$ 1,635,317	\$ 0	\$ 1,635,317	H.F. 881	PG 8 LN 21
Primary Road Salary Adjustment	12,000,000	12,000,000	9,233,486	0	9,233,486	H.F. 881	PG 8 LN 29
DOM RUTF	56,000	56,000	56,000	0	56,000	H.F. 810	PG 15 LN 7
Management - Fed. Funds	-43,552	600	0	0	0		
Total Management, Department of	\$ 15,012,448	\$ 15,056,600	\$ 10,924,803	\$ 0	\$ 10,924,803		
<u>IPERS Administration</u>							
IPERS Administration	\$ 8,879,900	\$ 9,158,475	\$ 10,582,931	\$ 0	\$ 10,582,931	H.F. 810	PG 16 LN 30
<u>Revenue, Dept. of</u>							
MVFT - Administration	\$ 1,181,082	\$ 1,215,068	\$ 1,249,847	\$ 0	\$ 1,249,847	H.F. 810	PG 17 LN 34
<u>Lottery</u>							
Lottery Operations	\$ 9,511,405	\$ 0	\$ 0	\$ 0	\$ 0		
<u>Secretary of State</u>							
Secretary of State - Fed. Funds	\$ 0	\$ 28,749,822	\$ 0	\$ 0	\$ 0		

Administration and Regulation

Non General Fund

	Actual FY 2004	Estimated FY 2005	Final Action FY 2006	Item Veto FY 2006	Net Final Act FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Treasurer of State							
Treasurer - Fed. Funds	\$ 489,131	\$ 351,000	\$ 350,000	\$ 0	\$ 350,000	S.F. 346	PG 23 LN 21
Total Administration and Regulation	\$ 100,090,609	\$ 124,875,124	\$ 88,096,802	\$ 0	\$ 88,096,802		
Contingency ¹⁸ SLTF Prescription Drug Prog.	\$ 0	\$ 0	\$ 250,000	\$ 0	\$ 0		
Contingency ⁸³ SLTF Prescription Drug Prog.	\$ 0	\$ 0	\$ 0	\$ -250,000	\$ 0		

Ag. and Natural Resources

Non General Fund

	Actual FY 2004	Estimated FY 2005	Final Action FY 2006	Item Veto FY 2006	Net Final Act FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Ag. & Land Stewardship</u>							
Dept. of Ag. - Fed. Funds	\$ 6,439,150	\$ 6,087,659	\$ 5,938,959	\$ 0	\$ 5,938,959	S.F. 346	PG 16 LN 13
Native Horse & Dog Program	305,516	305,516	305,516	0	305,516	H.F. 808	PG 2 LN 24
Total Ag. & Land Stewardship	\$ 6,744,666	\$ 6,393,175	\$ 6,244,475	\$ 0	\$ 6,244,475		
<u>Natural Resources, Department of</u>							
Fish & Wildlife Approp.	\$ 30,715,335	\$ 31,220,766	\$ 31,370,766	\$ 0	\$ 31,370,766	H.F. 808	PG 4 LN 29
Groundwater Protection Fund	4,308,673	3,455,832	3,455,832	0	3,455,832	H.F. 808	PG 5 LN 20
Snowmobile Fees To F&G Fund	100,000	100,000	100,000	0	100,000	H.F. 808	PG 5 LN 33
Boat Registration Fees To F&G	1,400,000	1,400,000	1,400,000	0	1,400,000	H.F. 808	PG 6 LN 10
UST Administration Match	200,000	200,000	200,000	0	200,000	H.F. 808	PG 6 LN 29
Oil Overcharge (EXXON)	100,000	0	0	0	0		
Oil Overcharge (Stripper Well)	25,000	0	0	0	0		
DNR - Fed. Funds	30,851,992	35,239,098	34,234,098	0	34,234,098	S.F. 346	PG 20 LN 34
Total Natural Resources, Department of	\$ 67,701,000	\$ 71,615,696	\$ 70,760,696	\$ 0	\$ 70,760,696		
<u>Regents, Board of</u>							
Water Research - Agrichemical	\$ 0	\$ 0	\$ 100,000	\$ 0	\$ 100,000	H.F. 808	PG 7 LN 24
Total Ag. and Natural Resources	\$ 74,445,666	\$ 78,008,871	\$ 77,105,171	\$ 0	\$ 77,105,171		

Economic Development

Non General Fund

	Actual FY 2004 <u>(1)</u>	Estimated FY 2005 <u>(2)</u>	Final Action FY 2006 <u>(3)</u>	Item Veto FY 2006 <u>(4)</u>	Net Final Act FY 2006 <u>(5)</u>	Bill Number <u>(6)</u>	Page & Line Number <u>(7)</u>
<u>Economic Development, Dept. of</u>							
Economic Development, Dept of							
DED-CDBG - Fed. Funds	\$ 32,600,000	\$ 30,981,000	\$ 29,260,000	\$ 0	\$ 29,260,000	S.F. 346	PG 8 LN 35
DED - Fed. Funds	110,887,225	14,675,012	16,396,012	0	16,396,012	S.F. 346	PG 18 LN 4
Local Housing Assistance Fund	62,317	0	0	0	0		
Total Economic Development, Dept of	143,549,542	45,656,012	45,656,012	0	45,656,012		
Business Development							
Insurance Development	100,000	100,000	100,000	0	100,000	H.F. 809	PG 5 LN 1
Workforce Dev. Approp.	4,000,000	4,000,000	4,000,000	0	4,000,000	H.F. 809	PG 5 LN 17
Total Business Development	4,100,000	4,100,000	4,100,000	0	4,100,000		
Community & Rural Devel.							
RC 2000 - Council of Gov.	150,000	150,000	150,000	0	150,000	H.F. 809	PG 4 LN 28
RC 2000 - Rural Dev. Program	120,000	120,000	120,000	0	120,000	H.F. 809	PG 4 LN 32
Community Dev. Loan Fund	25,261	25,261	0	0	0		
Total Community & Rural Devel.	295,261	295,261	270,000	0	270,000		
Finance Authority							
Watersheds - UST	0	0	5,000,000	0	5,000,000	H.F. 882	PG 8 LN 35
Grow Iowa Values Fund							
Targeted State Parks	475,805	0	0	0	0		
DED Programs	0	0	35,000,000	0	35,000,000	H.F. 809	PG 11 LN 21
Regents & Private Inst.	0	0	5,000,000	0	5,000,000	H.F. 809	PG 13 LN 18
Targeted State Parks	0	0	1,000,000	0	1,000,000	H.F. 809	PG 14 LN 19
Workforce Training	0	0	7,000,000	0	7,000,000	H.F. 809	PG 15 LN 8
Regional Assistance	0	0	1,000,000	0	1,000,000	H.F. 809	PG 15 LN 15
Total Grow Iowa Values Fund	475,805	0	49,000,000	0	49,000,000		
Federal Economic Stimulus							
Marketing Programs	0	6,782,949	0	0	0		

Economic Development

Non General Fund

	Actual FY 2004 <u>(1)</u>	Estimated FY 2005 <u>(2)</u>	Final Action FY 2006 <u>(3)</u>	Item Veto FY 2006 <u>(4)</u>	Net Final Act FY 2006 <u>(5)</u>	Bill Number <u>(6)</u>	Page & Line Number <u>(7)</u>
<u>Economic Development, Dept. of (cont.)</u>							
Federal Economic Stimulus (cont.)							
DED Programs	0	61,745,652	0	0	0		
Targeted State Parks	0	475,806	0	0	0		
Loan/Credit Guarantee	0	5,728,402	0	0	0		
University College Programs	0	10,058,162	0	0	0		
Workforce Training - Comm. Colleges	0	3,848,668	0	0	0		
Workforce Training/Job Retention	0	1,000,000	0	0	0		
Endow Iowa Grants	0	155,303	0	0	0		
Endow Iowa Grants - GF	0	155,303	0	0	0		
Cash Reserve Fund	0	10,749,754	0	0	0		
Total Federal Economic Stimulus	<u>0</u>	<u>100,699,999</u>	<u>0</u>	<u>0</u>	<u>0</u>		
Total Economic Development, Dept. of	<u>\$ 148,420,608</u>	<u>\$ 150,751,272</u>	<u>\$ 104,026,012</u>	<u>\$ 0</u>	<u>\$ 104,026,012</u>		
<u>Iowa Workforce Development</u>							
Job Service ACS (Surcharge)	\$ 6,525,000	\$ 6,525,000	\$ 0	\$ 0	\$ 0		
P&I Immigration Service Center	160,000	160,000	0	0	0		
Workforce - Fed. Funds	455,745,387	450,158,797	450,859,504	0	450,859,504	S.F. 346	PG 24 LN 10
P & I Industrial Programs	471,000	471,000	471,000	0	471,000	H.F. 809	PG 10 LN 18
Total Iowa Workforce Development	<u>\$ 462,901,387</u>	<u>\$ 457,314,797</u>	<u>\$ 451,330,504</u>	<u>\$ 0</u>	<u>\$ 451,330,504</u>		
<u>Public Employment Relations Board</u>							
PERB - Fed. Funds	\$ 0	\$ 9,864	\$ 0	\$ 0	\$ 0		
<u>Treasurer of State</u>							
Iowa Cultural Trust	\$ 475,806	\$ 0	\$ 1,000,000	\$ 0	\$ 1,000,000	H.F. 809	PG 15 LN 2
Total Economic Development	<u><u>\$ 611,797,801</u></u>	<u><u>\$ 608,075,933</u></u>	<u><u>\$ 556,356,516</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 556,356,516</u></u>		

Education

Non General Fund

	Actual FY 2004	Estimated FY 2005	Final Action FY 2006	Item Veto FY 2006	Net Final Act FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Blind, Iowa Commission for the</u>							
Newsline for the Blind - HITT	\$ 0	\$ 130,000	\$ 130,000	\$ 0	\$ 130,000	H.F. 862	PG 7 LN 24
Blind - Fed. Funds	7,142,824	7,866,028	7,866,028	0	7,866,028	S.F. 346	PG 16 LN 29
Total Blind, Iowa Commission for the	\$ 7,142,824	\$ 7,996,028	\$ 7,996,028	\$ 0	\$ 7,996,028		
<u>College Aid Commission</u>							
College Aid - Fed. Funds	\$ 22,184,501	\$ 28,032,025	\$ 27,832,025	\$ 0	\$ 27,832,025	S.F. 346	PG 17 LN 9
<u>Cultural Affairs, Dept. of</u>							
Cultural Affairs - Fed. Funds	\$ 1,359,359	\$ 1,632,205	\$ 1,274,845	\$ 0	\$ 1,274,845	S.F. 346	PG 17 LN 31
<u>Education, Department of</u>							
Empowerment - HITT	\$ 2,153,250	\$ 2,153,250	\$ 2,153,250	\$ 0	\$ 2,153,250	H.F. 862	PG 8 LN 12
Education - Fed. Funds	407,176,411	429,677,398	414,575,136	0	414,575,136	S.F. 346	PG 18 LN 12
Total Education, Department of	\$ 409,329,661	\$ 431,830,648	\$ 416,728,386	\$ 0	\$ 416,728,386		
<u>Regents, Board of</u>							
Regents - Federal Funds	\$ 350,749,927	\$ 348,761,768	\$ 381,986,628	\$ 0	\$ 381,986,628	S.F. 346	PG 22 LN 11
Total Education	\$ 790,766,272	\$ 818,252,674	\$ 835,817,912	\$ 0	\$ 835,817,912		

Health and Human Services

Non General Fund

	Actual FY 2004 (1)	Estimated FY 2005 (2)	Final Action FY 2006 (3)	Item Veto FY 2006 (4)	Net Final Act FY 2006 (5)	Bill Number (6)	Page & Line Number (7)
<u>Economic Development, Dept. of</u>							
IFA - Asst. Living Rent Sub - SLTF	\$ 0	\$ 0	\$ 700,000	\$ 0	\$ 700,000	H.F. 825	PG 52 LN 20
<u>Elder Affairs, Department of</u>							
Aging Programs - SLTF	\$ 7,522,118	\$ 8,222,118	\$ 8,289,368	\$ 0	\$ 8,289,368	H.F. 825	PG 50 LN 13
Elder Affairs - Fed. Funds	18,592,342	18,859,424	17,891,324	0	17,891,324	S.F. 346	PG 18 LN 19
Total Elder Affairs, Department of	\$ 26,114,460	\$ 27,081,542	\$ 26,180,692	\$ 0	\$ 26,180,692		
<u>Health, Department of Public</u>							
Tobacco Use Prev./Control - HITT	\$ 5,011,565	\$ 5,011,565	\$ 5,011,565	\$ 0	\$ 5,011,565	H.F. 862	PG 2 LN 11
Smoking Cessation Prod.- HITT	75,000	75,000	75,000	0	75,000	H.F. 862	PG 3 LN 4
Children Sub. Abuse Prev. - HITT	0	0	400,000	0	400,000	H.F. 862	PG 5 LN 6
Healthy Iowans 2010 - HITT	2,346,960	2,346,960	2,509,960	0	2,509,960	H.F. 862	PG 4 LN 4
Defibrillator Grant Prog. - HITT	0	250,000	250,000	0	250,000	H.F. 862	PG 4 LN 28
Capitol Defibrillator - HITT	0	0	100,000	0	100,000	H.F. 862	PG 4 LN 31
Birth Defects Registry - HITT	0	26,000	26,000	0	26,000	H.F. 862	PG 5 LN 3
Addictive Disorders - Gambling	1,690,000	1,690,000	1,690,000	0	1,690,000	H.F. 825	PG 8 LN 31
Gambling Treatment Program	2,231,000	6,441,810	6,441,810	0	6,441,810	H.F. 825	PG 9 LN 3
Substance Abuse - HITT	11,800,000	11,800,000	11,800,000	0	11,800,000	H.F. 862	PG 3 LN 14
Sub Abuse Prevention - HITT	400,000	0	400,000	0	400,000	H.F. 862	PG 5 LN 26
Substance Abuse - Fed. Fund	12,078,439	12,915,707	13,641,441	0	13,641,441	S.F. 346	PG 1 LN 2
Maternal/Child Health - Fed. Fund	7,131,009	7,115,676	6,760,133	0	6,760,133	S.F. 346	PG 3 LN 15
Preventive Health - Fed. Funds	1,505,162	1,505,162	1,500,443	0	1,500,443	S.F. 346	PG 4 LN 34
Dept. of Health - Fed. Funds	80,644,227	85,868,536	84,384,063	0	84,384,063	S.F. 346	PG 21 LN 30
Child. Sub. Abuse Prev. Children - HITT	0	0	800,000	0	800,000	H.F. 862	PG 6 LN 22
Child. Sub. Abuse Prev. Children - HITT	0	0	-400,000	0	-400,000	H.F. 882	PG 10 LN 6
Ryan White Care Act - HITT	0	0	275,000	0	275,000	H.F. 882	PG 8 LN 11
PKU Assistance - HITT	0	0	60,000	0	60,000	H.F. 882	PG 6 LN 30

Health and Human Services

Non General Fund

	Actual FY 2004 (1)	Estimated FY 2005 (2)	Final Action FY 2006 (3)	Item Veto FY 2006 (4)	Net Final Act FY 2006 (5)	Bill Number (6)	Page & Line Number (7)
Health, Department of Public (cont.)							
Children Sub. Abuse Prev. - HITT	0	0	-200,000	0	-200,000	H.F. 882	PG 9 LN 31
Sub Abuse Prevention - HITT	0	0	-200,000	0	-200,000	H.F. 882	PG 9 LN 35
Total Health, Department of Public	\$ 124,913,362	\$ 135,046,416	\$ 135,325,415	\$ 0	\$ 135,325,415		
Human Services, Department of							
Medical Services							
Medicaid Combinations - HITT	\$ 0	\$ 0	\$ 35,013,803	\$ 0	\$ 35,013,803	H.F. 862	PG 1 LN 8
CHIP Exp. to 200% of FPL - HITT	200,000	200,000	200,000	0	200,000	H.F. 862	PG 2 LN 6
LTC Alternative Services - SLTF	101,600,000	101,600,000	59,647,109	0	59,647,109	H.F. 825	PG 51 LN 18
LTC Alt. Service Costs - SLTF	1,733,406	1,733,406	1,033,406	0	1,033,406	H.F. 825	PG 51 LN 23
LTC Provider Rate Changes - SLTF	29,950,000	29,950,000	29,950,000	0	29,950,000	H.F. 825	PG 51 LN 32
Nurse Facility Grants - SLTF	20,000,000	20,000,000	0	0	0		
Phys Et Al Provider Increase - HITT	8,095,718	8,095,718	0	0	0		
Dental Provider Increase - HITT	3,814,973	3,814,973	0	0	0		
Hospital Provider Increase - HITT	3,035,278	3,035,278	0	0	0		
Home Hlth. Care Prov. Increase - HITT	2,108,279	2,108,279	0	0	0		
Critical Access Hospitals - HITT	250,000	250,000	0	0	0		
Home Hlth. & Hab. Day Care - HITT	1,975,496	1,975,496	0	0	0		
Respite Care Expansion - HITT	1,137,309	1,137,309	0	0	0		
Breast Cancer Treatment - HITT	250,000	250,000	0	0	0		
Med. Assist. Supplemental - HITT	14,346,750	14,346,750	0	0	0		
Medicaid - Hospital Trust Fund	29,000,000	37,500,000	22,900,000	0	22,900,000	H.F. 825	PG 52 LN 33
MH Costs For Children Under 18	6,600,000	6,600,000	0	0	0		
UIHC Indigent Patient - ICA	0	0 ⁸¹	27,284,584	0 ⁸¹	27,284,584	H.F. 841	PG 48 LN 8
Broadlawns Hospita I - ICA	0	0 ⁸¹	40,000,000	0 ⁸¹	40,000,000	H.F. 841	PG 48 LN 21
Cherokee MHI - ICA	0	0 ⁸¹	9,098,425	0 ⁸¹	9,098,425	H.F. 841	PG 49 LN 11
Clarinda MHI - ICA	0	0 ⁸¹	1,977,305	0 ⁸¹	1,977,305	H.F. 841	PG 49 LN 17
Independence MHI - ICA	0	0 ⁸¹	9,045,894	0 ⁸¹	9,045,894	H.F. 841	PG 49 LN 23

Health and Human Services

Non General Fund

	Actual FY 2004 (1)	Estimated FY 2005 (2)	Final Action FY 2006 (3)	Item Veto FY 2006 (4)	Net Final Act FY 2006 (5)	Bill Number (6)	Page & Line Number (7)
Human Services, Department of (cont.)							
Medical Services (cont.)							
Mt. Pleasant MHI - ICA	0	0 ⁸¹	5,752,587	0 ⁸¹	5,752,587	H.F. 841	PG 49 LN 29
Medical Exams - HCTA	0	0 ⁸¹	136,500	0 ⁸¹	136,500	H.F. 841	PG 50 LN 7
Medical Hotline - HCTA	0	0 ⁸¹	150,000	0 ⁸¹	150,000	H.F. 841	PG 50 LN 11
Insurance Subsidy - HCTA	0	0 ⁸¹	150,000	0 ⁸¹	150,000	H.F. 841	PG 50 LN 15
Health Care Account - HCTA	0	0 ⁸¹	50,000	0 ⁸¹	50,000	H.F. 841	PG 50 LN 18
Elec. Med. Records - HCTA	0	0 ⁸¹	100,000	0 ⁸¹	100,000	H.F. 841	PG 50 LN 21
Partner Activities - HCTA	0	0 ⁸¹	550,000	0 ⁸¹	550,000	H.F. 841	PG 50 LN 25
Audits Studies - HCTA	0	0 ⁸¹	100,000	0 ⁸¹	100,000	H.F. 841	PG 50 LN 28
DHS Administration - HCTA	0	0 ⁸¹	910,000	0 ⁸¹	910,000	H.F. 841	PG 50 LN 31
Hospital Trust Fund	0	0 ⁸¹	-22,900,000	0 ⁸¹	-22,900,000	H.F. 841	PG 52 LN 29
Medicaid Increase - SLTF	0	0	9,353,381	0	9,353,381	H.F. 882	PG 16 LN 10
Total Medical Services	224,097,209	232,597,209	158,097,699	0	158,097,699		
Child and Family Services							
RTSS Provider Increase - HITT	3,243,026	3,243,026	0	0	0		
Adoption & Shelter Care - HITT	468,967	468,967	0	0	0		
Provider Rate/Meth. Changes - HITT	545,630	545,630	0	0	0		
Child and Family Services - HITT	0	0	4,257,623	0	4,257,623	H.F. 862	PG 1 LN 34
Total Child and Family Services	4,257,623	4,257,623	4,257,623	0	4,257,623		
MH/MR/DD/BI							
POS Provider Increase - HITT	146,750	146,750	146,750	0	146,750	H.F. 862	PG 7 LN 31
Managing and Delivering Services							
General Administration - HITT	0	274,000	274,000	0	274,000	H.F. 862	PG 2 LN 9
Federal Funds - TANF, etc.							
Promise Jobs - TANF	13,040,875	13,412,794	13,412,794	0	13,412,794	H.F. 825	PG 10 LN 28
Field Operations - TANF	14,230,751	16,280,254	16,702,033	0	16,702,033	H.F. 825	PG 10 LN 33

Health and Human Services

Non General Fund

	Actual FY 2004 <u>(1)</u>	Estimated FY 2005 <u>(2)</u>	Final Action FY 2006 <u>(3)</u>	Item Veto FY 2006 <u>(4)</u>	Net Final Act FY 2006 <u>(5)</u>	Bill Number <u>(6)</u>	Page & Line Number <u>(7)</u>
<u>Human Services, Department of (cont.)</u>							
Federal Funds - TANF, etc. (cont.)							
General Admin. - TANF	3,638,614	3,660,030	3,730,547	0	3,730,547	H.F. 825	PG 10 LN 35
Local Admin. Cost - TANF	2,122,982	2,136,565	2,181,296	0	2,181,296	H.F. 825	PG 11 LN 2
State Day Care - TANF	21,145,765	18,073,746	14,556,560	0	14,556,560	H.F. 825	PG 11 LN 4
Child & Fam. Serv. - TANF	25,424,380	33,475,728	31,538,815	0	31,538,815	H.F. 825	PG 11 LN 22
Child Abuse Prevention - TANF	63,938	250,000	250,000	0	250,000	H.F. 825	PG 11 LN 24
Pregnancy Prevent. - TANF	2,610,874	2,514,413	2,520,037	0	2,520,037	H.F. 825	PG 11 LN 26
Training & Tech. - TANF	781,350	1,037,186	1,037,186	0	1,037,186	H.F. 825	PG 12 LN 15
Volunteers - TANF	42,663	0	0	0	0		
HOPEs - Transfer to DPH - TANF	198,453	200,000	200,000	0	200,000	H.F. 825	PG 12 LN 19
0-5 Children - TANF	7,347,756	7,350,000	7,350,000	0	7,350,000	H.F. 825	PG 12 LN 23
Child Support Recovery - TANF	0	200,000	200,000	0	200,000	H.F. 825	PG 12 LN 35
MH/DD Comm. Services - TANF	4,349,266	4,500,610	4,798,979	0	4,798,979	H.F. 825	PG 11 LN 19
FIP - TANF	41,022,054	45,277,569	44,277,569	0	44,277,569	H.F. 825	PG 10 LN 24
Fatherhood Initiative - TANF	50,550	0	0	0	0		
Comm. Mental Health - Fed. Funds	3,612,827	3,704,898	3,704,898	0	3,704,898	S.F. 346	PG 2 LN 1
Marriage Initiative - TANF	83,680	0	0	0	0		
Social Services - Fed. Funds	17,578,494	17,216,209	17,216,209	0	17,216,209	S.F. 346	PG 11 LN 1
Childcare Development - Fed. Funds	42,089,767	42,310,187	40,846,720	0	40,846,720	S.F. 346	PG 13 LN 21
DHS - Fed. Funds	1,998,347,987	1,929,389,697	2,002,855,533	0	2,002,855,533	S.F. 346	PG 19 LN 24
Total Federal Funds - TANF, etc.	<u>2,197,783,026</u>	<u>2,140,989,886</u>	<u>2,207,379,176</u>	<u>0</u>	<u>2,207,379,176</u>		
Total Human Services, Department of	<u>\$ 2,426,284,608</u>	<u>\$ 2,378,265,468</u>	<u>\$ 2,370,155,248</u>	<u>\$ 0</u>	<u>\$ 2,370,155,248</u>		
<u>Inspections & Appeals, Dept of</u>							
Health Facilities Division - SLTF	\$ 800,000	\$ 800,000	\$ 732,750	\$ 0	\$ 732,750	H.F. 825	PG 50 LN 33
<u>Veterans Affairs, Comm. of</u>							
Veterans Affairs - Fed. Funds	<u>\$ 14,134,272</u>	<u>\$ 13,852,945</u>	<u>\$ 13,851,729</u>	<u>\$ 0</u>	<u>\$ 13,851,729</u>	S.F. 346	PG 24 LN 2
Total Health and Human Services	<u>\$ 2,592,246,702</u>	<u>\$ 2,555,046,371</u>	<u>\$ 2,546,945,834</u>	<u>\$ 0</u>	<u>\$ 2,546,945,834</u>		
Contingency ⁸¹ UIHC Indigent Patient - ICA	\$ 0	\$ 0	\$ 72,405,295	\$ 0	\$ 72,405,295		

Justice System

Non General Fund

	Actual FY 2004	Estimated FY 2005	Final Action FY 2006	Item Veto FY 2006	Net Final Act FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Justice, Department of</u>							
Stop Violence - Fed. Funds	\$ 1,853,100	\$ 1,614,000	\$ 1,471,000	\$ 0	\$ 1,471,000	S.F. 346	PG 6 LN 7
Justice - Fed. Funds	6,794,265	6,877,470	7,030,370	0	7,030,370	S.F. 346	PG 20 LN 12
Environmental Crime Investigations	0	0 ¹⁵	20,000	0 ¹⁵	20,000	H.F. 811	PG 4 LN 4
Fine Paper Anti-Trust	0	0 ¹³	200,000	0 ¹³	200,000	H.F. 811	PG 1 LN 34
Consumer Fraud Refunds	0	0 ¹⁴	1,200,000	0 ¹⁴	1,200,000	H.F. 811	PG 2 LN 20
Total Justice, Department of	\$ 8,647,365	\$ 8,491,470	\$ 8,501,370	\$ 0	\$ 8,501,370		
<u>Civil Rights Commission</u>							
Civil Rights - Fed. Funds	\$ 1,192,221	\$ 1,212,408	\$ 1,114,903	\$ 0	\$ 1,114,903	S.F. 346	PG 17 LN 1
<u>Corrections, Department of</u>							
Corrections Institutions							
Clinical Care Unit - HITT	\$ 1,187,285	\$ 1,187,285	\$ 1,187,285	\$ 0	\$ 1,187,285	H.F. 862	PG 8 LN 18
Newton Value Based - HITT	310,000	370,000	310,000	0	310,000	H.F. 862	PG 7 LN 18
Mitchellville Value-Based - HITT	0	0	60,000	-60,000	0	H.F. 862	PG 7 LN 21
Total Corrections Institutions	1,497,285	1,557,285	1,557,285	-60,000	1,497,285		
Corrections Central Office							
DOC - Fed. Funds	1,740,642	1,949,400	1,449,400	0	1,449,400	S.F. 346	PG 17 LN 24
CBC Districts							
CBC District II - HITT	127,217	127,217	296,217	0	296,217	H.F. 862	PG 6 LN 35
CBC District III - HITT	35,359	35,359	100,359	0	100,359	H.F. 862	PG 7 LN 7
CBC District IV - HITT	191,731	191,731	191,731	0	191,731	H.F. 862	PG 7 LN 11
CBC District V - HITT	255,693	255,693	255,693	0	255,693	H.F. 862	PG 7 LN 14
District I Operations - HITT	0	0	100,000	0	100,000	H.F. 811	PG 28 LN 3
District II Operations - HITT	0	0	100,000	0	100,000	H.F. 811	PG 28 LN 3
District III Operations - HITT	0	0	100,000	0	100,000	H.F. 811	PG 28 LN 3
District IV Operations - HITT	0	0	100,000	0	100,000	H.F. 811	PG 28 LN 3

Justice System

Non General Fund

	Actual FY 2004	Estimated FY 2005	Final Action FY 2006	Item Veto FY 2006	Net Final Act FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Corrections, Department of (cont.)</u>							
CBC Districts (cont.)							
District V Operations - HITT	0	0	100,000	0	100,000	H.F. 811	PG 28 LN 3
District VI Operations - HITT	0	0	100,000	0	100,000	H.F. 811	PG 28 LN 3
District VII Operations - HITT	0	0	100,000	0	100,000	H.F. 811	PG 28 LN 3
District VIII Operations - HITT	0	0	100,000	0	100,000	H.F. 811	PG 28 LN 3
Total CBC Districts	610,000	610,000	1,644,000	0	1,644,000		
Total Corrections, Department of	\$ 3,847,927	\$ 4,116,685	\$ 4,650,685	\$ -60,000	\$ 4,590,685		
<u>Judicial Branch</u>							
Judicial - Fed. Funds	\$ 558,604	\$ 1,008,633	\$ 1,008,633	\$ 0	\$ 1,008,633	S.F. 346	PG 20 LN 5
<u>Public Defense, Department of</u>							
Public Defense - Fed. Funds	\$ 52,971,055	\$ 141,944,453	\$ 129,738,771	\$ 0	\$ 129,738,771	S.F. 346	PG 21 LN 14
<u>Public Safety, Department of</u>							
Fire Marshal School Infra.	\$ 50,000	\$ 50,000	\$ 0	\$ 0	\$ 0		
Microsoft - State Patrol	0	0 ⁷²	785,000	0 ⁷²	785,000	H.F. 811	PG 28 LN 20
Microsoft - DPS DNA	0	0 ⁸²	929,206	0 ⁸²	929,206	H.F. 811	PG 29 LN 1
Public Safety - Fed. Funds	8,394,394	7,626,005	6,771,492	0	6,771,492	S.F. 346	PG 22 LN 3
Total Public Safety, Department of	\$ 8,444,394	\$ 7,676,005	\$ 6,771,492	\$ 0	\$ 6,771,492		
Total Justice System	\$ 75,661,566	\$ 164,449,654	\$ 151,785,854	\$ -60,000	\$ 151,725,854		
Contingency ¹³ Fine Paper Anti-Trust	\$ 0	\$ 0	\$ 200,000	\$ 0	\$ 200,000		
Contingency ¹⁴ Consumer Fraud Refunds	\$ 0	\$ 0	\$ 1,200,000	\$ 0	\$ 1,200,000		
Contingency ¹⁵ Environmental Crime Invest	\$ 0	\$ 0	\$ 20,000	\$ 0	\$ 20,000		
Contingency ⁷² Microsoft - State Patrol	\$ 0	\$ 0	\$ 785,000	\$ 0	\$ 785,000		
Contingency ⁸² Microsoft - DPS DNA	\$ 0	\$ 0	\$ 929,206	\$ 0	\$ 929,206		

Trans., Infra., and Capitals

Non General Fund

	Actual FY 2004	Estimated FY 2005	Final Action FY 2006	Item Veto FY 2006	Net Final Act FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Administrative Services Capitals							
Pooled Technology - RIIF	\$ 2,000,000	\$ 1,861,496	\$ 3,802,000	\$ 0	\$ 3,802,000	H.F. 875	PG 2 LN 2
Temp. Lease/Relocation - RIIF	631,449	2,271,617	1,824,000	0	1,824,000	H.F. 875	PG 2 LN 13
Statewide Routine Maint - RIIF	1,664,000	2,000,000	2,000,000	0	2,000,000	H.F. 875	PG 2 LN 18
Major Maintenance - RIIF	0	4,300,000	291,891	0	291,891	H.F. 875	PG 2 LN 22
Capitol Electrical Distribution - RIIF	0	0	1,843,878	0	1,843,878	H.F. 875	PG 2 LN 27
CCUSO Renovation - RIIF	0	0	1,400,000	0	1,400,000	H.F. 875	PG 2 LN 30
Toledo Power House - RIIF	0	0	1,161,045	0	1,161,045	H.F. 875	PG 2 LN 33
Wallace Bldg Renovation - RIIF	0	0	625,000	0	625,000	H.F. 875	PG 3 LN 1
Terrace Hill Improvement - RIIF	0	0	571,000	0	571,000	H.F. 875	PG 3 LN 3
Capitol Restoration Interior - RCF	6,239,000	3,500,000	4,500,000	0	4,500,000	H.F. 875	PG 18 LN 1
CCUSO Renovation - RCF	0	0	650,000	0	650,000	H.F. 875	PG 18 LN 17
Major Maintenance - RCF	11,500,000	0	3,000,000	0	3,000,000	H.F. 875	PG 18 LN 21
Major Maintenance - VIF	0	0	5,623,200	0	5,623,200	H.F. 875	PG 22 LN 30
Integrated Info. System - RCF	6,131,075	6,049,284	0	0	0		
Lab Fac. Routine Maintenance - RIIF	0	355,500	0	0	0		
State Laboratory Facility - RCF	16,660,000	0	0	0	0		
Wallace Bldg Demolition Plan - RIIF	50,000	0	0	0	0		
Records & Property Renovation - RIIF	4,750,000	5,000,000	4,700,000	0	4,700,000	2004 Session	
Medical & Education Bldg. - RIIF	250,000	0	0	0	0		
African American Museum - RIIF	300,000	0	0	0	0		
Records Relocation - RIIF	729,237	0	0	0	0		
Monument Lighting - RIIF	0	35,000	0	0	0		
Total Administrative Services Capitals	\$ 50,904,761	\$ 25,372,897	\$ 31,992,014	\$ 0	\$ 31,992,014		
Ag. & Land Stewardship							
Cons. Reserve Enhance (CREP) - EFF	\$ 1,500,000	\$ 1,500,000	\$ 1,500,000	\$ 0	\$ 1,500,000	H.F. 875	PG 12 LN 25
Watershed Protection Program - EFF	2,700,000	2,700,000	2,700,000	0	2,700,000	H.F. 875	PG 12 LN 35
Farm Demonstration Program - EFF	850,000	850,000	850,000	0	850,000	H.F. 875	PG 13 LN 7

Trans., Infra., and Capitals Non General Fund

	Actual FY 2004	Estimated FY 2005	Final Action FY 2006	Item Veto FY 2006	Net Final Act FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Ag. & Land Stewardship (cont.)</u>							
Agricultural Drainage Wells - EFF	500,000	500,000	500,000	0	500,000	H.F. 875	PG 13 LN 19
Soil Conservation Cost Share - EFF	5,500,000	5,500,000	5,500,000	0	5,500,000	H.F. 875	PG 13 LN 27
Cons. Reserve Prog. (CRP) - EFF	2,000,000	2,000,000	2,000,000	0	2,000,000	H.F. 875	PG 14 LN 21
Loess Hills Cons. Authority - EFF	600,000	600,000	600,000	0	600,000	H.F. 875	PG 14 LN 29
Southern Iowa Cons. Authority - EFF	300,000	300,000	300,000	0	300,000	H.F. 875	PG 15 LN 7
Total Ag. & Land Stewardship	\$ 13,950,000	\$ 13,950,000	\$ 13,950,000	\$ 0	\$ 13,950,000		
<u>Dept. for the Blind Capitals</u>							
Orientation Center Improvements - RIIF	\$ 0	\$ 67,000	\$ 0	\$ 0	\$ 0		
<u>DED Capitals</u>							
Federal Enterprise Zone - RIIF	\$ 0	\$ 0	\$ 500,000	\$ 0	\$ 500,000	H.F. 875	PG 3 LN 32
Ferryboat Study - RIIF	0	0	60,000	0	60,000	H.F. 875	PG 4 LN 3
IFA - Transitional Housing - RIIF	0	0	1,400,000	0	1,400,000	H.F. 875	PG 5 LN 14
Brownfields Redevelopment Prog. - EFF	500,000	500,000	500,000	0	500,000	H.F. 875	PG 15 LN 12
ACE Program - RCF	2,500,000	0	1,500,000	0	1,500,000	H.F. 875	PG 18 LN 30
ACE Program - VIF	0	0	4,000,000	0	4,000,000	H.F. 875	PG 23 LN 19
ACE Program - RIIF	3,000,000	5,500,000	0	0	0		
National Special Olympics - RIIF	0	500,000	0	0	0		
Nonprofit Recreation Grants - RIIF	0	200,000	0	0	0		
Lewis & Clark Bicentennial - RIIF	0	50,000	0	0	0		
Comm. Attraction and Tourism - RIIF	0	12,000,000	5,000,000	0	5,000,000	2004 Session	
Housing Trust Fund - RIIF	800,000	0	0	0	0		
Total DED Capitals	\$ 6,800,000	\$ 18,750,000	\$ 12,960,000	\$ 0	\$ 12,960,000		
<u>IA Telecommun & Technology Commission</u>							
ICN Equipment Replacement - RCF	\$ 0	\$ 0	\$ 1,704,719	\$ 0	\$ 1,704,719	H.F. 875	PG 19 LN 17

Trans., Infra., and Capitals

Non General Fund

	Actual FY 2004 <u>(1)</u>	Estimated FY 2005 <u>(2)</u>	Final Action FY 2006 <u>(3)</u>	Item Veto FY 2006 <u>(4)</u>	Net Final Act FY 2006 <u>(5)</u>	Bill Number <u>(6)</u>	Page & Line Number <u>(7)</u>
Transportation, Department of							
Transportation, Department of							
DOT - Fed.Funds	\$ 357,791,192	\$ 276,720,000	\$ 275,720,000	\$ 0	\$ 275,720,000	S.F. 346	PG 23 LN 29
Road Use Tax Fund							
Driver's License Equip. Lease	2,820,000	2,820,000	2,820,000	0	2,820,000	H.F. 466	PG 1 LN 6
Operations	6,081,902	5,464,582	5,450,315	0	5,450,315	H.F. 466	PG 1 LN 17
Administrative Services	626,489	581,794	553,239	0	553,239	H.F. 466	PG 1 LN 19
Planning	470,073	472,637	458,187	0	458,187	H.F. 466	PG 1 LN 21
Motor Vehicle	30,444,470	31,684,599	30,908,798	0	30,908,798	H.F. 466	PG 1 LN 23
Personnel Reimbursement	37,500	37,500	0	0	0		
DAS Utility Services	0	0	140,616	0	140,616	H.F. 466	PG 1 LN 25
Unemployment Compensation	17,000	17,000	17,000	0	17,000	H.F. 466	PG 1 LN 28
Worker's Compensation	77,000	95,000	114,000	0	114,000	H.F. 466	PG 1 LN 30
Indirect Cost Recoveries	102,000	102,000	102,000	0	102,000	H.F. 466	PG 1 LN 35
Auditor Reimbursement	54,314	54,314	55,160	0	55,160	H.F. 466	PG 2 LN 3
MVD - County Treasurers	0	1,096,000	1,268,000	0	1,268,000	H.F. 466	PG 2 LN 6
511 Road/Weather Info. System	100,000	100,000	100,000	0	100,000	H.F. 466	PG 2 LN 10
Mississippi River Pkwy. Comm.	40,000	40,000	40,000	0	40,000	H.F. 466	PG 2 LN 14
I-35 Super Highway Coalition	50,000	50,000	50,000	0	50,000	H.F. 466	PG 2 LN 17
Motor Vehicle Division Bldg.	0	0	9,350,000	0	9,350,000	H.F. 466	PG 2 LN 20
County Driver's Lic. Issuance	30,000	0	0	0	0		
Missouri Valley Scale Overlay	200,000	0	0	0	0		
Vehicle Reg. System Rewrite	5,000,000	0	0	0	0		
Total Road Use Tax Fund	46,150,748	42,615,426	51,427,315	0	51,427,315		
Primary Road Fund							
Operations	32,463,476	33,886,242	33,480,509	0	33,480,509	H.F. 466	PG 3 LN 6
Administrative Services	3,330,395	3,591,903	3,398,458	0	3,398,458	H.F. 466	PG 3 LN 9
Planning	8,734,445	8,980,115	8,705,565	0	8,705,565	H.F. 466	PG 3 LN 12

Trans., Infra., and Capitals

Non General Fund

	Actual FY 2004	Estimated FY 2005	Final Action FY 2006	Item Veto FY 2006	Net Final Act FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Transportation, Department of (cont.)</u>							
Primary Road Fund (cont.)							
Highways	181,933,014	189,914,084	189,325,084	0	189,325,084	H.F. 466	PG 3 LN 15
Motor Vehicle	1,225,994	1,318,248	1,252,049	0	1,252,049	H.F. 466	PG 3 LN 18
Personnel Reimbursement	712,500	712,500	0	0	0		
DAS Utility Services	0	0	863,497	0	863,497	H.F. 466	PG 3 LN 21
Unemployment Compensation	328,000	328,000	328,000	0	328,000	H.F. 466	PG 3 LN 24
Worker's Compensation	1,883,000	2,268,000	2,738,000	0	2,738,000	H.F. 466	PG 3 LN 26
Hazardous Waste Management	800,000	800,000	800,000	0	800,000	H.F. 466	PG 3 LN 31
Indirect Cost Recoveries	748,000	748,000	748,000	0	748,000	H.F. 466	PG 3 LN 34
Auditor Reimbursement	336,036	336,036	338,840	0	338,840	H.F. 466	PG 4 LN 2
Transportation Maps	275,000	275,000	275,000	0	275,000	H.F. 466	PG 4 LN 5
Utility Improvements	0	0	150,000	0	150,000	H.F. 466	PG 4 LN 8
Garage Roofing Projects	300,000	0	150,000	0	150,000	H.F. 466	PG 4 LN 10
HVAC Improvements	0	0	250,000	0	250,000	H.F. 466	PG 4 LN 12
Field Facility Deferred Maint.	351,500	351,500	351,500	0	351,500	H.F. 466	PG 4 LN 15
DOT Complex Projects	0	650,000	0	0	0		
Maintenance Garages	2,000,000	0	0	0	0		
Total Primary Road Fund	235,421,360	244,159,628	243,154,502	0	243,154,502		
Total Transportation, Department of	\$ 639,363,300	\$ 563,495,054	\$ 570,301,817	\$ 0	\$ 570,301,817		
<u>Treasurer of State</u>							
Prison Bond Debt Service - RCF	\$ 5,411,986	\$ 5,413,324	\$ 5,422,390	\$ 0	\$ 5,422,390	H.F. 875	PG 20 LN 35
County Fair Improvements - VIF	0	0	1,060,000	0	1,060,000	H.F. 875	PG 24 LN 6
County Fair Improvements - RCF	1,060,000	0	0	0	0		
ICN Debt Service - RCF	13,039,378	13,039,778	0	0	0		
Comm. Attraction & Tourism - RCF	12,500,000	0	0	0	0		

Trans., Infra., and Capitals Non General Fund

	Actual FY 2004	Estimated FY 2005	Final Action FY 2006	Item Veto FY 2006	Net Final Act FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Treasurer of State (cont.)</u>							
Attorney Litigation Fees - RCF	700,000	0	0	0	0		
County Fair Improvements - RIIF	0	1,060,000	0	0	0		
Total Treasurer of State	\$ 32,711,364	\$ 19,513,102	\$ 6,482,390	\$ 0	\$ 6,482,390		
<u>Corrections Capital</u>							
Fort Dodge CBC Facility - RIIF	\$ 0	\$ 0	\$ 50,000	\$ 0	\$ 50,000	H.F. 875	PG 3 LN 5
Ft. Madison - Alliant Energy - RIIF	333,168	333,168	333,168	0	333,168	H.F. 875	PG 3 LN 9
Anamosa Dietary Renovation - RIIF	0	0	940,000	0	940,000	H.F. 875	PG 3 LN 13
Jesse Parker Bldg. Rent - RIIF	0	0	105,300	0	105,300	H.F. 875	PG 3 LN 16
DOC Facility Leases - RIIF	0	0	122,000	0	122,000	H.F. 875	PG 3 LN 21
Anamosa Dietary Renovation - RCF	0	0	600,000	0	600,000	H.F. 875	PG 18 LN 26
Oakdale Expansion - RCF	7,500,000	11,700,000	11,700,000	0	11,700,000	2003 Session	
Clarinda Bed Expansion - RIIF	730,400	0	0	0	0		
Luster Heights Expansion - RIIF	92,000	0	0	0	0		
Davenport CBC - RIIF	0	3,000,000	3,750,000	0	3,750,000	2004 Session	
Total Corrections Capital	\$ 8,655,568	\$ 15,033,168	\$ 17,600,468	\$ 0	\$ 17,600,468		
<u>Cultural Affairs Capital</u>							
Battle Flag Preservation - RIIF	\$ 150,000	\$ 100,000	\$ 220,000	\$ 0	\$ 220,000	H.F. 875	PG 3 LN 26
Historical Site Preservation - VIF	0	0	500,000	0	500,000	H.F. 875	PG 23 LN 5
Historical Site Preservation - RIIF	830,000	500,000	0	0	0		
Medal of Honor Kiosk - RIIF	125,000	0	0	0	0		
Total Cultural Affairs Capital	\$ 1,105,000	\$ 600,000	\$ 720,000	\$ 0	\$ 720,000		

Trans., Infra., and Capitals Non General Fund

	Actual FY 2004	Estimated FY 2005	Final Action FY 2006	Item Veto FY 2006	Net Final Act FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>State Fair Authority Capital</u>							
Capital Improvements - RIF	\$ 0	\$ 250,000	\$ 750,000	\$ 0	\$ 750,000	H.F. 875	PG 5 LN 19
Capital Improvements - RCF	500,000	0	0	0	0		
Total State Fair Authority Capital	\$ 500,000	\$ 250,000	\$ 750,000	\$ 0	\$ 750,000		
<u>Human Services Capital</u>							
Ames Residential Treatment Fac. - RIF	\$ 0	\$ 0	\$ 250,000	\$ 0	\$ 250,000	H.F. 875	PG 5 LN 8
Davenport Family Center - RCF	0	0	250,000	0	250,000	H.F. 875	PG 19 LN 7
Total Human Services Capital	\$ 0	\$ 0	\$ 500,000	\$ 0	\$ 500,000		
<u>Natural Resources Capital</u>							
Air Quality Program - Storm Water Fees	\$ 0	\$ 0	\$ 275,000	\$ 0	\$ 275,000	H.F. 875	PG 1 LN 15
Lake Cornelia - RIF	0	0	429,000	0	429,000	H.F. 875	PG 6 LN 11
Waubonsie State Park - RIF	0	0	1,500,000	0	1,500,000	H.F. 875	PG 6 LN 16
Ft. Atkinson Restoration - RIF	0	0	500,000	0	500,000	H.F. 875	PG 6 LN 20
Mid-America Port Commission - RIF	0	0	80,000	0	80,000	H.F. 875	PG 6 LN 23
Volunteers & Keepers of Land - EFF	100,000	100,000	100,000	0	100,000	H.F. 875	PG 15 LN 17
Marine Fuel Tax Projects - EFF	2,300,000	2,300,000	2,300,000	0	2,300,000	H.F. 875	PG 15 LN 21
Park Operations & Maintenance - EFF	2,000,000	2,000,000	2,000,000	0	2,000,000	H.F. 875	PG 15 LN 27
GIS Information for Watersheds - EFF	195,000	195,000	195,000	0	195,000	H.F. 875	PG 15 LN 30
Water Quality Monitoring - EFF	2,955,000	2,955,000	2,955,000	0	2,955,000	H.F. 875	PG 15 LN 34
Water Quality Protection - EFF	500,000	500,000	500,000	0	500,000	H.F. 875	PG 16 LN 2
Lake Dredging - EFF	1,000,000	1,000,000	1,500,000	0	1,500,000	H.F. 875	PG 16 LN 6
REAP Program - EFF	11,000,000	11,000,000	11,000,000	0	11,000,000	H.F. 875	PG 16 LN 25
Air Quality Equipment - EFF	500,000	500,000	0	0	0		
Destination State Park - RCF	3,000,000	0	0	0	0		
Restore the Outdoors - RCF	2,500,000	0	0	0	0		

Trans., Infra., and Capitals Non General Fund

	Actual FY 2004	Estimated FY 2005	Final Action FY 2006	Item Veto FY 2006	Net Final Act FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Natural Resources Capital (cont.)</u>							
Lewis & Clark Water System - RCF	1,500,000	2,450,000	2,500,000	0	2,500,000	2002 Session	
Destination State Park - RIIF	0	500,000	3,000,000	0	3,000,000	H.F. 875	PG 6 LN 27
Total Natural Resources Capital	\$ 27,550,000	\$ 23,500,000	\$ 28,834,000	\$ 0	\$ 28,834,000		
<u>Public Defense Capital</u>							
Ft. Dodge Readiness Center - VIF	\$ 0	\$ 0	\$ 608,000	\$ 0	\$ 608,000	H.F. 875	PG 23 LN 31
Facility Maintenance Fund - VIF	0	0	1,269,000	0	1,269,000	H.F. 875	PG 23 LN 35
Camp Dodge Water System - VIF	0	0	1,939,800	0	1,939,800	H.F. 875	PG 24 LN 3
Armory Maintenance - RIIF	0	1,269,636	0	0	0		
Facility Maintenance - RCF	1,269,636	0	0	0	0		
Estherville Readiness Center - RCF	461,000	0	0	0	0		
Boone Armory Addition - RCF	1,095,000	0	0	0	0		
Ft. Dodge Readiness Center - RIIF	750,000	750,000	0	0	0		
Iowa City Readiness Center - RIIF	195,000	2,150,000	0	0	0		
Boone Armory Addition - RIIF	0	1,096,000	0	0	0		
Total Public Defense Capital	\$ 3,770,636	\$ 5,265,636	\$ 3,816,800	\$ 0	\$ 3,816,800		
<u>Public Safety Capital</u>							
AFIS Lease Purchase - RIIF	\$ 0	\$ 550,000	\$ 550,000	\$ 0	\$ 550,000	H.F. 875	PG 6 LN 30
Regional Fire Facilities - RIIF	50,000	150,000	800,000	0	800,000	H.F. 875	PG 7 LN 1
Fire Equipment Loan Fund - RIIF	500,000	500,000	500,000	0	500,000	H.F. 875	PG 7 LN 16
Capitol Bldg. Security - RIIF	800,000	800,000	0	0	0		
Dubuque Fire Facility - RCF	0	0	100,000	0	100,000	H.F. 875	PG 19 LN 12
Capitol Complex Security - RCF	1,000,000	0	0	0	0		
Capitol Complex Security - RIIF	0	300,000	0	0	0		
NCIC Control Terminal - RIIF	0	500,000	0	0	0		
Total Public Safety Capital	\$ 2,350,000	\$ 2,800,000	\$ 1,950,000	\$ 0	\$ 1,950,000		

Trans., Infra., and Capitals Non General Fund

	Actual FY 2004 <u>(1)</u>	Estimated FY 2005 <u>(2)</u>	Final Action FY 2006 <u>(3)</u>	Item Veto FY 2006 <u>(4)</u>	Net Final Act FY 2006 <u>(5)</u>	Bill Number <u>(6)</u>	Page & Line Number <u>(7)</u>
<u>Regents Capital</u>							
UNI - Playground Safety - RIF	\$ 500,000	\$ 500,000	\$ 500,000	\$ 0	\$ 500,000	H.F. 875	PG 5 LN 26
Special School Maintenance - RIF	0	500,000	500,000	0	500,000	H.F. 875	PG 7 LN 21
Maintenance/Capital Projects - RIF	0	0	6,250,000	0	6,250,000	H.F. 875	PG 7 LN 25
Tuition Replacement - RCF	10,610,409	10,437,174	10,329,981	0	10,329,981	H.F. 875	PG 20 LN 18
UNI - Steam Distribution - RCF	4,390,000	0	0	0	0		
SUI - Art Building - RCF	3,653,000	0	0	0	0		
SUI - Journalism Bldg. - RCF	7,200,000	3,575,000	0	0	0		
ISU - Classrooms & Auditoriums - RCF	10,177,300	1,949,100	0	0	0		
UNI - Teaching Center Bldg. - RCF	6,490,000	9,880,000	0	0	0		
ISD - Girls Dormitory - RIF	100,000	0	0	0	0		
IBSSS - Facility Improvements - RIF	100,000	0	0	0	0		
SUI - Old Capitol Improvements - RCF	350,000	0	0	0	0		
Tuition Replacement - RIF	350,000	858,764	0	0	0		
Total Regents Capital	\$ 43,920,709	\$ 27,700,038	\$ 17,579,981	\$ 0	\$ 17,579,981		
<u>Transportation Capitals</u>							
Aviation Improvement Program - RIF	\$ 500,000	\$ 500,000	\$ 564,792	\$ 0	\$ 564,792	H.F. 875	PG 7 LN 31
General Aviation - RIF	0	581,400	750,000	0	750,000	H.F. 875	PG 8 LN 4
Recreational Trails - RIF	0	0	1,000,000	0	1,000,000	H.F. 875	PG 8 LN 12
Rail Assistance - RIF	0	0	35,959	0	35,959	H.F. 875	PG 8 LN 22
Commercial Aviation Infra. - RCF	1,100,000	0	1,500,000	0	1,500,000	H.F. 875	PG 19 LN 22
General Aviation Airports - RCF	581,400	0	0	0	0		
Recreational Trails - RCF	1,000,000	0	0	0	0		
Commercial Aviation Infra. - RIF	0	1,100,000	0	0	0		
Total Transportation Capitals	\$ 3,181,400	\$ 2,181,400	\$ 3,850,751	\$ 0	\$ 3,850,751		
<u>Education Capital</u>							
Enrich Iowa Libraries-RIF	\$ 600,000	\$ 600,000	\$ 700,000	\$ 0	\$ 700,000	H.F. 875	PG 4 LN 14

Trans., Infra., and Capitals Non General Fund

	Actual FY 2004	Estimated FY 2005	Final Action FY 2006	Item Veto FY 2006	Net Final Act FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Education Capital (cont.)</u>							
Enrich Libraries - RIIF	0	0	200,000	0	200,000	H.F. 882	PG 7 LN 5
ICN Maintenance & Leases - RIIF	2,727,000	2,727,000	2,727,000	0	2,727,000	H.F. 875	PG 4 LN 20
IPTV Transmitter Replacement - RIIF	0	0	2,000,000	0	2,000,000	H.F. 875	PG 4 LN 24
Community College Infra. - RIIF	0	0	2,000,000	0	2,000,000	H.F. 875	PG 4 LN 28
Iowa Learning Technologies - RIIF	0	0	500,000	0	500,000	H.F. 875	PG 5 LN 3
Parker Building Remodel - RIIF	0	303,632	0	0	0		
IPTV - HDTV Conversion - RCF	10,000,000	0	0	0	0		
IPTV - HDTV Conversion - RIIF	0	8,000,000	8,000,000	0	8,000,000	2004 Session	
SAVE Fund - RIIF	0	10,000,000	10,000,000	0	10,000,000	2003 Session	
Total Education Capital	\$ 13,327,000	\$ 21,630,632	\$ 26,127,000	\$ 0	\$ 26,127,000		
<u>Veterans Affairs Capitals</u>							
Veterans Trust Fund - RIIF	\$ 0	\$ 500,000	\$ 0	\$ 0	\$ 0		
Iowa Veterans Cemetery - RIIF	0	500,000	0	0	0		
Total Veterans Affairs Capitals	\$ 0	\$ 1,000,000	\$ 0	\$ 0	\$ 0		
Total Trans., Infra., and Capitals	\$ 848,089,738	\$ 741,108,927	\$ 739,119,940	\$ 0	\$ 739,119,940		

Unassigned Standing

Non General Fund

	Actual FY 2004	Estimated FY 2005	Final Action FY 2006	Item Veto FY 2006	Net Final Act FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Management, Department of</u>							
Environment First Fund - RIIF	\$ 35,000,000	\$ 35,000,000	\$ 35,000,000	\$ 0	\$ 35,000,000	Standing	
Vertical Infrastructure Fund - RIIF	15,000,000	15,000,000	15,000,000	0	15,000,000	Standing	
Environment First Balance Adjustment	-35,000,000	-35,000,000	-35,000,000	0	-35,000,000		
Vertical Infr. Fund Bal Adjustment	-15,000,000	-15,000,000	-15,000,000	0	-15,000,000		
Total Management, Department of	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
<u>Revenue, Dept. of</u>							
Homestead Tax Credit - CRF	\$ 0	\$ 102,945,379	\$ 102,945,379	\$ 0	\$ 102,945,379	H.F. 882	PG 4 LN 7
Ag Land Tax Credit - CRF	0	34,610,183	34,610,183	0	34,610,183	H.F. 882	PG 4 LN 10
Military Service Tax Credit - CRF	0	2,568,402	2,568,402	0	2,568,402	H.F. 882	PG 4 LN 13
Elderly & Disabled Tax Credit - CRF	0	19,540,000	19,540,000	0	19,540,000	H.F. 882	PG 4 LN 16
Total Revenue, Dept. of	\$ 0	\$ 159,663,964	\$ 159,663,964	\$ 0	\$ 159,663,964		
<u>Transportation, Department of</u>							
Driver License Suspension Ser. - RUTF	\$ 225,000	\$ 225,000	\$ 225,000	\$ 0	\$ 225,000	Standing	
County Treasurer Equipment - RUTF	650,000	650,000	650,000	0	650,000	Standing	
Total Transportation, Department of	\$ 875,000	\$ 875,000	\$ 875,000	\$ 0	\$ 875,000		
<u>Treasurer of State</u>							
Healthy Iowans Tobacco Trust - ENDW	\$ 56,662,375	\$ 57,512,311	\$ 58,374,995	\$ 0	\$ 58,374,995	Standing	
Healthy Iowans Tobacco Bal. Adjust.	-56,662,375	-57,512,311	-58,374,995	0	-58,374,995		
Total Treasurer of State	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
<u>Natural Resources Capital</u>							
Fish and Game Capital - F & G	\$ 6,000,000	\$ 7,640,000	\$ 6,000,000	\$ 0	\$ 6,000,000	Standing	
Total Unassigned Standing	\$ 6,875,000	\$ 168,178,964	\$ 166,538,964	\$ 0	\$ 166,538,964		

Summary Data

FTE

	Actual FY 2004	Estimated FY 2005	Final Action FY 2006
	(1)	(2)	(3)
Administration and Regulation	1,832.73	1,957.34	2,001.41
Ag. and Natural Resources	1,416.08	1,557.66	1,560.26
Economic Development	1,121.05	1,363.53	1,235.26
Education	26,666.00	28,722.84	28,688.59
Health and Human Services	6,498.49	6,872.44	6,857.49
Justice System	7,559.82	7,816.35	8,008.95
Trans., Infra., and Capitals	3,234.00	3,517.00	3,472.00
Unassigned Standing	399.43	401.27	401.27
Grand Total	<u>48,727.60</u>	<u>52,208.43</u>	<u>52,225.23</u>

Bill Totals

H.F. 466 Transportation Appropriations Act	3,376.00
H.F. 807 Judicial Branch Appropriations Act	1,832.85
H.F. 808 Ag. and Natural Resources Appropriations Act	1,520.58
H.F. 809 Economic Development Appropriations Act	317.48
H.F. 810 Administration and Regulation Appropriations Act	1,851.21
H.F. 811 Justice System Appropriations Act	5,913.97
H.F. 816 Education Appropriations Act	19,613.52
H.F. 819 Long-Term Care/Medicaid Act	2.00
H.F. 825 Health and Humans Services Appropriations Act	6,386.17
H.F. 862 Healthy Iowans Tobacco Trust Appropriations Act	12.00
H.F. 882 Standing Appropriations Act	2.50

Administration and Regulation

FTE

	<u>Actual</u> <u>FY 2004</u> <u>(1)</u>	<u>Estimated</u> <u>FY 2005</u> <u>(2)</u>	<u>Final Action</u> <u>FY 2006</u> <u>(3)</u>	<u>Bill</u> <u>Number</u> <u>(4)</u>	<u>Page & Line</u> <u>Number</u> <u>(5)</u>
<u>Administrative Services, Dept. of</u>					
Admin. Serv. General Office	393.63	412.36	423.20	H.F. 810	PG 1 LN 7
<u>Auditor of State</u>					
Auditor of State - Gen. Office	106.34	105.40	105.50	H.F. 810	PG 3 LN 26
<u>Ethics and Campaign Disclosure</u>					
Ethics and Campaign Disclosure	6.05	6.00	6.00	H.F. 810	PG 4 LN 7
<u>Commerce, Department of</u>					
Department of Commerce					
Alcoholic Beverages	30.82	33.00	34.00	H.F. 810	PG 4 LN 23
Banking Division	61.59	65.00	71.00	H.F. 810	PG 4 LN 29
Credit Union Division	15.12	18.00	18.00	H.F. 810	PG 4 LN 35
Insurance Division	88.79	94.00	101.00	H.F. 810	PG 5 LN 6
Professional Licensing	9.04	12.00	12.75	H.F. 810	PG 5 LN 31
Utilities Division	67.47	70.00	79.00	H.F. 810	PG 6 LN 5
Long-Term Care Ed. Prog	0.00	0.00	2.00	H.F. 819	PG 6 LN 1
Total Department of Commerce	272.83	292.00	317.75		
Nonappropriated					
Money Services Licensing Fund	0.00	0.25	0.00		
Liquor Control Act Fund	1.50	17.00	0.00		
Total Nonappropriated	1.50	17.25	0.00		
Total Commerce, Department of	274.33	309.25	317.75		
<u>Governor</u>					
General Office	17.58	19.25	19.25	H.F. 810	PG 7 LN 15
Terrace Hill Quarters	3.18	8.00	8.00	H.F. 810	PG 7 LN 22
Admin. Rules Coordinator	3.05	3.00	3.00	H.F. 810	PG 7 LN 28

Administration and Regulation

FTE

	Actual FY 2004 <u>(1)</u>	Estimated FY 2005 <u>(2)</u>	Final Action FY 2006 <u>(3)</u>	Bill Number <u>(4)</u>	Page & Line Number <u>(5)</u>
<u>Governor (cont.)</u>					
State-Federal Relations	1.97	2.00	2.00	H.F. 810	PG 8 LN 4
Statewide Volunteer Program	1.41	1.75			
Total Governor	<u>27.19</u>	<u>34.00</u>	<u>32.25</u>		
<u>Gov. Office of Drug Control Policy</u>					
Drug Policy Coordinator	9.09	9.00	9.00	H.F. 810	PG 8 LN 10
<u>Human Rights, Department of</u>					
Human Rights, Dept. of					
Administration	7.04	7.00	7.00	H.F. 810	PG 8 LN 34
Deaf Services	4.70	6.00	6.00	H.F. 810	PG 9 LN 5
Persons with Disabilities	3.44	3.00	3.50	H.F. 810	PG 9 LN 20
Division of Latino Affairs	2.55	3.00	3.00	H.F. 810	PG 9 LN 26
Status of Women	2.82	3.00	3.00	H.F. 810	PG 9 LN 32
Status of African Americans	1.93	2.00	2.00	H.F. 810	PG 10 LN 4
Criminal & Juvenile Justice	6.85	6.18	8.18	H.F. 810	PG 10 LN 10
Total Human Rights, Dept. of	<u>29.33</u>	<u>30.18</u>	<u>32.68</u>		
Nonappropriated					
Weatherization - D.O.E.	6.21	6.18	6.19		
Justice Assistance Grants	6.13	6.96	2.21		
Juvenile Accountability	1.96	0.74	2.68		
Community Grant Fund		0.12	0.08		
Status of Women Federal Grants	0.44	1.00	1.00		
Oil Overcharge Weatherization	0.25	0.20	0.31		
Low Income Energy Assistance	3.21	3.20	2.75		
Weatherization - HHS (LEAP)	0.00	0.00	0.45		
Juvenile Accountability	0.09	2.86	0.81		

Administration and Regulation

FTE

	<u>Actual</u> <u>FY 2004</u> <u>(1)</u>	<u>Estimated</u> <u>FY 2005</u> <u>(2)</u>	<u>Final Action</u> <u>FY 2006</u> <u>(3)</u>	<u>Bill</u> <u>Number</u> <u>(4)</u>	<u>Page & Line</u> <u>Number</u> <u>(5)</u>
<u>Human Rights, Department of (cont.)</u>					
Nonappropriated (cont.)					
CSGB-Community Action Agency	5.51	5.42	5.22		
Disability Donations & Grants	1.27	1.00	2.00		
Total Nonappropriated	<u>25.07</u>	<u>27.68</u>	<u>23.70</u>		
Total Human Rights, Department of	<u>54.40</u>	<u>57.86</u>	<u>56.38</u>		
<u>Inspections & Appeals, Dept of</u>					
Inspections and Appeals					
Administration Division	20.12	32.25	32.25	H.F. 810	PG 10 LN 29
Administrative Hearings Div.	22.84	23.00	23.00	H.F. 810	PG 10 LN 35
Investigations Division	38.90	41.00	41.00	H.F. 810	PG 11 LN 6
Health Facilities Div.	107.34	115.75	113.25	H.F. 810	PG 11 LN 12
Inspections Division	12.10	0.00	0.00		
Employment Appeal Board	12.95	14.00	15.00	H.F. 810	PG 11 LN 21
Child Advocacy Board	36.90	40.49	38.99	H.F. 810	PG 12 LN 1
Total Inspections and Appeals	<u>251.15</u>	<u>266.49</u>	<u>263.49</u>		
Racing Commission					
Pari-Mutuel Regulation	19.94	27.53	27.53	H.F. 810	PG 12 LN 22
Excursion Boat Gambling Reg.	28.03	30.22	35.22	H.F. 810	PG 12 LN 35
Total Racing Commission	<u>47.97</u>	<u>57.75</u>	<u>62.75</u>		
Total Inspections & Appeals, Dept o	<u>299.12</u>	<u>324.24</u>	<u>326.24</u>		
<u>Management, Department of</u>					
DOM General Office	27.70	34.00	32.00	H.F. 810	PG 13 LN 30
Local Government Innov. Fund	0.00	1.00	0.00		
Enterprise Resource Planning	0.00	1.00	1.00	H.F. 810	PG 14 LN 1

Administration and Regulation

FTE

	<u>Actual</u> <u>FY 2004</u>	<u>Estimated</u> <u>FY 2005</u>	<u>Final Action</u> <u>FY 2006</u>	<u>Bill</u> <u>Number</u>	<u>Page & Line</u> <u>Number</u>
	(1)	(2)	(3)	(4)	(5)
<u>Management, Department of (cont.)</u>					
Salary Model Administrator	0.00	1.00	1.00	H.F. 810	PG 14 LN 16
Performance Audits	0.00	0.00	2.50	H.F. 882	PG 13 LN 33
Total Management, Department of	<u>27.70</u>	<u>37.00</u>	<u>36.50</u>		
<u>IPERS Administration</u>					
IPERS Administration	86.05	90.13	95.13	H.F. 810	PG 16 LN 30
<u>Revenue, Dept. of</u>					
Compliance	374.74	376.10	400.66	H.F. 810	PG 17 LN 12
<u>Iowa Lottery Authority</u>					
Nonappropriated					
Lottery Fund	110.44	117.00	117.00		
<u>Secretary of State</u>					
Administration and Elections	8.99	10.00	10.00	H.F. 810	PG 15 LN 21
Business Services	26.80	32.00	32.00	H.F. 810	PG 15 LN 31
Help America Vote Act	0.00	1.00	0.00		
State Election Fund	0.00	1.00	0.00		
Total Secretary of State	<u>35.79</u>	<u>44.00</u>	<u>42.00</u>		
<u>Treasurer of State</u>					
Treasurer of State					
Treasurer - General Office	24.63	29.00	28.80	H.F. 810	PG 16 LN 23
Nonappropriated					
Ag. Development Authority	3.23	6.00	5.00		
Total Treasurer of State	<u>27.86</u>	<u>35.00</u>	<u>33.80</u>		
Total Admin. and Regulation	<u>1,832.73</u>	<u>1,957.34</u>	<u>2,001.41</u>		

Ag. and Natural Resources

FTE

	<u>Actual</u> <u>FY 2004</u> <u>(1)</u>	<u>Estimated</u> <u>FY 2005</u> <u>(2)</u>	<u>Final Action</u> <u>FY 2006</u> <u>(3)</u>	<u>Bill</u> <u>Number</u> <u>(4)</u>	<u>Page & Line</u> <u>Number</u> <u>(5)</u>
<u>Ag. & Land Stewardship</u>					
Agriculture & Land Stewardship					
Administrative Division	366.60	412.52	412.52	H.F. 808	PG 1 LN 4
Chronic Wasting Disease	0.00	0.00	1.60	H.F. 808	PG 1 LN 31
Sr. Farmers Market Program	0.00	0.00	1.00	H.F. 808	PG 1 LN 19
Total Agriculture & Land Stewards	<u>366.60</u>	<u>412.52</u>	<u>415.12</u>		
Nonappropriated					
GW - AG Drain Wells/Sinkholes	2.66	3.68	3.68		
Water Protection Fund	12.71	14.83	14.83		
EPA Non-Point Source Pollution	13.33	16.80	16.80		
Abandoned Mined Lands Grant	2.53	2.37	2.37		
Renewable Fuels & Co-Products	0.78	0.00	0.00		
Pseudorabies	1.22	2.00	2.00		
Total Nonappropriated	<u>33.23</u>	<u>39.68</u>	<u>39.68</u>		
Total Ag. & Land Stewardship	<u>399.83</u>	<u>452.20</u>	<u>454.80</u>		
<u>Natural Resources, Department of</u>					
DNR Operations	<u>1,016.25</u>	<u>1,105.46</u>	<u>1,105.46</u>	H.F. 808	PG 4 LN 16
Total Ag. and Natural Resources	<u><u>1,416.08</u></u>	<u><u>1,557.66</u></u>	<u><u>1,560.26</u></u>		

Economic Development

FTE

	<u>Actual</u> <u>FY 2004</u>	<u>Estimated</u> <u>FY 2005</u>	<u>Final Action</u> <u>FY 2006</u>	<u>Bill</u> <u>Number</u>	<u>Page & Line</u> <u>Number</u>
	(1)	(2)	(3)	(4)	(5)
<u>Economic Development, Dept. of</u>					
Administrative Services					
General Administration	28.75	28.75	28.75	H.F. 809	PG 1 LN 21
Business Development					
Business Development	57.00	57.00	57.00	H.F. 809	PG 1 LN 35
Workforce Dev. Approp.	4.00	4.00	4.00	H.F. 809	PG 5 LN 17
Total Business Development	61.00	61.00	61.00		
Community & Rural Devel.					
Community Development	61.75	61.75	61.75	H.F. 809	PG 3 LN 18
Tourism/Recreation Dev.	2.25	2.25	2.25	H.F. 809	PG 4 LN 16
Total Community & Rural Devel.	64.00	64.00	64.00		
Nonappropriated					
IFA - Title Guaranty	20.33	20.33	19.00		
Finance Authority	48.00	49.00	49.00		
IFA - Sec. 8 HUD Funding	19.00	19.00	18.00		
Total Nonappropriated	87.33	88.33	86.00		
Total Economic Development, Dept.	241.08	242.08	239.75		
<u>Iowa Workforce Development</u>					
Iowa Workforce Development					
General Office	86.86	94.20	86.45	H.F. 809	PG 9 LN 1
Welfare-To-Work Match	0.14	0.00	0.00		
Total Iowa Workforce Development	87.00	94.20	86.45		
Nonappropriated					
Special Contingency Fund	88.11	135.89	133.87		

Economic Development

FTE

	<u>Actual</u> <u>FY 2004</u> <u>(1)</u>	<u>Estimated</u> <u>FY 2005</u> <u>(2)</u>	<u>Final Action</u> <u>FY 2006</u> <u>(3)</u>	<u>Bill</u> <u>Number</u> <u>(4)</u>	<u>Page & Line</u> <u>Number</u> <u>(5)</u>
<u>Iowa Workforce Development (cont.)</u>					
Nonappropriated (cont.)					
IWD Major Federal Programs	383.23	525.84	406.35		
Job Service ACS (Surcharge)	94.26	82.85	90.04		
Workforce Minor Programs	178.79	205.24	191.59		
Amatuer Boxing Grants Fund	0.16	0.15	0.15		
Boiler Safety Fund	0.00	0.00	4.78		
Elevator Safety Fund	0.00	0.00	5.00		
Total Nonappropriated	<u>744.55</u>	<u>949.97</u>	<u>831.78</u>		
Total Iowa Workforce Development	<u>831.55</u>	<u>1,044.17</u>	<u>918.23</u>		
<u>Public Employment Relations Board</u>					
General Office	10.07	10.00	10.00	H.F. 809	PG 10 LN 25
<u>Regents, Board of</u>					
ISU - Economic Development	28.94	56.53	56.53	H.F. 809	PG 6 LN 6
SUI - Economic Development	4.66	6.00	6.00	H.F. 809	PG 7 LN 21
UNI - Economic Development	4.75	4.75	4.75	H.F. 809	PG 8 LN 8
Total Regents, Board of	<u>38.35</u>	<u>67.28</u>	<u>67.28</u>		
Total Economic Development	<u><u>1,121.05</u></u>	<u><u>1,363.53</u></u>	<u><u>1,235.26</u></u>		

Education

FTE

	<u>Actual</u> <u>FY 2004</u> <u>(1)</u>	<u>Estimated</u> <u>FY 2005</u> <u>(2)</u>	<u>Final Action</u> <u>FY 2006</u> <u>(3)</u>	<u>Bill</u> <u>Number</u> <u>(4)</u>	<u>Page & Line</u> <u>Number</u> <u>(5)</u>
<u>Blind, Iowa Commission for the</u>					
Department for the Blind	103.32	139.48	109.50	H.F. 816	PG 1 LN 7
<u>College Aid Commission</u>					
Operations & Loan Program					
Scholarship and Grant Admin	3.97	4.30	4.30	H.F. 816	PG 1 LN 18
Nonappropriated					
Stafford Loan Program Admin.	33.43	37.70	37.70		
Public/private Partnership	0.11	1.00	1.00		
Stafford Loan Program (GSL)	0.00	1.00	0.00		
Total Nonappropriated	<u>33.54</u>	<u>39.70</u>	<u>38.70</u>		
Total College Aid Commission	<u>37.51</u>	<u>44.00</u>	<u>43.00</u>		
<u>Cultural Affairs, Dept. of</u>					
Cultural Affairs, Dept of					
Cultural Affairs - Admin.	1.03	1.17	0.00		
State Historical Society	50.50	53.83	65.00	H.F. 816	PG 3 LN 35
Historical Sites	7.43	8.00	0.00		
Iowa Arts Council	7.67	9.05	11.25	H.F. 816	PG 4 LN 10
Total Cultural Affairs, Dept of	<u>66.63</u>	<u>72.05</u>	<u>76.25</u>		
Nonappropriated					
Battle Flag Preservation	0.83	2.00	3.00		
Battle Flag Carry Over	1.37	0.10	0.00		
Historical Preservation	0.27	0.25	0.25		
Miscellaneous Income	1.28	0.00	1.00		

Education

FTE

	Actual FY 2004 (1)	Estimated FY 2005 (2)	Final Action FY 2006 (3)	Bill Number (4)	Page & Line Number (5)
<u>Cultural Affairs, Dept. of (cont.)</u>					
Nonappropriated (cont.)					
HRDP	0.89	0.85	0.85		
Trust Accounts	1.12	1.00	0.00		
Total Nonappropriated	5.76	4.20	5.10		
Total Cultural Affairs, Dept. of	72.39	76.25	81.35		
<u>Education, Department of</u>					
Administration					
Dept. of Ed. Administration	75.73	81.27	76.27	H.F. 816	PG 4 LN 29
Vocational Ed. Admin.	11.38	13.80	13.80	H.F. 816	PG 5 LN 14
Vocational Rehabilitation	243.73	273.50	273.50	H.F. 816	PG 5 LN 20
Independent Living	1.27	1.00	1.00	H.F. 816	PG 6 LN 13
State Library	16.15	18.00	18.00	H.F. 816	PG 6 LN 24
Iowa Public Television	61.77	77.93	86.00	H.F. 816	PG 8 LN 31
IPTV - Regional Councils	5.98	8.00	0.00	H.F. 816	PG 9 LN 2
Total Administration	416.01	473.50	468.57		
Education, Dept. of					
Educational Excellence	0.00	1.00	0.00		
Nonappropriated					
CPB/CSG FY 90/91	5.24	19.51	6.39		
School Food Service	16.56	17.43	17.43		
Education of Handicapped Act	46.73	49.50	48.00		
CPB/CSG FY 91/93	20.75	3.95	18.64		
Drinking Drivers Course	0.58	1.30	1.30		
NTIA Equipment Grants	2.86	2.00	2.00		

Education

FTE

	Actual FY 2004 <u>(1)</u>	Estimated FY 2005 <u>(2)</u>	Final Action FY 2006 <u>(3)</u>	Bill Number <u>(4)</u>	Page & Line Number <u>(5)</u>
<u>Education, Department of (cont.)</u>					
Nonappropriated (cont.)					
Contributions Holding Account	1.52	1.50	1.50		
NCES - NAEP Assessments	1.01	1.00	1.00		
Drug Free Schools/communities	1.54	1.50	1.50		
Advanced Placement Technology	0.23	0.00	0.00		
Standards, Assess. & Account.	0.19	0.00	0.00		
Improving Teacher Quality Gran	4.15	4.05	4.05		
Career Resource Network	1.71	1.55	1.30		
Public Charter Schools	0.32	0.25	0.40		
Learn & Serve America	0.01	0.00	0.00		
Fund for Improve. Ed. Grants	3.15	0.95	0.00		
Community Learning Centers	1.12	1.10	1.10		
State Assessment	1.58	1.75	2.25		
Adult Education	4.83	4.75	4.50		
Veterans Education	3.02	3.00	3.00		
DE Nonfederal Grants	2.43	4.27	3.27		
ESEA Title 1	8.19	9.90	9.90		
ESEA Title 6	2.84	3.25	3.05		
High School Equivalency	0.24	0.25	0.25		
English Language Acquisition	1.76	2.00	2.00		
Friends Funded Programming	14.23	12.92	13.92		
Education Telecommunications	4.09	1.93	1.93		
Technology Literacy Challenge	1.38	1.50	1.50		
Evaluating State Technology	0.00	0.00	0.25		
IPTV Marketing & Distribution	0.00	0.00	1.00		
IPTV Educational & Contractual	3.03	2.50	2.00		
LSTA	12.05	14.00	14.00		
G/T Students in Alt. Schools	0.02	0.25	0.25		

Education

FTE

	<u>Actual</u> <u>FY 2004</u> <u>(1)</u>	<u>Estimated</u> <u>FY 2005</u> <u>(2)</u>	<u>Final Action</u> <u>FY 2006</u> <u>(3)</u>	<u>Bill</u> <u>Number</u> <u>(4)</u>	<u>Page & Line</u> <u>Number</u> <u>(5)</u>
<u>Education, Department of (cont.)</u>					
Nonappropriated (cont.)					
School Infrastructure	1.78	1.90	1.90		
Systems Change Project	2.25	0.00	0.00		
IDEA Gen. Supervision Enhance.	0.98	0.00	0.00		
Advanced Placement Incentive	0.25	0.25	0.25		
Reading First State Grants	2.70	3.25	3.45		
Voc. Rehab. DDS	134.54	139.20	139.20		
ISOICC	1.22	1.45	1.70		
Transition Outcomes	0.50	4.00	4.00		
Aids Education	1.25	1.25	1.25		
Comprehensive School Reform	1.05	0.75	0.60		
School Bus Driver Permit	3.03	3.00	3.00		
Miscellaneous Federal Grants	0.00	2.00	0.00		
Even Start	0.30	0.30	0.30		
Headstart Collaborative Grant	1.10	1.00	1.00		
Gates Found. Leadership Grant	0.05	1.00	1.00		
ESEA Title II	0.00	0.20	0.20		
Vocational Education Act	10.09	11.04	10.48		
Homeless Child And Adults	0.77	0.75	0.75		
Board of Ed. Examiners	6.98	7.00	7.00		
Total Nonappropriated	<u>336.20</u>	<u>346.20</u>	<u>343.76</u>		
Total Education, Department of	<u>752.21</u>	<u>820.70</u>	<u>812.33</u>		
<u>Regents, Board of</u>					
Regents, Board of					
Regents Board Office	16.83	16.00	16.00	H.F. 816	PG 16 LN 9

Education

FTE

	Actual FY 2004 (1)	Estimated FY 2005 (2)	Final Action FY 2006 (3)	Bill Number (4)	Page & Line Number (5)
<u>Regents, Board of (cont.)</u>					
University of Iowa					
Univ. of Iowa: Gen. University	3,964.73	5,058.55	5,058.55	H.F. 816	PG 20 LN 7
Indigent Patient Program: UIHC	5,929.37	6,877.34	6,877.34	H.F. 816	PG 20 LN 19
Psychiatric Hospital	268.72	269.65	269.65	H.F. 816	PG 22 LN 3
Center Dis. & Dev. (Hosp-Sch)	121.98	130.37	130.37	H.F. 816	PG 22 LN 11
Oakdale Campus	42.66	38.25	38.25	H.F. 816	PG 22 LN 20
University Hygienic Laboratory	101.00	102.50	102.50	H.F. 816	PG 22 LN 26
Family Practice Program	190.53	190.40	190.40	H.F. 816	PG 22 LN 32
SCHS - Hemophilia, Cancer	72.02	57.97	57.97	H.F. 816	PG 23 LN 5
State of Iowa Cancer Registry	1.41	2.10	2.10	H.F. 816	PG 23 LN 14
SUI Substance Abuse Consortium	0.90	1.00	1.00	H.F. 816	PG 23 LN 19
Biocatalysis	7.11	6.28	6.28	H.F. 816	PG 23 LN 25
Primary Health Care	6.66	5.89	5.89	H.F. 816	PG 23 LN 30
Iowa Birth Defects Registry	0.98	1.00	1.00	H.F. 816	PG 24 LN 5
Total University of Iowa	10,708.07	12,741.30	12,741.30		
Iowa State University					
Iowa State: Gen. University	3,971.34	3,647.42	3,647.42	H.F. 816	PG 24 LN 11
ISU Ag. & Home Ec. Exp. Sta.	437.13	546.98	546.98	H.F. 816	PG 24 LN 20
ISU Cooperative Extension	289.29	383.34	383.34	H.F. 816	PG 24 LN 26
ISU Leopold Center	7.36	11.25	11.25	H.F. 816	PG 24 LN 33
Livestock Disease Research	1.87	0.00	0.00	H.F. 816	PG 25 LN 4
Total Iowa State University	4,706.99	4,588.99	4,588.99		
Univ. of Northern Iowa					
University of Northern Iowa	1,398.01	1,398.01	1,398.01	H.F. 816	PG 25 LN 9
Recycling & Reuse Center	3.00	3.00	3.00	H.F. 816	PG 25 LN 19
Total Univ. of Northern Iowa	1,401.01	1,401.01	1,401.01		

Education

FTE

	<u>Actual</u> <u>FY 2004</u> <u>(1)</u>	<u>Estimated</u> <u>FY 2005</u> <u>(2)</u>	<u>Final Action</u> <u>FY 2006</u> <u>(3)</u>	<u>Bill</u> <u>Number</u> <u>(4)</u>	<u>Page & Line</u> <u>Number</u> <u>(5)</u>
<u>Regents, Board of (cont.)</u>					
Special Schools					
Iowa School for the Deaf	126.60	126.60	126.60	H.F. 816	PG 25 LN 24
Braille & Sight Saving School	72.75	81.00	81.00	H.F. 816	PG 25 LN 30
Total Special Schools	199.35	207.60	207.60		
Nonappropriated					
SUI Restricted	1,683.50	1,683.50	1,683.50		
ISD Restricted	9.41	9.41	9.41		
IBSSS Restricted	18.49	18.53	18.53		
UNI Restricted	83.80	83.80	83.80		
UNI Organized Activities	60.50	60.50	60.50		
ISU Organized Activities	541.78	626.93	626.93		
ISU Restricted	1,763.66	1,766.30	1,766.30		
SUI Organized Activities	680.43	680.43	680.43		
SUI Auxiliary Enterprises	1,003.77	1,003.77	1,003.77		
ISU Auxiliary Enterprises	960.17	891.53	891.53		
UNI Auxiliary Enterprises	235.30	235.30	235.30		
SUI Stores, Services & Revolv.	1,627.51	1,627.51	1,627.51		
Total Nonappropriated	8,668.32	8,687.51	8,687.51		
Total Regents, Board of	25,700.57	27,642.41	27,642.41		
Total Education	26,666.00	28,722.84	28,688.59		

Health and Human Services

FTE

	Actual FY 2004	Estimated FY 2005	Final Action FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)
<u>Elder Affairs, Department of</u>					
Aging Programs	25.83	26.75	27.75	H.F. 825	PG 1 LN 10
Aging Programs - SLTF	0.00	2.00	3.00	H.F. 825	PG 50 LN 13
Total Elder Affairs, Department of	25.83	28.75	30.75		
<u>Health, Department of Public</u>					
Department of Public Health					
Addictive Disorders	15.21	6.45	7.45	H.F. 825	PG 2 LN 10
Adult Wellness	20.23	0.00	0.00	H.F. 825	PG 2 LN 29
Child and Adolescent Wellness	42.41	6.65	6.65	H.F. 825	PG 2 LN 33
Chronic Conditions	10.15	0.85	1.35	H.F. 825	PG 3 LN 4
Community Capacity	20.63	9.90	9.90	H.F. 825	PG 3 LN 14
Elderly Wellness	5.15	0.00	0.00	H.F. 825	PG 3 LN 24
Environmental Hazards	7.22	0.50	1.50	H.F. 825	PG 3 LN 28
Infectious Diseases	38.81	5.25	5.25	H.F. 825	PG 4 LN 7
Injuries	9.10	1.80	1.80	H.F. 825	PG 4 LN 13
Public Protection	146.45	106.40	110.05	H.F. 825	PG 4 LN 33
Resource Management	45.14	3.00	3.00	H.F. 825	PG 5 LN 8
Hearing Impaired Licensure	0.03	0.65	0.00		
Tobacco Use Prev./Control - HITT	10.34	7.00	7.00	H.F. 862	PG 2 LN 11
Healthy Iowans 2010 - HITT	3.63	4.00	4.00	H.F. 862	PG 4 LN 4
Capitol Defibrillator - HITT	0.00	0.00	1.00	H.F. 862	PG 4 LN 31
Total Department of Public Health	374.50	152.45	158.95		
Nonappropriated					
Vital Records Modernization	26.62	27.80	27.80		
Gifts & Grants Fund	2.80	249.25	241.45		
Total Nonappropriated	29.42	277.05	269.25		
Total Health, Department of Public	403.92	429.50	428.20		

Health and Human Services

FTE

	<u>Actual</u> <u>FY 2004</u> <u>(1)</u>	<u>Estimated</u> <u>FY 2005</u> <u>(2)</u>	<u>Final Action</u> <u>FY 2006</u> <u>(3)</u>	<u>Bill</u> <u>Number</u> <u>(4)</u>	<u>Page & Line</u> <u>Number</u> <u>(5)</u>
<u>Human Services, Department of</u>					
Economic Assistance					
Family Investment Program	14.34	16.33	17.33	H.F. 825	PG 13 LN 21
Child Support Recoveries	379.25	423.00	423.00	H.F. 825	PG 15 LN 19
Total Economic Assistance	393.59	439.33	440.33		
Medical Services					
Health Insurance Premium Pmt.	15.29	21.00	20.95	H.F. 825	PG 20 LN 7
Medical Contracts	1.01	0.00	0.00		
LTC Alternative Services - SLTF	0.00	5.00	5.00	H.F. 825	PG 51 LN 18
Total Medical Services	16.30	26.00	25.95		
Child and Family Services					
Toledo Juvenile Home	110.53	130.54	130.54	H.F. 825	PG 23 LN 23
Eldora Training School	189.19	218.53	218.53	H.F. 825	PG 23 LN 28
Total Child and Family Services	299.72	349.07	349.07		
MH/MR/DD/BI					
Cherokee MHI	202.62	228.00	228.00	H.F. 825	PG 33 LN 6
Clarinda MHI	101.38	106.40	113.15	H.F. 825	PG 33 LN 12
Independence MHI	284.71	317.80	317.80	H.F. 825	PG 33 LN 18
Mt. Pleasant MHI	96.47	100.44	100.44	H.F. 825	PG 33 LN 24
Glenwood Resource Center	837.28	893.75	893.75	H.F. 825	PG 34 LN 1
Woodward Resource Center	657.78	673.76	673.76	H.F. 825	PG 34 LN 4
Sexual Predator Civil Commit.	53.10	57.00	65.00	H.F. 825	PG 37 LN 30
Total MH/MR/DD/BI	2,233.34	2,377.15	2,391.90		
Managing and Delivering Services					
Field Operations	1,818.54	1,844.00	1,844.00	H.F. 825	PG 38 LN 18
General Administration	269.56	295.05	293.00	H.F. 825	PG 38 LN 30
Total Managing and Delivering Ser	2,088.10	2,139.05	2,137.00		

Health and Human Services

FTE

	Actual FY 2004 <u>(1)</u>	Estimated FY 2005 <u>(2)</u>	Final Action FY 2006 <u>(3)</u>	Bill Number <u>(4)</u>	Page & Line Number <u>(5)</u>
<u>Human Services, Department of (cont.)</u>					
Nonappropriated					
MI/MR/DD Case Management	125.72	157.00	134.50		
Iowa Refugee Service Center	27.33	27.97	27.97		
Refugee Resettlement	0.73	0.70	0.70		
Child Abuse Project	3.01	5.00	5.00		
Community MH Block Grant	2.01	2.00	2.00		
Mt. Pleasant Canteen Fund	0.68	0.50	0.70		
IV-E Independent Living Grant	9.08	9.00	9.00		
Glenwood Canteen Fund	1.37	1.00	1.00		
Food Assistance Access Grant	0.00	5.00	0.00		
Child Support Grants	0.00	1.00	0.00		
Woodward Warehouse Revolving	5.55	6.20	6.20		
Total Nonappropriated	175.48	215.37	187.07		
Total Human Services, Dept of	5,206.53	5,545.97	5,531.32		
<u>Inspections & Appeals, Dept of</u>					
Health Facilities Division - SLTF	6.00	6.00	5.00	H.F. 825	PG 50 LN 33
<u>Veterans Affairs, Comm. of</u>					
Veterans Affairs, Comm. of					
Veterans Affairs, Comm. of	2.14	4.00	4.00	H.F. 825	PG 9 LN 22
Iowa Veterans Home	849.02	855.22	855.22	H.F. 825	PG 10 LN 4
Total Veterans Affairs, Comm. of	851.16	859.22	859.22		
Nonappropriated					
Iowa Veterans Home Canteen	5.05	3.00	3.00		
Total Veterans Affairs, Comm. of	856.21	862.22	862.22		
Total Health and Human Services	6,498.49	6,872.44	6,857.49		

Justice System

FTE

	Actual FY 2004 (1)	Estimated FY 2005 (2)	Final Action FY 2006 (3)	Bill Number (4)	Page & Line Number (5)
<u>Justice, Department of</u>					
General Office A.G.	187.51	214.50	214.50	H.F. 811	PG 1 LN 10
Consumer Advocate	22.93	27.00	27.00	H.F. 811	PG 4 LN 32
Victim Compensation Fund	22.00	22.00	22.00	H.F. 811	PG 3 LN 10
Total Justice, Department of	232.44	263.50	263.50		
<u>Civil Rights Commission</u>					
Civil Rights Commission	27.40	27.00	27.50	H.F. 811	PG 20 LN 2
<u>Corrections, Department of</u>					
Corrections Institutions					
Ft. Madison Inst.	550.56	549.00	560.50	H.F. 811	PG 5 LN 17
Anamosa Inst.	360.71	370.75	374.25	H.F. 811	PG 5 LN 21
Oakdale Inst.	314.08	267.00	317.50	H.F. 811	PG 5 LN 29
Newton Inst.	330.39	335.00	336.00	H.F. 811	PG 5 LN 33
Mt Pleasant Inst.	303.83	308.96	325.96	H.F. 811	PG 6 LN 2
Rockwell City Inst.	105.48	108.00	109.00	H.F. 811	PG 6 LN 6
Clarinda Inst.	270.47	334.65	335.65	H.F. 811	PG 6 LN 10
Mitchellville Inst.	194.01	196.00	205.50	H.F. 811	PG 6 LN 19
Ft. Dodge Inst.	365.16	372.00	376.00	H.F. 811	PG 6 LN 23
Total Corrections Institutions	2,794.69	2,841.36	2,940.36		
Corrections Central Office					
Central Office Corrections	35.30	37.18	37.18	H.F. 811	PG 7 LN 9
CBC Districts					
CBC District I	189.96	189.96	197.96	H.F. 811	PG 10 LN 27
CBC District II	138.04	137.04	146.04	H.F. 811	PG 10 LN 33
CBC District III	74.49	74.49	77.99	H.F. 811	PG 11 LN 4
CBC District IV	74.25	72.50	77.00	H.F. 811	PG 11 LN 10

Justice System

FTE

	Actual FY 2004 (1)	Estimated FY 2005 (2)	Final Action FY 2006 (3)	Bill Number (4)	Page & Line Number (5)
<u>Corrections, Department of (cont.)</u>					
CBC Districts (cont.)					
CBC District V	216.95	235.95	250.05	H.F. 811	PG 11 LN 16
CBC District VI	179.49	183.24	189.24	H.F. 811	PG 11 LN 24
CBC District VII	100.95	95.95	100.45	H.F. 811	PG 11 LN 30
CBC District VIII	69.40	86.85	94.35	H.F. 811	PG 12 LN 1
Total CBC Districts	1,043.53	1,075.98	1,133.08		
Nonappropriated					
IMCC Inmate Telephone Rebate	2.99	6.00	6.00		
Anamosa Canteen Fund	1.32	1.00	1.00		
Oakdale Canteen Fund	0.00	1.00	1.00		
Mt. Pleasant Canteen	1.62	0.50	0.50		
Consolidated Farm Operations	5.60	6.50	6.50		
Iowa State Industries	78.55	88.34	88.34		
Total Nonappropriated	90.08	103.34	103.34		
Total Corrections, Department of	3,963.60	4,057.86	4,213.96		
<u>IA Telecommun & Technology Commission</u>					
Nonappropriated					
ICN Operations	99.36	106.99	106.99		
<u>Inspections & Appeals, Dept of</u>					
Public Defender	197.28	202.00	202.00	H.F. 811	PG 14 LN 21
<u>Judicial Branch</u>					
Judicial Branch	1,880.68	1,817.85	1,832.85	H.F. 807	PG 1 LN 8
<u>Law Enforcement Academy</u>					
Operations	27.64	30.05	30.05	H.F. 811	PG 14 LN 31

Justice System

FTE

	<u>Actual</u> <u>FY 2004</u> <u>(1)</u>	<u>Estimated</u> <u>FY 2005</u> <u>(2)</u>	<u>Final Action</u> <u>FY 2006</u> <u>(3)</u>	<u>Bill</u> <u>Number</u> <u>(4)</u>	<u>Page & Line</u> <u>Number</u> <u>(5)</u>
<u>Parole, Board of</u>					
Parole Board	13.35	16.50	17.50	H.F. 811	PG 15 LN 29
<u>Public Defense, Department of</u>					
Public Defense, Dept. of					
Military Division	296.54	317.35	312.55	H.F. 811	PG 16 LN 11
Emergency Management Division					
Homeland Security	34.11	25.25	24.75	H.F. 811	PG 16 LN 23
Nonappropriated					
Wireless E911 Surcharge	2.53	2.50	2.50		
National Guard Facilities Improve.	3.94	4.00	4.00		
Military Operations Fund	1.32	2.00	2.00		
CDC - Preparedness & Response	0.57	1.90	1.90		
Power Plant Funds	4.44	7.35	7.10		
Hazard Mitigation	4.77	4.75	4.75		
State & Local Assistance	1.87	0.00	0.00		
DOJ - Terrorism	6.76	22.75	14.55		
Emergency Response Fund	0.43	0.00	0.00		
Hazardous Material Transfer	0.84	1.25	1.25		
2002 DR1420/Public Assistance	0.60	3.00	3.00		
1999 Storm #1282/Public Assist	1.24	0.00	0.00		
2004 Distribution #1518 Public	0.00	1.00	1.50		
2004 Dist. #1518/HAZMIT	0.00	0.00	2.00		
Homeland Security Grant Prog.	0.00	2.00	6.25		
Total Nonappropriated	<u>29.31</u>	<u>52.50</u>	<u>50.80</u>		
Total Public Defense, Dept of	<u>359.96</u>	<u>395.10</u>	<u>388.10</u>		

Justice System

FTE

	Actual FY 2004	Estimated FY 2005	Final Action FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)
<u>Public Safety, Department of</u>					
Public Safety, Dept. of					
Public Safety Administration	31.58	37.00	38.00	H.F. 811	PG 16 LN 34
Investigation, DCI	183.93	215.50	228.50	H.F. 811	PG 17 LN 4
Narcotics Enforcement	47.67	75.00	75.00	H.F. 811	PG 17 LN 28
Fire Marshal	28.13	39.00	42.00	H.F. 811	PG 18 LN 5
Fire Service	8.87	10.00	10.00	H.F. 811	PG 18 LN 13
Iowa State Patrol	436.72	521.00	531.00	H.F. 811	PG 18 LN 25
Capitol Police	19.23	0.00	0.00		
Fire Fighter Training	1.00	1.00	1.00	H.F. 811	PG 19 LN 21
Total Public Safety, Dept. of	757.13	898.50	925.50		
Nonappropriated					
Peace Officers Retirement Fund	0.98	1.00	1.00		
Total Public Safety, Department of	758.11	899.50	926.50		
Total Justice System	7,559.82	7,816.35	8,008.95		

Trans., Infra., and Capitals

FTE

	Actual FY 2004	Estimated FY 2005	Final Action FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)
<u>Transportation, Department of</u>					
Primary Road Fund					
Operations	263.00	271.00	269.00	H.F. 466	PG 3 LN 6
Administrative Services	38.00	37.00	36.00	H.F. 466	PG 3 LN 9
Planning	114.00	142.00	137.00	H.F. 466	PG 3 LN 12
Highways	2,254.00	2,464.00	2,451.00	H.F. 466	PG 3 LN 15
Motor Vehicle	478.00	507.00	483.00	H.F. 466	PG 3 LN 18
Total Primary Road Fund	3,147.00	3,421.00	3,376.00		
Nonappropriated					
Highway Beautification Fund	8.00	9.00	9.00		
Materials and Equipment Revolv.	79.00	87.00	87.00		
Total Nonappropriated	87.00	96.00	96.00		
Total Transportation, Dept of	3,234.00	3,517.00	3,472.00		
Total Trans., Infra., and Capitals	3,234.00	3,517.00	3,472.00		

Unassigned Standing

FTE

	Actual FY 2004	Estimated FY 2005	Final Action FY 2006	Bill Number	Page & Line Number
	(1)	(2)	(3)	(4)	(5)
<u>Legislative Branch</u>					
Nonappropriated					
Legislature	399.07	401.02	401.02		
<u>Public Defense, Department of</u>					
Nonappropriated					
Compensation & Expense	0.36	0.25	0.25		
Total Unassigned Standing	399.43	401.27	401.27		

**EXECUTIVE SUMMARY
ADMINISTRATION AND REGULATION APPROPRIATIONS ACT**

HOUSE FILE 810

FUNDING SUMMARY

**NEW PROGRAMS, SERVICES, OR
ACTIVITIES**

**MAJOR INCREASES, DECREASES,
OR TRANSFERS OF EXISTING
PROGRAMS**

**FISCAL YEAR 2005 SUPPLEMENTAL
APPROPRIATIONS**

- Appropriates a total of \$82.5 million from the General Fund, 1,851.2 FTE positions, and \$13.4 million in other funds. This is an increase of \$1.3 million from the General Fund, 66.6 FTE positions, and \$798,000 from other funds compared to estimated net FY 2005.
- House File 882 (FY 2006 Standing Appropriations Act) decreased the General Fund appropriations in HF 810 by \$88,000 and decreased FY 2005 supplemental appropriation by \$200,000.
- **IPERS:** An increase of \$1.4 million from the IPERS Trust Fund for the first part of a multi-year update, through FY 2010, of the Benefits Administration System. (Page 16, Line 30)
- **Department of Revenue:** An increase of \$1.4 million to retain tax compliance officers, to create an automated system for tracking tax credits, and for information technology to address the federal over-billing concern. (Page 17, Line 12)
- Makes the following General Fund increases or decreases for FY 2006:
 - **Department of Administrative Services (DAS):** A decrease of \$2.7 million, which includes decreases for the Distribution Account, General Office, and start-up funding for new revolving funds, and an increase for utilities costs. (Page 1, Line 7)
 - **State Auditor:** An increase of \$35,000 to perform additional audit work for non-billable agencies. (Page 3, Line 26)
 - **Department of Commerce:** An increase of \$1.1 million for oversight of State-chartered banks and the insurance industry and to ensure compliance with utility safety codes and rules. (Page 4, Line 29; Page 5, Line 6; and Page 6, Line 5)
 - **Governor's Office of Drug Control Policy:** An increase in one-time funding of \$50,000 to bridge the gap between federal grants for the Drug Endangered Children Program. (Page 8, Line 10)
 - **Department of Human Rights:** An increase of \$356,000, which includes funding for the new Status of Asian and Pacific Islanders Heritage Division and increased funding for the Criminal and Juvenile Justice Planning Division and the Status of African Americans Division. (Page 8, Line 28 through Page 10, Line 22)
 - **Department of Inspections and Appeals:** A net increase of \$702,000 for the Racing and Gaming Commission to improve oversight of the gaming industry, including a decrease of \$217,000 in one-time FY 2005 funding for pari-mutuel investigations. (Page 12, Line 22 through Page 13, Line 12)
 - **Secretary of State:** An increase of \$154,000 to restore operating expenses for the Business Services Division. (Page 15, Line 31)
 - **State Treasurer:** An increase of \$29,000 for information technology to address the federal over-billing concern. (Page 16, Line 23)
- **Ethics and Campaign Disclosure Board:** Makes an FY 2005 General Fund supplemental appropriation of \$8,000 for costs associated with the electronic filing system. (Page 18, Line 17)

**EXECUTIVE SUMMARY
ADMINISTRATION AND REGULATION APPROPRIATIONS ACT**

HOUSE FILE 810

**FISCAL YEAR 2005 SUPPLEMENTAL
APPROPRIATIONS (CONTINUED)**

- **Governor's Office - National Governors Association:** Makes an FY 2005 General Fund supplemental appropriation of \$300,000 for costs associated with the National Governors Association National Meeting. (Page 18, Line 25)

- **Racing and Gaming Commission:** Makes an FY 2005 General Fund supplemental appropriation of \$50,000 for costs associated with the examination of new gaming license applications. (Page 19, Line 5)

REQUIRED REPORT

- Requires the Department of Revenue to provide a report to the General Assembly on the Department's progress towards developing a Tax Credit Tracking System by January 1, 2006. (Page 17, Line 26)

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA**

- Requires the Department of Administrative Services' Distribution Account to carry forward approximately \$272,000 to be distributed to State agencies in FY 2006. (Page 18, Line 9)

EFFECTIVE DATES

- Provides that Sections 23, 24, 25, and 26 of this Act, that permit nonreversion of the Department of Administrative Services Distribution Account and that make FY 2005 supplemental appropriations to the Ethics and Campaign Disclosure Board, the Governor's Office for the National Governors Association, and the Racing and Gaming Commission, are effective on enactment. (Page 20, Line 10)

GOVERNOR'S VETO

- The Governor vetoed language requiring DAS to provide data processing services without charge to the Secretary of State's Office to support voter registration, stating the DAS was established as an entrepreneurial organization that charges other agencies for its services. Allowing one agency to be exempt is counter to this business model and can create a federal over-recovery issue. (Page 15, Line 27)

ENACTMENT DATE

- This Act was approved by the General Assembly on May 10, 2005, and item vetoed and signed by the Governor on June 14, 2005.

House File 810 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
1	34	1.2	Nwthstnd	Sec. 8.33	Nonreversion of Utility Account Funds
2	17	1.5	Nwthstnd	Sec. 8.33	Nonreversion of Workers' Compensation Funds
2	34	3.1	Nwthstnd	Sec. 321A.3(1)	lowAccess Funding
16	7	18	Nwthstnd	Sec. 490.122(1)(a and s) and 504A.85(1 and 9)	Money-back Guarantee Filer Fees
18	9	23	Adds	Sec. 1(3), Ch. 1175, 2004 Iowa Acts	Nonreversion of DAS Distribution Account
18	25	25	Amends	Sec. 12(4), Ch. 1175, 2004 Iowa Acts	Nonreversion of Governor's Association Funds
19	5	26	Amends	Sec. 16(2), Ch. 1175, 2004 Iowa Acts	Excursion Boat FY 2005 Supplemental
19	24	27	Adds	Sec. 8.7	Gift Reporting

1 1 Section 1. DEPARTMENT OF ADMINISTRATIVE SERVICES. There
 1 2 is appropriated from the general fund of the state to the
 1 3 department of administrative services for the fiscal year
 1 4 beginning July 1, 2005, and ending June 30, 2006, the
 1 5 following amounts, or so much thereof as is necessary, to be
 1 6 used for the purposes designated:

1 7 1. For salaries, support, maintenance, and miscellaneous
 1 8 purposes, and for not more than the following full-time
 1 9 equivalent positions:
 1 10 \$ 4,798,641
 1 11 FTEs 423.20

General Fund appropriation to the Department of Administrative Services (DAS).

DETAIL: This is a decrease of \$449,793 and an increase of 10.84 FTE positions compared to the estimated net FY 2005 General Fund appropriation. The changes include:

- A decrease of \$359,560 to be replaced by one-time funding from the revolving funds. The Department received a one-time FY 2005 appropriation of \$1,889,610 for start-up funding for the DAS revolving funds, that, when combined with a carry-forward from three on-going funds, provided the Department with \$359,560 in excess of the two-month estimated operating expenses.
- A decrease of \$90,233 for space management.
- An increase of 10.84 FTE positions.

The Department was appropriated an additional \$200,000 in HF 882 (FY 2006 Standing Appropriations Act) for financial administration duties.

1 12 In addition to the amount appropriated in this subsection,
 1 13 the department is authorized to expend an additional amount
 1 14 not to exceed \$359,560 for the purposes designated in this
 1 15 subsection. Such amount shall be expended from general fund
 1 16 moneys deposited in revolving funds under the control of the
 1 17 department that were appropriated to the department pursuant
 1 18 to 2004 Iowa Acts, chapter 1175, section 2. The department
 1 19 shall develop a plan for repayment to the general fund of the
 1 20 total amount appropriated to the department for start-up
 1 21 funding for revolving funds under the control of the
 1 22 department pursuant to 2004 Iowa Acts, chapter 1175, section

1 23 2. Any amount expended pursuant to this paragraph shall be
 1 24 considered a repayment amount to the general fund and shall
 1 25 reduce the total amount to be repaid to the general fund under
 1 26 the plan developed by the department. The department shall
 1 27 submit the plan for repayment to the department of management
 1 28 for approval. Upon review and approval by the department of
 1 29 management, the department of administrative services shall
 1 30 submit the plan to the general assembly for its review.

1 31 UTILITY COSTS

1 32 2. For the payment of utility costs:
 1 33 \$ 3,080,865

General Fund appropriation for the Utilities Account of the DAS.

DETAIL: This is an increase of \$504,865 compared to the estimated net FY 2005 General Fund appropriation for the addition of the Ankeny Labs for the full fiscal year.

1 34 Notwithstanding section 8.33, any excess funds appropriated
 1 35 for utility costs in this subsection shall not revert to the
 2 1 general fund of the state at the end of the fiscal year but
 2 2 shall remain available for expenditure for the purposes of
 2 3 this subsection during the fiscal year beginning July 1, 2006.

CODE: Requires excess funds from the DAS Utilities Account to carry forward at the end of FY 2005 for utility expenses.

2 4 3. For distribution to other departments:
 2 5 \$ 158,295
 2 6 Moneys appropriated in this subsection shall be separately
 2 7 accounted for in a distribution account and shall be
 2 8 distributed to other governmental entities based upon formulas
 2 9 established by the department to pay for services provided
 2 10 governmental entities by the department as described in
 2 11 chapter 8A.

General Fund appropriation to the Distribution Account of the DAS.

DETAIL: This is a decrease of \$874,557 compared to the estimated net FY 2005 General Fund appropriation. The decrease represents the amount distributed to State agencies that the DAS will bill for services that had been provided by a direct appropriation to the DAS.

The \$158,295 appropriation will be combined with a carry-forward of \$272,281 and distributed to agencies to pay for additional DAS services. The carry-forward will be one-time funding for FY 2006. New funding will have to be found above the FY 2006 level in FY 2007 for the agencies that receive the carry-forward funding.

2 12 4. Members of the general assembly serving as members of
 2 13 the deferred compensation advisory board shall be entitled to
 2 14 receive per diem and necessary travel and actual expenses
 2 15 pursuant to section 2.10, subsection 5, while carrying out
 2 16 their official duties as members of the board.

Authorizes members of the General Assembly to receive per diem, necessary travel, and actual expenses while performing official duties as members of the Deferred Compensation Advisory Board.

2 17 5. Any funds and premiums collected by the department for
 2 18 workers' compensation shall be segregated into a separate
 2 19 workers' compensation fund in the state treasury to be used
 2 20 for payment of state employees' workers' compensation claims
 2 21 and administrative costs. Notwithstanding section 8.33,
 2 22 unencumbered or unobligated moneys remaining in this workers'
 2 23 compensation fund at the end of the fiscal year shall not
 2 24 revert but shall be available for expenditure for purposes of
 2 25 the fund for subsequent fiscal years.

Specifies the intent of the General Assembly that any funds received by the DAS for workers' compensation purposes be used for the payment of workers' compensation claims and administrative costs.

CODE: Requires excess funds from the DAS Workers' Compensation Fund at the end of the fiscal year to carry forward for payment of workers' compensation claims and administrative costs.

2 26 Sec. 2. REVOLVING FUNDS. There is appropriated to the
 2 27 department of administrative services for the fiscal year
 2 28 beginning July 1, 2005, and ending June 30, 2006, from the
 2 29 revolving funds designated in chapter 8A and from internal
 2 30 service funds created by the department, such amounts as the
 2 31 department deems necessary for the operation of the department
 2 32 consistent with the requirements of chapter 8A.

Permits the DAS to use resources in the revolving funds and internal service funds created by the Department for operational purposes, including \$359,560 for the general operation of the Department.

2 33 Sec. 3. FUNDING FOR IOWACCESS.

2 34 1. Notwithstanding section 321A.3, subsection 1, for the
 2 35 fiscal year beginning July 1, 2005, and ending June 30, 2006,
 3 1 the first \$1,000,000 collected and transferred by the
 3 2 department of transportation to the treasurer of state with
 3 3 respect to the fees for transactions involving the furnishing
 3 4 of a certified abstract of a vehicle operating record under
 3 5 section 321A.3, subsection 1, shall be transferred to the
 3 6 lowAccess revolving fund established by section 8A.224 and
 3 7 administered by the department of administrative services for
 3 8 the purposes of developing, implementing, maintaining, and
 3 9 expanding electronic access to government records as provided

CODE: Requires the first \$1,000,000 collected by the Department of Transportation from the sale of certified driver's records to be allocated to the lowAccess Revolving Fund for developing, implementing, maintaining, and expanding electronic access to government records.

An allocation of \$250,000 is made from the Fund to the Department of Administrative Services for support of the Technology Governance Board in HF 839 (State Information Technology Reorganization Act).

3 10 by law.

3 11 2. All fees collected with respect to transactions
 3 12 involving lowAccess shall be deposited in the lowAccess
 3 13 revolving fund and shall be used only for the support of
 3 14 lowAccess projects.

Requires all fees relating to transactions involving lowAccess to be deposited into the lowAccess Revolving Fund for use in projects.

3 15 Sec. 4. STATE EMPLOYEE HEALTH INSURANCE ADMINISTRATION
 3 16 CHARGE. For the fiscal year beginning July 1, 2005, and
 3 17 ending June 30, 2006, the monthly per contract administrative
 3 18 charge which may be assessed by the department of
 3 19 administrative services shall be \$2.00 per contract on all
 3 20 health insurance plans administered by the department.

Permits the DAS to charge \$2 per health insurance contract administered by the Department per month.

DETAIL: It is estimated that \$655,200 will be received by the Department in both FY 2005 and FY 2006.

3 21 Sec. 5. AUDITOR OF STATE. There is appropriated from the
 3 22 general fund of the state to the office of the auditor of
 3 23 state for the fiscal year beginning July 1, 2005, and ending
 3 24 June 30, 2006, the following amount, or so much thereof as is
 3 25 necessary, to be used for the purposes designated:

3 26 For salaries, support, maintenance, and miscellaneous
 3 27 purposes, and for not more than the following full-time
 3 28 equivalent positions:
 3 29 \$ 1,207,341
 3 30 FTEs 105.50

General Fund appropriation to the Auditor of State.

DETAIL: This is an increase of \$35,133 and 0.10 FTE position compared to the estimated net FY 2005 General Fund appropriation for costs related to performing non-billable audits.

3 31 The auditor of state may retain additional full-time
 3 32 equivalent positions as is reasonable and necessary to perform
 3 33 governmental subdivision audits which are reimbursable
 3 34 pursuant to section 11.20 or 11.21, to perform audits which
 3 35 are requested by and reimbursable from the federal government,
 4 1 and to perform work requested by and reimbursable from
 4 2 departments or agencies pursuant to section 11.5A or 11.5B.
 4 3 The auditor of state shall notify the department of
 4 4 management, the legislative fiscal committee, and the
 4 5 legislative services agency of the additional full-time
 4 6 equivalent positions retained.

Permits the State Auditor to add additional staff and expend additional funds to conduct reimbursable audits. Requires the Office to notify the Department of Management (DOM), the Legislative Fiscal Committee, and the Legislative Services Agency (LSA) when additional positions are retained.

4 7 Sec. 6. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There
 4 8 is appropriated from the general fund of the state to the Iowa
 4 9 ethics and campaign disclosure board for the fiscal year
 4 10 beginning July 1, 2005, and ending June 30, 2006, the
 4 11 following amount, or so much thereof as is necessary, for the
 4 12 purposes designated:
 4 13 For salaries, support, maintenance, and miscellaneous
 4 14 purposes, and for not more than the following full-time
 4 15 equivalent positions:
 4 16 \$ 457,864
 4 17 FTEs 6.00

General Fund appropriation to the Iowa Ethics and Campaign Disclosure Board.

DETAIL: This is an increase of \$24,619 and no change in FTE positions compared to the estimated net FY 2005 General Fund appropriation for salary, technology, and additional costs associated with billings from the DAS.

Section 24 of this Act provides for an FY 2005 supplemental appropriation of \$8,000.

4 18 Sec. 7. DEPARTMENT OF COMMERCE. There is appropriated
 4 19 from the general fund of the state to the department of
 4 20 commerce for the fiscal year beginning July 1, 2005, and
 4 21 ending June 30, 2006, the following amounts, or so much
 4 22 thereof as is necessary, for the purposes designated:

4 23 1. ALCOHOLIC BEVERAGES DIVISION
 4 24 For salaries, support, maintenance, and miscellaneous
 4 25 purposes, and for not more than the following full-time
 4 26 equivalent positions:
 4 27 \$ 1,883,441
 4 28 FTEs 34.00

General Fund appropriation to the Alcoholic Beverages Division of the Department of Commerce.

DETAIL: Maintains the current level of General Fund support and is an increase of 1.00 FTE position compared to the estimated net FY 2005 General Fund appropriation. As a Charter Agency, the Division is not subject to FTE position restrictions.

4 29 2. BANKING DIVISION
 4 30 For salaries, support, maintenance, and miscellaneous
 4 31 purposes, and for not more than the following full-time
 4 32 equivalent positions:
 4 33 \$ 6,793,223
 4 34 FTEs 71.00

General Fund appropriation to the Banking Division of the Department of Commerce.

DETAIL: This is an increase of \$428,678 and 6.00 FTE positions compared to the estimated net FY 2005 General Fund appropriation. The changes include:

- An increase of \$219,000 and 4.00 FTE positions to increase the oversight of State-chartered banks by increasing the number of Bank Examiners.
- An increase of \$209,678 and 2.00 FTE positions to implement HF 737 (Mortgage Brokers Licensing Act).

4 35 3. CREDIT UNION DIVISION
 5 1 For salaries, support, maintenance, and miscellaneous
 5 2 purposes, and for not more than the following full-time
 5 3 equivalent positions:
 5 4 \$ 1,382,568
 5 5 FTEs 18.00

5 6 4. INSURANCE DIVISION
 5 7 a. For salaries, support, maintenance, and miscellaneous
 5 8 purposes, and for not more than the following full-time
 5 9 equivalent positions:
 5 10 \$ 4,369,854
 5 11 FTEs 101.00

5 12 b. The insurance division may reallocate authorized full-
 5 13 time equivalent positions as necessary to respond to
 5 14 accreditation recommendations or requirements. The insurance
 5 15 division expenditures for examination purposes may exceed the
 5 16 projected receipts, refunds, and reimbursements, estimated
 5 17 pursuant to section 505.7, subsection 7, including the
 5 18 expenditures for retention of additional personnel, if the
 5 19 expenditures are fully reimbursable and the division first
 5 20 does both of the following:
 5 21 (1) Notifies the department of management, the legislative
 5 22 services agency, and the legislative fiscal committee of the
 5 23 need for the expenditures.
 5 24 (2) Files with each of the entities named in subparagraph

General Fund appropriation to the Credit Union Division of the Department of Commerce.

DETAIL: Maintains the current level of General Fund support and FTE positions.

General Fund appropriation to the Insurance Division of the Department of Commerce.

DETAIL: This is an increase of \$498,963 and 7.00 FTE positions compared to the estimated net FY 2005 General Fund appropriation to provide additional oversight of the insurance industry by increasing the number of Insurance Company Executive 3 employees.

The Division was appropriated an additional \$300,000 and 2.00 FTE positions in HF 819 (Long-Term Care Asset Disregard Act) to establish an educational program to inform Iowans regarding the Iowa Long-Term Care Asset Disregard Incentive Program.

A contingent appropriation was made from the Senior Living Trust Fund to the Division in the amount of \$250,000 for the Prescription Drug Assistance Program in HF 821 (Prescription Drug Assistance Program Act). The appropriation was vetoed by the Governor.

Permits the Insurance Division to reallocate FTE positions as necessary to meet national accreditation standards. Also, permits examination expenditures of the Division to exceed revenues if the expenditures are reimbursable. The Division is required to notify the DOM, the LSA, and the Legislative Fiscal Committee of the need for examination expenses to exceed revenues and must provide justification and an estimate of the excess expenditures.

5 25 (1) the legislative and regulatory justification for the
 5 26 expenditures, along with an estimate of the expenditures.

5 27 c. The insurance division shall allocate \$10,000 from the
 5 28 examination receipts for the payment of its fees to the
 5 29 national council of insurance legislators.

Allocates \$10,000 from the Insurance Division's examination receipts for the payment of annual dues for the National Council of Insurance Legislators (NCOIL).

DETAIL: Fees deposited into the General Fund will be reduced by \$10,000.

5 30 5. PROFESSIONAL LICENSING AND REGULATION DIVISION

5 31 For salaries, support, maintenance, and miscellaneous
 5 32 purposes, and for not more than the following full-time
 5 33 equivalent positions:
 5 34 \$ 836,921
 5 35 FTEs 12.75

General Fund appropriation to the Professional Licensing and Regulation Division of the Department of Commerce.

DETAIL: This is an increase of \$54,250 and 0.75 FTE position compared to the estimated net FY 2005 General Fund appropriation to implement SF 405 (Interior Design Title Act).

6 1 Of the appropriation made and FTEs authorized in this
 6 2 subsection, \$54,250 and 0.75 FTEs are contingent upon the
 6 3 enactment of 2005 Iowa Acts, Senate File 405.

6 4 6. UTILITIES DIVISION

6 5 a. For salaries, support, maintenance, and miscellaneous
 6 6 purposes, and for not more than the following full-time
 6 7 equivalent positions:
 6 8 \$ 7,000,000
 6 9 FTEs 79.00

General Fund appropriation to the Utilities Division of the Department of Commerce.

DETAIL: This is an increase of \$101,892 and 9.00 FTE positions compared to the estimated net FY 2005 General Fund appropriation. The changes include:

- An increase of \$180,000 to provide funding for a Utility Regulatory Engineer to work with electric transmission as it relates to regional electric transmission organizations, and a Utility Regulatory Inspector to ensure compliance with natural gas pipeline and electric transmission safety codes and rules.
-

- An increase of 9.00 FTE positions to restore the FY 2005 authorization.
- A decrease of \$78,108 for the Pipeline Safety Program. Federal funding is anticipated to increase by \$250,000.

Permits the Utilities Division to expend additional funds for utility company examinations, including expenditures for additional personnel, if the funds are reimbursable. The Division must notify the DOM, the LSA, and the Legislative Fiscal Committee of the expenditure or encumbrance in excess of the funds budgeted for utility regulation, and must provide justification and an estimate of the excess expenditures.

6 10 b. The utilities division may expend additional funds,
6 11 including funds for additional personnel, if those additional
6 12 expenditures are actual expenses which exceed the funds
6 13 budgeted for utility regulation and the expenditures are fully
6 14 reimbursable. Before the division expends or encumbers an
6 15 amount in excess of the funds budgeted for regulation, the
6 16 division shall first do both of the following:

6 17 (1) Notify the department of management, the legislative
6 18 services agency, and the legislative fiscal committee of the
6 19 need for the expenditures.

6 20 (2) File with each of the entities named in subparagraph
6 21 (1) the legislative and regulatory justification for the
6 22 expenditures, along with an estimate of the expenditures.

6 23 7. CHARGES — TRAVEL. Each division and the office of
6 24 consumer advocate shall include in its charges assessed or
6 25 revenues generated, an amount sufficient to cover the amount
6 26 stated in its appropriation, and any state-assessed indirect
6 27 costs determined by the department of administrative services.
6 28 The director of the department of commerce shall review on a
6 29 quarterly basis all out-of-state travel for the previous
6 30 quarter for officers and employees of each division of the
6 31 department if the travel is not already authorized by the
6 32 executive council.

Requires the Division and the Office of Consumer Advocate to include in their charges or revenue generated the amount appropriated and any State-assessed indirect costs as determined by the DAS.

Requires the Director of the Department of Commerce to review quarterly all out-of-state travel for each division of the Department if the travel is not already authorized by the Executive Council.

6 33 Sec. 8. DEPARTMENT OF COMMERCE — PROFESSIONAL LICENSING
6 34 AND REGULATION. There is appropriated from the housing
6 35 improvement fund of the Iowa department of economic
7 1 development to the division of professional licensing and
7 2 regulation of the department of commerce for the fiscal year
7 3 beginning July 1, 2005, and ending June 30, 2006, the
7 4 following amount, or so much thereof as is necessary, to be

Department of Economic Development Housing Improvement Fund appropriation to the Department of Commerce Professional Licensing and Regulation Division.

DETAIL: Maintains the current level of Non-General Fund support.

7 5 used for the purposes designated:
 7 6 For salaries, support, maintenance, and miscellaneous
 7 7 purposes:
 7 8 \$ 62,317

7 9 Sec. 9. GOVERNOR AND LIEUTENANT GOVERNOR. There is
 7 10 appropriated from the general fund of the state to the offices
 7 11 of the governor and the lieutenant governor for the fiscal
 7 12 year beginning July 1, 2005, and ending June 30, 2006, the
 7 13 following amounts, or so much thereof as is necessary, to be
 7 14 used for the purposes designated:

7 15 1. GENERAL OFFICE
 7 16 For salaries, support, maintenance, and miscellaneous
 7 17 purposes for the general office of the governor and the
 7 18 general office of the lieutenant governor, and for not more
 7 19 than the following full-time equivalent positions:
 7 20 \$ 1,729,857
 7 21 FTEs 19.25

General Fund appropriation to the Office of the Governor and
 Lieutenant Governor.

DETAIL: This is a general increase of \$160,000 and no change in
 FTE positions compared to the estimated net FY 2005 appropriation.

7 22 2. TERRACE HILL QUARTERS
 7 23 For salaries, support, maintenance, and miscellaneous
 7 24 purposes for the governor's quarters at Terrace Hill, and for
 7 25 not more than the following full-time equivalent positions:
 7 26 \$ 343,149
 7 27 FTEs 8.00

General Fund appropriation for support of the Terrace Hill Quarters.

DETAIL: Maintains the current level of General Fund support and FTE
 positions.

7 28 3. ADMINISTRATIVE RULES COORDINATOR
 7 29 For salaries, support, maintenance, and miscellaneous
 7 30 purposes for the office of administrative rules coordinator,
 7 31 and for not more than the following full-time equivalent
 7 32 positions:
 7 33 \$ 136,458
 7 34 FTEs 3.00

General Fund appropriation for the Administrative Rules Coordinator.

DETAIL: Maintains the current level of General Fund support and FTE
 positions.

7 35 4. NATIONAL GOVERNORS ASSOCIATION
 8 1 For payment of Iowa's membership in the national governors

General Fund appropriation for the payment of dues to the National
 Governors Association.

<p>8 2 association: 8 3 \$ 64,393</p>	<p>DETAIL: This is a decrease of \$300,000 compared to the estimated net FY 2005 General Fund appropriation for elimination of one-time funding for security and related costs of the National Governors Association meeting.</p> <p>The FY 2005 appropriation was reduced by \$200,000 in HF 882 (FY 2006 Standing Appropriations Act), making the FY 2006 decrease \$100,000.</p>
<p>8 4 5. STATE–FEDERAL RELATIONS 8 5 For salaries, support, maintenance, and miscellaneous 8 6 purposes, and for not more than the following full–time 8 7 equivalent positions: 8 8 \$ 111,236 8 9 FTEs 2.00</p>	<p>General Fund appropriation to the State-Federal Relations Office.</p> <p>DETAIL: Maintains the current level of General Fund support and FTE positions.</p>
<p>8 10 Sec. 10. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY. 8 11 1. There is appropriated from the general fund of the 8 12 state to the governor's office of drug control policy for the 8 13 fiscal year beginning July 1, 2005, and ending June 30, 2006, 8 14 the following amount, or so much thereof as is necessary, to 8 15 be used for the purposes designated: 8 16 For salaries, support, maintenance, and miscellaneous 8 17 purposes, including statewide coordination of the drug abuse 8 18 resistance education (D.A.R.E.) programs or similar programs, 8 19 and for not more than the following full–time equivalent 8 20 positions: 8 21 \$ 313,195 8 22 FTEs 9.00</p>	<p>General Fund appropriation to the Office of Drug Control Policy.</p> <p>DETAIL: This is an increase of \$50,000 and no change in FTE positions compared to the estimated net FY 2005 General Fund appropriation for one-time funding to bridge the gap between two federal grants for the Drug Endangered Children Program.</p> <p>This appropriation is reduced by \$13,195 in HF 882 (FY 2006 Standing Appropriations Act).</p>
<p>8 23 2. The governor's office of drug control policy, in 8 24 consultation with the Iowa department of public health, and 8 25 after discussion and collaboration with all interested 8 26 agencies, shall coordinate substance abuse treatment and 8 27 prevention efforts in order to avoid duplication of services.</p>	<p>Requires the Office of Drug Control Policy to coordinate substance abuse treatment and prevention efforts to avoid duplication of services.</p>

8 28 Sec. 11. DEPARTMENT OF HUMAN RIGHTS. There is
 8 29 appropriated from the general fund of the state to the
 8 30 department of human rights for the fiscal year beginning July
 8 31 1, 2005, and ending June 30, 2006, the following amounts, or
 8 32 so much thereof as is necessary, to be used for the purposes
 8 33 designated:

8 34 1. CENTRAL ADMINISTRATION DIVISION
 8 35 For salaries, support, maintenance, and miscellaneous
 9 1 purposes, and for not more than the following full-time
 9 2 equivalent positions:
 9 3 \$ 312,660
 9 4 FTEs 7.00

General Fund appropriation to the Central Administration Division of the Department of Human Rights.

DETAIL: Maintains the current level of General Fund support and FTE positions.

9 5 2. DEAF SERVICES DIVISION
 9 6 For salaries, support, maintenance, and miscellaneous
 9 7 purposes, and for not more than the following full-time
 9 8 equivalent positions:
 9 9 \$ 362,710
 9 10 FTEs 6.00

General Fund appropriation to the Deaf Services Division of the Department of Human Rights.

DETAIL: Maintains the current level of General Fund support and FTE positions.

9 11 The fees collected by the division for provision of
 9 12 interpretation services by the division to obligated agencies
 9 13 shall be disbursed pursuant to the provisions of section 8.32,
 9 14 and shall be dedicated and used by the division for continued
 9 15 and expanded interpretation services.

Requires the fees collected by the Division to be used for continued and expanded interpretation services.

9 16 3. STATUS OF IOWANS OF ASIAN AND PACIFIC ISLANDER HERITAGE
 9 17 DIVISION
 9 18 For support, maintenance, and miscellaneous purposes:
 9 19 \$ 6,000

General Fund appropriation to the Status of Iowans of Asian and Pacific Islander Heritage Division of the Department of Human Rights.

DETAIL: This is a new appropriation for the support and expenses of the new Commission.

9 20 4. PERSONS WITH DISABILITIES DIVISION
 9 21 For salaries, support, maintenance, and miscellaneous
 9 22 purposes, and for not more than the following full-time
 9 23 equivalent positions:

General Fund appropriation to the Persons with Disabilities Division of the Department of Human Rights.

PG LN	House File 810	Explanation
9 24	..... \$ 184,971	DETAIL: Maintains the current level of General Fund support and is an increase of 0.50 FTE position compared to the estimated net FY 2005 General Fund appropriation to restore the FY 2005 authorization.
9 25	..... FTEs 3.50	
9 26	5. LATINO AFFAIRS DIVISION	General Fund appropriation to the Latino Affairs Division of the Department of Human Rights.
9 27	For salaries, support, maintenance, and miscellaneous	
9 28	purposes, and for not more than the following full-time	DETAIL: Maintains the current level of General Fund support and FTE positions.
9 29	equivalent positions:	
9 30	..... \$ 166,718	
9 31	..... FTEs 3.00	
9 32	6. STATUS OF WOMEN DIVISION	General Fund appropriation to the Status of Women Division of the Department of Human Rights.
9 33	For salaries, support, maintenance, and miscellaneous	
9 34	purposes, including the lowans in transition program, and the	DETAIL: Maintains the current level of General Fund support and FTE positions.
9 35	domestic violence and sexual assault-related grants, and for	
10 1	not more than the following full-time equivalent positions:	
10 2	..... \$ 329,530	
10 3	..... FTEs 3.00	
10 4	7. STATUS OF AFRICAN-AMERICANS DIVISION	General Fund appropriation to the Status of African-Americans Division of the Department of Human Rights.
10 5	For salaries, support, maintenance, and miscellaneous	
10 6	purposes, and for not more than the following full-time	DETAIL: This is an increase of \$1,695 and no change in FTE positions compared to the estimated net FY 2005 General Fund appropriation to fund salary cost increases.
10 7	equivalent positions:	
10 8	..... \$ 119,991	
10 9	..... FTEs 2.00	
10 10	8. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION	General Fund appropriation to the Criminal and Juvenile Justice Planning Division of the Department of Human Rights.
10 11	For salaries, support, maintenance, and miscellaneous	
10 12	purposes, and for not more than the following full-time	DETAIL: This is an increase of \$348,624 and 2.00 FTE positions compared to the estimated net FY 2005 General Fund appropriation. This increase will provide the funds and FTE positions for the Division's on-going computer system expenses that had been funded from the Pooled Technology Fund in FY 2005.
10 13	equivalent positions:	
10 14	..... \$ 752,398	
10 15	..... FTEs 8.18	

An additional \$75,000 General Fund appropriation for FY 2006 is provided in HF 811 (FY 2006 Justice System Appropriations Act) for the data warehouse.

10 16 The criminal and juvenile justice planning advisory council
10 17 and the juvenile justice advisory council shall coordinate
10 18 their efforts in carrying out their respective duties relative
10 19 to juvenile justice.

Requires the Criminal and Juvenile Justice Planning Advisory Council and the Juvenile Justice Advisory Council to coordinate efforts in performing juvenile justice duties.

10 20 9. SHARED STAFF. The divisions of the department of human
10 21 rights shall retain their individual administrators, but shall
10 22 share staff to the greatest extent possible.

Requires the divisions within the Department of Human Rights to share staff.

10 23 Sec. 12. DEPARTMENT OF INSPECTIONS AND APPEALS. There is
10 24 appropriated from the general fund of the state to the
10 25 department of inspections and appeals for the fiscal year
10 26 beginning July 1, 2005, and ending June 30, 2006, the
10 27 following amounts, or so much thereof as is necessary, for the
10 28 purposes designated:

10 29 1. ADMINISTRATION DIVISION
10 30 For salaries, support, maintenance, and miscellaneous
10 31 purposes, and for not more than the following full-time
10 32 equivalent positions:
10 33 \$ 1,564,755
10 34 FTEs 32.25

General Fund appropriation to the Administration Division of the Department of Inspections and Appeals (DIA).

DETAIL: This is a general decrease of \$96,587 and no change in FTE positions compared to the estimated net FY 2005 General Fund appropriation.

This appropriation is reduced by \$49,000 in HF 882 (FY 2006 Standing Appropriations Act).

10 35 2. ADMINISTRATIVE HEARINGS DIVISION
11 1 For salaries, support, maintenance, and miscellaneous
11 2 purposes, and for not more than the following full-time
11 3 equivalent positions:
11 4 \$ 614,114
11 5 FTEs 23.00

General Fund appropriation to the Administrative Hearings Division of the DIA.

DETAIL: Maintains the current level of General Fund support and FTE positions.

PG LN	House File 810	Explanation
<p>11 6 3. INVESTIGATIONS DIVISION 11 7 For salaries, support, maintenance, and miscellaneous 11 8 purposes, and for not more than the following full-time 11 9 equivalent positions: 11 10 \$ 1,407,295 11 11 FTEs 41.00</p>	<p>General Fund appropriation to the Investigations Division of the DIA. DETAIL: Maintains the current level of General Fund support and FTE positions.</p>	
<p>11 12 4. HEALTH FACILITIES DIVISION 11 13 For salaries, support, maintenance, and miscellaneous 11 14 purposes, and for not more than the following full-time 11 15 equivalent positions: 11 16 \$ 2,356,836 11 17 FTEs 113.25</p>	<p>General Fund appropriation to the Health Facilities Division of the DIA. DETAIL: This is an increase of \$80,000 and a decrease of 2.50 FTE positions compared to the estimated net FY 2005 General Fund appropriation.</p>	
<p>11 18 Of the funds appropriated in this subsection, \$80,000 and 11 19 1.00 FTE shall be used for the operation, expansion, and 11 20 maintenance of the direct care worker registry.</p>	<p>Specifies that \$80,000 and 1.00 FTE position be used for the direct care worker registry. DETAIL: This intent language was nullified by Section 48 of HF 882 (FY 2006 Standing Appropriations Act).</p>	
<p>11 21 5. EMPLOYMENT APPEAL BOARD 11 22 For salaries, support, maintenance, and miscellaneous 11 23 purposes, and for not more than the following full-time 11 24 equivalent positions: 11 25 \$ 52,869 11 26 FTEs 15.00</p>	<p>General Fund appropriation to the Employment Appeal Board. DETAIL: Maintains the current General Fund support and is an increase of 1.00 FTE position compared to the estimated net FY 2005 General Fund appropriation to restore the FY 2005 authorization.</p>	
<p>11 27 The employment appeal board shall be reimbursed by the 11 28 labor services division of the department of workforce 11 29 development for all costs associated with hearings conducted 11 30 under chapter 91C, related to contractor registration. The 11 31 board may expend, in addition to the amount appropriated under 11 32 this subsection, additional amounts as are directly billable 11 33 to the labor services division under this subsection and to 11 34 retain the additional full-time equivalent positions as needed 11 35 to conduct hearings required pursuant to chapter 91C.</p>	<p>Permits the Board to expend funds as necessary for hearings related to contractor registration. The costs for these hearings are required to be reimbursed by the Labor Services Division of the Department of Workforce Development.</p>	

<p>12 1 6. CHILD ADVOCACY BOARD 12 2 For foster care review and the court appointed special 12 3 advocate program, including salaries, support, maintenance, 12 4 and miscellaneous purposes, and for not more than the 12 5 following full-time equivalent positions: 12 6 \$ 1,962,059 12 7 FTEs 38.99</p> <p>12 8 a. The department of human services, in coordination with 12 9 the child advocacy board, and the department of inspections 12 10 and appeals, shall submit an application for funding available 12 11 pursuant to Title IV-E of the federal Social Security Act for 12 12 claims for child advocacy board, administrative review costs.</p> <p>12 13 b. The court appointed special advocate program shall 12 14 investigate and develop opportunities for expanding fund- 12 15 raising for the program.</p> <p>12 16 c. Administrative costs charged by the department of 12 17 inspections and appeals for items funded under this subsection 12 18 shall not exceed 4 percent of the amount appropriated in this 12 19 subsection.</p> <p>12 20 Sec. 13. RACING AND GAMING COMMISSION.</p> <p>12 21 1. RACETRACK REGULATION</p> <p>12 22 There is appropriated from the general fund of the state to 12 23 the racing and gaming commission of the department of 12 24 inspections and appeals for the fiscal year beginning July 1, 12 25 2005, and ending June 30, 2006, the following amount, or so 12 26 much thereof as is necessary, to be used for the purposes 12 27 designated: 12 28 For salaries, support, maintenance, and miscellaneous 12 29 purposes for the regulation of pari-mutuel racetracks, and for 12 30 not more than the following full-time equivalent positions:</p>	<p>General Fund appropriation to the Child Advocacy Board.</p> <p>DETAIL: Maintains the current level of General Fund support and is a decrease of 1.50 FTE positions compared to the estimated net FY 2005 General Fund appropriation to restore the FY 2005 authorization.</p> <p>Requires the Department of Human Services, the Child Care Advocacy Board, and the DIA to cooperate in filing an application for federal funds for Child Care Advocacy Board administrative review costs.</p> <p>Requires the Court-Appointed Special Advocate Program to seek additional donations and grants.</p> <p>Limits the administrative costs that DIA can charge the Board to 4.00% of the funds appropriated.</p> <p>General Fund appropriation to the Racing and Gaming Commission for regulation of racetrack casinos.</p> <p>DETAIL: This is an increase of \$365,895 and no change in FTE positions compared to the estimated net FY 2005 General Fund appropriation for additional support costs related to additional table games.</p>
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PG LN	House File 810	Explanation
12 31 \$ 2,574,702	The Division received a one-time appropriation of \$217,161 in FY 2005 for pari-mutuel investigations that is not part of the above comparison.
12 32	..... FTEs 27.53
12 33	Of the funds appropriated in this subsection, \$85,576 shall	Requires \$85,576 of the appropriation to be used to extend the harness racing season.
12 34	be used to conduct an extended harness racing season.	
12 35	2. EXCURSION BOAT REGULATION	General Fund appropriation to the Racing and Gaming Commission for the regulation of Excursion Gambling Boats.
13 1	There is appropriated from the general fund of the state to	
13 2	the racing and gaming commission of the department of	DETAIL: This is an increase of \$553,649 and 5.00 FTE positions compared to the estimated net FY 2005 General Fund appropriation for additional Gaming Representatives and support funds to allow travel between facilities for regulation for the expansion of excursion boat gambling at currently licensed boats.
13 3	inspections and appeals for the fiscal year beginning July 1,	
13 4	2005, and ending June 30, 2006, the following amount, or so	
13 5	much thereof as is necessary, to be used for the purposes	
13 6	designated:	
13 7	For salaries, support, maintenance, and miscellaneous		Section 26 of this Act provides an FY 2005 supplemental appropriation of $50,000.
13 8	purposes for administration and enforcement of the excursion	
13 9	boat gambling laws, and for not more than the following full-	
13 10	time equivalent positions:	
13 11	..... \$ 2,417,052
13 12	..... FTEs 35.22
13 13	Sec. 14. USE TAX APPROPRIATION. There is appropriated	Use Tax appropriation to the Administrative Hearing Division of the DIA.
13 14	from the use tax receipts collected pursuant to sections	
13 15	423.26 and 423.27 prior to their deposit in the road use tax	DETAIL: Maintains the current level of Use Tax support.
13 16	fund pursuant to section 423.43 to the administrative hearings	
13 17	division of the department of inspections and appeals for the	
13 18	fiscal year beginning July 1, 2005, and ending June 30, 2006,	
13 19	the following amount, or so much thereof as is necessary, for	
13 20	the purposes designated:	
13 21	For salaries, support, maintenance, and miscellaneous	
13 22	purposes:	
13 23	..... \$ 1,424,042
13 24	Sec. 15. DEPARTMENT OF MANAGEMENT. There is appropriated	
13 25	from the general fund of the state to the department of	
13 26	management for the fiscal year beginning July 1, 2005, and	
13 27	ending June 30, 2006, the following amounts, or so much	

13 28 thereof as is necessary, to be used for the purposes
 13 29 designated:

13 30 1. GENERAL OFFICE

13 31 For salaries, support, maintenance, and miscellaneous
 13 32 purposes, and for not more than the following full-time
 13 33 equivalent positions:

13 34 \$ 2,164,904
 13 35 FTEs 32.00

General Fund appropriation to the Department of Management (DOM)
 for the General Office Division.

DETAIL: Maintains the current level of General Fund support and is a
 decrease of 2.00 FTE positions compared to the estimated net FY
 2005 General Fund appropriation to restore the FY 2005 authorization.

The Department received an FY 2006 appropriation of \$216,000 and
 2.50 FTE positions in HF 882 (FY 2006 Standing Appropriations Act)
 to conduct performance audits and develop performance measures.

14 1 2. ENTERPRISE RESOURCE PLANNING

14 2 If funding is provided for the redesign of the enterprise
 14 3 resource planning budget system for the fiscal year beginning
 14 4 July 1, 2005, then there is appropriated from the general fund
 14 5 of the state to the department of management for the fiscal
 14 6 year beginning July 1, 2005, and ending June 30, 2006, the
 14 7 following amount, or so much thereof as is necessary, to be
 14 8 used for the purposes designated:

14 9 For salaries, support, maintenance, and miscellaneous
 14 10 purposes for administration of the enterprise resource
 14 11 planning system, and for not more than the following full-time
 14 12 equivalent position:
 14 13 \$ 57,435
 14 14 FTEs 1.00

Contingent General Fund appropriation to the DOM for staff support
 related to implementation of an enterprise resource planning budget
 system.

DETAIL: Maintains the current level of General Fund support and FTE
 position.

14 15 3. SALARY MODEL ADMINISTRATOR

14 16 For salary, support, and miscellaneous purposes of the
 14 17 salary model administrator, and for not more than the
 14 18 following full-time equivalent position:

14 19 \$ 123,598
 14 20 FTEs 1.00

General Fund appropriation to the Department of Management (DOM)
 for the costs of a salary model administrator.

DETAIL: Maintains the current level of General Fund support and FTE
 position.

14 21 The salary model administrator shall work in conjunction
 14 22 with the legislative services agency to maintain the state's
 14 23 salary model used for analyzing, comparing, and projecting
 14 24 state employee salary and benefit information, including
 14 25 information relating to employees of the state board of
 14 26 regents. The department of revenue, the department of
 14 27 administrative services, the five institutions under the
 14 28 jurisdiction of the state board of regents, the judicial
 14 29 district departments of correctional services, and the state
 14 30 department of transportation shall provide salary data to the
 14 31 department of management and the legislative services agency
 14 32 to operate the state's salary model. The format and frequency
 14 33 of provision of the salary data shall be determined by the
 14 34 department of management and the legislative services agency.
 14 35 The information shall be used in collective bargaining
 15 1 processes under chapter 20 and in calculating the funding
 15 2 needs contained within the annual salary adjustment
 15 3 legislation. A state employee organization as defined in
 15 4 section 20.3, subsection 4, may request information produced
 15 5 by the model, but the information provided shall not contain
 15 6 information attributable to individual employees.

Requires the DOM administrator to work in conjunction with the LSA in maintaining the State's salary model. Requires the following departments or entities to provide salary data to the DOM and the LSA:

- Revenue
- Administrative Services
- Five institutions of the Board of Regents
- Eight judicial district departments of correctional services (CBCs)
- Department of Transportation

Specifies that a State employee organization may request information produced by the model, but prohibits the information from providing individual identification.

15 7 Sec. 16. ROAD USE TAX APPROPRIATION. There is
 15 8 appropriated from the road use tax fund to the department of
 15 9 management for the fiscal year beginning July 1, 2005, and
 15 10 ending June 30, 2006, the following amount, or so much thereof
 15 11 as is necessary, to be used for the purposes designated:
 15 12 For salaries, support, maintenance, and miscellaneous
 15 13 purposes:
 15 14 \$ 56,000

Road Use Tax Fund appropriation to the DOM for support and services provided to the Department of Transportation (DOT).

DETAIL: Maintains the current level of Non-General Fund support.

15 15 Sec. 17. SECRETARY OF STATE. There is appropriated from
 15 16 the general fund of the state to the office of the secretary
 15 17 of state for the fiscal year beginning July 1, 2005, and
 15 18 ending June 30, 2006, the following amounts, or so much
 15 19 thereof as is necessary, to be used for the purposes
 15 20 designated:

15 21 1. ADMINISTRATION AND ELECTIONS
 15 22 For salaries, support, maintenance, and miscellaneous
 15 23 purposes, and for not more than the following full-time
 15 24 equivalent positions:
 15 25 \$ 660,233
 15 26 FTEs 10.00

General Fund appropriation to the Administration and Elections Division of the Office of the Secretary of State.

DETAIL: Maintains the current level of General Fund support and FTE positions.

[15 27 The state department or state agency which provides data
 15 28 processing services to support voter registration file
 15 29 maintenance and storage shall provide those services without
 15 30 charge.]

VETOED

Prohibits the Office of the Secretary of State from charging a fee for data processing services to support voter registration file maintenance and storage.

VETOED: The Governor vetoed this paragraph, stating the Department of Administrative Services was established as an entrepreneurial organization that charges other agencies for its services. Allowing one agency to be exempt is counter to this business model and can create a federal over-recovery issue.

15 31 2. BUSINESS SERVICES
 15 32 For salaries, support, maintenance, and miscellaneous
 15 33 purposes, and for not more than the following full-time
 15 34 equivalent positions:
 15 35 \$ 1,837,967
 16 1 FTEs 32.00

General Fund appropriation to the Business Services Division of the Office of the Secretary of State.

DETAIL: This is an increase of \$153,955 and no change in FTE positions compared to the estimated net FY 2005 General Fund appropriation for operating expenses for the corporate filing year.

16 2 3. BIENNIAL REPORTING
 16 3 For administering the biennial reporting requirements for
 16 4 limited liability companies as required in section 490A.131,
 16 5 if enacted by 2005 Iowa Acts, House File 859:
 16 6 \$ 275,000

General Fund appropriation to implement registration requirements specified in HF 859 (Cooperative Associations Act).

DETAIL: This is a new appropriation. Hybrid cooperatives must register in even-numbered years. It is estimated that there will be 70,000 businesses filing annual reports as hybrid cooperatives.

16 7 Sec. 18. SECRETARY OF STATE FILING FEES REFUND.
 16 8 Notwithstanding the obligation to collect fees pursuant to the
 16 9 provisions of section 490.122, subsection 1, paragraphs "a"
 16 10 and "s", and section 504A.85, subsections 1 and 9, for the
 16 11 fiscal year beginning July 1, 2005, and ending June 30, 2006,
 16 12 the secretary of state may refund these fees to the filer
 16 13 pursuant to rules established by the secretary of state. The

CODE: Allows the Business Services Division of the Office of the Secretary of State to refund fees if the filer is not satisfied with the quality of service provided. The decision to issue a refund is at the discretion of the Secretary of State and is not subject to administrative review.

16 14 decision of the secretary of state not to issue a refund under
 16 15 rules established by the secretary of state is final and not
 16 16 subject to review pursuant to the provisions of the Iowa
 16 17 administrative procedure Act, chapter 17A.

16 18 Sec. 19. TREASURER. There is appropriated from the
 16 19 general fund of the state to the office of treasurer of state
 16 20 for the fiscal year beginning July 1, 2005, and ending June
 16 21 30, 2006, the following amount, or so much thereof as is
 16 22 necessary, to be used for the purposes designated:

16 23 For salaries, support, maintenance, and miscellaneous
 16 24 purposes, and for not more than the following full-time
 16 25 equivalent positions:
 16 26 \$ 851,261
 16 27 FTEs 28.80

General Fund appropriation to the Office of Treasurer of State.

 DETAIL: This is an increase of \$29,000 and a decrease of 0.20 FTE position compared to the estimated net FY 2005 General Fund appropriation. The additional funding is for increased information technology fees to address the federal over-billing concern. The decrease in FTE position is to restore the FY 2005 authorization.

16 28 The office of treasurer of state shall supply clerical and
 16 29 secretarial support for the executive council.

Requires the Office to provide clerical and secretarial support to the Executive Council.

16 30 Sec. 20. IPERS — GENERAL OFFICE. There is appropriated
 16 31 from the Iowa public employees' retirement system fund to the
 16 32 Iowa public employees' retirement system for the fiscal year
 16 33 beginning July 1, 2005, and ending June 30, 2006, the
 16 34 following amount, or so much thereof as is necessary, to be
 16 35 used for the purposes designated:

Iowa Public Employees' Retirement System (IPERS) Fund appropriation to the Iowa Public Employees' Retirement System for administration of the System.

 DETAIL: This is an increase of \$1,424,456 and 5.00 FTE positions compared to the estimated net FY 2005 appropriation for a multi-year update, through FY 2010, of the Benefits Administration System.

17 1 For salaries, support, maintenance, and other operational
 17 2 purposes to pay the costs of the Iowa public employees'
 17 3 retirement system, and for not more than the following full-
 17 4 time equivalent positions:
 17 5 \$ 10,582,931
 17 6 FTEs 95.13

17 7 Sec. 21. DEPARTMENT OF REVENUE. There is appropriated
 17 8 from the general fund of the state to the department of

17 9 revenue for the fiscal year beginning July 1, 2005, and ending
17 10 June 30, 2006, the following amounts, or so much thereof as is
17 11 necessary, to be used for the purposes designated:

17 12 1. OPERATIONS

17 13 For salaries, support, maintenance, and miscellaneous
17 14 purposes, and for not more than the following full-time
17 15 equivalent positions:

17 16 \$ 26,623,360
17 17 FTEs 400.66

General Fund appropriation to the Department of Revenue.

DETAIL: This is an increase of \$1,418,198 and 24.56 FTE positions compared to the estimated net FY 2005 General Fund appropriation. The changes include:

- An increase of \$270,963 to maintain funding for 6.00 FTE positions by replacing FY 2005 Charter Agency Grant funding for tax compliance officers. The positions generate approximately \$1,300,000 annually.
- An increase of \$360,000 and 5.00 FTE positions to create an automated system for tracking the awarding and exercise of tax credits and to monitor the effectiveness of tax credits. The ongoing annual cost for maintaining the system is estimated to be between \$150,000 and \$200,000, along with 2.00 FTE positions.
- An increase of \$787,235 due to higher information technology fees to address the federal over-billing concern.
- An increase of 13.56 FTE positions to restore the FY 2005 authorization. As a Charter Agency, the Department is not subject to FTE position restrictions.

The increase was reduced by \$25,882 in HF 882 (FY 2006 Standing Appropriations Act) due to a general decrease.

17 18 Of the funds appropriated pursuant to this subsection,
17 19 \$400,000 shall be used to pay the direct costs of compliance
17 20 related to the collection and distribution of local sales and
17 21 services taxes imposed pursuant to chapters 423B and 423E.

Requires that \$400,000 of the funds appropriated in this Subsection to be used to pay the costs related to Local Option Sales and Services Taxes.

17 22 The director of revenue shall prepare and issue a state
17 23 appraisal manual and the revisions to the state appraisal
17 24 manual as provided in section 421.17, subsection 17, without
17 25 cost to a city or county.

Requires the Director of the Department of Revenue to prepare and issue a State Appraisal Manual at no cost to cities and counties.

DETAIL: County and city assessors are mandated by statute to use the Manual in completing assessments of real property.

17 26 The department of revenue shall submit a written report to
 17 27 the general assembly by January 1, 2006, concerning the
 17 28 department's progress in developing a system to track tax
 17 29 credits.

Requires the Department of Revenue to provide a report to the General Assembly on the Department's progress towards developing a Tax Credit Tracking System by January 1, 2006.

DETAIL: The Department's appropriation includes \$360,000 and 5.00 FTE positions to develop the System in FY 2006.

17 30 2. COLLECTION COSTS AND FEES

17 31 For payment of collection costs and fees pursuant to
 17 32 section 422.26:

17 33 \$ 27,462

General Fund appropriation to the Department of Revenue for payment of collection costs and fees.

DETAIL: Maintains the current level of General Fund support.

17 34 Sec. 22. MOTOR VEHICLE FUEL TAX APPROPRIATION. There is
 17 35 appropriated from the motor fuel tax fund created by section
 18 1 452A.77 to the department of revenue for the fiscal year
 18 2 beginning July 1, 2005, and ending June 30, 2006, the
 18 3 following amount, or so much thereof as is necessary, to be
 18 4 used for the purposes designated:

18 5 For salaries, support, maintenance, and miscellaneous
 18 6 purposes for administration and enforcement of the provisions
 18 7 of chapter 452A and the motor vehicle use tax program:
 18 8 \$ 1,249,847

Motor Vehicle Fuel Tax Fund appropriation to the Department of Revenue for administration and enforcement of the Motor Vehicle Use Tax Program.

DETAIL: This is an increase of \$34,779 compared to the estimated FY 2005 appropriation for higher information technology fees to address the federal over-billing concern.

18 9 Sec. 23. 2004 Iowa Acts, chapter 1175, section 1,
 18 10 subsection 3, is amended by adding the following new
 18 11 unnumbered paragraph:
 18 12 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,
 18 13 moneys appropriated in this subsection that remain
 18 14 unencumbered or unobligated at the close of the fiscal year
 18 15 shall not revert but shall remain available for expenditure
 18 16 until the close of the succeeding fiscal year.

CODE: Requires any excess funds in the Department of Administrative Services' Distribution Account at the end of the fiscal year to carry forward for distribution to State agencies.

DETAIL: Approximately \$272,000 will carry forward and be combined with an appropriation of \$158,295 in Section 1.3 of this Act and distributed to State agencies in FY 2006. The State agencies will use the funds to pay the Department for services and products provided to the agencies by the Department.

18 17 Sec. 24. 2004 Iowa Acts, chapter 1175, section 7,
 18 18 unnumbered paragraph 2, is amended to read as follows:
 18 19 For salaries, support, maintenance, and miscellaneous
 18 20 purposes, and for not more than the following full-time

General Fund supplemental appropriation for FY 2005 for the Ethics and Campaign Disclosure Board.

<p>18 21 equivalent positions: 18 22 \$ 411,296 18 23 419,296 18 24 FTEs 6.00</p> <p>18 25 Sec. 25. 2004 Iowa Acts, chapter 1175, section 12, 18 26 subsection 4, is amended to read as follows: 18 27 4. NATIONAL GOVERNORS ASSOCIATION 18 28 For payment of Iowa's membership in the national governors 18 29 association: 18 30 \$ 64,393 18 31 364,393 18 32 <u>Of the funds appropriated in this subsection, \$300,000 is</u> 18 33 <u>allocated for security-related costs and other expenses</u> 18 34 <u>associated with the national governors association national</u> 18 35 <u>meeting. Notwithstanding section 8.33, the moneys allocated</u> 19 1 <u>for the meeting that remain unencumbered or unobligated at the</u> 19 2 <u>close of the fiscal year shall not revert but shall remain</u> 19 3 <u>available for expenditure for the purposes designated until</u> 19 4 <u>the close of the succeeding fiscal year.</u></p> <p>19 5 Sec. 26. 2004 Iowa Acts, chapter 1175, section 16, 19 6 subsection 2, is amended to read as follows: 19 7 2. EXCURSION BOAT REGULATION 19 8 There is appropriated from the general fund of the state to 19 9 the racing and gaming commission of the department of 19 10 inspections and appeals for the fiscal year beginning July 1, 19 11 2004, and ending June 30, 2005, the following amount, or so 19 12 much thereof as is necessary, to be used for the purposes 19 13 designated: 19 14 For salaries, support, maintenance, and miscellaneous 19 15 purposes for administration and enforcement of the excursion 19 16 boat gambling laws, and for not more than the following full- 19 17 time equivalent positions: 19 18 \$ 1,806,048 19 19 1,856,048 19 20 FTEs 30.22</p>	<p>DETAIL: This is an increase of \$8,000 compared to the estimated FY 2005 General Fund appropriation for unanticipated increased information technology expenses for the electronic campaign report filing system.</p> <p>CODE: General Fund supplemental appropriation for FY 2005 to the National Governors Association.</p> <p>DETAIL: This is an increase of \$300,000 compared to the estimated 2005 General Fund appropriation. Specifies that these funds are to be used for security-related costs and other expenses associated with the National Governors Association national meeting. Also, provides for nonreversion of funds.</p> <p>This appropriation was reduced by \$200,000 in HF 882 (FY 2006 Standing Appropriations Act).</p> <p>CODE: General Fund supplemental appropriation for FY 2005 for the Racing and Gaming Commission.</p> <p>DETAIL: This is an increase of \$50,000 compared to the estimated 2005 General Fund appropriation for expenses associated with the examination of new gaming license applications.</p>
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19 21 Of the funds appropriated in this subsection, \$50,000 is
 19 22 allocated for costs associated with the examination of new
 19 23 gaming license applications.

19 24 Sec. 27. NEW SECTION. 8.7 REPORTING OF GIFTS RECEIVED.

19 25 All gifts, bequests, and grants received by a department or
 19 26 accepted by the governor on behalf of the state shall be
 19 27 reported to the Iowa ethics and campaign disclosure board and
 19 28 the government oversight committees. The ethics and campaign
 19 29 disclosure board shall, by January 31 of each year, submit to
 19 30 the fiscal services division of the legislative services
 19 31 agency a written report listing all gifts, bequests, and
 19 32 grants received during the previous calendar year with a value
 19 33 over one thousand dollars and the purpose for each such gift,
 19 34 bequest, or grant. The submission shall also include a
 19 35 listing of all gifts, bequests, and grants received by a
 20 1 department from a person if the cumulative value of all gifts,
 20 2 bequests, and grants received by the department from the
 20 3 person during the previous calendar year exceeds one thousand
 20 4 dollars, and the ethics and campaign disclosure board shall
 20 5 include, if available, the purpose for each such gift,
 20 6 bequest, or grant. However, reports on gifts, grants, or
 20 7 bequests filed by the state board of regents pursuant to
 20 8 section 8.44 shall be deemed sufficient to comply with the
 20 9 requirements of this section.

20 10 Sec. 28. EFFECTIVE DATE. The sections of this Act
 20 11 amending 2004 Iowa Acts, chapter 1175, being deemed of
 20 12 immediate importance, take effect upon enactment.

CODE: Requires all departments and the Governor's Office to notify the Ethics and Campaign Disclosure Board when gifts, bequests, or grants are received on behalf of the State, including the stated purpose. The Board is required to prepare and submit a report, listing all items valued in excess of \$1,000 and received during the previous calendar year, to the Fiscal Services Division of the Legislative Services Agency by January 31 of each year. An exception to the reporting requirements is made for the Board of Regents if reports pursuant to Section 8.44, Code of Iowa, are filed.

Specifies that Section 23, that permits nonreversion of the Department of Administrative Services Distribution Account for distribution to State agencies, is effective on enactment.

Specifies that Sections 24, 25, and 26, making FY 2005 supplemental appropriations to the Ethics and Campaign Disclosure Board, the Governor's Office for the National Governors Association, and the Racing and Gaming Commission, are effective on enactment.

20 13 HF 810
 20 14 ec:mg/es/25

**EXECUTIVE SUMMARY
AG/NATURAL RESOURCES APPROPRIATIONS ACT**

HOUSE FILE 808

FUNDING SUMMARY

**NEW PROGRAMS, SERVICES, OR
ACTIVITIES**

**MAJOR INCREASES, DECREASES,
OR TRANSFERS OF EXISTING
PROGRAMS**

- Appropriates a total of \$35.3 million from the General Fund and 1,520.6 FTE positions for FY 2006. This is an increase of \$326,000 and 2.6 FTE positions compared to the estimated net FY 2005 General Fund appropriation. This Act also appropriates a total of \$37.0 million from other funds.
- House File 882 (FY 2006 Standing Appropriations Act) reduced the General Fund appropriations in HF 808 by \$50,000.
- Appropriates \$100,000 and 1.6 FTE positions to the Department of Agriculture and Land Stewardship (DALS) for the Chronic Wasting Disease Program. (Page 1, Line 31)
- Appropriates \$40,000 to the DALS for the Apiary Program. The funds will be used for salaries, support, and other related program expenditures. (Page 3, Line 21)
- Appropriates \$250,000 to the DALS for expense reimbursement to Soil and Water Conservation District Commissioners. This amount was reduced by \$50,000 in HF 882 (FY 2006 Standing Appropriations Act). (Page 3, Line 31)
- Appropriates \$100,000 from the Agrichemical Remediation Fund to Iowa State University to study the effectiveness of using alternative technologies at open cattle feedlots on water quality. (Page 7, Line 24)
- Creates the Chronic Wasting Disease Control Program in the DALS for monitoring farm deer. The Department received a one-time federal grant to cover the costs of inspecting farm deer for FY 2005. (Page 9, Line 9)
- Creates a Farm Deer administration fee that the DALS can charge to owners of farm deer. The funds will be deposited in the Farm Deer Administration Fund and used for the Chronic Wasting Disease Control Program. (Page 9, Line 18 through Page 10, Line 6)
- Appropriates \$17.2 million and 412.5 FTE positions to the Administrative Division in the DALS for operations. This is a decrease of \$50,000 and no change in FTE positions compared to the estimated net FY 2005 General Fund appropriation. The decrease is for the Senior Farmer's Market Coupon Program that has a separate appropriation for FY 2006. (Page 1, Line 4)
- Appropriates \$77,000 and 1.0 FTE position to the DALS for the Senior Farmer's Market Coupon Program. This is an increase of \$27,000 and 1.0 FTE position compared to the estimated net FY 2005 General Fund appropriation. For FY 2005, funding for this Program was included in the Administrative Division appropriation. (Page 1, Line 19)
- Appropriates \$643,000 to the DALS for the Dairy Products Control Program. This is an increase of \$11,000 compared to the estimated net FY 2005 General Fund appropriation. (Page 2, Line 33)

**EXECUTIVE SUMMARY
AG/NATURAL RESOURCES APPROPRIATIONS ACT**

HOUSE FILE 808

**MAJOR INCREASES, DECREASES,
OR TRANSFERS OF EXISTING
PROGRAMS (CONTINUED)**

- Appropriates \$16.9 million and 1,105.5 FTE positions to the Department of Natural Resources (DNR). This is a decrease of \$102,000 and no change in FTE positions compared to the estimated net FY 2005 General Fund appropriation. The change includes: (Page 4, Line 16)
 - A reduction of \$85,000 for DNR operations.
 - A reduction of \$17,000 for the Help Us Stop Hunger (HUSH) Program. The Program will be funded from a \$1.00 hunting license fee as detailed in SF 206 (Deer Harvest Act) that was approved by the General Assembly on May 20, 2005, and signed by the Governor on June 3, 2005.
- Appropriates \$31.4 million to the Fisheries and Wildlife Bureaus from the State Fish and Game Protection Fund. This is an increase of \$150,000 compared to the FY 2005 appropriation to provide additional patrol staff for boat safety. (Page 4, Line 29)

STUDIES AND INTENT LANGUAGE

- Requires the District Soil and Water Commissioners to submit a report to the Soil Conservation Division in the DALs by January 1, 2006. The report is required to detail the expenditure of funds and any remaining unobligated balances. (Page 4, Line 7)
- Prohibits the DNR from exceeding the appropriation from the State Fish and Game Protection Fund unless additional revenues are received from a public or private entity, and is approved by the Natural Resource Commission. (Page 5, Line 10)
- Requires Iowa State University to cooperate with the Iowa Cattleman's Association, the DNR, the DALs, and the federal Department of Agriculture Natural Resource Conservation Services when conducting the water research project. (Page 8, Line 1)

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA**

- Permits nonreversion of Avian Influenza Program funds. (Page 3, Line 16)
- Allows the DNR to use unappropriated funds from the State Fish and Game Protection Fund for payment of conservation peace officer retirement benefits. (Page 5, Line 4)
- Permits nonreversion of funds appropriated to the Fish and Game Protection Fund from Boat Registration Fees. Remaining funds are to be deposited in the Special Conservation Fund for waer safety purposes. (Page 6, Line 21)
- Allows the DNR to use Stormwater Discharge Permit Fees to fund the following:
 - 2.0 FTE positions to review and approve Flood Plain Permit Applications. (Page 7, Line 5)
 - 2.0 FTE positions for the federal Total Maximum Daily Load Program. (Page 7, Line 13)

**EXECUTIVE SUMMARY
AG/NATURAL RESOURCES APPROPRIATIONS ACT**

HOUSE FILE 808

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA (CONTINUED)**

- Allows the DALs to charge one-time fees to breeders of Iowa horses and owners of Iowa dogs. The funds will be used to administer the Native Horse and Dog Program. (Page 8, Line 10 through Page 9, Line 5)
- Allows the DALs to charge fees to owners of farm deer. The funds will be deposited in the Farm Deer Administration Fund and used to cover the costs related to the Chronic Wasting Disease Control Program. (Page 9, Line 18)
- Allows the DNR to annually issue, without a fee, two deer hunting licenses to a landowner or family member and to a tenant or family member if SF 206 (Deer Harvest Act) is enacted. The landowner or tenant must pay the \$1.00 fee to the HUSH Program and is eligible to receive one antlered or any-sex deer license and one antlerless deer license for hunting on the farm unit. Senate File 206 (Deer Harvest Act) was approved by the General Assembly on May 20, 2005, and signed by the Governor on June 3, 2005. (Page 10, Line 11)
- This Act was approved by the General Assembly on May 20, 2005, and signed by the Governor on June 14, 2005.

ENACTMENT DATE

House File 808 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
3	16	7	Nwthstnd	Sec. 8.33	Nonreversion of Avian Influenza Program Funds
5	4	11	Nwthstnd	Sec. 455A.10	Payment of Fish and Wildlife Officer Retirement Benefits
6	21	14	Nwthstnd	Sec. 8.33	Nonreversion of Boat Registration Fees
7	5	16	Nwthstnd	Sec. All	Use of Stormwater Permit Fees for Stormwater Permit Backlog
7	13	17	Nwthstnd	Sec. All	Use of Stormwater Permits Fees for Total Maximum Daily Load Program
8	10	19	Amends	Sec. 99D.22(3)(d), 2005 Code	Iowa Native Horse Breeder Fees
8	22	20	Adds	Sec. 99D.22, 2005 Code	Iowa Native Dog Breeder Fees
9	9	21	Adds	Sec. 170.3A	Chronic Wasting Disease Control Program
9	18	22	Adds	Sec. 170.3B	Farm Deer Administration Fee
9	29	23	Adds	Sec. 170.3C	Farm Deer Administration Fund
10	7	23	Nwthstnd	Sec. 8.33 and 12C.7	Nonreversion of Farm Deer Administration Fund
10	11	24	Amends	Sec. 483A.24(2)(c), SF 206, 2005 Iowa Acts	Issuance of Farm Unit Deer Hunting Licenses

PG LN	House File 808	Explanation
1 1 1 2 1 3	AGRICULTURE AND NATURAL RESOURCES DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP GENERAL APPROPRIATIONS	
1 4 1 5 1 6 1 7 1 8 1 9 1 10 1 11 1 12 1 13 1 14 1 15 1 16	Section 1. GENERAL DEPARTMENT APPROPRIATION. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2005, and ending June 30, 2006, the following amount, or so much thereof as is necessary, to be used for the purposes designated: For purposes of supporting the department, including its divisions, for administration, regulation, and programs, for salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions: \$ 17,213,319 FTEs 412.52	General Fund appropriation to the Administrative Division in the Department of Agriculture and Land Stewardship (DALs). DETAIL: This is a decrease of \$50,000 and no change in FTE positions compared to the estimated net FY 2005 General Fund appropriation. The decrease is for the Senior Farmer's Market Coupon Program. See Section 2 below.
1 17 1 18	DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP DESIGNATED APPROPRIATIONS	
1 19 1 20 1 21 1 22 1 23 1 24 1 25 1 26 1 27 1 28 1 29 1 30	Sec. 2. SENIOR FARMERS MARKET NUTRITION PROGRAM. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2005, and ending June 30, 2006, the following amount, or so much thereof as is necessary, to be used for the purposes designated: For purposes of administering a senior farmers market nutrition program, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions: \$ 77,000 FTEs 1.00	General Fund appropriation to the Senior Farmer's Market Nutrition Program. DETAIL: This is an increase of \$27,000 and 1.00 FTE position compared to the estimated net FY 2005 General Fund appropriation. In FY 2005, \$50,000 was appropriated for this purpose to the Administrative Division in the DALs.
1 31 1 32 1 33	Sec. 3. CHRONIC WASTING DISEASE. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning	General Fund appropriation of \$100,000 and 1.60 FTE positions to the Chronic Wasting Disease Control Program.

1 34 July 1, 2005, and ending June 30, 2006, the following amount,
 1 35 or so much thereof as is necessary, to be used for the
 2 1 purposes designated:
 2 2 For purposes of administering a chronic wasting disease
 2 3 control program for the control of chronic wasting disease
 2 4 which threatens farm deer as provided in chapter 170,
 2 5 including salaries, support, maintenance, miscellaneous
 2 6 purposes, and for not more than the following full-time
 2 7 equivalent positions:
 2 8 \$ 100,000
 2 9 FTEs 1.60

DETAIL: This is a new appropriation for FY 2006.

2 10 The program may include procedures for the inspection and
 2 11 testing of farm deer, responses to reported cases of chronic
 2 12 wasting disease, and methods to ensure that owners of farm
 2 13 deer may engage in the movement and sale of farm deer.

Requires the funds to be used to inspect and test farm deer for Chronic Wasting Disease.

2 14 Sec. 4. RIVER AUTHORITY. There is appropriated from the
 2 15 general fund of the state to the department of agriculture and
 2 16 land stewardship for the fiscal year beginning July 1, 2005,
 2 17 and ending June 30, 2006, the following amount, or so much
 2 18 thereof as is necessary, to be used for the purpose
 2 19 designated:
 2 20 For purposes of supporting the department's membership in
 2 21 the state interagency Missouri river authority, created in
 2 22 section 28L.1, in the Missouri river basin association:
 2 23 \$ 9,535

General Fund appropriation of \$9,535 to the Missouri River Authority Program.

DETAIL: Maintains current level of General Fund Support.

2 24 Sec. 5. HORSE AND DOG RACING. There is appropriated from
 2 25 the moneys available under section 99D.13 to the department of
 2 26 agriculture and land stewardship for the fiscal year beginning
 2 27 July 1, 2005, and ending June 30, 2006, the following amount,
 2 28 or so much thereof as is necessary, to be used for the
 2 29 purposes designated:
 2 30 For salaries, support, maintenance, and miscellaneous
 2 31 purposes for the administration of section 99D.22:
 2 32 \$ 305,516

Appropriates a total of \$305,516 to the Native Horse and Dog Breeder's Program from the unclaimed pari-mutuel receipts winnings.

DETAIL: Maintains current level of non-General Fund Support.

2 33 Sec. 6. DAIRY PRODUCTS CONTROL BUREAU. There is
 2 34 appropriated from the general fund of the state to the
 2 35 department of agriculture and land stewardship for the fiscal
 3 1 year beginning July 1, 2005, and ending June 30, 2006, the
 3 2 following amount, or so much thereof as is necessary, to be
 3 3 used for the purposes designated:
 3 4 For purposes of supporting the operations of the dairy
 3 5 products control bureau, including salaries, support,
 3 6 maintenance, and miscellaneous purposes:
 3 7 \$ 643,166

General Fund appropriation of \$643,166 to the Dairy Products Control Bureau.
 DETAIL: This is an increase of \$10,996 compared to the estimated net FY 2005 appropriation.

3 8 Sec. 7. AVIAN INFLUENZA. There is appropriated from the
 3 9 general fund of the state to the department of agriculture and
 3 10 land stewardship for the fiscal year beginning July 1, 2005,
 3 11 and ending June 30, 2006, the following amount, or so much
 3 12 thereof as is necessary, to be used for the purpose
 3 13 designated:
 3 14 For the support of testing and monitoring avian influenza:
 3 15 \$ 50,000

General Fund appropriation of \$50,000 to the Avian Influenza Program.
 DETAIL: Maintains current level of General Fund support.

3 16 Notwithstanding section 8.33, moneys appropriated in this
 3 17 section that remain unencumbered or unobligated at the close
 3 18 of the fiscal year shall not revert but shall remain available
 3 19 for the continued testing and monitoring of avian influenza
 3 20 until the close of the succeeding fiscal year.

CODE: Permits nonreversion of Avian Influenza Program funds.
 DETAIL: As of June 1, 2005, \$26,729 has been expended from the Fund.

3 21 Sec. 8. APIARY REGULATION. There is appropriated from the
 3 22 general fund of the state to the department of agriculture and
 3 23 land stewardship for the fiscal year beginning July 1, 2005,
 3 24 and ending June 30, 2006, the following amount, or so much
 3 25 thereof as is necessary, to be used for the purposes
 3 26 designated:
 3 27 For support of apiary regulation as provided in chapter
 3 28 160, including salaries, support, maintenance, and
 3 29 miscellaneous purposes:
 3 30 \$ 40,000

General Fund appropriation of \$40,000 to the Apiary Regulation Program.
 DETAIL: This is a new appropriation for FY 2006.

3 31 Sec. 9. SOIL AND WATER CONSERVATION DISTRICTS. There is
 3 32 appropriated from the general fund of the state to the
 3 33 department of agriculture and land stewardship for the fiscal
 3 34 year beginning July 1, 2005, and ending June 30, 2006, the
 3 35 following amount, or so much thereof as is necessary, to be
 4 1 used for the purposes designated:
 4 2 For purposes of reimbursing commissioners of soil and water
 4 3 conservation districts for administrative expenses including
 4 4 but not limited to travel expenses, technical training, and
 4 5 professional dues:
 4 6 \$ 250,000

4 7 A soil and water conservation district receiving moneys
 4 8 from an allocation provided pursuant to this section shall
 4 9 submit a report to the soil conservation division of the
 4 10 department of agriculture and land stewardship by January 1,
 4 11 2006, accounting for moneys which have been expended or
 4 12 unexpended or which have been obligated or encumbered. The
 4 13 report shall state how the moneys were used.

4 14 DEPARTMENT OF NATURAL RESOURCES
 4 15 GENERAL APPROPRIATIONS

4 16 Sec. 10. GENERAL DEPARTMENT APPROPRIATION. There is
 4 17 appropriated from the general fund of the state to the
 4 18 department of natural resources for the fiscal year beginning
 4 19 July 1, 2005, and ending June 30, 2006, the following amount,
 4 20 or so much thereof as is necessary, to be used for the
 4 21 purposes designated:
 4 22 For purposes of supporting the department, including its
 4 23 divisions, for administration, regulation, and programs, for
 4 24 salaries, support, maintenance, miscellaneous purposes, and
 4 25 for not more than the following full-time equivalent
 4 26 positions:
 4 27 \$ 16,883,439
 4 28 FTEs 1,105.46

General Fund appropriation of \$250,000 for expense reimbursement to the District Soil and Water Commissioners.

DETAIL: This is a new appropriation.

FISCAL IMPACT: There was no appropriation for these expenses in FY 2005. The General Assembly appropriated \$250,000 in SF 71 (FY 2005 Soil Conservation District Expense Supplemental Act) for this purpose from the Conservation Reserve Fund for FY 2005. The FY 2006 appropriation was reduced by \$50,000 in HF 882 (FY 2006 Standing Appropriations Act) for a total of \$200,000 for FY 2006.

Requires District Soil and Water Commissioners to submit a report to the Soil Conservation Division in the Department of Agriculture and Land Stewardship by January 1, 2006. The report is required to detail the expenditure of the funds and any remaining unobligated balances.

General Fund appropriation to the Department of Natural Resources (DNR).

DETAIL: This is a decrease of \$102,000 and no change in FTE positions compared to the estimated net FY 2005 General Fund appropriation. The changes include:

- A decrease of \$85,000 to DNR operations.
- A decrease of \$17,000 for the Help Us Stop Hunger (HUSH) Program that allows hunters to donate harvested deer to the Iowa Food Bank. The Program will be funded from a \$1.00 fee paid by resident and non-resident deer hunters that purchase a hunting license as specified in SF 206 (Deer Harvest Act).

4 29 Sec. 11. STATE FISH AND GAME PROTECTION FUND —
 4 30 APPROPRIATION TO THE DIVISION OF FISH AND WILDLIFE.

4 31 1. a. There is appropriated from the state fish and game
 4 32 protection fund to the department of natural resources for the
 4 33 fiscal year beginning July 1, 2005, and ending June 30, 2006,
 4 34 the following amount, or so much thereof as is necessary, to
 4 35 be used for the purposes designated:

5 1 For administrative support, and for salaries, support,
 5 2 maintenance, equipment, and miscellaneous purposes:
 5 3 \$ 31,370,766

5 4 b. Notwithstanding section 455A.10, the department may use
 5 5 the unappropriated balance remaining in the fish and game
 5 6 protection fund to provide for the funding of health and life
 5 7 insurance premium payments from unused sick leave balances of
 5 8 conservation peace officers employed in a protection
 5 9 occupation who retire, pursuant to section 97B.49B.

5 10 2. The department shall not expend more moneys from the
 5 11 fish and game protection fund than provided in this section,
 5 12 unless the expenditure derives from contributions made by a
 5 13 private entity, or a grant or moneys received from the federal
 5 14 government, and is approved by the natural resource
 5 15 commission. The department of natural resources shall
 5 16 promptly notify the legislative services agency and the
 5 17 chairpersons and ranking members of the joint appropriations
 5 18 subcommittee on agriculture and natural resources concerning
 5 19 the commission's approval.

5 20 Sec. 12. GROUNDWATER PROTECTION FUND. There is
 5 21 appropriated from the groundwater protection fund created in
 5 22 section 455E.11 to the department of natural resources for the
 5 23 fiscal year beginning July 1, 2005, and ending June 30, 2006,
 5 24 from those moneys which are not allocated pursuant to that
 5 25 section, the following amount, or so much thereof as is

State Fish and Game Protection Fund appropriation to the Fisheries and Wildlife Bureaus in the DNR.

DETAIL: This is an increase of \$150,000 compared to the estimated net FY 2005 appropriation to provide additional patrol staff for boater safety.

CODE: Allows the DNR to use unappropriated funds in the Fish and Game Protection Fund to provide compensation to retiring conservation officers. This includes payment of insurance premiums and unused sick leave.

DETAIL: During FY 2004, \$679,579 was paid for retirement benefits for 11 conservation officers. During FY 2005, there will be 12 officers eligible for retirement and the average cost for retirement is \$50,000 per officer.

Prohibits the DNR from expending more than the appropriation from the State Fish and Game Protection Fund unless additional revenues are received from a public or private entity. Also, requires the approval of the Natural Resource Commission and notification of the Chairpersons and Ranking Members of the Agriculture and Natural Resources Appropriations Subcommittee.

Groundwater Protection Fund appropriation to programs specified in Section 455E.11, Code of Iowa. These include:

- \$100,303 for the Storage Tanks Study.
- \$447,324 for the Household Hazardous Waste Program.
- \$62,461 for administration of the Private Well Testing Program.

5 26 necessary, to be used for the purposes designated:
 5 27 For administrative support, and for salaries, support,
 5 28 maintenance, equipment, and miscellaneous purposes related to
 5 29 providing for groundwater quality:
 5 30 \$ 3,455,832

- \$1,686,751 for Groundwater Monitoring.
- \$618,993 for the Landfill Alternatives Program.
- \$192,500 for the Waste Reduction and Assistance Program.
- \$297,500 for the Geographic Information System Program.
- \$50,000 for the Solid Waste Authorization Program.

DETAIL: Maintains current level of Groundwater Protection Fund support.

5 31 DEPARTMENT OF NATURAL RESOURCES
 5 32 RELATED TRANSFERS

5 33 Sec. 13. SNOWMOBILE FEES — TRANSFER FOR ENFORCEMENT
 5 34 PURPOSES. There is transferred on July 1, 2005, from the fees
 5 35 required to be deposited in the special snowmobile fund under
 6 1 section 321G.7 to the fish and game protection fund and
 6 2 appropriated to the department of natural resources for the
 6 3 fiscal year beginning July 1, 2005, and ending June 30, 2006,
 6 4 the following amount, or so much thereof as is necessary, to
 6 5 be used for the purpose designated:
 6 6 For enforcing snowmobile laws as part of the state
 6 7 snowmobile program administered by the department of natural
 6 8 resources:
 6 9 \$ 100,000

Transfers \$100,000 from the Snowmobile Fund to the State Fish and Game Protection Fund for administration and enforcement of navigation laws.

DETAIL: Maintains current level of Snowmobile Fund support.

6 10 Sec. 14. VESSEL FEES — TRANSFER FOR ENFORCEMENT
 PURPOSES.

6 11 There is transferred on July 1, 2005, from the fees required
 6 12 to be deposited in the special conservation fund under section
 6 13 462A.52 to the fish and game protection fund and appropriated
 6 14 to the natural resource commission for the fiscal year
 6 15 beginning July 1, 2005, and ending June 30, 2006, the
 6 16 following amount, or so much thereof as is necessary, to be
 6 17 used for the purpose designated:
 6 18 For the administration and enforcement of navigation laws
 6 19 and water safety:
 6 20 \$ 1,400,000

Transfers \$1,400,000 from the Boat Registration Fund to the State Fish and Game Protection Fund for administration and enforcement of navigation laws.

DETAIL: Maintains current level of Boat Registration Fund support.

6 21 Notwithstanding section 8.33, moneys transferred and
6 22 appropriated in this section that remain unencumbered or
6 23 unobligated at the close of the fiscal year shall not revert
6 24 to the credit of the fish and game protection fund but shall
6 25 be credited to the special conservation fund established by
6 26 section 462A.52 to be used as provided in that section.

CODE: Permits nonreversion of funds. Requires remaining funds to be credited to the Special Conservation Fund for water safety purposes.

6 27 DEPARTMENT OF NATURAL RESOURCES
6 28 DESIGNATED APPROPRIATIONS

6 29 Sec. 15. REVENUE ADMINISTERED BY THE IOWA COMPREHENSIVE
6 30 UNDERGROUND STORAGE TANK FUND BOARD. There is appropriated
6 31 from the unassigned revenue fund administered by the Iowa
6 32 comprehensive underground storage tank fund board, to the
6 33 department of natural resources for the fiscal year beginning
6 34 July 1, 2005, and ending June 30, 2006, the following amount,
6 35 or so much thereof as is necessary, to be used for the purpose
7 1 designated:

Unassigned Revenue Fund (Underground Storage Tank Fund) appropriation to the DNR.

DETAIL: Maintains current level of Unassigned Revenue Fund support.

7 2 For administration expenses of the underground storage tank
7 3 section of the department of natural resources:
7 4 \$ 200,000

7 5 Sec. 16. FLOODPLAIN PERMIT BACKLOG. Notwithstanding any
7 6 contrary provision of state law, for the fiscal year beginning
7 7 July 1, 2005, and ending June 30, 2006, the department of
7 8 natural resources may use additional funds available to the
7 9 department from stormwater discharge permit fees for the
7 10 staffing of the following additional full-time staff members
7 11 to reduce the department's floodplain permit backlog:
7 12 FTEs 2.00

CODE: Allows the DNR to use Stormwater Permit Fees to fund 2.00 FTE positions for processing floodplain permits.

7 13 Sec. 17. IMPLEMENTATION OF THE FEDERAL TOTAL MAXIMUM DAILY
7 14 LOAD PROGRAM. Notwithstanding any contrary provision of state
7 15 law, for the fiscal year beginning July 1, 2005, and ending
7 16 June 30, 2006, the department of natural resources may use
7 17 additional funds available to the department from stormwater
7 18 discharge permit fees for the staffing of the following

CODE: Allows the DNR to use Stormwater Permit Fees to fund 2.00 FTE positions for the federal Total Maximum Daily Load (TMDL) Program.

7 19 additional full-time equivalent positions for implementation
 7 20 of the federal total maximum daily load program:
 7 21 FTEs 2.00

7 22 IOWA STATE UNIVERSITY
 7 23 DESIGNATED APPROPRIATION

7 24 Sec. 18. OPEN FEEDLOTS HOUSING BEEF CATTLE — WATER
 7 25 QUALITY RESEARCH PROJECT. There is appropriated from the
 7 26 agrichemical remediation fund created in section 161.7 to Iowa
 7 27 state university for the fiscal year beginning July 1, 2005,
 7 28 and ending June 30, 2006, the following amount, or so much
 7 29 thereof as is necessary, to be used for the purposes
 7 30 designated:
 7 31 For purposes of supporting a water quality research project
 7 32 which studies the effectiveness of alternative technologies
 7 33 used to reduce risks to water quality from effluent
 7 34 originating from open feedlots which house beef cattle:
 7 35 \$ 100,000

Appropriates \$100,000 from the Agrichemical Remediation Fund to Iowa State University for a water research project that studies the effectiveness of alternative technologies used in open cattle feedlots.

DETAIL: This is a new appropriation for FY 2006.

8 1 In conducting the project, Iowa state university shall
 8 2 cooperate with the Iowa cattlemen's association, the
 8 3 department of natural resources, the department of agriculture
 8 4 and land stewardship, and the United States department of
 8 5 agriculture natural resource conservation service.

Requires Iowa State University to cooperate with the Iowa Cattleman's Association, the DNR, the DALs, and the federal Department of Agriculture Natural Resource Conservation Service when conducting the research project.

8 6 DEPARTMENT OF AGRICULTURE
 8 7 AND LAND STEWARDSHIP
 8 8 HORSE AND DOG
 8 9 REGULATION — FEES

8 10 Sec. 19. Section 99D.22, subsection 3, paragraph d, Code
 8 11 2005, is amended by striking the paragraph and inserting in
 8 12 lieu thereof the following:
 8 13 d. Establish a registration fee imposed on each horse
 8 14 which is a thoroughbred, quarter horse, or standardbred which
 8 15 shall be paid by the breeder of the horse. The department

CODE: Allows the DALs to charge a one-time fee on an Iowa thoroughbred, quarter horse, or standardbred. The breeder will pay the fee that cannot exceed \$30.00.

DETAIL: The fees will be used to administer the Native Horse and Dog Program.

8 16 shall not impose the registration fee more than once on each
 8 17 horse. The amount of the registration fee shall not exceed
 8 18 thirty dollars. The moneys paid to the department from
 8 19 registration fees shall be considered repayment receipts as
 8 20 defined in section 8.2, and shall be used for the
 8 21 administration and enforcement of this subsection.

FISCAL IMPACT: It is estimated that \$30,000 per year in fees will be collected.

8 22 Sec. 20. Section 99D.22, Code 2005, is amended by adding
 8 23 the following new subsection:
 8 24 NEW SUBSECTION. 3A. a. The department of agriculture and
 8 25 land stewardship shall adopt rules establishing a schedule of
 8 26 registration fees to be imposed on owners of dogs that are
 8 27 whelped and raised for the first six months of their lives in
 8 28 Iowa for purposes of promoting native dogs as provided in this
 8 29 chapter, including section 99D.12 and this section. The
 8 30 amount of the registration fees shall be imposed as follows:
 8 31 (1) An owner of a dam registering the dam, twenty-five
 8 32 dollars.
 8 33 (2) An owner of a litter registering the litter, ten
 8 34 dollars.
 8 35 (3) An owner of a dog registering the dog, five dollars.
 9 1 b. The moneys paid to the department from registration
 9 2 fees as provided in paragraph "a" shall be considered
 9 3 repayment receipts as defined in section 8.2, and shall be
 9 4 used for the administration and enforcement of programs for
 9 5 the promotion of native dogs.

CODE: Allows the DALs to adopt Administrative Rules to establish a fee schedule for Iowa bred dogs. The fees will be paid by the owner and will include:

- \$25.00 for an owner of a dam.
- \$10.00 for an owner of a litter.
- \$5.00 for an owner of a dog.

DETAIL: Fees collected will be used to administer the Native Horse and Dog Program.

FISCAL IMPACT: It is estimated that \$20,000 per year in fees will be collected.

9 6 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
 9 7 AND DEPARTMENT OF NATURAL RESOURCES
 9 8 DEER REGULATION AND FEES

9 9 Sec. 21. NEW SECTION. 170.3A CHRONIC WASTING DISEASE
 9 10 CONTROL PROGRAM.
 9 11 The department shall establish and administer a chronic
 9 12 wasting disease control program for the control of chronic
 9 13 wasting disease which threatens farm deer. The program shall
 9 14 include procedures for the inspection and testing of farm

Creates a Chronic Wasting Disease Control Program in the DALs for the monitoring of farm deer.

DETAIL: This is a new Program. During FY 2005, the Department received a one-time federal grant to cover the costs of inspecting farm deer.

9 15 deer, responses to reported cases of chronic wasting disease,
 9 16 and methods to ensure that owners of farm deer may engage in
 9 17 the movement and sale of farm deer.

9 18 Sec. 22. NEW SECTION. 170.3B FARM DEER ADMINISTRATION
 9 19 FEE.

9 20 The department may establish a farm deer administration fee
 9 21 which shall be annually imposed on each landowner who keeps
 9 22 farm deer in this state. The amount of the fee shall not
 9 23 exceed two hundred dollars per year. The fee shall be
 9 24 collected by the department in a manner specified by rules
 9 25 adopted by the department after consulting with the farm deer
 9 26 council established in section 170.2. The collected fees
 9 27 shall be credited to the farm deer administration fund created
 9 28 pursuant to section 170.3C.

CODE: Allows the DALs to charge an annual Farm Deer administration fee of up to \$200.00 per year to owners of farm deer. Also, requires the Department to adopt Administrative Rules to implement the fee.

DETAIL: Fees collected will be used to administer the Chronic Wasting Disease Control Program.

FISCAL IMPACT: It is estimated that \$30,000 per year in fees will be collected.

9 29 Sec. 23. NEW SECTION. 170.3C FARM DEER ADMINISTRATION
 9 30 FUND — APPROPRIATION.

9 31 A farm deer administration fund is created in the state
 9 32 treasury under the control of the department.

9 33 1. The fund shall be composed of moneys appropriated by
 9 34 the general assembly and moneys available to and obtained or
 9 35 accepted by the department from the United States or private
 10 1 sources for placement in the fund. The fund shall include all
 10 2 moneys collected from the farm deer administration fee as
 10 3 provided in section 170.3B.

10 4 2. The moneys in the fund are appropriated exclusively to
 10 5 the department for the purpose of administering the chronic
 10 6 wasting disease control program as provided in section 170.3A.

Creates a Farm Deer Administration Fund in the DALs.

DETAIL: The Farm Deer administration fee will be credited to the Fund. The Fund can also receive appropriations, federal funds, and private donations. Also, specifies the Fund will be used to pay for the costs of administering the Chronic Wasting Disease Control Program.

10 7 3. Section 8.33 shall not apply to moneys credited to the
 10 8 fund. Notwithstanding section 12C.7, moneys earned as income
 10 9 or interest from the fund shall remain in the fund until
 10 10 expended as provided in this section.

CODE: Permits nonreversion of Farm Deer Administration funds.

10 11 Sec. 24. Section 483A.24, subsection 2, paragraph c, if
 10 12 enacted by 2005 Iowa Acts, Senate File 206, section 8, is

Allows the DNR to annually issue, without a fee, two deer hunting licenses to a landowner or a family member and to a tenant or a family

10 13 amended to read as follows:

10 14 c. Upon written application on forms furnished by the
10 15 department, the department shall issue annually without fee
10 16 two deer hunting licenses, one antlered or any sex deer
10 17 hunting license and one antlerless deer only deer hunting
10 18 license, to the owner of a farm unit or a member of the
10 19 owner's family, but only a total of two licenses for both, and
10 20 to the tenant of a farm unit or a member of the tenant's
10 21 family, but only a total of two licenses for both. The deer
10 22 hunting licenses issued shall be valid only for use on the
10 23 farm unit for which the applicant applies pursuant to this
10 24 paragraph. The owner or the tenant need not reside on the
10 25 farm unit to qualify for the free deer hunting licenses to
10 26 hunt on that farm unit. The free deer hunting licenses issued
10 27 pursuant to this paragraph shall be valid and may be used
10 28 during any shotgun deer season. The licenses may be used to
10 29 harvest deer in two different seasons. In addition, a person
10 30 who receives a free deer hunting license pursuant to this
10 31 paragraph shall pay a one dollar fee for each license that
10 32 shall be used and is appropriated for the purpose of deer herd
10 33 population management, including assisting with the cost of
10 34 processing deer donated to the help us stop hunger program
10 35 administered by the commission.

member. This includes one antlered or any-sex deer license and one
antlerless deer license as enacted in SF 206 (Deer Harvest Act).

DETAIL: A landowner or family member and a tenant or family
member can receive two free deer hunting licenses to be used for
hunting on the farm unit. There is no fee for the licenses, but the
landowner or tenant is required to pay the \$1.00 fee for the Help Us
Stop Hunger (HUSH) Program.

11 1 HF 808

11 2 da:jp/es/25

EXECUTIVE SUMMARY ECONOMIC DEVELOPMENT APPROPRIATIONS ACT

HOUSE FILE 809

FUNDING SUMMARY

ECONOMIC STIMULUS APPROPRIATIONS ACT

MAJOR INCREASES, DECREASES, OR TRANSFERS OF EXISTING PROGRAMS

- Appropriates a total of \$73.0 million from the General Fund and 317.5 FTE positions to the Department of Economic Development (DED), the Department of Workforce Development, the Public Employment Relations Board (PERB), and the Regents institutions economic development programs. This is an increase of \$49.6 million and a decrease of 7.8 FTE positions compared to the estimated net FY 2005 appropriation.
- HF 882 (FY 2006 Standing Appropriations Act) decreased total FY 2006 General Fund appropriations in HF 809 by \$115,000.
- In addition to the appropriations made in this Act, the Department of Workforce Development will receive an FY 2006 General Fund appropriation of \$6.5 million that was made in SF 2311 (FY 2005 Economic Stimulus Appropriations Act) during the 2004 Special Legislative Session. This maintains the current level of General Fund support.
- Appropriates \$5.2 million and 86.5 FTE positions from the General Fund for the Department of Workforce Development. This maintains the current level of General Fund support and is a decrease of 7.8 FTE positions compared to the estimated net FY 2005 appropriation. This is not an actual reduction in FTE positions. For FY 2006, the Department is permitted to retain fees for the Elevator Safety and Boiler Safety programs and will no longer receive a General Fund appropriation for this purpose. The 9.8 FTEs associated with the programs will no longer be appropriated but will be supported by fee revenue. This results in an estimated FY 2005 FTE count of 84.5. As a result, the FTE appropriation in this Act is actually an increase of 2.0 FTE positions under the Worker's Compensation Program. (Page 9, Line 11)
- In addition, although the Elevator Safety and Boiler Safety programs will be supported by fees for FY 2006, and will no longer require a General Fund appropriation, the Department's General Fund appropriation was not reduced. It is anticipated that the two programs will generate approximately \$700,000 in fees during FY 2006. Therefore, the status quo appropriation of \$5.2 million allows the Department an additional \$700,000 for expenditure. The funds will be expended as follows:
 - \$115,000 to support current FTE positions in Workers' Compensation and Labor Services.
 - \$225,000 to provide cash flow for the Elevator Safety and Boiler Safety programs until the programs can be self-supporting.
 - \$135,000 to add 2.0 FTE positions in Workers' Compensation.
 - \$15,000 for additional Iowa Workforce Development Board activities.
 - \$50,000 to conduct Kaizen events.
 - \$160,000 to support the Immigration Services Centers previously funded by penalty and interest payments on the Administrative Contribution Surcharge.

EXECUTIVE SUMMARY ECONOMIC DEVELOPMENT APPROPRIATIONS ACT

HOUSE FILE 809

NEW PROGRAMS, SERVICES, OR ACTIVITIES

- Appropriates \$63.9 million and 153.8 FTE positions from the General Fund to the Department of Economic Development. This is an increase of \$49.6 million and no change in FTE positions compared to the estimated net FY 2005 appropriation. Changes includes:
 - An increase of \$50,000 for Endow Iowa grants for lead philanthropic entities. This is a standing, limited appropriation from FY 2006 – FY 2008. (Page 10, Line 35)
 - An increase of \$50.0 million for deposit to the Grow Iowa Values Fund. This is a standing, limited appropriation from FY 2006 – FY 2015. (Page 11, Line 15)
 - An increase to the FY 2005 base budget as a result of the \$500,000 supplemental appropriation to the Department of Economic Development for sole source grant costs associated with hosting the National Special Olympics. (Page 16, line 19)
- Appropriates \$50.0 million annually for FY 2006 – FY 2015 from the Grow Iowa Values Fund as follows:
 - DED – \$35.0 million for programs administered by the DED. (Page 11, Line 21)
 - DED – \$5.0 million for Regents Universities for infrastructure projects and programs needed to assist in commercialization of research and related activities. (Page 13, Line 18)
 - DED – \$1.0 million for target State parks, destination parks, and banner parks. (Page 14, Line 19)
 - Treasurer of State – \$1.0 million for deposit to the Iowa Cultural Trust Fund. (Page 15, Line 2)
 - DED – \$7.0 million for deposit in the workforce training and economic development funds of the community colleges. (Page 15, Line 8)
 - DED – \$1.0 million for providing economic development region financial assistance. (Page 15, Line 15)

STUDIES AND INTENT LANGUAGE

- Requires a business creating jobs with economic development assistance from the Business Development appropriation to the DED to be subject to contract provisions stating that new and retained jobs shall be filled by individuals that are citizens of the United States that reside in the United States, or any person authorized to work in the United States pursuant to federal law, including legal resident aliens in the United States. Requires any vendor that receives public moneys from the Department through the Business Development appropriation to adhere to such contract provisions and provide periodic assurances of compliance. (Page 2, Line 19)
- Permits the DED to provide funding in the form of a grant to a community economic development entity for conducting a local workforce recruitment effort designed to recruit former citizens of the State and former students at State colleges and universities to meet the needs of local employers. (Page 2, Line 33)
- Permits the DED to provide financial assistance to early-stage industry companies being established by women entrepreneurs. (Page 3, Line 5)

**EXECUTIVE SUMMARY
ECONOMIC DEVELOPMENT APPROPRIATIONS ACT**

HOUSE FILE 809

**STUDIES AND INTENT LANGUAGE
(CONTINUED)**

- Permits the DED to provide financial assistance for advanced research and commercialization projects involving value-added agriculture, advanced technology, or biotechnology. (Page 3, Line 8)
- Prohibits the Department of Economic Development from charging a nonprofit public entity a fee for placement of informational materials in a welcome center. (Page 4, Line 11) *The Governor vetoed this item.*
- Requires an allocation of \$550,000 for Small Business Development Centers. This maintains the current level of General Fund support. (Page 6, Line 16)
- Requires Iowa State University to report annually to the Economic Development Appropriations Subcommittee and the Fiscal Services Division of the Legislative Services Agency the total amount of private contributions, the portion from small businesses and other businesses, and the proportion for directed and non-directed research. (Page 7, Line 8)
- Requires the Board of Regents to submit a progress report in meeting the strategic plan for technology transfer and economic development to the Secretary of the Senate, the Chief Clerk of the House of Representatives, and the Legislative Services Agency by January 15, 2006. (Page 8, Line 29)
- Requires the Division of Workers' Compensation to continue charging a \$65 filing fee for Workers' Compensation cases, and appropriates the fees collected to the Division. Based on the current fiscal year estimate of fees to be collected, the Division will receive approximately \$200,000 for FY 2006. (Page 9, Line 18)
- Requests that the Auditor of State review the Iowa Finance Authority's annual audit and conduct a performance audit of the Authority's operations. (Page 17, Line 4)
- Requires the DED to annually allocate a percentage of the \$35.0 million Grow Iowa Values Fund appropriation for marketing, research and development, and for business start-ups, expansion, modernization, attraction, retention, and marketing. (Page 11, Line 28)
- Requires applicants for moneys appropriated for programs administered by the DED (\$35.0 million) to provide a statement regarding intended return on investment, and requires a recipient of funds to provide an annual progress report on return on investment. Requires the Department of Economic Development (DED) with the Department of Revenue to develop a method of identifying and tracking each new job created from moneys appropriated in this Subsection. Requires the DED to identify research and development activities funded by no more than 10.0% of the funds appropriated in this Subsection, for purposes of measuring the potential impact of these activities on the State's economy rather than return on investment and job creation. (Page 12, Line 3)

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA**

**EXECUTIVE SUMMARY
ECONOMIC DEVELOPMENT APPROPRIATIONS ACT**

HOUSE FILE 809

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA (CONTINUED)**

- Permits the DED to use 1.5% (\$525,000) of the \$35.0 million appropriation annually for administration. (Page 12, Line 29)
- Requires the Iowa Economic Development Board to approve or deny applications for financial assistance and whenever possible, to coordinate assistance with other programs administered by the DED. (Page 12, Line 32)
- Requires the Department of Natural Resources (DNR) to submit an expenditure plan to the DED to receive financial assistance for parks. Requires the DNR plan to focus on improving State, destination, and banner parks. Provides a definition of banner parks. (Page 14, Line 19)
- Requires an allocation of \$350,000 annually for Small Business Development Centers, from the \$1.0 million appropriated for economic development region financial assistance. Requires the Centers to provide a one-to-one match of funds to receive financial assistance and caps financial assistance to a single Center at \$20,000. (Page 15, Line 22)
- Permits an annual allocation of up to \$50,000 from the \$1.0 million appropriated for economic development region financial assistance, for financial assistance to Iowa business resource centers. (Page 16, Line 2)
- Creates the Field Office Operating Fund in the State Treasury under the control of the Department of Workforce Development and specifies that moneys credited and deposited in the Fund are appropriated to the Department. (Page 16, Line 11)
- Provides a FY 2005 General Fund supplemental appropriation of \$500,000 to the Department of Economic Development for sole source grant costs associated with hosting the National Special Olympics. (Page 16, Line 19)
- Specifies the Section relating to the supplemental appropriation takes effect on enactment.
- The Governor vetoed the language prohibiting the Department of Economic Development from charging a nonprofit public entity a fee for placement of informational materials in a welcome center. The Governor stated that more than 50.0% of brochure enrollment revenue comes from non-profit organizations and, without that revenue, the welcome centers would have to be closed several days a week. (Page 4, Line 11)
- This Act was approved by the General Assembly on May 3, 2005, and item-vetoed and signed by the Governor on June 9, 2005.

EFFECTIVE DATE

GOVERNOR'S VETOES

ENACTMENT DATE

House File 809 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
3	13	2.2(g)	Nwthstnd	Sec. 8.33	Business Development Division Nonreversion
4	6	2.3(d)	Nwthstnd	Sec. 8.33	Community and Rural Development Division Nonreversion
5	10	6	Nwthstnd	Sec. 15E.120(5)	Community Development Loan Fund
5	34	9	Nwthstnd	Sec. 15.251	Job Training Fund
7	15	10.4	Nwthstnd	Sec. 8.33	Iowa State University Nonreversion
8	2	11.3	Nwthstnd	Sec. 8.33	University of Iowa Nonreversion
8	24	12.3	Nwthstnd	Sec. 8.33	University of Northern Iowa Nonreversion
10	7	14.5	Nwthstnd	Sec. 8.33	Iowa Workforce Development Nonreversion
11	11	17.2	Nwthstnd	Sec. 8.33	Nonreversion of Endow Iowa Grant Appropriation
11	15	18	Adds	Sec. 15G.110	Grow Iowa Values Fund Appropriation
11	21	19.1(a)	Adds	Sec. 15G.111(1)(a)	DED Programs Appropriation
11	28	19.1(b)	Adds	Sec. 15G.111(1)(b)	DED Programs Allocations
12	3	19.1(c)	Adds	Sec. 15G.111(1)(c)	DED Programs Return on Investment
12	20	19.1(d)	Adds	Sec. 15G.111(1)(d)	Procurement of Technical Assistance
12	29	19.1(e)	Adds	Sec. 15G.111(1)(e)	DED Administration Allocation
12	32	19.1(f)	Adds	Sec. 15G.111(1)(f)	Approval of Grow Iowa Values Fund Applications
13	6	19.1(g)	Adds	Sec. 15G.111(1)(g)	Intent to Expand and Stimulate Economy
13	18	19.2	Adds	Sec. 15G.111(2)	Regents Appropriation
14	19	19.3	Adds	Sec. 15G.111(3)	Parks Appropriation
15	2	19.4	Adds	Sec. 15G.111(4)	Iowa Cultural Trust Fund Appropriation
15	8	19.5	Adds	Sec. 15G.111(5)	Workforce Training Appropriation
15	15	19.6(a)	Adds	Sec. 15G.111(6)(a)	Economic Development Region Appropriation
15	22	19.6(b)	Adds	Sec. 15G.111(6)(b)	Small Business Development Center Transfer
16	2	19.6(c)	Adds	Sec. 15G.111(6)(c)	Iowa Business Resource Center Allocation

Page #	Line #	Bill Section	Action	Code Section	Description
16	7	19.7	Nwthstnd	Sec 8.33	Nonreversion of Funds from Grow Iowa Values Fund
16	11	20	Adds	Sec. 96.51	Field Office Operating Fund
16	19	21	Adds	Sec. 50, Ch. 1175, 2004 Iowa Acts	National Special Olympics Supplemental Appropriation
16	27	21	Nwthstnd	Sec. 8.33	Nonreversion of Supplemental Appropriation
17	27	26	Nwthstnd	Sec. 96.9(4)(a)	Compliance with Social Security Act

1 1 ECONOMIC DEVELOPMENT
 1 2 Section 1. GOALS AND ACCOUNTABILITY.
 1 3 1. The goals for the department of economic development
 1 4 shall be to expand and stimulate the state economy, increase
 1 5 the wealth of lowans, and increase the population of the
 1 6 state.
 1 7 2. To achieve the goals in subsection 1, the department of
 1 8 economic development shall do all of the following:
 1 9 a. Concentrate its efforts on programs and activities that
 1 10 result in commercially viable products and services.
 1 11 b. Adopt practices and services consistent with free
 1 12 market, private sector philosophies.
 1 13 c. Ensure economic growth and development throughout the
 1 14 state.

1 15 Sec. 2. DEPARTMENT OF ECONOMIC DEVELOPMENT. There is
 1 16 appropriated from the general fund of the state to the
 1 17 department of economic development for the fiscal year
 1 18 beginning July 1, 2005, and ending June 30, 2006, the
 1 19 following amounts, or so much thereof as is necessary, to be
 1 20 used for the purposes designated:

1 21 1. ADMINISTRATION DIVISION
 1 22 a. General administration
 1 23 For salaries, support, maintenance, miscellaneous purposes,
 1 24 programs, for the transfer to the Iowa state commission grant
 1 25 program, and for not more than the following full-time
 1 26 equivalent positions:
 1 27 \$ 1,956,332
 1 28 FTEs 28.75

1 29 b. The department shall work with businesses and
 1 30 communities to continually improve the economic development
 1 31 climate along with the economic well-being and quality of life
 1 32 for lowans. The administration division shall coordinate with
 1 33 other state agencies ensuring that all state departments are
 1 34 attentive to the needs of an entrepreneurial culture.

Specifies that the goals for the Department of Economic Development shall be to:

- Expand and stimulate the State economy.
- Increase the wealth of lowans.
- Increase the population of Iowa.

To achieve the goals, the Department is to:

- Concentrate efforts on programs and activities that result in commercially viable products and services.
- Adopt practices consistent with free-market, private-sector philosophies.
- Ensure economic growth and development statewide.

General Fund appropriation to the Administration Division of the Department of Economic Development (DED).

DETAIL: Maintains current level of funding and FTE positions.

House File 882 (FY 2006 Standings Appropriation Act) reduces this appropriation by \$115,000.

Requires the Administration Division to work with businesses and communities to improve the economic development climate, and the economic well-being and the quality of life for lowans. The Division is to coordinate with other State agencies to ensure State departments are attentive to the needs of an entrepreneurial culture.

1 35 2. BUSINESS DEVELOPMENT DIVISION
 2 1 a. Business development operations
 2 2 For business development operations and programs,
 2 3 international trade, export assistance, workforce recruitment,
 2 4 the partner state program, for transfer to the strategic
 2 5 investment fund, for transfer to the value-added agricultural
 2 6 products and processes financial assistance fund, salaries,
 2 7 support, maintenance, miscellaneous purposes, and for not more
 2 8 than the following full-time equivalent positions:
 2 9 \$ 6,084,500
 2 10 FTEs 57.00

General Fund appropriation to the Business Development Division of the DED.
 DETAIL: Maintains current level of funding and FTE positions.

2 11 b. The department shall establish a strong and aggressive
 2 12 marketing image to showcase Iowa's workforce, existing
 2 13 industry, and potential. A priority shall be placed on
 2 14 recruiting new businesses, business expansion, and retaining
 2 15 existing Iowa businesses. Emphasis shall also be placed on
 2 16 entrepreneurial development through helping to secure capital
 2 17 for entrepreneurs, and developing networks and a business
 2 18 climate conducive to entrepreneurs and small business.

Requires the Business Development Division, through aggressive marketing, to showcase Iowa's workforce, industry, and potential. Priority is to be given to recruiting new businesses, business expansion, and retaining existing Iowa businesses. Emphasis is to be placed on entrepreneurs, networking for entrepreneurs, and developing a business climate conducive to entrepreneurial and small business growth.

2 19 c. A business creating jobs with economic development
 2 20 assistance through moneys appropriated in this subsection
 2 21 shall be subject to contract provisions stating that new and
 2 22 retained jobs shall be filled by individuals who are citizens
 2 23 of the United States who reside within the United States, or
 2 24 any person authorized to work in the United States pursuant to
 2 25 federal law, including legal resident aliens in the United
 2 26 States. Any vendor who receives such public moneys shall
 2 27 adhere to such contract provisions and provide periodic
 2 28 assurances as the state shall require, that the jobs are
 2 29 filled solely by citizens of the United States who reside
 2 30 within the United States, or any person authorized to work in
 2 31 the United States pursuant to federal law, including legal
 2 32 resident aliens in the United States.

Requires a business creating jobs with economic development assistance from the Division to be subject to contract provisions stating that new and retained jobs must be filled by individuals that are citizens of the United States that reside in the United States, or any person authorized to work in the United States pursuant to federal law, including legal resident aliens in the United States. Requires any vendor who receives public moneys from the Department through the Business Development appropriation to adhere to such contract provisions and provide periodic assurances of compliance.

2 33 d. From the moneys appropriated in this subsection, the
 2 34 department may provide financial assistance in the form of a
 2 35 grant to a community economic development entity for
 3 1 conducting a local workforce recruitment effort designed to
 3 2 recruit former citizens of the state and former students at
 3 3 colleges and universities in the state to meet the needs of
 3 4 local employers.

Allows the Department of Economic Development to provide funding in the form of a grant to a community economic development entity for conducting a local workforce recruitment effort designed to recruit former citizens of the State and former students at State colleges and universities to meet the needs of local employers.

3 5 e. From the moneys appropriated under this subsection, the
 3 6 department may provide financial assistance to early-stage
 3 7 industry companies being established by women entrepreneurs.

Allows the Department of Economic Development to provide financial assistance to early-stage industry companies being established by women entrepreneurs.

3 8 f. From the moneys appropriated under this subsection, the
 3 9 department may provide financial assistance in the form of
 3 10 grants, loans, or forgivable loans for advanced research and
 3 11 commercialization projects involving value-added agriculture,
 3 12 advanced technology, or biotechnology.

Allows the Department of Economic Development to provide financial assistance for advanced research and commercialization projects involving value-added agriculture, advanced technology, or biotechnology.

3 13 g. Notwithstanding section 8.33, moneys appropriated in
 3 14 this subsection that remain unencumbered or unobligated at the
 3 15 close of the fiscal year shall not revert but shall remain
 3 16 available for expenditure for the purposes designated until
 3 17 the close of the succeeding fiscal year.

CODE: Permits nonreversion of funds appropriated to the Business Development Division.

3 18 3. COMMUNITY DEVELOPMENT DIVISION

General Fund appropriation for the Community and Rural Development Division of the DED.

3 19 a. Community development programs
 3 20 For salaries, support, maintenance, miscellaneous purposes,
 3 21 community economic development programs, tourism operations,
 3 22 community assistance, the film office, the mainstreet and
 3 23 rural mainstreet programs, the school-to-career program, the
 3 24 community development block grant, and housing and shelter-
 3 25 related programs and for not more than the following full-time
 3 26 equivalent positions:

DETAIL: This is an increase of \$27,786 and no change in FTE positions compared to the estimated net FY 2005 appropriation. This increased amount was appropriated to the Department in FY 2005 for the School-to-Career Program. The statutory language that authorized the School-to-Career Program has been repealed.

3 27 \$ 5,533,511
 3 28 FTEs 61.75

3 29 b. The department shall encourage development of
3 30 communities and quality of life to foster economic growth.
3 31 The department shall prepare communities for future growth and
3 32 development through development, expansion, and modernization
3 33 of infrastructure.

Requires the Community Development Division to encourage development of communities, quality of life, and economic growth, and to prepare communities for future growth through development, expansion, and modernization of infrastructure.

3 34 c. The department shall develop public-private
3 35 partnerships with Iowa businesses in the tourism industry,
4 1 Iowa tour groups, Iowa tourism organizations, and political
4 2 subdivisions in this state to assist in the development of
4 3 advertising efforts. The department shall, to the fullest
4 4 extent possible, develop cooperative efforts for advertising
4 5 with contributions from other sources.

Requires the Department to develop public-private partnerships with Iowa tourism businesses, Iowa tour groups, Iowa tourism organizations, and political subdivisions to assist in developing advertising efforts. The Department is to maximize contributions from other sources for this purpose.

4 6 d. Notwithstanding section 8.33, moneys appropriated in
4 7 this subsection that remain unencumbered or unobligated at the
4 8 close of the fiscal year shall not revert to any fund but
4 9 shall remain available for expenditure for the designated
4 10 purposes during the succeeding fiscal year.

CODE: Permits nonreversion of funds appropriated to the Community Development Division.

[4 11 e. The department shall not charge a nonprofit, public
4 12 entity a fee for placement of informational materials in a
4 13 welcome center.]

VETOED

Prohibits the DED from charging nonprofit, public entities a fee for placement of informational materials in a welcome center.

VETOED: The Governor vetoed this language, stating that more than 50.0% of brochure enrollment revenue comes from non-profit organizations and, without that revenue, the welcome centers would have to be closed several days a week.

4 14 4. For allocating moneys for the world food prize:
4 15 \$ 285,000

General Fund appropriation for the World Food Prize.

DETAIL: Maintains current level of funding. In recent years, the World Food Prize received an allocation from the DED General Administration appropriation.

4 16 Sec. 3. VISION IOWA PROGRAM — FTE AUTHORIZATION. For
4 17 purposes of administrative duties associated with the vision
4 18 Iowa program, the department of economic development is
4 19 authorized an additional 2.25 full-time equivalent positions

Authorizes 2.25 FTE positions for the Vision Iowa Program.

DETAIL: Maintains the current level of FTE positions.

4 20 above those otherwise authorized in this Act.

4 21 Sec. 4. RURAL COMMUNITY 2000 PROGRAM. There is
 4 22 appropriated from loan repayments on loans under the former
 4 23 rural community 2000 program, sections 15.281 through 15.288,
 4 24 Code 2001, to the department of economic development for the
 4 25 fiscal year beginning July 1, 2005, and ending June 30, 2006,
 4 26 the following amounts, or so much thereof as is necessary, to
 4 27 be used for the purposes designated:

4 28 1. For providing financial assistance to Iowa's councils
 4 29 of governments that provide technical and planning assistance
 4 30 to local governments:
 4 31 \$ 150,000

4 32 2. For the rural development program for the purposes of
 4 33 the program including the rural enterprise fund and
 4 34 collaborative skills development training:
 4 35 \$ 120,000

5 1 Sec. 5. INSURANCE ECONOMIC DEVELOPMENT. There is
 5 2 appropriated from moneys collected by the division of
 5 3 insurance in excess of the anticipated gross revenues under
 5 4 section 505.7, subsection 3, to the department of economic
 5 5 development for the fiscal year beginning July 1, 2005, and
 5 6 ending June 30, 2006, the following amount, or so much thereof
 5 7 as is necessary, for insurance economic development and
 5 8 international insurance economic development:
 5 9 \$ 100,000

5 10 Sec. 6. COMMUNITY DEVELOPMENT LOAN FUND. Notwithstanding
 5 11 section 15E.120, subsection 5, there is appropriated from the
 5 12 Iowa community development loan fund all the moneys available
 5 13 during the fiscal year beginning July 1, 2005, and ending June
 5 14 30, 2006, to the department of economic development for the
 5 15 community development program to be used by the department for

Appropriates money from loan repayments received from the Rural Community 2000 Program.

DETAIL: Loan repayment receipts are estimated to be \$270,000 for FY 2006. This is no change compared to estimated FY 2005 receipts.

Rural Community 2000 Fund appropriation to Iowa's Councils of Governments to provide planning and technical assistance to local governments.

DETAIL: Maintains current level of funding.

Rural Community 2000 Fund appropriation to the Rural Development Program.

DETAIL: Maintains current level of funding.

Insurance receipts appropriation to the DED for insurance economic development.

DETAIL: Maintains current level of funding. Funds collected by the Insurance Division of the Department of Commerce in excess of the anticipated gross revenues are allocated to the DED for insurance economic development purposes.

CODE: Appropriates all receipts from the Iowa Community Development Loan Fund to the Community Development Program.

DETAIL: For FY 2005, \$25,261 was available for this purpose. The DED estimates little or no funding will be available for FY 2006.

5 16 the purposes of the program.

5 17 Sec. 7. WORKFORCE DEVELOPMENT FUND. There is appropriated
 5 18 from the workforce development fund account created in section
 5 19 15.342A, to the workforce development fund created in section
 5 20 15.343, for the fiscal year beginning July 1, 2005, and ending
 5 21 June 30, 2006, the following amount, for the purposes of the
 5 22 workforce development fund, and for not more than the
 5 23 following full-time equivalent positions:
 5 24 \$ 4,000,000
 5 25 FTEs 4.00

Workforce Development Fund Account appropriation to the DED's Workforce Development Fund Program.

DETAIL: Maintains current level of funding and FTE positions.

5 26 Sec. 8. WORKFORCE DEVELOPMENT ADMINISTRATION. From funds
 5 27 appropriated or transferred to or receipts credited to the
 5 28 workforce development fund created in section 15.343, up to
 5 29 \$400,000 for the fiscal year beginning July 1, 2005, and
 5 30 ending June 30, 2006, may be used for the administration of
 5 31 workforce development activities including salaries, support,
 5 32 maintenance, and miscellaneous purposes and for not more than
 5 33 4.00 full-time equivalent positions.

Allows the DED to use up to \$400,000 of the funds available in the Workforce Development Fund for administration and support of no more than 4.00 FTE positions.

DETAIL: Maintains current level of funding.

5 34 Sec. 9. JOB TRAINING FUND. Notwithstanding section
 5 35 15.251, all remaining moneys in the job training fund on July
 6 1 1, 2005, and any moneys appropriated or credited to the fund
 6 2 during the fiscal year beginning July 1, 2005, shall be
 6 3 transferred to the workforce development fund established
 6 4 pursuant to section 15.343.

CODE: Requires moneys credited to the Job Training Fund in FY 2006 to be transferred to the Workforce Development Fund.

6 5 Sec. 10. IOWA STATE UNIVERSITY.

6 6 1. There is appropriated from the general fund of the
 6 7 state to the Iowa state university of science and technology
 6 8 for the fiscal year beginning July 1, 2005, and ending June
 6 9 30, 2006, the following amount, or so much thereof as is
 6 10 necessary, to be used for small business development centers,
 6 11 the science and technology research park, the institute for
 6 12 physical research, and for not more than the following full-

General Fund appropriation to Iowa State University (ISU) for the Small Business Development Centers, Research Park, and the Institute for Physical Research and Technology.

DETAIL: Maintains current level of funding and FTE positions.

6 13 time equivalent positions:
 6 14 \$ 2,363,557
 6 15 FTEs 56.63

6 16 2. Of the moneys appropriated in subsection 1, Iowa state
 6 17 university shall allocate at least \$550,000 for purposes of
 6 18 funding small business development centers. Iowa state
 6 19 university may allocate moneys appropriated in subsection 1 to
 6 20 the various small business development centers in any manner
 6 21 necessary to achieve the purposes of this subsection.

Requires an allocation of \$550,000 for Small Business Development Centers and allows Iowa State University to allocate the moneys to the Small Business Development Centers in any manner necessary to achieve this purpose.

DETAIL: Maintains current level of funding.

6 22 3. Iowa state university of science and technology shall
 6 23 do all of the following:
 6 24 a. Direct expenditures for research toward projects that
 6 25 will provide economic stimulus for Iowa.
 6 26 b. Provide emphasis to providing services to Iowa-based
 6 27 companies.

Requires the University's economic development programs to direct resources and efforts to projects and activities that:

- Stimulate Iowa's economy.
- Emphasize Iowa-based companies.

6 28 4. It is the intent of the general assembly that the
 6 29 industrial incentive program focus on Iowa industrial sectors
 6 30 and seek contributions and in-kind donations from businesses,
 6 31 industrial foundations, and trade associations and that moneys
 6 32 for the institute for physical research and technology
 6 33 industrial incentive program shall only be allocated for
 6 34 projects which are matched by private sector moneys for
 6 35 directed contract research or for nondirected research. The
 7 1 match required of small businesses as defined in section
 7 2 15.102, subsection 4, for directed contract research or for
 7 3 nondirected research shall be \$1 for each \$3 of state funds.
 7 4 The match required for other businesses for directed contract
 7 5 research or for nondirected research shall be \$1 for each \$1
 7 6 of state funds. The match required of industrial foundations
 7 7 or trade associations shall be \$1 for each \$1 of state funds.

Specifies it is the intent of the General Assembly that the Incentive Program focus on Iowa industrial sectors and seek private sector donations. Requires matching funds for participation in the Institute for Physical Research and Technology Incentive Program. The match is \$1 for each \$3 of State funds for small businesses or \$1 for each \$1 of State funds for larger businesses, industrial foundations, or trade organizations.

7 8 Iowa state university of science and technology shall
 7 9 report annually to the joint appropriations subcommittee on
 7 10 economic development and the legislative services agency the

Requires that ISU annually report to the Economic Development Appropriations Subcommittee and the Fiscal Services Division of the Legislative Services Agency the total amount of private contributions,

7 11 total amount of private contributions, the proportion of
 7 12 contributions from small businesses and other businesses, and
 7 13 the proportion for directed contract research and nondirected
 7 14 research of benefit to Iowa businesses and industrial sectors.

the proportion from small businesses and other businesses, and the proportion for directed and nondirected research.

7 15 Notwithstanding section 8.33, moneys appropriated in this
 7 16 section that remain unencumbered or unobligated at the close
 7 17 of the fiscal year shall not revert but shall remain available
 7 18 for expenditure for the purposes designated until the close of
 7 19 the succeeding fiscal year.

CODE: Permits nonreversion of appropriations to ISU.

7 20 Sec. 11. UNIVERSITY OF IOWA.

7 21 1. There is appropriated from the general fund of the
 7 22 state to the state university of Iowa for the fiscal year
 7 23 beginning July 1, 2005, and ending June 30, 2006, the
 7 24 following amount, or so much thereof as is necessary, to be
 7 25 used for the university of Iowa research park and for the
 7 26 advanced drug development program at the Oakdale research
 7 27 park, including salaries, support, maintenance, equipment,
 7 28 miscellaneous purposes, and for not more than the following
 7 29 full-time equivalent positions:

General Fund appropriation to the University of Iowa (SUI) for the Research Park and for the Advanced Drug Development Program.

DETAIL: Maintains current level of funding and FTE positions.

7 30 \$ 247,005
 7 31 FTEs 6.00

7 32 2. The university of Iowa shall do all of the following:
 7 33 a. Direct expenditures for research toward projects that
 7 34 will provide economic stimulus for Iowa.
 7 35 b. Provide emphasis to providing services to Iowa-based
 8 1 companies.

Requires the University's economic development programs to direct resources and efforts to projects and activities that:

- Stimulate Iowa's economy.
- Emphasize Iowa-based companies.

8 2 3. Notwithstanding section 8.33, moneys appropriated in
 8 3 this section that remain unencumbered or unobligated at the
 8 4 close of the fiscal year shall not revert but shall remain
 8 5 available for expenditure for the purposes designated until
 8 6 the close of the succeeding fiscal year.

CODE: Permits nonreversion of appropriations to the University of Iowa.

8 7 Sec. 12. UNIVERSITY OF NORTHERN IOWA.

8 8 1. There is appropriated from the general fund of the
 8 9 state to the university of northern iowa for the fiscal year
 8 10 beginning July 1, 2005, and ending June 30, 2006, the
 8 11 following amount, or so much thereof as is necessary, to be
 8 12 used for the metal casting institute, and for the institute of
 8 13 decision making, including salaries, support, maintenance,
 8 14 miscellaneous purposes, and for not more than the following
 8 15 full-time equivalent positions:

8 16 \$ 361,291
 8 17 FTEs 4.75

8 18 2. The university of northern iowa shall do all of the
 8 19 following:

- 8 20 a. Direct expenditures for research toward projects that
 8 21 will provide economic stimulus for iowa.
 8 22 b. Provide emphasis to providing services to iowa-based
 8 23 companies.

8 24 3. Notwithstanding section 8.33, moneys appropriated in
 8 25 this section that remain unencumbered or unobligated at the
 8 26 close of the fiscal year shall not revert but shall remain
 8 27 available for expenditure for the purposes designated until
 8 28 the close of the succeeding fiscal year.

8 29 Sec. 13. BOARD OF REGENTS REPORT. The state board of
 8 30 regents shall submit a report on the progress of regents
 8 31 institutions in meeting the strategic plan for technology
 8 32 transfer and economic development to the secretary of the
 8 33 senate, the chief clerk of the house of representatives, and
 8 34 the legislative services agency by January 15, 2006.

8 35 Sec. 14. DEPARTMENT OF WORKFORCE DEVELOPMENT.

General Fund appropriation to University of Northern Iowa (UNI) for the Metal Casting Institute and the Institute for Decision Making.

DETAIL: Maintains current level of funding and FTE positions.

Requires the University's economic development programs to direct resources and efforts to projects and activities that:

- Stimulate iowa's economy.
- Emphasize iowa-based companies.

CODE: Permits nonreversion of appropriations to the University of Northern Iowa.

Requires the Board of Regents to submit a report to the General Assembly and the Fiscal Services Division of the Legislative Services Agency by January 15, 2006, regarding the progress of the Regents institutions in meeting the goals, objectives, and strategies of the Strategic Plan for Technology Transfer and Economic Development.

9 1 1. There is appropriated from the general fund of the
 9 2 state to the department of workforce development for the
 9 3 fiscal year beginning July 1, 2005, and ending June 30, 2006,
 9 4 the following amount, or so much thereof as is necessary, for
 9 5 the division of labor services, the division of workers'
 9 6 compensation, the workforce development state and regional
 9 7 boards, the new employment opportunity fund, immigration
 9 8 services centers, for transfer to the boiler safety fund, for
 9 9 transfer to the elevator safety fund, salaries, support,
 9 10 maintenance, miscellaneous purposes, and for not more than the
 9 11 following full-time equivalent positions:
 9 12 \$ 5,151,919
 9 13 FTEs 86.45

General Fund appropriation to the Department of Workforce Development.

DETAIL: Maintains current level of funding and is a decrease of 7.75 FTE positions compared to the estimated net FY 2005 appropriation. This is not an actual reduction in FTE positions. For FY 2006, the Department is allowed to retain fees to support the Elevator Safety and Boiler Safety programs. The 9.75 FTEs associated with these programs will no longer be appropriated, but will be supported by fee revenue. This results in an estimated FY 2005 FTE count of 84.45. As a result, the FTE appropriation in this Act is actually an increase of 2.00 FTE positions for the Worker's Compensation Program.

In addition, although the Elevator Safety and Boiler Safety Programs will be supported by fees for FY 2006, and will no longer require a General Fund appropriation, the Department's General Fund appropriation has not been reduced by that amount for FY 2006. It is anticipated the two programs will generate \$699,518 in fees to support the programs in FY 2006. Therefore, the status quo appropriation allows the Department an additional \$699,518 for expenditure. The funds will be expended as follows:

- \$114,600 to support current FTE positions in the Workers' Compensation and Labor Services Divisions.
- \$225,000 to provide cash flow for the Elevator Safety and Boiler Safety programs until the programs are fully self-supporting.
- \$134,918 to add 2.00 FTE positions in the Workers' Compensation Division.
- \$15,000 for additional Iowa Workforce Development Board activities.
- \$50,000 to conduct Kaizen events.
- \$160,000 to support the Immigration Services Centers previously funded by penalty and interest payments on the Administrative Contribution Surcharge.

9 14 2. From the contractor registration fees, the division of
 9 15 labor services shall reimburse the department of inspections
 9 16 and appeals for all costs associated with hearings under
 9 17 chapter 91C, relating to contractor registration.

Requires Iowa Workforce Development to reimburse the Employment Appeals Board within the Department of Inspections and Appeals for the costs associated with hearings related to contractor registration from contractor registration fees.

9 18 3. The division of workers' compensation shall continue
 9 19 charging a \$65 filing fee for workers' compensation cases.
 9 20 The filing fee shall be paid by the petitioner of a claim.
 9 21 However, the fee can be taxed as a cost and paid by the losing
 9 22 party, except in cases where it would impose an undue hardship
 9 23 or be unjust under the circumstances. The moneys generated by
 9 24 the filing fee allowed under this subsection are appropriated
 9 25 to the department of workforce development to be used for
 9 26 purposes of administering the division of workers'
 9 27 compensation.

Requires the Workers' Compensation Division to continue to charge a \$65 filing fee for workers' compensation cases. Permits the losing party to be taxed for the fee, unless it would impose an undue hardship or be unjust. Appropriates the fees collected to the Department.

DETAIL: It is estimated approximately \$200,000 in fees will be collected during FY 2006.

9 28 4. The department of workforce development shall maintain
 9 29 pilot immigration service centers that offer one-stop services
 9 30 to deal with the multiple issues related to immigration and
 9 31 employment. The pilot centers shall be designed to support
 9 32 workers, businesses, and communities with information,
 9 33 referrals, job placement assistance, translation, language
 9 34 training, resettlement, as well as technical and legal
 9 35 assistance on such issues as forms and documentation. Through
 10 1 the coordination of local, state, and federal service
 10 2 providers, and through the development of partnerships with
 10 3 public, private, and nonprofit entities with established
 10 4 records of international service, these pilot centers shall
 10 5 seek to provide a seamless service delivery system for new
 10 6 lowans.

Requires the Department to maintain pilot Immigration Service Centers. Requires that Immigration Service Centers offer one-stop services to workers, businesses, and communities. Requires seamless service delivery through government coordination and cooperation with public, private, and nonprofit entities.

10 7 5. Notwithstanding section 8.33, moneys appropriated in
 10 8 this section that remain unencumbered or unobligated at the
 10 9 close of the fiscal year shall not revert but shall remain
 10 10 available for expenditure for the purposes designated until
 10 11 the close of the succeeding fiscal year.

CODE: Permits nonreversion of funds appropriated to the Department.

10 12 Sec. 15. EMPLOYMENT SECURITY CONTINGENCY FUND. There is
 10 13 appropriated from the special employment security contingency
 10 14 fund to the department of workforce development for the fiscal
 10 15 year beginning July 1, 2005, and ending June 30, 2006, the
 10 16 following amounts, or so much thereof as is necessary, for the

<p>10 17 purposes designated:</p> <p>10 18 DIVISION OF WORKERS' COMPENSATION</p> <p>10 19 For salaries, support, maintenance, and miscellaneous</p> <p>10 20 purposes:</p> <p>10 21 \$ 471,000</p> <p>10 22 Any remaining additional penalty and interest revenue may</p> <p>10 23 be allocated and used to accomplish the mission of the</p> <p>10 24 department.</p> <p>10 25 Sec. 16. PUBLIC EMPLOYMENT RELATIONS BOARD. There is</p> <p>10 26 appropriated from the general fund of the state to the public</p> <p>10 27 employment relations board for the fiscal year beginning July</p> <p>10 28 1, 2005, and ending June 30, 2006, the following amount, or so</p> <p>10 29 much thereof as is necessary, for the purposes designated:</p> <p>10 30 For salaries, support, maintenance, miscellaneous purposes,</p> <p>10 31 and for not more than the following full-time equivalent</p> <p>10 32 positions:</p> <p>10 33 \$ 923,850</p> <p>10 34 FTEs 10.00</p> <p>10 35 Sec. 17. ENDOW IOWA GRANTS APPROPRIATIONS.</p> <p>11 1 1. There is appropriated from the general fund of the</p> <p>11 2 state to the department of economic development for the fiscal</p> <p>11 3 period beginning July 1, 2005, and ending June 30, 2008, the</p> <p>11 4 following amounts, or so much thereof as is necessary, to be</p> <p>11 5 used for the purpose designated:</p> <p>11 6 For endow Iowa grants to lead philanthropic entities</p> <p>11 7 pursuant to section 15E.304:</p> <p>11 8 FY 2005–2006.....\$ 50,000</p> <p>11 9 FY 2006–2007.....\$ 50,000</p> <p>11 10 FY 2007–2008.....\$ 50,000</p> <p>11 11 2. Notwithstanding section 8.33, moneys that remain</p> <p>11 12 unexpended at the end of the fiscal year shall not revert to</p> <p>11 13 any fund but shall remain available for expenditure for the</p>	<p>Employment Security Contingency Fund appropriation to the Workers' Compensation Division.</p> <p>DETAIL: Maintains current level of funding.</p> <p>Allows any remaining additional penalty and interest revenues to be used as needed by the Department of Workforce Development.</p> <p>General Fund appropriation to the Public Employment Relations Board.</p> <p>DETAIL: Maintains current level of funding and FTE positions.</p> <p>General Fund appropriation to the DED for Endow Iowa grants to lead philanthropic entities.</p> <p>DETAIL: This is a new General Fund appropriation for FY 2006. In FY 2005, the DED received \$155,303 for this purpose from SF 2311 (FY 2005 Economic Stimulus Act).</p> <p>CODE: Permits nonreversion of funds for Endow Iowa Grants.</p>
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11 14 designated purposes during the succeeding fiscal year.

11 15 Sec. 18. NEW SECTION. 15G.110 APPROPRIATION.

11 16 For the fiscal period beginning July 1, 2005, and ending
11 17 June 30, 2015, there is appropriated to the department of
11 18 economic development each fiscal year fifty million dollars
11 19 from the general fund of the state for deposit in the grow
11 20 Iowa values fund.

CODE: Appropriates \$50,000,000 from the General Fund each fiscal year for 10 years, starting in FY 2006, to the Grow Iowa Values Fund.

DETAIL: This is a new General Fund appropriation for FY 2006. In FY 2005, the DED received \$100,000,000 for this purpose from SF 2311 (FY 2005 Economic Stimulus Act).

11 21 Sec. 19. NEW SECTION. 15G.111 APPROPRIATIONS.

11 22 1. a. For the fiscal period beginning July 1, 2005, and
11 23 ending June 30, 2015, there is appropriated each fiscal year
11 24 from the grow Iowa values fund created in section 15G.108, if
11 25 enacted, to the department of economic development thirty-five
11 26 million dollars for programs administered by the department of
11 27 economic development.

Appropriates \$35,000,000 from the Grow Iowa Values Fund each fiscal year for 10 years, starting in FY 2006, to the Department of Economic Development for programs administered by the Department.

DETAIL: This is a new appropriation for FY 2006. In FY 2005, the DED received \$67,800,000 for this purpose. Approximately \$6,800,000 came from the Cash Reserve Fund, and \$61,045,652 was appropriated in SF 2311 (FY 2005 Economic Stimulus Act).

11 28 b. Each year that moneys are appropriated under this
11 29 subsection, the department shall allocate a percentage of the
11 30 moneys for each of the following types of activities:

- 11 31 (1) Business start-ups.
- 11 32 (2) Business expansion.
- 11 33 (3) Business modernization.
- 11 34 (4) Business attraction.
- 11 35 (5) Business retention.
- 12 1 (6) Marketing.
- 12 2 (7) Research and development.

CODE: Requires the Department to annually allocate a percentage of the appropriation for marketing, research and development, and for business start-ups, expansion, modernization, attraction, retention, marketing, and research and development.

12 3 c. The department shall require an applicant for moneys
12 4 appropriated under this subsection to include in the
12 5 application a statement regarding the intended return on
12 6 investment. A recipient of moneys appropriated under this
12 7 subsection shall annually submit a statement to the department
12 8 regarding the progress achieved on the intended return on
12 9 investment stated in the application. The department, in
12 10 cooperation with the department of revenue, shall develop a

CODE: Requires applicants for moneys appropriated under this Subsection to provide a statement regarding intended return on investment, and requires a recipient of funds to provide an annual progress report on return on investment. Requires the Department of Economic Development (DED), with the Department of Revenue, to develop a method of identifying and tracking each new job created from moneys appropriated in this Subsection. Requires the DED to identify research and development activities to be funded using no more than 10.0% of the funds appropriated in this Subsection, and

12 11 method of identifying and tracking each new job created and
 12 12 the leveraging of moneys through financial assistance from
 12 13 moneys appropriated under this subsection. The department of
 12 14 economic development shall identify research and development
 12 15 activities funded through financial assistance from not more
 12 16 than ten percent of the moneys appropriated under this
 12 17 subsection, and, instead of determining return on investment
 12 18 and job creation for the identified funding, determine the
 12 19 potential impact on the state's economy.

requires the DED to measure the potential impact on the State's economy rather than return on investment and job creation for these activities.

12 20 d. The department may use moneys appropriated under this
 12 21 subsection to procure technical assistance from either the
 12 22 public or private sector, for information technology purposes,
 12 23 for a statewide labor shed study, and for rail, air, or river
 12 24 port transportation–related purposes. The use of moneys
 12 25 appropriated for rail, air, or river port
 12 26 transportation–related purposes must be directly related to an
 12 27 economic development project and the moneys must be used to
 12 28 leverage other financial assistance moneys.

CODE: Permits the DED to use moneys appropriated in this Subsection to procure technical assistance from the public or private sector for:

- Information technology.
- Statewide labor shed study.
- Rail, air, or river port transportation. Funds used must be directly related to economic development and to leverage other financial assistance.

12 29 e. Of the moneys appropriated under this subsection, the
 12 30 department may use up to one and one–half percent for
 12 31 administrative purposes.

CODE: Permits the DED to use 1.5% of the moneys appropriated in this Subsection for administration.

DETAIL: From a \$35,000,000 appropriation, the Department would be allowed to use \$525,000 for administration each year. Over the ten-year period the total would be \$5,250,000 if the DED used the entire 1.5% each year.

12 32 f. The Iowa economic development board shall approve or
 12 33 deny applications for financial assistance provided with
 12 34 moneys appropriated under this subsection. In providing such
 12 35 financial assistance, the board shall, whenever possible,
 13 1 coordinate the assistance with other programs administered by
 13 2 the department of economic development, including the
 13 3 community economic betterment program established in section
 13 4 15.317 and the value–added agricultural products and processes
 13 5 financial assistance program established in section 15E.111.

CODE: Requires the Iowa Economic Development Board to approve or deny applications for financial assistance under this Subsection, and whenever possible, to coordinate assistance with other programs administered by the DED.

13 6 g. It is the policy of this state to expand and stimulate
 13 7 the state economy by advancing, promoting, and expanding
 13 8 biotechnology industries in this state. To implement this
 13 9 policy, the Iowa economic development board shall consider
 13 10 providing assistance to projects that increase value-added
 13 11 income to individuals or organizations involved in
 13 12 agricultural business or biotechnology projects. Such a
 13 13 project need not create jobs specific to the project site;
 13 14 however, such a project must foster the knowledge and
 13 15 creativity necessary to promote the state's agricultural
 13 16 economy and to increase employment in urban and rural areas as
 13 17 a result.

CODE: Specifies it is the policy of the State to expand and stimulate the economy by advancing, promoting, and expanding biotechnology industries in the State. Requires the Iowa Economic Development Board to consider providing assistance to projects involved in agricultural business and biotechnology. Specifies these projects aren't required to create jobs specific to the project site, but are required to promote the State's agricultural economy and increase employment in urban and rural areas as a result.

13 18 2. For the fiscal period beginning July 1, 2005, and
 13 19 ending June 30, 2015, there is appropriated each fiscal year
 13 20 from the grow Iowa values fund created in section 15G.108, if
 13 21 enacted, to the department of economic development five
 13 22 million dollars for financial assistance to institutions of
 13 23 higher learning under the control of the state board of
 13 24 regents for capacity building infrastructure in areas related
 13 25 to technology commercialization, for marketing and business
 13 26 development efforts in areas related to technology
 13 27 commercialization, entrepreneurship, and business growth, and
 13 28 for infrastructure projects and programs needed to assist in
 13 29 the implementation of activities under chapter 262B, if so
 13 30 amended. In allocating moneys to institutions under the
 13 31 control of the state board of regents, the board shall require
 13 32 the institutions to provide a one-to-one match of additional
 13 33 moneys for the activities funded with moneys appropriated
 13 34 under this subsection. The state board of regents shall
 13 35 annually prepare a report for submission to the governor, the
 14 1 general assembly, and the legislative services agency
 14 2 regarding the activities, projects, and programs funded with
 14 3 moneys appropriated under this subsection.
 14 4 The state board of regents may allocate any moneys
 14 5 appropriated under this subsection and received from the
 14 6 department for financial assistance to a single biosciences

Appropriates \$5,000,000 each fiscal year for ten years, starting in FY 2006, from the Grow Iowa Values Fund to the Department of Economic Development for financial assistance to the Regents Universities for infrastructure projects and programs to assist in implementation of activities under Chapter 262B, Code of Iowa, (University-Based Research and Economic Development). Allows the Regents to allocate funding to a single bioscience development organization able to promote bioscience entrepreneurship and composed of representatives from the private and public sector with various areas of expertise. Requires institutions receiving funding to provide a one-to-one match of funds, and requires the Board of Regents to annually submit a report to the Governor, General Assembly, and the Legislative Services Agency regarding the activities, projects and programs funded by this appropriation.

DETAIL: This is a new appropriation for FY 2006. In FY 2005, the DED received \$10,058,162 for this purpose in SF 2311 (FY 2005 Economic Stimulus Act).

14 7 development organization determined by the department to
 14 8 possess expertise in promoting the area of bioscience
 14 9 entrepreneurship. The organization must be composed of
 14 10 representatives of both the public and the private sector and
 14 11 shall be composed of subunits or subcommittees in the areas of
 14 12 existing identified biosciences platforms, education and
 14 13 workforce development, commercialization, communication,
 14 14 policy and governance, and finance. Such financial assistance
 14 15 shall be used for purposes of activities related to
 14 16 biosciences and bioeconomy development under chapter 262B, if
 14 17 so amended, and to accredited private universities in this
 14 18 state.

14 19 3. For the fiscal period beginning July 1, 2005, and
 14 20 ending June 30, 2015, there is appropriated each fiscal year
 14 21 from the grow Iowa values fund created in section 15G.108, if
 14 22 enacted, to the department of economic development one million
 14 23 dollars for purposes of providing financial assistance for
 14 24 projects in targeted state parks, state banner parks, and
 14 25 destination parks. The department of natural resources shall
 14 26 submit a plan to the department of economic development for
 14 27 the expenditure of moneys appropriated under this subsection.
 14 28 The plan shall focus on improving state parks, state banner
 14 29 parks, and destination parks for economic development
 14 30 purposes. Based on the report submitted, the department of
 14 31 economic development shall provide financial assistance to the
 14 32 department of natural resources for support of state parks,
 14 33 state banner parks, and destination parks. For purposes of
 14 34 this subsection, "state banner park" means a park with
 14 35 multiple uses and which focuses on the economic development
 15 1 benefits of a community or area of the state.

15 2 4. For the fiscal period beginning July 1, 2005, and
 15 3 ending June 30, 2015, there is appropriated each fiscal year
 15 4 from the grow Iowa values fund created in section 15G.108, if
 15 5 enacted, to the office of the treasurer of state one million
 15 6 dollars for deposit in the Iowa cultural trust fund created in

CODE: Appropriates \$1,000,000 each fiscal year for ten years, starting in FY 2006, from the Grow Iowa Values Fund to the DED for targeted State parks, banner parks, and destination parks, and requires the Department of Natural Resources (DNR) to submit an expenditure plan to the DED to receive financial assistance. Requires the DNR plan to focus on improving State, destination, and banner parks in order to receive financial assistance. Provides a definition of banner parks.

DETAIL: This is a new appropriation for FY 2006. In FY 2005, the DED received \$475,806 for this purpose in SF 2311 (FY 2005 Economic Stimulus Act).

CODE: Appropriates \$1,000,000 annually for ten years, starting in FY 2006, from the Grow Iowa Values Fund to the Treasurer of State for deposit in the Iowa Cultural Trust Fund.

15 7 section 303A.4.

DETAIL: This is a new appropriation for FY 2006. In FY 2005, the State Appeals Board provided \$475,806 for this purpose from the Cash Reserve Fund.

15 8 5. For the fiscal period beginning July 1, 2005, and
 15 9 ending June 30, 2015, there is appropriated each fiscal year
 15 10 from the grow Iowa values fund created in section 15G.108, if
 15 11 enacted, to the department of economic development seven
 15 12 million dollars for deposit into the workforce training and
 15 13 economic development funds of the community colleges created
 15 14 pursuant to section 260C.18A.

CODE: Appropriates \$7,000,000 annually for ten years, starting in FY 2006, from the Grow Iowa Values Fund to the DED for deposit in the workforce training and economic development funds of the community colleges.

DETAIL: This is a new appropriation for FY 2006. In FY 2005, the DED received a total of \$6,848,668 for this purpose. Of that amount, \$3,000,000 was provided by the State Appeals Board from the Cash Reserve Fund, and \$3,848,668 was appropriated in SF 2311 (FY 2005 Economic Stimulus Act).

15 15 6. a. For the fiscal period beginning July 1, 2005, and
 15 16 ending June 30, 2015, there is appropriated each fiscal year
 15 17 from the grow Iowa values fund created in section 15G.108, if
 15 18 enacted, to the department of economic development one million
 15 19 dollars for providing economic development region financial
 15 20 assistance under section 15E.232, subsections 3, 4, 5, and 6,
 15 21 if enacted, and under section 15E.233, if enacted.

CODE: Appropriates \$1,000,000 annually for ten years, starting in FY 2006, from the Grow Iowa Values Fund to the DED for economic development region financial assistance.

DETAIL: This is a new appropriation for FY 2006.

15 22 b. Of the moneys appropriated in this subsection, the
 15 23 department shall transfer three hundred fifty thousand dollars
 15 24 each fiscal year for the fiscal period beginning July 1, 2005,
 15 25 and ending June 30, 2015, to Iowa state university of science
 15 26 and technology, for purposes of providing financial assistance
 15 27 to establish small business development centers in areas of
 15 28 the state previously served by a small business development
 15 29 center and to maintain existing small business development
 15 30 centers. Financial assistance for a small business
 15 31 development center shall not be awarded unless the city of
 15 32 county where the center is located or scheduled to be located
 15 33 demonstrates the ability to obtain local matching moneys on a
 15 34 dollar-for-dollar basis. An award of financial assistance to
 15 35 a small business development center under this paragraph shall

CODE: Requires the transfer of \$350,000 annually for Small Business Development Centers. Requires the Centers to provide a one-to-one match of funds to receive financial assistance and caps financial assistance to a single Center at \$20,000.

16 1 not exceed twenty thousand dollars.

16 2 c. Of the moneys appropriated under this subsection, the
16 3 department may use up to fifty thousand dollars each fiscal
16 4 year during the fiscal period beginning July 1, 2005, and
16 5 ending June 30, 2015, for purposes of providing training,
16 6 materials, and assistance to Iowa business resource centers.

CODE: Permits an annual allocation of up to \$50,000 for financial assistance to Iowa business resource centers.

16 7 7. Notwithstanding section 8.33, moneys that remain
16 8 unexpended at the end of a fiscal year shall not revert to any
16 9 fund but shall remain available for expenditure for the
16 10 designated purposes during the succeeding fiscal year.

CODE: Permits nonreversion of funds.

16 11 Sec. 20. NEW SECTION. 96.51 FIELD OFFICE OPERATING FUND.

16 12 A field office operating fund is created in the state
16 13 treasury under the control of the department of workforce
16 14 development. The fund is separate and distinct from the
16 15 unemployment compensation fund. All moneys properly credited
16 16 to and deposited in the fund are annually appropriated to the
16 17 department of workforce development to be used for personnel
16 18 and nonpersonnel costs of operating field offices.

CODE: Creates the Field Office Operating Fund in the State Treasury under the control of the Department of Workforce Development and specifies that moneys credited and deposited in the Fund are appropriated to the Department.

DETAIL: Section 96.7(12b), Code of Iowa, authorized the creation of a fund for administration of revenue received through the administrative contribution surcharge. This fund served as the operational account for all funding sources used to support field office operations. The Supreme Court decision of June 16, 2004, regarding the Grow Iowa Values Fund legislation, allowed this statutory language to sunset.

This provision of the Act allows Iowa Workforce Development to continue using this Fund as the operational account for field offices. This will provide continuity from year to year for tracking expenditures and maintain existing accounting and payroll account structures regardless of funding source. The FY 2006 General Fund appropriation of \$6,525,000 made in Senate File 2311 (FY 2005 Economic Stimulus Act) passed during the 2004 Special Session is deposited in this Fund. The Fund will support 86.04 FTE positions for FY 2006.

16 19 Sec. 21. 2004 Iowa Acts, chapter 1175, section 50, is
16 20 amended by adding the following new subsection:
16 21 NEW SUBSECTION. 5. For sole source grant costs associated

CODE: General Fund supplemental appropriation of \$500,000 to the DED for FY 2005 for sole source grant costs associated with hosting the National Special Olympics.

<p>16 22 with the hosting of the national special olympics in Iowa by a 16 23 special olympics nonprofit entity, in addition to the amount 16 24 appropriated for this purpose in 2004 Iowa Acts, chapter 1175, 16 25 section 288, subsection 6, paragraph "b": 16 26 \$ 500,000</p>	<p>DETAIL: This appropriation is in addition to the \$500,000 Rebuild Iowa Infrastructure Fund (RIIF) appropriation made in SF 2298 (FY 2005 Omnibus Appropriations Act) for the same purpose.</p>
<p>16 27 Notwithstanding section 8.33, moneys appropriated in this 16 28 subsection that remain unencumbered or unobligated at the 16 29 close of the fiscal year shall not revert but shall remain 16 30 available for expenditure for the purpose designated until the 16 31 close of the fiscal year that begins July 1, 2006.</p>	<p>CODE: Permits nonreversion of funds until the close of FY 2007..</p>
<p>16 32 Sec. 22. VALUE-ADDED AGRICULTURAL PRODUCTS AND PROCESSES 16 33 FINANCIAL ASSISTANCE FUND MONEYS. The office of renewable 16 34 fuels and coproducts may apply to the department of economic 16 35 development for moneys in the value-added agricultural 17 1 products and processes financial assistance fund for deposit 17 2 in the renewable fuels and coproducts fund created in section 17 3 159A.7.</p>	<p>Permits the Office of Renewable Fuels and Coproducts to apply to the DED for funding from the Value-Added Agricultural Products and Processes Financial Assistance Fund.</p>
<p>17 4 Sec. 23. IOWA FINANCE AUTHORITY AUDIT. The auditor of 17 5 state is requested to review the audit of the Iowa finance 17 6 authority performed by the auditor hired by the authority. 17 7 The auditor of state is also requested to conduct a 17 8 performance audit of the authority to determine the 17 9 effectiveness of the authority and the programs of the 17 10 authority.</p>	<p>Requests that the Auditor of State review the outside audit of the Iowa Finance Authority and conduct a performance audit to determine the Authority's effectiveness.</p>
<p>17 11 Sec. 24. APPLICATION FOR DEPARTMENT OF ECONOMIC 17 12 DEVELOPMENT MONEYS. For the fiscal year beginning July 1, 17 13 2005, any entity that was specifically identified in 2001 Iowa 17 14 Acts, chapter 188, to receive funding from the department of 17 15 economic development, excluding any entity identified to 17 16 receive a direct appropriation beginning July 1, 2005, may 17 17 apply to the department for assistance through the appropriate 17 18 program. The department shall provide application criteria</p>	<p>Permits those programs that previously received allocations and appropriations (commonly called earmarks) from funds appropriated to the Department of Economic Development to apply for funding from the Department's programs if they do not receive an appropriation in this Act.</p>

17 19 necessary to implement this section.

17 20 Sec. 25. SHELTER ASSISTANCE FUND. In providing moneys
17 21 from the shelter assistance fund to homeless shelter programs
17 22 in the fiscal year beginning July 1, 2005, and ending June 30,
17 23 2006, the department of economic development shall explore the
17 24 potential of allocating moneys to homeless shelter programs
17 25 based in part on their ability to move their clients toward
17 26 self-sufficiency.

Requires the DED to explore allocating Shelter Assistance Funds to homeless shelters based in part on the shelter's ability to move clients toward self-sufficiency.

17 27 Sec. 26. UNEMPLOYMENT COMPENSATION PROGRAM.
17 28 Notwithstanding section 96.9, subsection 4, paragraph "a",
17 29 moneys credited to the state by the secretary of the treasury
17 30 of the United States pursuant to section 903 of the Social
17 31 Security Act shall be appropriated to the department of
17 32 workforce development and shall be used by the department for
17 33 the administration of the unemployment compensation program
17 34 only. This appropriation shall not apply to any fiscal year
17 35 beginning after December 31, 2005.

CODE: Restricts use of certain federal funds to comply with federal law.

18 1 Sec. 27. EFFECTIVE DATE. Section 21 of this Act amending
18 2 2004 Iowa Acts, chapter 1175, section 50, being deemed of
18 3 immediate importance, takes effect upon enactment.

Specifies that Section 21 relating to the supplemental appropriation takes effect upon enactment.

18 4 HF 809
18 5 tm:mg/es/25

**EXECUTIVE SUMMARY
EDUCATION APPROPRIATIONS ACT**

HOUSE FILE 816

FUNDING SUMMARY

**MAJOR INCREASES, DECREASES,
AND TRANSFERS OF EXISTING
PROGRAMS**

- Appropriates a total of \$957.2 million from the General Fund and 19,613.5 FTE positions to the Department for the Blind, the College Student Aid Commission, the Department of Cultural Affairs, the Department of Education, and the Board of Regents. This is an increase of \$64.2 million and a decrease of 30.7 FTE positions compared to the estimated net FY 2005 General Fund appropriation.
- Makes the following General Fund increases or decreases for FY 2006:
 - **Department for the Blind:** \$296,000 increase to replace funds from the Department's Gifts and Bequests Fund. (Page 1, Line 7)
 - **College Student Aid Commission:**
 - \$900,000 increase for the National Guard Education Assistance Program to provide full funding of the Program. (Page 2, Line 5)
 - \$175,000 decrease for the Teacher Shortage Forgivable Loan Program to begin a phase-out of the Program. (Page 2, Line 9)
 - \$140,000 increase for the College Work Study Program. (Page 3, Line 4)
 - \$2.5 million increase for the Tuition Grant Program. (Page 46, Line 8)
 - \$465,000 decrease to eliminate the State of Iowa Scholarship Program. (Page 46, Line 34)
 - **Department of Cultural Affairs:**
 - \$200,000 increase for a new appropriation to begin the Great Places Initiative. (Page 4, Line 16)
 - \$75,000 increase for a new appropriation to archive former Governors' papers. (Page 4, Line 20)
 - **Department of Education:**
 - \$280,000 decrease to General Administration to transfer 5.0 FTE positions to the Board of Educational Examiners. (Page 4, Line 29)
 - \$135,000 increase to the Division of Vocational Rehabilitation to match federal funds. (Page 5, Line 20)
 - \$760,000 increase to Iowa Public Television to restore overnight block feeds and operate digital transmitters. (Page 8, Line 31)
 - \$360,000 decrease to the Regional Telecommunication Councils for 8.0 FTE positions that will now be paid from federal funds awarded to the Iowa Communications Network (ICN). (Page 9, Line 2)

**EXECUTIVE SUMMARY
EDUCATION APPROPRIATIONS ACT**

HOUSE FILE 816

**MAJOR INCREASES, DECREASES,
AND TRANSFERS OF EXISTING
PROGRAMS, CONTINUED**

. *Department of Education, continued:*

- . \$10.4 million increase for Community Empowerment, including: (Page 9, Line 28)
 - . \$4.6 million increase for School Ready Grants.
 - . \$100,000 increase for the Office of Community Empowerment in the Department of Management. (Page 9, Line 32)
 - . \$4.7 million increase to assist low-income parents with preschool tuition. This is a new allocation. (Page 11, Line 12)
 - . \$1.0 million increase to provide child care and preschool providers with professional development. This is a new allocation. (Page 11, Line 17)
- . \$24,000 increase for Nonpublic School Textbooks. (Page 11, Line 24)
- . \$24.3 million increase for the Student Achievement and Teacher Quality Program, including: (Page 11, Line 31)
 - . \$4.9 million increase for teacher salaries.
 - . \$900,000 increase for National Board Certification awards.
 - . \$700,000 increase for Beginning Teacher Mentoring and Induction.
 - . \$235,000 increase for the Career Development and Evaluator Training.
 - . \$10.0 million increase for one additional teacher contract day for professional development. This is a new allocation.
 - . \$6.6 million for either salaries or professional development, at the discretion of each school district.
 - . \$1.0 million for implementation of a value-added assessment system. *This item was vetoed by the Governor.*
- . \$400,000 decrease to eliminate funding for the Jobs for America's Grads (JAG) Program. Funding of \$400,000 for JAG was appropriated in HF 882 (FY 2006 Standing Appropriations Act).
- . \$500,000 decrease to eliminate funding for Achievement Gap Grants.
- . \$9.8 million increase for community college general aid. (Page 12, Line 1)

**EXECUTIVE SUMMARY
EDUCATION APPROPRIATIONS ACT**

**MAJOR INCREASES, DECREASES,
AND TRANSFERS OF EXISTING
PROGRAMS, CONTINUED**

- **Board of Regents:**
 - \$966,000 increase to the Board Office for tuition replacement. (Page 16, Line 23)
 - \$15.0 million increase to the Board Office for distribution to the general university budgets of each of the Regents universities. (Page 17, Line 12)
 - \$90,000 increase to pay membership dues in the Midwestern Higher Education Compact. This is a new appropriation. (Page 20, Line 2)
 - \$530,000 increase for the Iowa School for the Deaf (\$340,000) and the Iowa Braille and Sight Saving School (\$190,000). (Page 25, Line 24 and Page 25, Line 30)
- **Institute for Tomorrow's Workforce:** Provides a new General Fund appropriation of \$250,000 to the Department of Management to establish the Institute. (Page 26, Line 9)

STUDIES AND INTENT LANGUAGE

- Requires the College Student Aid Commission to complete a study of funding for the Tuition Grant Program. (Page 2, Line 13)
- Requires the Board of Educational Examiners to convene a working group to identify and recommend measures to improve teacher and administrator preparation and licensing practices. (Page 13, Line 12)
This item was vetoed by the Governor.
- Specifies that, if a nonpublic school relocates to another school district, technology purchased on behalf of the nonpublic school, using State funds provided for that purpose, shall transfer to the district where the nonpublic school has relocated. (Page 15, Line 29)
- Requires Board of Regents universities to generate internal funding reallocations in an amount equal to 50.0% of the general university funding increases provided from the State General Fund. (Page 17, Line 15)
- Requires the Board of Regents to complete a study of funding for the Veterinary Diagnostic Laboratory at Iowa State University. (Page 17, Line 15)
- Permits the Board of Educational Examiners to retain 73.0% of licensure fee revenue in FY 2006. (Page 12, Line 30)
- Maintains the FY 2007 minimum teacher salaries required by the Student Achievement and Teacher Quality Program at the salary levels paid in FY 2002. (Page 14, Line 11)
- Establishes the Institute for Tomorrow's Workforce and specifies duties, membership of the Board of Directors, and requires matching private funds. (Page 29, Line 16)

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA**

EXECUTIVE SUMMARY EDUCATION APPROPRIATIONS ACT

HOUSE FILE 816

SIGNIFICANT CHANGES TO THE CODE OF IOWA, CONTINUED

- Requires the Department of Education, in consultation with the Departments of Public Health, Human Services, and Public Safety, to provide school districts with examples of materials and a list of resources parents may use to teach children about unwanted sexual advances. Requires school districts to provide the information to parents at registration and in the student handbook. (Page 32, Line 35)
- Requires the Department of Education to establish a value-added assessment system, and requires school districts to submit data to the system provider for analysis. (Page 33, Line 30) *This item was vetoed by the Governor.*
- Extends the National Board Certification Awards Program for one year through FY 2006. (Page 36, Line 34 through Page 37, Line 24)
- Specifies a formula for allocating the annual State general aid appropriation among the community colleges. (Page 38, Line 5)
- Requires 10.0% of the funds appropriated for the Tuition Grant Program to be reserved for distribution to for-profit institutions. Specifies that student recipients at Ashford University (formerly Franciscan) are to receive grants in FY 2006 that equal or exceed the grant amounts received in FY 2005. (Page 46, Line 8)
- Requires the Executive Director of the Board of Educational Examiners to annually review the Board's administrative rules and related State Laws and submit a report to the General Assembly by January 15. (Page 47, Line 1)
- Allocates funding from the Student Achievement and Teacher Quality Program to National Board Certification Awards, Beginning Teacher Mentoring and Induction, Career Development, and Evaluator Training Programs. (Page 47, Line 33 through Page 49, Line 27)
- Allocates up to \$10.0 million from the Student Achievement and Teacher Quality Program to add one additional teacher contract day to the school calendar. Requires school districts to submit a report regarding use of the funds to the Department of Education. (Page 49, Line 31)
- Allocates up to \$6.6 million from the Student Achievement and Teacher Quality Program for either salaries or professional development, at the discretion of each school district. Requires school districts to submit a report regarding use of the funds to the Department of Education. (Page 50, Line 20)
- Allocates up to \$1.0 million from the Student Achievement and Teacher Quality Program to the Department of Education to be distributed to school districts to implement a value-added assessment system. (Page 51, Line 2) *This item was vetoed by the Governor.*
- Specifies that, if a nonpublic school relocates to another school district, textbooks purchased on behalf of the nonpublic school, using State funds provided for that purpose, shall transfer to the district where the school has relocated. (Page 51, Line 15)

**EXECUTIVE SUMMARY
EDUCATION APPROPRIATIONS ACT**

HOUSE FILE 816

GOVERNOR'S VETOES

- The Governor vetoed the requirement that the Board of Educational Examiners convene a working group to review current teacher and administrator preparation and licensure and makes recommendations for improvement. The Governor indicated that funding was inadequate to complete the study. (Page 13, Line 12)
- The Governor vetoed language requiring three agencies to collaborate to determine the estimated need for the Tuition Replacement appropriation. The Governor vetoed this language and stated that collaboration among these entities is no longer necessary because the Board retains a financial advisor to estimate the Tuition Replacement appropriation need. (Page 16, Line 15)
- The Governor vetoed the requirement that the Department of Education establish a value-added assessment system, and he vetoed the allocation of funds for that purpose from the Student Achievement and Teacher Quality Program. The Governor stated that the system would be redundant and could have long-range unintended effects on existing local and State assessment systems. (Page 33, Line 30, and Page 51, Line 2)
- The Governor vetoed the requirement that \$5,000 of the Student Achievement and Teacher Quality allocation for National Board Certification Awards be used to conduct a study of the impact of National Board Certification on student achievement. The Governor stated that the cost of the study would exceed the allocation and that various studies underway nationally will provide sufficient information on which to base a decision regarding future funding of the Awards. (Page 47, Line 33)
- Specifies that Section 22 of this Act allocating interest from the Permanent School Fund to the Iowa Reading Recovery Council takes effect on enactment. (Page 52, Line 29)
- This Act was approved by the General Assembly on May 20, 2005, and item vetoed and signed by the Governor on June 6, 2005.

EFFECTIVE DATE

ENACTMENT DATE

House File 816 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
3	4	4	Nwthstnd	Sec. 261.85	Work Study Standing Appropriation
10	21	6.10(b)	Nwthstnd	Sec. ALL	Community Empowerment Grant Allocations
12	30	8	Nwthstnd	Sec. 272.10 and Sec. 8.33	Board of Educational Examiners Licensing Fees
14	13	10.1	Nwthstnd	Sec. 284.7(1)(a)(2)	Minimum Teacher Salary Requirement for Beginning Teachers
14	30	10.2	Nwthstnd	Sec. 284.7(1)(b)(2)	Minimum Teacher Salary Requirement for Career Teachers
15	13	10.3	Nwthstnd	Sec. 284.7(1)(b)(2)	Minimum Teacher Salary Requirement
16	32	12.1b	Nwthstnd	Sec. 8.33	Nonreversion of Funds for Tuition Replacement
29	9	16	Nwthstnd	Sec. 270.7	Department of Administrative Services Payments to the Regents Special Schools
29	16	17	Adds	Sec. 7K.1(1-6)	Establishes Institute for Tomorrow's Workforce
32	35	18	Adds	Sec. 256.9(53)	Teaching Students About Unwanted Sexual Advances
33	30	19	Adds	Sec. 256.24	Value-Added Assessment System
36	34	20	Amends	Sec. 256.44(1)(a)	National Board Certification - Extension of Registration Fee Reimbursement
37	16	21	Amends	Sec. 256.44(1)(b)	National Board Certification - Extension of Stipends
37	25	22	Amends	Sec. 257B.1B(1)	Permanent School Fund Allocation to Reading Recovery
38	1	23	Adds	Sec. 260C.2(1A)	Technical Correction
38	5	24	Adds	Sec. 260C.18C	State Aid Distribution Formula for Community Colleges
45	21	25	Amends	Sec. 261.9(1)(b)	Tuition Grant Institutional Matching Funds Requirement Delayed

Page #	Line #	Bill Section	Action	Code Section	Description
46	8	26	Amends	Sec. 261.25(1)	Tuition Grant Program Standing Appropriation
46	34	27	Repeals	Sec. 261.25(2)	State of Iowa Scholarship Program
47	1	28	Adds	Sec. 272.29	Board of Educational Examiners Annual Administrative Rules Review
47	11	29	Amends	Sec. 284.4(1)(c)	Student Achievement and Teacher Quality Program - Teacher Career Development Requirement
47	31	30	Repeals	Sec. 284.13(1)(a), (d), and (i)	Student Achievement and Teacher Quality Program - Variable Pay and Evaluator Training Funds
47	35	31	Amends	Sec. 284.13(1)(b)	Student Achievement and Teacher Quality Program Allocation for National Board Certification Awards
48	15	31	Amends	Sec. 284.13(1)(c)	Student Achievement and Teacher Quality Program Allocation for Beginning Teacher Mentoring and Induction
49	1	32	Amends	Sec. 284.13(1)(e)	Student Achievement and Teacher Quality Program Allocation for Career Development and Evaluator Training Programs
49	31	33	Adds	Sec. 284.13(1)(ga)	Student Achievement and Teacher Quality Program Allocation for Additional Contract Day
50	20	33	Adds	Sec. 284.13(1)(gb)	Student Achievement and Teacher Quality Program Allocation for Salaries or Professional Development
51	2	33	Adds	Sec. 284.13(1)(gc)	Allocation of Funds for Value-Added Assessment System
51	15	34	Amends	Sec. 301.1(2)	Nonpublic School Textbooks - Relocation and Transfer

1 1 DEPARTMENT FOR THE BLIND

1 2 Section 1. ADMINISTRATION. There is appropriated from the
1 3 general fund of the state to the department for the blind for
1 4 the fiscal year beginning July 1, 2005, and ending June 30,
1 5 2006, the following amount, or so much thereof as is
1 6 necessary, to be used for the purposes designated:

1 7 For salaries, support, maintenance, miscellaneous purposes
1 8 and for not more than the following full-time equivalent
1 9 positions:
1 10 \$ 1,886,842
1 11 FTEs 109.50

General Fund appropriation to the Department for the Blind.

DETAIL: This is an increase of \$295,567 and a decrease of 29.98 FTE positions compared to the estimated net FY 2005 appropriation. Since FY 2002, the Department has been supplementing its operating budget with funds transferred from the Department's Gifts and Bequests Account. The Commission for the Blind has directed the Department to end the practice at the end of FY 2005. The increase in the FY 2006 General Fund appropriation will partially offset the reduction in funding from Gifts and Bequests. The decrease in FTE positions reflects anticipated staffing levels.

1 12 COLLEGE STUDENT AID COMMISSION

1 13 Sec. 2. There is appropriated from the general fund of the
1 14 state to the college student aid commission for the fiscal
1 15 year beginning July 1, 2005, and ending June 30, 2006, the
1 16 following amounts, or so much thereof as may be necessary, to
1 17 be used for the purposes designated:

1 18 1. GENERAL ADMINISTRATION
1 19 For salaries, support, maintenance, miscellaneous purposes,
1 20 and for not more than the following full-time equivalent
1 21 positions:
1 22 \$ 349,494
1 23 FTEs 4.30

General Fund appropriation to the College Student Aid Commission.

DETAIL: Maintains current level of General Fund support and FTE positions.

<p>1 24 2. STUDENT AID PROGRAMS 1 25 For payments to students for the Iowa grant program: 1 26 \$ 1,029,784</p>	<p>General Fund appropriation to the College Student Aid Commission for the Iowa Grant Program.</p> <p>DETAIL: Maintains current level of General Fund support. This Program provides need-based grants with a \$1,000 maximum per student. Students at all three higher education sectors (community colleges, Regents institutions and independent colleges) are eligible. The Program is expected to provide average grants of \$507 to 2,033 recipients for FY 2006.</p>
<p>1 27 3. DES MOINES UNIVERSITY — OSTEOPATHIC MEDICAL CENTER 1 28 a. For forgivable loans to Iowa students attending the Des 1 29 Moines university — osteopathic medical center under the 1 30 forgivable loan program pursuant to section 261.19: 1 31 \$ 50,000</p>	<p>General Fund appropriation to the College Student Aid Commission for the Osteopathic Forgivable Loan Program.</p> <p>DETAIL: Maintains current level of General Fund support. The Program is expected to provide forgivable loans of approximately \$900 to 56 recipients for FY 2006.</p>
<p>1 32 To receive funds appropriated pursuant to this paragraph, 1 33 Des Moines university — osteopathic medical center shall 1 34 match the funds with institutional funds on a dollar-for- 1 35 dollar basis.</p>	<p>Requires Des Moines University to provide matching institutional funds of \$50,000 for the Osteopathic Forgivable Loan Program.</p>
<p>2 1 b. For the Des Moines university — osteopathic medical 2 2 center for an initiative in primary health care to direct 2 3 primary care physicians to shortage areas in the state: 2 4 \$ 346,451</p>	<p>General Fund appropriation for the Primary Care Program.</p> <p>DETAIL: Maintains current level of General Fund support. This Program was established in 1994 to place Des Moines University graduates in areas of need in Iowa. Participants may receive funds under either of two options: tuition scholarships for the third or fourth year of attendance or repayment assistance of up to \$40,000. The repayment assistance is matched by community contribution. For FY 2005, through December 31, 2004, this Program has provided:</p> <ul style="list-style-type: none"> • \$149,112 to assist four physicians with debt reductions for an average of \$37,278 per physician. • \$46,929 for two student scholarships for an average of \$23,465.
<p>2 5 4. NATIONAL GUARD EDUCATIONAL ASSISTANCE PROGRAM 2 6 For purposes of providing national guard educational 2 7 assistance under the program established in section 261.86:</p>	<p>General Fund appropriation to the College Student Aid Commission for the National Guard Tuition Aid Program.</p>

2 8 \$ 3,800,000

DETAIL: This is an increase of \$900,000 compared to the estimated net FY 2005 appropriation. The additional funds will be used to fund the increased number of recipients. The Program goal is to fund 100.00% of tuition cost at the community colleges and Regents universities. Students attending private colleges and universities may receive up to 100.00% of the amount to attend a Regents university. The FY 2005 funding of \$2,900,000 is expected to provide average assistance of \$1,743 to approximately 1,663 recipients. If the average award is maintained at \$1,743 for FY 2006, the additional funding would support approximately 516 more recipients. Undergraduate tuition at the Board of Regents institutions will be \$4,890 for fall 2005 (FY 2006). The average community college tuition for FY 2005 is \$2,754.

NOTE: This Program received an FY 2005 supplemental allocation of \$650,000 in SF 75 (Military Pay Differential Program Changes Act). Senate File 75 was approved by the General Assembly on February 28, 2005, and signed by the Governor on March 10, 2005. When the supplemental funding is included, the FY 2006 General Fund appropriation is an increase of \$250,000 compared to the total General Fund support for FY 2005.

Also, the FY 2006 funding for this Program was reduced by \$75,000 in HF 882 (FY 2006 Standing Appropriations Act).

2 9 5. TEACHER SHORTAGE FORGIVABLE LOAN PROGRAM

2 10 For the teacher shortage forgivable loan program

2 11 established in section 261.111:

2 12 \$ 285,000

General Fund appropriation to the College Student Aid Commission for the Teacher Shortage Forgivable Loan Program.

DETAIL: This is a decrease of \$175,472 compared to the estimated net FY 2005 appropriation. This decrease is to begin phasing out the Program. This level of funding would allow students currently receiving loans to complete their degrees, but would not allow for any new students to receive State funding. For FY 2005, this Program received federal funding of \$900,000 for total funding of \$1,360,472. This funding supported 539 students at an average of \$2,524 per student. The maximum loan amount is \$3,000. For FY 2006 and FY 2007, the Commission anticipates federal funding of \$1,397,050 per year, an increase of \$497,050 compared to estimated FY 2005.

2 13 Sec. 3. COLLEGE STUDENT AID COMMISSION STUDY — STATE AID
 2 14 FOR STUDENTS ENROLLED IN ACCREDITED PRIVATE INSTITUTIONS.
 The

Requires the College Student Aid Commission to complete a study regarding State funds for student recipients of the Tuition Grant Program. Specifies the parameters of the study and requires findings and recommendations to be submitted to the Governor and the General Assembly by January 10, 2006.

2 15 college student aid commission shall develop, in consultation
 2 16 with representatives from accredited private institutions
 2 17 whose income is not exempt from taxation under section 501(c)
 2 18 of the Internal Revenue Code, recommendations for a policy
 2 19 regarding the protection of educational consumers for
 2 20 inclusion in the definition of "accredited private
 2 21 institution" under section 261.9. It is the intent of the
 2 22 general assembly to consider such a policy as it might apply
 2 23 to private institutions whose income is not exempt, and those
 2 24 private institutions whose income is exempt, from taxation
 2 25 under section 501(c) of the Internal Revenue Code. In
 2 26 determining its recommendations, the commission shall include
 2 27 a review of information that includes, but is not limited to,
 2 28 the percent of students who are enrolled in each institution
 2 29 who have high school graduation diplomas, the percentage of
 2 30 students enrolled in each institution who have high school
 2 31 equivalency diplomas, the percentage of low-income students
 2 32 enrolled in each institution, the percentage of nontraditional
 2 33 students enrolled in each institution, the graduation and job
 2 34 placement rates of each institution, and each institution's
 2 35 official cohort default rate, which is released annually by
 3 1 the United States department of education. The commission
 3 2 shall submit its findings and recommendations to the governor
 3 3 and the general assembly by January 10, 2006.

3 4 Sec. 4. WORK-STUDY APPROPRIATION FOR FY 2005-2006.
 3 5 Notwithstanding section 261.85, for the fiscal year beginning
 3 6 July 1, 2005, and ending June 30, 2006, the amount
 3 7 appropriated from the general fund of the state to the college
 3 8 student aid commission for the work-study program under
 3 9 section 261.85 shall be \$140,000, and from the moneys
 3 10 appropriated in this section, \$76,365 shall be allocated to
 3 11 institutions of higher education under the state board of
 3 12 regents and community colleges and the remaining dollars

CODE: General Fund appropriation of \$140,000 for the Work Study Program.

DETAIL: This Program is provided a statutory standing appropriation of \$2,750,000. However, the standing appropriation has been nullified each year since FY 2001. Federal funds for Work Study for Iowa for FY 2005 total \$13,300,000 with no change in funding level expected for FY 2006.

PG LN	House File 816	Explanation
4 5	FTEs 65.00	Administrative and Historic Sites Divisions and 2.00 new FTE positions to implement the Iowa Great Places initiative.
4 6	4. HISTORIC SITES	General Fund appropriation to the Department of Cultural Affairs for Historic Sites.
4 7	For salaries, support, maintenance, and miscellaneous	
4 8	purposes:	
4 9	\$ 526,459	DETAIL: This is no increase in funding and a decrease of 8.00 FTE positions compared to the estimated net FY 2005 appropriation. The FTE positions have been transferred to the State Historical Society Division to allow the Department flexibility in assigning staff as part of the Iowa Great Places initiative.
4 10	5. ARTS DIVISION	General Fund appropriation to the Arts Division of the Department of Cultural Affairs.
4 11	For salaries, support, maintenance, miscellaneous purposes,	
4 12	including funds to match federal grants and for not more than	
4 13	the following full-time equivalent positions:	DETAIL: This is no change in funding and an increase of 2.20 FTE positions compared to the estimated net FY 2005 appropriation for the Iowa Great Places initiative.
4 14	\$ 1,157,486	
4 15	FTEs 11.25	
4 16	6. GREAT PLACES	General Fund appropriation to the Great Places initiative of the Department of Cultural Affairs.
4 17	For salaries, support, maintenance, and miscellaneous	
4 18	purposes:	
4 19	\$ 200,000	DETAIL: This is a new appropriation. House File 882 (FY 2006 Standing Appropriations Act) includes an additional \$100,000 General Fund appropriation for the initiative. The Great Places initiative will work with local communities and organizations to identify State programs to assist in showcasing unique community features and attractions. The Department is seeking proposals by July 1, 2005, and will select three pilot projects for FY 2006.
4 20	7. ARCHIVE IOWA GOVERNORS' RECORDS	General Fund appropriation to the Department of Cultural Affairs for archiving papers of former governors.
4 21	For archiving the records of Iowa governors:	
4 22	\$ 75,000	DETAIL: This is a new appropriation. The funds will be used to employ an archivist to evaluate gubernatorial records and prepare preservation plans. If funds permit, an archives associate will be employed to implement the plans.

4 23 DEPARTMENT OF EDUCATION
 4 24 Sec. 6. There is appropriated from the general fund of the
 4 25 state to the department of education for the fiscal year
 4 26 beginning July 1, 2005, and ending June 30, 2006, the
 4 27 following amounts, or so much thereof as may be necessary, to
 4 28 be used for the purposes designated:

4 29 1. GENERAL ADMINISTRATION
 4 30 For salaries, support, maintenance, miscellaneous purposes,
 4 31 and for not more than the following full-time equivalent
 4 32 positions:
 4 33 \$ 5,139,542
 4 34 FTEs 76.27

4 35 The director of the department of education shall ensure
 5 1 that all school districts are aware of the state education
 5 2 resources available on the state website for listing teacher
 5 3 job openings and shall make every reasonable effort to enable
 5 4 qualified practitioners to post their resumes on the state
 5 5 website. The department shall administer the posting of job
 5 6 vacancies for school districts, accredited nonpublic schools,
 5 7 and area education agencies on the state website. The
 5 8 department may coordinate this activity with the Iowa school
 5 9 board association or other interested education associations
 5 10 in the state. The department shall strongly encourage school
 5 11 districts to seek direct claiming under the medical assistance
 5 12 program for funding of school district nursing services for
 5 13 students.

5 14 2. VOCATIONAL EDUCATION ADMINISTRATION
 5 15 For salaries, support, maintenance, miscellaneous purposes,
 5 16 and for not more than the following full-time equivalent
 5 17 positions:
 5 18 \$ 514,828
 5 19 FTEs 13.80

General Fund appropriation to the Department of Education General Administration Division.

DETAIL: This is a decrease of \$280,000 and 5.00 FTE positions compared to the estimated net FY 2005 appropriation. The positions represent licensure staff working for the Board of Educational Examiners and are currently funded by the Department. In FY 2006, the salaries will be paid from licensure fee revenue.

Requires the Director of the Department of Education to ensure that all school districts are aware of the State education resources available on the State web site for listing teacher job openings and to make every reasonable effort to enable qualified practitioners to post their resumes on the State web site. Requires the Department of Education to administer the posting of job vacancies for school districts, accredited nonpublic schools, and area education agencies on the State web site. Specifies that the Department of Education may coordinate this activity with the Iowa Association of School Boards or other interested educational associations in the State.

Requires the Department to encourage school districts to seek reimbursement under the Medical Assistance Program (Medicaid) for school district nursing services for eligible students.

General Fund appropriation to the Department of Education for Vocational Education Administration.

DETAIL: Maintains current level of General Fund support and FTE positions.

5 20 3. VOCATIONAL REHABILITATION SERVICES DIVISION
 5 21 a. For salaries, support, maintenance, miscellaneous
 5 22 purposes, and for not more than the following full-time
 5 23 equivalent positions:
 5 24 \$ 4,475,050
 5 25 FTEs 273.50

General Fund appropriation to the Vocational Rehabilitation Services Division of the Department of Education.

 DETAIL: This is an increase of \$135,000 and no change in FTE positions compared to the estimated net FY 2005 appropriation, to provide non-federal match for federal funding in Federal Fiscal Year (FFY) 2005.

Non-federal match for FFY 2005 includes a one-time FY 2005 Rebuild Iowa Infrastructure Fund (RIIF) appropriation of \$303,632 to renovate the Parker Building. House File 875 (FY 2006 Infrastructure Appropriations Act) includes a General Fund appropriation of \$101,164 to the Division to offset the loss of non-federal match dollars due to space utilization in the Parker Building.

5 26 The division of vocational rehabilitation services shall
 5 27 seek funding from other sources, such as local funds, for
 5 28 purposes of matching the state's federal vocational
 5 29 rehabilitation allocation, as well as for matching other
 5 30 federal vocational rehabilitation funding that may become
 5 31 available.

Requires the Vocational Rehabilitation Services Division to seek other funds, such as local funds, for purposes of matching federal vocational rehabilitation funds. Also, allows the Division to overmatch through local contracting in an effort to maximize federal funds.

5 32 Except where prohibited under federal law, the division of
 5 33 vocational rehabilitation services of the department of
 5 34 education shall accept client assessments, or assessments of
 5 35 potential clients, performed by other agencies in order to
 6 1 reduce duplication of effort.

Requires the Division to accept client assessments from other governmental agencies to reduce duplication of effort.

6 2 Notwithstanding the full-time equivalent position limit
 6 3 established in this lettered paragraph, for the fiscal year
 6 4 ending June 30, 2006, if federal funding is received to pay
 6 5 the costs of additional employees for the vocational
 6 6 rehabilitation services division who would have duties
 6 7 relating to vocational rehabilitation services paid for
 6 8 through federal funding, authorization to hire not more than
 6 9 4.00 additional full-time equivalent employees shall be
 6 10 provided, the full-time equivalent position limit shall be
 6 11 exceeded, and the additional employees shall be hired by the

Authorizes the Vocational Rehabilitation Division to hire a maximum of 4.00 additional FTE positions, if federal funding is available to pay for the additional employees.

6 12 division.

6 13 b. For matching funds for programs to enable persons with
 6 14 severe physical or mental disabilities to function more
 6 15 independently, including salaries and support, and for not
 6 16 more than the following full-time equivalent position:
 6 17 \$ 54,150
 6 18 FTEs 1.00

General Fund appropriation to the Independent Living Program.

DETAIL: Maintains current level of General Fund support and FTE positions.

6 19 The highest priority use for the moneys appropriated under
 6 20 this lettered paragraph shall be for programs that emphasize
 6 21 employment and assist persons with severe physical or mental
 6 22 disabilities to find and maintain employment to enable them to
 6 23 function more independently.

Requires the Independent Living Program to give the highest priority to programs that emphasize employment.

6 24 4. STATE LIBRARY

6 25 a. For salaries, support, maintenance, miscellaneous
 6 26 purposes, and for not more than the following full-time
 6 27 equivalent positions:
 6 28 \$ 1,378,555
 6 29 FTEs 18.00

General Fund appropriation to the Department of Education for the State Library.

DETAIL: Maintains current level of General Fund support and FTE positions.

6 30 b. For the enrich Iowa program:
 6 31 \$ 1,698,432

General Fund appropriation to the Enrich Iowa Program.

DETAIL: Maintains the current level of General Fund support. House File 875 (FY 2006 Infrastructure Appropriations Act) appropriates \$700,000 to Enrich Iowa from the RIIF, an increase of \$100,000 compared to the estimated net FY 2005 RIIF appropriation.

6 32 (1) Funds allocated for purposes of the enrich Iowa
 6 33 program as provided in this lettered paragraph shall be
 6 34 distributed by the division of libraries and information
 6 35 services to provide support for Iowa's libraries. The
 7 1 commission of libraries shall develop rules governing the
 7 2 allocation of funds provided by the general assembly for the
 7 3 enrich Iowa program to provide direct state assistance to
 7 4 public libraries and to fund the open access and access plus

Specifies how the funds allocated for purposes of the Enrich Iowa Program shall be distributed by the Division of Libraries and Information Services to each eligible library. Requires the amount distributed to be based on the following:

- Library's level of achievement.
- Population within a library's established geographic local service area (population of city).

7 5 programs. Direct state assistance to eligible public
 7 6 libraries is provided as an incentive to improve library
 7 7 services and to reduce inequities among communities in the
 7 8 delivery of library services based on recognized and adopted
 7 9 performance measures. Funds distributed as direct state
 7 10 assistance shall be distributed to eligible public libraries
 7 11 that are in compliance with performance measures adopted by
 7 12 rule by the commission of libraries. The funds allocated as
 7 13 provided in this lettered paragraph shall not be used for the
 7 14 costs of administration by the division. The amount of direct
 7 15 state assistance distributed to each eligible public library
 7 16 shall be based upon the following:

7 17 (a) The level of compliance by the eligible public library
 7 18 with the performance measures adopted by the commission as
 7 19 provided in this subparagraph.

7 20 (b) The number of people residing within an eligible
 7 21 library's geographic service area for whom the library
 7 22 provides services.

7 23 (c) The amount of other funding the eligible public
 7 24 library received in the previous fiscal year for providing
 7 25 services to rural residents and to contracting communities.

7 26 (2) Moneys received by a public library under this
 7 27 lettered paragraph shall supplement, not supplant, any other
 7 28 funding received by the library.

7 29 (3) For purposes of this section, "eligible public
 7 30 library" means a public library that meets all of the
 7 31 following requirements:

7 32 (a) Submits to the division all of the following:

7 33 (i) The report provided for under section 256.51,
 7 34 subsection 1, paragraph "h".

7 35 (ii) An application and accreditation report, in a format
 8 1 approved by the commission, that provides evidence of the
 8 2 library's compliance with at least one level of the standards
 8 3 established in accordance with section 256.51, subsection 1,
 8 4 paragraph "k".

8 5 (iii) Any other application or report the division deems
 8 6 necessary for the implementation of the enrich Iowa program.

- Funding received by the library from the county to serve rural residents or from other towns to serve those communities.

Provides or requires the following:

- Specifies that money received by a public library under this paragraph is to supplement, not supplant, any other funding received by the library.
- Provides the definition of an eligible public library.
- Requires each eligible public library to maintain a separate listing of payments received and expenditures made pursuant to this sub-paragraph and to submit the listing annually to the Division of Library Services.
- Requires the Division to submit a program evaluation report to the Governor and the General Assembly by January 15, 2007, detailing the uses and impacts of the funds allocated.
- Requires a public library that receives Enrich Iowa Program funds have an Internet use policy in place that may or may not include Internet filtering.
- Requires a public library to submit a report describing the library's Internet use efforts to the Division.
- Requires a public library that receives Enrich Iowa Program funds to participate in the Open Access Program.

8 7 (b) Participates in the library resource and information
 8 8 sharing programs established by the state library.
 8 9 (c) Is a public library established by city ordinance or a
 8 10 library district as provided in chapter 336.
 8 11 (4) Each eligible public library shall maintain a separate
 8 12 listing within its budget for payments received and
 8 13 expenditures made pursuant to this lettered paragraph, and
 8 14 shall annually submit this listing to the division.
 8 15 (5) By January 15, 2007, the division shall submit a
 8 16 program evaluation report to the general assembly and the
 8 17 governor detailing the uses and the impacts of funds allocated
 8 18 under this lettered paragraph.
 8 19 (6) A public library that receives funds in accordance
 8 20 with this lettered paragraph shall have an internet use policy
 8 21 in place, which may or may not include internet filtering.
 8 22 The library shall submit a report describing the library's
 8 23 internet use efforts to the division.
 8 24 (7) A public library that receives funds in accordance
 8 25 with this lettered paragraph shall provide open access, the
 8 26 reciprocal borrowing program, as a service to its patrons, at
 8 27 a reimbursement rate determined by the state library.

8 28 5. LIBRARY SERVICE AREA SYSTEM
 8 29 For state aid:
 8 30 \$ 1,376,558

General Fund appropriation to the Department of Education for the Library Service Area System.

DETAIL: Maintains the current level of General Fund support.

8 31 6. PUBLIC BROADCASTING DIVISION
 8 32 For salaries, support, maintenance, capital expenditures,
 8 33 miscellaneous purposes, and for not more than the following
 8 34 full-time equivalent positions:
 8 35 \$ 7,356,722
 9 1 FTEs 86.00

General Fund appropriation to the Department of Education for Iowa Public Television (IPTV).

DETAIL: This is an increase of \$760,328 and 8.07 FTE positions compared to the estimated net FY 2005 appropriation. The increase includes:

- \$360,328 and 8.00 FTE positions transferred from the Regional Telecommunication Councils' appropriation. In FY 2005 and previous years, the funding and positions were allocated to IPTV to provide first-call maintenance of the Iowa Communications

Network (ICN) classrooms. In FY 2006, the FTE positions will be paid with federal funds through the ICN. The State funding will be used to reinstate overnight broadcasts of educational programming that teachers may videotape and use in classrooms.

- \$242,000 to operate new digital transmitters.
- \$158,000 to replace a FY 2005 one-time allocation from unexpended funds in the Student Achievement and Teacher Quality Program.
- 0.07 FTE position for an unspecified increase.

House File 875 (FY 2006 Infrastructure Appropriations Act) appropriates \$2,000,000 to IPTV from the RIIF for replacement of three analog transmitters.

General Fund appropriation to the Public Broadcasting Division of the Department of Education for the Regional Telecommunications Councils.

DETAIL: This is a decrease of \$360,328 and 8.00 FTE positions compared to the estimated net FY 2005 appropriation. The funding and positions are transferred to IPTV general operations.

Specifies use of funds by the Regional Telecommunications Councils.

9 2 7. REGIONAL TELECOMMUNICATIONS COUNCILS
 9 3 For state aid:
 9 4 \$ 1,240,478

9 5 The regional telecommunications councils established in
 9 6 section 8D.5 shall use the funds appropriated in this
 9 7 subsection to provide technical assistance for network
 9 8 classrooms, planning and troubleshooting for local area
 9 9 networks, scheduling of video sites, and other related support
 9 10 activities.

9 11 8. VOCATIONAL EDUCATION TO SECONDARY SCHOOLS
 9 12 For reimbursement for vocational education expenditures
 9 13 made by secondary schools:
 9 14 \$ 2,936,904

General Fund appropriation to Department of Education for Vocational Education Aid to Secondary Schools.

DETAIL: Maintains current level of General Fund support.

9 15 Funds appropriated in this subsection shall be used for
 9 16 expenditures made by school districts to meet the standards
 9 17 set in sections 256.11, 258.4, and 260C.14 as a result of the
 9 18 enactment of 1989 Iowa Acts, chapter 278. Funds shall be used

Requires that the funds appropriated be used for reimbursement of vocational expenditures made by secondary schools to implement the standards set by Chapter 278 (SF 449 Vocational Education Act), 1989 Iowa Acts.

9 19 as reimbursement for vocational education expenditures made by
 9 20 secondary schools in the manner provided by the department of
 9 21 education for implementation of the standards set in 1989 Iowa
 9 22 Acts, chapter 278.

9 23 9. SCHOOL FOOD SERVICE
 9 24 For use as state matching funds for federal programs that
 9 25 shall be disbursed according to federal regulations, including
 9 26 salaries, support, maintenance, and miscellaneous purposes:
 9 27 \$ 2,509,683

9 28 10. IOWA EMPOWERMENT FUND
 9 29 For deposit in the school ready children grants account of
 9 30 the Iowa empowerment fund created in section 28.9:
 9 31 \$ 23,781,594

9 32 a. From the moneys deposited in the school ready children
 9 33 grants account for the fiscal year beginning July 1, 2005, and
 9 34 ending June 30, 2006, not more than \$300,000 is allocated for
 9 35 the community empowerment office and other technical
 10 1 assistance activities and of that amount, not more than
 10 2 \$50,000 shall be used to administer the early childhood
 10 3 coordinator's position pursuant to section 28.3, subsection
 10 4 6A, if enacted by 2005 Iowa Acts, House File 761, and not more

General Fund appropriation to Department of Education for School Food Service.

DETAIL: Maintains the current level of General Fund support.

General Fund appropriation for deposit in the School Ready Children Grants Account of the Iowa Empowerment Fund.

DETAIL: This is an increase of \$10,400,000 compared to the estimated net FY 2005 appropriation. The increase includes:

- An increase of \$4,650,000 for School Ready Grants to be distributed to Community Empowerment Areas under the formula.
- An increase of \$4,650,000 to be distributed to Areas under the School Ready Grants formula to assist low-income parents with preschool tuition. This is a new allocation.
- An increase of \$1,000,000 to be distributed to Areas under the formula to collaborate with Area Education Agencies and community colleges to provide child care and preschool providers with high-quality professional development. This is a new allocation.
- An increase of \$100,000 for the Community Empowerment Office in the Department of Management.

Specifies that, from the moneys deposited in the School Ready Children Grants Account for FY 2006, a maximum of \$300,000 is allocated for the Community Empowerment Office and other technical assistance activities. This is an increase of \$100,000 compared to the FY 2005 allocation. Specifies that it is the intent of the General Assembly that regional technical assistance teams will be established and will include staff from various appropriate agencies, including area education agencies, community colleges, and the Iowa State University Extension Service. Requires the State Empowerment

10 5 than \$50,000 shall be used to implement an early childhood
 10 6 Iowa website for wide dissemination of early care and early
 10 7 childhood learning information and assistance. It is the
 10 8 intent of the general assembly that regional technical
 10 9 assistance teams will be established and will include staff
 10 10 from various agencies, as appropriate, including the area
 10 11 education agencies, community colleges, and the Iowa state
 10 12 university of science and technology cooperative extension
 10 13 service in agriculture and home economics. The Iowa
 10 14 empowerment board shall direct staff to work with the advisory
 10 15 council to inventory technical assistance needs. Funds
 10 16 allocated under this lettered paragraph may be used by the
 10 17 Iowa empowerment board for the purpose of skills development
 10 18 and support for ongoing training of the regional technical
 10 19 assistance teams. However, funds shall not be used for
 10 20 additional staff or for the reimbursement of staff.

Board to direct staff to work with the Advisory Council to inventory technical assistance needs. Specifies that the funds allocated under this paragraph may be used by the State Empowerment Board for the purpose of skills development and support for ongoing training of the regional technical assistance teams. Requires that the funds not be used for additional staff or for the reimbursement of staff.

10 21 b. Notwithstanding any other provision of law to the
 10 22 contrary, the community empowerment office shall use the
 10 23 documentation created by the legislative services agency to
 10 24 continue the implementation of the four-year phase-in period
 10 25 of the distribution formula approved by the community
 10 26 empowerment board.

CODE: Specifies that the funds appropriated for School Ready Children Grants will be allocated to the Community Empowerment Areas following the four-year phase-in plan that began in FY 2004 to implement the Community Empowerment Board's distribution formula.

DETAIL: In FY 2006 and FY 2007, the phase-in plan maintains allocations at or above 50.00% of the FY 2003 allocations. The full formula will take effect in FY 2008.

The formula allocates funding to the 58 Community Empowerment Areas as follows:

- 45.00% based on percent of population age 0-5 and 185.00% of poverty level or less.
- 35.00% based on percent of population age 0-5.
- 20.00% distributed equally among the Areas.

10 27 c. As a condition of receiving funding appropriated in
 10 28 this subsection, each community empowerment area board shall
 10 29 report to the Iowa empowerment board progress on each of the
 10 30 state indicators approved by the state board, as well as

Requires that, as a condition of receiving funding appropriated in this Subsection, each local empowerment board report to the Iowa Empowerment Board progress on each of the State indicators approved by the Board, as well as progress on local indicators.

10 31 progress on local indicators. The community empowerment area
 10 32 board must also submit a written plan amendment extending by
 10 33 one year the area's comprehensive school ready children grant
 10 34 plan developed for providing services for children from birth
 10 35 through five years of age and provide other information
 11 1 specified by the Iowa empowerment board. The amendment may
 11 2 also provide for changes in the programs and services provided
 11 3 under the plan. The Iowa empowerment board shall establish a
 11 4 submission deadline for the plan amendment that allows a
 11 5 reasonable period of time for preparation of the plan
 11 6 amendment and for review and approval or request for
 11 7 modification of the plan amendment by the Iowa empowerment
 11 8 board. In addition, the community empowerment board must
 11 9 continue to comply with reporting provisions and other
 11 10 requirements adopted by the Iowa empowerment board in
 11 11 implementing section 28.8.

Requires that each local empowerment board submit a written plan amendment to extend the area's service plan by one year and provide other information specified by the Iowa Empowerment Board. The amendment may also provide for changes in programs and services provided under the plan. Requires the Iowa Empowerment Board to establish a submission deadline for plan amendments, allowing a reasonable period of time for preparation of the amendments and the Board's approval process. Requires local empowerment boards to continue complying with reporting provisions and other requirements of the Iowa Empowerment Board.

11 12 d. Of the amount appropriated in this subsection for
 11 13 deposit in the school ready children grants account of the
 11 14 Iowa empowerment fund that is used for distribution to areas,
 11 15 \$4,650,000 shall be used to assist low-income parents with
 11 16 preschool tuition.

Allocates \$4,650,000 to be distributed to Areas under the School Ready Grants formula for preschool tuition assistance for low-income parents. This is a new allocation for FY 2006.

11 17 e. Of the amount appropriated in this subsection for
 11 18 deposit in the school ready children grants account of the
 11 19 Iowa empowerment fund that is used for distribution to areas,
 11 20 \$1,000,000 shall be used to collaborate with area education
 11 21 agencies and community colleges to provide both child care and
 11 22 preschool providers with ready access to high-quality
 11 23 professional development.

Allocates \$1,000,000 to be distributed to Areas under the School Ready Grants formula for providing child care and preschool providers with high-quality professional development in collaboration with the Area Education Agencies and community colleges. This is a new allocation for FY 2006.

11 24 11. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS
 11 25 To provide funds for costs of providing textbooks to each
 11 26 resident pupil who attends a nonpublic school as authorized by
 11 27 section 301.1. The funding is limited to \$20 per pupil and
 11 28 shall not exceed the comparable services offered to resident
 11 29 public school pupils:

General Fund appropriation to the Department of Education for Textbooks for Nonpublic School Pupils.

DETAIL: This is an increase of \$23,600 compared to the estimated net FY 2005 appropriation for the purchase of textbooks for nonpublic school students.

11 30 \$ 614,058

11 31 12. STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM

11 32 For purposes, as provided in law, of the student

11 33 achievement and teacher quality program established pursuant

11 34 to chapter 284:

11 35 \$ 69,593,894

General Fund appropriation to the Department of Education for the Student Achievement and Teacher Quality Program.

DETAIL: This is an increase of \$24,310,000 compared to the estimated net FY 2005 appropriation. The increase includes:

- An increase of \$10,000,000 for one additional teacher contract day for purposes of professional development. This is a new allocation.
- An increase of \$6,625,000 for salaries or professional development, at the discretion of each school district.
- An increase of \$4,850,000 for teacher salaries.
- An increase of \$1,000,000 for implementation of a value-added assessment system.
- An increase of \$900,000 for National Board Certification awards.
- An increase of \$700,000 for Beginning Teacher Mentoring and Induction.
- An increase of \$235,000 for Career Development and Evaluator Training, including
 - An increase of \$10,000 in the allocation for the Ambassador to Education Program.
 - A new allocation of \$10,000 for the Board of Educational Examiners to convene an educator licensing review working group. House File 526 (Education Licensing Review Group Act) directs the Board to convene such a group.

VETOED: The Governor vetoed the \$1,000,000 allocation for the value-added assessment system, as well as the language requiring the Department to establish the system. The Governor stated that the system would be redundant and would have long-range unintended effects on existing local and State assessment systems. The statute requires that funds not otherwise allocated be distributed to districts for teacher salaries. As a result of the Governor's veto, the increase in funding for teacher salaries is increased by \$1,000,000, or a total increase of \$5,850,000.

PG LN	House File 816	Explanation
12 1	13. COMMUNITY COLLEGES	General Fund appropriation to community colleges for general financial aid.
12 2	For general state financial aid to merged areas as defined	
12 3	in section 260C.2 in accordance with chapters 258 and 260C:	
12 4	..... \$149,579,244	DETAIL: This is an increase of \$9,800,000 compared to the estimated net FY 2005 appropriation.
		House File 875 (FY 2006 Infrastructure Appropriations Act) appropriates \$2,000,000 from the RIIF to the community colleges for infrastructure needs.
12 5	The funds appropriated in this subsection shall be allocated as provided under section 260C.18C, as enacted by this Act, as follows:	Specifies allocations to the community colleges.
12 8	a. Merged Area I \$ 7,235,394	
12 9	b. Merged Area II \$ 8,293,881	
12 10	c. Merged Area III \$ 7,673,998	
12 11	d. Merged Area IV \$ 3,764,072	
12 12	e. Merged Area V \$ 8,129,369	
12 13	f. Merged Area VI \$ 7,299,114	
12 14	g. Merged Area VII \$ 10,652,239	
12 15	h. Merged Area IX \$ 13,139,157	
12 16	i. Merged Area X \$ 21,321,279	
12 17	j. Merged Area XI \$ 22,050,079	
12 18	k. Merged Area XII \$ 8,684,671	
12 19	l. Merged Area XIII \$ 8,819,900	
12 20	m. Merged Area XIV \$ 3,810,283	
12 21	n. Merged Area XV \$ 11,972,648	
12 22	o. Merged Area XVI \$ 6,733,160	
12 23 GRANT	Sec. 7. STATEWIDE TEACHER INTERN PROGRAM — FEDERAL APPLICATION COORDINATION.	Requires the Department of Education to work with the Board of Regents and others to seek federal funding for the establishment and operation of a Teacher Intern Program.
12 24	The department shall work cooperatively with the state board of regents and other appropriate eligible grantees to obtain any available federal funding, including grants that may be available for the establishment and operation of a teacher intern program.	
12 25		
12 26		
12 27		
12 28		
12 29		

12 30 Sec. 8. BOARD OF EDUCATIONAL EXAMINERS LICENSING FEES.
 12 31 Notwithstanding section 272.10, for the fiscal year
 12 32 beginning July 1, 2005, and ending June 30, 2006, the
 12 33 executive director of the board of educational examiners shall
 12 34 deposit at least 27 percent of the fees collected annually
 12 35 with the treasurer of state which shall be credited to the
 13 1 general fund of the state. The remaining licensing fees
 13 2 collected during the fiscal year beginning July 1, 2005, and
 13 3 retained are appropriated to the board for the purposes
 13 4 related to the board's duties. Notwithstanding section 8.33,
 13 5 licensing fees retained by and appropriated to the board
 13 6 pursuant to this section that remain unencumbered or
 13 7 unobligated at the close of the fiscal year in an amount of
 13 8 not more than 10 percent of the total licensing fees collected
 13 9 by the board by the close of the fiscal year shall not revert
 13 10 but shall remain available for expenditure for the purposes
 13 11 designated until the close of the succeeding fiscal year.

CODE: Permits the Board of Educational Examiners to retain 73.00% of licensure fee revenue in FY 2006 for purposes of Board duties. The remainder (27.00%) is to be deposited into the General Fund. From the fee revenue retained, funds unspent at the end of FY 2006, in an amount not to exceed 10.00% of the total fee revenue, may be carried forward to the following fiscal year. Any unspent funds exceeding 10.00% of the total fee revenue will revert to the General Fund.

DETAIL: Based on licensure projections, it is estimated that the new allocation formula will provide a revenue increase to the Board of Educational Examiners in FY 2006 of \$348,000 compared to estimated net FY 2005. It is estimated that the new allocation formula will reduce licensure fee revenue deposited in the General Fund in FY 2006 by \$357,000 compared to estimated net FY 2005.

A portion of the increase in fee revenue retained by the Board will fund 5.00 FTE positions for licensure staff transferred from the Department of Education. The FY 2006 General Fund appropriation to the Department of Education for Administration was reduced by \$280,000 due to the transfer.

[13 12 Sec. 9. EDUCATOR LICENSING REVIEW WORKING GROUP.

13 13 1. The board of educational examiners, in consultation
 13 14 with the department of education, shall convene a working
 13 15 group whose work shall be conducted over a three-year period
 13 16 to identify and recommend measures to improve Iowa's current
 13 17 teacher and administrator preparation and licensing practices.
 13 18 The working group shall review the current teacher and
 13 19 administrator preparation and licensing processes to identify
 13 20 essential standards to maintain quality preparation and
 13 21 licensing requirements for teachers and administrators. The
 13 22 review shall also do the following:
 13 23 a. Identify state laws and agency rules that are no longer
 13 24 essential to maintain quality.
 13 25 b. Compare Iowa's teacher and administrator preparation
 13 26 and licensing practices with those of neighboring states, and
 13 27 identify those areas where Iowa's practices differ from, or
 13 28 are consistent with, the practices of the states neighboring
 13 29 Iowa.

VETOED

Requires the Board of Educational Examiners to convene a working group to review current teacher and administrator preparation and licensing processes and make recommendations for improvement. Requires the working group to annually submit a report to the chairpersons and ranking members of the Senate and House Education Committees and the Joint Education Appropriations Subcommittee by January 15.

VETOED: The Governor vetoed this Section, citing a lack of adequate funding to complete the task.

13 30 c. Identify potential barriers preventing teacher and
 13 31 administrator candidates from neighboring states from applying
 13 32 for licensure in Iowa.
 13 33 d. Review federal laws and regulations relating to
 13 34 teachers and teacher licensure in order to ensure compliance
 13 35 with federal laws and regulations, especially those relating
 14 1 to highly qualified teachers.
 14 2 2. The working group shall consist of teachers,
 14 3 administrators, and representatives of the department of
 14 4 education, the state board of education, the board of
 14 5 educational examiners, and practitioner preparation
 14 6 institutions.
 14 7 3. The working group shall annually submit its findings
 14 8 and recommendations to the chairpersons and ranking members of
 14 9 the senate and house standing education committees and the
 14 10 joint appropriations subcommittee on education by January 15.]

14 11 Sec. 10. MINIMUM TEACHER SALARY REQUIREMENTS — FY 2005–
 14 12 2006.

14 13 1. Notwithstanding section 284.7, subsection 1, paragraph
 14 14 "a", subparagraph (2), the minimum teacher salary paid by a
 14 15 school district or area education agency for purposes of
 14 16 teacher compensation in accordance with chapter 284, for the
 14 17 fiscal year beginning July 1, 2005, and ending June 30, 2006,
 14 18 shall be the minimum salary amount the school district or area
 14 19 education agency paid to a first-year beginning teacher or,
 14 20 the minimum salary amount the school district or area
 14 21 education agency would have paid a first-year beginning
 14 22 teacher if the school district or area education agency had
 14 23 participated in the program in the 2001–2002 school year, in
 14 24 accordance with section 284.7, subsection 1, Code Supplement
 14 25 2001. If the school district or area education agency did not
 14 26 employ a first-year beginning teacher in the 2001–2002 school
 14 27 year, the minimum salary is the amount that the district would
 14 28 have paid a first-year beginning teacher under chapter 284 in
 14 29 the 2001–2002 school year.

CODE: Maintains the FY 2006 minimum teacher salary required by the Student Achievement and Teacher Quality Program at the salary paid a first-year beginning teacher by the school district or area education agency in FY 2002.

14 30 2. Notwithstanding section 284.7, subsection 1, paragraph
14 31 "b", subparagraph (2), the minimum career teacher salary paid
14 32 to a career teacher who was a beginning teacher in the 2004–
14 33 2005 school year, by a school district or area education
14 34 agency participating in the student achievement and teacher
14 35 quality program, for the school year beginning July 1, 2005,
15 1 and ending June 30, 2006, shall be, unless the school district
15 2 has a minimum career teacher salary that exceeds thirty
15 3 thousand dollars, one thousand dollars greater than the
15 4 minimum salary amount the school district or area education
15 5 agency paid to a first–year beginning teacher if the school
15 6 district or area education agency participated in the program
15 7 during the 2001–2002 school year, or the minimum salary amount
15 8 the school district or area education agency would have paid a
15 9 first–year beginning teacher if the school district or area
15 10 education agency had participated in the program in the 2001–
15 11 2002 school year, in accordance with section 284.7, subsection
15 12 1, Code Supplement 2001.

CODE: Maintains the FY 2006 minimum career teacher salary required by the Student Achievement and Teacher Quality Program for a career teacher who was a first-year beginning teacher in FY 2005 at \$1,000 above the minimum salary paid a first-year beginning teacher by the school district or AEA in FY 2002. School districts with a minimum career teacher salary that exceeds \$30,000 are exempt from this provision.

15 13 3. Notwithstanding section 284.7, subsection 1, paragraph
15 14 "b", subparagraph (2), and except as provided in subsection 2,
15 15 the minimum career teacher salary paid by a school district or
15 16 area education agency participating in the student achievement
15 17 and teacher quality program, for purposes of teacher
15 18 compensation in accordance with chapter 284, for the school
15 19 year beginning July 1, 2005, and ending June 30, 2006, shall
15 20 be the minimum salary amount the school district or area
15 21 education agency paid to a career teacher if the school
15 22 district or area education agency participated in the program
15 23 during the 2001–2002 school year, or, the minimum salary
15 24 amount the school district or area education agency would have
15 25 paid a career teacher if the school district or area education
15 26 agency had participated in the program in the 2001–2002 school
15 27 year, in accordance with section 284.7, subsection 1, Code
15 28 Supplement 2001.

CODE: Maintains the FY 2006 minimum career teacher salary required by the Student Achievement and Teacher Quality Program at the salary paid a career teacher by the school district or AEA in FY 2002.

15 29 Sec. 11. TRANSFER OF TECHNOLOGY PURCHASED FOR ACCREDITED

15 30 NONPUBLIC SCHOOL STUDENTS. In the event that an accredited
15 31 nonpublic school physically relocates to another school
15 32 district, technology purchased prior to July 1, 2005, by a
15 33 school district with state funds appropriated for purposes of
15 34 making technology available to pupils attending the accredited
15 35 nonpublic school shall be transferred to the school district
16 1 in which the nonpublic school has relocated and may be made
16 2 available to the nonpublic school.

Requires that, in the event an accredited nonpublic school relocates to a new school district, technology purchased by a school district on behalf of the nonpublic school, using State funds appropriated for that purpose, shall transfer to the district where the nonpublic school has relocated and may be made available to the nonpublic school.

16 3 STATE BOARD OF REGENTS

16 4 Sec. 12. There is appropriated from the general fund of
16 5 the state to the state board of regents for the fiscal year
16 6 beginning July 1, 2005, and ending June 30, 2006, the
16 7 following amounts, or so much thereof as may be necessary, to
16 8 be used for the purposes designated:

16 9 1. OFFICE OF STATE BOARD OF REGENTS
16 10 a. For salaries, support, maintenance, miscellaneous
16 11 purposes, and for not more than the following full-time
16 12 equivalent positions:
16 13 \$ 1,167,137
16 14 FTEs 16.00

General Fund appropriation to the Board of Regents for the Board Office.

DETAIL: Maintains current level of General Fund support and FTE positions.

[16 15 The state board of regents, the department of management,
16 16 and the legislative services agency shall cooperate to
16 17 determine and agree upon, by November 15, 2005, the amount
16 18 that needs to be appropriated for tuition replacement for the
16 19 fiscal year beginning July 1, 2006.]

VETOED

Requires the Board of Regents, the Department of Management, and the Legislative Services Agency (LSA) to agree on the FY 2007 Tuition Replacement appropriation by November 15, 2005.

VETOED: The Governor vetoed this language and stated that collaboration among these entities is no longer necessary because the Board retains a financial advisor to estimate the Tuition Replacement appropriation need.

16 20 The state board of regents shall submit a monthly financial
16 21 report in a format agreed upon by the state board of regents
16 22 office and the legislative services agency.

Requires the Board of Regents to issue a monthly financial report.

16 23 b. For allocation by the state board of regents to the
16 24 state university of Iowa, the Iowa state university of science
16 25 and technology, and the university of northern Iowa to
16 26 reimburse the institutions for deficiencies in their operating
16 27 funds resulting from the pledging of tuitions, student fees
16 28 and charges, and institutional income to finance the cost of
16 29 providing academic and administrative buildings and facilities
16 30 and utility services at the institutions:
16 31 \$ 13,975,431

General Fund appropriation to the Board of Regents for Tuition Replacement.

DETAIL: This is an increase of \$965,957 compared to the estimated net FY 2005 appropriation. The Board uses these funds to pay the debt service on academic revenue bonds for buildings. A portion of the funds needed for debt service, was appropriated from the Restricted Capital Funds Account of the Tobacco Settlement Trust Fund. The amount appropriated from the Account for FY 2006 was \$10,329,981 in HF 875 (FY 2006 Infrastructure Appropriations Act). This makes a total of \$24,305,412 available to the Board of Regents for debt service in FY 2006. For FY 2005, a total of \$23,969,883 was appropriated as follows:

- \$13,009,474 from the General Fund.
- \$10,610,409 from the Restricted Capital Funds Account of the Tobacco Settlement Trust Fund.
- \$350,000 from the Rebuild Iowa Infrastructure Fund (RIIF).

16 32 Notwithstanding section 8.33, funds appropriated for the
16 33 purposes in this lettered paragraph remaining unencumbered or
16 34 unobligated at the end of the fiscal year shall not revert but
16 35 shall be available for expenditure for the purposes specified
17 1 in this lettered paragraph during the subsequent fiscal year.

CODE: Permits nonreversion of funds appropriated for tuition replacement.

17 2 c. For funds to be allocated to the southwest Iowa
17 3 graduate studies center:
17 4 \$ 105,956

General Fund appropriation to the Board of Regents for the Southwest Iowa Graduate Studies Center located at the Iowa School for the Deaf in Council Bluffs.

DETAIL: Maintains current level of General Fund support.

17 5 d. For funds to be allocated to the siouxland interstate
17 6 metropolitan planning council for the tristate graduate center
17 7 under section 262.9, subsection 21:

General Fund appropriation to the Board of Regents for the Tri-State Graduate Center located at Sioux City.

DETAIL: Maintains current level of General Fund support.

PG LN	House File 816	Explanation
17 8	..... \$ 77,941	
17 9	e. For funds to be allocated to the quad–cities graduate	General Fund appropriation to the Board of Regents for the Quad-
17 10	studies center:	Cities Graduate Studies Center located at Rock Island, Illinois.
17 11	..... \$ 157,144	DETAIL: Maintains current level of General Fund support.
17 12	f. For funds for regents universities' general operating	General Fund appropriation to the Board of Regents for the
17 13	budgets:	universities' general operating budgets.
17 14	..... \$ 14,969,288	<p>DETAIL: This is a new appropriation. These funds will be allocated to each of the three universities as recommended by the Regent Partnership for Transformation and Excellence. The Partnership is a four-year strategic plan supported by the Board that seeks a \$40,000,000 General Fund investment by the General Assembly each year. In exchange for the General Fund investment, the Board has committed to internal reallocations of \$20,000,000 per year and to cap tuition increases at the Higher Education Price Index (HEPI). The estimated HEPI for FY 2006 is 4.00%.</p> <p>The allocation of funds totaling \$14,969,288 is expected to be as follows:</p> <ul style="list-style-type: none"> • University of Iowa (SUI) - \$6,174,831 (41.25%). • Iowa State University (ISU) - \$5,987,715 (40.00%) • University of Northern Iowa (UNI) - \$2,806,742 (18.75%)
17 15	The funds appropriated for purposes of this lettered	Describes the premise and principles of the Regent Partnership for
17 16	paragraph are subject to the following allocations and	Transformation and Excellence.
17 17	requirements:	<p>Provides that allocations of new funds to the universities are to be made as outlined in the Regent Partnership for Transformation and Excellence and specifies uses for the funds. Specifically, these funds, and other available funds, may be used for salary adjustment and to pay the cost of collective bargaining agreements. See the allocation of funds above.</p>
17 18	(1) The partnership for transformation and excellence is a	
17 19	four–year partnership plan created by the state board of	
17 20	regents for the purpose of enhancing the regents' strategic	
17 21	priorities for educational quality and public accountability.	
17 22	Under the plan, Iowa students and families will be subject to	
17 23	moderate student tuition increases, and a clear and concise	
17 24	reallocation plan that may be audited will exist to strengthen	
17 25	the academic focus at the regents universities. The	

17 26 reallocation plan will enhance the quality of the regents
 17 27 universities and provide both an incentive and an opportunity
 17 28 for university-wide reprioritization and reallocation of
 17 29 resources to the most important strategic areas.
 17 30 (2) The funds shall be distributed by the board as
 17 31 outlined in the state board of regents partnership for
 17 32 transformation and excellence. The funds may be used for any
 17 33 of the following purposes:
 17 34 (a) Supporting new strategic initiatives.
 17 35 (b) Meeting enrollment increases.
 18 1 (c) Meeting the demand for new courses and services.
 18 2 (d) Funding new but unavoidable or mandated cost
 18 3 increases.
 18 4 (e) Supporting any other initiatives important to the core
 18 5 functions of the university.
 18 6 The funds may also be used for pay adjustments, expense
 18 7 reimbursements, and related benefits for state board of
 18 8 regents employees covered by a collective bargaining agreement
 18 9 and for state board of regents employees not covered by a
 18 10 collective bargaining agreement. The board shall provide from
 18 11 other available sources any additional funding needed for such
 18 12 pay adjustments, expense reimbursements, and related benefits.
 18 13 (3) The state board of regents shall annually set a target
 18 14 dollar amount or percentage figure of expected reallocation of
 18 15 resources for each university. The universities shall report
 18 16 to the board on a semiannual basis regarding the actions taken
 18 17 relating to the reallocations. Once funds have been
 18 18 reallocated, that amount shall not be redirected to the
 18 19 original entity or purpose unless extraordinary circumstances
 18 20 exist and an equivalent reallocation amount is increased for
 18 21 the same fiscal year. A reallocation of resources may be made
 18 22 for any of the following purposes:
 18 23 (a) Supporting new strategic initiatives.
 18 24 (b) Meeting enrollment increases.
 18 25 (c) Meeting the demand for new courses and services.
 18 26 (d) Funding new but unavoidable or mandated cost
 18 27 increases.

Requires the Board of Regents universities to set a target each year for the amount of internal reallocations and requires the universities to report to the Board semi-annually regarding reallocations.

Also, requires the three universities to generate matching internal reallocations equal to 50.00% of the General Fund appropriation provided above. Total internal reallocations are expected to be \$7,484,644 as follows:

- SUI - \$3,087,416
- ISU - \$2,993,858
- UNI - \$1,403,370

Requires \$127,000 of the funds allocated to Iowa State University to be distributed to the College of Veterinary Science to reduce the operating fees charged by the Veterinary Diagnostic Laboratory. If the funds are not distributed as required they will revert to the General Fund. Also, requires ISU to complete a report on the operation of the Lab and specifies the information to be included. The report is to be submitted to the Governor and General Assembly by October 1, 2005.

18 28 (e) Supporting any other initiatives important to the core
18 29 functions of the university.

18 30 (4) For the purposes of this lettered paragraph:

18 31 (a) "Entity" means a president, vice president, or a
18 32 college, academic or nonacademic department, division,
18 33 program, or other unit.

18 34 (b) "Reallocation of resources" means funds within the
18 35 base budget of a university entity are removed by the
19 1 administrator of that entity and redirected to another
19 2 university entity or purpose.

19 3 (5) The state university of Iowa, the Iowa state
19 4 university of science and technology, and the university of
19 5 northern Iowa shall each generate matching internal
19 6 reallocations in an amount equal to 50 percent of the amounts
19 7 received by the universities pursuant to this lettered
19 8 paragraph.

19 9 (6) From the moneys allocated to the Iowa state university
19 10 of science and technology pursuant to this lettered paragraph,
19 11 an amount equal to \$127,000 shall be distributed to the
19 12 college of veterinary medicine to reduce the operating fees
19 13 charged by the veterinary diagnostic laboratory. If Iowa
19 14 state university of science and technology fails to distribute
19 15 funds to the college of veterinary science in accordance with
19 16 this paragraph, the moneys shall revert to the general fund of
19 17 the state. The Iowa state university of science and
19 18 technology shall prepare a report on the operation of the
19 19 veterinary diagnostic laboratory which shall include, but
19 20 shall not be limited to, the following information:

19 21 (a) The current business structure of the veterinary
19 22 diagnostic laboratory, along with a comparison to business
19 23 structures of similar laboratories at other institutions of
19 24 higher learning.

19 25 (b) Recent trends in fees for services charged by the
19 26 veterinary diagnostic laboratory and by similar laboratories
19 27 at other institutions of higher learning.

19 28 (c) The use of other funding sources, including state
19 29 general fund appropriations for the veterinary diagnostic

19 30 laboratory and a comparison to funding sources at similar
 19 31 laboratories at other institutions of higher learning.
 19 32 (d) Recommendations for changes in the business structure
 19 33 and methods of funding for the veterinary diagnostic
 19 34 laboratory.
 19 35 The report shall be submitted to the governor and the
 20 1 general assembly not later than October 1, 2005.

20 2 g. For funds to be distributed to the midwestern higher
 20 3 education compact to pay Iowa's member state annual
 20 4 obligation:
 20 5 \$ 90,000

General Fund appropriation to the Board of Regents to pay Iowa's membership obligation for the Midwestern Higher Education Compact (MHEC).

 DETAIL: This is a new appropriation. There are currently ten member states in the Compact. The purpose of the Compact is to "advance Midwestern higher education through interstate cooperation and resource sharing."

20 6 2. STATE UNIVERSITY OF IOWA

20 7 a. General university, including lakeside laboratory
 20 8 For salaries, support, maintenance, equipment,
 20 9 miscellaneous purposes, and for not more than the following
 20 10 full-time equivalent positions:
 20 11 \$220,131,572
 20 12 FTEs 5,058.55

General Fund appropriation to the University of Iowa (SUI) general university budget.

 DETAIL: Maintains current level of General Fund support and FTE positions.

20 13 It is the intent of the general assembly that the
 20 14 university continue progress on the school of public health
 20 15 and the public health initiative for the purposes of
 20 16 establishing an accredited school of public health and for
 20 17 funding an initiative for the health and independence of
 20 18 elderly Iowans.

Specifies that it is the intent of the General Assembly that the SUI continue progress on the School of Public Health and the Public Health Initiative.

20 19 b. University hospitals
 20 20 For salaries, support, maintenance, equipment, and
 20 21 miscellaneous purposes and for medical and surgical treatment
 20 22 of indigent patients as provided in chapter 255, for medical

General Fund appropriation to the SUI for the University of Iowa Hospitals and Clinics Indigent Care Program.

 DETAIL: Maintains current level of General Fund support and FTE positions.

20 23 education, and for not more than the following full-time
 20 24 equivalent positions:
 20 25 \$ 27,284,584
 20 26 FTEs 6,877.34

House File 841 (Iowacare Medicaid Reform Act) deappropriates these funds and replaces them with an appropriation of \$27,284,584 from the Iowacare Account.

20 27 (1) The university of Iowa hospitals and clinics shall,
 20 28 within the context of chapter 255 and when medically
 20 29 appropriate, make reasonable efforts to extend the university
 20 30 of Iowa hospitals and clinics' use of home telemedicine and
 20 31 other technologies to reduce the frequency of visits to the
 20 32 hospital required by the indigent patients.

Requires the University of Iowa Hospitals and Clinics to make reasonable efforts to use technology to provide care to indigent patients in a manner that reduces patient travel to Iowa City.

20 33 (2) The university of Iowa hospitals and clinics shall
 20 34 submit quarterly a report regarding the portion of the
 20 35 appropriation in this lettered paragraph expended on medical
 21 1 education. The report shall be submitted in a format jointly
 21 2 developed by the university of Iowa hospitals and clinics, the
 21 3 legislative services agency, and the department of management,
 21 4 and shall delineate the expenditures and purposes of the
 21 5 funds.

Requires the University of Iowa Hospitals and Clinics to submit a quarterly report regarding the expenditures for medical education from the Indigent Care appropriation.

21 6 (3) Funds appropriated in this lettered paragraph shall
 21 7 not be used to perform abortions except medically necessary
 21 8 abortions, and shall not be used to operate the early
 21 9 termination of pregnancy clinic except for the performance of
 21 10 medically necessary abortions. For the purpose of this
 21 11 lettered paragraph, an abortion is the purposeful interruption
 21 12 of pregnancy with the intention other than to produce a live-
 21 13 born infant or to remove a dead fetus, and a medically
 21 14 necessary abortion is one performed under one of the following
 21 15 conditions:
 21 16 (a) The attending physician certifies that continuing the
 21 17 pregnancy would endanger the life of the pregnant woman.
 21 18 (b) The attending physician certifies that the fetus is
 21 19 physically deformed, mentally deficient, or afflicted with a
 21 20 congenital illness.
 21 21 (c) The pregnancy is the result of a rape which is

Specifies conditions under which abortions may be performed on patients served by the Indigent Patient Care Program.

21 22 reported within 45 days of the incident to a law enforcement
 21 23 agency or public or private health agency which may include a
 21 24 family physician.

21 25 (d) The pregnancy is the result of incest which is
 21 26 reported within 150 days of the incident to a law enforcement
 21 27 agency or public or private health agency which may include a
 21 28 family physician.

21 29 (e) The abortion is a spontaneous abortion, commonly known
 21 30 as a miscarriage, wherein not all of the products of
 21 31 conception are expelled.

21 32 (4) The total quota allocated to the counties for indigent
 21 33 patients for the fiscal year beginning July 1, 2005, shall not
 21 34 be lower than the total quota allocated to the counties for
 21 35 the fiscal year commencing July 1, 1998. The total quota
 22 1 shall be allocated among the counties on the basis of the 2000
 22 2 census pursuant to section 255.16.

Requires the per county quota for indigent care in FY 2006 reflect the changes in population data from the 2000 Census.

22 3 c. Psychiatric hospital
 22 4 For salaries, support, maintenance, equipment,
 22 5 miscellaneous purposes, for the care, treatment, and
 22 6 maintenance of committed and voluntary public patients, and
 22 7 for not more than the following full-time equivalent
 22 8 positions:

General Fund appropriation to the SUI for the Psychiatric Hospital.

22 9 \$ 7,043,056
 22 10 FTEs 269.65

DETAIL: Maintains current level of General Fund support and FTE positions.

22 11 d. Center for disabilities and development
 22 12 For salaries, support, maintenance, miscellaneous purposes,
 22 13 and for not more than the following full-time equivalent
 22 14 positions:

General Fund appropriation to the SUI for the Center for Disabilities and Development (formerly called the Hospital-School).

22 15 \$ 6,363,265
 22 16 FTEs 130.37

DETAIL: Maintains current level of General Fund support and FTE positions.

22 17 From the funds appropriated in this lettered paragraph,
 22 18 \$200,000 shall be allocated for purposes of the employment
 22 19 policy group.

Requires \$200,000 of the funds appropriated to the SUI Center for Disabilities and Development (formerly Hospital-School) to be allocated to the Employment Policy Group.

<p>22 20 e. Oakdale campus 22 21 For salaries, support, maintenance, miscellaneous purposes, 22 22 and for not more than the following full-time equivalent 22 23 positions: 22 24 \$ 2,657,335 22 25 FTEs 38.25</p>	<p>DETAIL: The Group was formerly known as the Creative Employment Options Program.</p> <p>General Fund appropriation to the SUI for the Oakdale Campus.</p> <p>DETAIL: Maintains current level of General Fund support and FTE positions.</p>
<p>22 26 f. State hygienic laboratory 22 27 For salaries, support, maintenance, miscellaneous purposes, 22 28 and for not more than the following full-time equivalent 22 29 positions: 22 30 \$ 3,849,461 22 31 FTEs 102.50</p>	<p>General Fund appropriation to the SUI for the State Hygienic Laboratory.</p> <p>DETAIL: Maintains current level of General Fund support and FTE positions.</p>
<p>22 32 g. Family practice program 22 33 For allocation by the dean of the college of medicine, with 22 34 approval of the advisory board, to qualified participants, to 22 35 carry out chapter 148D for the family practice program, 23 1 including salaries and support, and for not more than the 23 2 following full-time equivalent positions: 23 3 \$ 2,075,948 23 4 FTEs 190.40</p>	<p>General Fund appropriation to the SUI for the Family Practice Program.</p> <p>DETAIL: Maintains current level of General Fund support and FTE positions.</p>
<p>23 5 h. Child health care services 23 6 For specialized child health care services, including 23 7 childhood cancer diagnostic and treatment network programs, 23 8 rural comprehensive care for hemophilia patients, and the Iowa 23 9 high-risk infant follow-up program, including salaries and 23 10 support, and for not more than the following full-time 23 11 equivalent positions: 23 12 \$ 649,066 23 13 FTEs 57.97</p>	<p>General Fund appropriation to the SUI for Specialized Child Health Care Services.</p> <p>DETAIL: Maintains current level of General Fund support and FTE positions.</p>

<p>23 14 i. Statewide cancer registry 23 15 For the statewide cancer registry, and for not more than 23 16 the following full-time equivalent positions: 23 17 \$ 178,739 23 18 FTEs 2.10</p>	<p>General Fund appropriation to the SUI for the Statewide Cancer Registry. DETAIL: Maintains current level of General Fund support and FTE positions.</p>
<p>23 19 j. Substance abuse consortium 23 20 For funds to be allocated to the Iowa consortium for 23 21 substance abuse research and evaluation, and for not more than 23 22 the following full-time equivalent position: 23 23 \$ 64,871 23 24 FTEs 1.00</p>	<p>General Fund appropriation to the SUI for the Substance Abuse Consortium. DETAIL: Maintains current level of General Fund support and FTE positions.</p>
<p>23 25 k. Center for biocatalysis 23 26 For the center for biocatalysis, and for not more than the 23 27 following full-time equivalent positions: 23 28 \$ 881,384 23 29 FTEs 6.28</p>	<p>General Fund appropriation to the SUI for the Center for Biocatalysis. DETAIL: Maintains current level of General Fund support and FTE positions.</p>
<p>23 30 l. Primary health care initiative 23 31 For the primary health care initiative in the college of 23 32 medicine and for not more than the following full-time 23 33 equivalent positions: 23 34 \$ 759,875 23 35 FTEs 5.89</p>	<p>General Fund appropriation to the SUI Primary Health Care Initiative. DETAIL: Maintains current level of General Fund support and FTE positions.</p>
<p>24 1 From the funds appropriated in this lettered paragraph, 24 2 \$330,000 shall be allocated to the department of family 24 3 practice at the state university of Iowa college of medicine 24 4 for family practice faculty and support staff.</p>	<p>Requires \$330,000 of the Primary Health Care Initiative appropriation be allocated to the Department of Family Practice at the College of Medicine.</p>
<p>24 5 m. Birth defects registry 24 6 For the birth defects registry and for not more than the 24 7 following full-time equivalent position: 24 8 \$ 44,636 24 9 FTEs 1.00</p>	<p>General Fund appropriation to the SUI for the Birth Defects Registry. DETAIL: Maintains current level of General Fund support and FTE positions.</p>

<p>24 10 3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY</p> <p>24 11 a. General university</p> <p>24 12 For salaries, support, maintenance, equipment,</p> <p>24 13 miscellaneous purposes, and for not more than the following</p> <p>24 14 full-time equivalent positions:</p> <p>24 15 \$173,269,729</p> <p>24 16 FTEs 3,647.42</p> <p>24 17 It is the intent of the general assembly that the</p> <p>24 18 university continue progress on the center for excellence in</p> <p>24 19 fundamental plant sciences.</p> <p>24 20 b. Agricultural experiment station</p> <p>24 21 For salaries, support, maintenance, miscellaneous purposes,</p> <p>24 22 and for not more than the following full-time equivalent</p> <p>24 23 positions:</p> <p>24 24 \$ 31,019,520</p> <p>24 25 FTEs 546.98</p> <p>24 26 c. Cooperative extension service in agriculture and home</p> <p>24 27 economics</p> <p>24 28 For salaries, support, maintenance, miscellaneous purposes,</p> <p>24 29 and for not more than the following full-time equivalent</p> <p>24 30 positions:</p> <p>24 31 \$ 19,738,432</p> <p>24 32 FTEs 383.34</p> <p>24 33 d. Leopold center</p> <p>24 34 For agricultural research grants at Iowa state university</p> <p>24 35 under section 266.39B, and for not more than the following</p> <p>25 1 full-time equivalent positions:</p> <p>25 2 \$ 464,319</p> <p>25 3 FTEs 11.25</p> <p>25 4 e. Livestock disease research</p> <p>25 5 For deposit in and the use of the livestock disease</p>	<p>General Fund appropriation to Iowa State University (ISU) for the general operating budget.</p> <p>DETAIL: Maintains current level of General Fund support and FTE positions.</p> <p>Specifies that it is the intent of the General Assembly that ISU continue to make progress on the Plant Science Center.</p> <p>General Fund appropriation to ISU for the Agricultural Experiment Station.</p> <p>DETAIL: Maintains current level of General Fund support and FTE positions.</p> <p>General Fund appropriation to ISU for the Cooperative Extension Service.</p> <p>DETAIL: Maintains current level of General Fund support and FTE positions.</p> <p>General Fund appropriation to ISU for the Leopold Center.</p> <p>DETAIL: Maintains current level of General Fund support.</p> <p>General Fund appropriation to ISU for Livestock Disease Research.</p>
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PG LN	House File 816	Explanation
25 6	research fund under section 267.8:	DETAIL: Maintains the current level of General Fund support and FTE
25 7	..... \$ 220,708	positions.
25 8	4. UNIVERSITY OF NORTHERN IOWA	
25 9	a. General university	General Fund appropriation to the University of Northern Iowa (UNI)
25 10	For salaries, support, maintenance, equipment,	for the general operating budget.
25 11	miscellaneous purposes, and for not more than the following	
25 12	full-time equivalent positions:	DETAIL: Maintains current level of General Fund support and FTE
25 13	..... \$ 77,831,821	positions.
25 14	..... FTEs 1,398.01	
25 15	It is the intent of the general assembly that the	Specifies that it is the intent of the General Assembly that the UNI
25 16	university continue to allocate funds for a masters in social	continue to allocate funds for the Masters in Social Work Program, the
25 17	work program, the roadside vegetation project, and the Iowa	Iowa Office of Staff Development to assist teachers attempting to
25 18	office for staff development.	achieve national certification, and a roadside vegetation project.
25 19	b. Recycling and reuse center	General Fund appropriation to the UNI for the Recycle and Reuse
25 20	For purposes of the recycling and reuse center, and for not	Center.
25 21	more than the following full-time equivalent positions:	DETAIL: Maintains current level of General Fund support and FTE
25 22	..... \$ 211,858	positions.
25 23	..... FTEs 3.00	
25 24	5. STATE SCHOOL FOR THE DEAF	General Fund appropriation to the Iowa School for the Deaf.
25 25	For salaries, support, maintenance, miscellaneous purposes,	
25 26	and for not more than the following full-time equivalent	DETAIL: This is an increase of \$340,000 and no change in FTE
25 27	positions:	positions compared to the estimated net FY 2005 appropriation. This
25 28	..... \$ 8,810,471	increase is to provide a 4.00% inflationary increase for operations.
25 29	..... FTEs 126.60	
25 30	6. IOWA BRAILLE AND SIGHT SAVING SCHOOL	General Fund appropriation to the Iowa Braille and Sight Saving
25 31	For salaries, support, maintenance, miscellaneous purposes,	School.
25 32	and for not more than the following full-time equivalent	
25 33	positions:	DETAIL: This is an increase of \$190,000 and no change in FTE
25 34	..... \$ 4,930,295	positions compared to the estimated net FY 2005 appropriation. This
25 35	..... FTEs 81.00	increase is to provide a 4.00% inflationary increase for operations.

26 1 7. TUITION AND TRANSPORTATION COSTS
 26 2 For payment to local school boards for the tuition and
 26 3 transportation costs of students residing in the Iowa Braille
 26 4 and Sight Saving School and the State School for the Deaf
 26 5 pursuant to section 262.43 and for payment of certain
 26 6 clothing, prescription, and transportation costs for students
 26 7 at these schools pursuant to section 270.5:
 26 8 \$ 15,020

General Fund appropriation for tuition and transportation costs of certain students attending the Iowa School for the Deaf and the Iowa Braille and Sight Saving School.

DETAIL: Maintains current level of General Fund support.

26 9 Sec. 13. INSTITUTE FOR TOMORROW'S WORKFORCE. There is
 26 10 appropriated from the general fund of the state to the
 26 11 department of management for allocation to the institute for
 26 12 tomorrow's workforce created under chapter 7K, if enacted by
 26 13 this Act, for the fiscal year beginning July 1, 2005, and
 26 14 ending June 30, 2006, the following amount, or so much thereof
 26 15 as is necessary, to be used for the purposes designated:
 26 16 For the activities of the institute created pursuant to
 26 17 section 7K.1, and subject to the matching fund requirement of
 26 18 that section, if enacted:
 26 19 \$ 250,000

General Fund appropriation to the Department of Management for allocation to the Institute for Tomorrow's Workforce.

DETAIL: This is a new appropriation. Statutory language establishing the Institute is found in Section 17 of this Act. The Institute is required to provide recommendations to improve Iowa's education system to meet the Iowa's workforce needs. The statutory language specifies that the State funds may be allocated only to the extent that they are matched by private funds.

26 20 Sec. 14. MEDICAL ASSISTANCE — SUPPLEMENTAL AMOUNTS. For
 26 21 the fiscal year beginning July 1, 2005, and ending June 30,
 26 22 2006, the department of human services shall continue the
 26 23 supplemental disproportionate share and a supplemental
 26 24 indirect medical education adjustment applicable to state-
 26 25 owned acute care hospitals with more than 500 beds and shall
 26 26 reimburse qualifying hospitals pursuant to that adjustment
 26 27 with a supplemental amount for services provided medical
 26 28 assistance recipients. The adjustment shall generate
 26 29 supplemental payments intended to equal the state
 26 30 appropriation made to a qualifying hospital for treatment of
 26 31 indigent patients as provided in chapter 255. To the extent
 26 32 of the supplemental payments, a qualifying hospital shall,
 26 33 after receipt of the funds, transfer to the department of
 26 34 human services an amount equal to the actual supplemental
 26 35 payments that were made in that month. The aggregate amounts

Specifies procedures for the SUI and the Department of Human Services (DHS) regarding the Supplemental Disproportionate Share Payment System permitted by the federal government.

DETAIL: This language allows federal receipts received by the SUI Hospitals and Clinics to be deposited directly into the DHS Medical Assistance account rather than being deposited into the General Fund. This language allows the appropriation to the DHS for Medical Assistance to be reduced, as these funds will be deposited directly to the DHS account by the federal government. This is an accounting transaction only and does not change the amount of federal receipts or State expenditures for Medical Assistance.

This language is nullified by HF 841 (Iowacare Medicaid Reform Act).

27 1 for the fiscal year shall not exceed the state appropriation
27 2 made to the qualifying hospital for treatment of indigent
27 3 patients as provided in chapter 255. The department of human
27 4 services shall deposit these funds in the department's medical
27 5 assistance account. To the extent that state funds
27 6 appropriated to a qualifying hospital for the treatment of
27 7 indigent patients as provided in chapter 255 have been
27 8 transferred to the department of human services as a result of
27 9 these supplemental payments made to the qualifying hospital,
27 10 the department shall not, directly or indirectly, recoup the
27 11 supplemental payments made to a qualifying hospital for any
27 12 reason, unless an equivalent amount of the funds transferred
27 13 to the department of human services by a qualifying hospital
27 14 pursuant to this provision is transferred to the qualifying
27 15 hospital by the department.

27 16 If the state supplemental amount allotted to the state of
27 17 Iowa for the federal fiscal year beginning October 1, 2005,
27 18 and ending September 30, 2006, pursuant to section 1923(f)(3)
27 19 of the federal Social Security Act, as amended, or pursuant to
27 20 federal payments for indirect medical education is greater
27 21 than the amount necessary to fund the federal share of the
27 22 supplemental payments specified in the preceding paragraph,
27 23 the department of human services shall increase the
27 24 supplemental disproportionate share or supplemental indirect
27 25 medical education adjustment by the lesser of the amount
27 26 necessary to utilize fully the state supplemental amount or
27 27 the amount of state funds appropriated to the state university
27 28 of Iowa general education fund and allocated to the university
27 29 for the college of medicine. The state university of Iowa
27 30 shall transfer from the allocation for the college of medicine
27 31 to the department of human services, on a monthly basis, an
27 32 amount equal to the additional supplemental payments made
27 33 during the previous month pursuant to this paragraph. A
27 34 qualifying hospital receiving supplemental payments pursuant
27 35 to this paragraph that are greater than the state
28 1 appropriation made to the qualifying hospital for treatment of
28 2 indigent patients as provided in chapter 255 shall be

28 3 obligated as a condition of its participation in the medical
28 4 assistance program to transfer to the state university of Iowa
28 5 general education fund on a monthly basis an amount equal to
28 6 the funds transferred by the state university of Iowa to the
28 7 department of human services. To the extent that state funds
28 8 appropriated to the state university of Iowa and allocated to
28 9 the college of medicine have been transferred to the
28 10 department of human services as a result of these supplemental
28 11 payments made to the qualifying hospital, the department shall
28 12 not, directly or indirectly, recoup these supplemental
28 13 payments made to a qualifying hospital for any reason, unless
28 14 an equivalent amount of the funds transferred to the
28 15 department of human services by the state university of Iowa
28 16 pursuant to this paragraph is transferred to the qualifying
28 17 hospital by the department.

28 18 Continuation of the supplemental disproportionate share and
28 19 supplemental indirect medical education adjustment shall
28 20 preserve the funds available to the university hospital for
28 21 medical and surgical treatment of indigent patients as
28 22 provided in chapter 255 and to the state university of Iowa
28 23 for educational purposes at the same level as provided by the
28 24 state funds initially appropriated for that purpose.

28 25 The department of human services shall, in any compilation
28 26 of data or other report distributed to the public concerning
28 27 payments to providers under the medical assistance program,
28 28 set forth reimbursements to a qualifying hospital through the
28 29 supplemental disproportionate share and supplemental indirect
28 30 medical education adjustment as a separate item and shall not
28 31 include such payments in the amounts otherwise reported as the
28 32 reimbursement to a qualifying hospital for services to medical
28 33 assistance recipients.

28 34 For purposes of this section, "supplemental payment" means
28 35 a supplemental payment amount paid for medical assistance to a
29 1 hospital qualifying for that payment under this section.

29 2 Sec. 15. For the fiscal year beginning July 1, 2005, and
 29 3 ending June 30, 2006, the state board of regents may use
 29 4 notes, bonds, or other evidences of indebtedness issued under
 29 5 section 262.48 to finance projects that will result in energy
 29 6 cost savings in an amount that will cause the state board to
 29 7 recover the cost of the projects within an average of six
 29 8 years.

Permits the Board of Regents to use indebtedness to finance projects for energy cost savings if the cost of the projects can be recovered within an average of six years.

29 9 Sec. 16. Notwithstanding section 270.7, the department of
 29 10 administrative services shall pay the state school for the
 29 11 deaf and the Iowa braille and sight saving school the moneys
 29 12 collected from the counties during the fiscal year beginning
 29 13 July 1, 2005, for expenses relating to prescription drug costs
 29 14 for students attending the state school for the deaf and the
 29 15 Iowa braille and sight saving school.

CODE: Requires the Department of Administrative Services to pay funds collected from counties to the School for the Deaf and the Iowa Braille and Sight Saving School for prescription drug costs of the students attending these Schools.

29 16 Sec. 17. NEW SECTION. 7K.1 INSTITUTE FOR TOMORROW'S
 29 17 WORKFORCE.

29 18 1. FINDINGS. The general assembly finds that Iowa's
 29 19 children are this state's greatest asset and to improve the
 29 20 future for Iowa's children, it is necessary to focus
 29 21 elementary, secondary, and postsecondary education efforts on
 29 22 what children need to know to be successful students and
 29 23 successful participants in Iowa's global workforce. Iowa's
 29 24 state community and business leaders are at the forefront of
 29 25 this ongoing conversation. The general assembly further finds
 29 26 that the creation of an institute for tomorrow's workforce
 29 27 provides a long-term forum for bold, innovative
 29 28 recommendations to improve Iowa's education system to meet the
 29 29 workforce needs of Iowa's new economy.

CODE: Establishes the Institute for Tomorrow's Workforce. The purpose of the Institute is to make recommendations to improve Iowa's education system to meet workforce needs. Specifies duties of the Institute. The Board of Directors of the Institute will consist of 15 members as specified. Requires funds appropriated to be equally matched by private funds. Requires the Institute to submit an annual report of findings and recommendations by January 15 to a list of recipients as specified. The statutory authority for the Institute is repealed on July 1, 2015.

DETAIL: There is a General Fund appropriation of \$250,000 for FY 2006 for the Institute in Section 13 of this Act. The funds can be allocated only when matched by private funds.

29 30 2. FOUNDATION CREATED — DUTIES. There is created a
 29 31 public body corporate and politic to be known as the
 29 32 "institute for tomorrow's workforce, an educational
 29 33 foundation". The foundation is an independent nonprofit
 29 34 quasi-public instrumentality and the exercise of the powers
 29 35 granted to the foundation as a corporation in this chapter is
 30 1 an essential government function. As used in this chapter,

The appropriation for the Institute was reduced by \$100,000 in HF 882 (FY 2006 Standing Appropriations Act).

30 2 "foundation" means the "institute for tomorrow's workforce, an
30 3 educational foundation". The foundation shall, at a minimum,
30 4 do the following:

- 30 5 a. Review educational standards to determine relevance and
30 6 rigor necessary for continuous improvement in student
30 7 achievement and meeting workforce needs.
- 30 8 b. Identify jobs skills and corresponding high school
30 9 coursework necessary to achieve success in the Iowa workforce.
- 30 10 c. Review the state's education accountability measures,
30 11 including but not limited to student proficiency and
30 12 individual and organization program accountability.
- 30 13 d. Identify state and local barriers to improved student
30 14 achievement and student success as well as barriers to sharing
30 15 among and within all areas of Iowa's education system.
- 30 16 e. Identify effective education structure and delivery
30 17 models that promote optimum student achievement opportunities
30 18 for all Iowa students that include, but are not limited to,
30 19 the role of technology.
- 30 20 f. Serve as a clearinghouse for existing and emerging
30 21 innovative educational sharing and collaborative efforts among
30 22 and between Iowa's secondary education system as well as
30 23 Iowa's postsecondary education system.
- 30 24 g. Promote partnerships between private sector business
30 25 and all areas of Iowa's education system.
- 30 26 h. Promote partnerships between other Iowa governance
30 27 structures including, but not limited to, cities and counties,
30 28 and all areas of Iowa's education system.
- 30 29 i. Identify ways to reduce the achievement gap between
30 30 white and non-white, non-Asian students.
- 30 31 j. The board of directors of the foundation, within the
30 32 limits of the funds available to the foundation, shall do the
30 33 following:
 - 30 34 (1) Employ an executive director to direct the activities
30 35 of the foundation.
 - 31 1 (2) Execute contracts with public and private agencies to
31 2 conduct research and development activities.
 - 31 3 (3) Perform functions necessary to carry out the purposes

31 4 of the foundation.

31 5 3. MEMBERSHIP. The board of directors of the foundation

31 6 shall consist of fifteen members serving staggered three-year

31 7 terms beginning on May 1 of the year of appointment who shall

31 8 be appointed as follows:

31 9 a. Five members shall be appointed by the governor as

31 10 follows:

31 11 (1) A school district superintendent from a school

31 12 district with enrollment of one thousand one hundred forty-

31 13 nine or fewer pupils.

31 14 (2) An individual representing an Iowa business employing

31 15 more than two hundred fifty employees.

31 16 (3) A community college president.

31 17 (4) An individual representing labor and workforce

31 18 interests.

31 19 (5) An individual representing an Iowa agriculture

31 20 association.

31 21 b. Five members shall be appointed by the speaker of the

31 22 house of representatives as follows:

31 23 (1) An individual representing the area education

31 24 agencies.

31 25 (2) The president of an accredited private institution as

31 26 defined in section 261.9.

31 27 (3) An individual representing an Iowa business employing

31 28 more than fifty employees but not more than two hundred fifty

31 29 employees.

31 30 (4) An individual representing urban economic development

31 31 interests.

31 32 (5) An individual from an association representing Iowa

31 33 businesses.

31 34 c. Five members shall be appointed by the president of the

31 35 senate as follows:

32 1 (1) A school district superintendent from a school

32 2 district with an enrollment of more than one thousand one

32 3 hundred forty-nine pupils.

32 4 (2) A president of an institution of higher education

32 5 under the control of the state board of regents.

32 6 (3) An individual representing an Iowa business employing
32 7 fifty or fewer employees.

32 8 (4) An individual representing rural economic development
32 9 interests.

32 10 (5) An individual representing a business that established
32 11 itself in Iowa on or after July 1, 1999.

32 12 Members, except as provided in paragraph "c", subparagraph
32 13 (2), shall not be employed by the state. One co-chairperson
32 14 shall be appointed by the speaker of the house of
32 15 representatives and one co-chairperson shall be appointed by
32 16 the president of the senate.

32 17 4. MATCHING FUNDS REQUIREMENT. Moneys appropriated by the
32 18 general assembly for purposes of the foundation shall be
32 19 allocated only to the extent that the state moneys are matched
32 20 from other sources by the foundation on a dollar-for-dollar
32 21 basis.

32 22 5. REPORTING REQUIREMENTS. The foundation shall submit
32 23 its findings and recommendations by January 15 annually in a
32 24 report to the governor, the speaker of the house of
32 25 representatives, the president of the senate, the state board
32 26 of education, the state board of regents, the department of
32 27 workforce development, the department of economic development,
32 28 the Iowa association of community college trustees, the
32 29 college student aid commission, the Iowa association of
32 30 independent colleges and universities, and associations
32 31 representing school boards, nonpublic schools, area education
32 32 agencies, and teachers. The report shall include an
32 33 accounting of the revenues and expenditures of the foundation.

32 34 6. This chapter is repealed effective July 1, 2015.

32 35 Sec. 18. Section 256.9, Code 2005, is amended by adding
33 1 the following new subsection:

33 2 **NEW SUBSECTION.** 53. Develop and make available to school
33 3 districts, examples of age-appropriate materials and lists of
33 4 resources which parents may use to teach their children to
33 5 recognize unwanted physical and verbal sexual advances, to not
33 6 make unwanted physical and verbal sexual advances, to

Requires the Department of Education, in consultation with the
Departments of Human Services, Public Health, and Public Safety,
and with education stakeholders and parent-teacher organizations, to
develop and provide to school districts examples of materials and
resources parents may use to teach children about unwanted sexual
advances.

33 7 effectively reject unwanted sexual advances, that it is wrong
 33 8 to take advantage of or exploit another person, and about
 33 9 counseling, medical, and legal resources available to
 33 10 survivors of sexual abuse and sexual assault, including
 33 11 resources for escaping violent relationships. The materials
 33 12 and resources shall cover verbal, physical, and visual sexual
 33 13 harassment, including nonconsensual sexual advances, and
 33 14 nonconsensual physical sexual contact. In developing the
 33 15 materials and resource list, the director shall consult with
 33 16 entities that shall include, but not be limited to, the
 33 17 departments of human services, public health, and public
 33 18 safety, education stakeholders, and parent-teacher
 33 19 organizations. School districts shall provide age-appropriate
 33 20 materials and a list of available community and web-based
 33 21 resources to parents at registration and shall also include
 33 22 the age-appropriate materials and resource list in the student
 33 23 handbook. School districts are encouraged to work with their
 33 24 communities to provide voluntary parent education sessions to
 33 25 provide parents with the skills and appropriate strategies to
 33 26 teach their children as described in this subsection. School
 33 27 districts shall incorporate the age-appropriate materials
 33 28 into relevant curricula and shall reinforce the importance of
 33 29 preventive measures when reasonable with parents and students.

[33 30 Sec. 19. NEW SECTION. 256.24 VALUE-ADDED ASSESSMENT
 33 31 SYSTEM.

33 32 1. A value-added assessment system shall be established by
 33 33 the department to provide for multivariate longitudinal
 33 34 analysis of annual student test scores to determine the
 33 35 influence of a school district's educational program on
 34 1 student academic growth and to guide school district
 34 2 improvement efforts. The department shall select a value-
 34 3 added assessment system provider through a request for
 34 4 proposals process. The system provider selected by the
 34 5 department shall offer a value-added assessment system to
 34 6 calculate annually the academic growth of each student
 34 7 enrolled in grade levels three through eleven and tested in

VETOED

Requires school districts to:

- Provide such materials and a list of resources to parents at registration and in the student handbook.
- Incorporate such materials into relevant curricula and to reinforce with parents and students the importance of preventive measures.

CODE: Requires the Department of Education to establish a value-added assessment system for longitudinal analysis of student test scores to determine the influence of a district's educational program on academic growth and to guide school improvement efforts.

Requires school districts to annually submit test scores from the Iowa Test of Basic Skills (ITBS) and the Iowa Test of Educational Development (ITED) to the value-added assessment system provider for analysis. Specifies the analysis to be provided by the system provider.

Specifies that student academic growth determined by the value-added assessment system shall not be used in teacher evaluation and shall not be published in a way that identifies the effect of an individual teacher.

34 8 accordance with this section, and shall, at a minimum, meet
 34 9 all of the following criteria:

34 10 a. Use a mixed-model statistical analysis that has the
 34 11 ability to use all achievement test data for each student,
 34 12 including the data for students with missing test scores, that
 34 13 does not adjust downward expectations for student progress
 34 14 based on race, poverty, or gender, and that will provide the
 34 15 best linear unbiased predictions of school or other
 34 16 educational entity effects to minimize the impact of
 34 17 fortuitous accumulation of random errors.

34 18 b. Have the ability to work with test data from a variety
 34 19 of sources, including data that are not vertically scaled, and
 34 20 to provide support for school districts utilizing the system.

34 21 c. Have the capacity to receive and report results
 34 22 electronically and provide support for districts utilizing the
 34 23 system.

34 24 d. Have the ability to create for each school district a
 34 25 chart that reports grade-equivalent scores for grades three
 34 26 through eight and gains between consecutive pairs of grades
 34 27 for each attendance center and that provides for a district-
 34 28 wide study of grade-equivalent scores.

34 29 2. Annually, each school district that administers the
 34 30 Iowa test of basic skills or the Iowa test of educational
 34 31 development shall, within thirty days of receiving the test
 34 32 scores from the American college testing program, inc., submit
 34 33 the test scores for each attendance center within the school
 34 34 district and each grade level tested, from grades three
 34 35 through eleven, to the system provider selected pursuant to
 35 1 subsection 1. School districts may submit additional
 35 2 assessment data for analysis and inclusion in reports provided
 35 3 to school districts pursuant to subsection 3, to the extent
 35 4 that the assessment meets the criteria for valid academic
 35 5 progress interpretation specified by the system provider.

35 6 3. The system provider shall provide analysis to school
 35 7 districts submitting test scores pursuant to subsection 2, and
 35 8 to the department of education. The analysis shall include,
 35 9 but not be limited to, attendance-center-level test results

VETOED: The Governor vetoed this Section, as well as the funding provided in Section 33 of the Act, stating that a value-added assessment system would be redundant and would have long-range unintended effects on existing local and State assessment systems.

35 10 for the Iowa test of basic skills in the areas of reading and
35 11 mathematics and other core academic areas when possible. The
35 12 analysis shall also include, but not be limited to, the number
35 13 of students tested, the number of test results used to compute
35 14 the averages, the average standard score, the corresponding
35 15 grade equivalent score, the average stanine score for the
35 16 group, the normal curve equivalent of average standard scores,
35 17 and percentile ranks based on student norms, as well as
35 18 measures of student progress. The system provider shall
35 19 create a chart for each school district in accordance with the
35 20 criteria set forth in subsection 1, paragraphs "a" through
35 21 "d".

35 22 4. Each school district shall have complete access to and
35 23 full utilization of its own value-added assessment reports and
35 24 charts generated by the system provider at the student level
35 25 for the purpose of measuring student achievement at different
35 26 educational entity levels.

35 27 5. Student academic growth determined pursuant to this
35 28 section shall not be used in teacher evaluation and shall not
35 29 be published if individual teacher effects can be surmised.

35 30 6. Information about student academic growth may be used
35 31 by the school district, including school board members,
35 32 administration, and staff, for defining student and district
35 33 learning goals and professional development related to student
35 34 learning goals across the school district. A school district
35 35 may submit its academic growth measures in the annual report
36 1 submitted pursuant to section 256.7, subsection 21, and may
36 2 reference in the report state level norms for purposes of
36 3 demonstrating school district performance. However, unless a
36 4 school district chooses to submit its academic measures in the
36 5 annual report submitted pursuant to section 256.7, such
36 6 measures are not public records for the purposes of chapter
36 7 22.

36 8 7. The department may use student academic progress data
36 9 to determine school improvement and technical assistance needs
36 10 of school districts, and to identify school districts
36 11 achieving exceptional gains. Beginning January 15, 2006, and

36 12 by January 15 of each succeeding year, the department shall
 36 13 submit an annual progress report regarding the use of student
 36 14 academic growth information in the school improvement
 36 15 processes to the house and senate education committees and
 36 16 shall publish the progress report on its internet web site.

36 17 8. The department is encouraged to advocate that the
 36 18 United States department of education allow reporting of
 36 19 student academic progress as an additional valid measure of
 36 20 school performance, as an alternative for meeting federal safe
 36 21 harbor provisions, and for establishing statewide progress
 36 22 under the federal No Child Left Behind Act of 2001, Pub. L.
 36 23 No. 107–110, and any federal regulations adopted pursuant to
 36 24 the federal Act.

36 25 9. A school district shall use the value-added assessment
 36 26 system established by the department pursuant to subsection 1
 36 27 not later than the school year ending June 30, 2007. However,
 36 28 the director of educational services of an area education
 36 29 agency may grant a request made by a board of directors of a
 36 30 school district located within the boundaries of the area
 36 31 education agency stating its desire to use an alternative
 36 32 system to compute and report value-added scores that is
 36 33 statistically valid and reliable.]

36 34 Sec. 20. Section 256.44, subsection 1, paragraph a, Code
 36 35 2005, is amended to read as follows:

37 1 a. If a teacher registers for national board for
 37 2 professional teaching standards certification prior to June
 37 3 30, ~~2005~~ 2006, a one-time initial reimbursement award in the
 37 4 amount of up to one-half of the registration fee paid by the
 37 5 teacher for registration for certification by the national
 37 6 board for professional teaching standards. The teacher shall
 37 7 apply to the department of education within one year of
 37 8 registration, submitting to the department any documentation
 37 9 the department requires. A teacher who receives an initial
 37 10 reimbursement award shall receive a one-time final
 37 11 registration award in the amount of the remaining national
 37 12 board registration fee paid by the teacher if the teacher

CODE: Extends the registration fee reimbursement feature of the
 National Board Certification Awards Program by one year through FY
 2006.

37 13 notifies the department of the teacher's certification
 37 14 achievement and submits any documentation requested by the
 37 15 department.

37 16 Sec. 21. Section 256.44, subsection 1, paragraph b,
 37 17 subparagraph (2), Code 2005, is amended to read as follows:
 37 18 (2) If the teacher registers for national board for
 37 19 professional teaching standards certification between January
 37 20 1, 1999, and January 1, ~~2005~~ 2006, and achieves certification
 37 21 within three years from the date of initial score
 37 22 notification, an annual award in the amount of two thousand
 37 23 five hundred dollars upon achieving certification by the
 37 24 national board of professional teaching standards.

CODE: Extends the annual stipend feature of the National Board Certification Awards Program by one year through FY 2006.

37 25 Sec. 22. Section 257B.1B, subsection 1, Code 2005, is
 37 26 amended to read as follows:
 37 27 1. ~~Fifty-five~~ For the fiscal year beginning July 1, 2004,
 37 28 ~~and each succeeding fiscal year, fifty-five~~ percent of the
 37 29 moneys deposited in the fund to the department of education
 37 30 for allocation to the Iowa reading recovery center council to
 37 31 assist school districts in developing reading recovery and
 37 32 literacy programs. The Iowa reading recovery council shall
 37 33 use the area education agency unified budget as its fiscal
 37 34 agent for grant moneys and for other moneys administered by
 37 35 the council.

CODE: Allocates 55.00% of the interest earned on the Permanent School Fund, in FY 2005 and succeeding years, to the Iowa Reading Recovery Council to assist school districts in developing Reading Recovery and literacy programs. Requires the Council to use the Area Education Agency (AEA) unified budget as its fiscal agent.

DETAIL: The Reading Recovery Center at the University of Iowa was closed in November 2004. The Iowa Reading Recovery Council has been established to assume the Center's responsibilities. This change is made effective on enactment in Section 35 of this Act.

38 1 Sec. 23. Section 260C.2, Code 2005, is amended by adding
 38 2 the following new subsection:
 38 3 NEW SUBSECTION. 1A. "Department" means the department of
 38 4 education.

CODE: Technical correction.

38 5 Sec. 24. NEW SECTION. 260C.18C STATE AID DISTRIBUTION
 38 6 FORMULA.
 38 7 1. PURPOSE. A distribution plan for general state
 38 8 financial aid to Iowa's community colleges is established for
 38 9 the fiscal year commencing July 1, 2005, and succeeding fiscal
 38 10 years. Funds appropriated by the general assembly to the

CODE: Specifies a formula for allocating the annual State general aid appropriation among the community colleges.

DETAIL: The formula includes a base funding allocation, a marginal cost adjustment, a three-year rolling average of full-time equivalent enrollment (FTEE), and an extraordinary growth adjustment. In years

38 11 department for general financial aid to community colleges
 38 12 shall be allocated to each community college in the manner
 38 13 provided under this section.
 38 14 2. DEFINITIONS. As used in this section, unless the
 38 15 context otherwise requires:
 38 16 a. "Base funding allocation" means the amount of general
 38 17 state financial aid all community colleges received in the
 38 18 base year.
 38 19 b. "Base year" means the fiscal year immediately preceding
 38 20 the budget year.
 38 21 c. "Below-average support per FTEE" for a community
 38 22 college means the state-average combined support per FTEE
 38 23 minus the combined support per FTEE for the community college
 38 24 if the community college's combined support per FTEE is less
 38 25 than the state-average combined support per FTEE.
 38 26 d. "Budget year" means the fiscal year for which moneys
 38 27 are appropriated by the general assembly.
 38 28 e. "Combined support" for a community college means the
 38 29 total amount of moneys the community college received in
 38 30 general state financial aid in the base year plus the
 38 31 community college's general fund property tax revenue,
 38 32 including utility replacement, for the base year.
 38 33 f. "Combined support per FTEE" for a community college
 38 34 means the community college's combined support divided by its
 38 35 three-year rolling average full-time equivalent enrollment for
 39 1 the three years prior to the base year.
 39 2 g. "Contact hour" for a noncredit course equals fifty
 39 3 minutes of contact between an instructor and students in a
 39 4 scheduled course offering for which students are registered.
 39 5 h. "Credit hour", for purposes of community college
 39 6 funding distribution, shall be as defined by the department by
 39 7 rule.
 39 8 i. "Eligible credit courses" means all credit courses that
 39 9 are eligible for general state financial aid which are part of
 39 10 a department-approved program of study. The department shall
 39 11 review and provide a determination should a question of
 39 12 eligibility occur.

when the inflation factor is greater than 2.00%, the formula provides an inflation adjustment and an additional three-year rolling average FTEE allocation.

The adjustment for extraordinary enrollment growth is the most significant difference between this new formula and the formula currently specified in the Department of Education's administrative rules.

39 13 j. "Eligible growth support" for a community college is
39 14 the community college's below-average support per FTEE
39 15 multiplied times its three-year rolling average full-time
39 16 equivalent enrollment.

39 17 k. "Eligible noncredit courses" means all noncredit
39 18 courses eligible for general state financial aid which fall
39 19 under one of the eligible categories for noncredit courses as
39 20 defined by rule of the department. The department shall
39 21 review and provide a determination should a question of
39 22 eligibility occur.

39 23 l. "Eligible student" means a student enrolled in eligible
39 24 credit or eligible noncredit courses. The department shall
39 25 review and provide a determination should a question of
39 26 eligibility occur.

39 27 m. "Fiscal year" means the period of twelve months
39 28 beginning on July 1 and ending on June 30.

39 29 n. One "full-time equivalent enrollment (FTEE)" equals
39 30 twenty-four credit hours for credit courses or six hundred
39 31 contact hours for noncredit courses generated by all eligible
39 32 students enrolled in eligible courses.

39 33 o. "General fund property tax revenue" means the amount of
39 34 moneys a community college raised or could have raised from a
39 35 property tax of twenty and one-fourth cents per thousand
40 1 dollars of assessed valuation on all taxable property in its
40 2 merged area collected for the base year.

40 3 p. "General state financial aid" means the amount of
40 4 general state financial aid the community college received
40 5 from the general fund.

40 6 q. "Inflation adjustment amount" means the inflation rate
40 7 minus two percentage points multiplied times the base funding
40 8 allocation. The inflation adjustment amount shall not be less
40 9 than zero.

40 10 r. "Inflation rate" means the average of the preceding
40 11 twelve-month percentage change, which shall be computed on a
40 12 monthly basis, in the consumer price index for all urban
40 13 consumers, not seasonally adjusted, published by the United
40 14 States department of labor, bureau of labor statistics,

40 15 calculated for the calendar year ending six months after the
40 16 beginning of the base year.

40 17 s. "State-average combined support per FTEE" means the
40 18 average of the combined support per FTEE for all community
40 19 colleges in the state in the base year.

40 20 t. "Three-year rolling average full-time equivalent
40 21 enrollment" means the average of the audited full-time
40 22 equivalent enrollment for a community college over the three
40 23 fiscal years prior to the base year as determined by the
40 24 department.

40 25 u. "Total growth support amount" means the sum of the
40 26 eligible growth support for all the community colleges.

40 27 3. DISTRIBUTION FORMULA. Moneys appropriated by the
40 28 general assembly from the general fund to the department for
40 29 community college purposes for general state financial aid for
40 30 a budget year shall be allocated to each community college by
40 31 the department as follows:

40 32 a. If the inflation rate is equal to two percent or less:

40 33 (1) BASE FUNDING ALLOCATION. The moneys shall first be
40 34 allocated in the amount of general state financial aid each
40 35 community college received in the base year. If the
41 1 appropriation is less than the total of the amount of general
41 2 state financial aid each community college received in the
41 3 base year, the moneys shall be allocated in the same
41 4 proportion as the allocation of general state financial aid
41 5 each community college received in the base year.

41 6 (2) MARGINAL COST ADJUSTMENT. After the base funding has
41 7 been allocated, each community college shall be allocated up
41 8 to an additional two percent of its base funding allocation.
41 9 The community college's allocation shall be in the same
41 10 proportion as the allocation of general state financial aid
41 11 each community college received in the base year.

41 12 (3) THREE-YEAR ROLLING AVERAGE OF FULL-TIME EQUIVALENT
41 13 ENROLLMENT. If the increase in the total state general aid
41 14 exceeds two percent over the base funding allocation, an
41 15 amount up to an additional one percent of the base funding
41 16 allocation shall be distributed based upon each community

41 17 college's proportional share of the three-year rolling average
41 18 full-time equivalent enrollments for all community colleges.
41 19 (4) EXTRAORDINARY GROWTH ADJUSTMENT. If the increase in
41 20 total state general aid exceeds three percent over the base
41 21 funding allocation, an amount up to an additional one percent
41 22 of the base funding allocation shall be distributed as

41 23 follows:

41 24 (a) Forty percent of the moneys shall be allocated based
41 25 upon each community college's proportional share of the three-
41 26 year rolling average full-time equivalent enrollments for all
41 27 community colleges.

41 28 (b) Sixty percent of the moneys shall be allocated to
41 29 community colleges that have eligible growth support. The
41 30 allocation shall be based upon the proportional share that
41 31 each community college's eligible growth support bears to the
41 32 total growth support amount. Once the moneys allocated under
41 33 this subparagraph subdivision equal the total growth support
41 34 amount, the remaining moneys allocated under this subparagraph
41 35 shall be allocated as provided in subparagraph subdivision
42 1 (a).

42 2 (5) ADDITIONAL THREE-YEAR ROLLING AVERAGE FTEE
ALLOCATION.

42 3 If the increase in total state general aid exceeds four
42 4 percent over the base funding allocation, all remaining moneys
42 5 shall be distributed based upon each college's proportional
42 6 share of the three-year rolling average full-time equivalent
42 7 enrollments for all community colleges.

42 8 b. If the inflation rate is greater than two percent but
42 9 less than four percent:

42 10 (1) BASE FUNDING ALLOCATION. The moneys shall first be
42 11 allocated in the amount of general state financial aid each
42 12 community college received in the base year. If the
42 13 appropriation is less than the total of the amount of general
42 14 state financial aid each community college received in the
42 15 base year, the moneys shall be allocated in the same
42 16 proportion as the allocation of general state financial aid
42 17 each community college received in the base year.

42 18 (2) MARGINAL COST ADJUSTMENT. After the base funding has
42 19 been allocated, each community college shall be allocated up
42 20 to an additional two percent of its base funding allocation.
42 21 The community college's allocation shall be in the same
42 22 proportion as the allocation of general state financial aid
42 23 each community college received in the base year.

42 24 (3) THREE-YEAR ROLLING AVERAGE OF FULL-TIME EQUIVALENT
42 25 ENROLLMENT. If the increase in the total state general aid
42 26 exceeds two percent over the base funding allocation, an
42 27 amount up to an additional one percent of the base funding
42 28 allocation shall be distributed based upon each community
42 29 college's proportional share of the three-year rolling average
42 30 full-time equivalent enrollments for all community colleges.

42 31 (4) EXTRAORDINARY GROWTH ADJUSTMENT. If the increase in
42 32 total state general aid exceeds three percent over the base
42 33 funding allocation, an amount up to an additional one percent
42 34 of the base funding allocation shall be based as follows:

42 35 (a) Forty percent of the moneys shall be allocated based
43 1 upon each community college's proportional share of the three-
43 2 year rolling average full-time equivalent enrollments for all
43 3 community colleges.

43 4 (b) Sixty percent of the moneys shall be allocated to
43 5 community colleges that have eligible growth support. The
43 6 allocation shall be based upon the proportional share that
43 7 each community college's eligible growth support bears to the
43 8 total growth support amount. Once the moneys allocated under
43 9 this subparagraph subdivision equal the total growth support
43 10 amount, the remaining moneys allocated under this subparagraph
43 11 shall be allocated as provided in subparagraph subdivision
43 12 (a).

43 13 (5) INFLATION ADJUSTMENT. If the increase in total state
43 14 general aid exceeds four percent over the base funding
43 15 allocation, an amount up to the inflation adjustment amount
43 16 shall be distributed to each community college in the same
43 17 proportion as the allocation of general state financial aid
43 18 each community college received in the base year.

43 19 (6) ADDITIONAL THREE-YEAR ROLLING AVERAGE FTEE

ALLOCATION.

43 20 If there are remaining moneys to be distributed under this
43 21 paragraph after distributing moneys under subparagraph (5),
43 22 all remaining moneys shall be distributed based upon each
43 23 community college's proportional share of the three-year
43 24 rolling average full-time equivalent enrollments for all
43 25 community colleges.

43 26 c. If the inflation rate equals or exceeds four percent:

43 27 (1) BASE FUNDING ALLOCATION. The moneys shall first be
43 28 allocated in the amount of general state financial aid each
43 29 community college received in the base year. If the
43 30 appropriation is less than the total of the amount of general
43 31 state financial aid each community college received in the
43 32 base year, the moneys shall be allocated in the same
43 33 proportion as the allocation of general state financial aid
43 34 each community college received in the base year.

43 35 (2) MARGINAL COST ADJUSTMENT. After the base funding has
44 1 been allocated, each community college shall be allocated up
44 2 to an additional two percent of its base funding allocation.
44 3 The community college's allocation shall be in the same
44 4 proportion as the allocation of general state financial aid
44 5 each community college received in the base year.

44 6 (3) THREE-YEAR ROLLING AVERAGE OF FULL-TIME EQUIVALENT
44 7 ENROLLMENT. If the increase in the total state general aid
44 8 exceeds two percent over the base funding allocation, an
44 9 amount up to an additional one percent of the base funding
44 10 allocation shall be distributed based upon each community
44 11 college's proportional share of the three-year rolling average
44 12 full-time equivalent enrollments for all community colleges.

44 13 (4) INFLATION ADJUSTMENT. If the increase in total state
44 14 general aid exceeds three percent over the base funding
44 15 allocation, an amount up to the inflation adjustment amount
44 16 shall be distributed to each community college in the same
44 17 proportion as the allocation of general state financial aid
44 18 each community college received in the base year.

44 19 (5) EXTRAORDINARY GROWTH ADJUSTMENT. If there are
44 20 remaining moneys to be distributed under this paragraph after

44 21 distributing moneys under subparagraph (4), an amount up to an
44 22 additional one percent of the base funding allocation shall be
44 23 based as follows:

44 24 (a) Forty percent of the moneys shall be allocated based
44 25 upon each community college's proportional share of the three-
44 26 year rolling average full-time equivalent enrollments for all
44 27 community colleges.

44 28 (b) Sixty percent of the moneys shall be allocated to
44 29 community colleges that have eligible growth support. The
44 30 allocation shall be based upon the proportional share that
44 31 each community college's eligible growth support bears to the
44 32 total growth support amount. Once the moneys allocated under
44 33 this subparagraph subdivision equals the total growth support
44 34 amount, the remaining moneys allocated under this subparagraph
44 35 shall be allocated as provided in subparagraph subdivision
45 1 (a).

45 2 (6) ADDITIONAL THREE-YEAR ROLLING AVERAGE FTEE
ALLOCATION.

45 3 If there are remaining moneys to be distributed under this
45 4 paragraph after distributing moneys under subparagraph (5),
45 5 all remaining moneys shall be distributed based upon each
45 6 community college's proportional share of the three-year
45 7 rolling average full-time equivalent enrollments for all
45 8 community colleges.

45 9 4. INFORMATION SUPPLIED BY COLLEGES AND ADOPTION OF
RULES.

45 10 a. Each community college shall provide information in the
45 11 manner and form as determined by the department. If a
45 12 community college fails to provide the information as
45 13 requested, the department shall estimate the full-time
45 14 equivalent enrollment of that college.

45 15 b. Each community college shall complete and submit an
45 16 annual student enrollment audit to the department.

45 17 Adjustments to community college state general aid allocations
45 18 shall be made based on student enrollment audit outcomes.

45 19 c. The department shall adopt rules under chapter 17A as
45 20 necessary for the allocation of general state financial aid.

45 21 Sec. 25. Section 261.9, subsection 1, paragraph b, Code
 45 22 2005, is amended to read as follows:
 45 23 b. Is accredited by the north central association of
 45 24 colleges and secondary schools accrediting agency based on
 45 25 their requirements, is exempt from taxation under section
 45 26 501(c)(3) of the Internal Revenue Code, and annually provides
 45 27 a matching aggregate amount of institutional financial aid
 45 28 equal to at least seventy-five percent of the amount received
 45 29 in a fiscal year by the institution's students for Iowa
 45 30 tuition grant assistance under this chapter. Commencing with
 45 31 the fiscal year beginning July 1, ~~2005~~ 2006, the matching
 45 32 aggregate amount of institutional financial aid shall increase
 45 33 by the percentage of increase each fiscal year of funds
 45 34 appropriated for Iowa tuition grants under section 261.25,
 45 35 subsection 1, to a maximum match of one hundred percent. The
 46 1 institution shall file annual reports with the commission
 46 2 prior to receipt of tuition grant moneys under this chapter.
 46 3 An institution whose income is not exempt from taxation under
 46 4 section 501(c) of the Internal Revenue Code and whose students
 46 5 were eligible to receive Iowa tuition grant money in the
 46 6 fiscal year beginning July 1, 2003, shall meet the match
 46 7 requirements of this paragraph no later than June 30, 2005.

CODE: Delays from FY 2006 to FY 2007, the beginning of the increase in the match requirement for private institutional funds in the Tuition Grant Program. The current match requirement is 75.00%.

46 8 Sec. 26. Section 261.25, subsection 1, Code 2005, is
 46 9 amended to read as follows:
 46 10 1. There is appropriated from the general fund of the
 46 11 state to the commission for each fiscal year the sum of ~~forty-~~
 46 12 ~~seven~~ forty-nine million ~~one~~ six hundred ~~forty-seven~~ seventy-
 46 13 three thousand five hundred ~~fifteen~~ seventy-five dollars for
 46 14 tuition grants. From the funds appropriated in this
 46 15 subsection, ~~not more than three million four hundred thousand~~
 46 16 ~~dollars may be distributed to an amount equal to ten percent~~
 46 17 of the funds appropriated in this subsection shall be reserved
 46 18 for distribution to students attending private institutions
 46 19 whose income is not exempt from taxation under section 501(c)
 46 20 of the Internal Revenue Code and whose students were eligible
 46 21 to receive Iowa tuition grant moneys in the fiscal year

CODE: General Fund standing appropriation of \$49,673,575 for the Tuition Grant Program within the College Student Aid Commission.

DETAIL: This is an increase of \$2,516,060 compared to the estimated net FY 2005 appropriation. Requires 10.00% of the funds appropriated to be reserved for distribution to for-profit institutions.

This level of funding will increase the average grant from \$2,947 to \$3,105 for approximately 16,000 students (assumes same number of students as FY 2005). The statutory maximum grant remains unchanged at \$4,000.

This language also requires that students qualifying for tuition grants at Ashford University during FY 2005 continue to be eligible to receive grants during FY 2006. The grants for these students in FY 2006 are

46 22 beginning July 1, 2003. A for-profit institution which,
 46 23 effective March 9, 2005, purchased an accredited private
 46 24 institution that was exempt from taxation under section 501(c)
 46 25 of the Internal Revenue Code, shall be an eligible institution
 46 26 under the Iowa tuition grant program. In the case of a
 46 27 qualified student who was enrolled in such accredited private
 46 28 institution that was purchased by the for-profit institution
 46 29 effective March 9, 2005, and who continues to be enrolled in
 46 30 the eligible institution in succeeding years, the amount the
 46 31 student qualifies for under this subsection shall be not less
 46 32 than the amount the student qualified for in the fiscal year
 46 33 beginning July 1, 2004.

46 34 Sec. 27. Section 261.25, subsection 2, Code 2005, is
 46 35 amended by striking the subsection.

not to be less than the amount received in FY 2005. The status of Ashford University (formerly Franciscan University) in Clinton changed from nonprofit to for-profit as a result of the purchase of the University by Bridgepoint Education, Inc. on March 9, 2005.

CODE: Eliminates the General Fund standing appropriation and statutory authority for the State of Iowa Scholarship Program.

DETAIL: This is a decrease of \$465,175 compared to the estimated net FY 2005 appropriation. This Program provided one-time grant awards of \$400 to approximately 1,163 high school seniors that met certain academic requirements. The students were required to rank in the top 15.00% of their high school class and submit scores from the American College Testing (ACT) or Scholastic Aptitude Test (SAT).

47 1 Sec. 28. NEW SECTION. 272.29 ANNUAL ADMINISTRATIVE RULES
 47 2 REVIEW.

47 3 The executive director shall annually review the
 47 4 administrative rules adopted pursuant to this chapter and
 47 5 related state laws. The executive director shall annually
 47 6 submit the executive director's findings and recommendations
 47 7 in a report to the board and the chairpersons and ranking
 47 8 members of the senate and house standing committees on
 47 9 education and the joint appropriations subcommittee on
 47 10 education by January 15.

CODE: Requires the Executive Director of the Board of Educational Examiners to annually review the Board's administrative rules and related State laws and submit a report of findings and recommendations to the chairpersons and ranking members of the Senate and House Education Committees and the Joint Education Appropriations Subcommittee by January 15.

47 11 Sec. 29. Section 284.4, subsection 1, paragraph c, Code
 47 12 2005, is amended to read as follows:

47 13 c. Provide, beginning in the fifth year of participation,
 47 14 the equivalent of ~~two~~ one additional contract ~~days~~ day,

CODE: Specifies that one day, rather than two days, of teacher career development must be provided by a school district in the fifth year of participation in the Student Achievement and Teacher Quality Program.

47 15 outside of instruction time, than ~~were~~ was provided in the
 47 16 school year preceding the first year of participation, to
 47 17 provide additional time for teacher career development that
 47 18 aligns with student learning and teacher development needs,
 47 19 including the integration of technology into curriculum
 47 20 development, in order to achieve attendance center and
 47 21 district-wide student achievement goals outlined in the
 47 22 district comprehensive school improvement plan. School
 47 23 districts are encouraged to develop strategies for
 47 24 restructuring the school calendar to provide for the most
 47 25 effective professional development, evaluate their current
 47 26 career development alignment with their student achievement
 47 27 goals and research-based instructional strategies, and
 47 28 implement district career development plans. A school
 47 29 district that provides the equivalent of ten or more contract
 47 30 days for career development is exempt from this paragraph.

47 31 Sec. 30. Section 284.13, subsection 1, paragraphs a, d,
 47 32 and i, Code 2005, are amended by striking the paragraphs.

CODE: Repeals funding for the team-based variable pay and evaluator training components of the Student Achievement and Teacher Quality Program. Strikes a provision that permitted flexibility in the allocation of funds between evaluator training and career development.

47 33 Sec. 31. Section 284.13, subsection 1, paragraphs b and c,
 47 34 Code 2005, are amended to read as follows:

47 35 b. For the fiscal year beginning July 1, ~~2004~~ 2005, and
 48 1 ending June 30, ~~2005~~ 2006, to the department of education, the
 48 2 amount of ~~one two million one hundred thousand~~ dollars for the
 48 3 issuance of national board certification awards in accordance
 48 4 with section 256.44. From the moneys allocated to the
 48 5 department pursuant to this paragraph, up to five thousand
 48 6 dollars shall be used for purposes of conducting a study of
 48 7 the impact the national board for professional teaching
 48 8 standards certification of Iowa's teachers has on student
 48 9 achievement and the advisability of continuing state funding
 48 10 pursuant to section 256.44. The department shall submit its

CODE: Allocates \$2,000,000 from the FY 2006 Student Achievement and Teacher Quality Program appropriation for the issuance of National Board Certification awards. Requires that up to \$5,000 of the allocation be used to conduct a study of the impact of National Board Certification on student achievement.

DETAIL: This is an increase of \$900,000 compared to the FY 2005 allocation.

VETOED

VETOED: The Governor vetoed the language requiring a study of the impact of National Board Certification on student achievement. The Governor stated \$5,000 was inadequate funding to complete the study

48 11 findings and recommendations to the chairpersons and ranking
 48 12 members of the house and senate committees on education and
 48 13 the chairpersons and ranking members of the joint
 48 14 appropriations subcommittee on education by January 15, 2006.]

and that studies underway nationally will provide sufficient information on which to base a decision about future funding of the Program.

48 15 c. For the fiscal year beginning July 1, ~~2004~~ 2005, and
 48 16 succeeding fiscal years, an amount up to ~~three~~ four million
 48 17 ~~five~~ two hundred thousand dollars for first-year and second-
 48 18 year beginning teachers, to the department of education for
 48 19 distribution to school districts for purposes of the beginning
 48 20 teacher mentoring and induction programs. A school district
 48 21 shall receive one thousand three hundred dollars per beginning
 48 22 teacher participating in the program. If the funds
 48 23 appropriated for the program are insufficient to pay mentors
 48 24 and school districts as provided in this paragraph, the
 48 25 department shall prorate the amount distributed to school
 48 26 districts based upon the amount appropriated. Moneys received
 48 27 by a school district pursuant to this paragraph shall be
 48 28 expended to provide each mentor with an award of five hundred
 48 29 dollars per semester, at a minimum, for participation in the
 48 30 school district's beginning teacher mentoring and induction
 48 31 program; to implement the plan; and to pay any applicable
 48 32 costs of the employer's share of contributions to federal
 48 33 social security and the Iowa public employees' retirement
 48 34 system or a pension and annuity retirement system established
 48 35 under chapter 294, for such amounts paid by the district.

CODE: Allocates \$4,200,000 from the FY 2006 Student Achievement and Teacher Quality Program appropriation for the Beginning Teacher Mentoring and Induction Program.

DETAIL: This is an increase of \$700,000 compared to the FY 2005 allocation.

49 1 Sec. 32. Section 284.13, subsection 1, paragraph e, Code
 49 2 2005, is amended to read as follows:
 49 3 e. For the fiscal year beginning July 1, ~~2004~~ 2005, and
 49 4 ending June 30, ~~2005~~ 2006, up to ~~two~~ four hundred fifty
 49 5 ~~eighty~~-five thousand dollars to the department of education
 49 6 for purposes of implementing the career development program
 49 7 requirements of section 284.6, ~~and~~ the review panel
 49 8 requirements of section 284.9, and the evaluator training
 49 9 program in section 284.10. From the moneys allocated to the
 49 10 department pursuant to this paragraph, not less than ~~seventy~~-

CODE: Allocates up to \$485,000 from the FY 2006 Student Achievement and Teacher Quality Program appropriation for the Career Development and Evaluator Training Programs. Of that amount, \$85,000 is allocated to the Ambassador for Education and \$10,000 is allocated to the Board of Educational Examiners for purposes of convening an educator licensing review working group.

DETAIL: This is an increase of \$235,000 compared to the FY 2005 allocation, including an increase of \$10,000 in the sub-allocation for the Ambassador to Education Program and a new sub-allocation of \$10,000 for the Board of Educational Examiners.

49 11 ~~five ten thousand dollars shall be used to administer the~~
 49 12 ~~ambassador to education position in accordance with section~~
 49 13 ~~256.45 distributed to the board of educational examiners for~~
 49 14 ~~purposes of convening an educator licensing review working~~
 49 15 ~~group. From the moneys allocated to the department pursuant~~
 49 16 ~~to this paragraph, not less than eighty-five thousand dollars~~
 49 17 ~~shall be used to administer the ambassador to education~~
 49 18 ~~position in accordance with section 256.45. A portion of the~~
 49 19 funds allocated to the department for purposes of this
 49 20 paragraph may be used by the department for administrative
 49 21 purposes. Notwithstanding section 8.33, moneys allocated for
 49 22 purposes of this paragraph prior to July 1, 2004, which remain
 49 23 unobligated or unexpended at the end of the fiscal year for
 49 24 which the moneys were appropriated, shall remain available for
 49 25 expenditure for the purposes for which they were allocated,
 49 26 for the fiscal year beginning July 1, 2004, and ending June
 49 27 30, 2005.

49 28 Sec. 33. Section 284.13, subsection 1, Code 2005, is
 49 29 amended by adding the following new paragraphs before
 49 30 paragraph h:

49 31 NEW PARAGRAPH. ga. For the fiscal year beginning July 1,
 49 32 2005, and ending June 30, 2006, up to ten million dollars to
 49 33 the department of education for use by school districts to add
 49 34 one additional teacher contract day to the school calendar.
 49 35 The department shall distribute funds allocated for the
 50 1 purpose of this paragraph based on the average per diem
 50 2 contract salary for each district as reported to the
 50 3 department for the school year beginning July 1, 2004,
 50 4 multiplied by the total number of full-time equivalent
 50 5 teachers in the base year. The department shall adjust each
 50 6 district's average per diem salary by the allowable growth
 50 7 rate established under section 257.8 for the fiscal year
 50 8 beginning July 1, 2005. The contract salary amount shall be
 50 9 the amount paid for their regular responsibilities but shall
 50 10 not include pay for extracurricular activities. A school

CODE: Allocates up to \$10,000,000 from the FY 2006 Student Achievement and Teacher Quality Program appropriation to add one additional teacher contract day to the school calendar. Requires that the funds be distributed to school districts based on each district's average per diem contract salary.

Requires school districts to report to the Department of Education, describing the use of the funds. Requires the Department of Education to submit a report on the use of the funds to the House and Senate Education Committees, the Joint Education Appropriations Subcommittee, and the Legislative Services Agency by January 15, 2006.

50 11 district shall submit a report to the department in a manner
 50 12 determined by the department describing its use of the funds
 50 13 received under this paragraph. The department shall submit a
 50 14 report on school district use of the moneys distributed
 50 15 pursuant to this paragraph to the chairpersons and ranking
 50 16 members of the house and senate standing committees on
 50 17 education, the joint appropriations subcommittee on education,
 50 18 and the legislative services agency not later than January 15,
 50 19 2006.

50 20 NEW PARAGRAPH. gb. For the fiscal year beginning July 1,
 50 21 2005, and ending June 30, 2006, up to six million six hundred
 50 22 twenty-five thousand dollars to the department of education
 50 23 for use by school districts for either salaries or
 50 24 professional development, or both, as determined by the school
 50 25 district. Funds received by a school district for purposes of
 50 26 this paragraph shall be distributed using the formula provided
 50 27 in paragraph "f" and are subject to the provisions of section
 50 28 284.7, subsection 6. A school district shall submit a report
 50 29 to the department in a manner determined by the department
 50 30 describing its use of the funds received under this paragraph.
 50 31 The department shall submit a report on school district use of
 50 32 the funds distributed pursuant to this paragraph to the
 50 33 chairpersons and ranking members of the house and senate
 50 34 standing committees on education, the joint appropriations
 50 35 subcommittee on education, and the legislative services agency
 51 1 not later than January 15, 2006.

[51 2 NEW PARAGRAPH. gc. For the fiscal year beginning July 1,
 51 3 2005, and succeeding fiscal years, up to one million dollars
 51 4 to the department of education for purposes of the value-added
 51 5 assessment system established pursuant to section 256.24. The
 51 6 department shall allocate the moneys to school districts based
 51 7 upon the percentage of the budget enrollment of each school
 51 8 district for the fiscal year beginning July 1, 2004, compared
 51 9 to the budget enrollment of all school districts in the state
 51 10 for the fiscal year beginning July 1, 2004. The department

CODE: Allocates up to \$6,625,000 from the FY 2006 Student Achievement and Teacher Quality Program appropriation for either salaries or professional development, at the discretion of each school district. Requires districts to distribute the funds using the Program's formula for salary funding.

Requires school districts to report to the Department of Education, describing the use of the funds. Requires the Department of Education to submit a report on the use of the funds to the House and Senate Education Committees, the Joint Education Appropriations Subcommittee, and the Legislative Services Agency by January 15, 2006.

CODE: Allocates up to \$1,000,000 from the FY 2006 Student Achievement and Teacher Quality Program appropriation to the Department of Education to establish the value-added assessment system required in Section 19 of the Act.

VETOED: The Governor vetoed this allocation, as well as Section 19 of the Act that required the establishment of the value-added assessment system. The Governor stated that the system would be redundant and would have long-range unintended effects on existing local and State assessment systems.

VETOED

51 11 shall distribute the moneys to a school district upon
 51 12 demonstration by the school district to the department that
 51 13 the school district agrees to participate in a qualified
 51 14 value-added assessment system.]

51 15 Sec. 34. Section 301.1, subsection 2, Code 2005, is
 51 16 amended to read as follows:
 51 17 2. Textbooks adopted and purchased by a school district
 51 18 shall, to the extent funds are appropriated by the general
 51 19 assembly, be made available to pupils attending accredited
 51 20 nonpublic schools upon request of the pupil or the pupil's
 51 21 parent under comparable terms as made available to pupils
 51 22 attending public schools. If the general assembly
 51 23 appropriates moneys for purposes of making textbooks available
 51 24 to accredited nonpublic school pupils, the department of
 51 25 education shall ascertain the amount available to a school
 51 26 district for the purchase of nonsectarian, nonreligious
 51 27 textbooks for pupils attending accredited nonpublic schools.
 51 28 The amount shall be in the proportion that the basic
 51 29 enrollment of a participating accredited nonpublic school
 51 30 bears to the sum of the basic enrollments of all participating
 51 31 accredited nonpublic schools in the state for the budget year.
 51 32 For purposes of this section, a "participating accredited
 51 33 nonpublic school" means an accredited nonpublic school that
 51 34 submits a written request on behalf of the school's pupils in
 51 35 accordance with this subsection, and that certifies its actual
 52 1 enrollment to the department of education by October 1,
 52 2 annually. By October 15, annually, the department of
 52 3 education shall certify to the director of the department of
 52 4 administrative services the annual amount to be paid to each
 52 5 school district, and the director of the department of
 52 6 administrative services shall draw warrants payable to school
 52 7 districts in accordance with this subsection. For purposes of
 52 8 this subsection, an accredited nonpublic school's enrollment
 52 9 count shall include only students who are residents of Iowa.
 52 10 The costs of providing textbooks to accredited nonpublic
 52 11 school pupils as provided in this subsection shall not be

CODE: Specifies that, in the event an accredited nonpublic school relocates to a new school district, textbooks purchased by a school district on behalf of the nonpublic school, using State funds appropriated for that purpose, shall transfer to the district where the nonpublic school has relocated and may be made available to the nonpublic school. Specifies that any unexpended funds intended for purchase of textbooks for the nonpublic school shall also transfer.

52 12 included in the computation of district cost under chapter
52 13 257, but shall be shown in the budget as an expense from
52 14 miscellaneous income. Textbook expenditures made in
52 15 accordance with this subsection shall be kept on file in the
52 16 school district. In the event that a participating accredited
52 17 nonpublic school physically relocates to another school
52 18 district, textbooks purchased for the nonpublic school with
52 19 funds appropriated for purposes of this chapter shall be
52 20 transferred to the school district in which the nonpublic
52 21 school has relocated and may be made available to the
52 22 nonpublic school. Funds distributed to a school district for
52 23 purposes of purchasing textbooks in accordance with this
52 24 subsection which remain unexpended and available for the
52 25 purchase of textbooks for the nonpublic school that relocated
52 26 in the fiscal year in which the funds were distributed shall
52 27 also be transferred to the school district in which the
52 28 nonpublic school has relocated.

52 29 Sec. 35. EFFECTIVE DATE. The section of this Act that
52 30 amends section 257B.1B, being deemed of immediate importance,
52 31 takes effect upon enactment.

Specifies that Section 22 of the Act, allocating interest from the Permanent School Fund to the Iowa Reading Recovery Council, takes effect upon enactment.

52 32 HF 816
52 33 kh:mg/es/25

EXECUTIVE SUMMARY

HEALTH AND HUMAN SERVICES APPROPRIATIONS ACT

HOUSE FILE 825

FUNDING SUMMARY

- Appropriates \$997.1 million and 6,857.5 FTE positions from the General Fund to the Departments of Elder Affairs, Public Health, Human Services, the Commission of Veteran Affairs, and the Iowa Veterans Home. This is an increase of \$200.1 million and a decrease of 15.0 FTE positions compared to estimated net FY 2005.
- House File 882 (FY 2006 Standing Appropriations Act) reduced the FY 2006 General Fund appropriations in HF 825 by \$11.5 million.
- House File 841 (IowaCare Medicaid Reform Act) reduced the FY 2006 General Fund appropriations in HF 825 by \$25.9 million.
- Appropriates \$8.1 million from the Gambling Treatment Fund for substance abuse and gambling addiction treatment. This is no change compared to estimated net FY 2005. (Page 9, Line 3 through Page 9, Line 14)
- Appropriates \$100.3 million and 13.0 FTE positions from the Senior Living Trust Fund to the Departments of Elder Affairs, Human Services, Inspections and Appeals, and the Iowa Finance Authority. This is a decrease of \$62.0 million and no change in FTE positions compared to estimated net FY 2005. (Page 50, Line 13 through Page 52, Line 10)
- House File 882 (FY 2006 Standing Appropriations Act) increased the FY 2006 Senior Living Trust Fund appropriation for Medicaid by \$9.4 million.
- Appropriates \$142.7 million from Temporary Assistance to Needy Families (TANF) funds to the Department of Human Services (DHS). This is a decrease of \$5.6 million compared to estimated net FY 2005.
- Appropriates \$22.9 million from the Hospital Trust Fund for the Medical Assistance (Medicaid) Program. This is a decrease of \$14.6 million compared to estimated net FY 2005.
- House File 841 (IowaCare Medicaid Reform Act) eliminated the Hospital Trust Fund appropriation of \$22.9 million provided in HF 825.
- House File 841 established the IowaCare Account and appropriated \$93.2 million from the Account.
- Transfers \$1.1 million from the Medicaid appropriation to the Department of Public Health to establish a Collaborative Safety Net Provider Network to provide health care services to the uninsured. (Page 5, Line 27 through Page 8, Line 14)
- Allocates \$100,000 from the Gambling Treatment Fund appropriation to the Department of Public Health to begin activities associated with the licensure of gambling treatment programs. (Page 9, Line 3)
- Allocates \$100,000 from the appropriation for the Family Investment Program (FIP) in the DHS for an Earned Income Tax Credit Program. (Page 15, Line 9)

NEW PROGRAMS, SERVICES, OR ACTIVITIES

**EXECUTIVE SUMMARY
HEALTH AND HUMAN SERVICES APPROPRIATIONS ACT**

HOUSE FILE 825

**NEW PROGRAMS, SERVICES, OR
ACTIVITIES (CONTINUED)**

**MAJOR INCREASES, DECREASES,
OR TRANSFERS OF EXISTING
PROGRAMS**

- Allocates \$900,000 from the appropriation for the Child Care Assistance Program in the DHS for the establishment of a Quality Rating System. (Page 22, Line 20)
- Establishes the Office of Substitute Decision Maker in the Department of Elder Affairs if the Department determines adequate funding is available. (Page 98, Line 1)
- Appropriates \$25.6 million and 147.0 FTE positions from the General Fund to the Department of Public Health. This is an increase of \$1.4 million and 5.5 FTE positions compared to estimated net FY 2005. The major changes include:
 - Addictive Disorders - An increase of \$492,000 for tobacco use prevention community partnerships and second hand smoke education initiatives. (Page 2, Line 10)
 - Chronic Conditions - An increase of \$419,000 and 0.5 FTE position to provide additional funding for the AIDS Drug Assistance Program (ADAP), Child Health Specialty Clinics, and to establish a Hepatitis C Awareness Program. (Page 3, Line 4)
 - Environmental Hazards - An increase of \$150,000 and 1.0 FTE position for expansion of childhood lead poisoning prevention activities. (Page 3, Line 28)
 - Injuries - The Department is required to transfer grant administration and \$670,000 in funding for the Healthy Opportunities for Parents to Experience Success (HOPES) Program to the State Empowerment Board. (Page 4, Line 13)
 - Public Protection - An increase of \$344,000 and 3.7 FTE positions to provide funding for staff and lab resources for the State Medical Examiner's new facility and for the transfer of the Hearing Impaired Licensure Board. (Page 4, Line 33)
 - Resource Management - An increase of \$95,000 for Department of Administrative Services (DAS) charges for expenses associated with the State Medical Examiner's new lab space and for the transfer of health insurance premium savings. (Page 5, Line 8)
- Appropriates \$40.4 million for the Family Investment Program within the DHS. This is a net increase of \$1.4 million compared to estimated net FY 2005 for federal maintenance of effort requirements and FY 2005 carryforward funds. (Page 14, Line 32)
- Appropriates \$519.0 million for the Medical Assistance (Medicaid) Program within the DHS. This is a net increase of \$96.2 million compared to estimated net FY 2005. (Page 16, Line 8) The major changes include:
 - An increase of \$31.4 million for increases in enrollment and utilization.
 - An increase of \$14.6 million to replace a projected shortfall in the Hospital Trust Fund.
 - An increase of \$2.7 million for Medicare Part D activities.

EXECUTIVE SUMMARY HEALTH AND HUMAN SERVICES APPROPRIATIONS ACT

HOUSE FILE 825

MAJOR INCREASES, DECREASES, OR TRANSFERS OF EXISTING PROGRAMS (CONTINUED)

- An increase of \$6.0 million to decrease the waiting list of those eligible for various Home and Community-Based Service Waivers lists.
- An increase of \$16.5 million for a 3.0% provider rate increase.
- A net increase of \$35.5 million to reduce the appropriation from the Senior Living Trust Fund.
- An increase of \$1.1 million for Community Health Centers.
- An increase of \$9.8 million for the nursing facility reimbursement rate rebase.
- A decrease of \$4.2 million to eliminate the nursing facility direct and non-direct care excess payments.
- A decrease of \$2.1 million to change eligibility in the State Supplementary Assistance Program to draw federal matching funds for the payment of Medicare premiums.
- A decrease of \$7.9 million for savings from the Iowa Medicaid Enterprise.
- Appropriates \$14.7 million for Medical Contracts within the DHS. This is an increase of \$5.0 million compared to estimated net FY 2005 to implement the Iowa Medicaid Enterprise contracts. (Page 20, Line 19)
- Appropriates \$16.6 million for the Children's Health Insurance Program (*hawk-i*) within the DHS. This is an increase of \$4.5 million compared to estimated net FY 2005 for caseload growth. (Page 21, Line 24)
- Appropriates \$15.8 million for the Child Care Assistance Program in the DHS. This is an increase of \$10.8 million compared to estimated net FY 2005. (Page 22, Line 1) The major changes include:
 - An increase of \$7.5 million for provider reimbursements effective September 1, 2005.
 - An increase of \$2.4 million to expand eligibility for the Program to 145% of the Federal Poverty Level (FPL) and to 200% of FPL for special needs subsidy effective September 1, 2005.
 - An increase of \$900,000 to implement the Quality Rating System.
- Appropriates \$16.1 million for the two juvenile institutions within the DHS. This is an increase of \$343,000 compared to estimated net FY 2005 for substance abuse treatment at both institutions and school books and supplies at Toledo. (Page 23, Line 23 and Page 23, Line 28)
- Appropriates \$75.2 million for Child and Family Services in the DHS. This is a net decrease of \$22.3 million compared to estimated net FY 2005. (Page 24, Line 3) This includes:
 - A decrease of \$29.0 million to transfer funds to a separate appropriation for the Adoption Subsidy Program.
 - An increase of \$2.3 million for various child welfare programs.

**EXECUTIVE SUMMARY
HEALTH AND HUMAN SERVICES APPROPRIATIONS ACT**

HOUSE FILE 825

**MAJOR INCREASES, DECREASES,
OR TRANSFERS OF EXISTING
PROGRAMS (CONTINUED)**

- An increase of \$2.2 million to replace one-time funds provided in FY 2005.
- An increase of \$2.2 million for a 3.0% rate increase for Rehabilitative Treatment Support Service (RTSS) and social services providers.
- A decrease of \$2.2 million as a result of carry forward funds.
- An increase of \$600,000 for child welfare redesign activities.
- An increase of \$440,000 for changes in the federal participation rate.
- An increase of \$364,000 for foster care and independent living maintenance rates.
- An increase of \$900,000 for Child Protection Centers.
- A decrease of \$109,000 for a technical adjustment.
- Appropriates \$32.3 million for the Adoption Subsidy Program. This is a new appropriation for FY 2006. (Page 30, Line 20)
This includes:
 - An increase of \$29.0 million to transfer funds from the Child and Family Services appropriation.
 - An increase of \$2.3 million for projected caseload growth.
 - An increase of \$239,000 for changes in the federal match rate.
 - An increase of \$722,000 for adoption subsidy maintenance rates.
 - A decrease of \$26,000 for a technical adjustment.
- Appropriates \$19.7 million for the State Resource Centers at Glenwood and Woodward. This is an increase of \$6.4 million compared to estimated net FY 2005 for costs relating to community placement and federal Department of Justice settlement costs. (Page 34, Lines 1 and 4)
- Eliminates the appropriation for the Personal Assistance Program.
- Increases the Mental Health Allowed Growth Factor by \$4.8 million. This was appropriated in SF 2298 (FY 2005 Omnibus Appropriations Act). The distribution is found on Page 54, Line 19.
- Appropriates \$53.8 million for Field Operations within the DHS. This is an increase of \$271,000 compared to estimated net FY 2005 for staff to cover program eligibility expansion. (Page 38, Line 18)
- Appropriates \$100.3 million from the Senior Living Trust Fund to the Departments of Elder Affairs, Human Services, Inspections and Appeals, and the Iowa Finance Authority. This is a net decrease of \$62.0 million compared to estimated net FY 2005. The change includes:
 - A decrease of \$42.0 million for the DHS to supplement Medicaid. This is offset by an increase from the General Fund. (Page 51, Line 18)
 - A decrease of \$20.0 million for the DHS for elimination of funding for conversion grants. (This is not shown in the Act).

**SENIOR LIVING TRUST FUND AND
HOSPITAL TRUST FUND**

**EXECUTIVE SUMMARY
HEALTH AND HUMAN SERVICES APPROPRIATIONS ACT**

HOUSE FILE 825

**SENIOR LIVING TRUST FUND AND
HOSPITAL TRUST FUND
(CONTINUED)**

STUDIES AND INTENT LANGUAGE

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA**

- An increase of \$700,000 to the Iowa Finance Authority for the Rent Subsidy Program. The funds were previously appropriated to the DHS for this purpose. (Page 52, Line 20)
- An increase of \$67,000 and 1.0 FTE position for the Department of Elder Affairs resulting from the transfer of an FTE position from the Department of Inspections and Appeals for activities associated with the regulation of assisted living programs. (Page 50, Line 13 and Page 50, Line 33)
- Appropriates \$22.9 million from the Hospital Trust Fund to the DHS to supplement Medicaid. This is a decrease of \$14.6 million compared to estimated net FY 2005. (Page 52, Line 33)
- Requires the Department of Elder Affairs to transfer \$174,000 to the Commission on Volunteer Services to be used for Retired Senior Volunteer Programs (RSVPs). (Page 1, Line 34)
- Requires the Department of Public Health to issue Requests for Proposals (RFPs) to establish the Collaborative Safety Net Provider Network to provide services to the medically uninsured, as well as to provide for an evaluation of the Network. (Page 5, Line 31 through Page 8, Line 22)
- Requires the DHS to adopt administrative rules to expand eligibility for the Child Care Assistance Program to 145% of the Federal Poverty Level (FPL) and to 200% for families with a special needs child. (Page 22, Line 24)
- Requires the DHS to use \$900,000 of the appropriation for the Child Care Assistance Program to implement a Quality Rating System. (Page 22, Line 20)
- Requires the DHS to revise policies or administrative rules that apply when a breastfeeding infant is removed from the home to allow the mother to continue to breastfeed when it is in the best interest of the infant. (Page 30, Line 15)
- Requires the DHS to amend the Request for Proposal (RFP) issued on April 15, 2005, to increase the Statewide daily average number of beds cover under the RFP to 288 to include 15 emergency placements. If the enactment of this Act does not permit sufficient time to amend the RFP, the DHS is required to apply the number in negotiations and the final contract. (Page 45, Line 14)
- Eliminates the Excess Payments for Direct and Non-Direct Care in the case-mix reimbursement system for nursing facilities. (Page 45, Line 28)
- Permits nonreversion of FY 2005 funds available for Child and Family Services Child Welfare. (Page 47, Line 10)
- Increases the FY 2005 carryforward amount for the Iowa Veterans Home by \$500,000. (Page 47, Line 18)
- Permits nonreversion of FY 2005 funds available from the federal Food Stamp Electronic Benefits Transfer. (Page 47, Line 25)

EXECUTIVE SUMMARY HEALTH AND HUMAN SERVICES APPROPRIATIONS ACT

HOUSE FILE 825

SIGNIFICANT CHANGES TO THE CODE OF IOWA (CONTINUED)

- Permits nonreversion of FY 2005 funds available from the Sexual Predator Commitment Program. (Page 47, Line 35)
- Permits nonreversion of FY 2005 funds available from the Field Operations, with one-half used for implementation of Medicare Part D. (Page 48, Line 7)
- Requires funds remaining from the FY 2006 Medical Assistance (Medicaid) Program appropriation be transferred to the Senior Living Trust Fund. (Page 53, Line 16)
- Historically, in the Health and Human Services Appropriations Act, there has been language in Session Law that is the same each year. For FY 2006, much of this Session Law language is codified in this Act. For purposes of this Summary, these historical changes are not delineated here.
- Eliminates the duties of the Substance Abuse Commission. Two members will be added to the State Board of Health to represent substance abuse interests. (Page 57, Line 8; Page 61, Line 22 through Page 69, Line 3; Page 69, Line 32 through Page 70, Line 19; Page 95, Line 31 and Page 97, Line 16)
- Establishes the Transitional Housing Revolving Loan Fund within the Iowa Finance Authority. (Page 57, Line 16)
- Requires Gambling Treatment Programs to be licensed by the Department of Public Health. (Page 69, Line 9)
- Permits nonreversion of funds from birth certificate fees for the Primary and Secondary Child Abuse Prevention Programs and for the Center for Congenital and Inherited Disorders Central Registry. (Page 71, Line 12)
- Requires federal Social Security Act benefit payments from clients within the Sexual Predator Commitment Program be used for the costs incurred by the client within the Program. (Page 84, Line 25)
- Changes the eligibility within the State Supplementary Assistance Program to allow the State to draw federal matching funds in the Medical Assistance Program. (Page 88, Line 27)
- Requires that the Health Insurance Data Match Program compare the names of those eligible for the Healthy and Well Kids in Iowa (*hawk i*) Program. (Page 96, Line 13)
- Establishes the Substitute Decision Makers Act. (Page 97, Line 33 through Page 110, Line 10)
- Establishes the intent for the Long Term Living System. (Page 110, Line 13)

**EXECUTIVE SUMMARY
HEALTH AND HUMAN SERVICES APPROPRIATIONS ACT**

HOUSE FILE 825

EFFECTIVE DATES

- Provides that the following Sections take effect on enactment: (Page 49, Line 18 and Page 53, Line 28)
 - The Juvenile Court Services plan for group foster care expenditures.
 - The allocation of court-ordered services funding by the State Court Administrator.
 - The Request for Proposal (RFP) for shelter care services.
 - The increase in the carryforward for FY 2005 of the Iowa Veterans Home.
 - The carryforward of FY 2005 funds from the Electronic Benefit Transfer effort.
 - The carryforward of FY 2005 funds from the Sexual Predator Commitment Program.
 - The carryforward of FY 2005 funds from the DHS Field Operations line-item.
 - The carryforward of FY 2004 DHS child welfare funds.
 - The nonreversion of assisted living conversion grant funds.
 - The nonreversion of birth certificate registration fees.

GOVERNOR'S VETOES

- The Governor vetoed the requirements the DHS would have to comply with to implement cost savings for the Medicaid Preferred Drug List (PDL). The Governor stated that the requirements were impractical; create an unnecessary barrier to effective implementation of the PDL; and provide preferential treatment to drug manufacturers. (Page 19, Line 23)
- The Governor vetoed language directing the DHS to continue contracting with current service providers for mental health services provided to the homeless rather than requesting competitive bids. The Governor stated that he supports the competitive bidding process in order to get the best value and service possible and the language does not allow for this. (Page 37, Line 14)

ENACTMENT DATE

- This Act was approved by the General Assembly on May 20, 2005, and item vetoed and signed by the Governor on June 14, 2005.

House File 825 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
26	1	16.4	Nwthstnd	Sec. 8.33	Nonreversion of Decategorization Funds
26	22	16.6	Nwthstnd	Sec. 234.35(1)	State Funding for Shelter Care
26	26	16.7	Nwthstnd	Sec. 8.33	Nonreversion of Child Welfare Funds
27	22	16.10.4(a)	Nwthstnd	Sec. 232.141	DHS District Formulas for Juvenile Justice Costs and Expenses
27	28	16.10.4(b)	Nwthstnd	Chapter 232	Judicial Branch Service Funds
28	7	16.10.4(c)	Nwthstnd	All	Payment for Services of Juveniles
28	18	16.11	Nwthstnd	Sec. 43, Chapter 1228, 2000 Iowa Acts	Subsidized Guardianship Program
30	32	17.3	Nwthstnd	Sec. 8.33	Nonreversion of Adoption Subsidy Funds
32	21	19.2	Nwthstnd	Sec. 225C.38(1)	Monthly Family Support Payments
42	9	29.1(k)	Nwthstnd	Sec. 249A.20	Average Reimbursement Rate for Resource-Based Relative Value Scale Providers
43	1	29.5	Nwthstnd	sec. 234.38	Foster and Adoption Subsidy Rates
44	13	29.9(b)	Nwthstnd	Sec. 232.141(8)	Average Reimbursement Rates for Shelter Care
44	20	29.9(c)	Nwthstnd	Sec. 8A.311	Competitive Bidding for Shelter Care Contracts
45	28	31	Amends	Sec 4(3)(e)(f) Chapter 192, 2001 Iowa Acts	Nursing Facility Excess Payment Allowance
47	10	32	Nwthstnd	Sec. 45, Chapter 178, 2003 Iowa Acts as amended by Section 160, Chapter 1175, 2004 Iowa Acts	Child Welfare Funds Carryforward
47	18	33	Amends	Sec. 109 (2)(g), Chapter 1175, 2004 Iowa Acts	Iowa Veterans Home FY 2005 Carryforward
47	25	34	Adds	Sec. 113, Chapter 1175, 2004 Iowa Acts	Electronic Benefits Transfer Funds Carryforward

Page #	Line #	Bill Section	Action	Code Section	Description
47	35	35	Adds	Sec. 134, Chapter 1175, 2004 Iowa Acts	Sexual Predator Program FY 2005 Carryforward
48	7	36	Adds	Sec. 135, Chapter 1175, 2004 Iowa Acts	Field Operations FY 2005 Carryforward
50	26	41	Nwthstnd	Sec. 249H.7	Federal Matching Funds for Older Americans Act
52	5	43.4	Nwthstnd	Sec. 249H.4 and 249H.5	Use of Senior Living Trust Fund for Cash Flow
52	12	44	Nwthstnd	Sec. 8.33	Nonreversion of Conversion Grant Funds
53	16	48	Nwthstnd	Sec. 8.33	Nonreversion of FY 2006 Medical Assistance Reversion Transfer to Senior Living Trust Fund
54	10	51	Amends	Sec. 173 (2)(c), Chapter 1175, 2004 Iowa Acts	Risk Pool Transfer to Medical Assistance
57	8	54	Amends	Sec. 15H.3(5), HF 478, 2005 Iowa Acts	Volunteer Service Commission Member Terms
57	16	55	Adds	Sec. 16.184	Transitional Housing Revolving Loan Program Fund
58	23	56	Amends	Sec. 28.9(3)	Community Empowerment Funding
60	2	57	Adds	Sec. 35D.18	Net Budgeting for the Iowa Veterans Home
61	6	58	Amends	Sec. 84A.6(2)	Family Investment Program
61	22	59	Adds	Sec. 125.2(A1)	State Board of Health Duties for Substance Abuse
61	26	60	Repeals	Sec. 125.2(6)	Commission on Substance Abuse Eliminated
61	28	61	Amends	Sec. 125.3	Conforming Language Reflecting Elimination of Commission on Substance Abuse
62	9	62	Amends	Sec. 125.7	Conforming Language Reflecting Elimination of Commission on Substance Abuse
63	1	63	Amends	Sec. 125.9(1)	Technical Correction
63	7	64	Amends	Sec. 125.10(1)(11)	Conforming Language Reflecting Elimination of Commission on Substance Abuse
63	18	65	Amends	Sec. 125.12(1)	Conforming Language Reflecting Elimination of Commission on Substance Abuse

Page #	Line #	Bill Section	Action	Code Section	Description
63	34	66	Amends	Sec. 125.13(2)(a)(b)(i)(j)	Conforming Language Reflecting Elimination of Commission on Substance Abuse
64	30	67	Amends	Sec. 125.14	Conforming Language Reflecting Elimination of Commission on Substance Abuse
65	11	68	Amends	Sec. 125.15A(1)(b)	Conforming Language Reflecting Elimination of Commission on Substance Abuse
65	15	69	Amends	Sec. 125.16	Conforming Language Reflecting Elimination of Commission on Substance Abuse
65	24	70	Amends	Sec. 125.17	Conforming Language Reflecting Elimination of Commission on Substance Abuse
66	9	71	Amends	Sec. 125.18	Conforming Language Reflecting Elimination of Commission on Substance Abuse
66	33	72	Amends	Sec. 125.19	Conforming Language Reflecting Elimination of Commission on Substance Abuse
67	11	73	Amends	Sec. 125.21	Conforming Language Reflecting Elimination of Commission on Substance Abuse
67	32	74	Amends	Sec. 125.43A	Conforming Language Reflecting Elimination of Commission on Substance Abuse
68	19	75	Amends	Sec. 125.58(1)	Conforming Language Reflecting Elimination of Commission on Substance Abuse
69	4	76	Adds	Sec. 135.39C	Elderly Wellness Services
69	9	77	Amends	Sec. 135.150 (2)	Licensure of Gambling Treatment Programs
69	32	78	Amends	Sec. 136.1	Additional Membership on State Board of Health
70	4	79	Amends	Sec. 136.3(7)	Conforming Language Reflecting Elimination of Commission on Substance Abuse
70	16	80	Adds	Sec. 136.3(10)	Conforming Language Reflecting Elimination of Commission on Substance Abuse
70	20	81	Amends	Sec. 136C.10(1)	Mammography License Fees
71	12	82	Amends	Sec. 144.13A(4)(a)	Carryforward of Birth Certificate Fee Revenue
71	27	83	Adds	Sec. 144.46A	Vital Records Fund
72	16	84	Adds	Sec. 147.28A	Scope of Practice Review Committee
73	24	85	Adds	Sec. 147.80	Sharing of Examining Board Staff

Page #	Line #	Bill Section	Action	Code Section	Description
73	35	86	Amends	Sec. 147.82	Department of Public Health Fees
76	14	87	Amends	Sec. 147.94	Pharmacist Licensure Fees
77	3	88	Amends	Sec. 147.102	Licensure Fees for Psychologists, Chiropractors, and Dentists
77	23	89	Amends	Sec. 154A.22	Hearing Aid Dealer License Fee
78	9	90	Amends	Sec. 155.6	Nursing Home Administrator License Fees
78	31	91	Amends	Sec. 217.13(1)	Volunteer Program Functions
79	7	92	Adds	Sec. 217.35	Fraud and Recoupment Activities
79	28	93	Adds	Sec. 218.6	Appropriations Transfers by DHS
80	4	94	Adds	Sec. 222.92	State Resource Centers Net Budgeting
81	19	95	Adds	Sec. 226.9B	Psychiatric Medical Institution Net Budgeting
82	6	96	Adds	Sec. 226.9C	Dual Diagnosis Net Budgeting
83	20	97	Amends	Sec. 226.19	Mental Health Institutes Discharge Requirements
83	32	98	Amends	Sec. 227.4	Technical Correction
84	25	99	Amends	Sec. 229A.12	Sexual Predator Program Benefit Payments
85	13	100	Adds	Sec. 231.34	Area Agencies on Aging Administrative Costs
85	19	101	Adds	Sec. 232.1A	Foster Care Placement Goal
85	26	102	Adds	Sec. 233A.1	Eldora Population Guidelines
85	33	103	Amends	Sec. 233B.1	Toledo Population Guidelines
86	22	104	Amends	Sec. 234A.12A(1)	Electronic Benefit Transfer Program
86	29	105	Amends	Sec. 237A.28	Child Care Credit Fund
87	6	106	Adds	Sec. 239B.4(3A)	DHS and Iowa Workforce Development Cooperation
87	13	106	Amends	Sec. 239B.4(3B)	DHS Host Homes
87	24	107	Amends	Sec. 239B.11	Family Investment Program Account
88	27	108	Amends	Sec. 249.3(4)(e)(g)	State Supplementary Assistance Eligibility
89	2	109	Amends	Sec. 249A.12(6)(c)	Legal Settlement
89	10	110	Adds	Sec. 249A.12(6)	Legal Settlement
89	19	111	Adds	Sec. 249A.12(7)	Legal Settlement Costs
89	30	112	Adds	Sec. 249A.24	Drug Utilization Review Commission
90	2	113	Amends	Sec. 249A.26	Services Funding for Disabilities

Page #	Line #	Bill Section	Action	Code Section	Description
92	32	114	Amends	Sec. 249A.26A	Funding for Legal Settlement
93	9	115	Adds	Sec. 249A.32A	Home and Community-Based Services Waiver Limitations
93	17	116	Adds	Sec. 249A.32B	Early Periodic Screening Diagnosis Testing Funding
93	29	117	Amends	Sec. 249J.8(4)	IowaCare Medicaid Reform Act Monitoring
94	15	118	Amends	Sec. 252B.4(3)	Child Support Recovery Unit
94	23	119	Amends	Sec. 252B.23(11)	Child Support Recovery Unit Surcharge Use
94	30	120	Adds	Sec. 252B.25	DHS Additional FTE Positions
95	25	121	Amends	Sec. 321J.25(1)(b)	Conforming Language Reflecting Elimination of the Commission on Substance Abuse
95	31	122	Amends	Sec. 321J.25(2)	Conforming Language Reflecting Elimination of the Commission on Substance Abuse
96	13	123	Amends	Sec. 505.25	Health Insurance Data Match Program
96	23	124	Amends	Sec. 514I.11(2)	hawk-i Trust Fund Usage
96	34	125	Adds	Sec. 514I.11(3)(4)(5)	hawk-i Program Provisions
97	10	126	Adds	Sec. 600.17(3)	Adoption Subsidy Payments Timing
97	21	128	Repeals	Sec. 125.4, 125.5, 125.6	Conforming Language Reflecting Elimination of the Commission on Substance Abuse
97	33	130	Adds	Sec. 231E.1	Substitute Decision Maker Act
98	1	131	Adds	Sec. 231E.2	State and local Offices of Substitute Decision Maker
98	35	132	Adds	Sec. 231E.3	Substitute Decision Maker Definitions
100	21	133	Adds	Sec. 231E.4	State Office of Substitute Decision Maker Establishment and Duties
103	34	134	Adds	Sec. 231E.5	Local Offices of Substitute Decision Maker
106	4	135	Adds	Sec. 231E.6	Court Appointment of Substitute Decision Maker
106	26	136	Adds	Sec. 231E.7	Court or Substitute Decision Maker Office Intervention
107	5	137	Adds	Sec. 231E.8	Substitute Decision Maker Appointment Requirements
108	9	138	Adds	Sec. 231E.9	Substitute Decision Maker Fees

Page #	Line #	Bill Section	Action	Code Section	Description
108	15	139	Adds and Nwthstnd	Sec. 231E.10 and Sec. 633.63	Substitute Decision Maker Conflict of Interest
108	26	140	Adds	Sec. 231E.11	Attorney General Substitute Decsion Maker Duties
109	4	141	Adds	Sec. 231E.12	Substitute Decision Maker Liability
109	14	142	Adds	Sec. 231E.13	Office of Substitute Decision Maker Implementation
109	19	143	Amends	Sec. 235B.6(2)(e)	Dependent Adult Protective Services
109	28	144	Amends	Sec. 633.63(3)	Private Non-Profit Corporation Guardianship
110	5	145	Amends	Sec. 633.63	Substitute Decision Maker Office Fiduciary Capacity
110	13	146	Adds	Sec. 231F.1	Long-Term Living System and Services

1 1 DIVISION I
 1 2 GENERAL FUND AND BLOCK GRANT APPROPRIATIONS

1 3 ELDER AFFAIRS

1 4 Section 1. DEPARTMENT OF ELDER AFFAIRS. There is
 1 5 appropriated from the general fund of the state to the
 1 6 department of elder affairs for the fiscal year beginning July
 1 7 1, 2005, and ending June 30, 2006, the following amount, or so
 1 8 much thereof as is necessary, to be used for the purposes
 1 9 designated:

1 10 For aging programs for the department of elder affairs and
 1 11 area agencies on aging to provide citizens of Iowa who are 60
 1 12 years of age and older with case management for the frail
 1 13 elderly, the retired and senior volunteer program, resident
 1 14 advocate committee coordination, employment, and other
 1 15 services which may include, but are not limited to, adult day
 1 16 services, respite care, chore services, telephone reassurance,
 1 17 information and assistance, and home repair services, and for
 1 18 the construction of entrance ramps which make residences
 1 19 accessible to the physically handicapped, and for salaries,
 1 20 support, administration, maintenance, miscellaneous purposes,
 1 21 and for not more than the following full-time equivalent
 1 22 positions with the department of elder affairs:
 1 23 \$ 2,792,116
 1 24 FTEs 27.75

General Fund appropriation to the Department of Elder Affairs for FY 2006.

DETAIL: This is an increase of \$61,594 and 1.00 FTE position for nutrition services compared to the estimated net FY 2005 appropriation.

1 25 1. Funds appropriated in this section may be used to
 1 26 supplement federal funds under federal regulations. To
 1 27 receive funds appropriated in this section, a local area
 1 28 agency on aging shall match the funds with moneys from other
 1 29 sources according to rules adopted by the department. Funds
 1 30 appropriated in this section may be used for elderly services
 1 31 not specifically enumerated in this section only if approved
 1 32 by an area agency on aging for provision of the service within
 1 33 the area.

Allows the use of funds appropriated in this Section to supplement federal funds for elderly services if the services are approved by an Area Agency on Aging, and requires local Area Agencies on Aging to match the funds for aging programs and services.

1 34 2. Of the funds appropriated in this section, \$174,198
 1 35 shall be transferred to the office of the governor for the
 2 1 Iowa commission on volunteer service to be used for the
 2 2 retired and senior volunteer program.

Requires the Department of Elder Affairs to transfer \$174,198 to the Iowa Commission on Volunteer Service within the Governor's Office for the Retired Senior Volunteer Program (RSVP).

DETAIL: Prior to the establishment of the Commission on Volunteer Service, the Department provided this amount of funds to 25 local RSVPs. The Commission was established in HF 478 (Commission on Volunteer Service Act), which was enacted during the 2005 Legislative Session, and will continue to provide this funding to local RSVPs.

2 3 HEALTH

2 4 Sec. 2. DEPARTMENT OF PUBLIC HEALTH. There is
 2 5 appropriated from the general fund of the state to the Iowa
 2 6 department of public health for the fiscal year beginning July
 2 7 1, 2005, and ending June 30, 2006, the following amounts, or
 2 8 so much thereof as is necessary, to be used for the purposes
 2 9 designated:

General Fund appropriations to the Department of Public Health for FY 2006.

2 10 1. ADDICTIVE DISORDERS
 2 11 For reducing the prevalence of use of tobacco, alcohol, and
 2 12 other drugs, and treating individuals affected by addictive
 2 13 behaviors, including gambling, and for not more than the
 2 14 following full-time equivalent positions:
 2 15 \$ 1,759,020
 2 16 FTEs 7.45

General Fund appropriation to the Addictive Disorders Program.

DETAIL: This is an increase of \$491,909 and 1.00 FTE position compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$470,000 for tobacco use prevention community partnerships.
- An increase of \$30,310 to replace the loss of federal funds used for second hand smoke education initiatives.
- A decrease of \$7,200 to eliminate funding for the Substance Abuse Commission. Individuals representing substance abuse concerns will be appointed to the State Board of Health.
- A decrease of \$1,201 due to the transfer of health insurance premium savings to Resource Management in FY 2005.
- An increase of 1.00 FTE position for activities associated with the licensure of gambling treatment programs.

2 17 The department and any grantee or subgrantee of the
 2 18 department shall not discriminate against a nongovernmental
 2 19 organization that provides substance abuse treatment and
 2 20 prevention services or applies for funding to provide those
 2 21 services on the basis that the organization has a religious
 2 22 character.

Prohibits the Department from discriminating against religious organizations that provide substance abuse treatment and prevention services or apply for funding to provide these services.

2 23 Of the moneys appropriated in this subsection, \$30,310
 2 24 shall be used to continue to provide funding to local
 2 25 communities that have previously received funding from the
 2 26 centers for disease control and prevention of the United
 2 27 States department of health and human services for secondhand
 2 28 smoke education initiatives.

Requires an allocation of \$30,310 for secondhand smoke education initiatives.

DETAIL: This is a new allocation for FY 2006 to replace the loss of federal Centers for Disease Control and Prevention funds that were used in previous years by local communities for this purpose.

2 29 2. ADULT WELLNESS
 2 30 For maintaining or improving the health status of adults,
 2 31 with target populations between the ages of 18 through 60:
 2 32 \$ 304,067

General Fund appropriation to the Adult Wellness Program.

DETAIL: Maintains current level of General Fund support.

2 33 3. CHILD AND ADOLESCENT WELLNESS
 2 34 For promoting the optimum health status for children and
 2 35 adolescents from birth through 21 years of age, and for not
 3 1 more than the following full-time equivalent positions:
 3 2 \$ 915,761
 3 3 FTEs 6.65

General Fund appropriation to the Child and Adolescent Wellness Program.

DETAIL: This is a decrease of \$42 and no change in FTE positions compared to the estimated net FY 2005 appropriation resulting from the transfer of health insurance premium savings to Resource Management in FY 2005.

3 4 4. CHRONIC CONDITIONS
 3 5 For serving individuals identified as having chronic
 3 6 conditions or special health care needs, and for not more than
 3 7 the following full-time equivalent positions:
 3 8 \$ 1,265,342
 3 9 FTEs 1.35

General Fund appropriation to the Chronic Conditions Program.

DETAIL: This is an increase of \$419,479 and 0.50 FTE position compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$300,000 to replace the loss of funding from previous years for Child Health Specialty Clinics.
- An increase of \$100,000 to serve 33 additional clients under the AIDS Drug Assistance Program (ADAP). An additional \$275,000

- is appropriated from the Healthy Iowans Tobacco Trust for this purpose in HF 882 (FY 2006 Standing Appropriations Act).
- An increase of \$20,000 and 0.50 FTE position to establish a Hepatitis C campaign for veterans.
 - A decrease of \$521 resulting from the transfer of health insurance premium savings to Resource Management in FY 2005.

3 10 Of the funds appropriated in this subsection, not more than
 3 11 \$100,000 shall be used to leverage federal funding through the
 3 12 federal Ryan White Care Act, Title II, AIDS drug assistance
 3 13 program supplemental drug treatment grants.

Requires that not more than \$100,000 be used to leverage federal AIDS Drug Assistance Program (ADAP) funds.

DETAIL: House File 862 (FY 2006 Healthy Iowans Tobacco Trust Act) also provides an appropriation of \$275,000 for this purpose.

3 14 5. COMMUNITY CAPACITY

3 15 For strengthening the health care delivery system at the
 3 16 local level, and for not more than the following full-time
 3 17 equivalent positions:

3 18 \$ 1,264,299
 3 19 FTEs 9.90

General Fund appropriation to the Community Capacity Program.

DETAIL: This is a decrease of \$3,060 and no change in FTE positions compared to the estimated net FY 2005 appropriation resulting from the transfer of health insurance premium savings to Resource Management in FY 2005.

3 20 Of the funds appropriated in this subsection, \$100,000 is
 3 21 allocated for a child vision screening program implemented
 3 22 through the university of Iowa hospitals and clinics in
 3 23 collaboration with community empowerment areas.

Requires an allocation of \$100,000 for a child vision-screening program to be implemented through the University of Iowa Hospitals and Clinics in collaboration with Community Empowerment areas.

DETAIL: Maintains current allocation level.

3 24 6. ELDERLY WELLNESS

3 25 For optimizing the health of persons 60 years of age and
 3 26 older:

3 27 \$ 9,233,985

General Fund appropriation to the Elderly Wellness Program.

DETAIL: Maintains current level of General Fund support.

3 28 7. ENVIRONMENTAL HAZARDS

3 29 For reducing the public's exposure to hazards in the
 3 30 environment, primarily chemical hazards, and for not more than
 3 31 the following full-time equivalent positions:

3 32 \$ 401,808
 3 33 FTEs 1.50

General Fund appropriation to the Environmental Hazards Program.

DETAIL: This is an increase of \$150,000 and 1.00 FTE position compared to the estimated net FY 2005 appropriation for childhood lead poisoning prevention activities. House File 882 (FY 2006

Standing Appropriations Act) decreases the appropriation to Environmental Hazards by \$50,000 for FY 2006. This will impact the amount of funding available for childhood lead poisoning activities.

Specifies that \$100,000 of the increase in funding in this Subsection be used for childhood lead poisoning prevention activities in counties that do not receive any federal funding, and that \$50,000 be used for a multicounty pilot project on lead poisoning prevention and remediation activities.

3 34 The amount appropriated in this subsection includes
3 35 \$150,000 in additional funding for childhood lead poisoning
4 1 prevention activities for counties not receiving federal
4 2 funding for this purpose, and of this amount, \$50,000 is
4 3 allocated for a pilot project to address lead poisoning
4 4 prevention and remediation activities in a three-county
4 5 program in north central Iowa with a combined population of at
4 6 least 50,000.

4 7 8. INFECTIOUS DISEASES
4 8 For reducing the incidence and prevalence of communicable
4 9 diseases, and for not more than the following full-time
4 10 equivalent positions:

4 11 \$ 1,078,039
4 12 FTEs 5.25

4 13 9. INJURIES
4 14 For providing support and protection to victims of abuse or
4 15 injury, or programs that are designed to prevent abuse or
4 16 injury, and for not more than the following full-time
4 17 equivalent positions:

4 18 \$ 1,379,258
4 19 FTEs 1.80

4 20 Of the funds appropriated in this subsection, not more than
4 21 \$670,214 shall be used for the healthy opportunities to
4 22 experience success (HOPES) – healthy families Iowa (HFI)
4 23 program established pursuant to section 135.106. The
4 24 department shall transfer the funding allocated for the HOPES–
4 25 HFI program to the Iowa empowerment board for distribution and

General Fund appropriation to the Infectious Diseases Program.

DETAIL: This is a decrease of \$1,664 and no change in FTE positions compared to the estimated net FY 2005 appropriation resulting from the transfer of health insurance premium savings to Resource Management in FY 2005.

General Fund appropriation to the Injuries Program.

DETAIL: This is a decrease of \$100 and no change in FTE positions compared to the estimated net FY 2005 appropriation resulting from the transfer of health insurance premium savings to Resource Management in FY 2005. House File 882 (FY 2006 Standing Appropriations Act) decreases the appropriation to the Injuries Program by \$50,000. This will impact the amount of funding available for the Healthy Opportunities for Parents to Experience Success (HOPES) Program, Emergency Management Services (EMS) contracts, and the Head Injuries Council.

Limits the amount to be used to fund the HOPES Program to \$670,214. Also, requires the Department of transfer the HOPES Program funding to the State Empowerment Board for distribution and to assist with the contract management of the funds. In addition, the funds are required to continue to be distributed to the grantees that received funding in FY 2005.

4 26 shall assist the board in managing the contracting for the
 4 27 funding. The funding shall be distributed to renew the grants
 4 28 that were provided to the grantees that operated the program
 4 29 during the fiscal year ending June 30, 2005.

DETAIL: Maintains current level of General Fund support. The funds were previously administered by the Department of Public Health and were distributed to nine counties in FY 2005, including Black Hawk, Buchanan, Clinton, Hamilton, Lee, Muscatine, Polk, Scott, and Woodbury.

4 30 Of the funds appropriated in this subsection, \$643,500
 4 31 shall be credited to the emergency medical services fund
 4 32 created in section 135.25.

Requires \$643,500 be allocated to the Emergency Medical Services Fund.

DETAIL: Maintains the current allocation level. The funds are used for training and equipment provided through the Emergency Medical Services (EMS) Program.

4 33 10. PUBLIC PROTECTION

General Fund appropriation to the Public Protection Program.

4 34 For protecting the health and safety of the public through
 4 35 establishing standards and enforcing regulations, and for not
 5 1 more than the following full-time equivalent positions:
 5 2 \$ 6,964,033
 5 3 FTEs 110.05

DETAIL: This is an increase of \$343,861 and 3.65 FTE positions compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$344,000 and 3.00 FTE positions for additional staff, lab resources, and other support for the State Medical Examiner's new lab facility.
- An increase of \$60,000 and 0.65 FTE position resulting from the transfer of the Hearing Impaired Licensure Board.
- A decrease of \$51,309 to eliminate State funds for the Polychlorinated Biphenyls (PCB) Program. It is anticipated that federal funds will cover the cost of the Program.
- A decrease of \$8,830 resulting from the transfer of health insurance premium savings to Resource Management in FY 2005.
- House File 882 (FY 2006 Standing Appropriations Act) decreases the appropriation to Public Protection by \$40,000. This will impact funding for the professional Boards and the State Medical Examiner's Office.

5 4 The office of the state medical examiner and the
 5 5 commissioner of public safety shall give consideration to a
 5 6 proposal offered by Polk county for the state criminalistics
 5 7 laboratory to share facilities with Polk county.

Requires the State Medical Examiner's Office and the Department of Public Safety Commissioner to consider a Polk County proposal to share facilities with the State Criminalistics Laboratory.

5 8 11. RESOURCE MANAGEMENT
 5 9 For establishing and sustaining the overall ability of the
 5 10 department to deliver services to the public, and for not more
 5 11 than the following full-time equivalent positions:
 5 12 \$ 1,073,884
 5 13 FTEs 3.00

General Fund appropriation to the Resource Management Program.

DETAIL: This is an increase of \$95,250 and no change in FTE positions compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$79,442 for Department of Administrative Services (DAS) charges for the State Medical Examiner's new laboratory space.
- An increase of \$17,114 resulting from the transfer of health insurance premium savings to Resource Management in FY 2005.
- A decrease of \$1,306 for a technical adjustment.

5 14 12. IOWA COLLABORATIVE SAFETY NET PROVIDER NETWORK
 5 15 The purpose of this subsection is to create a formal
 5 16 network of safety net providers to do all of the following:
 5 17 preserve and expand the health care safety net for vulnerable
 5 18 Iowans; emphasize preventive services and disease management,
 5 19 reduction of errors, continuity of care, and the medical home
 5 20 concept; recognize that safety net providers are the primary
 5 21 means of access to health care for the uninsured in this
 5 22 state; and provide a mechanism to identify the extent to which
 5 23 the uninsured in this state access health care safety net
 5 24 providers. Of the amount appropriated in this division of
 5 25 this Act for the medical assistance program, \$1,100,000 is
 5 26 transferred to the appropriations made in this subsection.

Requires that \$1,100,000 be allocated from the Medical Assistance (Medicaid) appropriation and transferred to the Department of Public Health to establish health care programs and services for the uninsured.

DETAIL: This is a new allocation for FY 2006.

5 27 The amount transferred is allocated as follows:
 5 28 a. To contract for a program to develop an Iowa
 5 29 collaborative safety net provider network:
 5 30 \$ 450,000

Allocates \$450,000 from the amount transferred from the Medicaid appropriation to establish a provider network for the uninsured.

DETAIL: This is a new allocation for FY 2006.

5 31 (1) The Iowa department of public health shall issue a
 5 32 request for proposals to select the most qualified applicant
 5 33 to develop and administer an Iowa collaborative safety net
 5 34 provider network that includes community health centers, rural

Requires the Department of Public Health to issue a Request for Proposal (RFP) for the development and administration of a provider network that includes community health centers, rural health clinics, free clinics, and other safety net providers in coordination with the

5 35 health clinics, free clinics, and other safety net providers.
6 1 The department shall coordinate conditions of the request for
6 2 proposals with the data and information requirements of the
6 3 task force on indigent care created pursuant to section
6 4 249J.14A, as enacted by 2005 Iowa Acts, House File 841,
6 5 section 16. The request for proposals shall also require the
6 6 person awarded the contract to enroll as a member of the task
6 7 force on indigent care. The person awarded the contract shall
6 8 do all of the following:
6 9 (a) Establish an Iowa safety net provider advisory group
6 10 consisting of representatives of community health centers,
6 11 rural health clinics, free clinics, other safety net
6 12 providers, patients, and other interested parties.
6 13 (b) Develop a planning process to logically and
6 14 systematically implement the Iowa collaborative safety net
6 15 provider network.
6 16 (c) In cooperation with the free clinics of Iowa and
6 17 individual free clinics, the Iowa association of rural health
6 18 clinics, and the Iowa/Nebraska primary care association,
6 19 develop a database of all community health centers, rural
6 20 health clinics, free clinics, and other safety net providers.
6 21 The data collected shall include the demographics and needs of
6 22 the vulnerable populations served, current provider capacity,
6 23 and the resources and needs of the participating safety net
6 24 providers.
6 25 (d) Develop network initiatives for collaboration between
6 26 community health centers, rural health clinics, free clinics,
6 27 other safety net providers, and other health care providers
6 28 to, at a minimum, improve quality, improve efficiency, reduce
6 29 errors, and provide clinical communication between providers.
6 30 The network initiatives shall include, but are not limited to,
6 31 activities that address all of the following:
6 32 (i) Training.
6 33 (ii) Information technology.
6 34 (iii) Financial resource development.
6 35 (iv) A referral system for ambulatory care.
7 1 (v) A referral system for specialty care.

Task Force on Indigent Care established pursuant to HF 841 (IowaCare Medicaid Reform Act). The contractor is required to be a member of the Task Force. Also, sets forth the contractor requirements.

7 2 (vi) Pharmaceuticals.

7 3 (vii) Recruitment of health professionals.

7 4 (2) The Iowa department of public health shall issue a
 7 5 request for proposals to provide for an evaluation of the
 7 6 performance of the Iowa collaborative safety net provider
 7 7 network and its impact on the medically underserved.

Requires the Department of Public Health to issue a Request for Proposal (RFP) to complete an evaluation of the safety net provider network and the impact on the medically underserved.

7 8 b. For an incubation grant program to community health
 7 9 centers that receive a total score of 85 based on the
 7 10 evaluation criteria of the health resources and services
 7 11 administration of the United States department of health and
 7 12 human services:

Allocates \$650,000 of the amount transferred from the Medicaid appropriation to provide grants to community health centers that receive a total score of 85 using the evaluation criteria of the federal Department of Health and Human Services, Health Resources and Services Administration.

7 13 \$ 650,000

DETAIL: This is a new allocation for FY 2006.

7 14 The Iowa department of public health shall select qualified
 7 15 applicants eligible under this lettered paragraph, and shall
 7 16 approve grants in prorated amounts to all such selected
 7 17 qualified applicants based on the total amount of funding
 7 18 appropriated. A grantee shall meet all federal requirements
 7 19 for a federally qualified health center, including
 7 20 demonstrating a commitment to serve all populations in the
 7 21 grantee's respective medically underserved community and
 7 22 satisfying the administrative, management, governance,
 7 23 service-related, utilization of funding, and audit
 7 24 requirements unique to federally qualified health centers as
 7 25 provided under section 330 of the federal Public Health
 7 26 Service Act, as amended, and as codified at 42 U.S.C. §
 7 27 254(b). A grant may be approved for a two-year period.
 7 28 However, if a grantee is approved as a federally qualified
 7 29 health center during the grant period, the grant and
 7 30 accompanying funding shall be terminated for the remainder of
 7 31 the grant period. If a grantee is not approved as a federally
 7 32 qualified health center during the grant period, the grantee
 7 33 may apply for a subsequent grant under this lettered paragraph
 7 34 on a competitive basis. A recipient of a grant under this

Requires the Department of Public Health to select grantees using specified criteria.

7 35 lettered paragraph shall provide a local match of 25 percent
8 1 of the grant funds received.

8 2 13. The university of Iowa hospitals and clinics under the
8 3 control of the state board of regents shall not receive
8 4 indirect costs from the funds appropriated in this section.

8 5 14. A local health care provider or nonprofit health care
8 6 organization seeking grant moneys administered by the Iowa
8 7 department of public health shall provide documentation that
8 8 the provider or organization has coordinated its services with
8 9 other local entities providing similar services.

8 10 15. a. The department shall apply for available federal
8 11 funds for sexual abstinence education programs.

8 12 b. It is the intent of the general assembly to comply with
8 13 the United States Congress' intent to provide education that
8 14 promotes abstinence from sexual activity outside of marriage
8 15 and reduces pregnancies, by focusing efforts on those persons
8 16 most likely to father and bear children out of wedlock.

8 17 c. Any sexual abstinence education program awarded moneys
8 18 under the grant program shall meet the definition of
8 19 abstinence education in the federal law. Grantees shall be
8 20 evaluated based upon the extent to which the abstinence
8 21 program successfully communicates the goals set forth in the
8 22 federal law.

8 23 Sec. 3. GAMBLING TREATMENT FUND — APPROPRIATION. In lieu
8 24 of the appropriation made in section 135.150, subsection 1,
8 25 there is appropriated from funds available in the gambling
8 26 treatment fund created in section 135.150 to the Iowa
8 27 department of public health for the fiscal year beginning July
8 28 1, 2005, and ending June 30, 2006, the following amount, or so
8 29 much thereof as is necessary, to be used for the purposes
8 30 designated:

Prohibits the University of Iowa Hospitals and Clinics from receiving indirect costs from programs funded with appropriations to the Department.

Requires a health care provider seeking a grant from the Department of Public Health to provide documentation of efforts to coordinate services at the local level.

Requires the Department of Public Health to apply for available federal funds for sexual abstinence education programs.

Specifies that it is the intent of the General Assembly to comply with the intent of the United States Congress to provide sexual abstinence education.

Requires sexual abstinence programs awarded moneys under the Abstinence Education Initiative to meet the federal definition of abstinence education. Also, requires an evaluation of grantees based on the goals set forth in federal law.

Gambling Treatment Fund appropriations to the Department of Public Health for FY 2006.

<p>8 31 1. ADDICTIVE DISORDERS 8 32 To be utilized for the benefit of persons with addictions: 8 33 \$ 1,690,000</p>	<p>Gambling Treatment Fund appropriation for the Addictive Disorders Program. DETAIL: Maintains the current level of Gambling Treatment Fund support.</p>
<p>8 34 It is the intent of the general assembly that from the 8 35 moneys appropriated in this subsection, persons with a dual 9 1 diagnosis of substance abuse and gambling addictions shall be 9 2 given priority in treatment services.</p>	<p>Specifies the intent of the General Assembly that individuals with a diagnosis of both substance abuse and gambling addiction are required to be given priority in treatment services from the funds appropriated in this Subsection.</p>
<p>9 3 2. GAMBLING TREATMENT PROGRAM 9 4 The funds in the gambling treatment fund after the 9 5 appropriation in subsection 1 is made are appropriated to the 9 6 department to be used for funding of administrative costs and 9 7 to provide programs which may include, but are not limited to, 9 8 outpatient and follow-up treatment for persons affected by 9 9 problem gambling, rehabilitation and residential treatment 9 10 programs, information and referral services, education and 9 11 preventive services, and financial management services. Of 9 12 the amount appropriated in subsection 1, up to \$100,000 may be 9 13 used for the licensing of gambling treatment programs as 9 14 provided in section 135.150.</p>	<p>Requires that the remaining balance in the Gambling Treatment Fund, after the appropriation to the Addictive Disorders Program, be appropriated to the Gambling Treatment Program. Also, permits up to \$100,000 to be used for the licensing of gambling treatment programs.</p> <p>DETAIL: It is estimated that \$6,400,000 will be available in FY 2006. This is no change compared to estimated net FY 2005. The use of \$100,000 for the licensure of gambling treatment programs is a new allocation for FY 2006.</p>
<p>9 15 COMMISSION OF VETERANS AFFAIRS</p>	
<p>9 16 Sec. 4. COMMISSION OF VETERANS AFFAIRS. There is 9 17 appropriated from the general fund of the state to the 9 18 commission of veterans affairs for the fiscal year beginning 9 19 July 1, 2005, and ending June 30, 2006, the following amounts, 9 20 or so much thereof as is necessary, to be used for the 9 21 purposes designated:</p>	
<p>9 22 1. COMMISSION OF VETERANS AFFAIRS ADMINISTRATION 9 23 For salaries, support, maintenance, miscellaneous purposes, 9 24 including the war orphans educational aid fund established 9 25 pursuant to chapter 35, and for not more than the following 9 26 full-time equivalent positions:</p>	<p>General Fund appropriation for the Commission of Veterans Affairs.</p> <p>DETAIL: This is an increase of \$25,000 and no change in FTE positions compared to the estimated net FY 2005 appropriation. This increases from \$50,000 to \$75,000 per year the amount used by the</p>

PG LN	House File 825	Explanation
9 27	..... \$ 320,717	Commission to increase veterans' benefits.
9 28	..... FTEs 4.00	
9 29	a. Of the funds appropriated in this subsection, \$50,000	Requires that the Commission of Veterans Affairs use \$50,000 to
9 30	shall be used by the commission to contract with the Iowa	contract with the Department of Elder Affairs to increase federal
9 31	commission on volunteer service created pursuant to chapter	veteran pension benefits.
9 32	15H to utilize local veterans affairs commissions and the	
9 33	retired and senior volunteers program to increase the	DETAIL: This maintains the current allocation.
9 34	utilization by eligible individuals of benefits available	
9 35	through the federal department of veterans affairs.	
10 1	b. Of the funds appropriated in this subsection, \$75,000	Requires that the Commission of Veteran Affairs use \$75,000 for the
10 2	shall be used for the commission's costs associated with the	effort to increase federal pension benefits.
10 3	contracts implemented under paragraph "a".	DETAIL: This is an increase of \$25,000 in the allocation to the Commission compared to the FY 2005 allocation.
10 4	2. IOWA VETERANS HOME	General Fund appropriation to the Iowa Veterans Home.
10 5	For salaries, support, maintenance, miscellaneous purposes,	
10 6	and for not more than the following full-time equivalent	DETAIL: Maintains current level of General Fund support and FTE positions.
10 7	positions:	
10 8	..... \$ 16,309,443	
10 9	..... FTEs 855.22	
10 10	HUMAN SERVICES	
10 11	Sec. 5. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK	Temporary Assistance for Needy Families (TANF) FY 2006 Block
10 12	GRANT. There is appropriated from the fund created in section	Grant Fund appropriation.
10 13	8.41 to the department of human services for the fiscal year	
10 14	beginning July 1, 2005, and ending June 30, 2006, from moneys	DETAIL: The federal government implemented Federal Welfare Reform on August 22, 1996. Federal Welfare Reform changed the funding for the Family Investment Program (FIP) from a matching program to a block grant of federal funds. Unless changed by federal action, Iowa's grant will remain constant from federal fiscal year (FFY) 1998 to FFY 2006 at \$131,524,959 per year, regardless of changes in caseload or costs.
10 15	received under the federal temporary assistance for needy	
10 16	families (TANF) block grant pursuant to the federal Personal	
10 17	Responsibility and Work Opportunity Reconciliation Act of	
10 18	1996, Pub. L. No. 104-193, and successor legislation, which	
10 19	are federally appropriated for the federal fiscal years	
10 20	beginning October 1, 2004, and ending September 30, 2005, and	

10 21 beginning October 1, 2005, and ending September 30, 2006, the
 10 22 following amounts, or so much thereof as is necessary, to be
 10 23 used for the purposes designated:

10 24 1. To be credited to the family investment program account
 10 25 and used for assistance under the family investment program
 10 26 under chapter 239B:
 10 27 \$ 44,277,569

TANF FY 2006 Block Grant appropriation for the FIP Account.

DETAIL: This is a decrease of \$1,000,000 compared to the estimated net FY 2005 appropriation resulting from lower estimates of the number of individuals receiving benefits under the Family Investment Program for FY 2005 and FY 2006.

10 28 2. To be credited to the family investment program account
 10 29 and used for the job opportunities and basic skills (JOBS)
 10 30 program, and implementing family investment agreements, in
 10 31 accordance with chapter 239B:
 10 32 \$ 13,412,794

TANF FY 2006 Block Grant appropriation for the Promise Jobs Program.

DETAIL: Maintains the current level of TANF support.

10 33 3. For field operations:
 10 34 \$ 16,702,033

TANF FY 2006 Block Grant appropriation for Field Operations.

DETAIL: This is an increase of \$421,779 compared to the estimated net FY 2005 appropriation.

10 35 4. For general administration:
 11 1 \$ 3,730,547

TANF FY 2006 Block Grant appropriation for General Administration.

DETAIL: This is an increase of \$70,517 compared to the estimated net FY 2005 appropriation.

11 2 5. For local administrative costs:
 11 3 \$ 2,181,296

TANF FY 2006 Block Grant appropriation for Local Administrative Costs.

DETAIL: This is an increase of \$44,731 compared to the estimated net FY 2005 appropriation.

11 4 6. For state child care assistance:
 11 5 \$ 14,556,560

TANF FY 2006 Block Grant appropriation for Child Care Assistance.

DETAIL: This is a decrease of \$3,517,186 compared to the estimated net FY 2005 appropriation.

11 6 a. Of the funds appropriated in this subsection, \$200,000
 11 7 shall be used for provision of educational opportunities to
 11 8 registered child care home providers in order to improve
 11 9 services and programs offered by this category of providers
 11 10 and to increase the number of providers. The department may
 11 11 contract with institutions of higher education or child care
 11 12 resource and referral centers to provide the educational
 11 13 opportunities. Allowable administrative costs under the
 11 14 contracts shall not exceed 5 percent. The application for a
 11 15 grant shall not exceed two pages in length.

Requires that the Department of Human Services (DHS) use \$200,000 for training of registered child care home providers. Permits the DHS to contract with colleges or child care resource centers and specifies requirements for funding the grants and the application form for the grant.

11 16 b. The funds appropriated in this subsection shall be
 11 17 transferred to the child care and development block grant
 11 18 appropriation.

Requires that funds appropriated be transferred to the Child Care and Development Block Grant.

11 19 7. For mental health and developmental disabilities
 11 20 community services:
 11 21 \$ 4,798,979

TANF FY 2006 Block Grant appropriation for Mental Health and Developmental Disabilities Community Services.

DETAIL: This is an increase of \$298,369 compared to the estimated net FY 2005 appropriation.

11 22 8. For child and family services:
 11 23 \$ 31,538,815

TANF FY 2006 Block Grant appropriation for Child and Family Services.

DETAIL: This is a decrease of \$1,936,913 compared to the estimated net FY 2005 appropriation.

11 24 9. For child abuse prevention grants:
 11 25 \$ 250,000

TANF FY 2006 Block Grant appropriation for Child Abuse Prevention Grants.

DETAIL: Maintains the current level of TANF support.

11 26 10. For pregnancy prevention grants on the condition that
 11 27 family planning services are funded:
 11 28 \$ 2,520,037

TANF FY 2006 Block Grant appropriation for pregnancy prevention grants on the condition that family planning services are funded.

DETAIL: This is an increase of \$5,624 compared to the estimated net FY 2005 appropriation.

11 29 a. If the department receives approval of a waiver from
 11 30 the centers for Medicare and Medicaid services of the United
 11 31 States department of health and human services to provide
 11 32 family planning services, of the amount appropriated in this
 11 33 subsection, \$533,580 shall be transferred to the appropriation
 11 34 in this Act for child and family services.

Allocates \$533,580 to Child and Family Services if a waiver related to family planning services is approved by the federal government.

11 35 b. Pregnancy prevention grants shall be awarded to
 12 1 programs in existence on or before July 1, 2005, if the
 12 2 programs are comprehensive in scope and have demonstrated
 12 3 positive outcomes. Grants shall be awarded to pregnancy
 12 4 prevention programs which are developed after July 1, 2005, if
 12 5 the programs are comprehensive in scope and are based on
 12 6 existing models that have demonstrated positive outcomes.
 12 7 Grants shall comply with the requirements provided in 1997
 12 8 Iowa Acts, chapter 208, section 14, subsections 1 and 2,
 12 9 including the requirement that grant programs must emphasize
 12 10 sexual abstinence. Priority in the awarding of grants shall
 12 11 be given to programs that serve areas of the state which
 12 12 demonstrate the highest percentage of unplanned pregnancies of
 12 13 females of childbearing age within the geographic area to be
 12 14 served by the grant.

Requires the recipients of pregnancy prevention grants to meet certain requirements of comprehensiveness and demonstration of positive outcomes. Requires that pregnancy prevention grants from the TANF funds include the requirement that sexual abstinence be emphasized. Specifies that priority in awarding the grants should be given to programs in areas of the State that have the highest percentage of unplanned adolescent pregnancies of females of childbearing age within the geographic area served by the grant.

12 15 11. For technology needs and other resources necessary to
 12 16 meet federal welfare reform reporting, tracking, and case
 12 17 management requirements:
 12 18 \$ 1,037,186

TANF FY 2006 Block Grant appropriation for federal welfare reform reporting, tracking, and case management technology and resource needs.

DETAIL: Maintains the current level of TANF support.

12 19 12. For the healthy opportunities for parents to
 12 20 experience success (HOPES) program administered by the Iowa
 12 21 department of public health to target child abuse prevention:
 12 22 \$ 200,000

TANF FY 2006 Block Grant appropriation for the Healthy Opportunities for Parents to Experience Success (HOPES) Program.

DETAIL: Maintains the current level of TANF support.

12 23 13. To be credited to the state child care assistance
 12 24 appropriation made in this section to be used for funding of
 12 25 community-based early childhood programs targeted to children

TANF FY 2006 Block Grant appropriation to fund community-based programs for children from birth to age five as developed by community empowerment areas.

12 26 from birth through five years of age, developed by community
 12 27 empowerment areas as provided in section 28.9, as amended by
 12 28 this Act:
 12 29 \$ 7,350,000

DETAIL: Maintains the current level of TANF support.

12 30 The department shall transfer TANF block grant funding
 12 31 appropriated and allocated in this subsection to the child
 12 32 care and development block grant appropriation in accordance
 12 33 with federal law as necessary to comply with the provisions of
 12 34 this subsection.

Requires the DHS to transfer TANF funds to the Child Care and Development Block Grant.

12 35 14. For a pilot program to be established in a judicial
 13 1 district, selected by the department and the judicial council,
 13 2 to provide employment and support services to delinquent child
 13 3 support obligors as an alternative to commitment to jail as
 13 4 punishment for contempt of court:
 13 5 \$ 200,000

TANF FY 2006 Block Grant appropriation for a pilot program for delinquent child support obligors.

DETAIL: Maintains the current level of TANF support.

13 6 Of the amounts appropriated in this section, \$12,808,841
 13 7 for the fiscal year beginning July 1, 2005, shall be
 13 8 transferred to the appropriation of the federal social
 13 9 services block grant for that fiscal year. If the federal
 13 10 government revises requirements to reduce the amount that may
 13 11 be transferred to the federal social services block grant, it
 13 12 is the intent of the general assembly to act expeditiously
 13 13 during the 2006 legislative session to adjust appropriations
 13 14 or the transfer amount or take other actions to address the
 13 15 reduced amount.

Requires that \$12,808,841 of the federal TANF funds appropriated in this Section be transferred to the federal Social Services Block Grant appropriation.

DETAIL: Increases the transfer amount by \$904,107 compared to the estimated FY 2005 transfer amount.

13 16 Sec. 6. FAMILY INVESTMENT PROGRAM ACCOUNT.

13 17 1. Moneys credited to the family investment program (FIP)
 13 18 account for the fiscal year beginning July 1, 2005, and ending
 13 19 June 30, 2006, shall be used to provide assistance in
 13 20 accordance with chapter 239B.

Requires that the funds credited to the Family Investment Program (FIP) account for FY 2006 be used as specified.

13 21 2. The department may use a portion of the moneys credited
 13 22 to the FIP account under this section as necessary for
 13 23 salaries, support, maintenance, and miscellaneous purposes and
 13 24 for not more than the following full-time equivalent positions
 13 25 which are in addition to any other full-time equivalent
 13 26 positions authorized in this division of this Act:
 13 27 FTEs 17.33

Permits the DHS to use FIP funds for various administrative purposes and appropriates 17.33 FTE positions.

 DETAIL: This is an increase of 1.00 FTE position compared to the estimated net FY 2005 FTE positions. The additional position is the result of eliminating language from previous years that allowed the DHS to exceed the FTE cap by 1.00 FTE position for administering the TANF pregnancy prevention grants and transferring that FTE position to this line-item for that purpose.

13 28 3. Moneys appropriated in this division of this Act and
 13 29 credited to the FIP account for the fiscal year beginning July
 13 30 1, 2005, and ending June 30, 2006, are allocated as follows:

Requires that TANF Block Grant funds appropriated to the FIP Account be allocated as specified.

 DETAIL: The TANF Block Grant funds allocated in this Act replace federal matching funds previously received under the Aid to Families with Dependent Children (AFDC) federal funding sources.

13 31 a. For the family development and self-sufficiency grant
 13 32 program as provided under section 217.12:
 13 33 \$ 5,133,042

Permits the DHS to allocate \$5,133,042 of the FY 2006 General Fund appropriation and TANF funds for the Family Development and Self-Sufficiency (FaDSS) Grant Program.

 DETAIL: Maintains the current level of General Fund and TANF support.

13 34 (1) Of the funds allocated for the family development and
 13 35 self-sufficiency grant program in this lettered paragraph, not
 14 1 more than 5 percent of the funds shall be used for the
 14 2 administration of the grant program.

Specifies that a maximum of 5.00% of the allocation is to be spent on administration of Family Development and Self-Sufficiency (FaDSS) Program grants.

14 3 (2) The department may continue to implement the family
 14 4 development and self-sufficiency grant program statewide
 14 5 during FY 2005-2006.

Permits the DHS to continue the Statewide expansion of the Family Development and Self-Sufficiency (FaDSS) Program during FY 2006.

14 6 b. For the diversion subaccount of the FIP account:
 14 7 \$ 2,814,000

Allocates \$2,814,000 of FY 2006 TANF funds for the FIP Diversion Subaccount.

 DETAIL: Maintains the current level of TANF support.

14 8 (1) A portion of the moneys allocated for the subaccount
 14 9 may be used for field operations salaries, data management
 14 10 system development, and implementation costs and support
 14 11 deemed necessary by the director of human services in order to
 14 12 administer the FIP diversion program.

Allows a portion of the FIP Diversion funds to be used to administer the FIP Diversion Program.

14 13 (2) Of the funds allocated in this lettered paragraph, not
 14 14 more than \$250,000 shall be used to develop or continue
 14 15 community-level parental obligation pilot projects. The
 14 16 requirements established under 2001 Iowa Acts, chapter 191,
 14 17 section 3, subsection 5, paragraph "c", subparagraph (3),
 14 18 shall remain applicable to the parental obligation pilot
 14 19 projects for fiscal year 2005-2006.

Requires that a maximum of \$250,000 allocated for innovation strategies be used to develop or continue pilot projects to assist parents in meeting child support obligations. Pilot projects may also attempt to prevent family separations. Requires the projects to maximize use of existing community service resources and encourage local financial contributions.

14 20 c. For the food stamp employment and training program:
 14 21 \$ 64,278

Allocates \$64,278 of the FY 2006 General Fund appropriations for the Food Stamp Employment and Training Program.

DETAIL: Maintains the current level of General Fund support.

14 22 4. Of the child support collections assigned under FIP, an
 14 23 amount equal to the federal share of support collections shall
 14 24 be credited to the child support recovery appropriation. Of
 14 25 the remainder of the assigned child support collections
 14 26 received by the child support recovery unit, a portion shall
 14 27 be credited to the FIP account and a portion may be used to
 14 28 increase recoveries.

Requires that the federal share of child support collections recovered by the State be credited to the Child Support Recovery Unit. The remainder of support collected is credited to the FIP account and the DHS is permitted to use a portion to increase recoveries.

14 29 5. The department may adopt emergency administrative rules
 14 30 for the family investment, food stamp, and medical assistance
 14 31 programs, if necessary, to comply with federal requirements.

Permits the DHS to adopt emergency administrative rules for the FIP, Food Stamp Program, and Medical Assistance Program.

14 32 Sec. 7. FAMILY INVESTMENT PROGRAM GENERAL FUND. There is
 14 33 appropriated from the general fund of the state to the
 14 34 department of human services for the fiscal year beginning
 14 35 July 1, 2005, and ending June 30, 2006, the following amount,
 15 1 or so much thereof as is necessary, to be used for the purpose
 15 2 designated:

General Fund appropriation to the DHS for the FIP, to be credited to the FIP Account.

DETAIL: This is an increase of \$1,362,473 compared to the estimated net FY 2005 appropriation. This includes:

15 3 To be credited to the family investment program (FIP)
 15 4 account and used for family investment program assistance
 15 5 under chapter 239B:
 15 6 \$ 40,439,695

- An increase of \$1,652,544 for caseload increases and to fulfill Federal Maintenance of Effort requirements.
- An increase of \$100,000 for an Earned Income Tax Credit Initiative. This is a new appropriation for FY 2006.
- A decrease of \$323,353 to reflect a FY 2005 carry forward in Electronic Benefit Transfer funds.
- A decrease of \$66,718 for a technical adjustment.

The appropriation for the FIP also contains funding for the Promise Jobs Program. The appropriation maintains the current payment levels (\$361.00 per month for a family with two persons and \$426.00 for a family with three persons).

15 7 1. Of the funds appropriated in this section, \$9,274,134
 15 8 is allocated for the JOBS program.

General Fund allocation of \$9,274,143 for the Promise Jobs and FaDSS Programs.

DETAIL: Maintains the current level of General Fund support.

15 9 2. Of the funds appropriated in this section, \$100,000
 15 10 shall be used to provide a grant to an Iowa-based nonprofit
 15 11 organization with a history of providing tax preparation
 15 12 assistance to low-income Iowans in order to expand the usage
 15 13 of the earned income tax credit. The purpose of the grant is
 15 14 to supply this assistance to underserved areas of the state.
 15 15 The grant shall be provided to an organization that has
 15 16 existing national foundation support for supplying such
 15 17 assistance that can also secure local charitable match
 15 18 funding.

General Fund allocation of \$100,000 for the Earned Income Tax Credit Program, which is to expand usage of the Earned Income Tax Credit.

DETAIL: This is a new appropriation for FY 2006.

15 19 Sec. 8. CHILD SUPPORT RECOVERY. There is appropriated
 15 20 from the general fund of the state to the department of human
 15 21 services for the fiscal year beginning July 1, 2005, and
 15 22 ending June 30, 2006, the following amount, or so much thereof
 15 23 as is necessary, to be used for the purposes designated:
 15 24 For child support recovery, including salaries, support,
 15 25 maintenance, and miscellaneous purposes and for not more than
 15 26 the following full-time equivalent positions:
 15 27 \$ 7,829,317

General Fund appropriation to the DHS for the Child Support Recovery Unit.

DETAIL: This is an increase of \$56,218 and no change in FTE positions compared to the estimated net FY 2005 appropriation. This includes:

- A decrease of \$67,000 related to savings in HF 477 (Child Support Recoveries Act).
- An increase of \$123,218 to fully fund the Unit's existing FTE

<p>15 28 FTEs 423.00</p>	<p>positions.</p>
<p>15 29 1. The department shall expend up to \$31,000, including 15 30 federal financial participation, for the fiscal year beginning 15 31 July 1, 2005, for a child support public awareness campaign. 15 32 The department and the office of the attorney general shall 15 33 cooperate in continuation of the campaign. The public 15 34 awareness campaign shall emphasize, through a variety of media 15 35 activities, the importance of maximum involvement of both 16 1 parents in the lives of their children as well as the 16 2 importance of payment of child support obligations.</p>	<p>Requires the DHS to expend no more than \$31,000 during FY 2005 for a child support public awareness campaign. The funding limitation includes federal funds. The campaign is to be operated in cooperation with the Office of the Attorney General and is to emphasize parental involvement and financial support.</p> <p>DETAIL: Maintains the current level of General Fund support.</p>
<p>16 3 2. Federal access and visitation grant moneys shall be 16 4 issued directly to private not-for-profit agencies that 16 5 provide services designed to increase compliance with the 16 6 child access provisions of court orders, including but not 16 7 limited to neutral visitation site and mediation services.</p>	<p>Specifies the process for utilization of receipts from federal Access and Visitation Grants.</p>
<p>16 8 Sec. 9. MEDICAL ASSISTANCE. There is appropriated from 16 9 the general fund of the state to the department of human 16 10 services for the fiscal year beginning July 1, 2005, and 16 11 ending June 30, 2006, the following amount, or so much thereof 16 12 as is necessary, to be used for the purpose designated: 16 13 For medical assistance reimbursement and associated costs 16 14 as specifically provided in the reimbursement methodologies in 16 15 effect on June 30, 2005, except as otherwise expressly 16 16 authorized by law, including reimbursement for abortion 16 17 services, which shall be available under the medical 16 18 assistance program only for those abortions which are 16 19 medically necessary: 16 20 \$519,040,317</p>	<p>General Fund appropriation to the DHS for the Medical Assistance Program.</p> <p>DETAIL: This is a net increase of \$96,230,249 compared to the estimated net FY 2005 appropriation. This appropriation was amended by HF 882 (FY 2006 Standing Appropriations Act). The amendment decreased the General Fund appropriation by \$11,353,381. This results in a net FY 2006 General Fund appropriation of \$507,686,936. This is an increase of \$84,876,868 compared to the estimated net FY 2005 appropriation. The changes include:</p> <ul style="list-style-type: none"> • An increase of \$300,000 for a Request for Proposal to increase audit compliance efforts and increase training and technical assistance for non-traditional Medicaid providers. • An increase of \$44,900,000 to reduce the appropriation for Medicaid from the Senior Living Trust Fund. • An increase of \$31,392,137 for 3.60% enrollment increases and cost increases. • An increase of \$14,600,000 to replace a projected shortfall in the

Hospital Trust Fund.

- A decrease of \$7,900,000 for contractually required savings from the Iowa Medicaid Enterprise (new fiscal agent contracts).
- An increase of \$2,660,082 for costs associated with implementation of the new Medicare Part D prescription drug benefit, including enrollment increases in Medicaid and operating costs of the low-income subsidy application process.
- A decrease of \$390,000 for an FY 2005 carry forward of Field Operations funding.
- An increase of \$6,000,000 to eliminate the majority of the waiting lists for the Home and Community-Based Services Waivers.
- An increase of \$16,474,515 for a 3.00% increase in Medicaid provider reimbursement rates, including:
 - \$3,989,643 for nursing facilities.
 - \$4,592,963 for Resource Based Relative Value System.
 - \$4,758,529 for hospitals.
 - \$3,133,380 for all other Medicaid providers.
- An increase of \$262,000 to provide an additional 3.00% increase for Psychiatric Medical Institutions for Children providers, for a total rate increase of 6.00%.
- A decrease of \$99,427 for improving provider payment accuracy.
- A decrease of \$87,626 for collecting rebates by separately billing J-Code prescription drugs provided in physician offices.
- A decrease of \$23,608 for optimizing 90.00% federal match for family planning claiming.
- A decrease of \$1,000,000 for requiring pharmacies to bill all third party payors prior to receiving payment from Medicaid. The decrease in funding is still included; however, the language that would implement the change was eliminated.
- A decrease of \$998,000 for savings resulting from a change related to the Ill and Handicapped Waiver that will allow federal matching funds to be used in place of 100.00% State funds.
- A net General Fund decrease of \$1,350,000 to eliminate the Non-Direct and Direct Care Excess Payments within the nursing facilities' case-mix reimbursement system. This also includes, within the Senior Living Trust Fund appropriations, a decrease of \$4,197,109 to eliminate the Non-Direct and Direct Care Excess Payments, and an increase of \$9,783,861 for the nursing facility reimbursement rate rebasing. In total, the nursing facility State

funds budget is capped at \$161,600,000.

- A decrease of \$2,127,672 to change eligibility for some State Supplementary Assistance categories to allow federal matching funds to replace 100.00% State funds for Medicare premium costs.
- A decrease of \$773,395 for savings from requiring all third-party payors to submit reimbursement rates for review by a new rates commission.
- A decrease of \$110,863 for a technical adjustment.
- An increase of \$1,100,000 for a Community Health Centers.
- A decrease of \$98,947 for savings from smoking cessation programs.
- A decrease of \$98,947 for savings from weight reduction programs.
- A decrease of \$6,400,000 for the difference between the \$63,600,000 supplemental used for the base budget for FY 2006 compared to the actual supplemental appropriation of \$70,000,000.

The Medical Assistance appropriation is further amended by HF 841 (IowaCare Medicaid Reform Act). House File 841 transfers \$53,158,795 to the Medicaid Program from the Mental Health Institutes and the University of Iowa Indigent Care appropriations to offset the loss of \$66,100,000 revenue from the discontinuation of Intergovernmental Transfers. This results in a net FY 2006 General Fund appropriation of \$560,845,731 (as amended by HF 882 and HF 841). This is an increase of \$138,051,630 compared to the estimated net FY 2005 appropriation.

FISCAL IMPACT: The net loss to the Medicaid program under HF 841 is a net shortfall of \$12,941,205. This amount was not funded in the budget.

The Program received an FY 2005 supplemental appropriation of \$70,000,000 in SF 342 (FY 2005 Supplemental Appropriations Act). This supplemental funding is included in the comparison to FY 2005.

Specifies the conditions under which the Medical Assistance Program reimburses providers for abortion services.

16 21 1. Medically necessary abortions are those performed under
16 22 any of the following conditions:

16 23 a. The attending physician certifies that continuing the
16 24 pregnancy would endanger the life of the pregnant woman.

16 25 b. The attending physician certifies that the fetus is
16 26 physically deformed, mentally deficient, or afflicted with a
16 27 congenital illness.

16 28 c. The pregnancy is the result of a rape which is reported
16 29 within 45 days of the incident to a law enforcement agency or
16 30 public or private health agency which may include a family
16 31 physician.

16 32 d. The pregnancy is the result of incest which is reported
16 33 within 150 days of the incident to a law enforcement agency or
16 34 public or private health agency which may include a family
16 35 physician.

17 1 e. Any spontaneous abortion, commonly known as a
17 2 miscarriage, if not all of the products of conception are
17 3 expelled.

17 4 2. The department shall utilize not more than \$60,000 of
17 5 the funds appropriated in this section to continue the
17 6 AIDS/HIV health insurance premium payment program as
17 7 established in 1992 Iowa Acts, Second Extraordinary Session,
17 8 chapter 1001, section 409, subsection 6. Of the funds
17 9 allocated in this subsection, not more than \$5,000 may be
17 10 expended for administrative purposes.

17 11 3. Of the funds appropriated to the Iowa department of
17 12 public health for addictive disorders, \$950,000 for the fiscal
17 13 year beginning July 1, 2005, shall be transferred to the
17 14 department of human services for an integrated substance abuse
17 15 managed care system.

17 16 4. If the federal centers for Medicare and Medicaid
17 17 services approves a waiver request from the department, the
17 18 department shall provide a period of 12 months of guaranteed

DETAIL: This is the same language that has been in the DHS Appropriations Act for several years.

Requires the DHS to use a maximum of \$60,000 of the funds appropriated for Medical Assistance to continue the Acquired Immune Deficiency Syndrome/Human Immunodeficiency Virus (AIDS/HIV) Health Insurance Premium Payment as established during the Second Extraordinary Session in 1992.

DETAIL: Maintains the current level of General Fund support.

Requires \$950,000 from the Substance Abuse Grants appropriation within the Department of Public Health be transferred to the Medical Assistance Program in the DHS for continuation of the Managed Substance Abuse Treatment Program.

DETAIL: The Managed Substance Abuse Treatment Program was funded for the first time in FY 1996. Maintains the current level of General Fund support.

Requires 24 months of coverage for family planning services under the Medical Assistance Program if a waiver is approved by the federal government.

17 19 eligibility for medical assistance family planning services
 17 20 only, regardless of the change in circumstances of a woman who
 17 21 was a medical assistance recipient when a pregnancy ended.
 17 22 The department shall also provide this guaranteed eligibility
 17 23 to women of childbearing age with countable income at or below
 17 24 200 percent of the federal poverty level.

17 25 5. a. The department shall aggressively pursue options
 17 26 for providing medical assistance or other assistance to
 17 27 individuals with special needs who become ineligible to
 17 28 continue receiving services under the early and periodic
 17 29 screening, diagnosis, and treatment program under the medical
 17 30 assistance program due to becoming 21 years of age, who have
 17 31 been approved for additional assistance through the
 17 32 department's exception to policy provisions, but who have
 17 33 health care needs in excess of the funding available through
 17 34 the exception to policy process.

17 35 b. Of the funds appropriated in this section, \$100,000
 18 1 shall be used for participation in one or more pilot projects
 18 2 operated by a private provider to allow the individual or
 18 3 individuals to receive service in the community in accordance
 18 4 with principles established in *Olmstead v. L.C.*, 527 U.S. 581
 18 5 (1999), for the purpose of providing medical assistance or
 18 6 other assistance to individuals with special needs who become
 18 7 ineligible to continue receiving services under the early and
 18 8 periodic screening, diagnosis, and treatment program under the
 18 9 medical assistance program due to becoming 21 years of age,
 18 10 who have been approved for additional assistance through the
 18 11 department's exception to policy provisions, but who have
 18 12 health care needs in excess of the funding available through
 18 13 the exception to the policy provisions.

18 14 6. Of the funds available in this section, up to
 18 15 \$3,050,082 may be transferred to the field operations or
 18 16 general administration appropriations in this Act for
 18 17 implementation and operational costs associated with Part D of
 18 18 the federal Medicare Prescription Drug, Improvement, and

Requires the DHS to aggressively pursue options for assisting special need individuals that become ineligible for continued services under the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) Program by turning 21 years of age. The individuals are to have been approved for additional assistance through the DHS exception to policy process but have health care needs exceeding available funding.

Permits the DHS to transfer up to \$3,050,082 to Field Operations or General Administration for implementation costs of the new Medicare Part D prescription drug benefit and low-income subsidy application process.

18 19 Modernization Act of 2003, Pub. L. No. 108–173.

18 20 7. The department shall expand the health insurance data
 18 21 match program as directed pursuant to 2004 Iowa Acts, chapter
 18 22 1175, section 119, subsection 1, paragraph "c", to also match
 18 23 insureds against a listing of hawk–i program enrollees. The
 18 24 information submitted under the expansion shall be used solely
 18 25 to identify third–party payors for hawk–i program enrollees
 18 26 and shall be kept confidential. The department, in
 18 27 consultation with insurance carriers, shall adopt rules to
 18 28 implement this subsection. The department may adopt emergency
 18 29 rules to implement this subsection and insurance carriers
 18 30 shall begin providing the information required upon adoption
 18 31 of the rules.

Requires the DHS to expand the Health Insurance Data Match Program that identifies third party payors for Medicaid recipients, to also include the Healthy and Well Kids in Iowa (*hawk-i*) Program.

18 32 8. The department shall provide educational opportunities
 18 33 to providers under the medical assistance program to improve
 18 34 payment accuracy by avoiding mistakes and overbilling.

Requires the DHS to educate providers and improve provider payment accuracy.

DETAIL: A decrease of \$99,427 has been included in the Medical Assistance appropriation for this change.

18 35 9. The department shall modify billing practices to allow
 19 1 for collection of rebates from prescription drug manufacturers
 19 2 under the medical assistance program for purchase of
 19 3 injectable drugs administered in physicians' offices.

Requires the DHS to modify billing practices to separately identify prescription drugs administered in physician offices to allow for the collection of rebates from the drug manufacturer.

DETAIL: A decrease of \$87,626 has been included in the Medical Assistance appropriation for this change.

19 4 10. The department shall adjust managed care capitation
 19 5 payments from the payment structure in effect as of June 30,
 19 6 2004, to optimize family planning claiming.

Requires the DHS to adjust managed care capitation rates to reflect a 90.00% federal match rate for family planning services.

DETAIL: A decrease of \$23,608 has been included in the Medical Assistance appropriation for this change.

19 7 11. The medical assistance pharmaceutical and therapeutics
 19 8 committee established pursuant to section 249A.20A shall
 19 9 develop options for increasing the savings relative to
 19 10 psychotropic drugs, while maintaining patient care quality.

Requires the Pharmaceutical and Therapeutics Committee, which establishes the Medicaid Preferred Drug List (PDL) to develop options for increasing savings for psychotropic drugs. Psychotropic drugs are currently exempted from the PDL. Requires the Committee to report

19 11 This subsection shall not be construed to amend, modify, or
 19 12 repeal the exception provided pursuant to section 249A.20A
 19 13 relating to drugs prescribed for mental illness. The
 19 14 committee shall submit a report of any options the committee
 19 15 recommends to the general assembly by January 1, 2006. Any
 19 16 options developed or recommended shall not be implemented
 19 17 without an affirmative action enacted by the general assembly.

to the General Assembly by January 1, 2006. Prohibits implementation of any changes without action by the General Assembly.

19 18 12. The department shall expand coverage under the medical
 19 19 assistance program to cover smoking cessation drugs.

Adds Medicaid coverage for smoking cessation medications.

DETAIL: A decrease of \$98,947 has been included in the Medical Assistance appropriation for this change.

19 20 13. The department shall expand coverage under the medical
 19 21 assistance program to cover weight reduction treatments and
 19 22 drugs.

Adds Medicaid coverage for weight reduction treatments and medications.

DETAIL: A decrease of \$98,947 has been included in the Medical Assistance appropriation for this change.

[19 23 14. The department shall adopt rules to require that if a
 19 24 product is to be considered by the pharmaceutical and
 19 25 therapeutics committee established pursuant to section
 19 26 249A.20A for inclusion on the preferred drug list, the
 19 27 pharmaceutical and therapeutics committee shall respond to all
 19 28 inquiries regarding the process at least 72 hours prior to a
 19 29 meeting of the committee to consider inclusion of the product.
 19 30 Additionally, the rules shall require that the committee
 19 31 provide a pharmaceutical manufacturer of a product with 20
 19 32 days' prior written notice of consideration of the
 19 33 manufacturer's product for inclusion on the preferred drug
 19 34 list to allow adequate time for preparation of appropriate
 19 35 materials to be submitted to the committee for review. The
 20 1 rules shall also require that adequate time be provided for
 20 2 each interested individual to address the committee regarding
 20 3 a product to be considered for inclusion on the preferred drug
 20 4 list by the committee. A final decision regarding inclusion
 20 5 of a product on the preferred drug list shall not be made in
 20 6 an executive session of the committee.]

VETOED

Requires the DHS to adopt rules related to notification and timeframes for responses to inquiries and comments for the Pharmaceutical and Therapeutics Committee that oversees the Medicaid Preferred Drug List.

VETOED: The Governor vetoed this Section, stating that the requirements were impractical; create an unnecessary barrier to effective implementation of the Preferred Drug List; and provide preferential treatment to drug manufacturers.

20 8 is appropriated from the general fund of the state to the
 20 9 department of human services for the fiscal year beginning
 20 10 July 1, 2005, and ending June 30, 2006, the following amount,
 20 11 or so much thereof as is necessary, to be used for the purpose
 20 12 designated:
 20 13 For administration of the health insurance premium payment
 20 14 program, including salaries, support, maintenance, and
 20 15 miscellaneous purposes, and for not more than the following
 20 16 full-time equivalent positions:
 20 17 \$ 612,574
 20 18 FTEs 20.95

DETAIL: This is a decrease of \$2,639 and 0.05 FTE position compared to the estimated net FY 2005 appropriation for a technical adjustment.

20 19 Sec. 11. MEDICAL CONTRACTS. There is appropriated from
 20 20 the general fund of the state to the department of human
 20 21 services for the fiscal year beginning July 1, 2005, and
 20 22 ending June 30, 2006, the following amount, or so much thereof
 20 23 as is necessary, to be used for the purpose designated:
 20 24 For medical contracts, including salaries, support,
 20 25 maintenance, and miscellaneous purposes:
 20 26 \$ 14,711,985

General Fund appropriation to the DHS for Medical Contracts.

DETAIL: This is an increase of \$4,986,950 compared to the estimated net FY 2005 appropriation. The increase is for costs associated with implementation of the Iowa Medicaid Enterprise (the new fiscal agent contracts). The increase is offset by a savings of \$7,900,000 in the Medical Assistance appropriation.

This Program received an FY 2005 supplemental appropriation in SF 342 (FY 2005 Supplemental Appropriations Act). When the supplemental funding is included, the FY 2006 General Fund appropriation is an increase of \$3,986,950 compared to the total General Fund support for FY 2005.

20 27 Sec. 12. STATE SUPPLEMENTARY ASSISTANCE.
 20 28 1. There is appropriated from the general fund of the
 20 29 state to the department of human services for the fiscal year
 20 30 beginning July 1, 2005, and ending June 30, 2006, the
 20 31 following amount, or so much thereof as is necessary, to be
 20 32 used for the purposes designated:
 20 33 For the state supplementary assistance program:
 20 34 \$ 19,810,335

General Fund appropriation to the DHS for State Supplementary Assistance.

DETAIL: This is an increase of \$537,200 compared to the estimated net FY 2005 appropriation, including:

- An increase of \$500,000 for caseload increases.
- An increase of \$37,200 for a payment of \$1 per month to qualifying clients. The payment allows the State to access federal matching funds for the Medicare premiums for these individuals.
- A decrease of \$2,127,672 is included in the Medical Assistance appropriation for this change.

20 35 2. The department shall increase the personal needs
 21 1 allowance for residents of residential care facilities by the
 21 2 same percentage and at the same time as federal supplemental
 21 3 security income and federal social security benefits are
 21 4 increased due to a recognized increase in the cost of living.
 21 5 The department may adopt emergency rules to implement this
 21 6 subsection.

Requires the DHS to increase the personal needs allowance of residential care facilities residents at the same rate and time as federal Supplemental Security Income (SSI) and Social Security benefits are increased. Permits the DHS to adopt emergency rules for implementation.

21 7 3. If during the fiscal year beginning July 1, 2005, the
 21 8 department projects that state supplementary assistance
 21 9 expenditures for a calendar year will not meet the federal
 21 10 pass-along requirement specified in Title XVI of the federal
 21 11 Social Security Act, section 1618, as codified in 42 U.S.C. §
 21 12 1382g, the department may take actions including but not
 21 13 limited to increasing the personal needs allowance for
 21 14 residential care facility residents and making programmatic
 21 15 adjustments or upward adjustments of the residential care
 21 16 facility or in-home health-related care reimbursement rates
 21 17 prescribed in this division of this Act to ensure that federal
 21 18 requirements are met. In addition, the department may make
 21 19 other programmatic and rate adjustments necessary to remain
 21 20 within the amount appropriated in this section while ensuring
 21 21 compliance with federal requirements. The department may
 21 22 adopt emergency rules to implement the provisions of this
 21 23 subsection.

Permits the DHS to adjust rates for State Supplementary Assistance to meet federal maintenance of effort requirements. Permits the DHS to adopt emergency rules for implementation.

21 24 Sec. 13. CHILDREN'S HEALTH INSURANCE PROGRAM. There is
 21 25 appropriated from the general fund of the state to the
 21 26 department of human services for the fiscal year beginning
 21 27 July 1, 2005, and ending June 30, 2006, the following amount,
 21 28 or so much thereof as is necessary, to be used for the purpose
 21 29 designated:
 21 30 For maintenance of the healthy and well kids in Iowa (hawk-
 21 31 i) program pursuant to chapter 514I for receipt of federal
 21 32 financial participation under Title XXI of the federal Social
 21 33 Security Act, which creates the state children's health
 21 34 insurance program:

General Fund appropriation to the DHS for the Children's Health Insurance Program, also known as the Healthy and Well Kids in Iowa (*hawk-i*) Program.

DETAIL: This is an increase of \$4,500,000 compared to the estimated net FY 2005 appropriation for caseload and health insurance premium increases, and to replace one-time funds from the *hawk-i* Trust Fund balance. This appropriation was decreased by \$50,000 in HF 882 (FY 2006 Standing Appropriations Act). The revised amount is an increase of \$4,450,000 compared to the estimated net FY 2005 appropriation.

21 35 \$ 16,618,275

22 1 Sec. 14. CHILD CARE ASSISTANCE. There is appropriated
 22 2 from the general fund of the state to the department of human
 22 3 services for the fiscal year beginning July 1, 2005, and
 22 4 ending June 30, 2006, the following amount, or so much thereof
 22 5 as is necessary, to be used for the purpose designated:
 22 6 For child care programs:
 22 7 \$ 15,800,752

General Fund appropriation to the DHS for the Child Care Assistance Program.

DETAIL: This is an increase of \$10,750,000 compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$7,500,000 for provider rate reimbursements using the 2002 Market Rate Survey (MRS), beginning September 1, 2005.
- An increase of \$2,250,000 to expand eligibility for the Program to 145% of the Federal Poverty Level (FPL), beginning September 1, 2005. It is estimated that an additional 794 children will be served per month.
- An increase of \$900,000 to implement a Quality Rating System.
- An increase of \$100,000 to expand eligibility for the special needs subsidy to 200% of FPL, beginning September 1, 2005. It is estimated that an additional 25 children will be served per month.

22 8 1. a. Of the funds appropriated in this section,
 22 9 \$14,375,228 shall be used for state child care assistance in
 22 10 accordance with section 237A.13.

Requires that \$14,375,228 of the Child Care Assistance Program appropriation be used to provide child care assistance for low-income employed lowans.

DETAIL: This is an increase of \$9,850,000 compared to the allocation in FY 2005 for the increase in provider rates and expansion of eligibility for the Program.

22 11 b. The department shall adopt rules to increase the upper
 22 12 income eligibility requirements under the state child care
 22 13 assistance program for families from 140 percent of the
 22 14 federal poverty level to 145 percent of the federal poverty
 22 15 level and for families with a special needs child from 175
 22 16 percent of the federal poverty level to 200 percent of the
 22 17 federal poverty level. The poverty level changes shall take
 22 18 effect September 1, 2005. The department may adopt emergency
 22 19 rules to implement this paragraph.

Requires the DHS to adopt administrative rules that expand eligibility for the Child Care Assistance Program from 140% to 145%, and from 175% to 200% for families with a special needs child.

22 20 2. Of the funds appropriated in this section, \$900,000
 22 21 shall be used for implementation of a quality rating system
 22 22 for child care providers, in accordance with legislation
 22 23 enacted to authorize implementation of the rating system.

Allocates \$900,000 from the Child Care Assistance Program appropriation to implement a Quality Rating System for child care providers.

DETAIL: This is a new allocation for FY 2006.

22 24 3. Nothing in this section shall be construed or is
 22 25 intended as, or shall imply, a grant of entitlement for
 22 26 services to persons who are eligible for assistance due to an
 22 27 income level consistent with the waiting list requirements of
 22 28 section 237A.13. Any state obligation to provide services
 22 29 pursuant to this section is limited to the extent of the funds
 22 30 appropriated in this section.

Specifies that Child Care Assistance Program funds are not an entitlement and that the State's obligation to provide services is limited to the funds available.

22 31 4. Of the funds appropriated in this section, \$525,524 is
 22 32 allocated for the statewide program for child care resource
 22 33 and referral services under section 237A.26.

Allocates \$525,524 for the Statewide Child Care Resource and Referral Program.

DETAIL: Maintains current allocation level.

22 34 5. The department may use any of the funds appropriated in
 22 35 this section as a match to obtain federal funds for use in
 23 1 expanding child care assistance and related programs. For the
 23 2 purpose of expenditures of state and federal child care
 23 3 funding, funds shall be considered obligated at the time
 23 4 expenditures are projected or are allocated to the
 23 5 department's service areas. Projections shall be based on
 23 6 current and projected caseload growth, current and projected
 23 7 provider rates, staffing requirements for eligibility
 23 8 determination and management of program requirements including
 23 9 data systems management, staffing requirements for
 23 10 administration of the program, contractual and grant
 23 11 obligations and any transfers to other state agencies, and
 23 12 obligations for decategorization or innovation projects.

Permits funds appropriated for child care to be used as matching funds for federal grants. Also, specifies that funds are obligated when expenditures are projected or allocated to the DHS regions.

DETAIL: This provision was also in effect for FY 2005.

23 13 6. A portion of the state match for the federal child care
 23 14 and development block grant shall be provided through the
 23 15 state general fund appropriation for child development grants

Requires that a portion of the State match for the federal Child Care and Development Block Grant be provided from the State appropriation for child development grants and other programs for at-risk children.

23 16 and other programs for at-risk children in section 279.51.

23 17 Sec. 15. JUVENILE INSTITUTIONS. There is appropriated
 23 18 from the general fund of the state to the department of human
 23 19 services for the fiscal year beginning July 1, 2005, and
 23 20 ending June 30, 2006, the following amounts, or so much
 23 21 thereof as is necessary, to be used for the purposes
 23 22 designated:

General Fund appropriations to the DHS for juvenile institutions.

23 23 1. For operation of the Iowa juvenile home at Toledo and
 23 24 for salaries, support, maintenance, and for not more than the
 23 25 following full-time equivalent positions:

General Fund appropriation to the DHS for the Juvenile Home at Toledo.

23 26 \$ 6,226,283
 23 27 FTEs 130.54

DETAIL: This is an increase of \$135,000 and no change in FTE positions compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$110,000 for substance abuse treatment.
- An increase of \$25,000 for school books and supplies.

23 28 2. For operation of the state training school at Eldora
 23 29 and for salaries, support, maintenance, and for not more than
 23 30 the following full-time equivalent positions:

General Fund appropriation to the DHS for the State Training School at Eldora.

23 31 \$ 9,830,692
 23 32 FTEs 218.53

DETAIL: This is an increase of \$208,000 and no change in FTE positions compared to the estimated net FY 2005 appropriation for substance abuse treatment.

23 33 3. A portion of the moneys appropriated in this section
 23 34 shall be used by the state training school and by the Iowa
 23 35 juvenile home for grants for adolescent pregnancy prevention
 24 1 activities at the institutions in the fiscal year beginning
 24 2 July 1, 2005.

Requires a portion of the funds for the two juvenile institutions be used for pregnancy prevention in FY 2006.

24 3 Sec. 16. CHILD AND FAMILY SERVICES.

24 4 1. There is appropriated from the general fund of the
 24 5 state to the department of human services for the fiscal year
 24 6 beginning July 1, 2005, and ending June 30, 2006, the

General Fund appropriation to the DHS for Child and Family Services.

DETAIL: This is a decrease of \$22,257,784 compared to the estimated net FY 2005 appropriation. The change includes:

24 7 following amount, or so much thereof as is necessary, to be
 24 8 used for the purpose designated:
 24 9 For child and family services:
 24 10 \$ 75,200,000

- A decrease of \$28,972,926 to transfer funds to a separate appropriation for the Adoption Subsidy Program.
- An increase of \$2,300,000 for various child welfare programs.
- An increase of \$2,219,709 to provide a 3.00% rate increase for Residential Treatment Support Service (RTSS) and social services providers.
- An increase of \$2,200,000 to replace one-time funds used in FY 2005.
- A decrease of \$2,200,000 as a result of carry forward funds.
- An increase of \$900,000 for Child Protection Centers.
- An increase of \$600,000 for child welfare redesign activities.
- An increase of \$439,775 for changes in the federal match rate.
- An increase of \$364,341 for foster family care and independent living maintenance rates.
- A decrease of \$108,683 for a technical adjustment.

24 11 In order to address a reduction of \$5,200,000 from the
 24 12 amount allocated under this appropriation in prior years for
 24 13 purposes of juvenile delinquent graduated sanction services,
 24 14 up to \$5,200,000 of the amount of federal temporary assistance
 24 15 for needy families block grant funding appropriated in this
 24 16 division of this Act for child and family services, shall be
 24 17 made available for purposes of juvenile delinquent graduated
 24 18 sanction services.

Requires that \$5,200,000 in TANF funds be utilized for delinquency programs.

DETAIL: This is a decrease of \$1,000,000 in TANF funds compared to the allocation made in FY 2005, which will be offset with an increase in General Funds.

24 19 2. The department may transfer funds appropriated in this
 24 20 section as necessary to pay the nonfederal costs of services
 24 21 reimbursed under the medical assistance program or the family
 24 22 investment program which are provided to children who would
 24 23 otherwise receive services paid under the appropriation in
 24 24 this section. The department may transfer funds appropriated
 24 25 in this section to the appropriations in this division of this
 24 26 Act for general administration and for field operations for
 24 27 resources necessary to implement and operate the services
 24 28 funded in this section.

Permits the DHS to transfer funds appropriated for Child and Family Services, General Administration, or Field Operations for Child Welfare

24 29 3. a. Of the funds appropriated in this section, up to

Allocates up to \$35,883,510 for group care services and maintenance costs.

24 30 \$35,883,519 is allocated as the statewide expenditure target
 24 31 under section 232.143 for group foster care maintenance and
 24 32 services.

DETAIL: This is an increase of \$1,230,127 compared to the FY 2005 allocation for the 3.00% increase for Residential Treatment Service providers.

24 33 b. If at any time after September 30, 2005, annualization
 24 34 of a service area's current expenditures indicates a service
 24 35 area is at risk of exceeding its group foster care expenditure
 25 1 target under section 232.143 by more than 5 percent, the
 25 2 department and juvenile court services shall examine all group
 25 3 foster care placements in that service area in order to
 25 4 identify those which might be appropriate for termination. In
 25 5 addition, any aftercare services believed to be needed for the
 25 6 children whose placements may be terminated shall be
 25 7 identified. The department and juvenile court services shall
 25 8 initiate action to set dispositional review hearings for the
 25 9 placements identified. In such a dispositional review
 25 10 hearing, the juvenile court shall determine whether needed
 25 11 aftercare services are available and whether termination of
 25 12 the placement is in the best interest of the child and the
 25 13 community.

Requires the group foster care expenditure target to be reviewed under certain conditions and requires review hearings when appropriate.

25 14 c. Of the funds allocated in this subsection, \$1,465,009
 25 15 is allocated as the state match funding for 50 highly
 25 16 structured juvenile program beds. If the number of beds
 25 17 provided for in this lettered paragraph is not utilized, the
 25 18 remaining funds allocated may be used for group foster care.

Allocates \$1,465,009 to provide matching funds for 50 highly-structured juvenile program (boot camp) beds.

DETAIL: This is an increase of \$66,606 compared to the FY 2005 allocation for the 3.00% rate increase for Residential Treatment Service providers.

25 19 d. If House File 538 or other legislation is enacted
 25 20 during the 2005 session of the general assembly providing for
 25 21 submission of an application for federal approval of a waiver
 25 22 to provide coverage under the medical assistance program for
 25 23 children who need behavioral health care services and qualify
 25 24 for the care level provided by a psychiatric medical
 25 25 institution for children licensed under chapter 135H and are

Permits the DHS to transfer funds from the Child and Family Services appropriation to the Medical Assistance Program appropriation if legislation is enacted and federal approval is received to provide certain Child in Need of Assistance (CINA) children Medicaid benefits without court requirements to relinquish parental rights.

25 26 in need of treatment to cure or alleviate serious mental
 25 27 illness or disorder, or emotional damage as evidenced by
 25 28 severe anxiety, depression, withdrawal, or untoward aggressive
 25 29 behavior toward self or others and whose parents, guardians,
 25 30 or custodians are unable to provide such treatment, and the
 25 31 waiver is approved, the department may transfer funds
 25 32 appropriated in this section to the appropriation made in this
 25 33 division of this Act for the medical assistance program in
 25 34 order to pay the nonfederal share of the costs incurred under
 25 35 the waiver.

26 1 4. In accordance with the provisions of section 232.188,
 26 2 the department shall continue the program to decategorize
 26 3 child welfare services funding. Of the funds appropriated in
 26 4 this section, \$2,500,000 is allocated specifically for
 26 5 expenditure through the decategorization of child welfare
 26 6 funding pools and governance boards established pursuant to
 26 7 section 232.188. In addition, up to \$1,000,000 of the amount
 26 8 of federal temporary assistance for needy families block grant
 26 9 funding appropriated in this division of this Act for child
 26 10 and family services shall be made available for purposes of
 26 11 decategorization of child welfare services as provided in this
 26 12 subsection. Notwithstanding section 8.33, moneys allocated in
 26 13 this subsection that remain unencumbered or unobligated at the
 26 14 close of the fiscal year shall not revert but shall remain
 26 15 available for expenditure for the purposes designated until
 26 16 the close of the succeeding fiscal year.

26 17 5. A portion of the funding appropriated in this section
 26 18 may be used for emergency family assistance to provide other
 26 19 resources required for a family participating in a family
 26 20 preservation or reunification project to stay together or to
 26 21 be reunified.

26 22 6. Notwithstanding section 234.35, subsection 1, for the
 26 23 fiscal year beginning July 1, 2005, state funding for shelter
 26 24 care paid pursuant to section 234.35, subsection 1, paragraph

CODE: Allocates \$2,500,000 from the General Fund appropriation for decategorization services. Also, requires \$1,000,000 in TANF funds to be utilized for this purpose. Also, permits funding allocated for decategorization services to carry forward into the next fiscal year.

DETAIL: The total amount allocated is \$3,500,000. This is an increase of \$500,000 compared to the FY 2005 allocation level.

Permits a portion of the Child and Family Services appropriation to be used for emergency family assistance under specified conditions.

CODE: Limits State funding for shelter care to \$7,252,955.

26 25 "h", shall be limited to \$7,252,955.

DETAIL: This is an increase of \$326,237 compared to the FY 2005 allocation for the 3.00% rate increase for Residential Treatment Support Service (RTSS) providers.

26 26 7. Federal funds received by the state during the fiscal
26 27 year beginning July 1, 2005, as the result of the expenditure
26 28 of state funds appropriated during a previous state fiscal
26 29 year for a service or activity funded under this section, are
26 30 appropriated to the department to be used as additional
26 31 funding for services and purposes provided for under this
26 32 section. Notwithstanding section 8.33, moneys received in
26 33 accordance with this subsection that remain unencumbered or
26 34 unobligated at the close of the fiscal year shall not revert
26 35 to any fund but shall remain available for the purposes
27 1 designated until the close of the succeeding fiscal year.

CODE: Requires that federal funds received in FY 2006 remaining after the expenditure of related State funds be used for Child Welfare services. Also, permits nonreversion of funds.

27 2 8. Of the moneys appropriated in this section, not more
27 3 than \$442,100 is allocated to provide clinical assessment
27 4 services as necessary to continue funding of children's
27 5 rehabilitation services under medical assistance in accordance
27 6 with federal law and requirements. The funding allocated is
27 7 the amount projected to be necessary for providing the
27 8 clinical assessment services.

Allows a maximum of \$442,100 for Clinical Assessment Services.

DETAIL: Maintains the current allocation level.

27 9 9. Of the funding appropriated in this section, \$3,696,285
27 10 shall be used for protective child care assistance.

Requires that \$3,696,285 be used for protective child care assistance.

DETAIL: Maintains the current allocation level.

27 11 10. Of the moneys appropriated in this section, up to
27 12 \$2,859,851 is allocated for the payment of the expenses of
27 13 court-ordered services provided to juveniles which are a
27 14 charge upon the state pursuant to section 232.141, subsection

Allocates up to \$2,859,851 for court-ordered services provided to juveniles.

DETAIL: Maintains the current allocation level.

27 15 4. Of the amount allocated in this subsection, up to
27 16 \$1,431,597 shall be made available to provide school-based
27 17 supervision of children adjudicated under chapter 232, of
27 18 which not more than \$15,000 may be used for the purpose of

Allocates \$1,431,597 for school-based supervision of delinquent children, limits training funds to \$15,000, and requires that a portion of the cost for school-based liaisons be paid by school districts.

27 19 training. A portion of the cost of each school-based liaison
 27 20 officer shall be paid by the school district or other funding
 27 21 source as approved by the chief juvenile court officer.

DETAIL: Maintains current allocation levels.

27 22 a. Notwithstanding section 232.141 or any other provision
 27 23 of law to the contrary, the amount allocated in this
 27 24 subsection shall be distributed to the judicial districts as
 27 25 determined by the state court administrator. The state court
 27 26 administrator shall make the determination of the distribution
 27 27 amounts on or before June 15, 2005.

CODE: Requires allocations to the DHS districts be made according to a formula determined by the State Court Administrator by June 15, 2005.

27 28 b. Notwithstanding chapter 232 or any other provision of
 27 29 law to the contrary, a district or juvenile court shall not
 27 30 order any service which is a charge upon the state pursuant to
 27 31 section 232.141 if there are insufficient court-ordered
 27 32 services funds available in the district court distribution
 27 33 amount to pay for the service. The chief juvenile court
 27 34 officer shall encourage use of the funds allocated in this
 27 35 subsection such that there are sufficient funds to pay for all
 28 1 court-related services during the entire year. The chief
 28 2 juvenile court officers shall attempt to anticipate potential
 28 3 surpluses and shortfalls in the distribution amounts and shall
 28 4 cooperatively request the state court administrator to
 28 5 transfer funds between the districts' distribution amounts as
 28 6 prudent.

CODE: Prohibits a court from ordering any service that is a charge to the State if there are insufficient funds to reimburse the service. Requires the Chief Juvenile Court Officer to use the funds in a manner that will cover the entire fiscal year and permits funds to be transferred between districts.

28 7 c. Notwithstanding any provision of law to the contrary, a
 28 8 district or juvenile court shall not order a county to pay for
 28 9 any service provided to a juvenile pursuant to an order
 28 10 entered under chapter 232 which is a charge upon the state
 28 11 under section 232.141, subsection 4.

CODE: Prohibits a district or juvenile court from ordering a county to pay for a service provided to a juvenile that is a charge to the State.

28 12 d. Of the funding allocated in this subsection, not more
 28 13 than \$100,000 may be used by the judicial branch for
 28 14 administration of the requirements under this subsection and
 28 15 for travel associated with court-ordered placements which are
 28 16 a charge upon the state pursuant to section 232.141,

Prohibits the Judicial Branch from using more than \$100,000 for administration and travel costs.

DETAIL: Maintains the current allocation level.

28 17 subsection 4.

28 18 11. Notwithstanding 2000 Iowa Acts, chapter 1228, section
 28 19 43, the department may operate a subsidized guardianship
 28 20 program if the United States department of health and human
 28 21 services approves a waiver under Title IV-E of the federal
 28 22 Social Security Act or the federal Social Security Act is
 28 23 amended to allow Title IV-E funding to be used for subsidized
 28 24 guardianship, and the subsidized guardianship program can be
 28 25 operated without loss of Title IV-E funds.

CODE: Permits the DHS to operate a subsidized guardianship program if a federal waiver is received and Title IV-E funds are not jeopardized.

28 26 12. Of the amount appropriated in this section, \$1,000,000
 28 27 shall be transferred to the Iowa department of public health
 28 28 to be used for the child protection center grant program in
 28 29 accordance with section 135.118.

Requires an allocation of \$1,000,000 be transferred to the Department of Public Health for a Child Protection Center Grant Program.

DETAIL: This is an increase of \$900,000 compared to the FY 2005 allocation.

28 30 13. Of the amount appropriated in this section, \$148,000
 28 31 shall be used for funding of one or more child welfare
 28 32 diversion and mediation pilot projects as provided in 2004
 28 33 Iowa Acts, chapter 1130, section 1.

Requires an allocation of \$148,000 be used for child welfare diversion and mediation projects.

DETAIL: Maintains the current allocation level.

28 34 14. If the department receives federal approval to
 28 35 implement a waiver under Title IV-E of the federal Social
 29 1 Security Act to enable providers to serve children who remain
 29 2 in the children's families and communities, for purposes of
 29 3 eligibility under the medical assistance program children who
 29 4 participate in the waiver shall be considered to be placed in
 29 5 foster care.

Requires that children receiving in-home or community-based services under a federal Title IV-E waiver be considered as placed in foster care in order to remain eligible for Medicaid, if the DHS receives federal approval to implement the waiver.

29 6 15. Of the amount appropriated in this section, the
 29 7 following amounts are allocated for the indicated child
 29 8 welfare system improvements:

Allocations for Child Welfare System improvements for FY 2006.

29 9 a. For family team meetings and other family engagement
 29 10 efforts:
 29 11 \$ 900,000

Allocates \$900,000 from the Child and Family Services appropriation for family team meetings and other family services.

29 12 b. For recruiting, training, and development of additional
 29 13 resource families, including but not limited to families
 29 14 providing kinship, foster, and adoptive care:
 29 15 \$ 325,000

DETAIL: This is a new allocation for FY 2006.

Allocates \$325,000 from the Child and Family Services appropriation for resource families, such as kinship, foster, and adoptive care.

29 16 c. For field staff working with families to have flexible
 29 17 funding to purchase services and other support and to fill
 29 18 urgent family needs:
 29 19 \$ 250,000

DETAIL: This is a new allocation for FY 2006.

Allocates \$250,000 from the Child and Family Services appropriation for flexible funding to purchase emergency family services.

29 20 d. For funding of shelter care so that 15 emergency beds
 29 21 are available statewide for the fiscal year within the
 29 22 statewide average of 288 beds addressed in the department's
 29 23 shelter care plan:
 29 24 \$ 200,000

DETAIL: This is a new allocation for FY 2006.

Allocates \$200,000 from the Child and Family Services appropriation for 15 emergency shelter care beds.

29 25 e. For expansion of community partnerships to prevent
 29 26 child abuse:
 29 27 \$ 100,000

DETAIL: This is a new allocation for FY 2006.

Allocates \$100,000 from the Child and Family Services appropriation to expand community partnerships for child abuse prevention.

29 28 16. The general assembly finds that it is important for
 29 29 adequate, comprehensive mental health services to be available
 29 30 to the children of this state; that Iowa is seeking to develop
 29 31 a coordinated system of mental health care for children
 29 32 through a redesign of the children's mental health system;
 29 33 that Iowa is one of only two states that have not participated
 29 34 in the comprehensive community mental health services program
 29 35 for children and their families grant offered by the substance
 30 1 abuse and mental health services administration (SAMHSA) of
 30 2 the United States department of health and human services; and
 30 3 that implementing such an initiative requires long-term
 30 4 sustainability and support. The general assembly expresses
 30 5 appreciation to the department for applying to SAMHSA for the
 30 6 comprehensive services program grant to implement a six-year

DETAIL: This is a new allocation for FY 2006.

Specifies that the General Assembly supports the Department's application for a federal Substance Abuse and Mental Health Services Administration (SAMHSA) grant in order to implement a six-year project to establish a coordinated care system for children with mental illness that will serve as a model to develop a Statewide system.

30 7 project located in northeast Iowa. The purpose of the project
 30 8 is to create a family-driven, coordinated system of care for
 30 9 children with mental illness to serve as a model for
 30 10 developing a statewide approach based on family-provider
 30 11 partnerships and long-term sustainability. The general
 30 12 assembly strongly supports the grant application and
 30 13 implementation of the project as vital steps in redesigning
 30 14 the children's mental health system.

30 15 17. The department shall revise policies or administrative
 30 16 rules applicable when a breastfeeding infant is removed from
 30 17 the infant's home in accordance with chapter 232, to allow the
 30 18 infant's mother to continue to breastfeed the infant when such
 30 19 contact with the mother is in the best interest of the infant.

30 20 Sec. 17. ADOPTION SUBSIDY.

30 21 1. There is appropriated from the general fund of the
 30 22 state to the department of human services for the fiscal year
 30 23 beginning July 1, 2005, and ending June 30, 2006, the
 30 24 following amount, or so much thereof as is necessary, to be
 30 25 used for the purpose designated:

30 26 For adoption subsidy payments and services:
 30 27 \$ 32,250,000

30 28 2. The department may transfer funds appropriated in this
 30 29 section to the appropriations in this Act for child and family
 30 30 services to be used for adoptive family recruitment and other
 30 31 services to achieve adoption.

30 32 3. Federal funds received by the state during the fiscal
 30 33 year beginning July 1, 2005, as the result of the expenditure
 30 34 of state funds during a previous state fiscal year for a
 30 35 service or activity funded under this section, are

Requires the DHS to revise policies or administrative rules regarding when a breastfeeding infant is removed from the home in order to allow the mother to continue breastfeeding when in the best interest of the infant.

General Fund appropriation to the DHS for the Adoption Subsidy Program.

DETAIL: This is a new appropriation of \$32,250,000 for FY 2006, which includes:

- An increase of \$28,972,924 to transfer funds from the Child and Family Services appropriation.
- An increase of \$2,341,617 for projected caseload growth.
- An increase of \$722,029 for adoption subsidy maintenance rates.
- An increase of \$239,162 for changes in the federal match rate.
- A decrease of \$25,732 for a technical adjustment.

Allows the DHS to transfer funds to be used for adoption recruitment and services.

CODE: Requires that federal funds received in FY 2006, due to the expenditure of State funds in a previous fiscal year, are to be used for Adoption Subsidy. Permits nonreversion of funds in this Section until the close of FY 2007.

31 1 appropriated to the department to be used as additional
 31 2 funding for the services and activities funded under this
 31 3 section. Notwithstanding section 8.33, moneys received in
 31 4 accordance with this subsection that remain unencumbered or
 31 5 unobligated at the close of the fiscal year shall not revert
 31 6 to any fund but shall remain available for expenditure for the
 31 7 purposes designated until the close of the succeeding fiscal
 31 8 year.

31 9 Sec. 18. JUVENILE DETENTION HOME FUND. Moneys deposited
 31 10 in the juvenile detention home fund created in section 232.142
 31 11 during the fiscal year beginning July 1, 2005, and ending June
 31 12 30, 2006, are appropriated to the department of human services
 31 13 for the fiscal year beginning July 1, 2005, and ending June
 31 14 30, 2006, for distribution as follows:

31 15 1. An amount equal to 10 percent of the costs of the
 31 16 establishment, improvement, operation, and maintenance of
 31 17 county or multicounty juvenile detention homes in the fiscal
 31 18 year beginning July 1, 2004. Moneys appropriated for
 31 19 distribution in accordance with this subsection shall be
 31 20 allocated among eligible detention homes, prorated on the
 31 21 basis of an eligible detention home's proportion of the costs
 31 22 of all eligible detention homes in the fiscal year beginning
 31 23 July 1, 2004. Notwithstanding section 232.142, subsection 3,
 31 24 the financial aid payable by the state under that provision
 31 25 for the fiscal year beginning July 1, 2005, shall be limited
 31 26 to the amount appropriated for the purposes of this
 31 27 subsection.

31 28 2. For renewal of a grant to a county with a population
 31 29 between 189,000 and 196,000 for implementation of the county's
 31 30 runaway treatment plan under section 232.195:

31 31 \$ 80,000

31 32 3. For continuation and expansion of the community
 31 33 partnership for child protection sites:

31 34 \$ 318,000

31 35 4. For continuation of the department's minority youth and
 32 1 family projects under the redesign of the child welfare

CODE: Requires that funds collected by the Department of Transportation, pursuant to the Juvenile Services and Pay-For-Stay Program Act of 1997, and deposited into the Juvenile Detention Home Fund be distributed as follows:

- Ten percent of the FY 2005 costs of the Juvenile Homes.
- \$80,000 for the Linn County Runaway Program.
- \$318,000 for continuation and expansion of the community partnership for child protection sites.
- \$375,000 for continuation of the minority youth and family projects in Sioux City and Des Moines.
- Grants to counties implementing a runaway treatment plan.
- Juvenile detention centers, if funds remain.

32 2 system:
 32 3 \$ 375,000
 32 4 5. For grants to counties implementing a runaway treatment
 32 5 plan under section 232.195.
 32 6 6. The remainder for additional allocations to county or
 32 7 multicounty juvenile detention homes, in accordance with the
 32 8 distribution requirements of subsection 1.

32 9 Sec. 19. FAMILY SUPPORT SUBSIDY PROGRAM. There is
 32 10 appropriated from the general fund of the state to the
 32 11 department of human services for the fiscal year beginning
 32 12 July 1, 2005, and ending June 30, 2006, the following amount,
 32 13 or so much thereof as is necessary, to be used for the purpose
 32 14 designated:
 32 15 For the family support subsidy program:
 32 16 \$ 1,936,434

32 17 1. The department may use up to \$333,312 of the moneys
 32 18 appropriated in this section to continue the children-at-home
 32 19 program in current counties, of which not more than \$20,000
 32 20 shall be used for administrative costs.

32 21 2. Notwithstanding section 225C.38, subsection 1, the
 32 22 monthly family support payment amount for the fiscal year
 32 23 beginning July 1, 2005, shall remain the same as the payment
 32 24 amount in effect on June 30, 2005.

32 25 Sec. 20. CONNER DECREE. There is appropriated from the
 32 26 general fund of the state to the department of human services
 32 27 for the fiscal year beginning July 1, 2005, and ending June
 32 28 30, 2006, the following amount, or so much thereof as is
 32 29 necessary, to be used for the purpose designated:
 32 30 For building community capacity through the coordination
 32 31 and provision of training opportunities in accordance with the
 32 32 consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.
 32 33 Iowa, July 14, 1994):
 32 34 \$ 42,623

General Fund appropriation for the Family Support Program.

DETAIL: Maintains the current level of General Fund support.

Permits the DHS to use up to \$333,312 to continue the Children-at-Home Pilot Program and limits administrative funding to \$20,000.

DETAIL: Maintains current allocation levels.

CODE: Requires FY 2006 monthly family support payments remain at the same level as provided in FY 2005.

General Fund appropriation to the DHS for Conner Decree training requirements.

DETAIL: Maintains the current level of General Fund support. The funds are used for training purposes to comply with the *Conner vs. Branstad* court decision mandating placement of persons in the least restrictive setting.

32 35 Sec. 21. MENTAL HEALTH INSTITUTES. There is appropriated
 33 1 from the general fund of the state to the department of human
 33 2 services for the fiscal year beginning July 1, 2005, and
 33 3 ending June 30, 2006, the following amounts, or so much
 33 4 thereof as is necessary, to be used for the purposes
 33 5 designated:

33 6 1. For the state mental health institute at Cherokee for
 33 7 salaries, support, maintenance, and miscellaneous purposes and
 33 8 for not more than the following full-time equivalent
 33 9 positions:
 33 10 \$ 13,079,889
 33 11 FTEs 228.00

General Fund appropriation to the Mental Health Institute at Cherokee.

DETAIL: This is an increase of \$93,500 and no change in FTE positions compared to the estimated net FY 2005 appropriation. This includes:

- An increase of \$88,500 for the Psychiatric Physician Assistant Program.
- An increase of \$5,000 for educational material for the Children's Unit.

The FY 2006 General Fund appropriation for this Institute was reduced by \$9,098,425 in HF 841 (IowaCare Medicaid Reform Act) and replaced in the same amount by an appropriation from the IowaCare Account.

33 12 2. For the state mental health institute at Clarinda for
 33 13 salaries, support, maintenance, and miscellaneous purposes and
 33 14 for not more than the following full-time equivalent
 33 15 positions:
 33 16 \$ 7,439,591
 33 17 FTEs 113.15

General Fund appropriation to the Mental Health Institute at Clarinda.

DETAIL: Maintains current level of General Fund support and is an increase of 6.75 FTE positions compared to the estimated net FY 2005 appropriation.

The FY 2006 General Fund appropriation for this Institute was reduced by \$1,977,305 in HF 841 (IowaCare Medicaid Reform Act) and replaced in the same amount by an appropriation from the IowaCare Account.

33 18 3. For the state mental health institute at Independence
 33 19 for salaries, support, maintenance, and miscellaneous purposes

General Fund appropriation to the Mental Health Institute at Independence.

33 20 and for not more than the following full-time equivalent
 33 21 positions:
 33 22 \$ 17,334,091
 33 23 FTEs 317.80

DETAIL: This is an increase of \$9,200 and no change in FTE positions compared to the estimated net FY 2005 appropriation. This includes:

- An increase of \$4,200 for the federal matching rate requirements for the Psychiatric Medical Institution for Children (PMIC) portion of the Institute.
- An increase of \$5,000 for educational material for the PMIC.

The FY 2006 General Fund appropriation for this Institute was reduced by \$9,045,894 in HF 841 (IowaCare Medicaid Reform Act) and replaced in the same amount by an appropriation from the IowaCare Account.

33 24 4. For the state mental health institute at Mount Pleasant
 33 25 for salaries, support, maintenance, and miscellaneous purposes
 33 26 and for not more than the following full-time equivalent
 33 27 positions:
 33 28 \$ 6,131,181
 33 29 FTEs 100.44

General Fund appropriation to the Mental Health Institute at Mount Pleasant.

DETAIL: Maintains current level of General Fund support and FTE positions.

The FY 2006 General Fund appropriation for this Institute was reduced by \$5,752,587 in HF 841 (IowaCare Medicaid Reform Act) and replaced in the same amount by an appropriation from the IowaCare Account.

33 30 Sec. 22. STATE RESOURCE CENTERS. There is appropriated
 33 31 from the general fund of the state to the department of human
 33 32 services for the fiscal year beginning July 1, 2005, and
 33 33 ending June 30, 2006, the following amounts, or so much
 33 34 thereof as is necessary, to be used for the purposes
 33 35 designated:

34 1 1. For the state resource center at Glenwood for salaries,
 34 2 support, maintenance, and miscellaneous purposes:
 34 3 \$ 12,600,000

General Fund appropriation to the State Resource Center at Glenwood.

DETAIL: This is an increase of \$3,916,075 and no change in FTE positions compared to the estimated net FY 2005 appropriation. The

change includes:

- An increase of \$192,034 for the Medicaid match rate.
- An increase of \$891,658 to increase the State funding share due to county capitations.
- An increase of \$777,402 to provide for the decreased federal funding during transition to community settings.
- A decrease of \$50,344 for a technical adjustment.
- An increase of \$1,000,000 to continue the FY 2005 supplemental appropriation.
- An increase of \$1,105,325 to complete the funding of vacant positions required in the federal Department of Justice settlement.

The FTE positions included in tracking are an estimate. The General Assembly does not limit the number of FTE positions.

The Center received an FY 2005 supplemental appropriation of \$1,000,000 in SF 342 (FY 2005 Supplemental Appropriations Act). When the supplemental funding is included the FY 2006 appropriation is an increase of \$2,916,075 compared to the total General Fund support for FY 2005.

34 4 2. For the state resource center at Woodward for salaries,
 34 5 support, maintenance, and miscellaneous purposes:
 34 6 \$ 7,050,000

General Fund appropriation to the State Resource Center at Woodward.

DETAIL: This is an increase of \$2,434,385 and no change in FTE positions compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$135,451 for the Medicaid match rate.
- An increase of \$423,322 to increase the State funding share for county capitations.
- An increase of \$898,700 to complete the funding of vacant positions required in the Federal Department of Justice settlement.
- An increase of \$1,000,000 to continue the FY 2005 supplemental appropriation.
- A decrease of \$23,088 for a technical adjustment.

The FTE positions included in tracking are an estimate. The General

	Assembly does not limit the number of FTE positions.
	The Center received an FY 2005 supplemental appropriation of \$1,000,000 in SF 342 (FY 2005 Supplemental Appropriations Act). When the supplemental funding is included the FY 2006 appropriation is an increase of \$1,434,385 compared to the total General Fund support for FY 2005.
34 7 3. The department may continue to bill for state resource 34 8 center services utilizing a scope of services approach used 34 9 for private providers of ICFMR services, in a manner which 34 10 does not shift costs between the medical assistance program, 34 11 counties, or other sources of funding for the state resource 34 12 centers.	Permits the DHS to continue billing practices that do not include cost shifting.
34 13 4. The state resource centers may expand the time limited 34 14 assessment and respite services during the fiscal year.	Permits the State Resource Centers to expand time-limited assessment and respite services. DETAIL: Time-limited assessments include analysis of patients' conditions and development of therapy plans to assist families in caring for individuals with mental retardation or developmental disabilities. Respite services provide care for special needs individuals for a limited duration to provide families with a temporary reprieve from caretaking responsibilities.
34 15 5. If the department's administration and the department 34 16 of management concur with a finding by a state resource 34 17 center's superintendent that projected revenues can reasonably 34 18 be expected to pay the salary and support costs for a new 34 19 employee position, or that such costs for adding a particular 34 20 number of new positions for the fiscal year would be less than 34 21 the overtime costs if new positions would not be added, the 34 22 superintendent may add the new position or positions. If the 34 23 vacant positions available to a resource center do not include 34 24 the position classification desired to be filled, the state 34 25 resource center's superintendent may reclassify any vacant 34 26 position as necessary to fill the desired position. The 34 27 superintendents of the state resource centers may, by mutual	Specifies that additional positions at the two State Resource Centers may be added under certain projections.

34 28 agreement, pool vacant positions and position classifications
 34 29 during the course of the fiscal year in order to assist one
 34 30 another in filling necessary positions.

34 31 6. If existing capacity limitations are reached in
 34 32 operating units, a waiting list is in effect for a service or
 34 33 a special need for which a payment source or other funding is
 34 34 available for the service or to address the special need, and
 34 35 facilities for the service or to address the special need can
 35 1 be provided within the available payment source or other
 35 2 funding, the superintendent of a state resource center may
 35 3 authorize opening not more than two units or other facilities
 35 4 and to begin implementing the service or addressing the
 35 5 special need during fiscal year 2005–2006.

Permits a State Resource Center to open certain facilities if a service waiting list exists and funding is available.

35 6 Sec. 23. MI/MR/DD STATE CASES.

General Fund appropriation to the DHS for State Cases.

35 7 1. There is appropriated from the general fund of the
 35 8 state to the department of human services for the fiscal year
 35 9 beginning July 1, 2005, and ending June 30, 2006, the
 35 10 following amount, or so much thereof as is necessary, to be
 35 11 used for the purpose designated:

DETAIL: This is a decrease of \$100,000 compared to the estimated net FY 2005 appropriation with the decrease offset by requiring the use of \$100,000 of the federal Community Mental Health Services Block Grant.

35 12 For purchase of local services for persons with mental
 35 13 illness, mental retardation, and developmental disabilities
 35 14 where the client has no established county of legal
 35 15 settlement:

This Program received an FY 2005 supplemental appropriation of \$250,000 in SF 342 (FY 2005 Supplemental Appropriations Act). Also, the FY 2006 funding for this Program was reduced by \$50,000 in HF 882 (FY 2006 Standing Appropriations Act). When the supplemental funding and the reduction are included, the FY 2006 appropriation is a decrease of \$400,000 compared to the total General Fund support for FY 2005. The Program was expected to carryforward \$250,000 from FY 2005. The provision to permit the carryforward was inadvertently excluded from HF 882. The DHS transferred the expected balance to the Sexual Predator Commitment Program to permit the carryforward into FY 2006.

35 16 \$ 10,914,619

35 17 2. For the fiscal year beginning July 1, 2005, and ending
 35 18 June 30, 2006, \$100,000 is allocated for state cases from the
 35 19 amounts appropriated from the fund created in section 8.41 to
 35 20 the department of human services from the funds received from

Requires that \$100,000 from the Community Mental Health Services Block Grant funds from FFY 2004, FFY 2005, or FFY 2006 be used for the State Cases costs.

35 21 the federal government under 42 U.S.C., chapter 6A, subchapter
 35 22 XVII, relating to the community mental health center block
 35 23 grant, for the federal fiscal years beginning October 1, 2003,
 35 24 and ending September 30, 2004, beginning October 1, 2004, and
 35 25 ending September 30, 2005, and beginning October 1, 2005, and
 35 26 ending September 30, 2006. The allocation made in this
 35 27 subsection shall be made prior to any other distribution
 35 28 allocation of the appropriated federal funds.

35 29 Sec. 24. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES —
 35 30 COMMUNITY SERVICES FUND. There is appropriated from the
 35 31 general fund of the state to the mental health and
 35 32 developmental disabilities community services fund created in
 35 33 section 225C.7 for the fiscal year beginning July 1, 2005, and
 35 34 ending June 30, 2006, the following amount, or so much thereof
 35 35 as is necessary, to be used for the purpose designated:

36 1 For mental health and developmental disabilities community
 36 2 services in accordance with this division of this Act:
 36 3 \$ 17,757,890

36 4 1. Of the funds appropriated in this section, \$17,727,890
 36 5 shall be allocated to counties for funding of community-based
 36 6 mental health and developmental disabilities services. The
 36 7 moneys shall be allocated to a county as follows:
 36 8 a. Fifty percent based upon the county's proportion of the
 36 9 state's population of persons with an annual income which is
 36 10 equal to or less than the poverty guideline established by the
 36 11 federal office of management and budget.
 36 12 b. Fifty percent based upon the county's proportion of the
 36 13 state's general population.

36 14 2. a. A county shall utilize the funding the county
 36 15 receives pursuant to subsection 1 for services provided to
 36 16 persons with a disability, as defined in section 225C.2.
 36 17 However, no more than 50 percent of the funding shall be used
 36 18 for services provided to any one of the service populations.
 36 19 b. A county shall use at least 50 percent of the funding

General Fund appropriation for the Mental Health Community Services Fund.

DETAIL: Maintains current level of General Fund support.

Allocates \$17,727,890 from the Community Services appropriation to counties based on a formula considering the county's population and federal poverty guidelines.

Requires the funds to be used for services to persons with mental illness, mental retardation, developmental disabilities, and brain injuries. Specifies that no more than 50.00% may be used for any one of these populations. Requires counties to use at least 50.00% of the funding received on contemporary services.

36 20 the county receives under subsection 1 for contemporary
 36 21 services provided to persons with a disability, as described
 36 22 in rules adopted by the department.

36 23 3. Of the funds appropriated in this section, \$30,000
 36 24 shall be used to support the Iowa Compass program providing
 36 25 computerized information and referral services for Iowans with
 36 26 disabilities and their families.

Allocates \$30,000 to support the Iowa Compass Program that provides computerized information and referral services for Iowans with developmental disabilities and their families.

DETAIL: Maintains current level of General Fund support.

36 27 4. a. Funding appropriated for purposes of the federal
 36 28 social services block grant is allocated for distribution to
 36 29 counties for local purchase of services for persons with
 36 30 mental illness or mental retardation or other developmental
 36 31 disability.

Allocates federal funds appropriated in SF 346 (FFY 2006 Block Grant and Federal Funds Appropriations Act) from the Social Services Block Grant for distribution to counties for local purchase of services for persons with mental illness, mental retardation, and developmental disabilities.

36 32 b. The funds allocated in this subsection shall be
 36 33 expended by counties in accordance with the county's approved
 36 34 county management plan. A county without an approved county
 36 35 management plan shall not receive allocated funds until the
 37 1 county's management plan is approved.

Requires that counties expend Social Services Block Grant funds according to approved county management plans. Prohibits a county from receiving an allocation of Social Services Block Grant funds until the county's plan is approved.

37 2 c. The funds provided by this subsection shall be
 37 3 allocated to each county as follows:
 37 4 (1) Fifty percent based upon the county's proportion of
 37 5 the state's population of persons with an annual income which
 37 6 is equal to or less than the poverty guideline established by
 37 7 the federal office of management and budget.
 37 8 (2) Fifty percent based upon the amount provided to the
 37 9 county for local purchase of services in the preceding fiscal
 37 10 year.

Requires the funds provided in this Subsection to be allocated to each county according to a specified formula.

DETAIL: The formula remains unchanged from the FY 1997 formula.

37 11 5. A county is eligible for funds under this section if
 37 12 the county qualifies for a state payment as described in
 37 13 section 331.439.

Specifies that a county is eligible for State funding through the Community Mental Health Services Fund if it meets the requirements for receiving Property Tax Relief funds and Allowed Growth funds.

[37 14 6. If the department has data indicating that a geographic

Requires the DHS to issue a Request for Proposal (RFP) regarding

37 15 area has a substantial number of persons with mental illness
 37 16 who are homeless and are not being served by an existing
 37 17 grantee for that area under the formula grant from the federal
 37 18 alcohol, drug abuse, and mental health administration to
 37 19 provide mental health services for the homeless and the
 37 20 existing grantee has expressed a desire to no longer provide
 37 21 services or the grantee's contract was terminated by the
 37 22 department for nonperformance, the department shall issue a
 37 23 request for proposals to replace the grantee. Otherwise, the
 37 24 department shall maximize available funding by continuing to
 37 25 contract to the extent possible with those persons who are
 37 26 grantees as of October 1, 2005. The department shall issue a
 37 27 request for proposals if additional funding becomes available
 37 28 for expansion to persons who are not being served and it is
 37 29 not possible to utilize existing grantees.]

37 30 Sec. 25. SEXUALLY VIOLENT PREDATORS.
 37 31 1. There is appropriated from the general fund of the
 37 32 state to the department of human services for the fiscal year
 37 33 beginning July 1, 2005, and ending June 30, 2006, the
 37 34 following amount, or so much thereof as is necessary, to be
 37 35 used for the purpose designated:
 38 1 For costs associated with the commitment and treatment of
 38 2 sexually violent predators in the unit located at the state
 38 3 mental health institute at Cherokee, including costs of legal
 38 4 services and other associated costs, including salaries,
 38 5 support, maintenance, miscellaneous purposes, and for not more
 38 6 than the following full-time equivalent positions:
 38 7 \$ 3,621,338
 38 8 FTEs 65.00

38 9 2. Unless specifically prohibited by law, if the amount
 38 10 charged provides for recoupment of at least the entire amount
 38 11 of direct and indirect costs, the department of human services
 38 12 may contract with other states to provide care and treatment
 38 13 of persons placed by the other states at the unit for sexually

VETOED

services to an area which has a substantial number of homeless individuals who also have a mental illness if the existing grantee no longer serves the geographic area.

VETOED: The Governor vetoed this Section, stating that he supports the competitive bidding process to get the best value and service possible.

General Fund appropriation to the DHS for the Sexual Predator Commitment Program.

DETAIL: This is an increase of \$775,000 and 8.00 FTE positions compared to the estimated net FY 2005 appropriation.

This Program received an FY 2005 supplemental appropriation of \$775,000 in SF 342 (FY 2005 Supplemental Appropriations Act). When the supplemental funding is included the FY 2006 appropriation is the same level of funding compared to the total General Fund support for FY 2005. The Program was expected to carryforward \$500,000 from FY 2005. The DHS expended a greater amount at the end of FY 2005 than the per month overexpenditure calculated during the 2005 Session. The DHS transferred the remaining funds from the State Cases appropriation to this budget unit to increase the amount of carryforward from FY 2005.

Permits the Unit for Commitment of Sexually Violent Predators to accept out-of-state clients when the entire cost is reimbursed.

38 14 violent predators at Cherokee. The moneys received under such
 38 15 a contract shall be considered to be repayment receipts and
 38 16 used for the purposes of the appropriation made in this
 38 17 section.

38 18 Sec. 26. FIELD OPERATIONS. There is appropriated from the
 38 19 general fund of the state to the department of human services
 38 20 for the fiscal year beginning July 1, 2005, and ending June
 38 21 30, 2006, the following amount, or so much thereof as is
 38 22 necessary, to be used for the purposes designated:
 38 23 For field operations, including salaries, support,
 38 24 maintenance, and miscellaneous purposes and for not more than
 38 25 the following full-time equivalent positions:
 38 26 \$ 53,790,628
 38 27 FTEs 1,844.00

General Fund appropriation to the DHS for Field Operations staff and support.

DETAIL: This is an increase of \$271,256 and no change in FTE positions compared to the estimated net FY 2005 appropriation for increases in staff costs for enrollment changes in various Programs. Vacant unfunded FTE positions exist to utilize the funding.

38 28 Priority in filling full-time equivalent positions shall be
 38 29 given to those positions related to child protection services.

Requires that priority be given to child protection service FTE positions when filling positions.

38 30 Sec. 27. GENERAL ADMINISTRATION. There is appropriated
 38 31 from the general fund of the state to the department of human
 38 32 services for the fiscal year beginning July 1, 2005, and
 38 33 ending June 30, 2006, the following amount, or so much thereof
 38 34 as is necessary, to be used for the purpose designated:
 38 35 For general administration, including salaries, support,
 39 1 maintenance, and miscellaneous purposes and for not more than
 39 2 the following full-time equivalent positions:
 39 3 \$ 13,342,196
 39 4 FTEs 293.00

General Fund appropriation to the DHS for General Administration.

DETAIL: This is an increase of \$30,000 for personnel costs for a Statewide Coordinator for the Program of All-Inclusive Care for the Elderly and a decrease of 2.05 FTE positions to reflect FY 2005 utilization.

39 5 Of the funds appropriated in this section, \$57,000 is
 39 6 allocated for the prevention of disabilities policy council
 39 7 established in section 225B.3.

Allocates \$57,000 to the Prevention of Disabilities Policy Council.

DETAIL: Maintains current level of General Fund support.

39 8 Of the funds appropriated in this section, \$30,000 is
 39 9 allocated to the department of human services for a statewide
 39 10 coordinator for the program of all-inclusive care for the

Allocates \$30,000 for a Statewide Coordinator within the DHS for the Program of All-Inclusive Care for the Elderly (PACE).

39 11 elderly as defined in section 249H.3. The coordinator shall
 39 12 work in collaboration with the department of elder affairs in
 39 13 carrying out the coordinator's duties.

DETAIL: This is a new allocation for FY 2006. It is expected that these State funds will be matched with federal funds for the entire cost of the FTE position.

39 14 Sec. 28. VOLUNTEERS. There is appropriated from the
 39 15 general fund of the state to the department of human services
 39 16 for the fiscal year beginning July 1, 2005, and ending June
 39 17 30, 2006, the following amount, or so much thereof as is
 39 18 necessary, to be used for the purpose designated:
 39 19 For development and coordination of volunteer services:
 39 20 \$ 109,568

General Fund appropriation to the DHS for the development and coordination of the Volunteer Services Program.

DETAIL: Maintains current level of General Fund support.

39 21 Sec. 29. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
 39 22 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER
 THE
 39 23 DEPARTMENT OF HUMAN SERVICES.

39 24 1. a. (1) For the fiscal year beginning July 1, 2005,
 39 25 nursing facilities shall be reimbursed at 100 percent of the
 39 26 modified price-based case-mix reimbursement rate. Nursing
 39 27 facilities reimbursed under the medical assistance program
 39 28 shall submit annual cost reports and additional documentation
 39 29 as required by rules adopted by the department.

Specifies method of reimbursement to nursing facilities and cost reporting requirements.

39 30 (2) For the fiscal year beginning July 1, 2005, the total
 39 31 state funding amount for the nursing facility budget shall not
 39 32 exceed \$161,600,000. The department, in cooperation with
 39 33 nursing facility representatives, shall review projections for
 39 34 state funding expenditures for reimbursement of nursing
 39 35 facilities on a quarterly basis and the department shall
 40 1 determine if an adjustment to the medical assistance
 40 2 reimbursement rate is necessary in order to provide
 40 3 reimbursement within the state funding amount. Any temporary
 40 4 enhanced federal financial participation that may become
 40 5 available to the Iowa medical assistance program during the

Caps nursing facility reimbursements at \$161,600,000 and requires the DHS to adjust the inflation factor in the case-mix reimbursement rate if expenditures exceed the cap.

DETAIL: The cap is a net increase of \$5,586,752 compared to the FY 2005 cap. The amount of funding included in the budget for nursing facilities is \$161,600,000, which includes the following:

- An increase of \$6,836,752 in provider reimbursement rates related to the increase in cost reports under the rebase.

40 6 fiscal year shall not be used in projecting the nursing
 40 7 facility budget. Notwithstanding 2001 Iowa Acts, chapter 192,
 40 8 section 4, subsection 2, paragraph "c", and subsection 3,
 40 9 paragraph "a", subparagraph (2), if the state funding
 40 10 expenditures for the nursing facility budget for the fiscal
 40 11 year beginning July 1, 2005, are projected to exceed the
 40 12 amount specified in this subparagraph, the department shall
 40 13 adjust the inflation factor of the reimbursement rate
 40 14 calculation for only the nursing facilities reimbursed under
 40 15 the case-mix reimbursement system to maintain expenditures of
 40 16 the nursing facility budget within the specified amount.

40 17 (3) For recalculation of the per diem cost and the
 40 18 patient-day-weighted medians used in rate setting for nursing
 40 19 facilities effective July 1, 2005, the inflation factor
 40 20 applied from the midpoint of the cost report period to the
 40 21 first day of the state fiscal year rate period shall not be
 40 22 less than zero percent.

40 23 b. For the fiscal year beginning July 1, 2005, the
 40 24 department shall reimburse pharmacy dispensing fees using a
 40 25 single rate of \$4.39 per prescription, or the pharmacy's usual
 40 26 and customary fee, whichever is lower.

40 27 c. For the fiscal year beginning July 1, 2005,
 40 28 reimbursement rates for inpatient and outpatient hospital
 40 29 services shall be increased by 3 percent over the rates in
 40 30 effect on June 30, 2005. The department shall continue the
 40 31 outpatient hospital reimbursement system based upon ambulatory
 40 32 patient groups implemented pursuant to 1994 Iowa Acts, chapter
 40 33 1186, section 25, subsection 1, paragraph "f". In addition,
 40 34 the department shall continue the revised medical assistance
 40 35 payment policy implemented pursuant to that paragraph to
 41 1 provide reimbursement for costs of screening and treatment

- An increase of \$2,947,109 for an inflation adjustment from the cost report period (typically December 31, 2004, to July 1, 2005). It is estimated that the inflation adjustment will be 2.21%.
- A decrease of \$4,197,109 to eliminate excess payments for direct and non-direct care.

Sets the amount of the inflation adjustment used in the nursing facility reimbursement rate rebase at no less than 0.00%.

DETAIL: Based on estimates of the cost of the rebase and elimination of the Excess Payments in relation to the total cap of \$161,600,000, it is estimated that an inflation adjustment of 2.21% will be provided. This is an increase of \$2,947,109.

Specifies the reimbursement rate for pharmacist services using a single dispensing fee of \$4.39 per prescription or the usual and customary fee, whichever is lower.

DETAIL: This is an increase of \$0.13 compared to the FY 2005 dispensing fee due to the 3.00% provider reimbursement rate increase.

Requires the rate of reimbursement for inpatient and outpatient hospital services to be increased by 3.00% compared to the FY 2005 reimbursement rates, and requires continuation of the outpatient reimbursement system utilizing Ambulatory Patient Groups implemented in FY 1995. Requires the DHS to continue the revised payment policy relating to screening and treatment provided in hospital emergency waiting rooms. Specifies that any rebasing of rates will not increase total payments for services.

41 2 provided in the hospital emergency room if made pursuant to
41 3 the prospective payment methodology developed by the
41 4 department for the payment of outpatient services provided
41 5 under the medical assistance program. Any rebasing of
41 6 hospital inpatient or outpatient rates shall not increase
41 7 total payments for inpatient and outpatient services beyond
41 8 the 3 percent increase provided in this paragraph.

41 9 d. For the fiscal year beginning July 1, 2005,
41 10 reimbursement rates for rural health clinics, hospices,
41 11 independent laboratories, and acute mental hospitals shall be
41 12 increased in accordance with increases under the federal
41 13 Medicare program or as supported by their Medicare audited
41 14 costs.

Requires rural health clinics, hospice services, and acute mental hospitals to be reimbursed at the rate established under the federal Medicare Program for FY 2006.

41 15 e. (1) For the fiscal year beginning July 1, 2005,
41 16 reimbursement rates for home health agencies shall be
41 17 increased by 3 percent over the rates in effect on June 30,
41 18 2005, not to exceed a home health agency's actual allowable
41 19 cost.

Requires rates to home health agencies to be increased by 3.00% beginning July 1, 2005.

41 20 (2) The department shall establish a fixed-fee
41 21 reimbursement schedule for home health agencies under the
41 22 medical assistance program beginning July 1, 2006.

Requires the DHS to establish a fixed-fee reimbursement schedule for home health services beginning in FY 2007.

41 23 f. For the fiscal year beginning July 1, 2005, federally
41 24 qualified health centers shall receive cost-based
41 25 reimbursement for 100 percent of the reasonable costs for the
41 26 provision of services to recipients of medical assistance.

Requires the DHS to reimburse federally qualified health centers 100.00% of reasonable costs for provision of services to Medical Assistance Program recipients.

41 27 g. Beginning July 1, 2005, the reimbursement rates for
41 28 dental services shall be increased by 3 percent over the rates
41 29 in effect on June 30, 2005.

Requires the FY 2006 reimbursement rates for dental services to be increased by 3.00%.

41 30 h. Beginning July 1, 2005, the reimbursement rates for
41 31 community mental health centers shall be increased by 3
41 32 percent over the rates in effect on June 30, 2005.

Requires the FY 2006 reimbursement rates for community mental health centers to be increased by 3.00%.

41 33 i. For the fiscal year beginning July 1, 2005, the maximum
 41 34 reimbursement rate for psychiatric medical institutions for
 41 35 children shall be \$156.03 per day.

Specifies that the maximum reimbursement rate for Psychiatric Medical Institutions for Children is \$156.03 per day.

DETAIL: This is an increase of 6.00% compared to the FY 2005 rates.

42 1 j. For the fiscal year beginning July 1, 2005, unless
 42 2 otherwise specified in this Act, all noninstitutional medical
 42 3 assistance provider reimbursement rates shall be increased by
 42 4 3 percent over the rates in effect on June 30, 2005, except
 42 5 for area education agencies, local education agencies, infant
 42 6 and toddler services providers, and those providers whose
 42 7 rates are required to be determined pursuant to section
 42 8 249A.20.

Requires the FY 2006 reimbursement rates for all non-institutional Medical Assistance providers, with specified exceptions, to be increased by 3.00%.

42 9 k. Notwithstanding section 249A.20, for the fiscal year
 42 10 beginning July 1, 2005, the average reimbursement rate for
 42 11 health care providers eligible for use of the federal Medicare
 42 12 resource-based relative value scale reimbursement methodology
 42 13 under that section shall be increased by 3 percent over the
 42 14 rate in effect on June 30, 2005; however, this rate shall not
 42 15 exceed the maximum level authorized by the federal government.

CODE: Requires the FY 2006 rates for health providers under the Medicare Resource-Based Relative Value Scale reimbursement system, pursuant to Section 249A.20, Code of Iowa, to be increased by 3.00%.

42 16 2. For the fiscal year beginning July 1, 2005, the
 42 17 reimbursement rate for residential care facilities shall not
 42 18 be less than the minimum payment level as established by the
 42 19 federal government to meet the federally mandated maintenance
 42 20 of effort requirement. The flat reimbursement rate for
 42 21 facilities electing not to file semiannual cost reports shall
 42 22 not be less than the minimum payment level as established by
 42 23 the federal government to meet the federally mandated
 42 24 maintenance of effort requirement.

Requires the reimbursement rates for residential care facilities to be no less than the minimum payment level required to meet the federal maintenance of effort requirement.

42 25 3. For the fiscal year beginning July 1, 2005, the
 42 26 reimbursement rate for providers reimbursed under the in-
 42 27 home-related care program shall not be less than the minimum
 42 28 payment level as established by the federal government to meet
 42 29 the federally mandated maintenance of effort requirement.

Establishes the maximum FY 2006 reimbursement rate for in-home health-related care providers at the minimum payment level established by the federal government.

42 30 4. Unless otherwise directed in this section, when the
 42 31 department's reimbursement methodology for any provider
 42 32 reimbursed in accordance with this section includes an
 42 33 inflation factor, this factor shall not exceed the amount by
 42 34 which the consumer price index for all urban consumers
 42 35 increased during the calendar year ending December 31, 2002.

Specifies that when the required reimbursement methodology for providers under this Section includes an inflation factor, the factor cannot exceed the increase in the Consumer Price Index (CPI) for Urban Consumers for the calendar year ending December 31, 2002.

43 1 5. Notwithstanding section 234.38, in the fiscal year
 43 2 beginning July 1, 2005, the foster family basic daily
 43 3 maintenance rate and the maximum adoption subsidy rate for
 43 4 children ages 0 through 5 years shall be \$14.91, the rate for
 43 5 children ages 6 through 11 years shall be \$15.58, the rate for
 43 6 children ages 12 through 15 years shall be \$17.18, and the
 43 7 rate for children ages 16 and older shall be \$17.27.

CODE: Provides the maximum foster family basic daily maintenance rate and the maximum adoption subsidy rate for children by age range for FY 2006.

DETAIL: The rates include an increase of 3.00% compared to the FY 2005 rates.

43 8 6. For the fiscal year beginning July 1, 2005, the maximum
 43 9 reimbursement rates for social service providers shall be
 43 10 increased by 3 percent over the rates in effect on June 30,
 43 11 2005, or to the provider's actual and allowable cost plus
 43 12 inflation for each service, whichever is less. The rates may
 43 13 also be adjusted under any of the following circumstances:
 43 14 a. If a new service was added after June 30, 2005, the
 43 15 initial reimbursement rate for the service shall be based upon
 43 16 actual and allowable costs.
 43 17 b. If a social service provider loses a source of income
 43 18 used to determine the reimbursement rate for the provider, the
 43 19 provider's reimbursement rate may be adjusted to reflect the
 43 20 loss of income, provided that the lost income was used to
 43 21 support actual and allowable costs of a service purchased
 43 22 under a purchase of service contract.

Requires that the maximum reimbursement rates for social service providers for FY 2006 be increased by 3.00%, and provides for circumstances when the rates may be adjusted.

43 23 7. The group foster care reimbursement rates paid for
 43 24 placement of children out of state shall be calculated
 43 25 according to the same rate-setting principles as those used
 43 26 for in-state providers unless the director of human services
 43 27 or the director's designee determines that appropriate care
 43 28 cannot be provided within the state. The payment of the daily

Requires the group foster care reimbursement rates paid for placement of children out-of-state to be calculated according to the same rate-setting principles as those used for in-state providers, unless the director of the DHS determines that appropriate care cannot be provided within the State. Also, requires the payment of the daily rate be based on the number of days in the calendar month in

43 29 rate shall be based on the number of days in the calendar
43 30 month in which service is provided.

which service is provided.

43 31 8. For the fiscal year beginning July 1, 2005, the
43 32 reimbursement rates for rehabilitative treatment and support
43 33 services providers shall be increased by 3 percent over the
43 34 rates in effect on June 30, 2005. It is the intent of the
43 35 general assembly that the increase in reimbursement rates
44 1 authorized in this subsection shall be used for the provision
44 2 of direct care with an emphasis on increasing the compensation
44 3 for direct care workers.

Requires the FY 2006 reimbursement rates for rehabilitative treatment and support service providers be increased by 3.00%. Also, specifies the intent of the General Assembly that the rate increase be used for direct care, with an emphasis on increasing compensation for direct care workers.

44 4 9. a. For the fiscal year beginning July 1, 2005, the
44 5 combined service and maintenance components of the
44 6 reimbursement rate paid for shelter care services purchased
44 7 under a contract shall be based on the financial and
44 8 statistical report submitted to the department. The maximum
44 9 reimbursement rate shall be \$86.20 per day. The department
44 10 shall reimburse a shelter care provider at the provider's
44 11 actual and allowable unit cost, plus inflation, not to exceed
44 12 the maximum reimbursement rate.

Requires the FY 2006 combined service and maintenance components of the reimbursement rate paid to shelter care providers be based on the cost report submitted to the DHS. Also, requires a maximum reimbursement rate of \$86.20 per day, and requires the DHS to reimburse shelter care providers at the actual and allowable unit cost, plus inflation, not to exceed the maximum reimbursement rate.

DETAIL: This is an increase of \$2.51 per day compared to the FY 2005 rate for the 3.00% rate increase for Residential Treatment Service providers.

44 13 b. Notwithstanding section 232.141, subsection 8, for the
44 14 fiscal year beginning July 1, 2005, the amount of the
44 15 statewide average of the actual and allowable rates for
44 16 reimbursement of juvenile shelter care homes that is utilized
44 17 for the limitation on recovery of unpaid costs shall be
44 18 increased by \$2.51 over the amount in effect for this purpose
44 19 in the preceding fiscal year.

CODE: Increases the limit of the Statewide average reimbursement rates paid to shelter care providers by \$2.51 per day. This impacts the amount of charges that are reimbursed.

44 20 c. Notwithstanding section 8A.311, commencing during the
44 21 fiscal year beginning July 1, 2005, the department may enter
44 22 into contracts with shelter care providers as necessary to
44 23 maintain the availability of shelter care services for
44 24 children in all areas of the state.

CODE: Permits the DHS to enter into contracts with shelter care providers to maintain shelter care availability across the State.

<p>44 25 10. For the fiscal year beginning July 1, 2005, the 44 26 department shall calculate reimbursement rates for 44 27 intermediate care facilities for persons with mental 44 28 retardation at the 80th percentile.</p>	<p>Requires the DHS to calculate reimbursement rates for intermediate care facilities for persons with mental retardation (ICF/MRs) at the 80th percentile for FY 2006.</p>
<p>44 29 11. Beginning on September 1, 2005, for child care 44 30 providers reimbursed under the state child care assistance 44 31 program, the department shall set provider reimbursement rates 44 32 based on the rate reimbursement survey completed in December 44 33 2002. The department shall set rates in a manner so as to 44 34 provide incentives for a nonregistered provider to become 44 35 registered. If the federal government provides additional 45 1 funding for child care during the fiscal year beginning July 45 2 1, 2005, the additional funding shall be used to develop and 45 3 implement an electronic billing and payment system for child 45 4 care providers.</p>	<p>Requires the DHS to set FY 2006 provider reimbursement rates for child care providers based on the rate reimbursement survey completed in December 1998, and that rates be set in a manner that will provide incentives for non-registered providers to become registered. Also, requires the DHS to implement an electronic billing and payment system for child care providers, if additional federal funds are received for child care.</p>
<p>45 5 12. For the fiscal year beginning July 1, 2005, 45 6 reimbursements for providers reimbursed by the department of 45 7 human services may be modified if appropriated funding is 45 8 allocated for that purpose from the senior living trust fund 45 9 created in section 249H.4, or as specified in appropriations 45 10 from the healthy lowans tobacco trust created in section 45 11 12.65.</p>	<p>Specifies that FY 2006 reimbursements for providers reimbursed by the DHS may be modified if appropriated funding is allocated for that purpose from the Senior Living Trust Fund or as specified in appropriations from the Healthy lowans Tobacco Trust Fund.</p>
<p>45 12 13. The department may adopt emergency rules to implement 45 13 this section.</p>	<p>Allows the DHS to adopt emergency rules to implement this Section.</p>
<p>45 14 Sec. 30. SHELTER CARE REQUEST FOR PROPOSALS. The 45 15 department of human services shall amend the request for 45 16 proposals issued on April 15, 2005, for a program to provide 45 17 for the statewide availability of emergency juvenile shelter 45 18 care during the fiscal year beginning July 1, 2005, to 45 19 increase the statewide daily average number of beds covered 45 20 under the request to 288 beds in order to include 15 45 21 unallocated beds statewide for emergency placements. However, 45 22 if the date of enactment of this Act does not allow sufficient</p>	<p>Requires the DHS to amend the Request for Proposal (RFP) issued in April 2005 for a contract to provide for Statewide coverage for shelter care so that the Statewide daily average number of beds covered in the RFP is 288 to include 15 unallocated emergency placements. If the enactment of this Act does not permit sufficient time for the DHS to amend the RFP, the Department is required to apply this number in negotiations and the final contract.</p> <p>DETAIL: The RFP issued in April 2005 included 273 beds as the Statewide average number.</p>

45 23 time for the department to amend the request for proposals as
 45 24 otherwise required by this section, the department shall apply
 45 25 the requirement in the negotiations with the program awarded
 45 26 the contract and shall include the requirement in the final
 45 27 contract.

45 28 Sec. 31. 2001 Iowa Acts, chapter 192, section 4,
 45 29 subsection 3, paragraphs e and f, as amended by 2004 Iowa
 45 30 Acts, chapter 1175, section 154, are amended to read as
 45 31 follows:

45 32 e. The department shall calculate the rate ceiling for the
 45 33 direct-care cost component at 120 percent of the median of
 45 34 case-mix adjusted costs. Nursing facilities with case-mix
 45 35 adjusted costs at 95 percent of the median or greater, shall
 46 1 receive an amount equal to their costs not to exceed 120
 46 2 percent of the median. ~~Nursing facilities with case-mix~~
 46 3 ~~adjusted costs below 95 percent of the median shall receive an~~
 46 4 ~~excess payment allowance by having their payment rate for the~~
 46 5 ~~direct-care cost component calculated as their case-mix~~
 46 6 ~~adjusted cost plus 100 percent of the difference between 95~~
 46 7 ~~percent of the median and their case-mix adjusted cost, not to~~
 46 8 ~~exceed 10 percent of the median of case-mix adjusted costs.~~
 46 9 ~~Beginning July 1, 2004, nursing facilities with case-mix~~
 46 10 ~~adjusted costs below 95 percent of the median shall receive an~~
 46 11 ~~excess payment allowance by having their payment rate for the~~
 46 12 ~~direct-care cost component calculated as their case-mix~~
 46 13 ~~adjusted cost plus 50 percent of the difference between 95~~
 46 14 ~~percent of the median and their case-mix adjusted cost, not to~~
 46 15 ~~exceed 10 percent of the median of case-mix adjusted costs.~~
 46 16 ~~Any excess payment allowance realized from the direct care~~
 46 17 ~~cost component of the modified price-based case-mix~~
 46 18 ~~reimbursement shall be expended to increase the compensation~~
 46 19 ~~of direct care workers or to increase the ratio of direct care~~
 46 20 ~~workers to residents. The department of human services shall~~
 46 21 ~~implement a new monitoring and reporting system to assess~~
 46 22 ~~compliance with the provisions of this paragraph.~~
 46 23 f. The department shall calculate the rate ceiling for the

CODE: Eliminates the excess payment allowance for direct and non-
 direct care. A decrease of \$4,197,109 is included within the
 appropriation for the Medical Assistance Program.

46 24 nondirect care cost component at 110 percent of the median of
 46 25 non-case-mix adjusted costs. Nursing facilities with non-
 46 26 case-mix adjusted costs at 96 percent of the median or greater
 46 27 shall receive an amount equal to their costs not to exceed 110
 46 28 percent of the median. ~~Nursing facilities with non-case-mix~~
 46 29 ~~adjusted costs below 96 percent of the median shall receive an~~
 46 30 ~~excess payment allowance that is their costs plus 65 percent~~
 46 31 ~~of the difference between 96 percent of the median and their~~
 46 32 ~~non-case-mix adjusted costs, not to exceed 8 percent of the~~
 46 33 ~~median of non-case-mix adjusted costs. Beginning July 1,~~
 46 34 ~~2004, nursing facilities with non-case-mix adjusted costs~~
 46 35 ~~below 96 percent of the median shall receive an excess payment~~
 47 1 ~~allowance that is their costs plus 32.5 percent of the~~
 47 2 ~~difference between 96 percent of the median and their~~
 47 3 ~~non-case-mix adjusted costs, not to exceed 8 percent of the~~
 47 4 ~~median of non-case-mix adjusted costs. Any excess payment~~
 47 5 ~~allowance realized from the nondirect care cost component of~~
 47 6 ~~the modified price-based case-mix reimbursement shall be used~~
 47 7 ~~to fund quality-of-life improvements. The department of human~~
 47 8 ~~services shall implement a new monitoring and reporting system~~
 47 9 ~~to assess compliance with the provisions of this paragraph.~~

47 10 Sec. 32. 2003 Iowa Acts, chapter 178, section 45,
 47 11 unnumbered paragraph 3, as enacted by 2004 Iowa Acts, chapter
 47 12 1175, section 160, is amended to read as follows:
 47 13 Notwithstanding section 8.33, moneys appropriated in this
 47 14 section that remain unencumbered or unobligated at the close
 47 15 of the fiscal year shall not revert but shall remain available
 47 16 for expenditure for the child and family services until the
 47 17 close of the ~~succeeding~~ fiscal year beginning July 1, 2005.

CODE: Provides for the carryforward of funds from FY 2005 to FY 2006 from an appropriation in FY 2004 relating to Child Welfare Activities.

47 18 Sec. 33. 2004 Iowa Acts, chapter 1175, section 109,
 47 19 subsection 2, paragraph g, is amended to read as follows:
 47 20 g. Notwithstanding section 8.33, up to ~~\$500,000~~ \$1,000,000
 47 21 of the Iowa veterans home revenues that remain unencumbered or
 47 22 unobligated at the close of the fiscal year shall not revert
 47 23 but shall remain available to be used in the succeeding fiscal

CODE: Increases the FY 2005 carry forward for the Iowa Veterans Home from \$500,000 to \$1,000,000.

47 24 year.

47 25 Sec. 34. 2004 Iowa Acts, chapter 1175, section 113, is
 47 26 amended by adding the following new subsection:
 47 27 NEW SUBSECTION. 5. Notwithstanding section 8.33, moneys
 47 28 appropriated in this section that were allocated by the
 47 29 department for the purpose of meeting federal food stamp
 47 30 electronic benefit transfer requirements that remain
 47 31 unencumbered or unobligated at the close of the fiscal year
 47 32 shall not revert but shall remain available for expenditure
 47 33 for the purpose designated until the close of the succeeding
 47 34 fiscal year.

CODE: Permits nonreversion of funds appropriated in FY 2005 for Electronic Benefits Transfer requirements.

DETAIL: It is estimated that \$650,000 will carry forward to FY 2006. The appropriation for the Family Investment Program assumes that \$323,353 of the carry forward will be used for Family Investment Program costs.

47 35 Sec. 35. 2004 Iowa Acts, chapter 1175, section 134, is
 48 1 amended by adding the following new subsection:
 48 2 NEW SUBSECTION. 3. Notwithstanding section 8.33, moneys
 48 3 appropriated in this section that remain unencumbered or
 48 4 unobligated at the close of the fiscal year shall not revert
 48 5 but shall remain available for expenditure for the purposes
 48 6 designated until the close of the succeeding fiscal year.

CODE: Permits nonreversion of funds for the Sexual Predator Commitment Program.

DETAIL: There is an estimated \$500,000 that will be carried forward from the Program and supplemental appropriation.

48 7 Sec. 36. 2004 Iowa Acts, chapter 1175, section 135, is
 48 8 amended by adding the following new subsection:
 48 9 NEW SUBSECTION. 3. Notwithstanding section 8.33, moneys
 48 10 appropriated in this section for field operations that remain
 48 11 unencumbered or unobligated at the close of the fiscal year
 48 12 shall not revert but shall remain available for expenditure
 48 13 for the purposes designated with up to fifty percent to be
 48 14 used for implementation and operational costs associated with
 48 15 Part D of the federal Medicare Prescription Drug, Improvement,
 48 16 and Modernization Act of 2003, Pub. L. No. 108-173, until the
 48 17 close of the succeeding fiscal year.

CODE: Permits nonreversion of funds appropriated in FY 2005 for Field Operations.

DETAIL: It is estimated that \$780,000 will carry forward to FY 2006. The appropriation for the Medical Assistance Program assumes that \$390,000 of the carry forward will be used for Medicare Part D implementation costs.

48 18 Sec. 37. EMERGENCY RULES. If specifically authorized by a
 48 19 provision of this division of this Act, the department of
 48 20 human services or the mental health, mental retardation,
 48 21 developmental disabilities, and brain injury commission may

Permits the DHS and the Mental Health and Developmental Disabilities Commission to adopt emergency rules when authorized.

48 22 adopt administrative rules under section 17A.4, subsection 2,
 48 23 and section 17A.5, subsection 2, paragraph "b", to implement
 48 24 the provisions and the rules shall become effective
 48 25 immediately upon filing or on a later effective date specified
 48 26 in the rules, unless the effective date is delayed by the
 48 27 administrative rules review committee. Any rules adopted in
 48 28 accordance with this section shall not take effect before the
 48 29 rules are reviewed by the administrative rules review
 48 30 committee. The delay authority provided to the administrative
 48 31 rules review committee under section 17A.4, subsection 5, and
 48 32 section 17A.8, subsection 9, shall be applicable to a delay
 48 33 imposed under this section, notwithstanding a provision in
 48 34 those sections making them inapplicable to section 17A.5,
 48 35 subsection 2, paragraph "b". Any rules adopted in accordance
 49 1 with the provisions of this section shall also be published as
 49 2 notice of intended action as provided in section 17A.4.

49 3 Sec. 38. REPORTS. Any reports or information required to
 49 4 be compiled and submitted under this division of this Act
 49 5 shall be submitted to the chairpersons and ranking members of
 49 6 the joint appropriations subcommittee on health and human
 49 7 services, the legislative services agency, and the legislative
 49 8 caucus staffs on or before the dates specified for submission
 49 9 of the reports or information.

49 10 Sec. 39. INDIGENT PATIENT PROGRAM. If the Eighty-first
 49 11 General Assembly, 2005 Regular Session, enacts legislation
 49 12 subsequent to the enactment of 2005 Iowa Acts, House File 841,
 49 13 relating to the medical and surgical treatment of indigent
 49 14 patients as provided in chapter 255 that is in conflict with
 49 15 the provisions of 2005 Iowa Acts, House File 841, including
 49 16 provisions relating to the quota under chapter 255, the
 49 17 provisions of 2005 Iowa Acts, House File 841, shall prevail.

49 18 Sec. 40. EFFECTIVE DATES. The following provisions of
 49 19 this division of this Act, being deemed of immediate
 49 20 importance, take effect upon enactment:

Requires any required reports or information to be submitted to:

- Chairpersons and Ranking Members of the Health and Human Services Appropriations Subcommittee.
- Legislative Services Agency.
- Legislative caucus staffs.

Specifies in the case that any legislation related to medical treatment of indigent patients enacted subsequent to HF 841 (IowaCare Medicaid Reform Act) is in conflict with HF 841, the statutory provisions of HF 841 take precedent.

Provides the following items take effect on enactment:

- The Juvenile Court Services plan for group foster care expenditures.

49 21 1. The provision under the appropriation for child and
 49 22 family services, relating to requirements of section 232.143
 49 23 for representatives of the department of human services and
 49 24 juvenile court services to establish a plan for continuing
 49 25 group foster care expenditures for the 2005–2006 fiscal year.

49 26 2. The provision under the appropriation for child and
 49 27 family services, relating to the state court administrator
 49 28 determining allocation of court–ordered services funding by
 49 29 June 15, 2005.

49 30 3. The provision directing the department of human
 49 31 services to amend the request for proposals issued on April
 49 32 15, 2005, to provide for statewide emergency juvenile shelter
 49 33 care.

49 34 4. The provision amending 2003 Iowa Acts, chapter 178,
 49 35 section 45, unnumbered paragraph 3, as enacted by 2004 Iowa
 50 1 Acts, chapter 1175, section 160.

50 2 5. The provision amending 2004 Iowa Acts, chapter 1175,
 50 3 section 109.

50 4 6. The provision amending 2004 Iowa Acts, chapter 1175,
 50 5 section 113.

50 6 7. The provision amending 2004 Iowa Acts, chapter 1175,
 50 7 section 134.

50 8 8. The provision amending 2004 Iowa Acts, chapter 1175,
 50 9 section 135.

50 10 DIVISION II

50 11 SENIOR LIVING TRUST FUND, HOSPITAL TRUST
 50 12 FUND, AND PHARMACEUTICAL SETTLEMENT ACCOUNT

50 13 Sec. 41. DEPARTMENT OF ELDER AFFAIRS. There is
 50 14 appropriated from the senior living trust fund created in
 50 15 section 249H.4 to the department of elder affairs for the
 50 16 fiscal year beginning July 1, 2005, and ending June 30, 2006,
 50 17 the following amount, or so much thereof as is necessary, to
 50 18 be used for the purpose designated:

50 19 For the development and implementation of a comprehensive

- The allocation of court-ordered services funding by the State Court Administrator by June 15, 2004.
- The requirement that the DHS amend its Request for Proposal regarding emergency juvenile shelter care.
- The carryforward from FY 2004 funds related to Child Welfare Redesign activities.
- The carryforward of FY 2005 funds from the Electronic Benefit Transfer Program.
- The carryforward of FY 2005 funds from the Sexual Predator Commitment Program.
- The carryforward of FY 2005 funds from Field Operations.
- The increase in the amount of carry forward of FY 2005 funds for the Iowa Veterans Home.

Senior Living Trust Fund, Hospital Trust Fund, and Pharmaceutical Settlement Account appropriations for FY 2006.

Senior Living Trust Fund appropriation to the Department of Elder Affairs for senior services and programs.

DETAIL: This is an increase of \$67,250 and 1.00 FTE position compared to the estimated net FY 2005 appropriation for the transfer of the FTE position from the Department of Inspections and Appeals for activities associated with the regulation of assisted living programs.

50 20 senior living program, including program administration and
 50 21 costs associated with implementation, salaries, support,
 50 22 maintenance, and miscellaneous purposes and for not more than
 50 23 the following full-time equivalent positions:
 50 24 \$ 8,289,368
 50 25 FTEs 3.00

50 26 Notwithstanding section 249H.7, the department of elder
 50 27 affairs shall distribute up to \$400,000 of the funds
 50 28 appropriated in this section in a manner that will supplement
 50 29 and maximize federal funds under the federal Older Americans
 50 30 Act and shall not use the amount distributed for any
 50 31 administrative purposes of either the department of elder
 50 32 affairs or the area agencies on aging.

CODE: Requires the Department of Elder Affairs to use up to \$400,000 of the FY 2006 Senior Living Trust Fund appropriation to maximize federal funds under the Older Americans Act, and requires these funds not be used for administration.

50 33 Sec. 42. DEPARTMENT OF INSPECTIONS AND APPEALS. There is
 50 34 appropriated from the senior living trust fund created in
 50 35 section 249H.4 to the department of inspections and appeals
 51 1 for the fiscal year beginning July 1, 2005, and ending June
 51 2 30, 2006, the following amount, or so much thereof as is
 51 3 necessary, to be used for the purpose designated:
 51 4 For the inspection and certification of assisted living
 51 5 facilities and adult day care services, including program
 51 6 administration and costs associated with implementation,
 51 7 salaries, support, maintenance, and miscellaneous purposes and
 51 8 for not more than the following full-time equivalent
 51 9 positions:
 51 10 \$ 732,750
 51 11 FTEs 5.00

Senior Living Trust Fund appropriation to the Department of Inspections and Appeals.

DETAIL: This is a decrease of \$67,250 and 1.00 FTE position compared to the estimated net FY 2005 appropriation for the transfer of the FTE position to the Department of Elder Affairs for activities associated with the regulation of assisted living programs.

51 12 Sec. 43. DEPARTMENT OF HUMAN SERVICES. There is
 51 13 appropriated from the senior living trust fund created in
 51 14 section 249H.4 to the department of human services for the
 51 15 fiscal year beginning July 1, 2005, and ending June 30, 2006,
 51 16 the following amounts, or so much thereof as is necessary, to
 51 17 be used for the purposes designated:

Senior Living Trust Fund appropriations to the DHS.

51 18 1. To supplement the medical assistance appropriation,
 51 19 including program administration and costs associated with
 51 20 implementation, salaries, support, maintenance, and
 51 21 miscellaneous purposes:
 51 22 \$ 59,647,109

Senior Living Trust Fund appropriation to the DHS to supplement the Medical Assistance (Medicaid) appropriation.

 DETAIL: This is a decrease of \$41,952,891 compared to the estimated net FY 2005 appropriation that will be offset by a General Fund appropriation. House File 882 (FY 2006 Standing Appropriations Act) increased this appropriation by \$9,353,381, making the total appropriated from the Fund to supplement Medicaid \$69,000,490.

51 23 2. To provide reimbursement for health care services to
 51 24 eligible persons through the home and community-based services
 51 25 waiver and the state supplementary assistance program,
 51 26 including program administration and data system costs
 51 27 associated with implementation, salaries, support,
 51 28 maintenance, and miscellaneous purposes and for not more than
 51 29 the following full-time equivalent positions:
 51 30 \$ 1,033,406
 51 31 FTEs 5.00

Senior Living Trust Fund appropriation to the DHS to provide reimbursement through the Medicaid Elderly Home and Community-Based Services Waiver and the State Supplementary Assistance Program.

 DETAIL: This is a decrease of \$700,000 and no change in FTE positions compared to the estimated net FY 2005 appropriation for the transfer of funding for the Rent Subsidy Program to the Iowa Finance Authority.

51 32 3. To implement nursing facility provider reimbursements
 51 33 as provided in 2001 Iowa Acts, chapter 192, section 4,
 51 34 subsection 2, paragraph "c":
 51 35 \$ 29,950,000

Senior Living Trust Fund appropriation to the DHS for nursing facility provider reimbursements.

 DETAIL: Maintains the current level of Senior Living Trust Fund support.

52 1 In order to carry out the purposes of this section, the
 52 2 department shall transfer funds appropriated in this section
 52 3 to supplement other appropriations made to the department of
 52 4 human services.

Requires the DHS to transfer funds to supplement other appropriations made to the DHS in order to carry out the purposes of this Section.

52 5 4. Notwithstanding sections 249H.4 and 249H.5, the
 52 6 department of human services may use moneys from the senior
 52 7 living trust fund for cash flow purposes to make payments
 52 8 under the nursing facility or hospital upper payment limit
 52 9 methodology. The amount of any moneys so used shall be
 52 10 refunded to the senior living trust fund within the same
 52 11 fiscal year and in a prompt manner.

CODE: Permits the DHS to use the funds from the Senior Living Trust Fund for cash flow purposes to make payments under the nursing facility or hospital upper payment limit methodology. Also, requires that any funds used for this purpose be refunded to the Fund in the same fiscal year.

52 12 Sec. 44. ASSISTED LIVING CONVERSION GRANTS —
 52 13 NONREVERSION. Notwithstanding section 8.33, moneys committed
 52 14 from the senior living trust fund to grantees under contract
 52 15 to provide for conversion to assisted living programs or for
 52 16 development of long-term care alternatives that remain
 52 17 unexpended at the close of any fiscal year shall not revert to
 52 18 any fund but shall remain available for expenditure for
 52 19 purposes of the contract.

CODE: Requires unexpended funds committed to contracts for assisted living conversion or for the development of long-term care alternatives at the close of any fiscal year to remain available until the contact is fulfilled.

52 20 Sec. 45. IOWA FINANCE AUTHORITY. There is appropriated
 52 21 from the senior living trust fund created in section 249H.4 to
 52 22 the Iowa finance authority for the fiscal year beginning July
 52 23 1, 2005, and ending June 30, 2006, the following amount, or so
 52 24 much thereof as is necessary, to be used for the purposes
 52 25 designated:
 52 26 To provide reimbursement for rent expenses to eligible
 52 27 persons:
 52 28 \$ 700,000

Senior Living Trust Fund appropriation to the Iowa Finance Authority (IFA) for the Rent Subsidy Program.

DETAIL: This is a new appropriation for FY 2006. In previous fiscal years, the funding was provided to the DHS. In FY 2005, the DHS transferred funding for the Program to the IFA through a 28E agreement.

52 29 Participation in the rent subsidy program shall be limited
 52 30 to only those persons who meet the nursing facility level of
 52 31 care for home and community-based services waiver services as
 52 32 established on or after July 1, 2005.

Requires participation in the Rent Subsidy Program be limited to persons at risk of nursing home placement.

52 33 Sec. 46. HOSPITAL TRUST FUND. There is appropriated from
 52 34 the hospital trust fund created in section 249I.4 to the
 52 35 department of human services for the fiscal year beginning
 53 1 July 1, 2005, and ending June 30, 2006, the following amount,
 53 2 or so much thereof as is necessary, to be used for the purpose
 53 3 designated:
 53 4 To supplement the appropriations made for the medical
 53 5 assistance program for that fiscal year:
 53 6 \$ 22,900,000

Hospital Trust Fund appropriation to supplement the Medical Assistance (Medicaid) Program.

DETAIL: This is a decrease of \$14,600,000 compared to the estimated net FY 2005 Hospital Trust Fund appropriation. House File 841 (IowaCare Medicaid Reform Act) eliminates this appropriation. The revenue source for the Fund was discontinued under HF 841.

53 7 Sec. 47. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
 53 8 appropriated from the pharmaceutical settlement account
 53 9 created in section 249A.33 to the department of human services

Pharmaceutical Settlement Account transfer to supplement Medical Contracts.

53 10 for the fiscal year beginning July 1, 2005, and ending June
 53 11 30, 2006, the following amount, or so much thereof as is
 53 12 necessary, to be used for the purpose designated:
 53 13 To supplement the appropriations made for medical contracts
 53 14 under the medical assistance program:
 53 15 \$ 85,000

DETAIL: This is a new transfer for FY 2006. There has been one previous transfer for FY 2005 in SF 2298 (FY 2005 Omnibus Appropriations Act). The Account was created in SF 453 (FY 2004 Miscellaneous Provisions Act). Funds are available from periodic pharmaceutical settlements and are required to be used for technology upgrades.

53 16 Sec. 48. MEDICAL ASSISTANCE PROGRAM — REVERSION TO
 SENIOR
 53 17 LIVING TRUST FUND FOR FY 2005–2006. Notwithstanding section
 53 18 8.33, if moneys appropriated in this Act for purposes of the
 53 19 medical assistance program for the fiscal year beginning July
 53 20 1, 2005, and ending June 30, 2006, from the general fund of
 53 21 the state, the senior living trust fund, the hospital trust
 53 22 fund, or the healthy lowans tobacco trust fund are in excess
 53 23 of actual expenditures for the medical assistance program and
 53 24 remain unencumbered or unobligated at the close of the fiscal
 53 25 year, the excess moneys shall not revert but shall be
 53 26 transferred to the senior living trust fund created in section
 53 27 249H.4.

CODE: Requires any funds from the Medical Assistance Program supplemental appropriation remaining unencumbered or unexpended at the close of FY 2006 to be transferred to the Senior Living Trust Fund.

53 28 Sec. 49. EFFECTIVE DATE. The section of this division of
 53 29 this Act relating to nonreversion of assisted living
 53 30 conversion grant moneys, being deemed of immediate importance,
 53 31 takes effect upon enactment.

Provides that the Section related to nonreversion of conversion grant funds takes effect on enactment.

53 32 DIVISION III

53 33 MENTAL HEALTH, MENTAL RETARDATION,
 53 34 DEVELOPMENTAL DISABILITIES,
 53 35 AND BRAIN INJURY SERVICES

54 1 Sec. 50. 2004 Iowa Acts, chapter 1175, section 173,
 54 2 subsection 1, is amended by adding the following new
 54 3 unnumbered paragraph:
 54 4 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33 and
 54 5 section 426B.5, subsection 1, paragraph "d", moneys

CODE: Permits nonreversion of FY 2005 Mental Health Allowed Growth funds. Subsection 6 of this Section requires these additional funds of approximately \$50,000 be distributed to counties with negative FY 2004 Mental Health Services Fund balances.

54 6 appropriated in this subsection that remain unencumbered or
 54 7 unobligated at the close of the fiscal year shall not revert
 54 8 but shall remain available for expenditure for the purposes
 54 9 designated until the close of the succeeding fiscal year.

54 10 Sec. 51. 2004 Iowa Acts, chapter 1175, section 173,
 54 11 subsection 2, paragraph c, is amended to read as follows:
 54 12 c. ~~For deposit in the risk pool created in the property~~
 54 13 ~~tax relief fund and for distribution in accordance with~~
 54 14 ~~section 426B.5, subsection 2 To the department of human~~
 54 15 ~~services for supplementation of the appropriations made for~~
 54 16 ~~the medical assistance program for the fiscal year beginning~~
 54 17 ~~July 1, 2005, and ending June 30, 2006:~~
 54 18 \$ 2,000,000

CODE: Transfers the FY 2006 appropriation for the Risk Pool to Medical Assistance.

DETAIL: This \$2,000,000 transfer occurred in FY 2005 and FY 2004 and is assumed in the appropriations need calculation for FY 2006.

54 19 Sec. 52. 2004 Iowa Acts, chapter 1175, section 173, is
 54 20 amended by adding the following new subsections:
 54 21 **NEW SUBSECTION.** 3. The following formula amounts shall be
 54 22 utilized only to calculate preliminary distribution amounts
 54 23 for fiscal year 2005–2006 under this section by applying the
 54 24 indicated formula provisions to the formula amounts and
 54 25 producing a preliminary distribution total for each county:
 54 26 a. For calculation of an allowed growth factor adjustment
 54 27 amount for each county in accordance with the formula in
 54 28 section 331.438, subsection 2, paragraph "b":
 54 29 \$ 12,000,000
 54 30 b. For calculation of a distribution amount for eligible
 54 31 counties from the per capita expenditure target pool created
 54 32 in the property tax relief fund in accordance with the
 54 33 requirements in section 426B.5, subsection 1:
 54 34 \$ 23,925,724
 54 35 c. For calculation of a distribution amount for counties
 55 1 from the mental health and developmental disabilities (MH/DD)
 55 2 community services fund in accordance with the formula
 55 3 provided in the appropriation made for the MH/DD community
 55 4 services fund for the fiscal year beginning July 1, 2005:
 55 5 \$ 17,727,890

CODE: Provides for the distribution of the FY 2006 Mental Health Allowed Growth appropriation.

DETAIL: This is an increase of \$4,768,613 compared to the estimated net FY 2005 appropriation. This appropriation was made in SF 2298 (FY 2005 Omnibus Appropriations Act). The distribution parallels the distribution of the FY 2005 distribution of funds to the counties based on the balances of each county's Mental Health, Mental Retardation, and Developmental Disabilities Services Fund and levy amounts. The inflation factor for lower balances has been adjusted.

55 6 NEW SUBSECTION. 4. After applying the applicable
55 7 statutory distribution formulas to the amounts indicated in
55 8 subsection 3 for purposes of producing preliminary
55 9 distribution totals, the department of human services shall
55 10 apply a withholding factor to adjust an eligible individual
55 11 county's preliminary distribution total. An ending balance
55 12 percentage for each county shall be determined by expressing
55 13 the county's ending balance on a modified accrual basis under
55 14 generally accepted accounting principles for the fiscal year
55 15 beginning July 1, 2004, in the county's mental health, mental
55 16 retardation, and developmental disabilities services fund
55 17 created under section 331.424A, as a percentage of the
55 18 county's gross expenditures from that fund for that fiscal
55 19 year. The withholding factor for a county shall be the
55 20 following applicable percent:

55 21 a. For an ending balance percentage of less than 5
55 22 percent, a withholding factor of 0 percent. In addition, a
55 23 county that is subject to this lettered paragraph shall
55 24 receive an inflation adjustment equal to 3 percent of the
55 25 gross expenditures reported for the county's services fund for
55 26 the fiscal year.

55 27 b. For an ending balance percentage of 5 or more but less
55 28 than 10 percent, a withholding factor of 0 percent. In
55 29 addition, a county that is subject to this lettered paragraph
55 30 shall receive an inflation adjustment equal to 2 percent of
55 31 the gross expenditures reported for the county's services fund
55 32 for the fiscal year.

55 33 c. For an ending balance percentage of 10 or more but less
55 34 than 25 percent, a withholding factor of 25 percent.

55 35 d. For an ending balance percentage of 25 percent or more,
56 1 a withholding percentage of 100 percent.

56 2 NEW SUBSECTION. 5. The total withholding amounts applied
56 3 pursuant to subsection 4 shall be equal to a withholding
56 4 target amount of \$9,418,362. If the department of human
56 5 services determines that the amount to be withheld in
56 6 accordance with subsection 4 is not equal to the target
56 7 withholding amount, the department shall adjust the

56 8 withholding factors listed in subsection 4 as necessary to
56 9 achieve the withholding target amount. However, in making
56 10 such adjustments to the withholding factors, the department
56 11 shall strive to minimize changes to the withholding factors
56 12 for those ending balance percentage ranges that are lower than
56 13 others and shall not adjust the zero withholding factor or the
56 14 inflation adjustment percentage specified in subsection 4,
56 15 paragraph "a".

56 16 NEW SUBSECTION. 6. a. In addition to the amount to be
56 17 distributed under subsection 4, for the fiscal year beginning
56 18 July 1, 2005, a county with an ending balance percentage under
56 19 subsection 4 of less than zero shall receive a distribution
56 20 from the sum of the following:

56 21 (1) The amounts appropriated in 2004 Iowa Acts, chapter
56 22 1175, section 132 and section 173, subsection 1, that were not
56 23 distributed and did not revert at the close of the fiscal year
56 24 beginning July 1, 2004.

56 25 (2) The amounts appropriated for the fiscal year beginning
56 26 July 1, 2005, for the mental health and developmental
56 27 disabilities community services fund and in this section that
56 28 were not distributed in accordance with subsections 3, 4, and
56 29 5.

56 30 b. The amount of a county's distribution under paragraph
56 31 "a" shall be equal to the county's proportion of the general
56 32 population of the counties eligible to receive a distribution
56 33 under this subsection.

56 34 c. The distribution amount determined under this
56 35 subsection shall be included in the county's allowed growth
57 1 payment determined in accordance with subsections 3, 4, and 5.

57 2 Sec. 53. EFFECTIVE DATE. The section of this division of
57 3 this Act amending 2004 Iowa Acts, chapter 1175, section 173,
57 4 subsection 1, being deemed of immediate importance, takes
57 5 effect upon enactment.

Provides that the Section providing for the FY 2005 nonreversion and redistribution of Mental Health Allowed Growth funds takes effect on enactment.

PG LN	House File 825	Explanation
57 6	DIVISION IV	
57 7	CODE CHANGES	
57 8 Sec. 54. Section 15H.3, subsection 5, as enacted by 2005 57 9 Iowa Acts, House File 478, section 3, is amended to read as 57 10 follows:	57 11 5. Members shall serve staggered terms of three years 57 12 beginning and ending as provided by section 69.19 July 1. 57 13 Members of the commission shall serve no more than two three- 57 14 year terms. Any vacancy shall be filled in the same manner as 57 15 the original appointment.	CODE: Provides that the terms of the members of the Iowa Commission on Volunteer Service begin July 1.
57 16 Sec. 55. <u>NEW SECTION.</u> 16.184 TRANSITIONAL HOUSING 57 17 REVOLVING LOAN PROGRAM FUND.	57 18 1. A transitional housing revolving loan program fund is 57 19 created within the authority to further the availability of 57 20 affordable housing for parents that are reuniting with their 57 21 children while completing or participating in substance abuse 57 22 treatment. The moneys in the fund are annually appropriated 57 23 to the authority to be used for the development and operation 57 24 of a revolving loan program to provide financing to construct 57 25 affordable transitional housing, including through new 57 26 construction or acquisition and rehabilitation of existing 57 27 housing. The housing provided shall be geographically located 57 28 in close proximity to licensed substance abuse treatment 57 29 programs. Preference in funding shall be given to projects 57 30 that reunite mothers with the mothers' children. 57 31 2. Moneys transferred by the authority for deposit in the 57 32 transitional housing revolving loan program fund, moneys 57 33 appropriated to the transitional housing revolving loan 57 34 program, and any other moneys available to and obtained or 57 35 accepted by the authority for placement in the fund shall be 58 1 deposited in the fund. Additionally, payment of interest, 58 2 recaptures of awards, and other repayments to the transitional 58 3 housing revolving loan program fund shall be credited to the 58 4 fund. Notwithstanding section 12C.7, subsection 2, interest	CODE: Creates a Transitional Housing Revolving Loan Program Fund within the Iowa Finance Authority to provide housing for individuals recovering from substance abuse. DETAIL: House File 875 (FY 2006 Infrastructure Appropriations Act) provided an appropriation of \$1,400,000 from the Rebuild Iowa Infrastructure Fund for this Program.

58 5 or earnings on moneys in the transitional housing revolving
 58 6 loan program fund shall be credited to the fund.
 58 7 Notwithstanding section 8.33, moneys that remain unencumbered
 58 8 or unobligated at the close of the fiscal year shall not
 58 9 revert but shall remain available for the same purpose in the
 58 10 succeeding fiscal year.

58 11 3. The authority shall annually allocate moneys available
 58 12 in the transitional housing revolving loan program fund for
 58 13 the development of affordable transitional housing for parents
 58 14 that are reuniting with the parents' children while completing
 58 15 or participating in substance abuse treatment. The authority
 58 16 shall develop a joint application process for the allocation
 58 17 of federal low-income housing tax credits and the funds
 58 18 available under this section. Moneys allocated to such
 58 19 projects may be in the form of loans, grants, or a combination
 58 20 of loans and grants.

58 21 4. The authority shall adopt rules pursuant to chapter 17A
 58 22 to administer this section.

58 23 Sec. 56. Section 28.9, subsection 3, Code 2005, is amended
 58 24 to read as follows:

58 25 3. a. An early childhood programs grant account is
 58 26 created in the Iowa empowerment fund under the authority of
 58 27 the director of human services. Moneys credited to the
 58 28 account are appropriated to and shall be distributed by the
 58 29 department of human services in the form of grants to
 58 30 community empowerment areas pursuant to criteria established
 58 31 by the Iowa board in accordance with law. The criteria shall
 58 32 include but are not limited to a requirement that a community
 58 33 empowerment area must be designated by the Iowa board in
 58 34 accordance with section 28.5, in order to be eligible to
 58 35 receive an early childhood programs grant.

59 1 b. The maximum funding amount a community empowerment area
 59 2 is eligible to receive from the early childhood programs grant
 59 3 account for a fiscal year shall be determined by applying the
 59 4 area's percentage of the state's average monthly family
 59 5 investment program population in the preceding fiscal year to

CODE: Specifies a maximum amount for community empowerment areas from the Early Childhood Programs Grant Account. Requires community empowerment areas to comply with various reporting and expenditure requirements.

DETAIL: This language has been included in prior year appropriations Acts for the DHS within the appropriations relating to the TANF and is being codified to make it a permanent part of the Code of Iowa.

59 6 the total amount credited to the account for the fiscal year.
 59 7 c. A community empowerment area receiving funding from the
 59 8 early childhood program grant account shall comply with any
 59 9 federal reporting requirements associated with the use of that
 59 10 funding and other results and reporting requirements
 59 11 established by the Iowa empowerment board. The department of
 59 12 human services shall provide technical assistance in
 59 13 identifying and meeting the federal requirements. The
 59 14 availability of funding provided from the account is subject
 59 15 to changes in federal requirements and amendments to Iowa law.
 59 16 d. The moneys distributed from the early childhood program
 59 17 grant account shall be used by community empowerment areas for
 59 18 the purposes of enhancing quality child care capacity in
 59 19 support of parent capability to obtain or retain employment.
 59 20 The moneys shall be used with a primary emphasis on low-income
 59 21 families and children from birth to five years of age. Moneys
 59 22 shall be provided in a flexible manner and shall be used to
 59 23 implement strategies identified by the community empowerment
 59 24 area to achieve such purposes. The department of human
 59 25 services may use a portion of the funding appropriated to the
 59 26 department under this subsection for provision of technical
 59 27 assistance and other support to community empowerment areas
 59 28 developing and implementing strategies with grant moneys
 59 29 distributed from the account.
 59 30 e. Moneys from a federal block grant that are credited to
 59 31 the early childhood program grant account but are not
 59 32 distributed to a community empowerment area or otherwise
 59 33 remain unobligated or unexpended at the end of the fiscal year
 59 34 shall revert to the fund created in section 8.41 to be
 59 35 available for appropriation by the general assembly in a
 60 1 subsequent fiscal year.

60 2 Sec. 57. NEW SECTION. 35D.18 NET GENERAL FUND
 60 3 APPROPRIATION — PURPOSE.
 60 4 1. The Iowa veterans home shall operate on the basis of a
 60 5 net appropriation from the general fund of the state. The
 60 6 appropriation amount shall be the net amount of state moneys

CODE: Provides for the continuation of language requiring the Iowa Veterans Home to operate under a net appropriation from the General Fund and retain the outside revenues in lieu of depositing them in the General Fund.

60 7 projected to be needed for the Iowa veterans home for the
60 8 fiscal year of the appropriation. The purpose of utilizing a
60 9 net appropriation is to encourage the Iowa veterans home to
60 10 operate with increased self-sufficiency, to improve quality
60 11 and efficiency, and to support collaborative efforts among all
60 12 providers of funding for the services available from the Iowa
60 13 veterans home.

60 14 2. The net appropriation made to the Iowa veterans home
60 15 may be used throughout the fiscal year in the manner necessary
60 16 for purposes of cash flow management, and for cash flow
60 17 management, the Iowa veterans home may temporarily draw more
60 18 than the amount appropriated, provided the amount appropriated
60 19 is not exceeded at the close of the fiscal year.

60 20 3. Revenues received that are attributed to the Iowa
60 21 veterans home during a fiscal year shall be credited to the
60 22 Iowa veterans home account and shall be considered repayment
60 23 receipts as defined in section 8.2, including but not limited
60 24 to all of the following:

60 25 a. Federal veterans administration payments.
60 26 b. Medical assistance program revenue received under
60 27 chapter 249A.
60 28 c. Federal Medicare program payments.
60 29 d. Other revenues generated from current, new, or expanded
60 30 services that the Iowa veterans home is authorized to provide.

60 31 4. For purposes of allocating moneys to the Iowa veterans
60 32 home from the salary adjustment fund created in section 8.43,
60 33 the Iowa veterans home shall be considered to be funded
60 34 entirely with state moneys.

60 35 5. Notwithstanding section 8.33, up to five hundred
61 1 thousand dollars of the Iowa veterans home revenue that remain
61 2 unencumbered or unobligated at the close of the fiscal year
61 3 shall not revert but shall remain available for expenditure
61 4 for purposes of the Iowa veterans home until the close of the
61 5 succeeding fiscal year.

DETAIL: This language has been in existence since FY 2003, beginning July 1, 2002, when the General Assembly placed the Veterans Home on net budgeting. This language has been included in prior year appropriations Acts for the DHS and is being codified to make it a permanent part of the Code of Iowa.

<p>61 6 Sec. 58. Section 84A.6, subsection 2, Code 2005, is 61 7 amended to read as follows: 61 8 2. <u>a.</u> The director of the department of workforce 61 9 development, in cooperation with the department of human 61 10 services, shall provide job placement and training to persons 61 11 referred by the department of human services under the 61 12 promoting independence and self-sufficiency through employment 61 13 job opportunities and basic skills program established 61 14 pursuant to chapter 239B and the food stamp employment and 61 15 training program. 61 16 <u>b.</u> The department of workforce development, in 61 17 <u>consultation with the department of human services, shall</u> 61 18 <u>develop and implement departmental recruitment and employment</u> 61 19 <u>practices that address the needs of former and current</u> 61 20 <u>participants in the family investment program under chapter</u> 61 21 <u>239B.</u></p> <p>61 22 Sec. 59. Section 125.2, Code 2005, is amended by adding 61 23 the following new subsection: 61 24 <u>NEW SUBSECTION.</u> A1. "Board" means the state board of 61 25 health created pursuant to chapter 136.</p> <p>61 26 Sec. 60. Section 125.2, subsection 6, Code 2005, is 61 27 amended by striking the subsection.</p> <p>61 28 Sec. 61. Section 125.3, Code 2005, is amended to read as 61 29 follows: 61 30 125.3 SUBSTANCE ABUSE PROGRAM AND COMMISSION ESTABLISHED. 61 31 The Iowa department of public health shall include a 61 32 program which shall develop, implement, and administer a 61 33 comprehensive substance abuse program pursuant to sections 61 34 125.1 to 125.43. A commission on substance abuse is created 61 35 to establish certain policies governing the performance of the 62 1 department in the discharge of duties imposed on it by this 62 2 chapter and advise the department on other policies. The 62 3 commission shall consist of nine members appointed by the</p>	<p>CODE: Requires that the Department of Workforce Development, in consultation with the DHS, develop and implement practices that address the needs of the DHS FIP participants.</p> <p>DETAIL: This language has been included in prior year appropriations Acts for the DHS and is being codified to make it a permanent part of the <u>Code of Iowa</u>.</p> <p>CODE: Adds a definition for the State Board of Health to Chapter 125, <u>Code of Iowa</u> that makes the Board responsible for the duties associated with chemical substance abuse in lieu of the Commission on Substance Abuse. The Commission is eliminated in this Act.</p> <p>CODE: Eliminates the Commission on Substance Abuse. Duties are transferred to the State Board of Health in various Sections of this Act.</p> <p>CODE: Conforming language to reflect the elimination of the Commission on Substance Abuse in this Act.</p>
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62 4 ~~governor. Appointments shall be made on the basis of interest~~
 62 5 ~~in and knowledge of substance abuse, however two of the~~
 62 6 ~~members shall be persons who, in their regular work, have~~
 62 7 ~~direct contact with substance abuse clients. Only eligible~~
 62 8 ~~electors of the state of Iowa shall be appointed.~~

62 9 Sec. 62. Section 125.7, Code 2005, is amended to read as
 62 10 follows:

62 11 125.7 DUTIES OF THE COMMISSION BOARD.

62 12 The commission board shall:

62 13 1. Approve the comprehensive substance abuse program,
 62 14 developed by the department pursuant to sections 125.1 to
 62 15 125.43.

62 16 2. Advise the department on policies governing the
 62 17 performance of the department in the discharge of any duties
 62 18 imposed on ~~it~~ the department by law.

62 19 3. Advise or make recommendations to the governor and the
 62 20 general assembly relative to substance abuse treatment,
 62 21 intervention, ~~and~~ education, and prevention programs in this
 62 22 state.

62 23 4. ~~Promulgate~~ Adopt rules for subsections 1 and 6 and
 62 24 review other rules necessary to carry out the provisions of
 62 25 this chapter, subject to review in accordance with chapter
 62 26 17A.

62 27 5. Investigate the work of the department relating to
 62 28 substance abuse, and for this purpose ~~it~~ the board shall have
 62 29 access at any time to all books, papers, documents, and
 62 30 records of the department.

62 31 6. Consider and approve or disapprove all applications for
 62 32 a license and all cases involving the renewal, denial,
 62 33 suspension, or revocation of a license.

62 34 7. Act as the appeal board regarding funding decisions
 62 35 made by the department.

CODE: Conforming language to transfer duties of the Commission on Substance Abuse to the State Board of Health resulting from the elimination of the Commission in this Act.

63 1 Sec. 63. Section 125.9, subsection 1, Code 2005, is
 63 2 amended to read as follows:

63 3 1. Plan, establish and maintain treatment, intervention,

CODE: Technical correction.

63 4 and education, and prevention programs as necessary or
 63 5 desirable in accordance with the comprehensive substance abuse
 63 6 program.

63 7 Sec. 64. Section 125.10, subsections 1 and 11, Code 2005,
 63 8 are amended to read as follows:

63 9 1. Prepare and submit a state plan subject to approval by
 63 10 the ~~commission board~~ and in accordance with the provisions of
 63 11 42 U.S.C. sec. 4573. The state plan shall designate the
 63 12 department as the sole agency for supervising the
 63 13 administration of the plan.

63 14 11. Develop and implement, with the counsel and approval
 63 15 of the ~~commission board~~, a the comprehensive plan for
 63 16 treatment of substance abusers, chronic substance abusers, and
 63 17 intoxicated persons in accordance with this chapter.

63 18 Sec. 65. Section 125.12, subsection 1, Code 2005, is
 63 19 amended to read as follows:

63 20 1. The ~~commission board~~ shall review a the comprehensive
 63 21 ~~and co-ordinated substance abuse program implemented by the~~
 63 22 department for the treatment of substance abusers, chronic
 63 23 substance abusers, intoxicated persons, and concerned family
 63 24 members. Subject to the review of the ~~commission board~~, the
 63 25 director shall divide the state into appropriate regions for
 63 26 the conduct of the program and establish standards for the
 63 27 development of the program on the regional level. In
 63 28 establishing the regions, consideration shall be given to city
 63 29 and county lines, population concentrations, and existing
 63 30 substance abuse treatment services. ~~In determining the~~
 63 31 ~~regions, the director is not required to follow the regional~~
 63 32 ~~map as prepared by the former office for planning and~~
 63 33 ~~programming.~~

63 34 Sec. 66. Section 125.13, subsection 2, paragraphs a, b, i,
 63 35 and j, Code 2005, are amended to read as follows:

64 1 a. A hospital providing care or treatment to substance
 64 2 abusers or chronic substance abusers licensed under chapter

CODE: Conforming language to transfer duties of the Commission on Substance Abuse to the State Board of Health resulting from the elimination of the Commission in this Act.

CODE: Conforming language to transfer duties of the Commission on Substance Abuse to the State Board of Health resulting from the elimination of the Commission in this Act.

CODE: Conforming language to transfer duties of the Commission on Substance Abuse to the State Board of Health resulting from the elimination of the Commission in this Act.

64 3 135B which is accredited by the joint commission on the
 64 4 accreditation of health care organizations, the commission on
 64 5 accreditation of rehabilitation facilities, the American
 64 6 osteopathic association, or another recognized organization
 64 7 approved by the ~~commission~~ board. All survey reports from the
 64 8 accrediting or licensing body must be sent to the department.
 64 9 b. Any practitioner of medicine and surgery or osteopathic
 64 10 medicine and surgery, in the practitioner's private practice.
 64 11 However, a program shall not be exempted from licensing by the
 64 12 ~~commission~~ board by virtue of its utilization of the services
 64 13 of a medical practitioner in its operation.
 64 14 i. A substance abuse treatment program not funded by the
 64 15 department which is accredited or licensed by the joint
 64 16 commission on the accreditation of health care organizations,
 64 17 the commission on the accreditation of rehabilitation
 64 18 facilities, the American osteopathic association, or another
 64 19 recognized organization approved by the ~~commission~~ board. All
 64 20 survey reports from the accrediting or licensing body must be
 64 21 sent to the department.
 64 22 j. A hospital substance abuse treatment program that is
 64 23 accredited or licensed by the joint commission on the
 64 24 accreditation of health care organizations, the commission on
 64 25 the accreditation of rehabilitation facilities, the American
 64 26 osteopathic association, or another recognized organization
 64 27 approved by the ~~commission~~ board. All survey reports for the
 64 28 hospital substance abuse treatment program from the
 64 29 accrediting or licensing body shall be sent to the department.

64 30 Sec. 67. Section 125.14, Code 2005, is amended to read as
 64 31 follows:
 64 32 125.14 LICENSES — RENEWAL — FEES.
 64 33 The ~~commission~~ board shall ~~meet to~~ consider all cases
 64 34 involving initial issuance, and renewal, denial, suspension,
 64 35 or revocation of a license. The department shall issue a
 65 1 license to an applicant whom the ~~commission~~ board determines
 65 2 meets the licensing requirements of this chapter. Licenses
 65 3 shall expire no later than three years from the date of

CODE: Conforming language to transfer duties of the Commission on Substance Abuse to the State Board of Health resulting from the elimination of the Commission in this Act.

65 4 issuance and shall be renewed upon timely application made in
 65 5 the same manner as for initial issuance of a license unless
 65 6 notice of nonrenewal is given to the licensee at least thirty
 65 7 days prior to the expiration of the license. The department
 65 8 shall not charge a fee for licensing or renewal of programs
 65 9 contracting with the department for provision of treatment
 65 10 services. A fee may be charged to other licensees.

65 11 Sec. 68. Section 125.15A, subsection 1, paragraph b, Code
 65 12 2005, is amended to read as follows:
 65 13 b. The ~~commission~~ board has suspended, revoked, or refused
 65 14 to renew the existing license of the program.

CODE: Conforming language to transfer duties of the Commission on Substance Abuse to the State Board of Health resulting from the elimination of the Commission in this Act.

65 15 Sec. 69. Section 125.16, Code 2005, is amended to read as
 65 16 follows:
 65 17 125.16 TRANSFER OF LICENSE OR CHANGE OF LOCATION
 65 18 PROHIBITED.
 65 19 A license issued under this chapter may not be transferred,
 65 20 and the location of the physical facilities occupied or
 65 21 utilized by any program licensed under this chapter shall not
 65 22 be changed without the prior written consent of the ~~commission~~
 65 23 board.

CODE: Conforming language to transfer duties of the Commission on Substance Abuse to the State Board of Health resulting from the elimination of the Commission in this Act.

65 24 Sec. 70. Section 125.17, Code 2005, is amended to read as
 65 25 follows:
 65 26 125.17 LICENSE SUSPENSION OR REVOCATION.
 65 27 Violation of any of the requirements or restrictions of
 65 28 this chapter or of any of the rules ~~properly established~~
 65 29 adopted pursuant to this chapter is cause for suspension,
 65 30 revocation, or refusal to renew a license. The director shall
 65 31 at the earliest time feasible notify a licensee whose license
 65 32 the ~~commission~~ board is considering suspending or revoking and
 65 33 shall inform the licensee what changes must be made in the
 65 34 licensee's operation to avoid such action. The licensee shall
 65 35 be given a reasonable time for compliance, as determined by
 66 1 the director, after receiving such notice or a notice that the
 66 2 ~~commission~~ board does not intend to renew the license. When

CODE: Conforming language to transfer duties of the Commission on Substance Abuse to the State Board of Health resulting from the elimination of the Commission in this Act.

66 3 the licensee believes compliance has been achieved, or if the
 66 4 licensee considers the proposed suspension, revocation, or
 66 5 refusal to renew unjustified, the licensee may submit
 66 6 pertinent information to the ~~commission~~ board and the
 66 7 board shall expeditiously make a decision in the matter and
 66 8 notify the licensee of the decision.

66 9 Sec. 71. Section 125.18, Code 2005, is amended to read as
 66 10 follows:

66 11 125.18 HEARING BEFORE ~~COMMISSION~~ BOARD.

66 12 If a licensee under this chapter makes a written request
 66 13 for a hearing within thirty days of suspension, revocation, or
 66 14 refusal to renew a license, a hearing before the ~~commission~~
 66 15 board shall be expeditiously arranged by the department of
 66 16 inspections and appeals whose decision is subject to review by
 66 17 the ~~commission~~ board. ~~If the role of a commission member is~~
 66 18 ~~inconsistent with the member's job role or function, or if any~~
 66 19 ~~commission member feels unable for any reason to~~
 66 20 ~~disinterestedly weigh the merits of the case before the~~
 66 21 ~~commission, the member shall not participate in the hearing~~
 66 22 ~~and shall not be entitled to vote on the case.~~ The ~~commission~~
 66 23 board shall issue a written statement of ~~its~~ the board's
 66 24 findings within thirty days after conclusion of the hearing
 66 25 upholding or reversing the proposed suspension, revocation, or
 66 26 refusal to renew a license. Action involving suspension,
 66 27 revocation or refusal to renew a license shall not be taken by
 66 28 the ~~commission~~ board unless a quorum is present at the
 66 29 meeting. A copy of the board's decision shall be promptly
 66 30 transmitted to the affected licensee who may, if aggrieved by
 66 31 the decision, seek judicial review of the actions of the
 66 32 ~~commission~~ board in accordance with the terms of chapter 17A.

CODE: Conforming language to transfer duties of the Commission on
 Substance Abuse to the State Board of Health resulting from the
 elimination of the Commission in this Act.

66 33 Sec. 72. Section 125.19, Code 2005, is amended to read as
 66 34 follows:

66 35 125.19 REISSUANCE OR REINSTATEMENT.

67 1 After suspension, revocation, or refusal to renew a license
 67 2 pursuant to this chapter, the affected licensee shall not have

CODE: Conforming language to transfer duties of the Commission on
 Substance Abuse to the State Board of Health resulting from the
 elimination of the Commission in this Act.

67 3 the license reissued or reinstated within one year of the
 67 4 effective date of the suspension, revocation, or expiration
 67 5 upon refusal to renew, unless ~~by order of the commission board~~
 67 6 orders otherwise. After that time, proof of compliance with
 67 7 the requirements and restrictions of this chapter and the
 67 8 rules ~~established~~ adopted pursuant to this chapter must be
 67 9 presented to the ~~commission board~~ prior to reinstatement or
 67 10 reissuance of a license.

67 11 Sec. 73. Section 125.21, Code 2005, is amended to read as
 67 12 follows:
 67 13 125.21 CHEMICAL SUBSTITUTES AND ANTAGONISTS PROGRAMS.

67 14 1. The ~~commission board~~ has exclusive power in this state
 67 15 to approve and license chemical substitutes and antagonists
 67 16 programs, and to monitor chemical substitutes and antagonists
 67 17 programs to ensure that the programs are operating within the
 67 18 rules ~~established~~ adopted pursuant to this chapter. The
 67 19 ~~commission board~~ shall grant approval and license if the
 67 20 requirements of the rules are met and ~~no~~ state funding is not
 67 21 requested. ~~This section requires approval of~~ The chemical
 67 22 substitutes and antagonists programs conducted by persons
 67 23 exempt from the licensing requirements of this chapter ~~by~~
 67 24 pursuant to section 125.13, subsection 2, are subject to
 67 25 approval and licensure under this section.

67 26 2. The department may do any of the following:
 67 27 4- a. Provide advice, consultation, and technical
 67 28 assistance to chemical substitutes and antagonists programs.
 67 29 ~~2- b. In its discretion, approve~~ Approve local agencies
 67 30 or bodies to assist ~~it~~ the department in carrying out the
 67 31 provisions of this chapter.

67 32 Sec. 74. Section 125.43A, Code 2005, is amended to read as
 67 33 follows:

67 34 125.43A PRESCREENING — EXCEPTION.
 67 35 Except in cases of medical emergency or court ordered
 68 1 admissions, a person shall be admitted to a state mental
 68 2 health institute for substance abuse treatment only after a

CODE: Conforming language to transfer duties of the Commission on Substance Abuse to the State Board of Health resulting from the elimination of the Commission in this Act.

CODE: Conforming language to transfer duties of the Commission on Substance Abuse to the State Board of Health resulting from the elimination of the Commission in this Act.

68 3 preliminary intake and assessment by a department–licensed
68 4 treatment facility or a hospital providing care or treatment
68 5 for substance abusers licensed under chapter 135B and
68 6 accredited by the joint commission on the accreditation of
68 7 health care organizations, the commission on accreditation of
68 8 rehabilitation facilities, the American osteopathic
68 9 association, or another recognized organization approved by
68 10 the ~~commission board~~, or by a designee of a department–
68 11 licensed treatment facility or a hospital other than a state
68 12 mental health institute, which confirms that the admission is
68 13 appropriate to the person's substance abuse service needs. A
68 14 county board of supervisors may seek an admission of a patient
68 15 to a state mental health institute who has not been confirmed
68 16 for appropriate admission and the county shall be responsible
68 17 for one hundred percent of the cost of treatment and services
68 18 of the patient.

68 19 Sec. 75. Section 125.58, subsection 1, Code 2005, is
68 20 amended to read as follows:

68 21 1. If the department has probable cause to believe that an
68 22 institution, place, building, or agency not licensed as a
68 23 substance abuse treatment and rehabilitation facility is in
68 24 fact a substance abuse treatment and rehabilitation facility
68 25 as defined by this chapter, and is not exempt from licensing
68 26 by section 125.13, subsection 2, the ~~commission board~~ may
68 27 order an inspection of the institution, place, building, or
68 28 agency. If the inspector upon presenting proper
68 29 identification is denied entry for the purpose of making the
68 30 inspection, the inspector may, with the assistance of the
68 31 county attorney of the county in which the premises are
68 32 located, apply to the district court for an order requiring
68 33 the owner or occupant to permit entry and inspection of the
68 34 premises to determine whether there have been violations of
68 35 this chapter. The investigation may include review of
69 1 records, reports, and documents maintained by the facility and
69 2 interviews with staff members consistent with the
69 3 confidentiality safeguards of state and federal law.

CODE: Conforming language to transfer duties of the Commission on Substance Abuse to the State Board of Health resulting from the elimination of the Commission in this Act.

69 4 Sec. 76. NEW SECTION. 135.39C ELDERLY WELLNESS SERVICES
 69 5 — PAYOR OF LAST RESORT.
 69 6 The department shall implement elderly wellness services in
 69 7 a manner that ensures that the services provided are not
 69 8 payable by a third-party source.

CODE: Requires the Department of Public Health to provide services under the Elderly Wellness Program in a manner that ensures services are not payable by a third-party source.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Public Health and is being codified to make it a permanent part of the Code of Iowa.

69 9 Sec. 77. Section 135.150, subsection 2, Code 2005, is
 69 10 amended to read as follows:
 69 11 2. a. Moneys appropriated to the department under this
 69 12 section shall be for the purpose of operating a gambling
 69 13 treatment program and shall be used for funding of
 69 14 administrative costs and to provide programs which may
 69 15 include, but are not limited to, outpatient and follow-up
 69 16 treatment for persons affected by problem gambling,
 69 17 rehabilitation and residential treatment programs, information
 69 18 and referral services, crisis call access, education and
 69 19 preventive services, and financial management and credit
 69 20 counseling services.
 69 21 b. A person shall not maintain or conduct a gambling
 69 22 treatment program funded under this section unless the person
 69 23 has obtained a license for the program from the department.
 69 24 The department shall adopt rules to establish standards for
 69 25 the licensing and operation of gambling treatment programs
 69 26 under this section. The rules shall specify, but are not
 69 27 limited to specifying, the qualifications for persons
 69 28 providing gambling treatment services, standards for the
 69 29 organization and administration of gambling treatment
 69 30 programs, and a mechanism to monitor compliance with this
 69 31 section and the rules adopted under this section.

CODE: Requires that gambling treatment programs obtain a license from the Department of Public Health. Requires the Department to adopt rules for standards of the programs. Within the appropriation of Gambling Treatment Funds in this Act, \$100,000 of those funds are authorized for the Department to use for the licensure of these Programs.

69 32 Sec. 78. Section 136.1, unnumbered paragraph 1, Code 2005,
 69 33 is amended to read as follows:
 69 34 The state board of health shall consist of the following
 69 35 members: Five members learned in health-related disciplines,
 70 1 two members who have direct experience with substance abuse

CODE: Adds two members to the State Board of Health. Requires two additional members to have direct experience with substance abuse treatment or prevention. This reflects the transfer of duties of the Commission on Substance Abuse to the State Board of Health resulting from the elimination of the Commission in this Act.

70 2 treatment or prevention, and four members representing the
70 3 general public.

70 4 Sec. 79. Section 136.3, subsection 7, Code 2005, is
70 5 amended to read as follows:
70 6 7. Adopt, promulgate, amend, and repeal rules and
70 7 regulations consistent with law for the protection of the
70 8 public health and prevention of substance abuse, and for the
70 9 guidance of the department. All rules ~~which have been or are~~
70 10 ~~hereafter~~ adopted by the department shall be are subject to
70 11 approval by the board. ~~However, rules adopted by the~~
70 12 ~~commission on substance abuse for section 125.7, subsections 4~~
70 13 ~~and 7, and rules adopted by the department pursuant to section~~
70 14 ~~135.130 are not subject to approval by the state board of~~
70 15 ~~health.~~

CODE: Conforming language to transfer duties of the Commission on Substance Abuse to the State Board of Health due to the elimination of the Commission in this Act.

70 16 Sec. 80. Section 136.3, Code 2005, is amended by adding
70 17 the following new subsection:
70 18 NEW SUBSECTION. 10. Perform those duties authorized
70 19 pursuant to chapter 125.

CODE: Conforming language to transfer duties of the Commission on Substance Abuse to the State Board of Health resulting from the elimination of the Commission in this Act.

70 20 Sec. 81. Section 136C.10, subsection 1, Code 2005, is
70 21 amended to read as follows:
70 22 1. a. The department shall establish and collect fees for
70 23 the licensing and amendment of licenses for radioactive
70 24 materials, the registration of radiation machines, the
70 25 periodic inspection of radiation machines and radioactive
70 26 materials, and the implementation of section 136C.3,
70 27 subsection 2. Fees shall be in amounts sufficient to defray
70 28 the cost of administering this chapter. The license fee may
70 29 include the cost of environmental surveillance activities to
70 30 assess the radiological impact of activities conducted by
70 31 licensees.
70 32 b. Fees collected shall be remitted to the treasurer of
70 33 state who shall deposit the funds in the general fund of the
70 34 state. However, the fees collected from the licensing,
70 35 registration, authorization, accreditation, and inspection of

CODE: Requires that the fees collected from the various licensing and inspection activities for machines used for mammography be used to support the Department of Public Health's administrative costs related to the licensure and inspections.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Public Health and is being codified to make it a permanent part of the Code of Iowa.

71 1 radiation machines used for mammographically guided breast
 71 2 biopsy, screening, and diagnostic mammography shall be used to
 71 3 support the department's administration of this chapter and
 71 4 the fees collected shall be considered repayment receipts, as
 71 5 defined in section 8.2.

71 6 c. When a registrant or licensee fails to pay the
 71 7 applicable fee the department may suspend or revoke the
 71 8 registration or license or may issue an appropriate order.
 71 9 Fees for the license, amendment of a license, and inspection
 71 10 of radioactive material shall not exceed the fees prescribed
 71 11 by the United States nuclear regulatory commission.

71 12 Sec. 82. Section 144.13A, subsection 4, paragraph a,
 71 13 unnumbered paragraph 2, Code 2005, is amended to read as
 71 14 follows:

71 15 ~~Beginning July 1, 2005, ten~~ Ten dollars of each
 71 16 registration fee is appropriated and shall be used for primary
 71 17 and secondary child abuse prevention programs pursuant to
 71 18 section 235A.1, and ten dollars of each registration fee is
 71 19 appropriated and shall be used for the center for congenital
 71 20 and inherited disorders central registry established pursuant
 71 21 to section 136A.6. Notwithstanding section 8.33, moneys
 71 22 appropriated in this unnumbered paragraph that remain
 71 23 unencumbered or unobligated at the close of the fiscal year
 71 24 shall not revert but shall remain available for expenditure
 71 25 for the purposes designated until the close of the succeeding
 71 26 fiscal year.

71 27 Sec. 83. NEW SECTION. 144.46A VITAL RECORDS FUND.
 71 28 1. A vital records fund is created under the control of
 71 29 the department. Moneys in the fund shall be used for purposes
 71 30 of the purchase and maintenance of an electronic system for
 71 31 vital records scanning, data capture, data reporting, storage,
 71 32 and retrieval, and for all registration and issuance
 71 33 activities. Moneys in the fund may also be used for other
 71 34 related purposes including but not limited to the streamlining
 71 35 of administrative procedures and electronically linking

CODE: Permits nonreversion of funds appropriated from birth certificate fees to the Primary and Secondary Child Abuse Prevention Programs and the Center for Congenital and Inherited Disorders Central Registry.

CODE: Creates a Vital Records Fund within the Department of Public Health and specifies the provisions for the process. Permits an increase in fees charged by the State Registrar for Vital Records to be retained by the Department for the Fund.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Public Health and is being codified to make it a permanent part of the Code of Iowa. The historical reference has been to a Vital Records Modernization Project and is being codified as a Vital Records Fund.

72 1 offices of county registrars to state vital records so that
 72 2 the records may be issued at the county level.
 72 3 2. The department shall adopt rules providing for an
 72 4 increase in the fees charged by the state registrar for vital
 72 5 records services under section 144.46 in an amount necessary
 72 6 to pay for the purposes designated in subsection 1.
 72 7 3. Increased fees collected by the state registrar
 72 8 pursuant to this section shall be credited to the vital
 72 9 records fund. Moneys credited to the fund are appropriated to
 72 10 the department to be used for the purposes designated in
 72 11 subsection 1. Notwithstanding section 8.33, moneys credited
 72 12 to the fund that remain unencumbered or unobligated at the
 72 13 close of the fiscal year shall not revert to any fund but
 72 14 shall remain available for expenditure for the purposes
 72 15 designated.

72 16 Sec. 84. NEW SECTION. 147.28A SCOPE OF PRACTICE REVIEW
 72 17 COMMITTEES — FUTURE REPEAL.

72 18 1. The department shall utilize scope of practice review
 72 19 committees to evaluate and make recommendations to the general
 72 20 assembly and to the appropriate examining boards regarding all
 72 21 of the following issues:

72 22 a. Requests from practitioners seeking to become newly
 72 23 licensed health professionals or to establish their own
 72 24 examining boards.

72 25 b. Requests from health professionals seeking to expand or
 72 26 narrow the scope of practice of a health profession.

72 27 c. Unresolved administrative rulemaking disputes between
 72 28 examining boards.

72 29 2. A scope of practice review committee established under
 72 30 this section shall evaluate the issues specified in subsection
 72 31 1 and make recommendations regarding proposed changes to the
 72 32 general assembly based on the following standards and
 72 33 guidelines:

72 34 a. The proposed change does not pose a significant new
 72 35 danger to the public.

73 1 b. Enacting the proposed change will benefit the health,

CODE: Requires the Department of Public Health to utilize Scope of Practice Review Committees to evaluate various examining boards. This Section is repealed July 1, 2007.

DETAIL: This language has been included in prior year appropriations Acts for the Department of Public Health and is being codified to make it a permanent part of the Code of Iowa.

73 2 safety, or welfare of the public.
 73 3 c. The public cannot be effectively protected by other
 73 4 more cost-effective means.
 73 5 3. A scope of practice review committee shall be limited
 73 6 to five members as follows:
 73 7 a. One member representing the profession seeking
 73 8 licensure, a new examining board, or a change in scope of
 73 9 practice.
 73 10 b. One member of the health profession directly impacted
 73 11 by, or opposed to, the proposed change.
 73 12 c. One impartial health professional who is not directly
 73 13 or indirectly affected by the proposed change.
 73 14 d. Two impartial members of the general public.
 73 15 4. The department may contract with a school or college of
 73 16 public health to assist in implementing this section.
 73 17 5. The department shall submit an annual progress report
 73 18 to the governor and the general assembly by January 15 and
 73 19 shall include any recommendations for legislative action as a
 73 20 result of review committee activities.
 73 21 6. The department shall adopt rules in accordance with
 73 22 chapter 17A to implement this section.
 73 23 7. This section is repealed July 1, 2007.

73 24 Sec. 85. Section 147.80, Code 2005, is amended by adding
 73 25 the following new unnumbered paragraph:
 73 26 NEW UNNUMBERED PARAGRAPH. The board of medical examiners,
 73 27 the board of pharmacy examiners, the board of dental
 73 28 examiners, and the board of nursing shall retain individual
 73 29 executive officers, but shall make every effort to share
 73 30 administrative, clerical, and investigative staffs to the
 73 31 greatest extent possible. The department shall annually
 73 32 submit a status report to the general assembly in December
 73 33 regarding the sharing of staff during the previous fiscal
 73 34 year.

73 35 Sec. 86. Section 147.82, Code 2005, is amended to read as
 74 1 follows:

CODE: Requires the Boards of Medical Examiners, Pharmacy Examiners, Dental Examiners, and Nursing to attempt to share staff when possible. Requires an annual status report in December of each year.

DETAIL: This language has been included in prior year's appropriations Acts for these Examining Boards and is being codified to make it a permanent part of the Code of Iowa.

CODE: Provides for the use and distribution of various fees collected by the licensure boards under the Department of Public Health.

74 2 147.82 FEES.
74 3 ~~All Notwithstanding section 12.10, all fees shall be~~
74 4 ~~collected under this chapter by an examining board or the~~
74 5 ~~department and shall be paid to the treasurer of state and~~
74 6 ~~deposited in credited to the general fund of the state, except~~
74 7 ~~as provided in sections 147.94 and 147.102. for the following:~~
74 8 1. The department may retain and expend or encumber a
74 9 portion of fees collected under this chapter for an examining
74 10 board if the expenditure or encumbrance is directly the result
74 11 of an unanticipated litigation expense or an expense
74 12 associated with a scope of practice review committee created
74 13 pursuant to section 147.28A. Before the department retains,
74 14 expends, or encumbers funds for an unanticipated litigation
74 15 expense or a scope of practice review committee, the director
74 16 of the department of management shall approve the expenditure
74 17 or encumbrance. The amount of fees retained pursuant to this
74 18 subsection shall not exceed five percent of the average annual
74 19 fees generated by the affected examining board for the two
74 20 previous fiscal years. The amount of fees retained shall be
74 21 considered repayment receipts as defined in section 8.2.
74 22 2. The department may annually retain and expend not more
74 23 than two hundred ninety-seven thousand nine hundred sixty-one
74 24 dollars for lease and maintenance expenses from fees collected
74 25 pursuant to section 147.80 by the board of dental examiners,
74 26 the board of pharmacy examiners, the board of medical
74 27 examiners, and the board of nursing. Fees retained by the
74 28 department pursuant to this subsection shall be considered
74 29 repayment receipts as defined in section 8.2.
74 30 3. The department may annually retain and expend not more
74 31 than one hundred thousand dollars for reduction of the number
74 32 of days necessary to process medical license requests and for
74 33 reduction of the number of days needed for consideration of
74 34 malpractice cases from fees collected pursuant to section
74 35 147.80 by the board of medical examiners in the fiscal year
75 1 beginning July 1, 2005, and ending June 30, 2006. Fees
75 2 retained by the department pursuant to this subsection shall
75 3 be considered repayment receipts as defined in section 8.2 and

DETAIL: This language has been included in prior year appropriations Acts for the Department of Public Health and is being codified to make it a permanent part of the Code of Iowa.

75 4 shall be used for the purposes described in this subsection.
75 5 4. The board of dental examiners may annually retain and
75 6 expend not more than one hundred forty-eight thousand sixty
75 7 dollars from revenues generated pursuant to section 147.80.
75 8 Fees retained by the board pursuant to this subsection shall
75 9 be considered repayment receipts as defined in section 8.2 and
75 10 shall be used for the purposes of regulating dental
75 11 assistants.

75 12 5. The board of nursing may annually retain and expend
75 13 ninety percent of the revenues generated from an increase in
75 14 license and renewal fees established pursuant to section
75 15 147.80 for the practice of nursing, above the license and
75 16 renewal fees in effect as of July 1, 2003. The moneys
75 17 retained shall be used for any of the board's duties,
75 18 including but not limited to the addition of full-time
75 19 equivalent positions for program services and investigations.
75 20 Revenues retained by the board pursuant to this subsection
75 21 shall be considered repayment receipts as defined in section
75 22 8.2, and shall be used for the purposes described in this
75 23 subsection.

75 24 6. The board of pharmacy examiners may annually retain and
75 25 expend ninety percent of the revenues generated from an
75 26 increase in license and renewal fees established pursuant to
75 27 sections 124.301 and 147.80, and chapter 155A, for the
75 28 practice of pharmacy, above the license and renewal fees in
75 29 effect as of July 1, 2004. The moneys retained shall be used
75 30 for any of the board's duties, including but not limited to
75 31 the addition of full-time equivalent positions for program
75 32 services and investigations. Revenues retained by the board
75 33 pursuant to this subsection shall be considered repayment
75 34 receipts as defined in section 8.2, and shall be used for the
75 35 purposes described in this subsection.

76 1 7. In addition to the amounts authorized in subsections 1
76 2 through 6, the examining boards listed in section 147.80 may
76 3 retain and expend ninety percent of the revenue generated from
76 4 an increase in license and renewal fees established pursuant
76 5 to section 147.80 for the practice of the licensed profession

76 6 for which an examining board conducts examinations above the
 76 7 license and renewal fees in effect as of June 30, 2005. The
 76 8 moneys retained by an examining board shall be used for any of
 76 9 the board's duties, including but not limited to addition of
 76 10 full-time equivalent positions for program services and
 76 11 investigations. Revenues retained by an examining board
 76 12 pursuant to this subsection shall be considered repayment
 76 13 receipts as defined in section 8.2.

76 14 Sec. 87. Section 147.94, Code 2005, is amended to read as
 76 15 follows:

76 16 147.94 PHARMACISTS.

76 17 The provisions of this chapter relative to the making of
 76 18 application for a license, the issuance of a license, the
 76 19 negotiation of reciprocal agreements for recognition of
 76 20 foreign licenses, ~~the collection of license and renewal fees,~~
 76 21 and the preservation of records shall not apply to the
 76 22 licensing of persons to practice pharmacy, but such licensing
 76 23 shall be governed by the following ~~regulations:~~

76 24 1. Every application for a license to practice pharmacy
 76 25 shall be made ~~direct~~ to the secretary of the board of pharmacy
 76 26 examiners.

76 27 2. ~~Such~~ A license and all renewals ~~thereof of a license~~
 76 28 shall be issued by ~~said~~ the board of pharmacy examiners.

76 29 3. Every reciprocal agreement for the recognition of any
 76 30 ~~such~~ license issued in another state shall be negotiated by
 76 31 ~~said~~ the board of pharmacy examiners.

76 32 4. ~~All license and renewal fees exacted from persons~~
 76 33 ~~licensed to practice pharmacy shall be paid to and collected~~
 76 34 ~~by the secretary of the pharmacy examiners.~~

76 35 5. ~~4.~~ All records in connection with the licensing of
 77 1 pharmacists shall be kept by ~~said~~ the secretary of the board
 77 2 of pharmacy examiners.

77 3 Sec. 88. Section 147.102, Code 2005, is amended to read as
 77 4 follows:

77 5 147.102 PSYCHOLOGISTS, CHIROPRACTORS, AND DENTISTS.

CODE: Conforming language to reflect the codification of licensure
 fee moneys for the Board of Pharmacy Examiners.

DETAIL: This language has been included in prior year appropriations
 Acts for the Board and is being codified to make it a permanent part of
 the Code of Iowa.

CODE: Conforming language to reflect the codification of licensure
 fee moneys of the Examining Boards for psychologists, chiropractors,
 and dentists.

77 6 Notwithstanding the provisions of this subtitle, every
 77 7 application for a license to practice psychology,
 77 8 chiropractic, or dentistry shall be made directly to the
 77 9 chairperson, executive director, or secretary of the examining
 77 10 board of such profession, and every reciprocal agreement for
 77 11 the recognition of any such license issued in another state
 77 12 shall be negotiated by the examining board for such
 77 13 profession. All examination, license, and renewal fees
 77 14 received from persons licensed to practice any of such
 77 15 professions shall be paid to and collected by the chairperson,
 77 16 executive director, or secretary of the examining board of
 77 17 such profession, ~~who shall transmit the fees to the treasurer~~
 77 18 ~~of state for deposit into the general fund of the state.~~ The
 77 19 salary of the secretary shall be established by the governor
 77 20 with the approval of the executive council pursuant to section
 77 21 8A.413, subsection 2, under the pay plan for exempt positions
 77 22 in the executive branch of government.

DETAIL: This language has been included in prior year appropriations Acts for these Boards and is being codified to make it a permanent part of the Code of Iowa.

77 23 Sec. 89. Section 154A.22, Code 2005, is amended to read as
 77 24 follows:
 77 25 154A.22 ~~DEPOSIT RECEIPT OF FEES.~~
 77 26 1. The ~~Except as otherwise provided in subsection 2, the~~
 77 27 department shall deposit all fees collected under the
 77 28 provisions of this chapter in the general fund of the state.
 77 29 Compensation and travel expenses of members and employees of
 77 30 the board, and other expenses necessary for the board to
 77 31 administer and carry out the provisions of this chapter shall
 77 32 be paid from funds appropriated from the general fund of the
 77 33 state.
 77 34 2. The department may retain ninety percent of the revenue
 77 35 generated from an increase in licensure and permit fees
 78 1 established pursuant to section 154A.17 above the licensure
 78 2 and permit fees in effect as of June 30, 2005. The moneys
 78 3 retained by the department shall be used for any of the
 78 4 board's duties, including but not limited to addition of full-
 78 5 time equivalent positions for program services and
 78 6 investigations. Revenues retained by the department pursuant

CODE: Permits the Hearing Aid Dealer Board to retain 90.00% of license fee revenue increases enacted after July 1, 2005.

78 7 to this subsection shall be considered repayment receipts as
 78 8 defined in section 8.2.

78 9 Sec. 90. Section 155.6, Code 2005, is amended to read as
 78 10 follows:

78 11 155.6 ~~FUND-CREATED~~ RECEIPT OF FEES.

78 12 1. All Except as otherwise provided in subsection 2, all
 78 13 fees collected under the provisions of this chapter shall be
 78 14 paid to the treasurer of state who shall deposit the fees in
 78 15 the general fund of the state. Funds shall be appropriated to
 78 16 the board to be used and expended by the board to pay the
 78 17 compensation and travel expenses of members and employees of
 78 18 the board, and other expenses necessary for the board to
 78 19 administer and carry out the provisions of this chapter.

78 20 2. The board may retain ninety percent of the revenue
 78 21 generated from an increase in examination, licensure, and
 78 22 renewal of licensure fees established pursuant to section
 78 23 155.15 above the examination, licensure, and renewal of
 78 24 licensure fees in effect as of June 30, 2005. The moneys
 78 25 retained by the board shall be used for any of the board's
 78 26 duties, including but not limited to addition of full-time
 78 27 equivalent positions for program services and investigations.
 78 28 Revenues retained by the department pursuant to this
 78 29 subsection shall be considered repayment receipts as defined
 78 30 in section 8.2.

78 31 Sec. 91. Section 217.13, subsection 1, Code 2005, is
 78 32 amended to read as follows:

78 33 1. The department of human services shall establish
 78 34 volunteer programs designed to enhance the services provided
 78 35 by the department. Roles for volunteers may include but shall
 79 1 not be limited to parent aides, friendly visitors, commodity
 79 2 distributors, clerical assistants, and medical transporters,
 79 3 and other functions to complement and supplement the
 79 4 department's work with clients. Roles for volunteers shall
 79 5 include conservators and guardians. The department shall
 79 6 adopt rules for programs which are established.

CODE: Permits the Nursing Home Administrator Licensure Board to retain 90.00% of license fee revenue increase enacted after July 1, 2005.

CODE: Adds to the requirements of the volunteer programs within the DHS to include functions to compliment and supplement working with clients.

DETAIL: This language has been included in prior year appropriations Acts for the DHS and is being codified to make it a permanent part of the Code of Iowa.

79 7 Sec. 92. NEW SECTION. 217.35 FRAUD AND RECOUPMENT
79 8 ACTIVITIES.

79 9 Notwithstanding the requirement for deposit of recovered
79 10 moneys under section 239B.14, recovered moneys generated
79 11 through fraud and recoupment activities are appropriated to
79 12 the department of human services to be used for additional
79 13 fraud and recoupment activities performed by the department of
79 14 human services or the department of inspections and appeals.
79 15 The department of human services may use the recovered moneys
79 16 appropriated to add not more than five full-time equivalent
79 17 positions, in addition to those funded by annual
79 18 appropriations. The appropriation of the recovered moneys is
79 19 subject to both of the following conditions:

- 79 20 1. The director of human services determines that the
79 21 investment can reasonably be expected to increase recovery of
79 22 assistance paid in error, due to fraudulent or nonfraudulent
79 23 actions, in excess of the amount recovered in the previous
79 24 fiscal year.
79 25 2. The amount expended for the additional fraud and
79 26 recoupment activities shall not exceed the amount of the
79 27 projected increase in assistance recovered.

79 28 Sec. 93. NEW SECTION. 218.6 TRANSFER OF APPROPRIATIONS
79 29 MADE TO INSTITUTIONS.

79 30 Notwithstanding section 8.39, subsection 1, without the
79 31 prior written consent and approval of the governor and the
79 32 director of the department of management, the director of
79 33 human services may transfer funds between the appropriations
79 34 made for the same type of institution, listed as follows:

- 79 35 1. The state resource centers.
80 1 2. The state mental health institutes.
80 2 3. The state juvenile institutions consisting of the state
80 3 training school and the Iowa juvenile home.

80 4 Sec. 94. NEW SECTION. 222.92 NET GENERAL FUND
80 5 APPROPRIATION — STATE RESOURCE CENTERS.

- 80 6 1. The department shall operate the state resource centers

CODE: Appropriates moneys from fraud and recoupment activities conducted by the DHS to be used for these activities.

DETAIL: This language has been included in prior year appropriations Acts for the DHS and is being codified to make it a permanent part of the Code of Iowa.

CODE: Permits the DHS to internally transfer funds between the two State Resource Centers, between the four Mental Health Institutes, and between the two juvenile institutions in lieu of the requirement of transfer notice.

DETAIL: This language has been included in prior year appropriations Acts for the DHS and is being codified to make it a permanent part of the Code of Iowa.

CODE: Provides that the two State Resource Centers at Glenwood and Woodward operate under a net appropriations basis from the General Fund and retain non-General Fund revenues in lieu of

80 7 on the basis of net appropriations from the general fund of
80 8 the state. The appropriation amounts shall be the net amounts
80 9 of state moneys projected to be needed for the state resource
80 10 centers for the fiscal year of the appropriations. The
80 11 purpose of utilizing net appropriations is to encourage the
80 12 state resource centers to operate with increased self-
80 13 sufficiency, to improve quality and efficiency, and to support
80 14 collaborative efforts between the state resource centers and
80 15 counties and other providers of funding for the services
80 16 available from the state resource centers. The state resource
80 17 centers shall not be operated under the net appropriations in
80 18 a manner that results in a cost increase to the state or in
80 19 cost shifting between the state, the medical assistance
80 20 program, counties, or other sources of funding for the state
80 21 resource centers.

80 22 2. The net appropriation made for a state resource center
80 23 may be used throughout the fiscal year in the manner necessary
80 24 for purposes of cash flow management, and for purposes of cash
80 25 flow management, a state resource center may temporarily draw
80 26 more than the amount appropriated, provided the amount
80 27 appropriated is not exceeded at the close of the fiscal year.

80 28 3. Subject to the approval of the department, except for
80 29 revenues segregated as provided in section 249A.11, revenues
80 30 received that are attributed to a state resource center for a
80 31 fiscal year shall be credited to the state resource center's
80 32 account and shall be considered repayment receipts as defined
80 33 in section 8.2, including but not limited to all of the
80 34 following:

80 35 a. Moneys received by the state from billings to counties
81 1 under section 222.73.

81 2 b. The federal share of medical assistance program revenue
81 3 received under chapter 249A.

81 4 c. Federal Medicare program payments.

81 5 d. Moneys received from client financial participation.

81 6 e. Other revenues generated from current, new, or expanded
81 7 services that the state resource center is authorized to
81 8 provide.

depositing the revenue in the General Fund.

DETAIL: This language has been included in prior year appropriations Acts for the DHS and is being codified to make it a permanent part of the Code of Iowa.

81 9 4. For purposes of allocating moneys to the state resource
 81 10 centers from the salary adjustment fund created in section
 81 11 8.43, the state resource centers shall be considered to be
 81 12 funded entirely with state moneys.

81 13 5. Notwithstanding section 8.33, up to five hundred
 81 14 thousand dollars of a state resource center's revenue that
 81 15 remains unencumbered or unobligated at the close of the fiscal
 81 16 year shall not revert but shall remain available for
 81 17 expenditure for purposes of the state resource center until
 81 18 the close of the succeeding fiscal year.

81 19 Sec. 95. NEW SECTION. 226.9B NET GENERAL FUND
 81 20 APPROPRIATION — PSYCHIATRIC MEDICAL INSTITUTION FOR
 CHILDREN.

81 21 1. The psychiatric medical institution for children beds
 81 22 operated by the state at the state mental health institute at
 81 23 Independence, as authorized in section 135H.6, shall operate
 81 24 on the basis of a net appropriation from the general fund of
 81 25 the state. The allocation made by the department from the
 81 26 annual appropriation to the state mental health institute at
 81 27 Independence for the purposes of the beds shall be the net
 81 28 amount of state moneys projected to be needed for the beds for
 81 29 the fiscal year of the appropriation.

81 30 2. Revenues received that are attributed to the
 81 31 psychiatric medical institution for children beds during a
 81 32 fiscal year shall be credited to the mental health institute's
 81 33 account and shall be considered repayment receipts as defined
 81 34 in section 8.2, including but not limited to all of the
 81 35 following:

82 1 a. The federal share of medical assistance program revenue
 82 2 received under chapter 249A.

82 3 b. Moneys received through client financial participation.

82 4 c. Other revenues directly attributable to the psychiatric
 82 5 medical institution for children beds.

82 6 Sec. 96. NEW SECTION. 226.9C NET GENERAL FUND
 82 7 APPROPRIATION — DUAL DIAGNOSIS PROGRAM.

CODE: Provides that the Psychiatric Medical Institution for Children (PMIC) at the Mental Health Institute at Independence operate under a net appropriations basis from the General Fund and retain non-General Fund revenues in lieu of depositing revenues in the General Fund.

DETAIL: This language has been included in prior year appropriations Acts for the DHS and is being codified to make it a permanent part of the Code of Iowa.

CODE: Provides that the Dual Diagnosis Unit at the Mental Health Institute at Mt. Pleasant operate under a net appropriations basis from

82 8 1. The state mental health institute at Mount Pleasant
82 9 shall operate the dual diagnosis mental health and substance
82 10 abuse program on a net budgeting basis in which 50 percent of
82 11 the actual per diem and ancillary services costs are
82 12 chargeable to the patient's county of legal settlement or as a
82 13 state case, as appropriate. Subject to the approval of the
82 14 department, revenues attributable to the dual diagnosis
82 15 program for each fiscal year, shall be deposited in the mental
82 16 health institute's account and are appropriated to the
82 17 department for the dual diagnosis program, including but not
82 18 limited to all of the following revenues:
82 19 a. Moneys received by the state from billings to counties
82 20 under section 230.20.
82 21 b. Moneys received from billings to the Medicare program.
82 22 c. Moneys received from a managed care contractor
82 23 providing services under contract with the department or any
82 24 private third-party payor.
82 25 d. Moneys received through client participation.
82 26 e. Any other revenues directly attributable to the dual
82 27 diagnosis program.
82 28 2. The following additional provisions are applicable in
82 29 regard to the dual diagnosis program:
82 30 a. A county may split the charges between the county's
82 31 mental health, mental retardation, and developmental
82 32 disabilities services fund created pursuant to section
82 33 331.424A and the county's budget for substance abuse
82 34 expenditures.
82 35 b. If an individual is committed to the custody of the
83 1 department of corrections at the time the individual is
83 2 referred for dual diagnosis treatment, the department of
83 3 corrections shall be charged for the costs of treatment.
83 4 c. Prior to an individual's admission for dual diagnosis
83 5 treatment, the individual shall have been screened through a
83 6 county's central point of coordination process implemented
83 7 pursuant to section 331.440 to determine the appropriateness
83 8 of the treatment.
83 9 d. A county shall not be chargeable for the costs of

the General Fund and retain non-General Fund revenues in lieu of
depositing the revenues in the General Fund.

DETAIL: This language has been included in prior year appropriations
Acts for the DHS and is being codified to make it a permanent part of
the Code of Iowa.

83 10 treatment for an individual enrolled in and authorized by or
 83 11 decertified by a managed behavioral care plan under the
 83 12 medical assistance program.

83 13 e. Notwithstanding section 8.33, state mental health
 83 14 institute revenues related to the dual diagnosis program that
 83 15 remain unencumbered or unobligated at the close of the fiscal
 83 16 year shall not revert but shall remain available up to the
 83 17 amount which would allow the state mental health institute to
 83 18 meet credit obligations owed to counties as a result of year–
 83 19 end per diem adjustments for the dual diagnosis program.

83 20 Sec. 97. Section 226.19, Code 2005, is amended to read as
 83 21 follows:

83 22 226.19 DISCHARGE — CERTIFICATE.

83 23 1. All patients shall be discharged, by in accordance with
 83 24 the procedure prescribed in section 229.3 or section 229.16,
 83 25 whichever is applicable, immediately on regaining their the
 83 26 patient's good mental health.

83 27 2. If a patient's care is the financial responsibility of
 83 28 the state or a county, as part of the patient's discharge
 83 29 planning the state mental health institute shall provide
 83 30 assistance to the patient in obtaining eligibility for the
 83 31 federal state supplemental security income program.

83 32 Sec. 98. Section 227.4, Code 2005, is amended to read as
 83 33 follows:

83 34 227.4 STANDARDS FOR CARE OF PERSONS WITH MENTAL ILLNESS
 OR
 83 35 ~~DEVELOPMENTAL DISABILITIES~~ MENTAL RETARDATION IN COUNTY
 CARE

84 1 FACILITIES.

84 2 The administrator, in cooperation with the department of
 84 3 inspections and appeals, shall recommend and the mental
 84 4 health, mental retardation, developmental disabilities, and
 84 5 brain injury commission created in section 225C.5 shall adopt
 84 6 standards for the care of and services to persons with mental
 84 7 illness or ~~developmental disabilities~~ mental retardation

CODE: Requires the DHS to provide assistance in obtaining federal Supplemental Security Income (SSI) benefits to persons being discharged from the four Mental Health Institutes.

DETAIL: This language has been included in prior year appropriations Acts for the DHS and is being codified to make it a permanent part of the Code of Iowa.

CODE: Technical correction to reflect legislation enacted by the 2004 General Assembly.

84 8 residing in county care facilities. The standards shall be
84 9 enforced by the department of inspections and appeals as a
84 10 part of the licensure inspection conducted pursuant to chapter
84 11 135C. The objective of the standards is to ensure that
84 12 persons with mental illness or ~~developmental disabilities~~
84 13 mental retardation who are residents of county care facilities
84 14 are not only adequately fed, clothed, and housed, but are also
84 15 offered reasonable opportunities for productive work and
84 16 recreational activities suited to their physical and mental
84 17 abilities and offering both a constructive outlet for their
84 18 energies and, if possible, therapeutic benefit. When
84 19 recommending standards under this section, the administrator
84 20 shall designate an advisory committee representing
84 21 administrators of county care facilities, county mental health
84 22 and developmental disabilities regional planning councils, and
84 23 county care facility resident advocate committees to assist in
84 24 the establishment of standards.

84 25 Sec. 99. Section 229A.12, Code 2005, is amended to read as
84 26 follows:
84 27 229A.12 DIRECTOR OF HUMAN SERVICES — RESPONSIBILITY FOR
84 28 COSTS — REIMBURSEMENT.
84 29 The director of human services shall be responsible for all
84 30 costs relating to the evaluation, treatment, and services
84 31 provided to a person that are incurred after the person is
84 32 committed to the director's custody after the court or jury
84 33 determines that the respondent is a sexually violent predator
84 34 and pursuant to commitment under any provision of this
84 35 chapter. If placement in a transitional release program or
85 1 supervision is ordered, the director shall also be responsible
85 2 for all costs related to the transitional release program or
85 3 to the supervision and treatment of any person. Reimbursement
85 4 may be obtained by the director from the patient and any
85 5 person legally liable or bound by contract for the support of
85 6 the patient for the cost of confinement or of care and
85 7 treatment provided. To the extent allowed by the United
85 8 States social security administration, any benefit payments

CODE: Requires that federal Social Security Act benefit payments received by a person within the Sexually Violent Predator Program of the DHS are to be used for the costs incurred by the Program.

85 9 received by the person pursuant to the federal Social Security
 85 10 Act shall be used for the costs incurred. As used in this
 85 11 section, "any person legally liable" does not include a
 85 12 political subdivision.

85 13 Sec. 100. NEW SECTION. 231.34 LIMITATION OF FUNDS USED
 85 14 FOR ADMINISTRATIVE PURPOSES.

85 15 Of the state funds appropriated or allocated to the
 85 16 department for programs of the area agencies on aging, not
 85 17 more than seven and one-half percent of the total amount shall
 85 18 be used for area agencies on aging administrative purposes.

CODE: Limits the administrative costs for Area Agencies on Aging to 7.50% of the State funds received.

DETAIL: This language has been included in prior year appropriations Acts for the Area Agencies on Aging and is being codified to make it a permanent part of the Code of Iowa.

85 19 Sec. 101. NEW SECTION. 232.1A FOSTER CARE PLACEMENT —
 85 20 ANNUAL GOAL.

85 21 The annual state goal for children placed in foster care
 85 22 that is funded under the federal Social Security Act, Title
 85 23 IV-E, is that not more than fifteen percent of the children
 85 24 will be in a foster care placement for a period of more than
 85 25 twenty-four months.

CODE: Specifies that the annual goal for foster care placement funded under the federal Social Security Act, Title IV-E, not exceed 15.00% of the children placed in a foster care for more than 24 months.

DETAIL: This language has been included in prior year appropriations Acts for the DHS and is being codified to make it a permanent part of the Code of Iowa.

85 26 Sec. 102. Section 233A.1, Code 2005, is amended by adding
 85 27 the following new subsection:
 85 28 NEW SUBSECTION. 3. The number of children present at any
 85 29 one time at the state training school at Eldora shall not
 85 30 exceed the population guidelines established under 1990 Iowa
 85 31 Acts, chapter 1239, section 21, as adjusted for subsequent
 85 32 changes in the capacity at the training school.

CODE: Requires the population levels at the State Training School in Eldora not exceed the adjusted population guidelines established by the General Assembly in 1990.

DETAIL: This language has been included in prior year appropriations Acts for the DHS and is being codified to make it a permanent part of the Code of Iowa.

85 33 Sec. 103. Section 233B.1, Code 2005, is amended to read as
 85 34 follows:
 85 35 233B.1 DEFINITIONS — OBJECTS PURPOSE — POPULATION LIMIT.

86 1 1. For the purpose of this chapter, unless the context
 86 2 otherwise requires:
 86 3 4- a. "Administrator" or "director" means the director of
 86 4 the department of human services.
 86 5 ~~2-~~ b. "Home" means the Iowa juvenile home.

CODE: Requires the population levels at the State Juvenile Home in Toledo not exceed the adjusted population guidelines established by the General Assembly in 1990.

DETAIL: This language has been included in prior year appropriations Acts for the DHS and is being codified to make it a permanent part of the Code of Iowa.

86 6 ~~3. c.~~ "Superintendent" means the superintendent of the
 86 7 Iowa juvenile home.
 86 8 2. The Iowa juvenile home shall be maintained for the
 86 9 purpose of providing care, custody and education of ~~such the~~
 86 10 children ~~as~~ are committed to the home. ~~Such~~ The children
 86 11 shall be wards of the state. ~~Their~~ The children's education
 86 12 shall embrace instruction in the common school branches and in
 86 13 such other higher branches as may be practical and will enable
 86 14 the children to gain useful and self-sustaining employment.
 86 15 The administrator and the superintendent of the home shall
 86 16 assist all discharged children in securing suitable homes and
 86 17 proper employment.
 86 18 3. The number of children present at any one time at the
 86 19 Iowa juvenile home shall not exceed the population guidelines
 86 20 established under 1990 Iowa Acts, chapter 1239, section 21, as
 86 21 adjusted for subsequent changes in the capacity at the home.

86 22 Sec. 104. Section 234.12A, subsection 1, unnumbered
 86 23 paragraph 1, Code 2005, is amended to read as follows:
 86 24 The department of human services ~~may establish~~ shall
 86 25 maintain an electronic benefits transfer program utilizing
 86 26 electronic funds transfer systems. The program, ~~if~~
 86 27 ~~established~~, shall at a minimum provide for all of the
 86 28 following:

86 29 Sec. 105. Section 237A.28, Code 2005, is amended to read
 86 30 as follows:
 86 31 237A.28 CHILD CARE CREDIT FUND.
 86 32 A child care credit fund is created in the state treasury
 86 33 under the authority of the department of human services. The
 86 34 moneys in the fund shall consist of moneys deposited pursuant
 86 35 to section 422.100 and ~~shall be used for child care services~~
 87 1 as annually are appropriated by the general assembly to the
 87 2 department to be used for the state child care assistance
 87 3 program in accordance with section 237A.13.

87 4 Sec. 106. Section 239B.4, Code 2005, is amended by adding

CODE: Requires the DHS to maintain the Electronic Benefits Transfer (EBT) Program.

CODE: Appropriates moneys in the Child Care Credit Fund to the DHS for use in the State Child Care Assistance Program.

DETAIL: This language has been included in prior year appropriations Acts for the DHS and is being codified to make it a permanent part of the Code of Iowa.

87 5 the following new subsections:

87 6 NEW SUBSECTION. 3A. The department shall continue to work
87 7 with the department of workforce development and local
87 8 community collaborative efforts to provide support services
87 9 for participants. The support services shall be directed to
87 10 those participant families who would benefit from the support
87 11 services and are likely to have success in achieving economic
87 12 independence.

CODE: Requires the DHS to collaborate with the Department of Workforce Development regarding support services to those eligible for the Family Investment Program (FIP).

DETAIL: This language has been included in prior year appropriations Acts for the DHS and is being codified to make it a permanent part of the Code of Iowa.

87 13 NEW SUBSECTION. 3B. The department shall continue to work
87 14 with religious organizations and other charitable institutions
87 15 to increase the availability of host homes, referred to as
87 16 second chance homes, or other living arrangements under the
87 17 federal Personal Responsibility and Work Opportunity
87 18 Reconciliation Act of 1996, Pub. L. No. 104–193, § 103, and
87 19 any successor legislation. The purpose of the homes or
87 20 arrangements is to provide a supportive and supervised living
87 21 arrangement for minor parents receiving assistance who may
87 22 receive assistance while living in an alternative setting
87 23 other than with their parent or legal guardian.

CODE: Requires the DHS to work with various organizations to increase the availability of host homes.

DETAIL: This language has been included in prior year appropriations Acts for the DHS and is being codified to make it a permanent part of the Code of Iowa.

87 24 Sec. 107. Section 239B.11, Code 2005, is amended to read
87 25 as follows:
87 26 239B.11 FAMILY INVESTMENT PROGRAM ACCOUNT — DIVERSION
87 27 PROGRAM SUBACCOUNT — DIVERSION PROGRAM.
87 28 1. An account is established in the state treasury to be
87 29 known as the family investment program account under control
87 30 of the department to which shall be credited all funds
87 31 appropriated by the state for the payment of assistance and
87 32 JOBS program expenditures. All other moneys received at any
87 33 time for these purposes, including child support revenues,
87 34 shall be deposited into the account as provided by law. All
87 35 assistance and JOBS program expenditures under this chapter
88 1 shall be paid from the account.
88 2 2. a. A diversion program subaccount is created within
88 3 the family investment program account. The subaccount may be

CODE: Provides one-time cash payments and local flexibility within the Diversion Program of the Family Investment Program. Requires the DHS to assess individuals for the Diversion Program and permits adoption of eligibility criteria.

DETAIL: This language has been included in prior year appropriations Acts for the DHS and is being codified to make it a permanent part of the Code of Iowa.

88 4 used to provide incentives to divert ~~applicants' a family's~~
 88 5 participation in the family investment program if the
 88 6 ~~applicants meet~~ family meets the department's income
 88 7 eligibility requirements for assistance the diversion program.
 88 8 Incentives may be provided in the form of payment or services
 88 9 ~~with a focus on helping applicants to help a family to obtain~~
 88 10 or retain employment. The diversion program subaccount may
 88 11 also be used for payments to participants as necessary to
 88 12 cover the expenses of removing barriers to employment and to
 88 13 assist in stabilizing employment. In addition, the diversion
 88 14 program subaccount may be used for funding of services and
 88 15 payments for persons whose family investment program
 88 16 eligibility has ended, in order to help the persons to
 88 17 stabilize or improve their employment status.
 88 18 b. The diversion program shall be implemented statewide in
 88 19 a manner that preserves local flexibility in program design.
 88 20 The department shall assess and screen individuals who would
 88 21 most likely benefit from diversion program assistance. The
 88 22 department may adopt additional eligibility criteria for the
 88 23 diversion program as necessary for compliance with federal law
 88 24 and for screening those families who would be most likely to
 88 25 become eligible for the family investment program if diversion
 88 26 program incentives would not be provided to the families.

88 27 Sec. 108. Section 249.3, subsection 4, paragraphs e and g,
 88 28 Code 2005, are amended to read as follows:
 88 29 e. Receive full medical assistance benefits under chapter
 88 30 249A and are not required to meet a spend-down or pay a
 88 31 premium to be eligible for such benefits.
 88 32 g. Have income ~~exceeding of at least~~ one hundred ~~thirty-~~
 88 33 ~~five~~ twenty percent of the federal poverty level but not
 88 34 exceeding the medical assistance income limit for the
 88 35 eligibility group for the individual person's living
 89 1 arrangement.

89 2 Sec. 109. Section 249A.12, subsection 6, paragraph c, Code
 89 3 2005, is amended to read as follows:

CODE: Decreases the upper income payment limit for eligibility of the State Supplementary Assistance (SSA) Program to 120% of the federal poverty level. This will allow federal matching funds to replace 100% State funds for the Medicare premiums for an additional group of SSA recipients.

DETAIL: A decrease of \$2,127,672 has been included in the Medical Assistance appropriation for this change.

CODE: Clarifies when the State pays for the non-federal share of costs of a person without legal settlement.

89 4 c. The person's county of legal settlement shall pay for
 89 5 the nonfederal share of the cost of services provided under
 89 6 the waiver, and the state shall pay for the nonfederal share
 89 7 of such costs if the person ~~does not have a county of~~ has no
 89 8 legal settlement or the legal settlement is unknown so that
 89 9 the person is deemed to be a state case.

DETAIL: This language has been included in prior year appropriations Acts for the DHS and is being codified to make it a permanent part of the Code of Iowa.

89 10 Sec. 110. Section 249A.12, subsection 6, Code 2005, is
 89 11 amended by adding the following new paragraph:
 89 12 NEW PARAGRAPH. d. The county of legal settlement shall
 89 13 pay for one hundred percent of the nonfederal share of the
 89 14 costs of care provided for adults which is reimbursed under a
 89 15 home and community-based services waiver that would otherwise
 89 16 be approved for provision in an intermediate care facility for
 89 17 persons with mental retardation provided under the medical
 89 18 assistance program.

CODE: Specifies the county is responsible for 100% of the payments of the nonfederal share for those eligible for the specified adult services under the Medical Assistance Program (Medicaid).

DETAIL: This language has been included in prior year appropriations Acts for the DHS and is being codified to make it a permanent part of the Code of Iowa.

89 19 Sec. 111. Section 249A.12, Code 2005, is amended by adding
 89 20 the following new subsection:
 89 21 NEW SUBSECTION. 7. When paying the necessary and legal
 89 22 expenses for intermediate care facility for persons with
 89 23 mental retardation services, the cost requirements of section
 89 24 222.60 shall be considered fulfilled when payment is made in
 89 25 accordance with the medical assistance payment rates
 89 26 established by the department for intermediate care facilities
 89 27 for persons with mental retardation, and the state or a county
 89 28 of legal settlement shall not be obligated for any amount in
 89 29 excess of the rates.

CODE: Requires the cost requirements regarding legal settlement and county participation in funding for persons with mental retardation and developmental disabilities, including case management services to be considered fulfilled once payment is made.

DETAIL: This language has been included in prior year appropriations Acts for the DHS and is being codified to make it a permanent part of the Code of Iowa.

89 30 Sec. 112. Section 249A.24, Code 2005, is amended by adding
 89 31 the following new subsection:
 89 32 NEW SUBSECTION. 3. The commission shall submit an annual
 89 33 review, including facts and findings, of the drugs on the
 89 34 department's prior authorization list to the department and to
 89 35 the members of the general assembly's joint appropriations
 90 1 subcommittee on health and human services.

CODE: Requires the Drug Utilization Review Commission to submit an annual review of the drugs on the Prior Authorization List of the DHS.

DETAIL: This language has been included in prior year appropriations Acts for the DHS and is being codified to make it a permanent part of the Code of Iowa.

90 2 Sec. 113. Section 249A.26, Code 2005, is amended to read
 90 3 as follows:
 90 4 249A.26 STATE AND COUNTY PARTICIPATION IN FUNDING FOR
 90 5 SERVICES TO PERSONS WITH DISABILITIES — CASE MANAGEMENT.

90 6 1. The state shall pay for one hundred percent of the
 90 7 nonfederal share of the services paid for under any prepaid
 90 8 mental health services plan for medical assistance implemented
 90 9 by the department as authorized by law.

90 10 2. a. The Except as provided for disallowed costs in
 90 11 section 249A.27, the county of legal settlement shall pay for
 90 12 fifty percent of the nonfederal share of the cost and the
 90 13 state shall have responsibility for the remaining fifty
 90 14 percent of the nonfederal share of the cost of case management
 90 15 provided to adults, day treatment, and partial hospitalization
 90 16 provided under the medical assistance program for persons with
 90 17 mental retardation, a developmental disability, or chronic
 90 18 mental illness. For purposes of this section, persons with
 90 19 mental disorders resulting from Alzheimer's disease or
 90 20 substance abuse shall not be considered chronically mentally
 90 21 ill. To the maximum extent allowed under federal law and
 90 22 regulations, the department shall consult with and inform a
 90 23 county of legal settlement's central point of coordination
 90 24 process, as defined in section 331.440, regarding the
 90 25 necessity for and the provision of any service for which the
 90 26 county is required to provide reimbursement under this
 90 27 subsection.

90 28 b. The state shall pay for one hundred percent of the
 90 29 nonfederal share of the costs of case management provided for
 90 30 adults, day treatment, partial hospitalization, and the home
 90 31 and community-based services waiver services for persons who
 90 32 have no legal settlement or the legal settlement is unknown so
 90 33 that the persons are deemed to be state cases.

90 34 c. The case management services specified in this
 90 35 subsection shall be paid for by a county only if the services
 91 1 are provided outside of a managed care contract.

91 2 3. To the maximum extent allowed under federal law and
 91 3 regulations, a person with mental illness or mental

CODE: Specifies when the State or when the county is responsible for payments of the non-federal share for those eligible for various services under the Medical Assistance (Medicaid) Program.

DETAIL: This language has been included in prior year appropriations Acts for the DHS and is being codified to make it a permanent part of the Code of Iowa.

91 4 retardation shall not be eligible for any service which is
91 5 funded in whole or in part by a county share of the nonfederal
91 6 portion of medical assistance funds unless the person is
91 7 referred through the central point of coordination process, as
91 8 defined in section 331.440. However, to the extent federal
91 9 law allows referral of a medical assistance recipient to a
91 10 service without approval of the central point of coordination
91 11 process, the county of legal settlement shall be billed for
91 12 the nonfederal share of costs for any adult person for whom
91 13 the county would otherwise be responsible.

91 14 4. The county of legal settlement shall pay for one
91 15 hundred percent of the nonfederal share of the cost of
91 16 services provided to persons with chronic mental illness
91 17 implemented under the adult rehabilitation option of the state
91 18 medical assistance plan. The state shall pay for one hundred
91 19 percent of the nonfederal share of the cost of such services
91 20 provided to such persons ~~without a county of~~ who have no legal
91 21 settlement or the legal settlement is unknown so that the
91 22 persons are deemed to be state cases.

91 23 5. The state shall pay for the entire nonfederal share of
91 24 the costs for case management services provided to persons
91 25 seventeen years of age or younger who are served in a home and
91 26 community-based services waiver program under the medical
91 27 assistance program for persons with mental retardation.

91 28 6. Funding under the medical assistance program shall be
91 29 provided for case management services for eligible persons
91 30 seventeen years of age or younger residing in counties with
91 31 child welfare decategorization projects implemented in
91 32 accordance with section 232.188, provided these projects have
91 33 included these persons in the service plan and the
91 34 decategorization project county is willing to provide the
91 35 nonfederal share of the costs.

92 1 7. Unless a county has paid or is paying for the
92 2 nonfederal share of the costs of a person's home and
92 3 community-based waiver services or placement in an
92 4 intermediate care facility for persons with mental retardation
92 5 under the county's mental health, mental retardation, and

92 6 developmental disabilities services fund, or unless a county
 92 7 of legal settlement would become liable for the costs of
 92 8 services for a person at the level of care provided in an
 92 9 intermediate care facility for persons with mental retardation
 92 10 due to the person reaching the age of majority, the state
 92 11 shall pay for the nonfederal share of the costs of an eligible
 92 12 person's services under the home and community-based services
 92 13 waiver for persons with brain injury.

92 14 ~~5.~~ 8. If a dispute arises between different counties or
 92 15 between the department and a county as to the legal settlement
 92 16 of a person who receives medical assistance for which the
 92 17 nonfederal share is payable in whole or in part by a county of
 92 18 legal settlement, and cannot be resolved by the parties, the
 92 19 dispute shall be resolved as provided in section 225C.8.
 92 20 9. Notwithstanding section 8.39, the department may
 92 21 transfer funds appropriated for the medical assistance program
 92 22 to a separate account established in the department's case
 92 23 management unit in an amount necessary to pay for expenditures
 92 24 required to provide case management for mental health, mental
 92 25 retardation, and developmental disabilities services under the
 92 26 medical assistance program which are jointly funded by the
 92 27 state and county, pending final settlement of the
 92 28 expenditures. Funds received by the case management unit in
 92 29 settlement of the expenditures shall be used to replace the
 92 30 transferred funds and are available for the purposes for which
 92 31 the funds were originally appropriated.

92 32 Sec. 114. Section 249A.26A, Code 2005, is amended to read
 92 33 as follows:
 92 34 249A.26A STATE AND COUNTY PARTICIPATION IN FUNDING FOR
 92 35 REHABILITATION SERVICES FOR PERSONS WITH CHRONIC MENTAL
 93 1 ILLNESS.
 93 2 The county of legal settlement shall pay for the nonfederal
 93 3 share of the cost of rehabilitation services provided under
 93 4 the medical assistance program for persons with chronic mental
 93 5 illness, except that the state shall pay for the nonfederal
 93 6 share of such costs if the person ~~does not have a county of~~

CODE: Clarifies when the State pays for the non-federal share of costs of a person without legal settlement.

DETAIL: This language has been included in prior year appropriation Acts for the DHS and is being codified to make it a permanent part of the Code of Iowa.

93 7 has no legal settlement or the legal settlement is unknown so
 93 8 that the person is deemed to be a state case.

93 9 Sec. 115. NEW SECTION. 249A.32A HOME AND COMMUNITY–BASED
 93 10 SERVICES WAIVERS — LIMITATIONS.

93 11 In administering a home and community–based services
 93 12 waiver, the total number of openings at any one time shall be
 93 13 limited to the number approved for the waiver by the secretary
 93 14 of the United States department of health and human services.
 93 15 The openings shall be available on a first–come, first–served
 93 16 basis.

CODE: Specifies that the number of openings on the Home and Community-Based Services Waiver is limited to the number of openings approved by the federal Department of Health and Human Services.

DETAIL: This language has been included in prior year appropriations Acts for the DHS and is being codified to make it a permanent part of the Code of Iowa.

93 17 Sec. 116. NEW SECTION. 249A.32B EARLY AND PERIODIC
 93 18 SCREENING, DIAGNOSIS, AND TREATMENT FUNDING.

93 19 The department of human services, in consultation with the
 93 20 Iowa department of public health and the department of
 93 21 education, shall continue the program to utilize the early and
 93 22 periodic screening, diagnosis, and treatment program funding
 93 23 under the medical assistance program, to the extent possible,
 93 24 to implement the screening component of the early and periodic
 93 25 screening, diagnosis, and treatment program through the
 93 26 schools. The department may enter into contracts to utilize
 93 27 maternal and child health centers, the public health nursing
 93 28 program, or school nurses in implementing this section.

CODE: Requires that the DHS continue the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) Program through the schools.

DETAIL: This language has been included in prior year appropriations Acts for the DHS and is being codified to make it a permanent part of the Code of Iowa.

93 29 Sec. 117. Section 249J.8, subsection 4, as enacted by 2005
 93 30 Iowa Acts, House File 841, section 8, is amended to read as
 93 31 follows:

93 32 4. The department shall track the impact of the out–of–
 93 33 pocket expenditures on patient expansion population enrollment
 93 34 and shall report the findings on at least a quarterly basis to
 93 35 the medical assistance projections and assessment council
 94 1 established pursuant to section 249J.19. The findings shall
 94 2 include estimates of the number of expansion population
 94 3 members complying with payment of required out–of–pocket
 94 4 expenditures, the number of expansion population members not
 94 5 complying with payment of required out–of–pocket expenditures

CODE: Requires the DHS to track the impact of the out-of-pocket expenditures on the expansion population enrollment from the IowaCare Medicaid Reform Act.

94 6 and the reasons for noncompliance, any impact as a result of
 94 7 the out-of-pocket requirements on the provision of services to
 94 8 the populations previously served, the administrative time and
 94 9 cost associated with administering the out-of-pocket
 94 10 requirements, and the benefit to the state resulting from the
 94 11 out-of-pocket expenditures. To the extent possible, the
 94 12 department shall track the income level of the member, the
 94 13 health condition of the member, and the family status of the
 94 14 member relative to the out-of-pocket information.

94 15 Sec. 118. Section 252B.4, subsection 3, Code 2005, is
 94 16 amended to read as follows:

94 17 3. Fees collected pursuant to this section shall be
 94 18 ~~retained by the department for use by~~ considered repayment
 94 19 receipts, as defined in section 8.2, and shall be used for the
 94 20 purposes of the unit. The director or a designee shall keep
 94 21 an accurate record of ~~funds so retained~~ the fees collected and
 94 22 expended.

94 23 Sec. 119. Section 252B.23, subsection 11, Code 2005, is
 94 24 amended to read as follows:

94 25 11. All surcharge payments shall be received and disbursed
 94 26 by the collection services center. The surcharge payments
 94 27 received by the collection services center shall be considered
 94 28 repayment receipts as defined in section 8.2 and shall be used
 94 29 to pay the costs of any contracts with a collection entity.

94 30 Sec. 120. NEW SECTION. 252B.25 USE OF FUNDING FOR
 94 31 ADDITIONAL POSITIONS.

94 32 1. The director, within the limitations of the amount
 94 33 appropriated for the unit, or moneys transferred for this
 94 34 purpose from the family investment program account created in
 94 35 section 239B.11, may establish new positions and add employees
 95 1 to the unit if the director determines that both the current
 95 2 and additional employees together can reasonably be expected
 95 3 to maintain or increase net state revenue at or beyond the
 95 4 budgeted level for the fiscal year.

CODE: Appropriates non-public assistance application and federal tax refund offset fees to the Child Support Recovery Unit.

DETAIL: This language has been included in prior year appropriations Acts for the DHS and is being codified to make it a permanent part of the Code of Iowa.

CODE: Appropriates surcharge payments to the Child Support Recovery Unit to be used for payment of contract costs.

DETAIL: This language has been included in prior year appropriations Acts for the DHS and is being codified to make it a permanent part of the Code of Iowa.

CODE: Permits the Director of the DHS to establish new positions, by either adding State employees or contracting for delivery of services, if necessary, to replace eliminated county-funded positions. Specifies that employees are only to be added if any of the following criteria are met:

- The State share of recoveries exceeds the cost of the positions.
- The addition of positions is necessary to continue federal funding.
- The positions or contracts are expected to recover twice the cost of the additional staff or contract.

95 5 2. a. The director may establish new positions and add
 95 6 state employees to the unit or contract for delivery of
 95 7 services if the director determines the employees are
 95 8 necessary to replace county-funded positions eliminated due to
 95 9 termination, reduction, or nonrenewal of a chapter 28E
 95 10 contract. However, the director must also determine that the
 95 11 resulting increase in the state share of child support
 95 12 recovery incentives exceeds the cost of the positions or
 95 13 contract, the positions or contract are necessary to ensure
 95 14 continued federal funding of the unit, or the new positions or
 95 15 contract can reasonably be expected to recover at least twice
 95 16 the amount of money necessary to pay the salaries and support
 95 17 for the new positions or the contract will generate at least
 95 18 two hundred percent of the cost of the contract.
 95 19 b. Employees in full-time positions that transition from
 95 20 county government to state government employment under this
 95 21 subsection are exempt from testing, selection, and appointment
 95 22 provisions of chapter 19A and from the provisions of
 95 23 collective bargaining agreements relating to the filling of
 95 24 vacant positions.

95 25 Sec. 121. Section 321J.25, subsection 1, paragraph b, Code
 95 26 2005, is amended to read as follows:
 95 27 b. "Program" means a substance abuse awareness program
 95 28 provided under a contract entered into between the provider
 95 29 and the ~~commission on substance abuse of the Iowa department~~
 95 30 of public health under chapter 125.

95 31 Sec. 122. Section 321J.25, subsection 2, unnumbered
 95 32 paragraph 1, Code 2005, is amended to read as follows:
 95 33 A substance abuse awareness program is established in each
 95 34 of the regions established by the ~~commission on substance~~
 95 35 ~~abuse~~ director of public health pursuant to section 125.12.
 96 1 The program shall consist of an insight class and a substance
 96 2 abuse evaluation, which shall be attended by the participant,
 96 3 to discuss issues related to the potential consequences of
 96 4 substance abuse. The parent or parents of the participant

The FTE positions that transition from county government to State government employees are exempt from specified hiring process requirements.

DETAIL: This language has been included in prior year appropriations Acts for the DHS and is being codified to make it a permanent part of the Code of Iowa.

CODE: Conforming language to transfer duties of the Commission on Substance Abuse to the State Board of Health resulting from the elimination of the Commission in this Act.

CODE: Conforming language to transfer duties of the Commission on Substance Abuse to the Director of Public Health due to the elimination of the Commission in this Act.

96 5 shall also be encouraged to participate in the program. The
 96 6 program provider shall consult with the participant or the
 96 7 parents of the participant in the program to determine the
 96 8 timing and appropriate level of participation for the
 96 9 participant and any participation by the participant's
 96 10 parents. The program may also include a supervised
 96 11 educational tour by the participant to any or all of the
 96 12 following:

96 13 Sec. 123. Section 505.25, Code 2005, is amended to read as
 96 14 follows:
 96 15 505.25 INFORMATION PROVIDED TO MEDICAL ASSISTANCE
 PROGRAM

96 16 AND HAWK-I PROGRAMS.

96 17 A carrier, as defined in section 514C.13, shall enter into
 96 18 a health insurance data match program with the department of
 96 19 human services for the sole purpose of comparing the names of
 96 20 the carrier's insureds with the names of recipients of the
 96 21 medical assistance program under chapter 249A or enrollees of
 96 22 the hawk-i program under chapter 514I.

96 23 Sec. 124. Section 514I.11, subsection 2, Code 2005, is
 96 24 amended to read as follows:

96 25 2. The trust fund shall be separate from the general fund
 96 26 of the state and shall not be considered part of the general
 96 27 fund of the state. The moneys in the trust fund are not
 96 28 subject to section 8.33 and shall not be transferred, used,
 96 29 obligated, appropriated, or otherwise encumbered, except to
 96 30 provide for the purposes of this chapter and except as
 96 31 provided in subsection 4. Notwithstanding section 12C.7,
 96 32 subsection 2, interest or earnings on moneys deposited in the
 96 33 trust fund shall be credited to the trust fund.

96 34 Sec. 125. Section 514I.11, Code 2005, is amended by adding
 96 35 the following new subsections:
 97 1 NEW SUBSECTION. 3. Moneys in the fund are appropriated to
 97 2 the department and shall be used to offset any program costs.

CODE: Requires that DHS include those eligible for the Healthy and Well Kids in Iowa (*hawk-i*) Program in the Health Insurance Data Match Program.

CODE: Permits the funds within the Healthy and Well Kids in Iowa (*hawk-i*) Program to be used to expand health insurance coverage for children under the Medical Assistance (Medicaid) Program.

DETAIL: This language has been included in prior year appropriations Acts for the DHS and is being codified to make it a permanent part of the Code of Iowa.

CODE: Provides for the following for the Healthy and Well Kids in Iowa (*hawk-i*) Program:

- Funds from the Trust Fund are appropriated to the DHS for the Program.

97 3 NEW SUBSECTION. 4. The department may transfer moneys
 97 4 appropriated from the fund to be used for the purpose of
 97 5 expanding health care coverage to children under the medical
 97 6 assistance program.

97 7 NEW SUBSECTION. 5. The department shall provide periodic
 97 8 updates to the general assembly regarding expenditures from
 97 9 the fund.

97 10 Sec. 126. Section 600.17, Code 2005, is amended by adding
 97 11 the following new subsection:

97 12 NEW SUBSECTION. 3. The department of human services shall
 97 13 make adoption presubsidy and adoption subsidy payments to
 97 14 adoptive parents at the beginning of the month for the current
 97 15 month.

97 16 Sec. 127. COMMISSION ON SUBSTANCE ABUSE — RULES. The
 97 17 administrative rules adopted by the commission on substance
 97 18 abuse that are in effect as of June 30, 2005, shall remain in
 97 19 effect until modified or rescinded by the state board of
 97 20 health.

97 21 Sec. 128. Sections 125.4, 125.5, and 125.6, Code 2005, are
 97 22 repealed.

97 23 Sec. 129. EFFECTIVE DATES.

97 24 1. The amendment in this division of this Act to section
 97 25 144A.13A, being deemed of immediate importance, takes effect
 97 26 upon enactment.

97 27 2. The amendment in this division of this Act to section
 97 28 15H.3, subsection 5, being deemed of immediate importance,
 97 29 takes effect upon enactment and is retroactively applicable to
 97 30 April 19, 2005.

- The DHS may transfer funds from the Trust Fund to pay for the expanding health care coverage for children under the Medicaid Program.
- The DHS provide periodic updates to the General Assembly.

DETAIL: This language has been included in prior year appropriations Acts for the DHS and is being codified to make it a permanent part of the Code of Iowa.

CODE: Requires the DHS to make adoption presubsidy and subsidy payments at the beginning of each month.

DETAIL: This language has been included in prior year appropriations Acts for the DHS and is being codified to make it a permanent part of the Code of Iowa.

Provides for the transition of administrative rules previously adopted by the Commission on Substance Abuse to reflect the elimination of the Commission in this Act.

CODE: Repeals statutory language relating to the terms of office, organization, and expense compensation for the Commission on Substance Abuse that is eliminated in this Act.

Requires that the Section that permits nonreversion of funds appropriated from birth certificate fees to the Primary and Secondary Child Abuse Prevention Programs and the Center for Congenital and Inherited Disorders Central Registry takes effect on enactment and applies retroactively to April 19, 2005. Requires that the Section changing the beginning of the terms of the members of the Iowa Commission on Volunteer Service to July 1 takes effect on enactment.

97 31 DIVISION V
97 32 SUBSTITUTE DECISION MAKER ACT

97 33 Sec. 130. NEW SECTION. 231E.1 TITLE.
97 34 This chapter shall be known and may be cited as the "Iowa
97 35 Substitute Decision Maker Act".

CODE: Establishes the Iowa Substitute Decision Maker Act in Section 231E.1, Code of Iowa.

98 1 Sec. 131. NEW SECTION. 231E.2 OFFICE OF SUBSTITUTE
98 2 DECISION MAKER — FINDINGS AND INTENT.

98 3 1. a. The general assembly finds that many adults in this
98 4 state are unable to meet essential requirements to maintain
98 5 their physical health or to manage essential aspects of their
98 6 financial resources and are in need of substitute decision-
98 7 making services. However, a willing and responsible person
98 8 may not be available to serve as a private substitute decision
98 9 maker or the adult may not have adequate income or resources
98 10 to compensate a private substitute decision maker.

98 11 b. The general assembly further finds that a process
98 12 should exist to assist individuals in finding alternatives to
98 13 substitute decision-making services and less intrusive means
98 14 of assistance before an individual's independence or rights
98 15 are limited.

98 16 c. The general assembly further finds that a substitute
98 17 decision maker may be necessary to finalize a person's affairs
98 18 after death when there is no willing and appropriate person
98 19 available to serve as the person's personal representative.

98 20 2. a. It is, therefore, the intent of the general
98 21 assembly to establish a state office of substitute decision
98 22 maker and authorize the establishment of local offices of
98 23 substitute decision maker to provide substitute decision-
98 24 making services to adults and their estates after their
98 25 deaths, when no private substitute decision maker is
98 26 available.

98 27 b. It is also the intent of the general assembly that the
98 28 office of substitute decision maker provide assistance to both
98 29 public and private substitute decision makers throughout the
98 30 state in securing necessary services for their wards,

CODE: Specifies the intent of the General Assembly that State and local Offices of Substitute Decision Maker be established to provide services to adults after their death, if no private substitute decision maker is available.

DETAIL: This is a new program for FY 2006 that will be administered by the Department of Elder Affairs.

98 31 principals, clients, and decedents and to assist substitute
98 32 decision makers, wards, principals, clients, courts, and
98 33 attorneys in the orderly and expeditious handling of
98 34 substitute decision-making proceedings.

98 35 Sec. 132. NEW SECTION. 231E.3 DEFINITIONS.
99 1 As used in this chapter, unless the context otherwise
99 2 requires:
99 3 1. "Client" means an individual for whom a representative
99 4 payee is appointed.
99 5 2. "Commission" means the commission of elder affairs.
99 6 3. "Conservator" means conservator as defined in section
99 7 633.3.
99 8 4. "Court" means court as defined in section 633.3.
99 9 5. "Decedent" means the individual for whom an estate is
99 10 administered or executed.
99 11 6. "Department" means the department of elder affairs
99 12 established in section 231.21.
99 13 7. "Director" means the director of the department of
99 14 elder affairs.
99 15 8. "Estate" means estate as defined in section 633.3.
99 16 9. "Guardian" means guardian as defined in section 633.3.
99 17 10. "Incompetent" means incompetent as defined in section
99 18 633.3.
99 19 11. "Local office" means a local office of substitute
99 20 decision maker.
99 21 12. "Local substitute decision maker" means an individual
99 22 under contract with the department to act as a substitute
99 23 decision maker.
99 24 13. "Personal representative" means personal
99 25 representative as defined in section 633.3.
99 26 14. "Planning and service area" means a geographic area of
99 27 the state designated by the commission for the purpose of
99 28 planning, developing, delivering, and administering services
99 29 for elders.
99 30 15. "Power of attorney" means a durable power of attorney
99 31 for health care as defined in section 144B.1 or a power of

CODE: Provides for various definitions in relation to substitute decision makers and the establishment of a State Office.

99 32 attorney that becomes effective upon the disability of the
99 33 principal as described in section 633.705.

99 34 16. "Principal" means an individual for whom a power of
99 35 attorney is established.

100 1 17. "Representative payee" means an individual appointed
100 2 by a government entity to receive funds on behalf of a client
100 3 pursuant to federal regulation.

100 4 18. "State agency" means any executive department,
100 5 commission, board, institution, division, bureau, office,
100 6 agency, or other executive entity of state government.

100 7 19. "State office" means the state office of substitute
100 8 decision maker.

100 9 20. "State substitute decision maker" means the
100 10 administrator of the state office of substitute decision
100 11 maker.

100 12 21. "Substitute decision maker" means a guardian,
100 13 conservator, representative payee, attorney in fact under a
100 14 power of attorney, or personal representative.

100 15 22. "Substitute decision making" or "substitute decision–
100 16 making services" means the provision of services of a
100 17 guardian, conservator, representative payee, attorney in fact
100 18 under a power of attorney, or personal representative.

100 19 23. "Ward" means the individual for whom a guardianship or
100 20 conservatorship is established.

100 21 Sec. 133. NEW SECTION. 231E.4 STATE OFFICE OF SUBSTITUTE
100 22 DECISION MAKER — ESTABLISHED — DUTIES — DEPARTMENT
100 23 RULES.

100 23 1. A state office of substitute decision maker is
100 24 established within the department to create and administer a
100 25 statewide network of substitute decision makers who provide
100 26 substitute decision–making services if other substitute
100 27 decision makers are not available to provide the services.

100 28 2. The director shall appoint an administrator of the
100 29 state office who shall serve as the state substitute decision
100 30 maker. The state substitute decision maker shall be qualified
100 31 for the position by training and expertise in substitute

CODE: Establishes a State Office of Substitute Decision Maker within the Department of Elder Affairs and requires the Director to appoint an administrator for the Office. Also, sets forth the duties and responsibilities of the Office.

100 32 decision-making law. The state substitute decision maker
100 33 shall also have knowledge of social services available to meet
100 34 the needs of persons adjudicated incompetent or in need of
100 35 substitute decision making.

101 1 3. The state office shall do all of the following:

101 2 a. Select persons through a request for proposals process
101 3 to establish local offices of substitute decision maker in
101 4 each of the planning and service areas. Local offices shall
101 5 be established statewide on or before July 1, 2015.

101 6 b. Monitor and terminate contracts with local offices
101 7 based on criteria established by rule of the department.

101 8 c. Retain oversight responsibilities for all local
101 9 substitute decision makers.

101 10 d. Act as substitute decision maker if a local office is
101 11 not available to so act.

101 12 e. Work with the department of human services, the Iowa
101 13 department of public health, the governor's developmental
101 14 disabilities council, and other agencies to establish a
101 15 referral system for the provision of substitute decision-
101 16 making services.

101 17 f. Develop and maintain a current listing of public and
101 18 private services and programs available to assist wards,
101 19 principals, clients, personal representatives, and their
101 20 families and establish and maintain relationships with public
101 21 and private entities to assure the availability of effective
101 22 substitute decision-making services for wards, principals,
101 23 clients, and estates.

101 24 g. Provide information and referrals to the public
101 25 regarding substitute decision-making services.

101 26 h. Provide personal representatives for estates where a
101 27 person is not available for that purpose.

101 28 i. Maintain statistical data on the local offices
101 29 including various methods of funding, the types of services
101 30 provided, and the demographics of the wards, principals,
101 31 clients, and decedents and report to the general assembly on
101 32 or before November 1, annually, regarding the local offices
101 33 and recommend any appropriate legislative action.

101 34 j. Develop, in cooperation with the judicial council as
101 35 established in section 602.1202, a substitute decision-maker
102 1 education and training program. The program may be offered to
102 2 both public and private substitute decision makers. The state
102 3 office shall establish a curriculum committee, which includes
102 4 but is not limited to probate judges, to develop the education
102 5 and training program.

102 6 4. The state office may do any of the following:

102 7 a. Accept and receive gifts, grants, or donations from any
102 8 public or private entity in support of the state office.

102 9 b. Accept the services of individual volunteers and
102 10 volunteer organizations.

102 11 c. Employ staff necessary to administer the state office
102 12 and enter into contracts as necessary.

102 13 5. The department shall provide administrative support to
102 14 the state office.

102 15 6. The department shall adopt rules in accordance with
102 16 chapter 17A necessary to create and administer the state and
102 17 local offices, relating to but not limited to all of the
102 18 following:

102 19 a. An application and intake process and standards for
102 20 receipt of substitute decision-making services from the state
102 21 or a local office.

102 22 b. A process for the removal or termination of the state
102 23 or a local substitute decision maker.

102 24 c. An ideal range of staff-to-client ratios for the state
102 25 and local substitute decision makers.

102 26 d. Minimum training and experience requirements for
102 27 professional staff and volunteers.

102 28 e. A fee schedule. The department may establish by rule a
102 29 schedule of reasonable fees for the costs of substitute
102 30 decision-making services provided under this chapter. The fee
102 31 schedule established may be based upon the ability of the
102 32 ward, principal, client, or estate to pay for the services but
102 33 shall not exceed the actual cost of providing the services.
102 34 The state office or a local office may waive collection of a
102 35 fee upon a finding that collection is not economically

103 1 feasible. The rules may provide that the state office or a
 103 2 local office may investigate the financial status of a ward,
 103 3 principal, or client who, or an estate that requests
 103 4 substitute decision-making services or for whom or which the
 103 5 state or a local substitute decision maker has been appointed
 103 6 for the purpose of determining the fee to be charged by
 103 7 requiring the ward, principal, client, or estate to provide
 103 8 any written authorizations necessary to provide access to
 103 9 records of public or private sources, otherwise confidential,
 103 10 needed to evaluate the individual's or estate's financial
 103 11 eligibility. The rules may also provide that the state or a
 103 12 local substitute decision maker may, upon request and without
 103 13 payment of fees otherwise required by law, obtain information
 103 14 necessary to evaluate the individual's or estate's financial
 103 15 eligibility from any office of the state or of a political
 103 16 subdivision or agency of the state that possesses public
 103 17 records. In estate proceedings, the state or local decision
 103 18 maker shall be compensated pursuant to chapter 633, division
 103 19 III, part 8.
 103 20 f. Standards and performance measures for evaluation of
 103 21 local offices.
 103 22 g. Recordkeeping and accounting procedures to ensure that
 103 23 the state office and local offices maintain confidential,
 103 24 accurate, and up-to-date financial, case, and statistical
 103 25 records. The rules shall require each local office to file
 103 26 with the state office, on an annual basis, an account of all
 103 27 public and private funds received and a report regarding the
 103 28 operations of the local office for the preceding fiscal year.
 103 29 h. Procedures for the sharing of records held by the court
 103 30 or a state agency with the state office, which are necessary
 103 31 to evaluate the state office or local offices, to assess the
 103 32 need for additional substitute decision makers, or to develop
 103 33 required reports.

103 34 Sec. 134. NEW SECTION. 231E.5 LOCAL OFFICE OF SUBSTITUTE
 103 35 DECISION MAKER.

104 1 1. The state substitute decision maker shall select

CODE: Requires the State Office of Substitute Decision Maker to issue a Request for Proposal (RFP) to select individuals to provide these services at the local level. Also, sets forth the duties and

104 2 persons to provide local substitute decision-making services
104 3 in each of the planning and service areas, based upon a
104 4 request for proposals process developed by the department.
104 5 2. The local office shall comply with all requirements
104 6 established for the local office by the department and shall
104 7 do all of the following:

- 104 8 a. Maintain a staff of professionally qualified
104 9 individuals to carry out the substitute decision-making
104 10 functions.
- 104 11 b. Identify client needs and local resources to provide
104 12 necessary support services to recipients of substitute
104 13 decision-making services.
- 104 14 c. Collect program data as required by the state office.
- 104 15 d. Meet standards established for the local office.
- 104 16 e. Comply with minimum staffing requirements and caseload
104 17 restrictions.
- 104 18 f. Conduct background checks on employees and volunteers.
- 104 19 g. With regard to a proposed ward, the local office shall
104 20 do all of the following:
 - 104 21 (1) Determine the most appropriate form of substitute
104 22 decision making needed, if any, giving preference to the least
104 23 restrictive alternative.
 - 104 24 (2) Determine whether the needs of the proposed ward
104 25 require the appointment of guardian or conservator.
 - 104 26 (3) Assess the financial resources of the proposed ward
104 27 based on the information supplied to the local office at the
104 28 time of the determination.
 - 104 29 (4) Inquire and, if appropriate, search to determine
104 30 whether any other person may be willing and able to serve as
104 31 the proposed ward's guardian or conservator.
 - 104 32 (5) Determine the form of guardianship or conservatorship
104 33 to request of a court, if any, giving preference to the least
104 34 restrictive form.
 - 104 35 (6) If determined necessary, file a petition for the
105 1 appointment of a guardian or conservator pursuant to chapter
105 2 633.
- 105 3 h. With regard to an estate, the local office may appoint

responsibilities of these local offices.

105 4 a personal representative to file a petition to open an estate
105 5 who shall do all of the following:
105 6 (1) Retain legal counsel as described in section 231E.11
105 7 to be compensated from the proceeds of the estate pursuant to
105 8 chapter 633, division III, part 8.
105 9 (2) Liquidate all assets of the estate.
105 10 (3) Distribute the assets of the estate pursuant to
105 11 chapter 633, division VII, parts 7 and 8, and other applicable
105 12 provisions of law.
105 13 3. A local office may do any of the following:
105 14 a. Contract for or arrange for provision of services
105 15 necessary to carry out the duties of a local substitute
105 16 decision maker.
105 17 b. Accept the services of volunteers or consultants and
105 18 reimburse them for necessary expenses.
105 19 c. Employ staff and delegate to members of the staff the
105 20 powers and duties of the local substitute decision maker.
105 21 However, the local office shall retain responsibility for the
105 22 proper performance of the delegated powers and duties. All
105 23 delegations shall be to persons who meet the eligibility
105 24 requirements of the specific type of substitute decision
105 25 maker.
105 26 4. An individual acting as the state or a local substitute
105 27 decision maker shall comply with applicable requirements for
105 28 guardians, conservators, or personal representatives pursuant
105 29 to chapter 633, attorneys in fact under a power of attorney
105 30 pursuant to chapter 633 or a durable power of attorney for
105 31 health care pursuant to chapter 144B, or representative payees
105 32 pursuant to federal law and regulations.
105 33 5. Notwithstanding any provision to the contrary, an
105 34 individual acting as the state or a local substitute decision
105 35 maker shall not be subject to the posting of a bond pursuant
106 1 to chapter 633. An individual acting as the state or a local
106 2 substitute decision maker shall complete at least eight hours
106 3 of training annually as certified by the department.

106 4 Sec. 135. NEW SECTION. 231E.6 COURT–INITIATED OR
 106 5 PETITION–INITIATED APPOINTMENT OF STATE OR LOCAL SUBSTITUTE
 106 6 DECISION MAKER — GUARDIANSHIP OR CONSERVATORSHIP —
 106 7 DISCHARGE.

106 8 The court may appoint on its own motion or upon petition of
 106 9 any person, the state office or local office of substitute
 106 10 decision maker, to serve as guardian or conservator for any
 106 11 proposed ward in cases in which the court determines that the
 106 12 proceeding will establish the least restrictive form of
 106 13 substitute decision making suitable for the proposed ward and
 106 14 if the proposed ward meets all of the following criteria:
 106 15 1. Is a resident of the planning and service area in which
 106 16 the local office is located from which services would be
 106 17 provided or is a resident of the state, if the state office
 106 18 would provide the services.
 106 19 2. Is eighteen years of age or older.
 106 20 3. Does not have suitable family or another appropriate
 106 21 entity willing and able to serve as guardian or conservator.
 106 22 4. Is incompetent.
 106 23 5. Is an individual for whom guardianship or
 106 24 conservatorship services are the least restrictive means of
 106 25 meeting the individual's needs.

CODE: Specifies that the court may appoint the State or local Office of Substitute Decision Maker to serve as guardian or conservator in cases deemed by the court to be the least restrictive form of decision making suitable for the proposed ward. Also, sets forth the criteria for the ward to be appointed this service.

106 26 Sec. 136. NEW SECTION. 231E.7 SUBSTITUTE DECISION MAKER–
 106 27 INITIATED APPOINTMENT.

106 28 The state office or local office may on its own motion or
 106 29 at the request of the court intervene in a guardianship or
 106 30 conservatorship proceeding if the state office or local office
 106 31 or the court considers the intervention to be justified
 106 32 because of any of the following:
 106 33 1. An appointed guardian or conservator is not fulfilling
 106 34 prescribed duties or is subject to removal under section
 106 35 633.65.
 107 1 2. A willing and qualified guardian or conservator is not
 107 2 available.
 107 3 3. The best interests of the ward require the
 107 4 intervention.

CODE: Specifies that the State or local Office of Substitute Decision Maker may file a motion or at court request intervene in a guardianship or conservatorship proceeding if the Office or the court considers the intervention justified. Also, sets forth the circumstances when the Office may intervene.

107 5 Sec. 137. NEW SECTION. 231E.8 PROVISIONS APPLICABLE TO
107 6 ALL APPOINTMENTS AND DESIGNATIONS — DISCHARGE.

107 7 1. The court shall only appoint or intervene on its own
107 8 motion or act upon the petition of any person under section
107 9 231E.6 or 231E.7 if such appointment or intervention would
107 10 comply with staffing ratios established by the department and
107 11 if sufficient resources are available to the state office or
107 12 local office. Notice of the proposed appointment shall be
107 13 provided to the state office or local office prior to the
107 14 granting of such appointment.

107 15 2. The state office or local office shall maintain
107 16 reasonable personal contact with each ward, principal, or
107 17 client for whom the state office or local office is appointed
107 18 or designated in order to monitor the ward's, principal's, or
107 19 client's care and progress. For any estates in which the
107 20 state office or local office is involved, the state office or
107 21 local office shall move estate proceedings forward in a
107 22 reasonable and expeditious manner and shall monitor the
107 23 progress of any legal counsel retained on a regular basis.

107 24 3. Notwithstanding any provision of law to the contrary,
107 25 the state office or local office appointed by the court or
107 26 designated under a power of attorney document may access all
107 27 confidential records concerning the ward or principal for whom
107 28 the state office or local office is appointed or designated,
107 29 including medical records and abuse reports.

107 30 4. In any proceeding in which the state or local office is
107 31 appointed or is acting as guardian or conservator, the court
107 32 shall waive court costs or filing fees, if the state office or
107 33 local office certifies to the court that the state office or
107 34 local office has waived its fees in their entirety based upon
107 35 the ability of the ward to pay for the services of the state
108 1 office or local office. In any estate proceeding, the court
108 2 costs shall be paid in accordance with chapter 633, division
108 3 VII, part 7.

108 4 5. The state or a local substitute decision maker shall be
108 5 subject to discharge or removal, by the court, on the grounds
108 6 and in the manner in which other guardians, conservators, or

CODE: Sets forth the requirements for the duties and responsibilities that must be performed for substitute decision maker appointments and designations.

108 7 personal representatives are discharged or removed pursuant to
108 8 chapter 633.

108 9 Sec. 138. NEW SECTION. 231E.9 FEES — APPROPRIATED.
108 10 Fees received by the state office and by local offices for
108 11 services provided as state or local substitute decision maker
108 12 shall be deposited in the general fund of the state and the
108 13 amounts received are appropriated to the department for the
108 14 purposes of administering this chapter.

CODE: Requires that fees received by the State or local Office of Substitute Decision Maker be deposited to the General Fund for appropriation to the Department of Elder Affairs for administration of the Office.

FISCAL IMPACT: It is estimated that \$108,000 in General Fund revenues will be generated if the Office is established and implemented by the Department.

108 15 Sec. 139. NEW SECTION. 231E.10 CONFLICTS OF INTEREST —
108 16 LIMITATIONS.
108 17 Notwithstanding section 633.63 or any other provision to
108 18 the contrary, a local substitute decision maker shall not
108 19 provide direct services to or have an actual or the appearance
108 20 of any conflict of interest relating to any individual for
108 21 whom the local substitute decision maker acts in a substitute
108 22 decision-making capacity unless such provision of direct
108 23 services or the appearance of a conflict of interest is
108 24 approved and monitored by the state office in accordance with
108 25 rules adopted by the department.

CODE: Prohibits a local Office of Substitute Decision Maker from simultaneously providing direct services and services associated with substitute decision making to an individual unless approved and monitored by the State Office of Substitute Decision Maker.

108 26 Sec. 140. NEW SECTION. 231E.11 DUTY OF ATTORNEY GENERAL,
108 27 COUNTY ATTORNEY, OR OTHER COUNSEL.
108 28 1. The attorney general shall advise the state office on
108 29 legal matters and represent the state office in legal
108 30 proceedings.
108 31 2. Upon the request of the attorney general, a county
108 32 attorney may represent the state office or a local office in
108 33 connection with the filing of a petition for appointment as
108 34 guardian or conservator and with routine, subsequent
108 35 appearances.
109 1 3. A local attorney experienced in probate matters may
109 2 represent the personal representative for all routine matters
109 3 associated with probating an estate.

CODE: Requires the Attorney General to advise and represent the State Office of Substitute Decision Maker on legal matters. Also, specifies a county attorney may represent the State or local Office if requested by the Attorney General and that a local attorney experienced in probate matters may represent the personal representative.

109 4 Sec. 141. NEW SECTION. 231E.12 LIABILITY.
 109 5 All employees and volunteers of the state office and local
 109 6 offices operating under this chapter and other applicable
 109 7 chapters and pursuant to rules adopted under this and other
 109 8 applicable chapters are considered employees of the state and
 109 9 state volunteers for the purposes of chapter 669 and shall be
 109 10 afforded protection under section 669.21 or 669.24, as
 109 11 applicable. This section does not relieve a guardian or
 109 12 conservator from performing duties prescribed under chapter
 109 13 633.

CODE: Requires that employees and volunteers of the State and local Offices of Substitute Decision Maker be defended and indemnified by the State against claims associated with the respective performance of duties.

109 14 Sec. 142. NEW SECTION. 231E.13 IMPLEMENTATION.
 109 15 Implementation of this chapter is subject to availability
 109 16 of funding as determined by the department. The department
 109 17 shall notify the Code editor upon implementation of this
 109 18 chapter.

CODE: Specifies that implementation of the Office of Substitute Decision Maker is contingent on the availability of funding as determined by the Department of Elder Affairs. Also, requires the Department to notify the Code Editor of program implementation.

DETAIL: The Department anticipates the receipt of an estimated \$390,000 in federal Title IV Older Americans Act funds in FY 2006 that will require \$135,000 in State matching funds to be utilized for this purpose. The Department did not receive an increase in funding to provide the State match in FY 2006, and does not anticipate implementing the Program as set forth in this Act; however, the Department is examining alternatives. The federal grant will be available for only one year, and the Program would require additional State resources in the future. House File 841 (IowaCare Medicaid Reform Act) specified that the Department could utilize additional resources that will be made available if the Case Management Program for the Frail Elderly becomes a covered service under Medicaid to implement the Program.

109 19 Sec. 143. Section 235B.6, subsection 2, paragraph e, Code
 109 20 2005, is amended by adding the following new subparagraph:
 109 21 NEW SUBPARAGRAPH. (11) The state office or a local office
 109 22 of substitute decision maker as defined in section 231E.3,
 109 23 appointed by the court as a guardian or conservator of the
 109 24 adult named in a report as the victim of abuse or the person
 109 25 designated to be responsible for performing or obtaining
 109 26 protective services on behalf of a dependent adult pursuant to

CODE: Specifies that the State or local Office of Substitute Decision Maker appointed by the court is responsible for providing protective services on behalf of a dependent adult.

109 27 section 235B.18.

109 28 Sec. 144. Section 633.63, subsection 3, Code 2005, is
 109 29 amended to read as follows:
 109 30 3. A private nonprofit corporation organized under chapter
 109 31 504, Code 1989, or current chapter 504 or 504A is qualified to
 109 32 act as a guardian, as defined in section 633.3, ~~subsection 20,~~
 109 33 or a conservator, as defined in section 633.3, ~~subsection 7,~~
 109 34 ~~where the assets subject to the conservatorship at the time~~
 109 35 ~~when such corporation is appointed conservator are less than~~
 110 1 ~~or equal to seventy five thousand dollars and if the~~
 110 2 corporation does not possess a proprietary or legal interest
 110 3 in an organization which provides direct services to the
 110 4 individual.

CODE: Specifies that a private, non-profit corporation is qualified to act as a guardian if the corporation does not possess a proprietary or legal interest in an organization that provides direct services to the individual.

110 5 Sec. 145. Section 633.63, Code 2005, is amended by adding
 110 6 the following new subsection:
 110 7 NEW SUBSECTION. 4. The state or a local substitute
 110 8 decision maker as defined in section 231E.3 is authorized to
 110 9 act in a fiduciary capacity in this state in accordance with
 110 10 chapter 231E.

CODE: Specifies that the State or local Substitute Decision Maker Office is authorized to act in a fiduciary capacity for the purposes of the Program.

110 11 DIVISION VI
 110 12 LONG-TERM LIVING SYSTEM

110 13 Sec. 146. NEW SECTION. 231F.1 INTENT FOR IOWA'S LONG-
 110 14 TERM LIVING SYSTEM.
 110 15 1. The general assembly finds and declares that the intent
 110 16 for Iowa's long-term living system is to ensure all Iowans
 110 17 access to an extensive range of high-quality, affordable, and
 110 18 cost-effective long-term living options that maximize
 110 19 independence, choice, and dignity for consumers.
 110 20 2. The long-term living system should be comprehensive,
 110 21 offering multiple services and support in home, community-
 110 22 based, and facility-based settings; should utilize a uniform
 110 23 assessment process to ensure that such services and support
 110 24 are delivered in the most integrated and life-enhancing

CODE: Specifies the intent of the General Assembly regarding the State's long-term living system and services.

110 25 setting; and should ensure that such services and support are
110 26 provided by a well-trained, motivated workforce.

110 27 3. The long-term living system should exist in a
110 28 regulatory climate that appropriately ensures the health,
110 29 safety, and welfare of consumers, while not being overly
110 30 restrictive or inflexible.

110 31 4. The long-term living system should sustain existing
110 32 informal care systems including family, friends, volunteers,
110 33 and community resources; should encourage innovation through
110 34 the use of technology and new delivery and financing models,
110 35 including housing; should provide incentives to consumers for
111 1 private financing of long-term living services and support;
111 2 and should allow lowans to live independently as long as they
111 3 desire.

111 4 5. Information regarding all components of the long-term
111 5 living system should be effectively communicated to all
111 6 persons potentially impacted by the need for long-term living
111 7 services and support in order to empower consumers to plan,
111 8 evaluate, and make decisions about how best to meet their own
111 9 long-term living needs.

111 10 HF 825

111 11 pf:jp/es/25

**EXECUTIVE SUMMARY
INFRASTRUCTURE APPROPRIATIONS ACT**

HOUSE FILE 875

FUNDING SUMMARY

- Appropriates a total \$123.8 million for FY 2006 from the following sources:
 - \$800,000 from the General Fund
 - \$43.1 million from the Rebuild Iowa Infrastructure Fund (RIIF)
 - \$35.0 million from the Environment First Fund
 - \$29.5 million from the Restricted Capital Fund
 - \$15.0 million from the Vertical Infrastructure Fund
 - \$275,000 from Storm Water Discharge Permit Fees
- House File 882 (FY 2006 Standing Appropriations Act) decreased total FY 2006 General Fund appropriations in HF 875 by \$25,000.

GENERAL FUND

EDUCATION

- Appropriates \$101,000 to replace indirect costs of the Vocational Rehabilitation Division as a result of space consolidation within the Jesse Parker Building. (Page 1, Line 8)

PUBLIC SAFETY

- Appropriates \$800,000 for costs associated with security in the Capitol and the Judicial Buildings. (Page 1, Line 12)

STORM WATER PERMIT FEES

- Appropriates \$275,000 to the Department of Natural Resources (DNR) for the Air Quality Monitoring Program. (Page 1, Line 15)

**REBUILD IOWA INFRASTRUCTURE
FUND**

ADMINISTRATIVE SERVICES

- Appropriates \$3.8 million for technology-related projects. (Page 2, Line 2)
- Appropriates \$1.8 million for costs associated with facility leases and the relocation of the Department of Corrections and the Board of Parole from leased space to the Jesse Parker Building located on the Capitol Complex. (Page 2, Line 13)
- Appropriates \$2.0 million for routine maintenance of State facilities. (Page 2, Line 18)
- Appropriates \$292,000 for major maintenance of State buildings. (Page 2, Line 22)
- Appropriates \$1.8 million to begin upgrades to the electrical distribution system serving the Capitol Complex. (Page 2, Line 27)
- Appropriates \$1.4 million for remodeling and renovating the Civil Commitment Unit for Sexual Offenders at Cherokee. (Page 2, Line 30)

**EXECUTIVE SUMMARY
INFRASTRUCTURE APPROPRIATIONS ACT**

HOUSE FILE 875

**ADMINISTRATIVE SERVICES
(CONTINUED)**

- Appropriates a total of \$2.7 million over two fiscal years for the replacement of the power house facilities at the Iowa Juvenile Home at Toledo. This includes \$1.2 million for FY 2006 and \$1.5 million for FY 2007. (Page 2, Line 33 and Page 8, Line 34)
- Appropriates \$625,000 for improvements to the Wallace Building. (Page 3, Line 1)
- Appropriates \$571,000 for improvements to Terrace Hill. (Page 3, Line 3)
- Appropriates \$2.2 million for costs associated with the renovation Records and Property Building for FY 2007. (Page 8, Line 30)

CORRECTIONS

- Appropriates a total of \$3.9 million over three fiscal years for construction of a new community-based correctional facility in Fort Dodge. This includes \$50,000 for FY 2006, \$1.4 million for FY 2007, and \$2.5 million for FY 2008. (Page 3, Line 5; Page 9, Line 2; and Page 9, Line 9)
- Appropriates \$333,000 to pay the debt service for a lease purchase agreement with Alliant Energy to upgrade the electrical system for the Fort Madison Special Needs Facility. (Page 3, Line 9)
- Appropriates a total of \$3.4 million over two fiscal years for improvements to the kitchen facilities at the Anamosa Correctional Facility. This includes \$940,000 from the RIF and \$600,000 from the Restricted Capital Fund for FY 2006, and \$1.8 million from the RIF in FY 2007. (Page 3, Line 13; Page 9, Line 6; and Page 18, Line 26)
- Appropriates \$105,000 for maintenance-related costs to be assessed by the Department of Administrative Services. (Page 3, Line 16)
- Appropriates \$122,000 for facility lease payments. (Page 3, Line 21)

CULTURAL AFFAIRS

ECONOMIC DEVELOPMENT

- Appropriates \$220,000 for the stabilization of the Iowa Battle Flag collection. (Page 3, Line 26)
- Appropriates \$500,000 to provide a grant to match federal funds for redevelopment of the former stockyard areas in Sioux City. (Page 3, Line 32)
- Appropriates \$60,000 for a regional ferryboat study in southeast Iowa. (Page 4, Line 3)

EDUCATION

- Appropriates \$700,000 for the Enrich Iowa Libraries Program. (Page 4, Line 14)
- Appropriates \$2.7 million to pay the costs of maintenance and leases associated with the build-out of Part III of the Iowa Communications Network (ICN). (Page 4, Line 20)
- Appropriates \$2.0 million for the replacement of analog transmitters that support Iowa Public Television's (IPTV) transmission. (Page 4, Line 24)

**EXECUTIVE SUMMARY
INFRASTRUCTURE APPROPRIATIONS ACT**

HOUSE FILE 875

EDUCATION (CONTINUED)

- Appropriates \$2.0 million for infrastructure improvements at community colleges. (Page 4, Line 28)
- Appropriates \$500,000 for costs associated with implementation of HF 739 (Iowa Learning Technologies Act). (Page 5, Line 3)

HUMAN SERVICES

- Appropriates \$250,000 to provide a grant for the construction of a residential treatment facility located near Ames. (Page 5, Line 8)

IOWA FINANCE AUTHORITY

- Appropriates \$1.4 million for the Transitional Housing Revolving Loan Fund. (Page 5, Line 14)

STATE FAIR AUTHORITY

- Appropriates \$750,000 for infrastructure improvements at the State Fairgrounds. (Page 5, Line 19)

NATURAL RESOURCES

- Appropriates \$429,000 for improvements at Lake Cornelia. (Page 6, Line 11)
- Appropriates \$1.5 million for the purchase of property adjacent to Waubonsie State Park and for facility improvements at the Park. (Page 6, Line 16)
- Appropriates \$500,000 for improvements at the Fort Atkinson State Preserve. (Page 6, Line 20)
- Appropriates \$80,000 for Iowa’s membership in the Mid-America Port Commission. (Page 6, Line 23)
- Appropriates \$3.0 million for improvements to the Destination Park at Honey Creek. (Page 6, Line 27)

PUBLIC SAFETY

- Appropriates \$550,000 for a debt services payment associated with the lease purchase of the Automated Fingerprint Information System (AFIS). (Page 6, Line 30)
- Appropriates \$800,000 for planning, design, and construction of a regional fire training facilities. (Page 7, Line 1)
- Appropriates \$500,000 for the Fire Equipment Revolving Loan Program. (Page 7, Line 16)

BOARD OF REGENTS

- Appropriates \$500,000 for the National Program for Playground Safety at the University of Northern Iowa. (Page 5, Line 26)
- Appropriates \$500,000 for facility maintenance at the Iowa School for the Deaf and the Iowa Braille and Sight Saving School. (Page 7, Line 21)
- Appropriates \$6.3 million for renovation and repairs to facilities at Regents institutions. (Page 7, Line 25)

**EXECUTIVE SUMMARY
INFRASTRUCTURE APPROPRIATIONS ACT**

HOUSE FILE 875

TRANSPORTATION

- Appropriates \$565,000 for aviation improvement programs. (Page 7, Line 31)
- Appropriates \$750,000 for infrastructure improvements at general aviation airports. (Page 8, Line 4)
- Appropriates \$1.0 million for the Recreational Trails Program. (Page 8, Line 12)

ENVIRONMENT FIRST FUND

**AGRICULTURE AND LAND
STEWARDSHIP**

- Appropriates \$1.5 million for the Conservation Reserve Enhancement Program (CREP). (Page 12, Line 25)
- Appropriates \$2.7 million for the Watershed Protection Program. (Page 12, Line 35)
- Appropriates \$850,000 for the Farm Demonstration Program. (Page 13, Line 7)
- Appropriates \$500,000 for the Alternative Drainage System Assistance Program. (Page 13, Line 19)
- Appropriates \$5.5 million for the Soil Conservation Cost Share Program. (Page 13, Line 27)
- Appropriates \$2.0 million for the Conservation Reserve Program (CRP). (Page 14, Line 21)
- Appropriates \$600,000 for deposit in the Loess Hills Development and Conservation Fund. (Page 14, Line 29)
- Appropriates \$300,000 for deposit in the Southern Iowa Development and Conservation Fund. (Page 15, Line 7)

ECONOMIC DEVELOPMENT

NATURAL RESOURCES

- Appropriates \$500,000 for the Brownfield Redevelopment Program. (Page 15, Line 12)
- Appropriates \$100,000 to support local volunteer management efforts in water quality programs. (Page 15, Line 17)
- Appropriates \$2.3 million for projects that meet criteria related to the use of funds from the Marine Fuel Tax receipts. (Page 15, Line 21)
- Appropriates \$2.0 million for the operation and maintenance of State parks. (Page 15, Line 27)
- Appropriates \$195,000 to provide geographic information system data for use in developing, monitoring, and displaying results of watershed work. (Page 15, Line 30)

**EXECUTIVE SUMMARY
INFRASTRUCTURE APPROPRIATIONS ACT**

HOUSE FILE 875

**NATURAL RESOURCES
(CONTINUED)**

- Appropriates \$3.0 million for the establishment of water quality monitoring stations. (Page 15, Line 34)
- Appropriates \$500,000 for the Water Quality Protection Program. (Page 16, Line 2)
- Appropriates \$1.5 million for the dredging of lakes in accordance with the Department's Classification of Iowa Lakes Restoration Report. (Page 16, Line 6)
- Appropriates \$11.0 million for Resource Enhancement and Protection (REAP) Program. (Page 16, Line 25)

**RESTRICTED CAPITAL FUND
ADMINISTRATIVE SERVICES**

- Appropriates \$4.5 million for interior restoration of the Capitol Building. (Page 18, Line 1)
- Appropriates \$650,000 for renovation of the Civil Commitment Unit for Sexual Offenders at Cherokee. (Page 18, Line 17)

CORRECTIONS

- Appropriates \$600,000 for improvements to the kitchen facilities at the Anamosa Correctional Facility. This Act also appropriates a total of \$2.8 million from the RIIF over two fiscal years for this project. (Page 18, Line 26)

ECONOMIC DEVELOPMENT

- Appropriates \$1.5 million for the Accelerated Career Education (ACE) Program. The Act also appropriates \$4.0 million from the Vertical Infrastructure Fund for this Program. (Page 18, Line 30)

HUMAN SERVICES

- Appropriates \$250,000 for construction of a family resource center located in Davenport. (Page 19, Line 7)

PUBLIC SAFETY

- Appropriates \$100,000 for a regional emergency responder training facility project for the Dubuque County Fire Fighters Association. (Page 19, Line 12)

**TELECOMMUNICATIONS AND
TECHNOLOGY COMMISSION**

- Appropriates \$1.7 million for the replacement of ICN equipment. (Page 19, Line 17)

TRANSPORTATION

- Appropriates \$1.5 million for vertical infrastructure improvements at Iowa's commercial service airports. (Page 19, Line 22)

BOARD OF REGENTS

- Appropriates \$10.3 million to replace the student tuition fees that are used to pay the debt service on academic revenue bonds authorized by the General Assembly in prior fiscal years. (Page 20, Line 18)

TREASURER OF STATE

- Appropriates \$5.4 million for FY 2006 debt service payments on the Prison Infrastructure Bonds. (Page 20, Line 35)

**EXECUTIVE SUMMARY
INFRASTRUCTURE APPROPRIATIONS ACT**

HOUSE FILE 875

**VERTICAL INFRASTRUCTURE
FUND**

ADMINISTRATIVE SERVICES

CULTURAL AFFAIRS

ECONOMIC DEVELOPMENT

PUBLIC DEFENSE

TREASURER OF STATE

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA**

- Appropriates \$5.6 million for major maintenance of State buildings under the purview of the Department. (Page 22, Line 30)
- Appropriates \$500,000 for the Historical Site Preservation Grant Program. (Page 23, Line 5)
- Appropriates \$4.0 million for the Accelerated Career Education (ACE) Program. (Page 23, Line 19)
- Appropriates \$608,000 for design and construction of a National Guard Readiness Center near Fort Dodge. (Page 23, Line 31)
- Appropriates \$1.3 million for maintenance and repairs to National Guard facilities. (Page 23, Line 35)
- Appropriates \$1.9 million for improvements to the water treatment system at Camp Dodge. (Page 24, Line 3)
- Appropriates \$1.1 million for distribution to county fair societies that belong to the Association of Iowa Fairs. (Page 24, Line 6)
- Extends the reversion date from June 30, 2005, to June 30, 2006, for funds appropriated in FY 2002 for State agency relocation expenses associated with remodeling projects on the Capitol Complex. (Page 9, Line 17)
- Clarifies that the FY 2005 appropriation for the lease purchase of the Automated Fingerprint Information System (AFIS) constitutes approval by the General Assembly of a financing agreement in excess of \$1.0 million for compliance with Section 12.28(6), Code of Iowa. (Page 9, Line 34)
- Allows the Veterans Affairs Commission to use unspent funds from a \$50,000 appropriation for the demolition and removal of a fire damaged dwelling for improvements to the Veterans Home dining facility. (Page 10, Line 11)
- Provides appropriations from the RIIF to the Vertical Infrastructure Fund over three fiscal years in the following amounts: (Page 10, Line 35)
 - FY 2007: \$15.0 million
 - FY 2008: \$50.0 million
 - FY 2009: \$50.0 million

EXECUTIVE SUMMARY INFRASTRUCTURE APPROPRIATIONS ACT

HOUSE FILE 875

SIGNIFICANT CHANGES TO THE CODE OF IOWA (CONTINUED)

- Amends the definition of an airport as defined in statute, to allow the City of Des Moines to proceed with a runway expansion project for general aviation aircraft. (Page 11, Line 13)
 - Deposits all Marine Fuel Tax receipts in the RIIF beginning in FY 2007. Current law deposits the first \$411,000 in the General Fund. (Page 11, Line 25)
 - Repeals a total of \$101,000 of General Fund appropriations from HF 466 (FY 2006 Transportation Appropriations Act) that were appropriated to the DOT for Rail and Aviation Assistance. This Act appropriates \$101,000 from the RIIF for these programs. (Page 12, Line 9)
 - Extends the effective date of the Blufflands Protection Revolving Fund from July 1, 2005 to July 1, 2015. (Page 16, Line 35)
 - Extends the reversion date from June 30, 2005, to June 30, 2006, for funds appropriated in FY 2002 for the purchase of property adjacent to the Capitol Complex and for the construction of the State Laboratory Facility located in Ankeny. (Page 21, Line 11)
 - Amends an FY 2003 appropriation for Judicial Building parking improvements to allow the Judicial Branch to use unspent funds for site improvements in the vicinity of the Judicial Building. (Page 21, Line 29)
 - Deappropriates an FY 2004 appropriation of \$3.0 million from the Restricted Capital Fund and language that made the appropriation contingent on receiving an investment commitment by a private developer for the Park. (Page 22, Line 8)
 - Expands the scope of the Railroad Revolving Loan Fund to include the awarding of grants, and allows for the issuance of loans and grants for Rail Economic Development Projects. Also, requires that not more than 50.0% of the total funds available be awarded in grants in any given year. (Page 25, Line 3 through Page 27, Line 15)
- Deposits all railroad loan payments in excess of \$1.3 million in FY 2005 and FY 2006 to the Railroad Revolving Loan and Grant Fund. Beginning in FY 2007, all railroad loan payments will be deposited in the Railroad Revolving Loan and Grant Fund. (Page 25, Line 3 through Page 27, Line 15)
- FISCAL IMPACT: Under current law, all railroad loan payments are deposited in the General Fund and total approximately \$1.3 million annually. This provision will not have a fiscal impact in FY 2005 or FY 2006, however, it will reduce General Fund revenues by \$1.3 million in FY 2007.
- Requires the Iowa Telecommunication and Technology Commission to consider all costs of the Iowa Communications Network (ICN) for establishing an hourly rate to be charged to all authorized users of the Network. (Page 27, Line 18)

**EXECUTIVE SUMMARY
INFRASTRUCTURE APPROPRIATIONS ACT**

HOUSE FILE 875

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA (CONTINUED)**

INTENT LANGUAGE

EFFECTIVE DATES

**RETROACTIVE APPLICABILITY
DATE**

ENACTMENT DATE

- Establishes the Honey Creek Premier Destination Park Authority and the Honey Creek Premier Destination Park Bond Fund. This Act authorizes the Authority to issue up to \$28.0 million in bonds for the development and expansion of the Destination Park. The operation of the Park facilities will be contracted to the private sector. A portion of the revenues generated from the operations will be used to pay the debt service on the bonds. (Page 29, Line 18 through Page 44, Line 23)
- Specifies the intent of the General Assembly to formulate an Access Iowa Highways Plan. This provision requires the Department of Transportation (DOT) to designate portions of the Commercial and Industrial Network as Access Iowa Highways, accelerate development of those highways, and give priority to linkages between economic centers of the State with populations of 20,000 or more. This provision is repealed on July 1, 2015. (Page 28, Line 7 through Page 29, Line 17)
- Provides that the following provisions of this Act are effective on enactment:
 - Reversion date of the FY 2002 RIIF appropriation for relocation costs. (Page 12, Line 11)
 - Clarification related to the lease purchase of the Automated Fingerprint Information System (AFIS). (Page 12, Line 11)
 - The use of unspent funds by the Veterans Affairs Commission. (Page 12, Line 11)
 - The use of unspent funds for the Ankeny Laboratory Facility. (Page 22, Line 11)
 - The use of unspent funds for the Judicial Building. (Page 22, Line 15)
 - The deappropriation of an FY 2004 appropriation for the Destination Park. (Page 22, Line 19)
 - Provisions relating to the Honey Creek Premier Destination Park. (Page 44, Line 22)
- Specifies that the requirement that railroad loan payment deposits in excess of \$1.3 million to the Railroad Revolving Fund are effective upon enactment and apply retroactively to July 1, 2004. (Page 27, Line 10)
- This Act was approved by the General Assembly on May 20, 2005, and signed by the Governor on June 15, 2005.

House File 875 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
1	15	2	Nwthstnd	All	Storm Water Discharge Permit Fees
2	2	3.1(a)	Nwthstnd	Sec. 8.57(6)(c)	Notwithstanding the Definition of Vertical Infrastructure
2	13	3.1(b)	Nwthstnd	Sec. 8.57(6)(c)	Notwithstanding the Definition of Vertical Infrastructure
2	18	3.1(c)	Nwthstnd	Sec. 8.57(6)(c)	Notwithstanding the Definition of Vertical Infrastructure
3	16	3.2(d)	Nwthstnd	Sec. 8.57(6)(c)	Notwithstanding the Definition of Vertical Infrastructure
3	21	3.2(e)	Nwthstnd	Sec. 8.57(6)(c)	Notwithstanding the Definition of Vertical Infrastructure
3	26	3.3	Nwthstnd	Sec. 8.57(6)(c)	Notwithstanding the Definition of Vertical Infrastructure
3	32	3.4(a)	Nwthstnd	Sec. 8.57(6)(c)	Notwithstanding the Definition of Vertical Infrastructure
4	3	3.4(b)	Nwthstnd	Sec. 8.57(6)(c)	Notwithstanding the Definition of Vertical Infrastructure
4	14	3.5(a)	Nwthstnd	Sec. 8.57(6)(c)	Notwithstanding the Definition of Vertical Infrastructure
4	20	3.5(b)	Nwthstnd	Sec. 8.57(6)(c)	Notwithstanding the Definition of Vertical Infrastructure
4	24	3.5(c)	Nwthstnd	Sec. 8.57(6)(c)	Notwithstanding the Definition of Vertical Infrastructure
5	3	3.5(e)	Nwthstnd	Sec. 8.57(6)(c)	Notwithstanding the Definition of Vertical Infrastructure
5	26	3.9	Nwthstnd	Sec. 8.57(6)(c)	Notwithstanding the Definition of Vertical Infrastructure

Page #	Line #	Bill Section	Action	Code Section	Description
6	11	3.10(a)	Nwthstnd	Sec. 8.57(6)(c)	Notwithstanding the Definition of Vertical Infrastructure
6	23	3.10(d)	Nwthstnd	Sec. 8.57(6)(c)	Notwithstanding the Definition of Vertical Infrastructure
6	30	8.11(a)	Nwthstnd	Sec. 8.57(6)(c)	Notwithstanding the Definition of Vertical Infrastructure
7	16	3.11(c)	Nwthstnd	Sec. 8.57(6)(c)	Notwithstanding the Definition of Vertical Infrastructure
7	31	8.13	Nwthstnd	Sec. 8.57(6)(c)	Notwithstanding the Definition of Vertical Infrastructure
9	17	6	Amends	Sec. 12, Chap. 185, 2001 Iowa Acts	Reversion Date Extension
9	34	7	Amends	Sec. 288.13(c), Chap. 1175, 2004 Iowa Acts	AFIS Lease Purchase
10	11	8	Nwthstnd	Sec. 10.13, Chap. 1173, 2002 Iowa Acts	Veterans Commission use of unspent funds
10	21	9	Nwthstnd	Sec. 8.33	Nonreversion of RIIF Appropriations
10	35	10	Amends	Sec. 8.57B(4)	RIIF Appropriations to the Vertical Infrastructure Fund
11	13	11	Amends	Sec. 328.1(9)	Definition of Airport
11	25	12	Amends	Sec. 452A.79	Marine Fuel Tax Receipts
12	9	13	Repeals	Sec. 3, HF 466, 2005 Iowa Acts	Repeals Aviation and Railroad Assistance Appropriations from HF 466
16	25	16	Nwthstnd	Sec. 455A.18(3)	REAP General Fund Appropriation
16	35	17	Amends	Sec. 161A.80(2)(a & b)	Blufflands Protection Revolving Fund
17	10	18.1	Nwthstnd	Sec. 8.33	Nonreversion of Environment First Fund Appropriations
17	19	18.2	Nwthstnd	Sec. 8.33	Nonreversion of Soil Conservation Cost Share Appropriation
19	17	19.1(f)	Nwthstnd	Sec. 12E.12(1)(b)(1)	Notwithstanding the Definition of Vertical Infrastructure

Page #	Line #	Bill Section	Action	Code Section	Description
20	11	19.3	Nwthstnd	Sec. 8.33	Nonreversion of Restricted Capital Fund Appropriations
20	18	20	Nwthstnd	Sec. 12E12(1)(b)(1)	Notwithstanding the Definition of Vertical Infrastructure
20	35	21	Nwthstnd	Sec. 12E12(1)(b)(1)	Notwithstanding the Definition of Vertical Infrastructure
21	11	22	Amends	Sec. 30, Chap. 185, 2001 Iowa Acts	Reversion Date Extension
21	29	23	Amends	Sec. 1.7(a), Chap. 1173, 2002 Iowa Acts	Judicial Branch use of unspent funds
22	8	24	Repeals	Sec. 22.6(a), Chap. 177, 2003 Iowa Acts	Repeals a FY 2004 Appropriation for the Destination Park
23	1	28.1	Nwthstnd	Sec. 8.57B(3)	Notwithstanding the Definition of Vertical Infrastructure
24	11	29	Nwthstnd	Sec. 8.33	Nonreversion of Vertical Infrastructure Fund Appropriations
24	32	30	Nwthstnd	Sec. 8.33	Nonreversion of Vertical Infrastructure Fund Appropriations
25	5	31	Amends	Sec. 327H.20A	Railroad Revolving Loan and Grant Fund
26	8	32	Amends	Sec. 327H.26	Definitions Related to the Railroad Revolving Loan and Grant Fund
26	17	33	Adds	Sec. 327I.8	Duties of the Railway Finance Authority
26	21	34	Repeals	Sec. 327H.18 and 327H.20	Repeal of the Railroad Assistance Program and Agreements
26	23	35	Nwthstnd	Sec. 327H.18 and Chap. 327I	Railroad Assistance Program
26	31	36	Nwthstnd	Sec. 327H.18 and Chap. 327I	Railroad Assistance Program
27	18	39	Amends	Sec. 8D.3(3)(i)	Establishment of ICN Rates
27	32	40	Amends	Sec. 8D.13(11)	Establishment of ICN Rates
29	21	42	Amends	Sec. 12.30(1)(a)	Destination Park Bond Program
29	30	43	Adds	Sec. 463C.1	Destination Park Bond Program

Page #	Line #	Bill Section	Action	Code Section	Description
29	33	44	Adds	Sec. 463C.2	Destination Park Bond Program Definitions
30	12	45	Adds	Sec. 463C.3	Destination Park Bond Program Legislative Findings
31	5	46	Adds	Sec. 463C.4	Destination Park Authority
32	7	47	Adds	Sec. 463C.5	Destination Park Authority Governing Board
32	24	48	Adds	Sec. 463C.6	Destination Park Authority Staff
32	32	49	Adds	Sec. 463C.7	Destination Park Board Liability
33	3	50	Adds	Sec. 463C.8	Destination Park Authority Powers
34	15	51	Adds	Sec. 463C.9	Destination Park Authority Powers
34	23	52	Adds	Sec. 463C.10	Destination Park Bond Program
35	1	53	Adds	Sec. 463C.11	Destination Park Bond Fund
36	11	54	Adds	Sec. 463C.12	Destination Park Bonds
39	6	55	Adds	Sec. 463C.13	Bond Reserve Funds
41	6	56	Adds	Sec. 463C.14	Bond Pledges
41	17	57	Adds	Sec. 463C.15	Moneys of the Authority
42	17	58	Adds	Sec. 463C.16	Annual Report
43	6	59	Adds	Sec. 463C.17	Exemption from Competitive Bid Laws
43	18	60	Adds	Sec. 463C.18	Destination Park Authority Bankruptcy Restrictions
43	32	61	Adds	Sec. 463C.19	Dissolution of Destination Park Authority
44	12	62	Adds	Sec. 463C.20	Destination Park Bonding Program Interpretation

1 1 DIVISION I
 1 2 STATE GENERAL FUND
 1 3 Section 1. There is appropriated from the general fund of
 1 4 the state to the following departments and agencies for the
 1 5 fiscal year beginning July 1, 2005, and ending June 30, 2006,
 1 6 the following amounts, or so much thereof as is necessary, to
 1 7 be used for the purposes designated:

1 8 1. DEPARTMENT OF EDUCATION
 1 9 To the vocational rehabilitation division to replace lost
 1 10 indirect costs:
 1 11 \$ 101,164

General Fund appropriation to the Department of Education to replace indirect costs of the Vocational Rehabilitation Division.

DETAIL: The Vocational Rehabilitation Division uses the Statewide Indirect Cost Allocation Plan (SWICAP) to assign a value of \$186,995 to space the Division occupies in the Jesse Parker Building. The value of this space is used to annually match approximately \$691,000 of federal funds. Current plans for FY 2006 are to consolidate the Division's operations into the South wing of the Jesse Parker Building to relocate the Department of Corrections (DOC) and the Board of Parole from leased space into the Building.

As a result of the consolidation, the Division will lose approximately 54% of its occupied space. This reduces the indirect costs that can be applied as non-federal match from \$186,995 to \$85,831 (a loss of \$101,164). The \$101,164 appropriation will match \$373,785 of federal Vocational Rehabilitation funds.

1 12 2. DEPARTMENT OF PUBLIC SAFETY
 1 13 For capitol building and judicial building security:
 1 14 \$ 800,000

General Fund appropriation to the Department of Public Safety (DPS) for costs related to security in the Capitol and the Judicial Buildings.

DETAIL: In FY 2005, the security costs were funded from the Rebuild Iowa Infrastructure Fund (RIIF). House File 882 (FY 2006 Standing Appropriations Act) reduces this appropriation by \$25,000.

1 15 DIVISION II
 1 16 STORMWATER DISCHARGE PERMIT FEES
 1 17 Sec. 2. STORMWATER DISCHARGE PERMIT FEES APPROPRIATION
 1 18 AIR QUALITY MONITORING. Notwithstanding any contrary
 1 19 provision of state law, there is appropriated from stormwater
 1 20 discharge permit fees as authorized to be collected pursuant

CODE: Storm Water Discharge Permit Fee appropriation to the Department of Natural Resources for the Air Quality Monitoring Program.

DETAIL: In FY 2004 and FY 2005, this Program was appropriated \$500,000 each year from the Environment First Fund.

1 21 to section 455B.103A to the department of natural resources
 1 22 for the fiscal year beginning July 1, 2005, and ending June
 1 23 30, 2006, the following amount, or so much thereof as is
 1 24 necessary, to be used for the purposes designated:
 1 25 For full-time personnel to conduct air quality monitoring,
 1 26 which may include but is not limited to staffing required to
 1 27 perform field monitoring and laboratory functions, including
 1 28 salaries, support, maintenance, and miscellaneous purposes:
 1 29 \$ 275,000

1 30 DIVISION III
 1 31 REBUILD IOWA INFRASTRUCTURE FUND
 1 32 Sec. 3. There is appropriated from the rebuild Iowa
 1 33 infrastructure fund to the following departments and agencies
 1 34 for the fiscal year beginning July 1, 2005, and ending June
 1 35 30, 2006, the following amounts, or so much thereof as is
 2 1 necessary, to be used for the purposes designated:

2 2 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
 2 3 a. For technology improvement projects, notwithstanding
 2 4 section 8.57, subsection 6, paragraph "c":
 2 5 \$ 3,802,000

2 6 Of the amount appropriated in this lettered paragraph,
 2 7 \$2,700,000 is allocated for continued implementation and
 2 8 operation of the integrated information for Iowa system;
 2 9 \$792,000 is allocated for continued development and
 2 10 implementation of the electronic tax administration project;
 2 11 and \$310,000 is allocated for maintenance and costs associated
 2 12 with upgrading the enterprise data warehouse.

2 13 b. For relocation and project costs directly associated
 2 14 with remodeling projects on the capitol complex and for

CODE: Rebuild Iowa Infrastructure Fund (RIIF) appropriation to the Department of Administrative Services (DAS) for technology projects. This appropriation notwithstanding the definition of vertical infrastructure.

DETAIL: This is an increase of \$1,940,504 compared to estimated FY 2005 for new technology projects.

Requires the technology appropriation to be use for the following purposes:

- \$2,700,000 for operation of the Integrated Information for Iowa (I/3) System and installation costs associated with new software to bring the payroll functions on line.
- \$792,000 to expand and implement the Electronic Tax Administration Project.
- \$310,000 for upgrades and maintenance of the computer system that houses the Enterprise Data Warehouse.

CODE: Rebuild Iowa Infrastructure Fund appropriation to the DAS for costs associated with facility leases and relocation of certain State

<p>2 15 facility lease payments, notwithstanding section 8.57, 2 16 subsection 6, paragraph "c": 2 17 \$ 1,824,000</p>	<p>agencies currently located off the Capitol Complex. This appropriation notwithstanding the definition of vertical infrastructure.</p> <p>DETAIL: This is a decrease of \$447,617 compared to estimated FY 2005 for new relocation projects. The funds are projected to be expended as follows:</p> <ul style="list-style-type: none"> • \$1,500,000 for relocation of the Department of Corrections and the Board of Parole to the Capitol Complex. • \$260,000 for six months of existing facility lease costs for the Department of Corrections and Board of Parole. • \$64,000 for leased space of the Fire Marshal's Office.
<p>2 18 c. For routine maintenance of state buildings and 2 19 facilities, notwithstanding section 8.57, subsection 6, 2 20 paragraph "c": 2 21 \$ 2,000,000</p>	<p>CODE: Rebuild Iowa Infrastructure Fund appropriation to the DAS for costs associated with routine maintenance of State facilities. This appropriation notwithstanding the definition of vertical infrastructure.</p> <p>DETAIL: Maintains the current level of funding. The funds are allocated to State agencies based on the square footage of building space. The method of allocation was established through a policy of the Governor's Vertical Infrastructure Advisory Committee.</p>
<p>2 22 d. For major renovation and major repair needs, including 2 23 health, life, and fire safety needs, and for compliance with 2 24 the federal Americans With Disabilities Act, for state 2 25 buildings and facilities under the purview of the department: 2 26 \$ 291,891</p>	<p>Rebuild Iowa Infrastructure Fund appropriation to the DAS for major renovation and repair needs of State buildings under the purview of the Department.</p> <p>DETAIL: This Act also appropriates \$3,000,000 from the Restricted Capital Fund and \$5,623,200 from the Vertical Infrastructure Fund for total major maintenance funding of \$8,915,091 for FY 2006. This is an increase of \$4,515,091 compared to the estimated FY 2005 appropriation.</p> <p>The funds will be used to correct deficiencies in State buildings and make a wide range of repairs. The funds will be spent on projects selected and prioritized by the Governor's Vertical Infrastructure Advisory Committee. State agencies and the DAS staff will work together to identify projects that will be presented to the Committee for funding consideration. Section 30 of this Act also appropriates a total of \$90,000,000 from the Vertical Infrastructure Fund for major maintenance for FY 2007 through FY 2009.</p>

PG LN	House File 875	Explanation
2 27 2 28 2 29	e. For upgrades to the electrical distribution system serving the capitol complex: \$ 1,843,878	Rebuild Iowa Infrastructure Fund appropriation to the DAS to begin upgrades to the electrical distribution system serving the Capitol Complex. DETAIL: This appropriation will fund a portion of the upgrades necessary to complete the project. The total cost to complete the upgrades is estimated at \$8,700,000.
2 30 2 31 2 32	f. For remodeling and renovation of the sexually violent predators unit at Cherokee: \$ 1,400,000	Rebuild Iowa Infrastructure Fund appropriation to the DAS for remodeling and renovating the Civil Commitment Unit for Sexual Offenders at Cherokee. DETAIL: This Act also appropriates \$650,000 from the Restricted Capital Fund, providing a total of \$2,050,000 for the Project. The funds will be used to renovate two wards within the unit and to add an elevator/stair addition allowing mobility-impaired patients access to the second and third floor wards.
2 33 2 34 2 35	g. For the costs associated with the replacement of the powerhouse facilities at the Iowa juvenile home at Toledo: \$ 1,161,045	Rebuild Iowa Infrastructure Fund appropriation to the DAS for the replacement of the power house at the Iowa Juvenile Home at Toledo. DETAIL: This Act also appropriates \$1,521,045 for FY 2007 to replace the power house, providing \$2,682,090 in total funding.
3 1 3 2	h. For improvements to the Wallace state office building: \$ 625,000	Rebuild Iowa Infrastructure Fund appropriation to the DAS for improvements to the Wallace Building. DETAIL: The improvements will include: <ul style="list-style-type: none"> • Temporary shoring of the upper deck of the parking ramp. • Changes in the first floor electrical equipment room including relocation of existing electrical equipment outside the building to resolve building code issues. • Modifications to the existing heating, ventilation, and air conditioning equipment to improve performance and maintenance accessibility.
3 3 3 4	i. For maintenance of the Terrace Hill complex: \$ 571,000	Rebuild Iowa Infrastructure Fund appropriation to the DAS for improvements to Terrace Hill.

DETAIL: The Department plans to use the funds as follows:

- Carriage House Membrane Roof Replacements: \$33,750
- Site Signage: \$20,500
- Upper Deck Roof Replacement on Mansion: \$243,750
- Boiler Replacement: \$15,000
- Maintenance Painting: \$19,000
- Completion of Deferred Restoration Projects: \$239,000

Rebuild Iowa Infrastructure Fund appropriation to the DOC for construction of a new community-based correctional facility in Fort Dodge.

DETAIL: This Act also appropriates \$1,400,000 for FY 2007 and \$2,450,000 for FY 2008 for a total of \$3,900,000. The new facility will increase inmate capacity from 34 to 50 offenders.

Rebuild Iowa Infrastructure Fund appropriation to the DOC to pay the debt service for a lease purchase agreement with Alliant Energy to upgrade the electrical system for the Fort Madison Special Needs Facility.

DETAIL: This will be the fifth year of funding for a seven-year lease purchase agreement. The estimated total cost for the improvements is \$1,637,000, not including the interest expense of the lease.

Rebuild Iowa Infrastructure Fund appropriation to the DOC for improvements to the kitchen facilities at the Anamosa Correctional Facility.

DETAIL: This Act also appropriates \$1,840,000 for FY 2007 from the RIIF and \$600,000 from the Restricted Capital Fund for FY 2006, for total funding of \$3,380,000.

CODE: Rebuild Iowa Infrastructure Fund appropriation to the DOC for maintenance-related costs to be assessed by the DAS. This appropriation notwithstanding the definition of vertical infrastructure.

DETAIL: The funds will be used to pay the DAS a fee that will be

- 3 5 2. DEPARTMENT OF CORRECTIONS
- 3 6 a. For construction of a community-based correctional
- 3 7 facility, including district offices, in Fort Dodge:
- 3 8 \$ 50,000
-
- 3 9 b. For the lease-payment under the lease-purchase
- 3 10 agreement to connect the electrical system supporting the
- 3 11 special needs unit in Fort Madison:
- 3 12 \$ 333,168
-
- 3 13 c. For remodeling and renovation of the kitchen facilities
- 3 14 at the Anamosa correctional facility:
- 3 15 \$ 940,000
-
- 3 16 d. For maintenance costs of the department of corrections
- 3 17 and board of parole associated with the department of
- 3 18 administrative services, notwithstanding section 8.57,
- 3 19 subsection 6, paragraph "c":
- 3 20 \$ 105,300

assessed to the DOC and the Board of Parole for maintenance-related costs of occupying space on the Capitol Complex. The amount appropriated will cover six-months of assessed fees. This corresponds to plans to relocate the DOC and the Board of Parole to the Capitol Complex in FY 2006.

3 21 e. For rent payments for the community-based corrections
 3 22 facility located in Davenport and the department of
 3 23 corrections training center, notwithstanding section 8.57,
 3 24 subsection 6, paragraph "c":
 3 25 \$ 122,000

CODE: Rebuild Iowa Infrastructure Fund appropriation to the DOC for facility lease payments. This appropriation notwithstanding the definition of vertical infrastructure.

DETAIL: The Department will use \$22,000 for the lease of the Community-Based Corrections facility in Davenport and \$100,000 for the lease of the DOC Training facility in West Des Moines.

3 26 3. DEPARTMENT OF CULTURAL AFFAIRS
 3 27 For continuation of the project recommended by the Iowa
 3 28 battle flag advisory committee to stabilize the condition of
 3 29 the battle flag collection, notwithstanding section 8.57,
 3 30 subsection 6, paragraph "c":
 3 31 \$ 220,000

CODE: Rebuild Iowa Infrastructure Fund appropriation to the Department of Cultural Affairs for the stabilization of the Iowa Battle Flag collection. This appropriation notwithstanding the definition of vertical infrastructure.

DETAIL: This is an increase of \$120,000 compared to the FY 2005 funding level. The funds will be used to support three staff (a conservator, conservator assistant, and a research historian). The Department currently employs a conservator, and a temporary conservator assistant, and a part time museum curator for flag research. The conservator assistant is currently funded with a federal grant that will be discontinued in FY 2006. The increased funds will also provide for the purchase of equipment that will reduce outside contract costs by allowing the Department to conduct additional flag preparation work in-house.

3 32 4. DEPARTMENT OF ECONOMIC DEVELOPMENT
 3 33 a. To provide a grant to match federal grant dollars that
 3 34 affect areas that are both an enterprise zone and a brownfield
 3 35 site in a county with a population of at least 103,000,
 4 1 notwithstanding section 8.57, subsection 6, paragraph "c":
 4 2 \$ 500,000

CODE: Rebuild Iowa Infrastructure Fund appropriation to the Department of Economic Development (DED) to provide matching funds for a federal grant associated with a project that qualifies for both an Enterprise Zone and a Brownfield Site. This appropriation notwithstanding the definition of vertical infrastructure.

DETAIL: The funds will be used to match federal funds for the redevelopment of the former stockyard areas in Sioux City.

4 3 b. For costs associated with a study involving an
 4 4 environmental assessment and preliminary cultural and
 4 5 historical impact related to the establishment of a regional
 4 6 ferryboat service between Iowa and Illinois, notwithstanding
 4 7 section 8.57, subsection 6, paragraph "c":
 4 8 \$ 60,000

CODE: Rebuild Iowa Infrastructure Fund appropriation to the DED for a regional ferryboat study in an area of the State that has an established ferryboat task force. This appropriation notwithstanding the definition of vertical infrastructure.

DETAIL: A ferryboat task force is currently established in southeast Iowa and includes Louisa County and local organizations. The appropriation will be used to match federal funds to complete a feasibility study for re-establishing ferryboat service between Louisa County and Mercer County, Illinois.

4 9 The funds are to be allocated to an area of the state that
 4 10 has an established ferryboat task force. The funds
 4 11 appropriated in this lettered paragraph are contingent upon
 4 12 the receipt of federal matching funds and financial
 4 13 participation by the state of Illinois in the study.

Requires the appropriation for a ferryboat study to be allocated to an area of the State that has an established ferryboat task force and specifies that the appropriation is contingent on the receipt of federal matching funds and financial participation by the State of Illinois.

4 14 5. DEPARTMENT OF EDUCATION

4 15 a. To provide resources for structural and technological
 4 16 improvements to local libraries and for the enrich Iowa
 4 17 program, notwithstanding section 8.57, subsection 6, paragraph
 4 18 "c":
 4 19 \$ 700,000

CODE: Rebuild Iowa Infrastructure Fund appropriation to the Department of Education for the Enrich Iowa Libraries Program. This appropriation notwithstanding the definition of vertical infrastructure.

DETAIL: The Program provides funding assistance for structural and technological improvements to local libraries. House File 882 (FY 2006 Standing Appropriations Act) appropriates an additional \$200,000 from the Rebuild Iowa Infrastructure Fund (RIIF) for this Program. The Department was appropriated \$600,000 for Enrich Iowa Libraries Program for FY 2005.

4 20 b. For maintenance and lease costs associated with
 4 21 connections for part III of the Iowa communications network,
 4 22 notwithstanding section 8.57, subsection 6, paragraph "c":
 4 23 \$ 2,727,000

CODE: Rebuild Iowa Infrastructure Fund appropriation to the Department of Education to pay the costs of maintenance and leases associated with the build-out of Part III of the Iowa Communications Network (ICN). This appropriation notwithstanding the definition of vertical infrastructure.

DETAIL: Maintains the current level of funding. The fiber optic cable for Part III sites are leased from the private sector on a seven-year lease from the vendors that installed the cable.

4 24 c. To the public broadcasting division for replacing
 4 25 transmitters, notwithstanding section 8.57, subsection 6,
 4 26 paragraph "c":
 4 27 \$ 2,000,000

CODE: Rebuild Iowa Infrastructure Fund appropriation to the Department of Education for the replacement of analog transmitters that support Iowa Public Television's transmission. This appropriation notwithstanding the definition of vertical infrastructure.

DETAIL: The funds will be used to replace analog transmitters in Waterloo, Sioux City, and Davenport.

4 28 d. For major renovation and major repair needs, including
 4 29 health, life, and fire safety needs, and for compliance with
 4 30 the federal Americans With Disabilities Act, for state
 4 31 buildings and facilities under the purview of the community
 4 32 colleges:
 4 33 \$ 2,000,000

Rebuild Iowa Infrastructure Fund appropriation to the Department of Education for infrastructure improvements at community colleges.

DETAIL: House File 882 (FY 2006 Standing Appropriations Act) appropriates \$2,000,000 per year for FY 2007 through FY 2009 for infrastructure improvements at community colleges.

4 34 The moneys appropriated in this lettered paragraph shall be
 4 35 allocated to the community colleges based upon the
 5 1 distribution formula established in section 260C.18C, if
 5 2 enacted by 2005 Iowa Acts, House File 816.

Requires the appropriation for community colleges to be distributed in the same manner as State aid is distributed in HF 816 (FY 2006 Education Appropriations Act).

5 3 e. For implementation of the provisions of Code chapter
 5 4 280A, as amended by 2005 Iowa Acts, House File 739, if
 5 5 enacted, notwithstanding section 8.57, subsection 6, paragraph
 5 6 "c":
 5 7 \$ 500,000

CODE: Rebuild Iowa Infrastructure Fund appropriation to the Department of Education for costs associated with implementation of HF 739 (Iowa Learning Technologies Act). This appropriation notwithstanding the definition of vertical infrastructure.

DETAIL: The Governor signed HF 739 on June 3, 2005.

5 8 6. DEPARTMENT OF HUMAN SERVICES
 5 9 To provide a grant for the planning, design, and
 5 10 construction of a residential treatment facility for youth
 5 11 with emotional and behavioral disorders in a central Iowa
 5 12 county with a population of approximately 80,000:
 5 13 \$ 250,000

Rebuild Iowa Infrastructure Fund appropriation to the Department of Human Services to provide a grant for the construction of a residential treatment facility.

DETAIL: The funds will provide a grant to offset construction costs for a residential treatment facility located in Ames that serves at-risk children.

5 14 7. IOWA FINANCE AUTHORITY
 5 15 For deposit into the transitional housing revolving loan
 5 16 program fund created in section 16.184, if enacted by 2005

Rebuild Iowa Infrastructure Fund appropriation to the Iowa Finance Authority for the Transitional Housing Revolving Loan Fund.

<p>5 17 Iowa Acts, House File 825: 5 18 \$ 1,400,000</p>	<p>DETAIL: The Revolving Fund will be used for construction of affordable housing for parents reuniting with their children while completing or participating in substance abuse treatment. House File 825 was signed by the Governor on June 14, 2005.</p>
<p>5 19 8. IOWA STATE FAIR AUTHORITY 5 20 For vertical infrastructure projects on the state 5 21 fairgrounds: 5 22 \$ 750,000 5 23 For purposes of this subsection, "vertical infrastructure" 5 24 means the same as defined in section 8.57, subsection 6, 5 25 paragraph "c".</p>	<p>Rebuild Iowa Infrastructure Fund appropriation to the State Fair Authority for infrastructure improvements at the State Fairgrounds.</p> <p>DETAIL: This is an increase of \$500,000 compared to estimated FY 2005. The funds will be used for improvements to the Swine Barn facility at the Fairgrounds.</p>
<p>5 26 9. NATIONAL PROGRAM FOR PLAYGROUND SAFETY AT THE 5 27 UNIVERSITY OF NORTHERN IOWA 5 28 For the Iowa safe surfacing initiative, notwithstanding 5 29 section 8.57, subsection 6, paragraph "c": 5 30 \$ 500,000</p>	<p>CODE: Rebuild Iowa Infrastructure Fund appropriation to the Board of Regents for the National Program for Playground Safety at the University of Northern Iowa. This appropriation notwithstanding the definition of vertical infrastructure.</p> <p>DETAIL: Maintains the current level of funding.</p>
<p>5 31 Not more than 2.5 percent of the funds appropriated in this 5 32 subsection shall be used by the national program for 5 33 playground safety for administrative costs associated with the 5 34 Iowa safe surfacing initiative.</p>	<p>Requires that no more than 2.50% of the appropriation be used for administrative costs.</p>
<p>5 35 The crumb rubber playground tiles for the initiative shall 6 1 be international play equipment manufacturers association 6 2 (IPEMA)-certified to the American society for testing and 6 3 materials (ASTM) F1292 standard.</p>	<p>Requires crumb rubber playground tiles for the Program to meet certain standards.</p>
<p>6 4 The national program for playground safety shall submit a 6 5 report by January 15, 2006, to the joint appropriations 6 6 subcommittee on transportation, infrastructure, and capitals 6 7 detailing the use of the moneys appropriated in this 6 8 subsection. The report shall specify the projects for which 6 9 moneys were used and the cost of each project including the 6 10 amounts spent on administration.</p>	<p>Requires the University of Northern Iowa to submit a report to the Transportation, Infrastructure, and Capitals Appropriations Subcommittee by January 15, 2006, detailing how the funds for the National Program for Playground Safety are being used.</p>

<p>6 11 10. DEPARTMENT OF NATURAL RESOURCES 6 12 a. For lake dredging and the construction of bike trails 6 13 at Lake Cornelia in Wright county, notwithstanding section 6 14 8.57, subsection 6, paragraph "c": 6 15 \$ 429,000</p> <p>6 16 b. For the purchase of property adjacent to Waubonsie 6 17 state park and for the improvement of facilities at Waubonsie 6 18 state park: 6 19 \$ 1,500,000</p> <p>6 20 c. For costs associated with renovation and improvements 6 21 at the Fort Atkinson state preserve: 6 22 \$ 500,000</p> <p>6 23 d. For costs associated with Iowa's membership in the mid- 6 24 America port commission established in chapter 28K, 6 25 notwithstanding section 8.57, subsection 6, paragraph "c": 6 26 \$ 80,000</p> <p>6 27 e. For costs associated with the planning, design, and 6 28 construction of a destination park: 6 29 \$ 3,000,000</p> <p>6 30 11. DEPARTMENT OF PUBLIC SAFETY 6 31 a. For costs of entering into and making payments under a 6 32 lease-purchase agreement to replace and upgrade the automated 6 33 fingerprint identification system, notwithstanding section</p>	<p>CODE: Rebuild Iowa Infrastructure Fund appropriation to the Department of Natural Resources (DNR) for improvements at Lake Cornelia. This appropriation notwithstanding the definition of vertical infrastructure.</p> <p>Rebuild Iowa Infrastructure Fund appropriation to the DNR for the purchase of land property adjacent to Waubonsie State Park and for facility improvements at the Park.</p> <p>Rebuild Iowa Infrastructure Fund appropriation to the DNR for improvements to the Fort Atkinson State Preserve.</p> <p>DETAIL: The Department has identified renovation and repair needs totaling \$958,000 at Fort Atkinson.</p> <p>CODE: Rebuild Iowa Infrastructure Fund appropriation to the DNR for Iowa's membership in the Mid-America Port Commission. This appropriation notwithstanding the definition of vertical infrastructure.</p> <p>DETAIL: The Port Commission is established in Chapter 28K, <u>Code of Iowa</u>, and is comprised of representatives appointed by the governors of Iowa, Illinois, and Missouri. The Commission is granted a variety of powers related to the acquisition, operation, and management of ports and related areas along waterways to aid in commerce.</p> <p>Rebuild Iowa Infrastructure Fund appropriation to the DNR for improvements to the Destination Park at Honey Creek.</p> <p>DETAIL: Since FY 2002, the DNR has been appropriated a total of \$5,500,000 for the development of and improvements to the Destination Park at Honey Creek.</p> <p>CODE: Rebuild Iowa Infrastructure Fund appropriation to the DPS for the lease purchase of a new Automated Fingerprint Information System (AFIS). This appropriation notwithstanding the definition of vertical infrastructure.</p>
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<p>6 34 8.57, subsection 6, paragraph "c": 6 35 \$ 550,000</p>	<p>DETAIL: The total cost to replace the mainframe and the remote site systems is estimated at \$3,000,000.</p>
<p>7 1 b. To the division of fire safety for allocation to the 7 2 fire service training bureau for the planning, design, and 7 3 construction of fire regional training facilities in the 7 4 state: 7 5 \$ 800,000</p>	<p>Rebuild Iowa Infrastructure Fund appropriation to the DPS for the planning, design, and construction of regional fire training facilities.</p> <p>DETAIL: The Department has been appropriated a total of \$200,000 in FY 2004 and FY 2005 for a regional fire training facility. The Fire Service Training Bureau is currently leasing an office/classroom building, along with training grounds, from Iowa State University. The lease expires on June 30, 2005, and the Bureau is studying options for construction of a new fire safety training facility.</p>
<p>7 6 Of the amount appropriated in this lettered paragraph, 7 7 \$300,000 shall be allocated to the Waterloo fire regional 7 8 training center.</p>	<p>Allocates \$300,000 from the Regional Training Facilities appropriation to the Waterloo Fire Regional Training Center.</p>
<p>7 9 Of the amount appropriated in this lettered paragraph, 7 10 \$200,000 shall be allocated to the Dubuque fire regional 7 11 training center.</p>	<p>Allocates \$200,000 from the Regional Training Facilities appropriation to the Dubuque Fire Regional Training Center.</p>
<p>7 12 The division of fire safety shall submit a report by 7 13 January 15, 2006, to the joint appropriations subcommittee on 7 14 transportation, infrastructure, and capitals detailing the use 7 15 of the moneys appropriated in this subsection.</p>	<p>Requires the Department of Public Safety, Division of Fire Safety to submit a report to the Transportation, Infrastructure, and Capitals Appropriations Subcommittee by January 15, 2006, detailing how the funds for the fire training facilities are being used.</p>
<p>7 16 c. To the division of fire safety for allocation to the 7 17 fire service training bureau to be used for the revolving loan 7 18 program for equipment purchases by local fire departments, 7 19 notwithstanding section 8.57, subsection 6, paragraph "c": 7 20 \$ 500,000</p>	<p>CODE: Rebuild Iowa Infrastructure Fund appropriation to the DPS for the Fire Equipment Revolving Loan Program. This appropriation notwithstanding the definition of vertical infrastructure.</p> <p>DETAIL: Maintains the current level of funding. The Program was first funded in FY 2004 and has received appropriations of \$500,000 in FY 2004 and FY 2005.</p>
<p>7 21 12. STATE BOARD OF REGENTS 7 22 a. For major maintenance at the Iowa school for the deaf 7 23 and the Iowa braille and sight saving school: 7 24 \$ 500,000</p>	<p>Rebuild Iowa Infrastructure Fund appropriation to the Board of Regents for facility maintenance at the special schools.</p>

<p>7 25 b. For major renovation and major repair needs, including 7 26 health, life, and fire safety needs, and for compliance with 7 27 the federal Americans With Disabilities Act, for state 7 28 buildings and facilities under the purview of the state board 7 29 of regents institutions: 7 30 \$ 6,250,000</p>	<p>Rebuild Iowa Infrastructure Fund appropriation to the Board of Regents for renovation and repairs to facilities at Regents institutions.</p>
<p>7 31 13. STATE DEPARTMENT OF TRANSPORTATION 7 32 a. For operation and maintenance of the network of 7 33 automated weather observation and data transfer systems 7 34 associated with the Iowa aviation weather system, the runway 7 35 marking program for public airports, the windsock program for 8 1 public airports, and the aviation improvement program, 8 2 notwithstanding section 8.57, subsection 6, paragraph "c": 8 3 \$ 564,792</p>	<p>CODE: Rebuild Iowa Infrastructure Fund appropriation to the Department of Transportation (DOT) for aviation improvement programs. This appropriation notwithstanding the definition of vertical infrastructure.</p> <p>DETAIL: Maintains the current level of funding. For FY 2005, the Department received appropriations totaling \$564,792 which included \$500,000 from the RIIF and \$64,792 from the General Fund.</p>
<p>8 4 b. For a vertical infrastructure improvement grant program 8 5 for improvements at general aviation airports within the 8 6 state: 8 7 \$ 750,000</p>	<p>Rebuild Iowa Infrastructure Fund appropriation to the DOT for infrastructure improvements at general aviation airports.</p> <p>DETAIL: This is an increase of \$168,600 compared to estimated FY 2005.</p>
<p>8 8 In awarding assistance under the vertical infrastructure 8 9 improvement grant program, the department shall give 8 10 preference to projects that demonstrate a collaborative effort 8 11 between airports.</p>	<p>Requires the Department to give preference to certain projects when granting money for general aviation airports.</p>
<p>8 12 c. For acquiring, constructing, and improving recreational 8 13 trails within the state: 8 14 \$ 1,000,000</p>	<p>Rebuild Iowa Infrastructure Fund appropriation to the DOT for the Recreational Trails Program.</p> <p>DETAIL: The Trails Program did not receive funding in FY 2005. The Program was last funded in FY 2004 with a Restricted Capital Fund appropriation of \$1,000,000.</p>
<p>8 15 Of the amount appropriated in this lettered paragraph, 8 16 \$500,000 shall be used for funding, on a matching basis, 8 17 recreational trail projects, with priority given to completion</p>	<p>Requires \$500,000 of the appropriation for Recreational Trails be used to fund trail projects, with priority given to completion of the trail connections between existing trails and parks within the State</p>

8 18 of trail connections and sections between existing trails and
 8 19 parks within the established state recreational trails system.
 8 20 Such projects shall be matched by \$1 of private or other funds
 8 21 for each \$3 of state funds.

Recreational Trails System. Requires State funds to be matched with 25% local funds.

8 22 d. For the rail assistance program and to provide economic
 8 23 development project funding:
 8 24 \$ 35,959

Rebuild Iowa Infrastructure Fund appropriation to the DOT for the Railroad Assistance Program.

DETAIL: Maintains the current level of funding. For FY 2005, the DOT was appropriated \$35,959 from the General Fund.

8 25 Sec. 4. There is appropriated from the rebuild Iowa
 8 26 infrastructure fund to the following departments and agencies
 8 27 for the fiscal year beginning July 1, 2006, and ending June
 8 28 30, 2007, the following amounts, or so much thereof as is
 8 29 necessary, to be used for the purposes designated:

Rebuild Iowa Infrastructure Fund appropriations for FY 2007.

8 30 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
 8 31 a. For costs associated with the remodeling of the records
 8 32 and property center:
 8 33 \$ 2,200,000

Rebuild Iowa Infrastructure Fund appropriation for FY 2007 to the DAS for the Records and Property Building.

DETAIL: This appropriation will complete the funding for the Records and Property Building, which is being renovated into office space that will house the DPS.

8 34 b. For costs associated with the replacement of the
 8 35 powerhouse facilities at the Iowa juvenile home at Toledo:
 9 1 \$ 1,521,045

Rebuild Iowa Infrastructure Fund appropriation for FY 2007 to the DAS for the replacement of the power house at the Iowa Juvenile Home at Toledo.

DETAIL: This Act also appropriates \$1,311,045 for FY 2006 for the power house, providing \$2,682,090 in total funding.

9 2 2. DEPARTMENT OF CORRECTIONS
 9 3 a. For construction of a community-based correctional
 9 4 facility, including district offices, in Fort Dodge:
 9 5 \$ 1,400,000

Rebuild Iowa Infrastructure Fund appropriation for FY 2007 to the DOC for construction of a new community-based correctional facility in Fort Dodge.

DETAIL: This Act also appropriates \$50,000 for FY 2006 and \$2,450,000 for FY 2008, providing \$3,900,000 in total funding.

9 6 b. For the remodeling and renovation of the kitchen
 9 7 facilities at the Anamosa correctional facility:
 9 8 \$ 1,840,000

Rebuild Iowa Infrastructure Fund appropriation for FY 2007 to the Department of Corrections for improvements to the kitchen facilities at the Anamosa Correctional Facility.

DETAIL: This Act also appropriates \$940,000 for FY 2006 from the RIIF and \$600,000 from the Restricted Capital Fund for FY 2006, providing \$3,380,000 in total funding.

9 9 Sec. 5. DEPARTMENT OF CORRECTIONS. There is appropriated
 9 10 from the rebuild Iowa infrastructure fund to the department of
 9 11 corrections for the fiscal year beginning July 1, 2007, and
 9 12 ending June 30, 2008, the following amount, or so much thereof
 9 13 as is necessary, to be used for the purpose designated:
 9 14 For construction of a community-based correctional
 9 15 facility, including district offices, in Fort Dodge:
 9 16 \$ 2,450,000

Rebuild Iowa Infrastructure Fund appropriation for FY 2008 to the DOC for construction of a new community-based correctional facility in Fort Dodge.

DETAIL: This Act also appropriates \$50,000 for FY 2006 and \$1,400,000 for FY 2007, providing \$3,900,000 in total funding.

9 17 Sec. 6. 2001 Iowa Acts, chapter 185, section 12, is
 9 18 amended to read as follows:
 9 19 SEC. 12. REVERSION. ~~Notwithstanding~~
 9 20 1. Except as provided in subsection 2 and notwithstanding
 9 21 section 8.33, moneys appropriated in this division of this Act
 9 22 shall not revert at the close of the fiscal year for which
 9 23 they were appropriated but shall remain available for the
 9 24 purposes designated until the close of the fiscal year that
 9 25 begins July 1, 2004, or until the project for which the
 9 26 appropriation was made is completed, whichever is earlier.
 9 27 2. Notwithstanding section 8.33, moneys appropriated in
 9 28 section 6, subsection 1, of this division of this Act shall
 9 29 not revert at the close of the fiscal year for which they were
 9 30 appropriated but shall remain available for the purpose
 9 31 designated until the close of the fiscal year that begins July
 9 32 1, 2005, or until the project for which the appropriation was
 9 33 made is completed, whichever is earlier.

CODE: Extends the reversion date from June 30, 2005, to June 30, 2006, for funds appropriated in FY 2002 for State agency relocation expenses associated with remodeling projects on the Capitol Complex.

DETAIL: This allows the DAS to use approximately \$300,000 of unspent funds to continue to relocate State agencies from leased space to the Capitol Complex.

9 34 Sec. 7. 2004 Iowa Acts, chapter 1175, section 288,
 9 35 subsection 13, paragraph c, is amended to read as follows:

CODE: Clarifies that the FY 2005 appropriation for the lease purchase of the Automated Fingerprint Information System (AFIS) constitutes approval by the General Assembly of a financing agreement in excess

10 35 Sec. 10. Section 8.57B, subsection 4, Code 2005, is
 11 1 amended to read as follows:

11 2 4. There is appropriated from the rebuild Iowa
 11 3 infrastructure fund to the vertical infrastructure fund, the
 11 4 following:

11 5 a. For the fiscal year beginning July 1, 2005, and ending
 11 6 June 30, 2006, the sum of fifteen million dollars.

11 7 b. For the fiscal year beginning July 1, 2006, and ending
 11 8 June 30, 2007, the sum of fifteen million dollars.

11 9 c. For the fiscal year beginning July 1, 2007, and ending
 11 10 June 30, 2008, the sum of fifty million dollars.

11 11 d. For the fiscal year beginning July 1, 2008, and ending
 11 12 June 30, 2009, the sum of fifty million dollars.

11 13 Sec. 11. Section 328.1, subsection 9, Code 2005, is
 11 14 amended to read as follows:

11 15 9. "Airport" means any landing area used regularly by
 11 16 aircraft for receiving or discharging passengers or cargo, and
 11 17 all appurtenant areas used or suitable for airport buildings
 11 18 or other airport facilities, and all appurtenant rights of
 11 19 way, whether heretofore or hereafter established. "Airport"
 11 20 includes land within a city with a population greater than one
 11 21 hundred seventy-five thousand which is acquired to replace or
 11 22 mitigate land used in an airport runway project at an existing
 11 23 airport when federal law, grant, or action requires such
 11 24 replacement or mitigation.

11 25 Sec. 12. Section 452A.79, unnumbered paragraph 2, Code
 11 26 2005, is amended to read as follows:

11 27 ~~Annually~~ For the fiscal year beginning July 1, 2005, the
 11 28 first four hundred eleven thousand three hundred eleven
 11 29 dollars derived from the excise tax on the sale of motor fuel
 11 30 used in watercraft shall be deposited in the general fund of
 11 31 the state. ~~The and the~~ moneys in excess of four hundred
 11 32 eleven thousand three hundred eleven dollars shall be
 11 33 deposited in the rebuild Iowa infrastructure fund. For the
 11 34 fiscal years beginning on or after July 1, 2006, all revenues

CODE: Provides appropriations from the RIIF to the Vertical Infrastructure Fund for an additional three fiscal years in the following amounts:

- FY 2007: \$15,000,000
- FY 2008: \$50,000,000
- FY 2009: \$50,000,000

CODE: Amends the definition of an airport.

DETAIL: This language allows the City of Des Moines to proceed with a runway expansion project for general aviation aircraft with an estimated total cost of \$44,000,000, 95.00% of which will be federally funded. The project involves the relocation of a segment of an existing recreational trail.

CODE: Deposits all Marine Fuel Tax receipts in the RIIF beginning in FY 2007.

DETAIL: The FY 2006 Marine Fuel Tax receipts are projected to total \$2,700,000. Current law deposits the first \$411,311 in the General Fund.

11 35 derived from the excise tax on the sale of motor fuel used in
 12 1 watercraft shall be deposited in the rebuild Iowa
 12 2 infrastructure fund. Moneys deposited to the general fund and
 12 3 to the rebuild Iowa infrastructure fund under this section and
 12 4 section 452A.84 are subject to the requirements of section
 12 5 8.60 and are subject to appropriation by the general assembly
 12 6 to the department of natural resources for use in its
 12 7 recreational boating program, which may include but is not
 12 8 limited to:

12 9 Sec. 13. 2005 Iowa Acts, House File 466, section 3, is
 12 10 repealed.

CODE: Repeals two General Fund appropriations totaling \$100,751 from HF 466 (FY 2006 Transportation Appropriations Act).

DETAIL: The appropriations repealed include: \$64,792 for the Aviation Assistance Program and \$35,959 for the Railroad Assistance Program. This Act appropriates these funds from the RIIF.

12 11 Sec. 14. EFFECTIVE DATE. The sections of this division of
 12 12 this Act relating to the amendment to 2004 Iowa Acts, chapter
 12 13 1175, section 288, subsection 13, appropriating moneys for a
 12 14 lease-purchase agreement, relating to the amendment to 2001
 12 15 Iowa Acts, chapter 185, section 12, and relating to the
 12 16 commission of veterans affairs transfer, being deemed of
 12 17 immediate importance, take effect upon enactment.

Provides that the following sections of the Act are effective on enactment:

- Section 6 - Extension of the reversion date of an FY 2002 appropriation.
- Section 7 - Clarifying language for the Automated Fingerprint Information System (AFIS) lease purchase.
- Section 8 - Veterans Affairs Commission use of unspent funds for the Veterans Home dining facility.

12 18 DIVISION IV
 12 19 ENVIRONMENT FIRST FUND

12 20 Sec. 15. There is appropriated from the environment first
 12 21 fund to the following departments and agencies for the fiscal
 12 22 year beginning July 1, 2005, and ending June 30, 2006, the
 12 23 following amounts, or so much thereof as is necessary, to be
 12 24 used for the purposes designated:

12 25 1. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
 12 26 a. For the conservation reserve enhancement program to
 12 27 restore and construct wetlands for the purposes of

Environment First Fund appropriation to the Department of Agriculture and Land Stewardship for continued funding of the Conservation Reserve Enhancement Program (CREP).

PG LN	House File 875	Explanation
<p>12 28 intercepting tile line runoff, reducing nutrient loss, 12 29 improving water quality, and enhancing agricultural production 12 30 practices: 12 31 \$ 1,500,000</p>	<p>DETAIL: Maintains the current level of funding. The Program is designed to protect floodplains and improve water quality from agricultural drainage systems through the removal of nitrates from tile-drained water.</p>	
<p>12 32 Not more than 5 percent of the moneys appropriated in this 12 33 lettered paragraph may be used for costs of administration and 12 34 implementation of soil and water conservation practices.</p>	<p>Allows the Department to use up to 5% of the appropriated funds for administering soil and water conservation practices.</p>	
<p>12 35 b. For continuation of a program that provides 13 1 multiobjective resource protections for flood control, water 13 2 quality, erosion control, and natural resource conservation: 13 3 \$ 2,700,000</p>	<p>Environment First Fund appropriation to the Department of Agriculture and Land Stewardship for the Watershed Protection Program.</p> <p>DETAIL: Maintains the current level of funding. The Program provides grants to local communities and soil and water conservation districts for development of water quality projects that provide flood protection and erosion control.</p>	
<p>13 4 Not more than 5 percent of the moneys appropriated in this 13 5 lettered paragraph may be used for costs of administration and 13 6 implementation of soil and water conservation practices.</p>	<p>Allows the Department to use up to 5% of the appropriated funds for administering soil and water conservation practices.</p>	
<p>13 7 c. For continuation of a statewide voluntary farm 13 8 management demonstration program to demonstrate the 13 9 effectiveness and adaptability of emerging practices in 13 10 agronomy that protect water resources and provide other 13 11 environmental benefits: 13 12 \$ 850,000</p>	<p>Environment First Fund appropriation to the Department of Agriculture and Land Stewardship for the Farm Demonstration Program.</p> <p>DETAIL: Maintains the current level of funding. This Program provides grants to farmers to demonstrate the effectiveness of emerging agricultural systems for nutrient and pesticide management, air quality, and soil and water protection. Section 466.6(2), <u>Code of Iowa</u>, requires the Department to implement a statewide, voluntary Farm-Management Demonstration Program to demonstrate effective livestock and crop production techniques that optimize production and minimize adverse environmental impacts.</p>	
<p>13 13 Not more than 5 percent of the moneys appropriated in this 13 14 lettered paragraph may be used for costs of administration and 13 15 implementation of soil and water conservation practices.</p>	<p>Allows the Department to use up to 5% of the appropriated funds for administering soil and water conservation practices.</p>	

13 16 Of the amount appropriated in this lettered paragraph,
 13 17 \$400,000 shall be allocated to the Iowa soybean association's
 13 18 agriculture and environment performance program.

Allocates \$400,000 to the Iowa Soybean Association's Agriculture and Environment Performance Program.

13 19 d. For deposit in the alternative drainage system
 13 20 assistance fund created in section 460.303 to be used for
 13 21 purposes of supporting the alternative drainage system
 13 22 assistance program as provided in section 460.304:
 13 23 \$ 500,000

Environment First Fund appropriation to the Department of Agriculture and Land Stewardship for the Alternative Drainage System Assistance Program.

DETAIL: Maintains the current level of funding. The funds are used for the closure of agricultural drainage wells and to construct alternative drainage systems on agricultural land.

13 24 Not more than 5 percent of the moneys appropriated in this
 13 25 lettered paragraph may be used for costs of administration and
 13 26 implementation of soil and water conservation practices.

Allows the Department to use up to 5% of the appropriated funds for administering soil and water conservation practices.

13 27 e. To provide financial assistance for the establishment
 13 28 of permanent soil and water conservation practices:
 13 29 \$ 5,500,000

Environment First Fund appropriation to the Department of Agriculture and Land Stewardship for the Soil Conservation Cost Share Program.

DETAIL: Maintains the current level of funding. This Program provides financial assistance to landowners to fund a portion of the cost associated with permanent soil and water conservation. The Program provides 50% of the project cost with the landowner contributing the remaining 50%.

13 30 (1) Not more than 5 percent of the moneys appropriated in
 13 31 this lettered paragraph may be allocated for cost-sharing to
 13 32 abate complaints filed under section 161A.47.

Permits a maximum of 5% of cost-share funds to be used to abate complaints filed under Section 161A.47, Code of Iowa, which relates to inspection of land upon receipt of a complaint.

13 33 (2) Of the moneys appropriated in this lettered paragraph,
 13 34 5 percent shall be allocated for financial incentives to
 13 35 establish practices to protect watersheds above publicly owned
 14 1 lakes of the state from soil erosion and sediment as provided
 14 2 in section 161A.73.

Requires 5% of cost-share funds to be used for financial incentives to establish practices to protect watersheds above publicly owned lakes from soil erosion and sediment.

14 3 (3) Not more than 30 percent of a soil and water
 14 4 conservation district's allocation of moneys as financial
 14 5 incentives may be provided for the purpose of establishing

Permits a maximum of 30% of a soil and water conservation district's allocation to be used for management practices to control soil erosion on land that is row-cropped.

14 6 management practices to control soil erosion on land that is
 14 7 row-cropped, including but not limited to no-till planting,
 14 8 ridge-till planting, contouring, and contour strip-cropping as
 14 9 provided in section 161A.73.

14 10 (4) The state soil conservation committee created in
 14 11 section 161A.4 may allocate moneys appropriated in this
 14 12 lettered paragraph to conduct research and demonstration
 14 13 projects to promote conservation tillage and nonpoint source
 14 14 pollution control practices.

14 15 (5) The financial incentive payments may be used in
 14 16 combination with department of natural resources moneys.

14 17 (6) Not more than 10 percent of the moneys appropriated in
 14 18 this lettered paragraph may be used for costs of
 14 19 administration and implementation of soil and water
 14 20 conservation practices.

14 21 f. To encourage and assist farmers in enrolling in and the
 14 22 implementation of federal conservation programs and work with
 14 23 them to enhance their revegetation efforts to improve water
 14 24 quality and habitat:
 14 25 \$ 2,000,000

14 26 Not more than 5 percent of the moneys appropriated in this
 14 27 lettered paragraph may be used for costs of administration and
 14 28 implementation of soil and water conservation practices.

14 29 g. For deposit in the loess hills development and
 14 30 conservation fund created in section 161D.2:
 14 31 \$ 600,000

Permits the State Soil Conservation Committee to allocate funds for research and demonstration projects to promote conservation tillage and nonpoint source pollution control practices.

Permits financial incentive payments to be used in combination with funds from the DNR.

Permits a maximum of 10% of the cost-share funds to be used for administration and costs associated with the implementation of soil and water conservation practices.

Environment First Fund appropriation to the Department of Agriculture and Land Stewardship for the Conservation Reserve Program (CRP).

DETAIL: Maintains the current level of funding. This Program is designed to establish vegetative buffers, field borders, and wetlands on private land in an effort to improve water quality and wildlife habitat.

Allows the Department to use up to 5% of the appropriated funds for administering soil and water conservation practices.

Environment First Fund appropriation to the Department of Agriculture and Land Stewardship for deposit in the Loess Hills Development and Conservation Fund.

DETAIL: Maintains the current level of funding. The Loess Hills Development and Conservation Authority administer the funds for streambed stabilization projects and preservation of the Loess Hills region.

14 32 Of the amount appropriated in this lettered paragraph,
 14 33 \$400,000 shall be allocated to the hungry canyons account and
 14 34 \$200,000 shall be allocated to the loess hills alliance
 14 35 account to be used for the purposes for which the moneys in
 15 1 those accounts are authorized to be used under chapter 161D.
 15 2 No more than 5 percent of the moneys allocated to the hungry
 15 3 canyons account in this lettered paragraph may be used for
 15 4 administrative costs. No more than 10 percent of the moneys
 15 5 allocated to the loess hills alliance account in this lettered
 15 6 paragraph may be used for administrative costs.

Allocates \$400,000 to the Hungry Canyons Account and \$200,000 to the Loess Hills Alliance Account of the Loess Hills Development and Conservation Fund. Requires that not more than 5% of the funds allocated to the Hungry Canyons Account and 10% of the funds allocated to the Loess Hills Alliance Account to be used for administrative costs.

DETAIL: The funds allocated to the Hungry Canyons Account are used for streambed stabilization, and the funds for the Alliance are used to promote the conservation and preservation of the Loess Hills region.

15 7 h. For deposit in the southern Iowa development and
 15 8 conservation fund created in section 161D.12:
 15 9 \$ 300,000

Environment First Fund appropriation for deposit in the Southern Iowa Development and Conservation Fund.

DETAIL: Maintains the current level of funding. The Southern Iowa Conservation and Development Authority administers the Fund for the purpose of developing and implementing plans to protect county infrastructure and rural development from soil erosion and destabilization of stream channels. The Authority is comprised of a ten-county area in southern Iowa.

15 10 Not more than 5 percent of the moneys appropriated in this
 15 11 lettered paragraph may be used for administrative costs.

Requires that not more than 5% of the funds appropriated to the Southern Iowa Development and Conservation Fund to be used for administrative costs.

15 12 2. DEPARTMENT OF ECONOMIC DEVELOPMENT
 15 13 For deposit in the brownfield redevelopment fund created in
 15 14 section 15.293 to provide assistance under the brownfield
 15 15 redevelopment program:
 15 16 \$ 500,000

Environment First Fund appropriation to the Department of Economic Development for the Brownfield Redevelopment Program.

DETAIL: Maintains the current level of funding. This Program provides technical and financial assistance for the acquisition, remediation, or redevelopment of Brownfield sites.

15 17 3. DEPARTMENT OF NATURAL RESOURCES
 15 18 a. For statewide coordination of volunteer efforts under
 15 19 the water quality and keepers of the land programs:
 15 20 \$ 100,000

Environment First Fund appropriation to the DNR to support local volunteer management efforts in water quality programs.

DETAIL: Maintains the current level of funding. Section 466.7(5), Code of Iowa, requires the Department to provide support to local volunteer water quality management efforts. The Department is

required to assist in coordinating and tracking the volunteer component of the various water quality programs to increase efficiency and avoid duplication of efforts in water quality monitoring and watershed improvement.

15 21 b. For purposes of funding capital projects for the
 15 22 purposes specified in section 452A.79, and for expenditures
 15 23 for the local cost-share grants to be used for capital
 15 24 expenditures to local governmental units for boating
 15 25 accessibility:
 15 26 \$ 2,300,000

Environment First Fund appropriation to the DNR for projects that meet criteria under Section 452A.79, Code of Iowa, that pertain to the use of funds from the Marine Fuel Tax receipts.

DETAIL: Maintains the current level of funding. The use of the appropriation is restricted to the following purposes:

- Dredging and renovation of lakes.
- Acquisition, development, and maintenance of access to public boating waters.
- Development and maintenance of boating facilities and navigation aids.
- Administration, operation, and maintenance of recreational boating activities of the DNR.
- Acquisition, development, and maintenance of recreation facilities associated with recreational boating.

15 27 c. For regular maintenance of state parks and staff time
 15 28 associated with these activities:
 15 29 \$ 2,000,000

Environment First Fund appropriation to the DNR for the operation and maintenance of State parks.

DETAIL: Maintains the current level of funding.

15 30 d. To provide local watershed managers with geographic
 15 31 information system data for their use in developing,
 15 32 monitoring, and displaying results of their watershed work:
 15 33 \$ 195,000

Environment First Fund appropriation to the DNR to provide geographic information system data for use in developing, monitoring, and displaying results of watershed work.

DETAIL: Maintains the current level of funding. Section 466.7(4), Code of Iowa, requires the Department to provide local watershed managers with geographic information system data for use in developing, monitoring, and displaying results of watershed work.

15 34 e. For continuing the establishment and operation of water
 15 35 quality monitoring stations:
 16 1 \$ 2,955,000

Environment First Fund appropriation to the DNR for the establishment of water quality monitoring stations.

16 2 f. For deposit in the administration account of the water
 16 3 quality protection fund, to carry out the purposes of that
 16 4 account:
 16 5 \$ 500,000

DETAIL: Maintains the current level of funding. Section 466.6, Code of Iowa, requires the Department to operate water quality monitoring stations for the purpose of gathering information and data to establish benchmarks for water quality.

Environment First Fund appropriation to the DNR for the Water Quality Protection Program.

16 6 g. For the dredging of lakes, including necessary
 16 7 preparation for dredging, in accordance with the department's
 16 8 classification of Iowa lakes restoration report:
 16 9 \$ 1,500,000

DETAIL: Maintains the current level of funding. The funds will be used to carry out relevant statutory provisions relating to the administration, regulation, and enforcement of the federal Safe Drinking Water Act and to provide technical assistance to water supply systems.

Environment First Fund appropriation to the DNR for continued funding for the dredging of lakes in accordance with the Department's Classification of Iowa Lakes Restoration Report.

DETAIL: This is an increase of \$500,000 compared to estimated FY 2005.

16 10 Of the amount appropriated in this lettered paragraph,
 16 11 \$100,000 shall be allocated for the five island lake in Palo
 16 12 Alto county.

Allocates \$100,000 of the Lake Dredging appropriation to Five Island Lake in Palo Alto County.

16 13 The department shall consider the following criteria for
 16 14 funding lake dredging projects as provided in this lettered
 16 15 paragraph, and shall prioritize projects based on the
 16 16 following:
 16 17 (1) Documented efforts to address watershed protection,
 16 18 considering testing, conservation efforts, and the amount of
 16 19 time devoted to watershed protection.
 16 20 (2) Protection of a natural resource and natural habitat.
 16 21 (3) Percentage of public access and undeveloped lakefront
 16 22 property.
 16 23 (4) Continuation of current projects partially funded by
 16 24 state resources to achieve department recommendations.

Specifies that it is the intent of the General Assembly that the DNR consider specific criteria for selecting lakes that will receive funding from the appropriation for dredging of lakes.

16 25 RESOURCES ENHANCEMENT AND PROTECTION FUND
 16 26 Sec. 16. Notwithstanding the amount of the standing
 16 27 appropriation from the general fund of the state under section
 16 28 455A.18, subsection 3, there is appropriated from the
 16 29 environment first fund to the Iowa resources enhancement and
 16 30 protection fund, in lieu of the appropriation made in section
 16 31 455A.18, for the fiscal year beginning July 1, 2005, and
 16 32 ending June 30, 2006, the following amount, to be allocated as
 16 33 provided in section 455A.19:
 16 34 \$ 11,000,000

CODE: Environment First Fund appropriation to the Resources Enhancement and Protection (REAP) Fund. This appropriation notwithstanding the General Fund standing appropriation of \$20,000,000.

DETAIL: Maintains the current level of funding.

16 35 Sec. 17. Section 161A.80, subsection 2, paragraphs a and
 17 1 b, Code 2005, are amended to read as follows:
 17 2 a. This section is repealed on July 1, ~~2005~~ 2015.
 17 3 b. The principal and interest from any blufflands
 17 4 protection loan outstanding on July 1, ~~2005~~ 2015, and payable
 17 5 to the blufflands protection revolving fund, shall be paid to
 17 6 the administrative director of the division of soil
 17 7 conservation on or after July 1, ~~2005~~ 2015, pursuant to the
 17 8 terms of the loan agreement and shall be credited to the
 17 9 rebuild Iowa infrastructure fund.

CODE: Extends the effective date of the Blufflands Protection Revolving Fund from July 1, 2005, to July 1, 2015.

DETAIL: The Revolving Fund is used to make loans to conservation organizations that agree to purchase bluffland properties along the Mississippi and Missouri rivers and that are adjacent to State public lands.

17 10 Sec. 18. REVERSION.
 17 11 1. Except as provided in subsection 2, and notwithstanding
 17 12 section 8.33, moneys appropriated in this division of this Act
 17 13 that remain unencumbered or unobligated shall not revert at
 17 14 the close of the fiscal year for which they were appropriated
 17 15 but shall remain available for the purposes designated until
 17 16 the close of the fiscal year beginning July 1, 2006, or until
 17 17 the project for which the appropriation was made is completed,
 17 18 whichever is earlier.

CODE: Permits nonreversion of unexpended funds from the Environment First Fund until the end of FY 2007. However, if a project is completed in an earlier fiscal year, the unobligated funds will revert at the close of that fiscal year.

17 19 2. Notwithstanding section 8.33, moneys appropriated in
 17 20 this division of this Act to the department of agriculture and
 17 21 land stewardship to provide financial assistance for the
 17 22 establishment of permanent soil and water conservation
 17 23 practices that remain unencumbered or unobligated at the close

CODE: Permits nonreversion of funds appropriated for the Soil Conservation Cost Share Program through FY 2009.

17 24 of the fiscal year shall not revert but shall remain available
 17 25 for expenditure for the purposes designated until the close of
 17 26 the fiscal year that begins July 1, 2008.

17 27 DIVISION V
 17 28 TOBACCO SETTLEMENT TRUST FUND

17 29 Sec. 19.

17 30 1. There is appropriated from the tax-exempt bond proceeds
 17 31 restricted capital funds account of the tobacco settlement
 17 32 trust fund to the following departments and agencies for the
 17 33 fiscal year beginning July 1, 2005, and ending June 30, 2006,
 17 34 the following amounts, or so much thereof as is necessary, to
 17 35 be used for the purposes designated:

18 1 a. DEPARTMENT OF ADMINISTRATIVE SERVICES

18 2 (1) For capitol interior restoration:

18 3 \$ 4,500,000

Restricted Capital Fund appropriation to the DAS for continued interior restoration of the Capitol Building.

DETAIL: This appropriation will provide partial funding for Phase G restoration. This includes removal of the mezzanines and relocation of staff; renovation of office space on the second and third floors; renovation of the food service areas on the ground floor; restoration of the rotunda areas, including replacement of the elevators; and stone replacement on the east steps. The total cost to complete Phase G is currently estimated at \$13,500,000.

18 4 Of the amount appropriated in this subparagraph, \$700,000
 18 5 shall be used for cleanup costs associated with the water
 18 6 damage in the statehouse resulting from the pipe break that
 18 7 occurred on December 24, 2004, and for renovation of areas in
 18 8 the statehouse that experienced such water damage.

Allocates \$700,000 from the appropriation for the Capitol interior restoration for cleanup costs associated with water damage in the Capitol Building.

18 9 The use of the moneys allocated in this subparagraph shall
 18 10 not be construed or interpreted as an indication by the
 18 11 governor or general assembly that the state is the responsible
 18 12 party for the water damage in the statehouse resulting from
 18 13 the pipe break that occurred on December 24, 2004, and for the
 18 14 resulting costs or that the amounts allocated in this
 18 15 subparagraph represent the total amount necessary to address

Specifies that the allocation of funds for water damage cleanup is not an indication that the State is the responsible party for the water damage in the Capitol Building, or that the total amount allocated in this Act represents the total cost to correct the water damage.

18 16 all costs associated with the water damage.

18 17 (2) For remodeling and renovation of the sexually violent
 18 18 predators unit located at the state mental health institute at
 18 19 Cherokee:
 18 20 \$ 650,000

Restricted Capital Fund appropriation to the DAS for remodeling and renovating the Civil Commitment Unit for Sexual Offenders at Cherokee.

DETAIL: This Act also appropriates \$1,400,000 from the RIIF, for total funding of \$2,050,000. The funds will be used to renovate two wards within the unit and to add an elevator/stair addition allowing mobility-impaired patients access to the second and third floor wards.

18 21 (3) For major renovation and major repair needs, including
 18 22 health, life, and fire safety needs, and for compliance with
 18 23 the federal Americans With Disabilities Act, for state
 18 24 buildings and facilities under the purview of the department:
 18 25 \$ 3,000,000

Restricted Capital Fund appropriation to the DAS for major renovation and repair needs of State buildings under the purview of the Department.

DETAIL: This Act also appropriates \$291,891 from the RIIF and \$5,623,200 from the Vertical Infrastructure Fund for total major maintenance funding of \$8,915,091. The funds will be used to correct deficiencies in State buildings and make a wide range of repairs. The funds will be spent on projects selected and prioritized by the Governor's Vertical Infrastructure Advisory Committee. State agencies and DAS staff will work together to identify projects that will be presented to the Committee for funding consideration.

18 26 b. DEPARTMENT OF CORRECTIONS
 18 27 For the remodeling and renovation of the kitchen facilities
 18 28 at the Anamosa correctional facility:
 18 29 \$ 600,000

Restricted Capital Fund appropriation to the DOC for improvements to the kitchen facilities at the Anamosa Correctional Facility.

DETAIL: This Act also appropriates \$940,000 for FY 2006 and \$1,690,000 for FY 2007 from the RIIF, providing \$3,380,000 in total funding.

18 30 c. DEPARTMENT OF ECONOMIC DEVELOPMENT
 18 31 For accelerated career education program capital projects
 18 32 at community colleges that are authorized under chapter 260G
 18 33 and that meet the definition of "vertical infrastructure" in
 18 34 section 8.57B, subsection 3:
 18 35 \$ 1,500,000

Restricted Capital Fund appropriation to the DED for vertical infrastructure improvements at community colleges associated with implementing the Accelerated Career Education (ACE) Program.

DETAIL: This Act also appropriates \$4,000,000 from the Vertical Infrastructure Fund for the ACE Program. The Program involves agreements between community colleges and employers. Under the agreements, an employer pays at least 20% of the costs associated

19 1 The moneys appropriated in this lettered paragraph shall be
 19 2 allocated equally among the community colleges in the state.
 19 3 If any portion of the equal allocation to a community college
 19 4 is not obligated or encumbered by April 1, 2006, the
 19 5 unobligated and unencumbered portions shall be available for
 19 6 use by other community colleges.

with educating potential employees for specific skills required by the employer.

Requires the Accelerated Career Education (ACE) appropriation to be distributed equally to all community colleges. Specifies that any unencumbered or unobligated funds, remaining after April 1, 2006, be available for use by other community colleges.

19 7 d. DEPARTMENT OF HUMAN SERVICES
 19 8 For planning, design, and construction of a family resource
 19 9 center in a city with a population between 95,000 and 100,000
 19 10 residents:
 19 11 \$ 250,000

Restricted Capital Fund appropriation to the Department of Human Services for construction of a family resource center in a city with a population between 95,000 and 100,000.

DETAIL: These funds will be used for construction of a family resource center located in Davenport.

19 12 e. DEPARTMENT OF PUBLIC SAFETY
 19 13 For the first phase of the regional emergency responder
 19 14 training facility project of the nonprofit Dubuque county fire
 19 15 fighters association:
 19 16 \$ 100,000

Restricted Capital Fund appropriation to the DPS for a regional emergency responder training facility project involving the Dubuque County Fire Fighters Association.

19 17 f. IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION
 19 18 For replacement of equipment for the Iowa communications
 19 19 network notwithstanding section 12E.12, subsection 1,
 19 20 paragraph "b", subparagraph (1):
 19 21 \$ 1,704,719

CODE: Restricted Capital Fund appropriation to the Iowa Telecommunications and Technology Commission for the replacement of equipment for the ICN. This appropriation notwithstanding the definition of vertical infrastructure.

DETAIL: This appropriation will be used to replace or upgrade the following equipment:

- Local telephone system equipment serving State agencies on the Capitol Complex.
- Backbone video transmission equipment.
- Network router equipment.
- An additional Asynchronous Transfer Mode (ATM) switch for the Capitol Complex.
- Completion of a Des Moines fiber ring.

This appropriation is also used as a required match for the State to continue to receive a Universal Service Fund rate discount that is passed on to school districts and libraries.

19 22 g. STATE DEPARTMENT OF TRANSPORTATION
19 23 For vertical infrastructure improvements at the commercial
19 24 air service airports within the state:
19 25 \$ 1,500,000

Restricted Capital Fund appropriation to the DOT for vertical infrastructure improvements at Iowa's commercial service airports.

DETAIL: This is an increase of \$400,000 compared to the FY 2005 funding level.

19 26 Fifty percent of the funds appropriated in this lettered
19 27 paragraph shall be allocated equally between each commercial
19 28 service airport, 40 percent of the funds shall be allocated
19 29 based on the percentage that the number of enplaned passengers
19 30 at each commercial service airport bears to the total number
19 31 of enplaned passengers in the state during the previous fiscal
19 32 year, and 10 percent of the funds shall be allocated based on
19 33 the percentage that the air cargo tonnage at each commercial
19 34 service airport bears to the total air cargo tonnage in the
19 35 state during the previous fiscal year. In order for a
20 1 commercial service airport to receive funding under this
20 2 lettered paragraph, the airport shall be required to submit
20 3 applications for funding of specific projects to the
20 4 department for approval by the state transportation
20 5 commission.

Requires \$750,000 of the funds appropriated to be allocated equally between each of the commercial service airports, \$600,000 to be allocated based on the percentage of enplaned passengers during the previous fiscal year, and \$150,000 to be allocated based on each airport's proportion of air cargo tonnage during the previous fiscal year. Requires airports to submit applications for funding to the DOT for approval by the Transportation Commission.

DETAIL: The commercial service airports include Burlington, Cedar Rapids, Des Moines, Dubuque, Fort Dodge, Mason City, Sioux City, and Waterloo.

20 6 2. TAX-EXEMPT STATUS — USE OF APPROPRIATIONS. Payment of
20 7 moneys from the appropriations in this section shall be made
20 8 in a manner that does not adversely affect the tax-exempt
20 9 status of any outstanding bonds issued by the tobacco
20 10 settlement authority.

Requires the Restricted Capital Fund appropriations to be expended in a manner that does not jeopardize the tax-exempt status of bonds issued by the Tobacco Settlement Authority.

20 11 3. REVERSION. Notwithstanding section 8.33, moneys
20 12 appropriated in this section shall not revert at the close of
20 13 the fiscal year for which they were appropriated but shall
20 14 remain available for the purposes designated until the close
20 15 of the fiscal year that begins July 1, 2006, or until the

CODE: Permits nonreversion of the Restricted Capital Fund appropriations in this Act through FY 2007. However, if a project is completed in an earlier fiscal year, the unobligated funds will revert at the close of that fiscal year.

20 16 project for which the appropriation was made is completed,
 20 17 whichever is earlier.

20 18 Sec. 20. PAYMENTS IN LIEU OF TUITION. There is
 20 19 appropriated from the tax-exempt bond proceeds restricted
 20 20 capital funds account of the tobacco settlement trust fund to
 20 21 the state board of regents for the fiscal year beginning July
 20 22 1, 2005, and ending June 30, 2006, the following amount, or so
 20 23 much thereof as is necessary, to be used for the purposes
 20 24 designated:
 20 25 For allocation by the state board of regents to the state
 20 26 university of Iowa, the Iowa state university of science and
 20 27 technology, and the university of northern Iowa to reimburse
 20 28 the institutions for deficiencies in their operating funds
 20 29 resulting from the pledging of tuitions, student fees and
 20 30 charges, and institutional income to finance the cost of
 20 31 providing academic and administrative buildings and facilities
 20 32 and utility services at the institutions notwithstanding
 20 33 section 12E.12, subsection 1, paragraph "b", subparagraph (1):
 20 34 \$ 10,329,981

CODE: Restricted Capital Fund appropriation to the Board of Regents for Tuition Replacement. This appropriation notwithstanding the definition of vertical infrastructure.

DETAIL: The Tuition Replacement appropriation replaces the student tuition fees that are used to pay the debt service on academic revenue bonds authorized in prior fiscal years. The total amount required for Tuition Replacement in FY 2006 is \$24,305,412. House File 816 (FY 2006 Education Appropriations Act) appropriates the remaining \$13,975,431 from the General Fund.

20 35 Sec. 21. PRISON DEBT SERVICE. There is appropriated from
 21 1 the tax-exempt bond proceeds restricted capital funds account
 21 2 of the tobacco settlement trust fund to the office of the
 21 3 treasurer of state for the fiscal year beginning July 1, 2005,
 21 4 and ending June 30, 2006, the following amount, or so much
 21 5 thereof as is necessary, to be used for the purpose
 21 6 designated:
 21 7 For repayment of prison infrastructure bonds under section
 21 8 16.177 notwithstanding section 12E.12, subsection 1, paragraph
 21 9 "b", subparagraph (1):
 21 10 \$ 5,422,390

CODE: Restricted Capital Fund appropriation to the Treasurer of State for the FY 2006 debt service payments on prison infrastructure bonds. This appropriation notwithstanding the definition of vertical infrastructure.

DETAIL: Prior to FY 2002 and tobacco securitization, all debt service for the prison bonds was paid from the Prison Infrastructure Fund. This Fund receives the first \$9,500,000 from fines collected through the Judicial System. The total annual debt service on the prison bonds is approximately \$8,400,000. The amount in the Prison Infrastructure Fund not used for debt service annually reverts to the General Fund.

21 11 Sec. 22. 2001 Iowa Acts, chapter 185, section 30, is
 21 12 amended to read as follows:
 21 13 SEC. 30. REVERSION. ~~Notwithstanding~~
 21 14 1. Except as provided in subsection 2 and notwithstanding

CODE: Extends the reversion date from June 30, 2005, to June 30, 2006, for funds appropriated in FY 2002 for the following:

- Purchase of and improvements to properties adjacent to the Capitol Complex.

21 15 section 8.33, moneys appropriated in this division of this Act
 21 16 shall not revert at the close of the fiscal year for which
 21 17 they were appropriated but shall remain available for the
 21 18 purposes designated until the close of the fiscal year that
 21 19 begins July 1, 2004, or until the project for which the
 21 20 appropriation was made is completed, whichever is earlier.
 21 21 2. Notwithstanding section 8.33, moneys appropriated in
 21 22 section 25, subsection 3, paragraph "b", and section 28 of
 21 23 this division of this Act shall not revert at the close of the
 21 24 fiscal year for which they were appropriated but shall remain
 21 25 available for the purpose designated until the close of the
 21 26 fiscal year that begins July 1, 2005, or until the project for
 21 27 which the appropriation was made is completed, whichever is
 21 28 earlier.

21 29 Sec. 23. 2002 Iowa Acts, chapter 1173, section 1,
 21 30 subsection 7, paragraph a, as amended by 2004 Iowa Acts,
 21 31 chapter 1175, section 310, is amended to read as follows:
 21 32 a. For parking improvements and provision of street access
 21 33 for the judicial building:

21 34 FY 2002–2003	\$	700,000
21 35 FY 2003–2004	\$	0
22 1 FY 2004–2005	\$	0
22 2 FY 2005–2006	\$	0

22 3 Of the amount appropriated in this lettered paragraph for
 22 4 FY 2002–2003, up to \$330,000 may be used for costs associated
 22 5 with ~~operation of the judicial building, notwithstanding~~
 22 6 ~~section 12E.12, subsection 1, paragraph "b", subparagraph (1)~~
 22 7 site work in the vicinity of the judicial building.

22 8 Sec. 24. 2003 Iowa Acts, chapter 177, section 22,
 22 9 subsection 6, paragraph a, is amended by striking the
 22 10 paragraph.

- Construction of the State Laboratory Facility located in Ankeny.

DETAIL: This allows the DAS to use approximately \$120,000 of unspent funds for property purchases and improvements and \$3,800,000 of unspent funds to complete the State Laboratory Facility project in FY 2006.

CODE: Amends an FY 2003 appropriation for Judicial Building parking improvements to allow the Judicial Branch to use unspent funds for site improvements in the vicinity of the Judicial Building.

DETAIL: This allows the Judicial Branch to use approximately \$130,000 of unspent funds for site improvements.

CODE: Deappropriates an FY 2004 appropriation of \$3,000,000 from the Restricted Capital Fund and strikes language that made the appropriation contingent on receiving an investment commitment by a private developer for the Park.

DETAIL: The DNR was not able to secure a commitment from a

private developer, therefore the funds remained unspent. This Act replaces these funds with a \$3,000,000 RIF appropriation in Section 3.10(e).

22 11 Sec. 25. EFFECTIVE DATE. The section of this division of
 22 12 this Act relating to the amendment to 2001 Iowa Acts, chapter
 22 13 185, section 30, being deemed of immediate importance, takes
 22 14 effect upon enactment.

Provides that Section 22 of this Act, that relates to the use of unspent funds for the Ankeny Laboratory Facility, takes effect on enactment.

22 15 Sec. 26. EFFECTIVE DATE. The section of this division of
 22 16 this Act amending 2002 Iowa Acts, chapter 1173, section 1,
 22 17 subsection 7, being deemed of immediate importance, takes
 22 18 effect upon enactment.

Provides that Section 23 of this Act, that relates to the use of unspent funds for the Judicial Building, takes effect on enactment.

22 19 Sec. 27. EFFECTIVE DATE. The section of this division of
 22 20 this Act amending 2003 Iowa Acts, chapter 177, section 22,
 22 21 subsection 6, being deemed of immediate importance, takes
 22 22 effect upon enactment.

Provides that Section 24 of this Act, that relates to the deappropriation of a FY 2004 appropriation for the Destination Park, takes effect on enactment.

22 23 DIVISION VI
 22 24 VERTICAL INFRASTRUCTURE FUND
 22 25 Sec. 28. There is appropriated from the vertical
 22 26 infrastructure fund to the following departments and agencies
 22 27 for the fiscal year beginning July 1, 2005, and ending June
 22 28 30, 2006, the following amounts, or so much thereof as is
 22 29 necessary, to be used for the purposes designated:

22 30 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
 22 31 For major renovation and major repair needs, including
 22 32 health, life, and fire safety needs, and for compliance with
 22 33 the federal Americans With Disabilities Act, for state
 22 34 buildings and facilities under the purview of the department:
 22 35 \$ 5,623,200

Vertical Infrastructure Fund appropriation to the DAS for major renovation and repair needs of State buildings under the purview of the Department.

DETAIL: This Act also appropriates \$291,891 from the RIF and \$3,000,000 from the Restricted Capital Fund for total major maintenance funding of \$8,915,091. The funds will be used to correct deficiencies in State buildings and make a wide range of repairs. The funds will be spent on projects selected and prioritized by the Governor's Vertical Infrastructure Advisory Committee. State agencies

<p>23 1 Of the amount appropriated in this subsection, up to 23 2 \$200,000 may be used for costs associated with the vertical 23 3 infrastructure program, notwithstanding section 8.57B, 23 4 subsection 3.</p>	<p>and DAS staff will work together to identify projects that will be presented to the Committee for funding consideration.</p> <p>CODE: Allows the DAS to spend up to \$200,000 for costs to operate the Vertical Infrastructure Program. This allocation notwithstanding the definition of vertical infrastructure.</p> <p>DETAIL: The primary responsibility of the Vertical Infrastructure Program is to maintain the infrastructure assessment database and to provide support for the Governor's Vertical Infrastructure Advisory Committee.</p>
<p>23 5 2. DEPARTMENT OF CULTURAL AFFAIRS 23 6 For historical site preservation grants, to be used for the 23 7 restoration, preservation, and development of historical 23 8 sites: 23 9 \$ 500,000</p>	<p>Vertical Infrastructure Fund appropriation to the Department of Cultural Affairs for funding of the Historical Site Preservation Grant Program.</p> <p>DETAIL: Maintains the current level of funding. These funds are used to provide financial assistance for acquisition, repair, rehabilitation, and development of historic sites. Funds are awarded on a competitive grant basis and applicants are required by rule to provide at least 50% of the project cost.</p>
<p>23 10 Historical site preservation grants shall only be awarded 23 11 for projects which meet the definition of "vertical 23 12 infrastructure" in section 8.57B, subsection 3.</p>	<p>Requires that grants awarded through the Historical Site Preservation Grant Program meet the definition of vertical infrastructure.</p>
<p>23 13 In making grants pursuant to this subsection, the 23 14 department shall consider the existence and amount of other 23 15 funds available to an applicant for the designated project. A 23 16 grant awarded from moneys appropriated in this subsection 23 17 shall not exceed \$100,000 per project. Not more than two 23 18 grants may be awarded in the same county.</p>	<p>Requires the Department to consider local funding contributions for projects seeking assistance through the Historical Site Preservation Grant Program. Requires grants not to exceed \$100,000 per project and that not more than two grants be awarded in each county.</p>
<p>23 19 3. DEPARTMENT OF ECONOMIC DEVELOPMENT 23 20 For accelerated career education program capital projects 23 21 at community colleges that are authorized under chapter 260G 23 22 and that meet the definition of "vertical infrastructure" in 23 23 section 8.57B, subsection 3: 23 24 \$ 4,000,000</p>	<p>Vertical Infrastructure Fund appropriation to the DED for vertical infrastructure improvements at community colleges associated with implementing the Accelerated Career Education (ACE) Program.</p> <p>DETAIL: This Act also appropriates \$1,500,000 from the Restricted Capital Fund for the ACE Program. This Program involves agreements between community colleges and employers. Under the</p>

agreements, an employer pays at least 20% of the costs associated with educating potential employees for specific skills required by the employer.

23 25 The moneys appropriated in this subsection shall be
 23 26 allocated equally among the community colleges in the state.
 23 27 If any portion of the equal allocation to a community college
 23 28 is not obligated or encumbered by April 1, 2006, the
 23 29 unobligated and unencumbered portions shall be available for
 23 30 use by other community colleges.

Requires the Accelerated Career Education (ACE) appropriation to be distributed equally to all community colleges. Specifies that any unencumbered or unobligated funds, remaining after April 1, 2006, be available for use by other community colleges.

23 31 4. DEPARTMENT OF PUBLIC DEFENSE

Vertical Infrastructure Fund appropriation to the Department of Public Defense for design and construction of a National Guard Readiness Center near Fort Dodge.

23 32 a. For construction of a national guard readiness center
 23 33 in or near Fort Dodge:
 23 34 \$ 608,000

DETAIL: This appropriation completes the \$2,108,000 of State funding needed for the Readiness Center at Fort Dodge. Senate File 452 (FY 2004 Infrastructure Appropriations Act) appropriated a total of \$1,500,000 over two fiscal years to begin the project. The State funds are being matched with \$1,500,000 in federal funds.

23 35 b. For maintenance and repair of national guard armories
 24 1 and facilities, notwithstanding section 8.57B, subsection 3:
 24 2 \$ 1,269,000

Vertical Infrastructure Fund appropriation to the Department of Public Defense for maintenance of National Guard armories and facilities.

DETAIL: Maintains the current level of funding. The funds will be matched with an estimated \$1,550,000 in federal funds.

24 3 c. For upgrading the water treatment facility at Camp
 24 4 Dodge:
 24 5 \$ 1,939,800

Vertical Infrastructure Fund appropriation to the Department of Public Defense for improvements to the water treatment system at Camp Dodge.

DETAIL: The appropriation will be matched with \$1,500,000 in federal funds.

24 6 5. OFFICE OF TREASURER OF STATE

Vertical Infrastructure Fund appropriation to the Treasurer of State for distribution to county fair societies that belong to the Association of Iowa Fairs.

24 7 For county fair infrastructure improvements for
 24 8 distribution in accordance with chapter 174 to qualified fairs
 24 9 which belong to the association of Iowa fairs:

DETAIL: Maintains the current level of funding.

24 10 \$ 1,060,000

24 11 Sec. 29. REVERSION. Notwithstanding section 8.33, moneys
24 12 appropriated from the vertical infrastructure fund for the
24 13 fiscal year that begins July 1, 2005, in this division of this
24 14 Act shall not revert at the close of the fiscal year for which
24 15 they were appropriated but shall remain available for the
24 16 purposes designated until the close of the fiscal year that
24 17 begins July 1, 2008, or until the project for which the
24 18 appropriation was made is completed, whichever is earlier.

CODE: Permits nonreversion of the funds appropriated in Division VI of this Act through FY 2009. However, if a project is completed in an earlier fiscal year, the unobligated funds will revert at the close of that fiscal year.

24 19 Sec. 30. DEPARTMENT OF ADMINISTRATIVE SERVICES.

24 20 1. There is appropriated from the vertical infrastructure
24 21 fund to the department of administrative services for the
24 22 designated fiscal years, the following amounts, or so much
24 23 thereof as if necessary, to be used for the purposes
24 24 designated:

Vertical Infrastructure Fund appropriations for FY 2007 through FY 2009 to the DAS for major renovation and repair needs of State buildings under the purview of the Department.

24 25 For major renovation and major repair needs, including
24 26 health, life, and fire safety needs, and for compliance with
24 27 the federal Americans With Disabilities Act, for state
24 28 buildings and facilities under the purview of the department:
24 29 FY 2006–2007..... \$ 10,000,000
24 30 FY 2007–2008..... \$ 40,000,000
24 31 FY 2008–2009..... \$ 40,000,000

24 32 Notwithstanding section 8.33, moneys appropriated in this
24 33 section shall not revert at the close of the fiscal year for
24 34 which they were appropriated but shall remain available for
24 35 the purposes designated until the close of the fiscal year
25 1 that begins July 1, 2010, or until the project for which the
25 2 appropriation was made is completed, whichever is earlier.

CODE: Permits nonreversion of the funds appropriated in this Section through FY 2011; however, if a project is completed in an earlier fiscal year, the unobligated funds will revert at the close of that fiscal year.

25 3 DIVISION VII
25 4 RAILROAD REVOLVING LOAN AND GRANT FUND

25 5 Sec. 31. Section 327H.20A, Code 2005, is amended to read
25 6 as follows:

CODE: Expands the scope of the Railroad Revolving Loan Fund to include the following:

25 7 327H.20A RAILROAD REVOLVING LOAN AND GRANT FUND.

25 8 1. A railroad revolving loan and grant fund is established
 25 9 in the office of the treasurer of state under the control of
 25 10 the department authority. Moneys in this the fund shall be
 25 11 expended for loans the following purposes:

25 12 a. Grants or loans to provide assistance for the
 25 13 restoration, conservation, improvement, and construction of
 25 14 railroad main lines, branch lines, switching yards, sidings,
 25 15 rail connections, intermodal yards, highway grade separations,
 25 16 and other railroad-related improvements.

25 17 b. Grants or loans for rail economic development projects
 25 18 that improve rail facilities, including the construction of
 25 19 branch lines, sidings, rail connections, intermodal yards, and
 25 20 other rail-related improvements that spur economic development
 25 21 and job growth.

25 22 2. The department authority shall administer a program for
 25 23 the granting and administration of loans and grants under this
 25 24 section. No more than fifty percent of the total moneys
 25 25 available in the fund in any year shall be awarded in the form
 25 26 of grants. The authority may establish a limit on the amount
 25 27 that may be awarded as a grant for any given project in order
 25 28 to maximize the use of the moneys in the fund. The department
 25 29 authority may enter into agreements with railroad
 25 30 corporations, the United States government, cities, counties,
 25 31 and other persons for carrying out the purposes of this
 25 32 section.

25 33 3. Moneys Notwithstanding any other provision to the
 25 34 contrary, on or after July 1, 2006, moneys received as loan
 25 35 repayments for loans made pursuant to this chapter or chapter
 26 1 327I before, on, or after July 1, 2005, other than repayments
 26 2 of federal moneys subject to section 327H.21, shall be
 26 3 credited to the railroad revolving loan and grant fund.
 26 4 Notwithstanding section 8.33, moneys in the railroad revolving
 26 5 loan and grant fund shall not revert to the general fund of
 26 6 the state but shall remain available indefinitely for
 26 7 expenditure under this section.

- Allows awarding of grants from the Fund.
- Allows issuance of loans and grants for Rail Economic Development Projects.
- Requires that not more than 50% of the total moneys available in the Fund be awarded in grants in any given year.
- Deposits all railroad loan payments to the Railroad Revolving Loan and Grant Fund beginning in FY 2007.
- Changes the administration of the Fund from the DOT to the Railway Finance Authority.

FISCAL IMPACT: Under current law, all railroad loan payments are deposited in the General Fund and total approximately \$1,300,000 annually. This provision will reduce the General Fund revenues by an estimated \$1,300,000 in FY 2007.

26 8 Sec. 32. Section 327H.26, Code 2005, is amended to read as
26 9 follows:

26 10 327H.26 ~~DEFINITION~~ DEFINITIONS.

26 11 As used in this chapter, unless the context otherwise
26 12 requires, "~~department~~";

26 13 1. "Department" means the state department of
26 14 transportation.

26 15 2. "Authority" means the railway finance authority created
26 16 in chapter 327I.

CODE: Specifies definitions to conform with the changes to the Railroad Revolving Loan and Grant Fund.

26 17 Sec. 33. Section 327I.8, Code 2005, is amended by adding
26 18 the following new subsection:
26 19 NEW SUBSECTION. 8. Administer the railroad revolving loan
26 20 and grant fund as provided in section 327H.20A.

CODE: Adds the administration of the Railroad Revolving Loan and Grant Fund to the duties of the Railway Finance Authority.

26 21 Sec. 34. Sections 327H.18 and 327H.20, Code 2005, are
26 22 repealed.

CODE: Repeals statutory language related to the Railroad Assistance Program and Railroad Assistance agreements.

DETAIL: This Act transfers many of the funding provisions of the Railroad Assistance Program to the new Railroad Revolving Loan and Grant Fund. The repeal of these sections is also necessary to conform to changes in the Railroad Revolving Loan and Grant Fund to redirect loan repayments to the Loan and Grant Fund from the General Fund.

26 23 Sec. 35. Notwithstanding section 327H.18, Code 2005, and
26 24 chapter 327I, there is appropriated from the general fund of
26 25 the state to the railroad revolving loan fund established in
26 26 section 327H.20A for the fiscal year beginning July 1, 2004,
26 27 and ending June 30, 2005, an amount equal to the amount of the
26 28 loan repayments made under section 327H.18, Code 2005, and
26 29 chapter 327I that exceed \$1,308,704 during the fiscal year
26 30 beginning July 1, 2004.

CODE: Deposits all railroad loan payments in excess of \$1,308,704 in FY 2005 to the Railroad Revolving Loan Fund.

DETAIL: Section 38 of this Act makes this provision retroactive to July 1, 2004. This provision will have a minimal fiscal impact on FY 2005 General Fund revenues, as the April 8, 2005, revenue estimate assumes \$1,311,911 in railroad loan payments will be received.

26 31 Sec. 36. Notwithstanding section 327H.18, Code 2005, and
26 32 chapter 327I, there is appropriated from the general fund of
26 33 the state to the railroad revolving loan and grant fund

CODE: Deposits all railroad loan payments in excess of \$1,288,481 in FY 2006 to the Railroad Revolving Loan and Grant Fund.

26 34 established in section 327H.20A, as amended by this Act, for
 26 35 the fiscal year beginning July 1, 2005, and ending June 30,
 27 1 2006, an amount equal to the amount of the loan repayments
 27 2 made under section 327H.18, Code 2005, and chapter 327I that
 27 3 exceed \$1,288,481 during the fiscal year beginning July 1,
 27 4 2005.

DETAIL: This provision will have a minimal fiscal impact on FY 2006 General Fund revenues as the April 8, 2005, revenue estimate assumes \$1,284,947 in railroad loan payments will be received.

27 5 Sec. 37. CONTINUATION OF PRIOR AGREEMENTS. It is the
 27 6 intent of the general assembly that the enactment of this
 27 7 division of this Act shall not affect the terms or duration of
 27 8 railroad assistance agreements entered into under chapter 327H
 27 9 prior to the effective date of this division of this Act.

Specifies the intent of the General Assembly that the statutory changes to the Railroad Revolving Loan Fund do not affect railroad assistance agreements entered into prior to the enactment of these provisions.

27 10 Sec. 38. EFFECTIVE DATE AND APPLICABILITY. The section of
 27 11 this division of this Act that appropriates excess rail
 27 12 assistance loan repayments for the fiscal year beginning July
 27 13 1, 2004, and ending June 30, 2005, being deemed of immediate
 27 14 importance, takes effect upon enactment and applies
 27 15 retroactively to July 1, 2004.

Provides that Section 35 of this Act, that deposits railroad loan repayments in excess of \$1,308,704 to the Railroad Revolving Loan Fund for FY 2005, is effective on enactment and applies retroactively to July 1, 2004.

27 16 DIVISION VIII
 27 17 IOWA COMMUNICATIONS NETWORK

27 18 Sec. 39. Section 8D.3, subsection 3, paragraph i, Code
 27 19 2005, is amended to read as follows:
 27 20 i. Evaluate existing and projected rates for use of the
 27 21 system and ensure that rates are sufficient to pay for the
 27 22 operation of the system excluding the cost of construction and
 27 23 lease costs for Parts I, II, and III. The commission shall
 27 24 establish all hourly rates to be charged to all authorized
 27 25 users for the use of the network and shall consider all costs
 27 26 of the network in establishing the rates. A fee established
 27 27 by the commission to be charged to a hospital licensed
 27 28 pursuant to chapter 135B, a physician clinic, or the federal
 27 29 government shall be at an appropriate rate so that, at a
 27 30 minimum, there is no state subsidy related to the costs of the
 27 31 connection or use of the network related to such user.

CODE: Requires the Iowa Telecommunication and Technology Commission to consider all costs of the Iowa Communications Network (ICN) for establishing an hourly rate to be charged to all authorized users of the Network.

DETAIL: Under current law, only operating costs are used in determining the rates. This change will allow the Commission to include depreciation and maintenance when establishing new rates.

27 32 Sec. 40. Section 8D.13, subsection 11, Code 2005, is
 27 33 amended to read as follows:
 27 34 11. The fees charged for use of the network and state
 27 35 communications shall be based on the ongoing ~~operational costs~~
 28 1 expenses of the network and of providing state communications
 28 2 ~~only~~. For the services rendered to state agencies by the
 28 3 commission, the commission shall prepare a statement of
 28 4 services rendered and the agencies shall pay in a manner
 28 5 consistent with procedures established by the department of
 28 6 administrative services.

28 7 DIVISION IX
 28 8 ACCESS IOWA HIGHWAYS

28 9 Sec. 41.
 28 10 1. INTENT. It is the intent of the general assembly to
 28 11 formulate an access Iowa plan which shall designate portions
 28 12 of the commercial and industrial network of highways as access
 28 13 Iowa highways. The goal of the access Iowa plan shall be to
 28 14 enhance the existing Iowa economy and ensure its continuing
 28 15 development and growth in the national and global competitive
 28 16 marketplace by providing for early completion of the
 28 17 construction of the most important portions of the Iowa
 28 18 highway system. These portions of the system shall be those
 28 19 that are essential for support of intrastate transportation
 28 20 and commerce and essential for ensuring Iowans direct access
 28 21 to the nation's system of interstate highways and
 28 22 transportation services.
 28 23 The general assembly's past actions are consistent with the
 28 24 access Iowa plan. The general assembly has set general policy
 28 25 guidelines for the state transportation commission's planning
 28 26 and programming development, directed that road service be
 28 27 equalized throughout the state, determined that a commercial
 28 28 and industrial network of highways would benefit Iowa
 28 29 transportation services, directed the commission to focus at
 28 30 least part of their legislatively provided resources on the
 28 31 commercial and industrial network, and directed that the

CODE: Requires the Iowa Telecommunication and Technology Commission to consider all costs of the Iowa Communications Network (ICN) for establishing an hourly rate to be charged to all authorized users of the Network.

DETAIL: Under current law, only operating costs are used in determining the rates. This change will allow the Commission to include depreciation and maintenance when establishing new rates.

Specifies the intent of the General Assembly to formulate an Access Iowa Highways Plan. This provision requires the Department of Transportation (DOT) to designate portions of the Commercial and Industrial Network as Access Iowa Highways, accelerate development of those highways, and give priority to linkages between economic centers of the State with populations of 20,000 or more. This provision is repealed on July 1, 2015.

28 32 commission consider equalization of accessibility for economic
 28 33 development as one of the factors in establishing its plan and
 28 34 program priorities for the commercial and industrial network.
 28 35 These actions recognize that interstate commerce and national
 29 1 economic development are furthered and supported by the
 29 2 national system of interstate and defense highways and the
 29 3 national highway system, and that Iowa commerce and economic
 29 4 development are supported by Iowa's commercial and industrial
 29 5 network of highways.
 29 6 2. ACCESS IOWA HIGHWAY DESIGNATION. The state department
 29 7 of transportation shall designate portions of the commercial
 29 8 and industrial network of highways as access Iowa highways and
 29 9 shall expedite and accelerate development of access Iowa
 29 10 highways. When designating those portions of the commercial
 29 11 and industrial network as access Iowa highways, the department
 29 12 shall consider the direct and priority linkages between
 29 13 economic centers within the state with populations of 20,000
 29 14 or more and the enhancement of intrastate mobility and Iowa
 29 15 regional accessibility and national accessibility.
 29 16 3. REPEAL. This section is repealed effective July 1,
 29 17 2015.

29 18 DIVISION X
 29 19 HONEY CREEK PREMIER DESTINATION
 29 20 PARK BOND PROGRAM

29 21 Sec. 42. Section 12.30, subsection 1, paragraph a, Code
 29 22 2005, is amended to read as follows:
 29 23 a. "Authority" means a department, or public or quasi-
 29 24 public instrumentality of the state including, but not limited
 29 25 to, the authority created under chapter 12E, 16, 16A, 175,
 29 26 257C, 261A, ~~or 327I~~, or 463C, which has the power to issue
 29 27 obligations, except that "authority" does not include the
 29 28 state board of regents or the Iowa finance authority to the
 29 29 extent it acts pursuant to chapter 260C.

CODE: Adds the Honey Creek Premier Destination Park Authority
 reference to the definition of "Authority" as it relates to the Treasurer of
 State's coordination of bonding activities.

PG LN	House File 875	Explanation
29 30 29 31 29 32	<p>Sec. 43. <u>NEW SECTION</u>. 463C.1 TITLE. This chapter shall be known and may be cited as the "Honey Creek Premier Destination Park Bond Program".</p>	<p>CODE: Establishes a title reference to Chapter 463C, <u>Code of Iowa</u>, relating to the Honey Creek Premier Destination Park Bond Program.</p>
29 33 29 34 29 35 30 1 30 2 30 3 30 4 30 5 30 6 30 7 30 8 30 9 30 10 30 11	<p>Sec. 44. <u>NEW SECTION</u>. 463C.2 DEFINITIONS. As used in this chapter, unless the context otherwise requires:</p> <ol style="list-style-type: none"> 1. "Authority" means the honey creek premier destination park authority created in section 463C.4. 2. "Board" means the governing board of the authority. 3. "Bonds" means bonds, notes, and other obligations and financing arrangements issued or entered into by the authority pursuant to this chapter. 4. "Department" means the department of natural resources. 5. "Fund" means the honey creek premier destination park bond fund created in section 463C.11. 6. "Program" means the honey creek premier destination park bond program established in section 463C.10. 	<p>CODE: Establishes definitions for the Honey Creek Premier Destination Park Bond Program.</p>
30 12 30 13 30 14 30 15 30 16 30 17 30 18 30 19 30 20 30 21 30 22 30 23 30 24 30 25 30 26 30 27 30 28 30 29	<p>Sec. 45. <u>NEW SECTION</u>. 463C.3 LEGISLATIVE FINDINGS. 1. The establishment of the honey creek premier destination park bond program and honey creek premier destination park authority is in all respects for the benefit of the people of the state of Iowa, for the improvement of their health and welfare, and for the promotion of the economy, which are public purposes.</p> <p>2. The authority will be performing an essential governmental function in the exercise of the powers and duties conferred upon it by this chapter.</p> <p>3. The authority will assist in the establishment of the honey creek premier destination park in the state which will provide important recreational and economic benefits to the state.</p> <p>4. Current efforts to develop the honey creek premier destination park in the state have fallen short and the creation of an authority which has the mission of engaging and assisting in these efforts will increase the likelihood of</p>	<p>CODE: Establishes legislative findings for the Honey Creek Premier Destination Park Bond Program.</p>

30 30 reaching the desired goal.
 30 31 5. It is necessary to create the honey creek premier
 30 32 destination park bond program and authority to encourage the
 30 33 investment of private capital to stimulate the development and
 30 34 construction of the park including lodges, campgrounds,
 30 35 cabins, and golf courses through the use of public financing,
 31 1 and to this extent it is the public policy of this state to
 31 2 support the honey creek premier destination park bond program
 31 3 in the procurement of necessary moneys for deposit into the
 31 4 honey creek premier destination park bond fund.

31 5 Sec. 46. NEW SECTION. 463C.4 ESTABLISHMENT OF HONEY
 31 6 CREEK PREMIER DESTINATION PARK AUTHORITY.

31 7 1. The honey creek premier destination park authority is
 31 8 created and constitutes a public instrumentality and agency of
 31 9 the state, separate and distinct from the state, exercising
 31 10 public and essential governmental functions.

31 11 2. The purposes of the authority include all of the
 31 12 following:

31 13 a. To implement and administer the honey creek premier
 31 14 destination park bond program and to establish a stable source
 31 15 of revenue to be used for the purposes designated in this
 31 16 chapter.

31 17 b. To issue bonds and enter into funding options,
 31 18 consistent with this chapter, including refunding and
 31 19 refinancing its debt and obligations.

31 20 c. To provide for and secure the issuance and repayment of
 31 21 its bonds.

31 22 d. To invest funds available under this chapter to provide
 31 23 for a source of revenue in accordance with the program plan.

31 24 e. To refund and refinance the authority's debts and
 31 25 obligations, and to manage its funds, obligations, and
 31 26 investments as necessary and if consistent with its purpose.

31 27 f. To implement the purposes of this chapter.

31 28 3. The authority shall invest its funds and accounts in
 31 29 accordance with this chapter and shall not take action or
 31 30 invest in any manner that would cause the state to become a

CODE: Establishes the Honey Creek Premier Destination Park Authority and specifies the duties and financial limitations of the Authority.

31 31 stockholder in any corporation or that would cause the state
 31 32 to assume or agree to pay the debt or liability of any
 31 33 corporation in violation of the United States Constitution or
 31 34 the Constitution of the State of Iowa.

31 35 4. The authority shall not create any obligation of this
 32 1 state or any political subdivision of this state within the
 32 2 meaning of any constitutional or statutory debt limitation.

32 3 5. The authority shall not pledge the credit or taxing
 32 4 power of this state or any political subdivision of this
 32 5 state, or make its debts payable out of any moneys except
 32 6 those of the authority specifically pledged for their payment.

32 7 Sec. 47. NEW SECTION. 463C.5 GOVERNING BOARD.

32 8 1. The powers of the authority are vested in and shall be
 32 9 exercised by a board consisting of the treasurer of state, the
 32 10 auditor of state, and the director of the department of
 32 11 management. Notwithstanding the provisions of section 12.30,
 32 12 subsection 2, regarding ex officio nonvoting status, the
 32 13 treasurer of state shall act as a voting member of the
 32 14 authority.

32 15 2. Two members of the board constitute a quorum.

32 16 3. The members shall elect a chairperson, vice
 32 17 chairperson, and secretary, annually, and other officers as
 32 18 the members determine necessary. The treasurer of state shall
 32 19 serve as treasurer of the authority.

32 20 4. Meetings of the board shall be held at the call of the
 32 21 chairperson or when a majority of the members so requests.

32 22 5. The members of the board shall not receive compensation
 32 23 by reason of their membership on the board.

CODE: Specifies the powers of the Governing Board of the Honey
 Creek Premier Destination Park Bond Authority and specifies the
 membership Board.

32 24 Sec. 48. NEW SECTION. 463C.6 STAFF — ASSISTANCE BY
 32 25 STATE OFFICERS, AGENCIES, AND DEPARTMENTS.

32 26 1. The staff of the office of the treasurer of state shall
 32 27 also serve as staff of the authority under the supervision of
 32 28 the treasurer.

32 29 2. State officers, agencies, and departments may render
 32 30 services to the authority within their respective functions,

CODE: Requires the Office of the Treasurer of State to provide staff
 support for the Honey Creek Premier Destination Park Authority.

32 31 as requested by the authority.

32 32 Sec. 49. NEW SECTION. 463C.7 LIMITATION OF LIABILITY.

32 33 Members of the board and persons acting on the authority's
32 34 behalf, while acting within the scope of their employment or
32 35 agency, are not subject to personal liability resulting from
33 1 carrying out the powers and duties conferred on them under
33 2 this chapter.

CODE: Specifies that members of the Governing Board and staff are not subject to personal liability as it relates to the operation of the Authority.

33 3 Sec. 50. NEW SECTION. 463C.8 GENERAL POWERS OF
33 4 AUTHORITY.

33 5 1. The authority has all the general powers necessary to
33 6 carry out its purposes and duties and to exercise its specific
33 7 powers, including but not limited to all of the following
33 8 powers:

33 9 a. The power to issue its bonds and to enter into other
33 10 funding options as provided in this chapter.

33 11 b. The power to have perpetual succession as a public
33 12 instrumentality and agency of the state, until dissolved in
33 13 accordance with this chapter.

33 14 c. The power to sue and be sued in its own name.

33 15 d. The power to make and execute agreements, contracts,
33 16 and other instruments, with any public or private person, in
33 17 accordance with this chapter.

33 18 e. The power to hire and compensate legal counsel,
33 19 notwithstanding chapter 13.

33 20 f. The power to hire investment advisors and other persons
33 21 as necessary to fulfill its purpose.

33 22 g. The power to invest or deposit moneys of or held by the
33 23 authority in any manner determined by the authority,
33 24 notwithstanding chapter 12B or 12C.

33 25 h. The power to procure insurance, other credit
33 26 enhancements, and other financing arrangements, and to execute
33 27 instruments and contracts and to enter into agreements
33 28 convenient or necessary to facilitate financing arrangements
33 29 of the authority and to fulfill the purposes of the authority
33 30 under this chapter, including but not limited to such

CODE: Specifies the general powers of the Honey Creek Premier Destination Park Authority.

33 31 arrangements, instruments, contracts, and agreements as bond
 33 32 insurance, liquidity facilities, interest rate agreements, and
 33 33 letters of credit.

33 34 i. The power to accept appropriations, gifts, grants,
 33 35 loans, or other aid from public or private entities.

34 1 j. The power to adopt rules consistent with this chapter
 34 2 and in accordance with chapter 17A, as the board determines
 34 3 necessary.

34 4 k. The power to acquire, own, hold, administer, and
 34 5 dispose of property.

34 6 l. The power to determine, in connection with the issuance
 34 7 of bonds, and subject to the sales agreement, the terms and
 34 8 other details of financing, and the method of implementation
 34 9 of the program plan.

34 10 m. The power to perform any act not inconsistent with
 34 11 federal or state law necessary to carry out the purposes of
 34 12 the authority.

34 13 2. The authority is exempt from the requirements of
 34 14 chapter 8A, subchapter III.

34 15 Sec. 51. NEW SECTION. 463C.9 POWERS NOT RESTRICTED —
 34 16 LAW COMPLETE IN ITSELF.

34 17 This chapter shall not restrict or limit the powers which
 34 18 the authority has under any other law of this state, but is
 34 19 cumulative as to any such powers. A proceeding, notice, or
 34 20 approval is not required for the creation of the authority or
 34 21 the issuance of obligations or an instrument as security,
 34 22 except as provided in this chapter.

CODE: Specifies that the provisions of Chapter 463C, Code of Iowa, do not limit the powers that the Authority may have under other statutory provisions.

34 23 Sec. 52. NEW SECTION. 463C.10 HONEY CREEK PREMIER
 34 24 DESTINATION PARK BOND PROGRAM.

34 25 The authority shall assist in the development and expansion
 34 26 of the honey creek premier destination park in the state
 34 27 through the establishment of the honey creek premier
 34 28 destination park bond program. The authority may issue its
 34 29 bonds or notes, or series of bonds or notes, for the purpose
 34 30 of defraying the cost of one or more projects for the

CODE: Requires the Authority to establish the Honey Creek Premier Destination Park Bond Program and authorizes the Authority to issue bonds for the development of the Park.

34 31 development and expansion of the honey creek premier
 34 32 destination park in the state, including lodges, campgrounds,
 34 33 cabins, and golf courses, and make secured and unsecured loans
 34 34 for the acquisition and construction of such projects on terms
 34 35 the authority determines.

35 1 Sec. 53. NEW SECTION. 463C.11 HONEY CREEK PREMIER
 35 2 DESTINATION PARK BOND FUND.

35 3 1. The honey creek premier destination park bond fund is
 35 4 established as a separate and distinct fund in the state
 35 5 treasury consisting of honey creek premier destination park
 35 6 revenues, any moneys appropriated by the general assembly to
 35 7 the fund, and any other moneys available to and obtained or
 35 8 accepted by the authority for placement in the fund. The
 35 9 moneys in the fund shall be used to develop the honey creek
 35 10 premier destination park in the state by funding the
 35 11 development and construction of facilities in the park
 35 12 including but not limited to lodges, campgrounds, cabins, and
 35 13 golf courses. The treasurer of state is authorized to
 35 14 establish separate and distinct accounts within the honey
 35 15 creek premier destination park bond fund in connection with
 35 16 the issuance of the authority's bonds in accordance with the
 35 17 trust indenture or resolution authorizing the bonds and the
 35 18 authority is authorized to determine which revenues and
 35 19 accounts shall be pledged as security for the bonds. Amounts
 35 20 deposited in the honey creek premier destination park bond
 35 21 fund shall be deposited in the separate and distinct accounts
 35 22 as set forth in the trust indenture or resolution authorizing
 35 23 the bonds. The authority is authorized to pledge and use the
 35 24 gross revenues from the honey creek premier destination park
 35 25 to and for payment of the bonds. Revenues may also be used
 35 26 for the payment of insurance, other credit enhancements, and
 35 27 other financing arrangements. Operating expenses of the honey
 35 28 creek premier destination park may be paid from the revenues
 35 29 to the extent the revenues exceed the amount determined by the
 35 30 authority to be necessary for debt service on the bonds.

35 31 2. Payments of interest, repayments of moneys loaned

CODE: Establishes the Honey Creek Premier Destination Park Bond Fund and requires the proceeds be used for the development and construction of facilities in the Park. Authorizes the Authority to pledge revenues of the Bond Fund for the payment of bonds, insurance, other credit enhancements, and other financing arrangements.

Allows the Authority to use proceeds of the Bond Fund to provide grants, loans, forgivable loans, and loan guarantees for the development and construction of facilities in the Park. The repayment of loans are to be deposited in the Bond Fund.

Specifies that the Authority, in consultation with the DNR, will determine the projects to be funded.

35 32 pursuant to this chapter, and recaptures of awards shall be
35 33 deposited in the fund.

35 34 3. Moneys in the fund may be used by the authority for the
35 35 purpose of providing grants, loans, forgivable loans, loan
36 1 guarantees under the honey creek premier destination park bond
36 2 program established in this chapter, and otherwise funding the
36 3 development and construction of facilities in the park
36 4 including but not limited to lodges, campgrounds, cabins, and
36 5 golf courses. The moneys in the fund shall be used for the
36 6 development and construction of facilities in the honey creek
36 7 premier destination park.

36 8 4. The authority, in consultation with the department,
36 9 shall determine which projects qualify for assistance from the
36 10 fund, and which projects shall be funded.

36 11 Sec. 54. NEW SECTION. 463C.12 PREMIER DESTINATION PARK
36 12 BONDS.

36 13 1. The authority may issue bonds for the purpose of
36 14 funding the honey creek premier destination park bond fund
36 15 established in section 463C.11 and for the purpose of
36 16 refunding any bonds issued under this section. The authority
36 17 may issue bonds in principal amounts which, in the opinion of
36 18 the board, are necessary to provide sufficient funds for the
36 19 honey creek premier destination park bond fund established in
36 20 section 463C.11, the payment of interest on the bonds, the
36 21 establishment of reserves to secure the bonds, the costs of
36 22 issuance of the bonds, other expenditures of the authority
36 23 incident to and necessary or convenient to carry out the bond
36 24 issue for the fund, and all other expenditures of the board
36 25 necessary or convenient to administer the fund; provided,
36 26 however, excluding the issuance of refunding bonds, bonds
36 27 issued pursuant to this section shall not be issued in an
36 28 aggregate principal amount which exceeds twenty-eight million
36 29 dollars.

36 30 2. The bonds are investment securities and negotiable
36 31 instruments within the meaning of and for the purposes of the
36 32 uniform commercial code.

CODE: Allows the Honey Creek Premier Destination Park Authority to issue up to \$28,000,000 in bonds. Specifies that the bonds issued are payable solely and only out of the moneys, assets, or revenues of the Honey Creek Premier Destination Park Bond Fund and that the bonds do not constitute an indebtedness of the State.

Specifies the general terms of a bond agreement and that any bonds issued by the Authority and the interest earned on the bonds are exempt from State taxes.

36 33 3. The authority may pledge amounts deposited in the honey
36 34 creek premier destination park bond fund established in
36 35 section 463C.11 as security for the payment of the principal
37 1 of premium, if any, and interest on the bonds. Bonds issued
37 2 under this section are payable solely and only out of the
37 3 moneys, assets, or revenues of the honey creek premier
37 4 destination park bond fund and any bond reserve funds
37 5 established pursuant to section 463C.13, all of which may be
37 6 deposited with trustees or depositories in accordance with
37 7 bond or security documents, and are not an indebtedness of
37 8 this state, or a charge against the general credit or general
37 9 fund of the state, and the state shall not be liable for the
37 10 bonds except from amounts on deposit in the funds. Bonds
37 11 issued under this section shall contain a statement that the
37 12 bonds do not constitute an indebtedness of the state.

37 13 4. The bonds shall be:

37 14 a. In a form, issued in denominations, executed in a
37 15 manner, payable over terms and with rights of redemption, and
37 16 subject to such other terms and conditions as prescribed in
37 17 the trust indenture, resolution, or other instrument
37 18 authorizing their issuance.

37 19 b. Negotiable instruments under the laws of this state and
37 20 may be sold at prices, at public or private sale, and in a
37 21 manner as prescribed by the authority. Chapters 73A, 74, 74A,
37 22 and 75 do not apply to the sale or issuance of the bonds.

37 23 c. Subject to the terms, conditions, and covenants
37 24 providing for the payment of the principal, redemption
37 25 premiums, if any, interest, and other terms, conditions,
37 26 covenants, and protective provisions safeguarding payment, not
37 27 inconsistent with this section and as determined by the trust
37 28 indenture, resolution, or other instrument authorizing their
37 29 issuance.

37 30 5. The bonds are securities in which public officers and
37 31 bodies of this state, political subdivisions of this state,
37 32 insurance companies and associations and other persons
37 33 carrying on an insurance business, banks, trust companies,
37 34 savings associations, savings and loan associations, and

37 35 investment companies, administrators, guardians, executors,
38 1 trustees, and other fiduciaries, and other persons authorized
38 2 to invest in bonds or other obligations of the state, may
38 3 properly and legally invest funds, including capital, in their
38 4 control or belonging to them.

38 5 6. Bonds must be authorized by a trust indenture,
38 6 resolution, or other instrument of the authority that is
38 7 approved by the authority. However, a trust indenture,
38 8 resolution, or other instrument authorizing the issuance of
38 9 bonds may delegate to an officer of the authority the power to
38 10 negotiate and fix the details of an issuance of bonds.

38 11 7. Neither the resolution, trust agreement, or any other
38 12 instrument by which a pledge is created is required to be
38 13 recorded or filed under the uniform commercial code to be
38 14 valid, binding, or effective.

38 15 8. All bonds issued by the authority in connection with
38 16 the program are exempt from taxation by the state of Iowa and
38 17 the interest on the bonds is exempt from state income taxes
38 18 and state inheritance and estate taxes.

38 19 9. The authority may issue bonds for the purpose of
38 20 refunding any bonds or notes issued pursuant to this section
38 21 then outstanding, including the payment of any redemption
38 22 premiums thereon and any interest accrued or to accrue to the
38 23 date of redemption of the outstanding bonds or notes. Until
38 24 the proceeds of bonds issued for the purpose of refunding
38 25 outstanding bonds or notes are applied to the purchase or
38 26 retirement of outstanding bonds or notes or the redemption of
38 27 outstanding bonds or notes, the proceeds may be placed in
38 28 escrow and be invested and reinvested in accordance with the
38 29 provisions of this section. The interest, income, and profits
38 30 earned or realized on an investment may also be applied to the
38 31 payment of the outstanding bonds or notes to be refunded by
38 32 purchase, retirement, or redemption. After the terms of the
38 33 escrow have been fully satisfied and carried out, any balance
38 34 of proceeds and interest earned or realized on the investments
38 35 may be returned to the board for deposit in the honey creek
39 1 premier destination park bond fund established in section

39 2 463C.11. All refunding bonds shall be issued and secured and
39 3 subject to the provisions of this chapter in the same manner
39 4 and to the same extent as other bonds issued pursuant to this
39 5 section.

39 6 Sec. 55. NEW SECTION. 463C.13 BOND RESERVE FUNDS.

39 7 1. The authority may create and establish one or more
39 8 special funds, to be known as bond reserve funds, and shall
39 9 pay into each bond reserve fund any moneys appropriated and
39 10 made available by the authority for the purpose of the bond
39 11 reserve fund, any proceeds of sale of notes or bonds to the
39 12 extent provided in the trust indenture, resolution, or other
39 13 instrument of the treasurer of state authorizing their
39 14 issuance, and any other moneys which may be available to the
39 15 authority for the purpose of the bond reserve fund from any
39 16 other sources. All moneys held in a bond reserve fund, except
39 17 as otherwise provided in this section, shall be used as
39 18 required solely for the payment of the principal of bonds
39 19 secured in whole or in part by the bond reserve fund or of the
39 20 sinking fund payments with respect to the bonds, the purchase
39 21 or redemption of the bonds, the payment of interest on the
39 22 bonds, or the payments of any redemption premium required to
39 23 be paid when the bonds are redeemed prior to maturity.

39 24 2. Moneys in a bond reserve fund shall not be withdrawn
39 25 from the bond reserve fund at any time in an amount that will
39 26 reduce the amount of the bond reserve fund to less than the
39 27 bond reserve fund requirement established for the bond reserve
39 28 fund, as provided in this section, except for the purpose of
39 29 making, with respect to bonds secured in whole or in part by
39 30 the bond reserve fund, payment when due of principal,
39 31 interest, redemption premiums, and the sinking fund payments
39 32 with respect to the bonds for the payment of which other
39 33 moneys are not available. Any income or interest earned by,
39 34 or incremental to, a bond reserve fund due to the investment
39 35 of moneys in the bond reserve fund may be transferred by the
40 1 authority to other reserve funds or the honey creek premier
40 2 destination park bond fund to the extent the transfer does not

CODE: Allows the Authority to establish one or more bond reserve funds for purposes of administering the bonds and specifies the general requirements of establishing bond reserve funds. Requires the Chairperson of the Authority to certify annually, by January 1, the amount that is required to restore the bond reserve fund(s) to the required level for the purpose of insuring payment of the bonds. Within 30 days of the beginning of each legislative session, the Governor is required to submit the amount, if any, that is required to restore the bond reserve fund(s) to the required level.

40 3 reduce the amount of that bond reserve fund below the bond
40 4 reserve fund requirement for the bond reserve fund.
40 5 3. The authority shall not at any time issue bonds,
40 6 secured in whole or in part by a bond reserve fund, if, upon
40 7 the issuance of the bonds, the amount in the bond reserve fund
40 8 will be less than the bond reserve fund requirement for the
40 9 bond reserve fund, unless the authority at the time of
40 10 issuance of the bonds deposits in the bond reserve fund from
40 11 the proceeds of the bonds issued or from other sources an
40 12 amount which, together with the amount then in the bond
40 13 reserve fund, will not be less than the bond reserve fund
40 14 requirement for the bond reserve fund. For the purposes of
40 15 this section, the term "bond reserve fund requirement" means,
40 16 as of any particular date of computation, an amount of money,
40 17 as provided in the trust indenture, resolution, or other
40 18 instrument of the authority authorizing the bonds with respect
40 19 to which the bond reserve fund is established, equal to not
40 20 more than ten percent of the outstanding principal amount of
40 21 bonds secured in whole or in part by the bond reserve fund.
40 22 4. To assure the continued operation and solvency of the
40 23 authority for the carrying out of its corporate purposes,
40 24 provision is made in subsection 1 for the accumulation in each
40 25 bond reserve fund of an amount equal to the bond reserve fund
40 26 requirement for the fund. In order further to assure
40 27 maintenance of the bond reserve funds, the chairperson of the
40 28 authority shall, on or before January 1 of each calendar year,
40 29 make and deliver to the governor the chairperson's certificate
40 30 stating the sum, if any, required to restore each bond reserve
40 31 fund to the bond reserve fund requirement for that fund.
40 32 Within thirty days after the beginning of the session of the
40 33 general assembly next following the delivery of the
40 34 certificate, the governor shall submit to both houses printed
40 35 copies of a budget including the sum, if any, required to
41 1 restore each bond reserve fund to the bond reserve fund
41 2 requirement for that fund. Any sums appropriated by the
41 3 general assembly and paid to the authority pursuant to this
41 4 section shall be deposited by the authority in the applicable

41 5 bond reserve fund.

41 6 Sec. 56. NEW SECTION. 463C.14 PLEDGES.

41 7 It is the intention of the general assembly that a pledge
41 8 made in respect of bonds or notes shall be valid and binding
41 9 from the time the pledge is made, that the money or property
41 10 so pledged and received after the pledge by the treasurer of
41 11 state shall immediately be subject to the lien of the pledge
41 12 without physical delivery or further act, and that the lien of
41 13 the pledge shall be valid and binding as against all parties
41 14 having claims of any kind in tort, contract, or otherwise
41 15 against the treasurer of state whether or not the parties have
41 16 notice of the lien.

CODE: Specifies that a pledge made relating to the bonds is valid and binding from the time the pledge is made.

41 17 Sec. 57. NEW SECTION. 463C.15 MONEYS OF THE AUTHORITY.

41 18 1. Moneys of the authority from whatever source derived,
41 19 except as otherwise provided in this chapter, shall be paid to
41 20 the authority and shall be deposited in the honey creek
41 21 premier destination park bond fund. The moneys shall be
41 22 withdrawn on the order of the person authorized by the
41 23 authority. Deposits shall, if required by the authority, be
41 24 secured in the manner determined by the authority. The
41 25 auditor of state and the auditor's legally authorized
41 26 representatives may periodically examine the accounts and
41 27 books of the authority, including its receipts, disbursements,
41 28 contracts, leases, sinking funds, investments and any other
41 29 records and papers relating to its financial standing, and the
41 30 authority shall not be required to pay a fee for the
41 31 examination.
41 32 2. The authority may contract with holders of its bonds or
41 33 notes as to the custody, collection, security, investment, and
41 34 payment of moneys of the authority, of moneys held in trust or
41 35 otherwise for the payment of bonds or notes, and to carry out
42 1 the contract. Moneys held in trust or otherwise for the
42 2 payment of bonds or notes or in any way to secure bonds or
42 3 notes and deposits of the moneys may be secured in the same
42 4 manner as moneys of the authority, and banks and trust

CODE: Requires that all moneys received by the Authority be deposited into the Honey Creek Premier Destination Park Bond Fund. Specifies requirements concerning deposits, withdrawals, administration, and oversight of the Authority's financial accounts.

42 5 companies may give security for the deposits.
42 6 3. Subject to the provisions of any contract with
42 7 bondholders or noteholders and to the approval of the director
42 8 of the department of administrative services, the authority
42 9 shall prescribe a system of accounts.
42 10 4. The authority shall submit to the governor, the auditor
42 11 of state, the department of management, and the department of
42 12 administrative services, within thirty days of its receipt by
42 13 the authority, a copy of the report of every external
42 14 examination of the books and accounts of the authority other
42 15 than copies of the reports of examinations made by the auditor
42 16 of state.

42 17 Sec. 58. NEW SECTION. 463C.16 ANNUAL REPORT.

42 18 1. The authority shall submit to the governor, the general
42 19 assembly, and the attorney general, on or before December 31,
42 20 annually, a report including information regarding all of the
42 21 following:

42 22 a. Its operations and accomplishments.

42 23 b. Its receipts and expenditures during the previous
42 24 fiscal year, in accordance with classifications it establishes
42 25 for its operating and capital accounts.

42 26 c. Its assets and liabilities at the end of the previous
42 27 fiscal year and the status of reserve, special, and other
42 28 funds.

42 29 d. A schedule of its bonds outstanding at the end of the
42 30 previous fiscal year, and a statement of the amounts redeemed
42 31 and issued during the previous fiscal year.

42 32 e. A statement of its proposed and projected activities.

42 33 f. Recommendations to the governor and the general
42 34 assembly, as deemed necessary.

42 35 g. A statement of all projects funded in the previous
43 1 fiscal year.

43 2 h. Any other information deemed necessary.

43 3 2. The annual report shall identify performance goals of
43 4 the authority, and clearly indicate the extent of progress
43 5 during the reporting period in attaining these goals.

CODE: Requires the Honey Creek Premier Destination Park Authority to submit an annual report to the Governor, the General Assembly, and the Attorney General by December 31 of each year.

43 6 Sec. 59. NEW SECTION. 463C.17 EXEMPTION FROM COMPETITIVE
43 7 BID LAWS.

43 8 The authority and contracts entered into by the authority
43 9 in carrying out its public and essential governmental
43 10 functions are exempt from the laws of the state which provide
43 11 for competitive bids and hearings in connection with
43 12 contracts, except as provided in section 12.30. However, the
43 13 exemption from competitive bid laws in this section shall not
43 14 be construed to apply to contracts for the development of the
43 15 park or the development or construction of facilities in the
43 16 park, including, but not limited to, lodges, campgrounds,
43 17 cabins, and golf courses.

CODE: Exempts the Honey Creek Premier Destination Park Authority from State competitive bid laws; however, the exemption does not apply to contracts that involve development or construction of facilities of the Park.

43 18 Sec. 60. NEW SECTION 463C.18 BANKRUPTCY.
43 19 Prior to the date which is three hundred sixty-six days
43 20 after which the authority no longer has any bonds outstanding,
43 21 the authority is prohibited from filing a voluntary petition
43 22 under chapter 9 of the federal bankruptcy code or such
43 23 corresponding chapter or section as may, from time to time, be
43 24 in effect, and a public official or organization, entity, or
43 25 other person shall not authorize the authority to be or become
43 26 a debtor under chapter 9 or any successor or corresponding
43 27 chapter or sections during such periods. The provisions of
43 28 this section shall be part of any contractual obligation owed
43 29 to the holders of bonds issued under this chapter. Any such
43 30 contractual obligation shall not subsequently be modified by
43 31 state law, during the period of the contractual obligation.

CODE: Prohibits the Honey Creek Premier Destination Park Authority from filing for bankruptcy under Chapter 9 of the Federal Bankruptcy Code. Requires that the contractual obligations owed to the holders of bonds not be modified by State law during the period of contractual obligation.

43 32 Sec. 61. NEW SECTION. 463C.19 DISSOLUTION OF THE
43 33 AUTHORITY.

43 34 The authority shall dissolve no later than two years after
43 35 the date of final payment of all outstanding bonds and the
44 1 satisfaction of all outstanding obligations of the authority,
44 2 except to the extent necessary to remain in existence to
44 3 fulfill any outstanding covenants or provisions with
44 4 bondholders or third parties made in accordance with this
44 5 chapter. Upon dissolution of the authority, all assets of the

CODE: Provides that the Authority be dissolved no later than two years after the final payment of all obligations.

44 6 authority shall be returned to the state and shall be
 44 7 deposited in the general fund of the state, unless otherwise
 44 8 directed by the general assembly, and the authority shall
 44 9 execute any necessary assignments or instruments, including
 44 10 any assignment of any right, title, or ownership to the state
 44 11 for receipt of payments.

44 12 Sec. 62. NEW SECTION. 463C.20 LIBERAL INTERPRETATION.
 44 13 This chapter, being deemed necessary for the welfare of the
 44 14 state and its people, shall be liberally construed to effect
 44 15 its purpose.

CODE: Requires Chapter 463C, Code of Iowa, to be interpreted liberally in its application.

44 16 Sec. 63. MATCHING FUNDS. Moneys appropriated in this Act,
 44 17 if enacted, to be used for the purpose of funding the
 44 18 development and construction of the honey creek premier
 44 19 destination park shall be available only for projects that
 44 20 contain a match of four dollars of private funds for each
 44 21 three dollars of state funds.

Requires that development and construction projects of the Honey Creek Premier Destination Park be matched on a basis of \$4 of private funds for every \$3 of State funds.

44 22 Sec. 64. EFFECTIVE DATE. This division of this Act, being
 44 23 deemed of immediate importance, takes effect upon enactment.

Specifies that the provisions of this Act relating to the Honey Creek Premier Destination Park take effect on enactment.

44 24 HF 875
 44 25 mg:nh/es/25

**EXECUTIVE SUMMARY
FY 2006 JUDICIAL BRANCH APPROPRIATIONS ACT**

HOUSE FILE 807

FUNDING SUMMARY

- Appropriates \$120.5 million and 1,832.9 FTE positions from the General Fund to the Judicial Branch. This is an increase of \$420,000 and 15.0 FTE positions compared to the estimated net FY 2005 appropriation. This increase includes:
 - \$320,000 and 15.0 FTE positions for additional magistrates, increasing the total number of magistrates to 206.
 - \$100,000 for a youth enrichment pilot project for Polk County for offenders between the ages of 16 and 22 that have been charged with a felony. (Page 1, Line 8 through Page 1, Line 29)
- In addition to the General Fund appropriation, HF 826 (Speed Limit Act) allows the Judicial Branch to retain \$7.0 million for operations from the increased revenue due to increasing the simple misdemeanor court costs from \$17 to \$30.

FISCAL IMPACT

- Adds the following new filing fees:
 - A \$25 filing fee for a praecipe to issue an execution or enforcement of a judgment.
 - A \$50 filing fee for a praecipe to issue an execution or foreclosure of real estate mortgages.
 - A \$50 filing fee for confession of judgments of \$5,000 or less.
 - A \$100 filing fee for a confession of judgment greater than \$5,000.

These filing fees are for the collection of debts after an order or judgment has been received against the debtor. The new filing fees will result in approximately \$337,000 in additional annual revenue to the General Fund. (Page 4, Line 13)

INTENT LANGUAGE AND REQUIRED REPORTS

- Specifies that the Offices of the Clerks of District Court operate in all 99 counties and be accessible to the public as much as reasonably possible. (Page 2, Line 14)
- Requires the Judicial Branch to study the best practices and efficiencies of each judicial district. The report is due to the General Assembly by December 15, 2005. (Page 2, Line 19)
- Requires the Judicial Branch to report to the General Assembly by January 1, 2006, regarding the revenues and expenditures for the Enhanced Court Collections Fund and the Court Technology and Modernization Fund. The report is required to include actual revenues and expenditures for FY 2005 and planned expenditures for FY 2006. (Page 3, Line 12)
- Specifies it is the intent of the General Assembly that the Supreme Court study tribal court issues. (Page 6, Line 7)
- Requires the State Court Administrator to approve all Clerk of Court appointments. (Page 6, Line 34)

**EXECUTIVE SUMMARY
FY 2006 JUDICIAL BRANCH APPROPRIATIONS ACT**

HOUSE FILE 807

**INTENT LANGUAGE AND REQUIRED
REPORTS (CONTINUED)**

- Requires the Judicial Branch to submit reports in electronic format to the Legislative Services Agency (LSA) so the reports can be placed on the LSA web site. (Page 7, Line 2)

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA**

- Reduces the State's contribution to the judicial retirement system from 23.7% to 9.7 % of the judges' basic salaries. (Page 3, Line 27)
- Increases the number of magistrates from 191 to 206, an increase of 15. (Page 3, Line 32)
- Eliminates the requirement that clerks of district court re-send notices by mail unless they receive an updated mailing address. (Page 4, Line 3)
- Allows pre-sentence investigation reports to be electronically mailed to county attorneys. (Page 5, Line 2)
- Allows the Supreme Court to adopt rules allowing for additional compensation for jurors whose attendance and service exceeds seven days. (Page 6, Line 14)
- The Governor vetoed Section 11 of this Act related to a contingent appropriation from the Microsoft settlement that would have been effective on enactment. The contingent appropriation was eliminated during Session, making Section 11 of this Act unnecessary. (Page 7, Line 13)
- This Act was approved by the General Assembly May 20, 2005, and was signed by the Governor on June 14, 2005.

GOVERNOR'S VETO

ENACTMENT DATE

House File 807 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
3	27	2	Nwthstnd	Sec. 602.9104	Reduces Employer Contribution Rate From 23.7% to 9.7%
3	32	3	Amends	Sec. 602.6401(1)	Increases Magistrate Cap
4	3	4	Adds	Sec. 602.8102A	Eliminates Re-Sending Mailing Notices
4	13	5	Amends	Sec. 602.8105(2)	Adds Filing Fees
5	2	6	Amends	Sec. 901.4	Allows E-mail of Pre-Sentence Investigation Reports
6	14	8	Amends	Sec. 607A.8	Additional Compensation for Jurors

1 1 JUDICIAL BRANCH

1 2 Section 1. JUDICIAL BRANCH.

1 3 1. There is appropriated from the general fund of the
1 4 state to the judicial branch for the fiscal year beginning
1 5 July 1, 2005, and ending June 30, 2006, the following amounts,
1 6 or so much thereof as is necessary, to be used for the
1 7 purposes designated:

1 8 a. For salaries of supreme court justices, appellate court
1 9 judges, district court judges, district associate judges,
1 10 judicial magistrates and staff, state court administrator,
1 11 clerk of the supreme court, district court administrators,
1 12 clerks of the district court, juvenile court officers, board
1 13 of law examiners and board of examiners of shorthand reporters
1 14 and judicial qualifications commission, receipt and
1 15 disbursement of child support payments, reimbursement of the
1 16 auditor of state for expenses incurred in completing audits of
1 17 the offices of the clerks of the district court during the
1 18 fiscal year beginning July 1, 2005, and maintenance,
1 19 equipment, and miscellaneous purposes:
1 20 \$118,404,282

General Fund appropriation to the Judicial Branch for operations.

DETAIL: This is an increase of \$320,000 and 15.00 FTE positions compared to the estimated net FY 2005 appropriation for additional magistrates. Section three of the Act increases the FTE cap for magistrates from 191 to 206.

Section 46 of HF 882 (FY 2006 Standing Appropriations Act) decreases the Judicial Branch appropriation for operations by \$50,000. The Judicial Branch also received \$4,880,000 in salary adjustment in HF 881 (FY 2006 Salary Act).

In addition to the General Fund appropriation, HF 826 (Speed Limit Act) allows the Judicial Branch to retain \$7,000,000 for operations from the increased revenue due to the increase in the simple misdemeanor court costs from \$17 to \$30.

1 21 b. For an initial grant to be determined by the state
1 22 court administrator, for the establishment of a youth
1 23 enrichment pilot project located in a county with a population
1 24 greater than three hundred thousand that is involved in a
1 25 public and private partnership pursuing life skills,
1 26 education, and mentoring programs for offenders between the
1 27 ages of sixteen and twenty-two who have been charged with a
1 28 felony:
1 29 \$ 100,000

General Fund appropriation for a youth enrichment pilot project for Polk County.

DETAIL: This is a new appropriation of \$100,000 for a pilot project to provide a grant to establish a mentoring program for offenders between the ages of 16 and 22 that have been charged with a felony and reside in a county with a population that exceeds 300,000.

House File 882 (FY 2006 Standing Appropriations Act) transfers \$50,000 of this appropriation to the Sixth Community-Based Corrections (CBC) District Department for a youth leadership program.

1 30 2. The judicial branch, except for purposes of internal
1 31 processing, shall use the current state budget system, the
1 32 state payroll system, and the Iowa finance and accounting
1 33 system in administration of programs and payments for
1 34 services, and shall not duplicate the state payroll,
1 35 accounting, and budgeting systems.

Prohibits the Judicial Branch from duplicating current State payroll, budgeting, and accounting systems, except for the implementation of an internal accounting and record keeping system.

2 1 3. The judicial branch shall submit monthly financial
2 2 statements to the legislative services agency and the
2 3 department of management containing all appropriated accounts
2 4 in the same manner as provided in the monthly financial status
2 5 reports and personal services usage reports of the department
2 6 of administrative services. The monthly financial statements
2 7 shall include a comparison of the dollars and percentage spent
2 8 of budgeted versus actual revenues and expenditures on a
2 9 cumulative basis for full-time equivalent positions and
2 10 dollars.

Requires the Judicial Branch to submit monthly financial statements on all appropriated accounts to the Fiscal Services Division of the Legislative Services Agency and the Department of Management (DOM). Specifies what is to be included in the financial statements.

2 11 4. The judicial branch shall focus efforts upon the
2 12 collection of delinquent fines, penalties, court costs, fees,
2 13 surcharges, or similar amounts.

Requires the Judicial Branch to focus efforts on collecting delinquent fines and fees.

2 14 5. It is the intent of the general assembly that the
2 15 offices of the clerks of the district court operate in all
2 16 ninety-nine counties and be accessible to the public as much
2 17 as is reasonably possible in order to address the relative
2 18 needs of the citizens of each county.

Specifies that it is the intent of the General Assembly that the Judicial Branch operate Clerk of Court offices in all 99 counties and ensure the offices are accessible to the public as much as reasonably possible.

2 19 6. The judicial branch shall study the best practices and
2 20 efficiencies of each judicial district. In identifying the
2 21 most efficient judicial districts and the districts using best
2 22 practices, the judicial branch shall consider the average cost
2 23 to the judicial branch for processing each classification of
2 24 criminal offense or civil action and the overall number of
2 25 cases filed. The judicial branch shall file a report
2 26 regarding the study made and actions taken pursuant to this
2 27 subsection with the cochairpersons and ranking members of the

Requires the Judicial Branch to study the best practices and efficiencies of each judicial district and submit a report to the General Assembly and Legislative Services Agency by December 15, 2005.

2 28 joint appropriations subcommittee on the justice system and to
2 29 the legislative services agency by December 15, 2005.

2 30 7. In addition to the requirements for transfers under
2 31 section 8.39, the judicial branch shall not change the
2 32 appropriations from the amounts appropriated to the judicial
2 33 branch in this Act, unless notice of the revisions is given
2 34 prior to their effective date to the legislative services
2 35 agency. The notice shall include information on the branch's
3 1 rationale for making the changes and details concerning the
3 2 workload and performance measures upon which the changes are
3 3 based.

Requires the Judicial Branch to notify the Legislative Services Agency prior to any intradepartmental transfer of funds. Specifies the contents of the notice.

3 4 8. The judicial branch shall submit a semiannual update to
3 5 the legislative services agency specifying the amounts of
3 6 fines, surcharges, and court costs collected using the Iowa
3 7 court information system since the last report. The judicial
3 8 branch shall continue to facilitate the sharing of vital
3 9 sentencing and other information with other state departments
3 10 and governmental agencies involved in the criminal justice
3 11 system through the Iowa court information system.

Requires the Judicial Branch to provide a semi-annual report to the Legislative Services Agency, specifying the amount of fines, surcharges, and court costs collected using the Iowa Court Information System (ICIS). Requires the Judicial Branch to continue to share vital sentencing and other information with departments and government agencies involved with the criminal justice system through the Iowa Court Information System.

3 12 9. The judicial branch shall provide a report to the
3 13 general assembly by January 1, 2006, concerning the amounts
3 14 received and expended from the enhanced court collections fund
3 15 created in section 602.1304 and the court technology and
3 16 modernization fund created in section 602.8108, subsection 5,
3 17 during the fiscal year beginning July 1, 2004, and ending June
3 18 30, 2005, and the plans for expenditures from each fund during
3 19 the fiscal year beginning July 1, 2005, and ending June 30,
3 20 2006. A copy of the report shall be provided to the
3 21 legislative services agency.

Requires the Judicial Branch to report to the General Assembly by January 1, 2006, concerning the revenues and expenditures of the Enhanced Court Collections Fund and the Court Technology and Modernization Fund for FY 2005 and planned expenditures for FY 2006. The Judicial Branch is required to provide a copy of this report to the Legislative Services Agency.

3 22 Sec. 2. JUDICIAL RETIREMENT FUND. There is appropriated
3 23 from the general fund of the state to the judicial retirement
3 24 fund for the fiscal year beginning July 1, 2005, and ending
3 25 June 30, 2006, the following amount, or so much thereof as is

3 26 necessary, to be used for the purpose designated:
 3 27 Notwithstanding section 602.9104, for the state's
 3 28 contribution to the judicial retirement fund in the amount of
 3 29 9.7 percent of the basic salaries of the judges covered under
 3 30 chapter 602, article 9:
 3 31 \$ 2,039,664

General Fund appropriation to the Judicial Branch for the Judicial Retirement Fund.

DETAIL: Maintains current level of General Fund support.

CODE: Reduces the State's contribution to the Judicial Retirement Fund from 23.70% to 9.70% of the basic salaries of judges.

3 32 Sec. 3. Section 602.6401, subsection 1, Code 2005, is
 3 33 amended to read as follows:
 3 34 1. ~~One~~ Two hundred ~~ninety-one~~ six magistrates shall be
 3 35 apportioned among the counties as provided in this section.
 4 1 Magistrates appointed pursuant to section 602.6402 shall not
 4 2 be counted for purposes of this section.

CODE: Increases the number of magistrates from 191 to 206, an increase of 15.

DETAIL: The Judicial Branch reallocated magistrates in the Spring of 2005. The following counties received new magistrates:

- Dubuque - one
- Pottawattamie - one
- Dallas - one
- Jasper - one
- Johnson - one
- Linn - two
- Scott - two
- Polk - six

Fifteen counties that had two magistrates were reduced to one magistrate based on the judgeship formula reallocation (Section 602.6401, Code of Iowa). By increasing the magistrate cap by 15.00 FTEs, the counties that received a reduction in magistrates essentially had those positions restored through this legislation. Those counties are as follows: Delaware, Winneshiek, Floyd, Hardin, Sac, Cherokee, Mills, Montgomery, Clark, Iowa, Jones, Tama, Jackson, Appanoose, and Page.

4 3 Sec. 4. NEW SECTION. 602.8102A NOTICES RETURNED FOR
 4 4 UNKNOWN ADDRESS — RESENDING.
 4 5 Notwithstanding any other provision of the Code to the
 4 6 contrary, and subject to rules prescribed by the supreme
 4 7 court, if the clerk of the district court sends a mailing or

CODE: Eliminates the requirement that clerks of district court re-send notices by mail unless they receive an updated mailing address.

4 8 notice to a person or party and the mailing or notice is
 4 9 returned by the postal service to the clerk of the district
 4 10 court as undeliverable, the clerk is not required to send a
 4 11 repeat or subsequent mailing or notice unless the clerk
 4 12 receives an updated mailing address.

4 13 Sec. 5. Section 602.8105, subsection 2, Code 2005, is
 4 14 amended to read as follows:

4 15 2. The clerk of the district court shall collect the
 4 16 following fees for miscellaneous services:

4 17 a. For filing, entering, and endorsing a mechanic's lien,
 4 18 twenty dollars, and if a suit is brought, the fee is taxable
 4 19 as other costs in the action.

4 20 b. For filing and entering an agricultural supply dealer's
 4 21 lien and any other statutory lien, twenty dollars.

4 22 c. For a certificate and seal, ten dollars. However,
 4 23 there shall be no charge for a certificate and seal to an
 4 24 application to procure a pension, bounty, or back pay for a
 4 25 member of the armed services or other person.

4 26 d. For certifying a change in title of real estate, twenty
 4 27 dollars.

4 28 e. For filing a praecipe to issue execution under chapter
 4 29 626, twenty-five dollars.

4 30 f. For filing a praecipe to issue execution under chapter
 4 31 654, fifty dollars.

4 32 g. For filing a confession of judgment under chapter 676,
 4 33 fifty dollars if the judgment is five thousand dollars or
 4 34 less, and one hundred dollars if the judgment exceeds five
 4 35 thousand dollars.

5 1 e- h. Other fees provided by law.

5 2 Sec. 6. Section 901.4, Code 2005, is amended to read as
 5 3 follows:

5 4 901.4 PRESENTENCE INVESTIGATION REPORT CONFIDENTIAL —
 5 5 DISTRIBUTION.

5 6 The presentence investigation report is confidential and
 5 7 the court shall provide safeguards to ensure its

CODE: Adds new filing fees for the collection of debts after an order or judgment has been received against a debtor.

DETAIL: Adds the following new filing fees:

- A \$25 filing fee for a praecipe to issue an execution or enforcement of a judgment
- A \$50 filing fee for a praecipe to issue an execution or foreclosure of real estate mortgages
- A \$50 filing fee for confession of judgments \$5,000 or less
- A \$100 filing fee for a confession of judgment greater than \$5,000

FISCAL IMPACT: The new filing fees will generate approximately \$337,000 in additional annual revenue to the General Fund.

CODE: Allows pre-sentence investigation (PSI) reports to be electronically mailed to county attorneys.

5 8 confidentiality, including but not limited to sealing the
5 9 report, which may be opened only by further court order. At
5 10 least three days prior to the date set for sentencing, the
5 11 court shall ~~serve~~ send a copy of all of the presentence
5 12 investigation report ~~upon~~ by ordinary or electronic mail, to
5 13 the defendant's attorney and the attorney for the state, and
5 14 the report shall remain confidential except upon court order.
5 15 However, the court may conceal the identity of the person who
5 16 provided confidential information. The report of a medical
5 17 examination or psychological or psychiatric evaluation shall
5 18 be made available to the attorney for the state and to the
5 19 defendant upon request. The reports are part of the record
5 20 but shall be sealed and opened only on order of the court. If
5 21 the defendant is committed to the custody of the Iowa
5 22 department of corrections and is not a class "A" felon, a copy
5 23 of the presentence investigation report shall be forwarded by
5 24 ordinary or electronic mail to the director with the order of
5 25 commitment by the clerk of the district court and to the board
5 26 of parole at the time of commitment. Pursuant to section
5 27 904.602, the presentence investigation report may also be
5 28 released by ordinary or electronic mail by the department of
5 29 corrections or a judicial district department of correctional
5 30 services to another jurisdiction for the purpose of providing
5 31 interstate probation and parole compact or interstate compact
5 32 for adult offender supervision services or evaluations, or to
5 33 a substance abuse or mental health services provider when
5 34 referring a defendant for services. The defendant or the
5 35 defendant's attorney may file with the presentence
6 1 investigation report, a denial or refutation of the
6 2 allegations, or both, contained in the report. The denial or
6 3 refutation shall be included in the report. If the person is
6 4 sentenced for an offense which requires registration under
6 5 chapter 692A, the court shall release the report by ordinary
6 6 or electronic mail to the department.

6 7 Sec. 7. STUDY OF COURT RULES RELATING TO TRIBAL COURTS.
 6 8 The general assembly acknowledges that contact and interaction
 6 9 between the Iowa court system and federally recognized tribal
 6 10 courts are ever increasing and the general assembly urges the
 6 11 Iowa supreme court to study this interaction and consider
 6 12 developing and prescribing rules that relate to the tribal
 6 13 court system, tribal court orders, judgments, and decrees.

Specifies it is the intent of the General Assembly that the Supreme Court study tribal court issues.

6 14 Sec. 8. Section 607A.8, Code 2005, is amended to read as
 6 15 follows:

CODE: Permits the Supreme Court to adopt rules to allow additional compensation for jurors whose service exceeds seven days.

6 16 607A.8 FEES AND EXPENSES FOR JURORS.
 6 17 Grand jurors and petit jurors in all courts shall receive
 6 18 ten dollars as compensation for each day's service or
 6 19 attendance, including attendance required for the purpose of
 6 20 being considered for service, reimbursement for mileage
 6 21 expenses at the rate specified in section 602.1509 for each
 6 22 mile traveled each day to and from their residences to the
 6 23 place of service or attendance, and reimbursement for actual
 6 24 expenses of parking, as determined by the clerk. The supreme
 6 25 court may adopt rules that allow additional compensation for
 6 26 jurors whose attendance and service exceeds seven days. A
 6 27 juror who is a person with a disability may receive
 6 28 reimbursement for the costs of alternate transportation from
 6 29 the juror's residence to the place of service or attendance.
 6 30 A juror shall not receive reimbursement for mileage expenses
 6 31 or actual expenses of parking when the juror travels in a
 6 32 vehicle for which another juror is receiving reimbursement for
 6 33 mileage and parking expenses.

6 34 Sec. 9. APPOINTMENT OF CLERK OF COURT. The appointment of
 6 35 a clerk of the district court shall not occur unless the state
 7 1 court administrator approves the appointment.

Requires the State Court Administrator to approve all Clerk of Court appointments.

DETAIL: The State Court Administrator is supervising the appointment of Clerks of the District Court for budgetary reasons.

7 2 Sec. 10. POSTING OF REPORTS IN ELECTRONIC FORMAT —
 7 3 LEGISLATIVE SERVICES AGENCY. All reports or copies of reports

Requires the Judicial Branch to provide the Legislative Services Agency with reports in electronic format so that the reports can be

7 4 required to be provided by the judicial branch for fiscal year
7 5 2005–2006 to the legislative services agency shall be provided
7 6 in an electronic format. The legislative services agency
7 7 shall post the reports on its internet site and shall notify
7 8 by electronic means all the members of the joint
7 9 appropriations subcommittee on the justice system when a
7 10 report is posted. Upon request, copies of the reports may be
7 11 mailed to members of the joint appropriations subcommittee on
7 12 the justice system.

placed on the Legislative Services Agency web site. The Legislative Services Agency is to notify members of the Justice System Appropriations Subcommittee when reports have been received and published.

[7 13 Sec. 11. EFFECTIVE DATE. The section of this Act
7 14 appropriating funds that are contingent upon the general fund
7 15 of the state receiving funds from the Microsoft settlement,
7 16 being deemed of immediate importance, takes effect upon
7 17 enactment.]

VETOED

VETOED: The Governor vetoed this Section. All of the Microsoft settlement proceeds were allocated to the Department of Public Safety. The contingent appropriation to the Judicial Branch was removed, making this effective date provision unnecessary.

7 18 HF 807
7 19 jm:mg/es/25

**EXECUTIVE SUMMARY
FY 2006 JUSTICE SYSTEM APPROPRIATIONS ACT**

HOUSE FILE 811

FUNDING SUMMARY

**MAJOR INCREASES, DECREASES,
AND TRANSFERS OF EXISTING
PROGRAMS**

- Appropriates a total of \$411.9 million from the General Fund and 5,914.0 FTE positions to the Department of Justice, Department of Corrections, Department of Inspections and Appeals, Iowa Law Enforcement Academy, Board of Parole, Civil Rights Commission, Department of Human Rights, Department of Public Defense, and the Department of Public Safety. This is an increase of \$10.7 million and 179.3 FTE positions compared to the estimated net FY 2005 General Fund appropriation.
- House File 882 (FY 2006 Standing Appropriations Act) decreased total FY 2006 General Fund appropriations in HF 811 by \$125,000.
- Appropriates a total of \$5.7 million from the General Fund for FY 2005 supplemental appropriations to the Department of Corrections (DOC), State Public Defender, Department of Public Safety, and the Civil Rights Commission.
- Appropriates a total of \$11.7 million from the General Fund and 263.5 FTE positions to the Department of Justice. This is an increase of \$1.2 million and no change in FTE positions compared to the estimated net FY 2005 General Fund appropriation. The increase includes:
 - \$250,000 for civil commitment of sexually violent predators. This appropriation is reduced by \$25,000 in HF 882 (FY 2006 Standing Appropriations Act). (Page 1, Line 10)
 - \$900,000 to re-establish the line item for Legal Services Poverty Grants. (Page 1, Line 31)
- Appropriates a total of \$281.0 million from the General Fund and 4,110.6 FTE positions to the Department of Corrections (DOC). This is an increase of \$8.2 million and 156.1 FTE positions compared to the estimated net FY 2005 General Fund appropriation. The increase includes:
 - Institutions: Increases the appropriation by \$5.6 million and 99.0 FTE positions. The increase includes:
 - \$1.5 million and 35.0 FTE positions to maintain positions when employees return from service in the Iowa National Guard and Reserve. (Page 5, Line 17 through Page 6, Line 26)
 - \$750,000 for basic life safety issues including food, utility, and pharmacy costs. (Page 5, Line 17 through Page 6, Line 26)
 - \$322,000 and 4.5 FTE positions for additional mental health staff. (Page 5, Line 17 and Page 6, Line 2)
 - \$700,000 and 13.5 FTE positions to maintain current operations. (Page 5, Line 29, Page 6, Line 6, Page 6, Line 19)
 - \$750,000 and 10.0 FTE positions for sex offender treatment at the Mount Pleasant Correctional Facility. (Page 6, Line 2)
 - \$1.6 million and 24.5 FTE positions to operate a 24-bed mental health unit at the Iowa Medical Classification Center at Oakdale. (Page 5, Line 29)

**EXECUTIVE SUMMARY
FY 2006 JUSTICE SYSTEM APPROPRIATIONS ACT**

HOUSE FILE 811

**MAJOR INCREASES, DECREASES,
AND TRANSFERS OF EXISTING
PROGRAMS (CONTINUED)**

- Administration: Decreases the appropriation by \$239,000 for:
 - A decrease of \$414,000 for the Central Office. The FY 2005 supplemental appropriation was not annualized. (Page 7, Line 9)
 - An increase of \$50,000 for the Corrections Education Program. (Page 8, Line 12)
 - An increase of \$125,000 to establish a separate appropriation for substance abuse/mental health treatment needs of offenders. This appropriation is reduced by \$100,000 in HF 882 (FY 2006 Standing Appropriations Act). (Page 9, Line 8)
- Community-Based Corrections (CBC): Increases the appropriation by \$2.8 million and 57.1 FTE positions. The change includes:
 - An increase of \$1.1 million and 24.0 FTE positions to fund the costs of SF 169 (Methamphetamine Act). This amount annualizes the FY 2005 supplemental appropriation of \$375,000 in Division III of this Act. (Page 10, Line 27 through Page 12, Line 6)
 - An increase of \$417,000 to the Fifth CBC District Department for electronic monitoring devices to be available statewide. (Page 11, Line 16)
 - An increase of \$462,000 and 8.1 FTE positions to supervise offenders on electronic monitoring. (Page 10, Line 27 through Page 12, Line 6)
 - An increase of \$884,000 and 10.0 FTE positions for sex offender treatment. (Page 10, Line 27 through Page 12, Line 6)
 - An increase of \$734,000 and 15.0 FTE positions to address current workload. (Page 10, Line 27 through Page 12, Line 6)
 - A decrease of \$800,000 in the General Fund appropriation. This Act appropriates \$800,000 to the CBC District Departments from the Healthy Iowans Tobacco Trust. (Page 10, Line 27 through Page 12, Line 6)
- Appropriates \$75,000 to the Department of Human Rights, Criminal and Juvenile Justice Planning Division. This is a new appropriation to provide staff for the Sex Offender Treatment and Supervision Task Force in HF 619 (Sex Offender Act). (Page 20, Line 10)
- Appropriates a total of \$39.6 million from the General Fund and 202.0 FTE positions to the Office of the State Public Defender. This is a decrease of \$1.1 million compared to the estimated net FY 2005 General Fund appropriation. The FY 2005 supplemental appropriation to the Indigent Defense Program was not fully annualized. (Page 14, Line 14 through Line 29)

**EXECUTIVE SUMMARY
FY 2006 JUSTICE SYSTEM APPROPRIATIONS ACT**

HOUSE FILE 811

**MAJOR INCREASES, DECREASES,
AND TRANSFERS OF EXISTING
PROGRAMS (CONTINUED)**

- Appropriates a total of \$1.1 million from the General Fund and 17.5 FTE positions to the Board of Parole. This is an increase of \$48,000 and 1.0 FTE position for a part-time Administrative Law Judge and a part-time clerk. (Page 15, Line 29)
- Appropriates a total of \$70.0 million and 925.5 FTE positions to the Department of Public Safety. This is an increase of \$2.3 million in General Fund money, \$1.7 million in one-time Microsoft settlement funds, and 27.0 FTE positions compared to the estimated net FY 2005 General Fund appropriation. The change includes (General Fund, unless noted):
 - \$137,000 to annualize the 3.0 FTE positions for special agents at the race tracks. (Page 17, Line 4)
 - \$125,000 and 3.0 FTE positions for staff for the Sex Offender Registry. (Page 17, Line 4)
 - \$227,000 and 3.0 FTE positions for Risk Assessments. (Page 17, Line 4)
 - \$63,000 and 1.0 FTE position for a criminalist at the crime lab. (Page 17, Line 4)
 - \$342,000 to the Crime Lab Revolving Fund to fund equipment related to the passage of HF 682 (Crime Lab and Deferred Judgment Act). (Page 17, Line 13)
 - \$771,000 for nine months of funding for a criminal information database to track gangs and terrorists. (Page 17, Line 28)
 - \$175,000 and 3.0 FTE positions for Fire Inspectors in FY 2006. The FY 2005 supplemental includes \$100,000 with nonreversion language which permits the Department to use the funds for FY 2006 expenditures. (Page 18, Line 5)
 - \$560,000 and 10.0 FTE positions for additional troopers in the Iowa State Patrol. (Page 18, Line 25)
 - \$140,000 to help defray the cost for new volunteer firefighter training standards. (Page 19, Line 21)
 - \$785,000 of Microsoft settlement funds for the purchase of approximately 37 State Patrol vehicles. (Page 28, Line 20)
 - \$929,000 of Microsoft settlement funds. This includes \$304,000 in one-time costs for lab equipment associated with DNA profiling, \$600,000 and 3.0 FTE positions for DNA profiling, and \$25,000 for one-time programming costs for the Sex Offender Registry. (Page 29, Line 1)
- Adds possession with intent to manufacture to the list of offenses that require the new bail provisions in SF 169 (Methamphetamine Act). This provision takes effect upon enactment. Senate File 169 also restricts bail for persons charged with the manufacture, delivery, or possession with intent to deliver, or distribution of methamphetamine, by requiring offenders to be supervised and to undergo random drug tests as a condition of release on bail. (Page 21, Line 22 through Page 23, Line 11)

**DIVISION II – METHAMPHETAMINE
BAIL PROVISIONS**

**EXECUTIVE SUMMARY
FY 2006 JUSTICE SYSTEM APPROPRIATIONS ACT**

HOUSE FILE 811

**DIVISION III – FY 2005
SUPPLEMENTAL APPROPRIATIONS**

- Appropriates \$100,000 to renovate existing space at the Iowa Medical Classification Center at Oakdale for a 24-bed mental health unit. (Page 23, Line 15)
- Appropriates \$414,000 to the Central Office of the DOC for operations. (Page 23, Line 30)
- Appropriates \$375,000 to the CBC District Departments for the costs of SF 169 (Methamphetamine Act). (Page 24, Line 7 through Page 26, Line 2)
- Appropriates \$4.5 million to fund the projected increase in claims and to fund currently authorized positions in the Office of the State Public Defender. (Page 26, Lines 3 through 22)
- Appropriates \$150,000 to the Division of Criminal Investigation for partial year costs for 3.0 FTE positions at the race tracks for table games. (Page 26, Line 23)
- Appropriates \$100,000 to the Office of the State Fire Marshal to be used to fund 3.0 FTE positions for fire inspectors. This money is not to revert and can be used for expenditure in FY 2006. (Page 27, Line 1)
- Appropriates \$86,000 to the Civil Rights Commission for operations. (Page 27, Line 17)
- Appropriates \$800,000 to the CBC District Departments from the Healthy Iowans Tobacco Trust Fund for general operations. (Page 28, Line 3)

**DIVISION IV – HEALTHY IOWANS
TOBACCO TRUST
APPROPRIATIONS**

**DIVISION V – MICROSOFT
SETTLEMENT FUNDS**

- Appropriates \$785,000 of the \$1.7 million in Microsoft settlement funds to the Iowa State Patrol for the purchase of approximately 37 additional vehicles. (Page 28, Line 20)
- Appropriates \$929,000 of the \$1.7 million in Microsoft settlement funds to the Division of Criminal Investigation for the purchase of lab equipment, 3.0 FTE positions, and programming costs for the Sex Offender Registry. (Page 29, Line 1)

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA**

- Permits the Iowa Law Enforcement Academy to charge more than one-half the cost of providing the basic training course, subject to Council approval. This change is repealed on June 30, 2006. (Page 20, Line 33)
- Requires notice to be provided that an autopsy is required in the death of a public safety officer, if that officer may have died in the line of duty. (Page 21, Line 5)
- Exempts inmates from barber licensing requirements. (Page 21, Line 14)

**EXECUTIVE SUMMARY
FY 2006 JUSTICE SYSTEM APPROPRIATIONS ACT**

HOUSE FILE 811

EFFECTIVE DATES

- Specifies that Division II, Methamphetamine Bail Provisions, and Division III, FY 2005 Supplemental Appropriations, take effect on enactment. (Page 23, Line 12 and Page 27, Line 34)

GOVERNOR'S VETOES

- The Governor vetoed intent language directing the Eighth CBC District Department to implement a drug court, stating the funding for the drug court was eliminated. (Page 12, Line 7)
- The Governor vetoed intent language referring to an allocation of \$200 for the mailing of a notice to all affected agencies or emergency service providers informing the agencies of the autopsy requirement. (Page 18, Line 20)

ENACTMENT DATE

- This Act was approved by the General Assembly May 20, 2005, and signed by the Governor on June 14, 2005.

House File 811 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
4	27	2	Nwthstnd	Sec. 8.33	Nonreversion of Contingent Appropriation for Environmental Crimes
8	34	5.1(b)	Nwthstnd	Sec. 8.33	Nonreversion of Appropriation for Inmate Education Program
19	26	14	Nwthstnd	Sec. 8.33	Nonreversion of Volunteer Fire Fighter Training Grants
20	33	18	Nwthstnd	Sec. 80B.11B	Law Enforcement Academy Fees
21	5	19	Adds	Sec. 144.56A	Public Safety Officer Death - Required Notice - Autopsy
21	14	20	Adds	Sec. 158.2(7)	Inmate Barbers - Exempted from Licensing Requirements
21	24	21	Amends	Sec. 804.21(1)	Additional Methamphetamine Offense
22	11	22	Amends	Sec. 804.22, unnum. 2	Additional Methamphetamine Offense
22	22	23	Amends	Sec. 811.2(1)	Additional Methamphetamine Offense
23	4	24	Amends	Sec. 811.2(3)	Additional Methamphetamine Offense
23	15	26	Amends	Sec. 183.1(c), Chapter 1175, 2004 Iowa Acts	Oakdale Correctional Facility Remodeling Project
23	30	27	Amends	Sec. 184.1(a), Chapter 1175, 2004 Iowa Acts	DOC Central Office FY 2005 Supplemental Appropriation
24	14	28.1(a)	Amends	Sec. 185.1(a), Chapter 1175, 2004 Iowa Acts	First CBC District Department FY 2005 Supplemental Appropriation
24	21	28.1(b)	Amends	Sec. 185.1(b), Chapter 1175, 2004 Iowa Acts	Second CBC District Department FY 2005 Supplemental Appropriation
24	28	28.1(c)	Amends	Sec. 185.1(c), Chapter 1175, 2004 Iowa Acts	Third CBC District Department FY 2005 Supplemental Appropriation
24	35	28.1(d)	Amends	Sec. 185.1(d), Chapter 1175, 2004 Iowa Acts	Fourth CBC District Department FY 2005 Supplemental Appropriation

Page #	Line #	Bill Section	Action	Code Section	Description
25	7	28.1(e)	Amends	Sec. 185.1(e), Chapter 1175, 2004 Iowa Acts	Fifth CBC District Department FY 2005 Supplemental Appropriation
25	14	28.1(f)	Amends	Sec. 185.1(f), Chapter 1175, 2004 Iowa Acts	Sixth CBC District Department FY 2005 Supplemental Appropriation
25	21	28.1(g)	Amends	Sec. 185.1(g), Chapter 1175, 2004 Iowa Acts	Seventh CBC District Department FY 2005 Supplemental Appropriation
25	28	28.1(h)	Amends	Sec. 185.1(h), Chapter 1175, 2004 Iowa Acts	Eighth CBC District Department FY 2005 Supplemental Appropriation
26	12	29.1	Amends	Sec. 188.1, Chapter 1175, 2004 Iowa Acts	Office of the State Public Defender FY 2005 Supplemental Appropriation
26	18	29.2	Amends	Sec. 188.2, Chapter 1175, 2004 Iowa Acts	Indigent Defense Program FY 2005 Supplemental Appropriation
26	23	30	Amends	Sec. 192(2), Chapter 1175, 2004 Iowa Acts	Supplemental Appropriation to the Division of Criminal Investigation.
27	1	31	Amends	Sec. 192(4)(a), Chapter 1175, 2004 Iowa Acts	Supplemental Appropriation for the Fire Marshal's Office.
27	12	31	Ntwstnd	Sec. 8.33	Nonreversion Language for Fire Marshal's Office.
27	17	32	Amends	Sec. 193, Chapter 1175, 2004 Iowa Acts	Civil Rights Commission FY 2005 Supplemental Appropriation

1 1 DIVISION I
 1 2 FY 2005–2006 APPROPRIATIONS

 1 3 JUSTICE SYSTEM
 1 4 Section 1. DEPARTMENT OF JUSTICE.
 1 5 1. There is appropriated from the general fund of the
 1 6 state to the department of justice for the fiscal year
 1 7 beginning July 1, 2005, and ending June 30, 2006, the
 1 8 following amounts, or so much thereof as is necessary, to be
 1 9 used for the purposes designated:

1 10 a. For the general office of attorney general for
 1 11 salaries, support, maintenance, miscellaneous purposes
 1 12 including the prosecuting attorneys training program, victim
 1 13 assistance grants, office of drug control policy (ODCP)
 1 14 prosecuting attorney program, legal services for persons in
 1 15 poverty grants as provided in section 13.34, odometer fraud
 1 16 enforcement, and for not more than the following full–time
 1 17 equivalent positions:
 1 18 \$ 8,024,280
 1 19 FTEs 214.50

1 20 It is the intent of the general assembly that as a
 1 21 condition of receiving the appropriation provided in this
 1 22 lettered paragraph, the department of justice shall maintain a
 1 23 record of the estimated time incurred representing each agency
 1 24 or department.

1 25 b. For victim assistance grants:
 1 26 \$ 5,000

1 27 The funds appropriated in this lettered paragraph shall be
 1 28 used to provide grants to care providers providing services to
 1 29 crime victims of domestic abuse or to crime victims of rape
 1 30 and sexual assault.

General Fund appropriation to the Department of Justice for the Office of the Attorney General, Prosecuting Attorney Training Program, Victim Assistance Grants, Office of Drug Control Policy, Prosecuting Attorney Training Program, Legal Services Poverty Grants, and Odometer Fraud Enforcement.

DETAIL: This is an increase of \$250,000 for the civil commitment of sexually violent predators. House File 882 (FY 2006 Standing Appropriations Act) reduces this appropriation by \$25,000.

Specifies it is the intent of the General Assembly that the Department of Justice maintain a record of the estimated time incurred to represent each agency or department.

General Fund appropriation to the Department of Justice for the Victims Assistance Grants Program.

DETAIL: Maintains current level of funding.

Requires that Victim Assistance funds be awarded as grants to providers of services for victims of domestic abuse, rape, and sexual assault.

1 31 c. For legal services for persons in poverty grants as
 1 32 provided in section 13.34:
 1 33 \$ 900,000

General Fund appropriation to the Department of Justice for the Legal Services Poverty Grants Program.

 DETAIL: This Program last received a separate General Fund appropriation in FY 2002.

1 34 2. In addition to the funds appropriated in subsection 1,
 1 35 there is appropriated from the general fund of the state to
 2 1 the department of justice for the fiscal year beginning July
 2 2 1, 2005, and ending June 30, 2006, an amount not exceeding
 2 3 \$200,000 to be used for the enforcement of the Iowa
 2 4 competition law. The funds appropriated in this subsection
 2 5 are contingent upon receipt by the general fund of the state
 2 6 of an amount at least equal to the expenditure amount from
 2 7 either damages awarded to the state or a political subdivision
 2 8 of the state by a civil judgment under chapter 553, if the
 2 9 judgment authorizes the use of the award for enforcement
 2 10 purposes or costs or attorneys fees awarded the state in state
 2 11 or federal antitrust actions. However, if the amounts
 2 12 received as a result of these judgments are in excess of
 2 13 \$200,000, the excess amounts shall not be appropriated to the
 2 14 department of justice pursuant to this subsection. The
 2 15 department of justice shall report the department's actual
 2 16 costs and an estimate of the time incurred enforcing the
 2 17 competition law, to the co-chairpersons and ranking members of
 2 18 the joint appropriations subcommittee on the justice system,
 2 19 and to the legislative services agency by November 15, 2005.

Contingent General Fund appropriation to the Department of Justice for the enforcement of the Iowa Competition Law. The appropriation is contingent on the receipt of damages due to anti-trust lawsuits and is limited to \$200,000. Requires the Department of Justice to report the Department's actual costs and an estimate of the time incurred to enforce the Iowa Competition Law to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the Legislative Services Agency (LSA) by November 15, 2005.

 DETAIL: Maintains current level of contingent funding.

2 20 3. In addition to the funds appropriated in subsection 1,
 2 21 there is appropriated from the general fund of the state to
 2 22 the department of justice for the fiscal year beginning July
 2 23 1, 2005, and ending June 30, 2006, an amount not exceeding
 2 24 \$1,125,000 to be used for public education relating to
 2 25 consumer fraud and for enforcement of section 714.16, and an
 2 26 amount not exceeding \$75,000 for investigation, prosecution,
 2 27 and consumer education relating to consumer and criminal fraud
 2 28 against older Iowans. The funds appropriated in this

Contingent General Fund appropriation to the Department of Justice for consumer education and the enforcement of consumer fraud law. The appropriation is contingent on the receipt of damages due to consumer fraud lawsuits and is limited to \$1,200,000. Of this amount, \$1,125,000 is to be used for public education and enforcement purposes, and \$75,000 is to be used for investigation, prosecution, and consumer education relating to fraud against older Iowans. Requires the Department of Justice to report the Department's actual costs and an estimate of the time incurred for education and enforcement of consumer fraud law to the Chairpersons and Ranking

2 29 subsection are contingent upon receipt by the general fund of
 2 30 the state of an amount at least equal to the expenditure
 2 31 amount from damages awarded to the state or a political
 2 32 subdivision of the state by a civil consumer fraud judgment or
 2 33 settlement, if the judgment or settlement authorizes the use
 2 34 of the award for public education on consumer fraud. However,
 2 35 if the funds received as a result of these judgments and
 3 1 settlements are in excess of \$1,200,000, the excess funds
 3 2 shall not be appropriated to the department of justice
 3 3 pursuant to this subsection. The department of justice shall
 3 4 report to the co-chairpersons and ranking members of the joint
 3 5 appropriations subcommittee on the justice system, and to the
 3 6 legislative services agency by November 15, 2005, the
 3 7 department's actual costs and an estimate of the time incurred
 3 8 in providing education pursuant to and enforcing this
 3 9 subsection.

Members of the Justice System Appropriations Subcommittee and the LSA by November 15, 2005.

DETAIL: Maintains current level of contingent funding.

3 10 4. The balance of the victim compensation fund established
 3 11 in section 915.94 may be used to provide salary and support of
 3 12 not more than 22 FTEs and to provide maintenance for the
 3 13 victim compensation functions of the department of justice.

Permits 22.00 FTE positions to be funded from the Victim Compensation Fund to administer the victim compensation functions of the Department of Justice. Maintains current level of FTE positions.

3 14 5. As a condition of receiving the appropriation in
 3 15 subsection 1, the department of justice shall transfer at
 3 16 least \$2,450,000 from the victim compensation fund established
 3 17 in section 915.94 to the victim assistance grant program.

Requires the Department of Justice to transfer at least \$2,450,000 from the Victim Compensation Fund to the Victim Assistance Grants Program in FY 2006.

DETAIL: This is an increase of \$200,000 compared to the amount transferred in FY 2005.

3 18 6. a. The department of justice, in submitting budget
 3 19 estimates for the fiscal year commencing July 1, 2006,
 3 20 pursuant to section 8.23, shall include a report of funding
 3 21 from sources other than amounts appropriated directly from the
 3 22 general fund of the state to the department of justice or to
 3 23 the office of consumer advocate. These funding sources shall
 3 24 include, but are not limited to, reimbursements from other
 3 25 state agencies, commissions, boards, or similar entities, and

Requires the Department of Justice, in submitting FY 2007 budget estimates, to submit a report to the Department of Management (DOM) that specifies the amount of funding from all sources other than the General Fund. The report is to include actual reimbursements from other fund accounts for FY 2005 and FY 2006.

3 26 reimbursements from special funds or internal accounts within
 3 27 the department of justice. The department of justice shall
 3 28 report actual reimbursements for the fiscal year commencing
 3 29 July 1, 2004, and actual and expected reimbursements for the
 3 30 fiscal year commencing July 1, 2005.

3 31 b. The department of justice shall include the report
 3 32 required under paragraph "a", as well as information regarding
 3 33 any revisions occurring as a result of reimbursements actually
 3 34 received or expected at a later date, in a report to the co-
 3 35 chairpersons and ranking members of the joint appropriations
 4 1 subcommittee on the justice system and the legislative
 4 2 services agency. The department of justice shall submit the
 4 3 report on or before January 15, 2006.

Requires the Department of Justice to submit a report that specifies the amount of funding from all sources other than the General Fund and any revisions that occur as a result of actual reimbursements. The report is to be submitted to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the LSA by January 15, 2006.

4 4 Sec. 2. DEPARTMENT OF JUSTICE — ENVIRONMENTAL CRIMES
 4 5 INVESTIGATION AND PROSECUTION — FUNDING. There is
 4 6 appropriated from the environmental crime fund of the
 4 7 department of justice, consisting of court-ordered fines and
 4 8 penalties awarded to the department arising out of the
 4 9 prosecution of environmental crimes, to the department of
 4 10 justice for the fiscal year beginning July 1, 2005, and ending
 4 11 June 30, 2006, an amount not exceeding \$20,000 to be used by
 4 12 the department, at the discretion of the attorney general, for
 4 13 the investigation and prosecution of environmental crimes,
 4 14 including the reimbursement of expenses incurred by county,
 4 15 municipal, and other local governmental agencies cooperating
 4 16 with the department in the investigation and prosecution of
 4 17 environmental crimes.

Contingent appropriation from the Environmental Crime Fund of up to \$20,000 to the Department of Justice. The appropriation is contingent on receipt of contributions, court-ordered restitution, and consent decrees as a part of civil or regulatory enforcement actions. The funds are to be used for the investigation and prosecution of environmental crimes.

DETAIL: Maintains current level of contingent funding.

4 18 The funds appropriated in this section are contingent upon
 4 19 receipt by the environmental crime fund of the department of
 4 20 justice of an amount at least equal to the appropriations made
 4 21 in this section and received from contributions, court-ordered
 4 22 restitution as part of judgments in criminal cases, and
 4 23 consent decrees entered into as part of civil or regulatory
 4 24 enforcement actions. However, if the funds received during
 4 25 the fiscal year are in excess of \$20,000, the excess funds

4 26 shall be deposited in the general fund of the state.

4 27 Notwithstanding section 8.33, moneys appropriated in this
4 28 section that remain unencumbered or unobligated at the close
4 29 of the fiscal year shall not revert but shall remain available
4 30 for expenditure for the purpose designated until the close of
4 31 the succeeding fiscal year.

CODE: Permits nonreversion of the contingent appropriation from the Environmental Crime Fund.

4 32 Sec. 3. OFFICE OF CONSUMER ADVOCATE. There is
4 33 appropriated from the general fund of the state to the office
4 34 of consumer advocate of the department of justice for the
4 35 fiscal year beginning July 1, 2005, and ending June 30, 2006,
5 1 the following amount, or so much thereof as is necessary, to
5 2 be used for the purposes designated:
5 3 For salaries, support, maintenance, miscellaneous purposes,
5 4 and for not more than the following full-time equivalent
5 5 positions:
5 6 \$ 2,810,442
5 7 FTEs 27.00

General Fund appropriation to the Department of Justice for the Office of the Consumer Advocate.

DETAIL: Maintains current level of funding and FTE positions.

5 8 Sec. 4. DEPARTMENT OF CORRECTIONS — FACILITIES.

5 9 1. There is appropriated from the general fund of the
5 10 state to the department of corrections for the fiscal year
5 11 beginning July 1, 2005, and ending June 30, 2006, the
5 12 following amounts, or so much thereof as is necessary, to be
5 13 used for the purposes designated:
5 14 For the operation of adult correctional institutions,
5 15 reimbursement of counties for certain confinement costs, and
5 16 federal prison reimbursement, to be allocated as follows:

5 17 a. For the operation of the Fort Madison correctional
5 18 facility, including salaries, support, maintenance, and
5 19 miscellaneous purposes:
5 20 \$ 38,840,761

General Fund appropriation to the Department of Corrections (DOC) for the Fort Madison Correctional Facility.

DETAIL: This is an increase of \$670,335 and 11.50 FTE positions compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$338,408 and 8.00 FTE positions to maintain correctional officer positions when staff return from active military duty.
- An increase of \$82,500 for daily operations, including food and utility costs.
- An increase of \$249,427 and 3.50 FTE positions to address mental health issues.

House File 862 (FY 2006 Healthy Iowans Tobacco Trust Fund Appropriations Act) provides an additional \$1,187,285 for the Clinical Care Unit at Fort Madison. This appropriation provides operating funds for the unit.

General Fund appropriation to the DOC for the Anamosa Correctional Facility.

DETAIL: This is an increase of \$184,653 and 3.50 FTE positions compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$126,903 and 3.00 FTE positions to maintain correctional officer positions when staff return from active military duty.
- An increase of \$57,750 for daily operations, including pharmacy, food, and utility costs.
- An increase of 0.50 FTE position as a budget adjustment.

Specifies that funds be provided for one substance abuse counselor to be employed at the Luster Heights Facility.

General Fund appropriation to the DOC for the Oakdale Correctional Facility.

DETAIL: This is an increase of \$1,926,053 and 50.50 FTE positions compared to the estimated net FY 2005 appropriation. The change includes:

5 21 b. For the operation of the Anamosa correctional facility,
 5 22 including salaries, support, maintenance, and miscellaneous
 5 23 purposes:
 5 24 \$ 27,199,702

5 25 Moneys are provided within this appropriation for one full-
 5 26 time substance abuse counselor for the Luster Heights
 5 27 facility, for the purpose of certification of a substance
 5 28 abuse program at that facility.

5 29 c. For the operation of the Oakdale correctional facility,
 5 30 including salaries, support, maintenance, and miscellaneous
 5 31 purposes:
 5 32 \$ 25,650,778

- An increase of \$84,602 and 2.00 FTE positions to maintain correctional officer positions when staff return from active military duty.
- An increase of \$79,500 for daily operations, including food and utility costs.
- An increase of \$200,000 and 4.00 FTE positions to maintain correctional officer positions that are currently filled.
- An increase of \$1,561,951 and 24.50 FTE positions to operate a 24-bed mental health unit. Division III of this Act provides an FY 2005 supplemental appropriation of \$100,000 for the one-time cost of renovating space for the mental health unit.
- An increase of 20.00 FTE positions as a budget adjustment.

5 33 d. For the operation of the Newton correctional facility,
 5 34 including salaries, support, maintenance, and miscellaneous
 5 35 purposes:
 6 1 \$ 24,916,132

General Fund appropriation to the DOC for the Newton Correctional Facility.

DETAIL: This is an increase of \$284,403 and 1.00 FTE position compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$126,903 and 3.00 FTE positions to maintain correctional officer positions when staff return from active military duty.
- An increase of \$157,500 for daily operations, including for pharmacy, food, and utility costs.
- A decrease of 2.00 FTE positions as a budget adjustment.

House File 862 (FY 2006 Healthy Iowans Tobacco Trust Fund Appropriations Act) provides an additional \$310,000 for a value-based treatment program at the Newton Correctional Facility.

6 2 e. For the operation of the Mt. Pleasant correctional
 6 3 facility, including salaries, support, maintenance, and
 6 4 miscellaneous purposes:
 6 5 \$ 23,694,840

General Fund appropriation to the DOC for the Mount Pleasant Correctional Facility.

DETAIL: This is an increase of \$1,134,564 and 17.00 FTE positions compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$253,806 and 6.00 FTE positions to maintain correctional officer positions when staff return from active military duty.
- An increase of \$750,000 and 10.00 FTE positions to expand the Sex Offender Treatment Program.
- An increase of \$58,500 for daily operations, including pharmacy, food, and utility costs.
- An increase of \$72,258 and 1.00 FTE position to address mental health issues. The position is a Psychologist 3.

General Fund appropriation to the DOC for the Rockwell City Correctional Facility.

DETAIL: This is an increase of \$241,602 and 1.00 FTE position compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$84,602 and 2.00 FTE positions to maintain correctional officer positions when staff return from active military duty.
- An increase of \$57,000 for daily operations, including pharmacy, food, and utility costs.
- An increase of \$100,000 and 2.00 FTE positions to maintain correctional officer positions that are currently filled.
- A decrease of 3.00 FTE positions as a budget adjustment.

General Fund appropriation to the DOC for the Clarinda Correctional Facility.

DETAIL: This is an increase of \$262,505 and 1.00 FTE position compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$211,505 and 5.00 FTE positions to maintain correctional officer positions when staff return from active military duty.
- An increase of \$51,000 for daily operations, including pharmacy, food, and utility costs.
- A decrease of 4.00 FTE positions as a budget adjustment.

6 6 f. For the operation of the Rockwell City correctional
 6 7 facility, including salaries, support, maintenance, and
 6 8 miscellaneous purposes:
 6 9 \$ 8,039,378

6 10 g. For the operation of the Clarinda correctional
 6 11 facility, including salaries, support, maintenance, and
 6 12 miscellaneous purposes:
 6 13 \$ 22,853,497

6 14 Moneys received by the department of corrections as
 6 15 reimbursement for services provided to the Clarinda youth
 6 16 corporation are appropriated to the department and shall be
 6 17 used for the purpose of operating the Clarinda correctional
 6 18 facility.

Appropriates reimbursements from the Clarinda Youth Academy to the DOC for operating costs associated with the Clarinda Correctional Facility.

DETAIL: The Clarinda Youth Academy's annual reimbursement to the prison is approximately \$1,000,000.

6 19 h. For the operation of the Mitchellville correctional
 6 20 facility, including salaries, support, maintenance, and
 6 21 miscellaneous purposes:
 6 22 \$ 13,867,603

General Fund appropriation to the DOC for the Mitchellville Correctional Facility.

DETAIL: This is an increase of \$619,602 and 9.50 FTE positions compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$84,602 and 2.00 FTE positions to maintain correctional officer positions when staff return from active military duty.
- An increase of \$135,000 for daily operations, including pharmacy, food, and utility costs.
- An increase of \$400,000 and 7.50 FTE positions to maintain positions that are currently filled. These positions include an administrative assistant, social worker, security staff, and a part-time physician.

6 23 i. For the operation of the Fort Dodge correctional
 6 24 facility, including salaries, support, maintenance, and
 6 25 miscellaneous purposes:
 6 26 \$ 26,244,693

General Fund appropriation to the DOC for the Fort Dodge Correctional Facility.

DETAIL: This is an increase of \$259,919 and 4.00 FTE positions compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$188,669 and 4.00 FTE positions to maintain correctional officer positions when staff return from active military duty.
- An increase of \$71,250 for daily operations, including pharmacy, food, and utility costs.

6 27 j. For reimbursement of counties for temporary confinement
 6 28 of work release and parole violators, as provided in sections
 6 29 901.7, 904.908, and 906.17 and for offenders confined pursuant
 6 30 to section 904.513:
 6 31 \$ 674,954

General Fund appropriation to the DOC for the County Confinement Account to pay for holding alleged parole and work release violators until their revocation hearing.

 DETAIL: Maintains current level of funding.

6 32 k. For federal prison reimbursement, reimbursements for
 6 33 out-of-state placements, and miscellaneous contracts:
 6 34 \$ 241,293

General Fund appropriation to the DOC to reimburse the federal Bureau of Prisons for confining Iowa inmates and to pay miscellaneous contracts.

 DETAIL: Maintains current level of funding.

6 35 2. The department of corrections shall use funds
 7 1 appropriated in subsection 1 to continue to contract for the
 7 2 services of a Muslim imam.

Requires the DOC to contract with a Muslim imam to provide religious services and religious counseling.

 DETAIL: This contract is required pursuant to a federal court order.

7 3 Sec. 5. DEPARTMENT OF CORRECTIONS — ADMINISTRATION.

7 4 1. There is appropriated from the general fund of the
 7 5 state to the department of corrections for the fiscal year
 7 6 beginning July 1, 2005, and ending June 30, 2006, the
 7 7 following amounts, or so much thereof as is necessary, to be
 7 8 used for the purposes designated:

7 9 a. For general administration, including salaries,
 7 10 support, maintenance, employment of an education director to
 7 11 administer a centralized education program for the
 7 12 correctional system, and miscellaneous purposes:
 7 13 \$ 2,829,708

General Fund appropriation to the DOC for the Central Office.

 DETAIL: This is a decrease of \$414,416 compared to the FY 2005 estimated net appropriation. Division III of this Act provides an FY 2005 supplemental appropriation of \$414,416 for Central Office. The FY 2006 General Fund appropriation is a decrease of \$414,416 compared to the estimated net FY 2005 appropriation, because the FY 2005 supplemental appropriation was not annualized.

7 14 (1) It is the intent of the general assembly that as a
 7 15 condition of receiving the appropriation provided in this
 7 16 lettered paragraph, the department of corrections shall not,
 7 17 except as otherwise provided in subparagraph (3), enter into a

Specifies it is the intent of the General Assembly that, as a condition of receiving appropriated funds, the DOC not enter into a contract in excess of \$100,000 for privatized services during FY 2006 without prior notification of the Chairpersons and Ranking Members of the

7 18 new contract, unless the contract is a renewal of an existing
 7 19 contract, for the expenditure of moneys in excess of \$100,000
 7 20 during the fiscal year beginning July 1, 2005, for the
 7 21 privatization of services performed by the department using
 7 22 state employees as of July 1, 2005, or for the privatization
 7 23 of new services by the department, without prior consultation
 7 24 with any applicable state employee organization affected by
 7 25 the proposed new contract and prior notification of the co-
 7 26 chairpersons and ranking members of the joint appropriations
 7 27 subcommittee on the justice system.

Justice System Appropriations Subcommittee. Existing contracts may be renewed without notification.

7 28 (2) It is the intent of the general assembly that each
 7 29 lease negotiated by the department of corrections with a
 7 30 private corporation for the purpose of providing private
 7 31 industry employment of inmates in a correctional institution
 7 32 shall prohibit the private corporation from utilizing inmate
 7 33 labor for partisan political purposes for any person seeking
 7 34 election to public office in this state and that a violation
 7 35 of this requirement shall result in a termination of the lease
 8 1 agreement.

Specifies it is the intent of the General Assembly that the DOC prohibit the use of inmate labor for partisan political activities within Iowa when contracting for inmate workers to be employed by a private business. Violation of these contract terms will result in termination of the contract.

8 2 (3) It is the intent of the general assembly that as a
 8 3 condition of receiving the appropriation provided in this
 8 4 lettered paragraph, the department of corrections shall not
 8 5 enter into a lease or contractual agreement pursuant to
 8 6 section 904.809 with a private corporation for the use of
 8 7 building space for the purpose of providing inmate employment
 8 8 without providing that the terms of the lease or contract
 8 9 establish safeguards to restrict, to the greatest extent
 8 10 feasible, access by inmates working for the private
 8 11 corporation to personal identifying information of citizens.

Specifies it is the intent of the General Assembly that, as a condition of receiving the appropriated funds, the DOC, when contracting with a private business for inmate employment, is required to restrict inmates' access to citizens' personal identifying information.

8 12 b. For educational programs for inmates at state penal
 8 13 institutions:
 8 14 \$ 1,058,358

General Fund appropriation to the DOC for educational programs for inmates.

DETAIL: This is an increase of \$50,000 compared to the estimated net FY 2005 appropriation.

8 15 It is the intent of the general assembly that moneys
 8 16 appropriated in this lettered paragraph shall be used solely
 8 17 for the purpose indicated and that the moneys shall not be
 8 18 transferred for any other purpose. In addition, it is the
 8 19 intent of the general assembly that the department shall
 8 20 consult with the community colleges in the areas in which the
 8 21 institutions are located to utilize moneys appropriated in
 8 22 this lettered paragraph to fund the high school completion,
 8 23 high school equivalency diploma, adult literacy, and adult
 8 24 basic education programs in a manner so as to maintain these
 8 25 programs at the institutions.

8 26 To maximize the funding for educational programs, the
 8 27 department shall establish guidelines and procedures to
 8 28 prioritize the availability of educational and vocational
 8 29 training for inmates based upon the goal of facilitating an
 8 30 inmate's successful release from the correctional institution.

8 31 The director of the department of corrections may transfer
 8 32 moneys from Iowa prison industries for use in educational
 8 33 programs for inmates.

8 34 Notwithstanding section 8.33, moneys appropriated in this
 8 35 lettered paragraph that remain unobligated or unexpended at
 9 1 the close of the fiscal year shall not revert but shall remain
 9 2 available for expenditure only for the purpose designated in
 9 3 this lettered paragraph until the close of the succeeding
 9 4 fiscal year.

9 5 c. For the development of the Iowa corrections offender
 9 6 network (ICON) data system:
 9 7 \$ 427,700

9 8 d. For offender mental health and substance abuse
 9 9 treatment:
 9 10 \$ 125,000

Specifies it is the intent of the General Assembly that these funds be used only for inmate education. Also requires the DOC to consult with community colleges located within the area of the prisons regarding how to maintain the high school completion, high school equivalency diploma, adult literacy, and adult basic education programs at the Institutions. Requires the DOC to establish guidelines and procedures to prioritize admission to educational and vocational programs to facilitate inmates' successful release from prison. Permits the DOC to transfer funds from the Iowa Prison Industries Revolving Fund for educational programs for inmates.

CODE: Permits nonreversion of unexpended and unobligated educational program funds.

General Fund appropriation to the DOC for the Iowa Corrections Offender Network (ICON).

DETAIL: Maintains current level of funding.

General Fund appropriation to the DOC for the mental health and substance abuse treatment needs of offenders.

DETAIL: This is a new appropriation in FY 2006. This appropriation is reduced by \$100,000 in HF 882 (FY 2006 Standing Appropriations Act).

9 11 2. It is the intent of the general assembly that the
 9 12 department of corrections shall continue to operate the
 9 13 correctional farms under the control of the department at the
 9 14 same or greater level of participation and involvement as
 9 15 existed as of January 1, 2005, shall not enter into any rental
 9 16 agreement or contract concerning any farmland under the
 9 17 control of the department that is not subject to a rental
 9 18 agreement or contract as of January 1, 2005, without prior
 9 19 legislative approval, and shall further attempt to provide job
 9 20 opportunities at the farms for inmates. The department shall
 9 21 attempt to provide job opportunities at the farms for inmates
 9 22 by encouraging labor-intensive farming or gardening where
 9 23 appropriate, using inmates to grow produce and meat for
 9 24 institutional consumption, researching the possibility of
 9 25 instituting food canning and cook-and-chill operations, and
 9 26 exploring opportunities for organic farming and gardening,
 9 27 livestock ventures, horticulture, and specialized crops.

Specifies it is the intent of the General Assembly that the DOC continue farm operations at the same or greater level as existed on January 1, 2005. The DOC is prohibited from renting farmland under the control of the DOC that is not currently being rented without legislative approval. The DOC is to provide meaningful job opportunities for inmates employed on the farms.

9 28 3. The department shall work to increase produce gardening
 9 29 by inmates under the control of the correctional institutions,
 9 30 and, if appropriate, may use the central distribution network
 9 31 at the Woodward state resource center. The department shall
 9 32 file a report with the co-chairpersons and ranking members of
 9 33 the joint appropriations subcommittee on the justice system by
 9 34 December 1, 2005, regarding the feasibility of expanding the
 9 35 number of acres devoted to organic gardening and to the
 10 1 growing of organic produce for sale.

Requires the DOC to increase produce gardening by inmates and, if appropriate, permits the DOC to use the central distribution network at the Woodward State Resource Center. Requires the DOC to file a report with the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee by December 1, 2005, regarding the feasibility of expanding the number of acres devoted to organic gardening and to growing organic produce for sale.

10 2 4. The department of corrections shall submit a report to
 10 3 the general assembly by January 1, 2006, concerning moneys
 10 4 recouped from inmate earnings for the reimbursement of
 10 5 operational expenses of the applicable facility during the
 10 6 fiscal year beginning July 1, 2004, for each correctional
 10 7 institution and judicial district department of correctional
 10 8 services. In addition, each correctional institution and
 10 9 judicial district department of correctional services shall
 10 10 continue to submit a report to the legislative services agency

Requires the DOC to submit a report to the General Assembly by January 1, 2006, concerning the FY 2005 revenues recouped from inmate earnings for operational expenses for each prison and CBC District Department. Each prison and CBC District Department is required to submit monthly reports to the LSA concerning funds recovered from offenders for inmate deductions, private sector employment of inmates, and enrollment fees.

10 11 on a monthly basis concerning moneys recouped from inmate
 10 12 earnings pursuant to sections 904.702, 904.809, and 905.14.

10 13 5. It is the intent of the general assembly that as a
 10 14 condition of receiving the appropriation provided in this
 10 15 lettered paragraph, the department shall not enter into any
 10 16 agreement with a private sector nongovernmental entity for the
 10 17 purpose of housing inmates committed to the custody of the
 10 18 director of the department, without express authorization of
 10 19 the general assembly to do so.

Prohibits the DOC from contracting with a private sector nongovernmental entity to house inmates, unless authorized by the General Assembly.

10 20 Sec. 6. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
 10 21 SERVICES.

10 22 1. There is appropriated from the general fund of the
 10 23 state to the department of corrections for the fiscal year
 10 24 beginning July 1, 2005, and ending June 30, 2006, the
 10 25 following amounts, or so much thereof as is necessary, to be
 10 26 allocated as follows:

10 27 a. For the first judicial district department of
 10 28 correctional services, including the treatment and supervision
 10 29 of probation and parole violators who have been released from
 10 30 the department of corrections violator program, the following
 10 31 amount, or so much thereof as is necessary:
 10 32 \$ 10,501,186

General Fund appropriation to the DOC for the First CBC District Department.

DETAIL: This is an increase of \$336,029 and 8.00 FTE positions compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$57,000 and 1.00 FTE position to supervise sex offenders on electronic monitoring.
- An increase of \$154,040 and 2.00 FTE positions for sex offender treatment.
- An increase of \$97,864 and 2.00 FTE positions to address current workload.
- An increase of \$127,125 and 3.00 FTE positions for the costs of SF 169 (Methamphetamine Act). This amount annualizes the FY 2005 supplemental appropriation in Division III of this Act.

10 33 b. For the second judicial district department of
 10 34 correctional services, including the treatment and supervision
 10 35 of probation and parole violators who have been released from
 11 1 the department of corrections violator program, the following
 11 2 amount, or so much thereof as is necessary:
 11 3 \$ 8,230,603

- A general reduction of \$100,000. Division IV of this Act appropriates \$100,000 to the CBC District Department from the Healthy Iowans Tobacco Trust Fund.

General Fund appropriation to the DOC for the Second CBC District Department.

DETAIL: This is an increase of \$410,129 and an increase of 9.00 FTE positions compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$57,000 and 1.00 FTE position to supervise sex offenders on electronic monitoring.
- An increase of \$130,340 and 2.00 FTE positions for sex offender treatment.
- An increase of \$97,864 and 2.00 FTE positions to address current workload.
- An increase of \$224,925 and 4.00 FTE positions for the costs of SF 169 (Methamphetamine Act). This amount annualizes the FY 2005 supplemental appropriation in Division III of this Act.
- A general reduction of \$100,000. Division IV of this Act appropriates \$100,000 to the CBC District Department from the Healthy Iowans Tobacco Trust Fund.

House File 862 (FY 2006 Healthy Iowans Tobacco Trust Fund Appropriations Act) provides an additional \$296,217 for a Day Program (\$127,217) and a Drug Court (\$169,000).

11 4 c. For the third judicial district department of
 11 5 correctional services, including the treatment and supervision
 11 6 of probation and parole violators who have been released from
 11 7 the department of corrections violator program, the following
 11 8 amount, or so much thereof as is necessary:
 11 9 \$ 4,805,458

General Fund appropriation to the DOC for the Third CBC District Department.

DETAIL: This is an increase of \$127,589 and 3.50 FTE positions compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$28,500 and 0.50 FTE position to supervise sex offenders on electronic monitoring.
- An increase of \$53,000 for sex offender treatment.

- An increase of \$97,864 and 2.00 FTE positions to address current workload.
- An increase of \$48,225 and 1.00 FTE position for the costs of SF 169 (Methamphetamine Act). This amount annualizes the FY 2005 supplemental appropriation in Division III of this Act.
- A general reduction of \$100,000. Division IV of this Act appropriates \$100,000 to the CBC District Department from the Healthy Iowans Tobacco Trust Fund.

House File 862 (FY 2006 Healthy Iowans Tobacco Trust Fund Appropriations Act) provides an additional \$100,359 for a Drug Court.

11 10 d. For the fourth judicial district department of
 11 11 correctional services, including the treatment and supervision
 11 12 of probation and parole violators who have been released from
 11 13 the department of corrections violator program, the following
 11 14 amount, or so much thereof as is necessary:
 11 15 \$ 4,427,796

General Fund appropriation to the DOC for the Fourth CBC District Department.

DETAIL: This is an increase of \$151,683 and 4.50 FTE positions compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$28,500 and 0.50 FTE position to supervise sex offenders on electronic monitoring.
- An increase of \$64,151 and 1.00 FTE position for sex offender treatment.
- An increase of \$48,932 and 1.00 FTE position to address current workload.
- An increase of \$110,100 and 2.00 FTE positions for the costs of SF 169 (Methamphetamine Act). This amount annualizes the FY 2005 supplemental appropriation in Division III of this Act.
- A general reduction of \$100,000. Division IV of this Act appropriates \$100,000 to the CBC District Department from the Healthy Iowans Tobacco Trust Fund.

House File 862 (FY 2006 Healthy Iowans Tobacco Trust Fund Appropriations Act) provides an additional \$191,731 for a Drug Court.

11 16 e. For the fifth judicial district department of
 11 17 correctional services, including the treatment and supervision
 11 18 of probation and parole violators who have been released from
 11 19 the department of corrections violator program, and funding

General Fund appropriation to the DOC for the Fifth CBC District Department.

DETAIL: This is an increase of \$1,035,058 and 14.10 FTE positions

11 20 for electronic monitoring devices for use on a statewide
 11 21 basis, the following amount, or so much thereof as is
 11 22 necessary:
 11 23 \$ 14,167,169

compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$176,700 and 3.10 FTE position to supervise sex offenders on electronic monitoring.
- An increase of \$48,660 for sex offender treatment.
- An increase of \$195,728 and 4.00 FTE positions to address current workload.
- An increase of \$296,775 and 7.00 FTE positions for the costs of SF 169 (Methamphetamine Act). This amount annualizes the FY 2005 supplemental appropriation in Division III of this Act.
- An increase of \$417,195 for the rental of electronic monitoring bracelets which shall be available statewide.
- A general reduction of \$100,000. Division IV of this Act appropriates \$100,000 to the CBC District Department from the Healthy Iowans Tobacco Trust Fund.

House File 862 (FY 2006 Healthy Iowans Tobacco Trust Fund Appropriations Act) provides an additional \$255,693 for a Drug Court.

11 24 f. For the sixth judicial district department of
 11 25 correctional services, including the treatment and supervision
 11 26 of probation and parole violators who have been released from
 11 27 the department of corrections violator program, the following
 11 28 amount, or so much thereof as is necessary:
 11 29 \$ 10,378,668

General Fund appropriation to the DOC for the Sixth CBC District Department.

DETAIL: This is an increase of \$251,104 and 6.00 FTE positions compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$57,000 and 1.00 FTE position to supervise sex offenders on electronic monitoring.
- An increase of \$114,340 and 1.00 FTE position for sex offender treatment.
- An increase of \$97,864 and 2.00 FTE positions to address current workload.
- An increase of \$81,900 and 2.00 FTE positions for the costs of SF 169 (Methamphetamine Act). This amount annualizes the FY 2005 supplemental appropriation in Division III of this Act.
- A general reduction of \$100,000. Division IV of this Act appropriates \$100,000 to the CBC District Department from the Healthy Iowans Tobacco Trust Fund.

House File 882 (FY 2006 Standing Appropriations Act) transfers \$50,000 from the Judicial Branch appropriation in HF 807 (FY 2006 Judicial Branch Appropriations Act) to the Sixth CBC District Department for a youth leadership program.

11 30 g. For the seventh judicial district department of
11 31 correctional services, including the treatment and supervision
11 32 of probation and parole violators who have been released from
11 33 the department of corrections violator program, the following
11 34 amount, or so much thereof as is necessary:
11 35 \$ 5,870,653

General Fund appropriation to the DOC for the Seventh CBC District Department.

DETAIL: This is an increase of \$157,644 and 4.50 FTE positions compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$28,500 and 0.50 FTE position to supervise sex offenders on electronic monitoring.
- An increase of \$155,687 and 2.00 FTE positions for sex offender treatment.
- An increase of \$48,932 and 1.00 FTE position to address current workload.
- An increase of \$24,525 and 1.00 FTE position for the costs of SF 169 (Methamphetamine Act). This amount annualizes the FY 2005 supplemental appropriation in Division III of this Act.
- A general reduction of \$100,000. Division IV of this Act appropriates \$100,000 to the CBC District Department from the Healthy Iowans Tobacco Trust Fund.

12 1 h. For the eighth judicial district department of
12 2 correctional services, including the treatment and supervision
12 3 of probation and parole violators who have been released from
12 4 the department of corrections violator program, the following
12 5 amount, or so much thereof as is necessary:
12 6 \$ 5,970,648

General Fund appropriation to the DOC for the Eighth CBC District Department.

DETAIL: This is an increase of \$352,197 and 7.50 FTE positions compared to the estimated net FY 2005 appropriation. The change includes:

- An increase of \$28,500 and 0.50 FTE position to supervise sex offenders on electronic monitoring.
- An increase of \$163,340 and 2.00 FTE positions for sex offender treatment.
- An increase of \$48,932 and 1.00 FTE position to address current workload.

[12 7 As a condition of the funds appropriated in this paragraph,
 12 8 the eighth judicial district department of correctional
 12 9 services shall establish a drug court that uses the community-
 12 10 panel model.]

VETOED

- An increase of \$211,425 and 4.00 FTE positions for the costs of SF 169 (Methamphetamine Act). This amount annualizes the FY 2005 supplemental appropriation in Division III of this Act.
- A general reduction of \$100,000. Division IV of this Act appropriates \$100,000 to the CBC District Department from the Healthy Iowans Tobacco Trust Fund.

Requires the Eighth CBC District Department to establish a drug court.

DETAIL: Final action did not include funding for a drug court.

VETOED: The Governor vetoed this language, stating the funding for a drug court was removed.

12 11 2. Each judicial district department of correctional
 12 12 services, within the funding available, shall continue
 12 13 programs and plans established within that district to provide
 12 14 for intensive supervision, sex offender treatment, diversion
 12 15 of low-risk offenders to the least restrictive sanction
 12 16 available, job development, and expanded use of intermediate
 12 17 criminal sanctions.

Requires each CBC District Department, within available funding, to continue programs and plans established within the District Department for intensive supervision, sex offender treatment, diversion of low-risk offenders to the least restrictive sanction available, job development, and expanded use of intermediate sanctions.

12 18 3. Each judicial district department of correctional
 12 19 services shall provide alternatives to prison consistent with
 12 20 chapter 901B. The alternatives to prison shall ensure public
 12 21 safety while providing maximum rehabilitation to the offender.
 12 22 A judicial district department may also establish a day
 12 23 program.

Requires each CBC District Department to provide alternatives to prison consistent with statute. Permits the District Departments to establish day programs.

12 24 4. The governor's office of drug control policy shall
 12 25 consider federal grants made to the department of corrections
 12 26 for the benefit of each of the eight judicial district
 12 27 departments of correctional services as local government
 12 28 grants, as defined pursuant to federal regulations.

Requires the Office of Drug Control Policy to consider grants made to the DOC for the benefit of the CBC District Departments as local government grants rather than State government grants or as defined by federal regulations.

12 29 5. The department of corrections shall continue to
 12 30 contract with a judicial district department of correctional

Requires the DOC to contract with a CBC District Department for the rental of electronic monitoring equipment. The DOC currently contracts with the Fifth CBC District Department for electronic

12 31 services to provide for the rental of electronic monitoring
 12 32 equipment which shall be available statewide.

monitoring devices that are available statewide.

12 33 Sec. 7. INTENT — REPORTS.

12 34 1. The department of corrections shall submit a report on
 12 35 inmate labor to the general assembly, to the co-chairpersons
 13 1 and the ranking members of the joint appropriations
 13 2 subcommittee on the justice system, and to the legislative
 13 3 services agency by January 15, 2006. The report shall
 13 4 specifically address the progress the department has made in
 13 5 implementing the requirements of section 904.701, inmate labor
 13 6 on capital improvement projects, community work crews, inmate
 13 7 produce gardening, and private-sector employment.

Requires the DOC to submit a report regarding inmate labor to the General Assembly, Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee, and the LSA by January 15, 2006. Specifies the content of the report.

13 8 2. The department in cooperation with townships, the Iowa
 13 9 cemetery associations, and other nonprofit or governmental
 13 10 entities may use inmate labor to restore or preserve rural
 13 11 cemeteries and historical landmarks. The department in
 13 12 cooperation with the counties may also use inmate labor to
 13 13 clean up roads, major water sources, and other water sources
 13 14 around the state.

Permits the DOC to work with nonprofit and governmental entities to use inmate labor to restore or preserve rural cemeteries or historical landmarks, and clean up roads and water resources.

13 15 3. Each month the department shall provide a status report
 13 16 regarding private-sector employment to the legislative
 13 17 services agency beginning on July 1, 2005. The report shall
 13 18 include the number of offenders employed in the private
 13 19 sector, the combined number of hours worked by the offenders,
 13 20 and the total amount of allowances, and the distribution of
 13 21 allowances pursuant to section 904.702, including any moneys
 13 22 deposited in the general fund of the state.

Requires the DOC to provide a monthly status report to the LSA regarding private sector employment of inmates.

13 23 Sec. 8. ELECTRONIC MONITORING REPORT. The department of
 13 24 corrections shall submit a report on electronic monitoring to
 13 25 the general assembly, to the co-chairpersons and the ranking
 13 26 members of the joint appropriations subcommittee on the
 13 27 justice system, and to the legislative services agency by

Requires the DOC to submit a report to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee, and the LSA, regarding electronic monitoring by January 15, 2006. Specifies the content of the report.

13 28 January 15, 2006. The report shall specifically address the
 13 29 number of persons being electronically monitored and break
 13 30 down the number of persons being electronically monitored by
 13 31 offense committed. The report shall also include a comparison
 13 32 of any data from the prior fiscal year with the current year.

13 33 Sec. 9. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

13 34 1. As used in this section, unless the context otherwise
 13 35 requires, "state agency" means the government of the state of
 14 1 Iowa, including but not limited to all executive branch
 14 2 departments, agencies, boards, bureaus, and commissions, the
 14 3 judicial branch, the general assembly and all legislative
 14 4 agencies, institutions within the purview of the state board
 14 5 of regents, and any corporation whose primary function is to
 14 6 act as an instrumentality of the state.

14 7 2. State agencies are hereby encouraged to purchase
 14 8 products from Iowa state industries, as defined in section
 14 9 904.802, when purchases are required and the products are
 14 10 available from Iowa state industries. State agencies shall
 14 11 obtain bids from Iowa state industries for purchases of office
 14 12 furniture exceeding \$5,000 or in accordance with applicable
 14 13 administrative rules related to purchases for the agency.

14 14 Sec. 10. STATE PUBLIC DEFENDER. There is appropriated
 14 15 from the general fund of the state to the office of the state
 14 16 public defender of the department of inspections and appeals
 14 17 for the fiscal year beginning July 1, 2005, and ending June
 14 18 30, 2006, the following amounts, or so much thereof as is
 14 19 necessary, to be allocated as follows for the purposes
 14 20 designated:

14 21 1. For salaries, support, maintenance, and miscellaneous
 14 22 purposes, and for not more than the following full-time
 14 23 equivalent positions:

14 24 \$ 18,444,964
 14 25 FTEs 202.00

Encourages State agencies to buy products from Iowa Prison Industries whenever possible. Requires State agencies to obtain a bid from Iowa Prison Industries for purchases of office furniture exceeding \$5,000.

General Fund appropriation to the Department of Inspections and Appeals for the Office of the State Public Defender.

DETAIL: Maintains current level of funding.

14 26 2. For the fees of court-appointed attorneys for indigent
 14 27 adults and juveniles, in accordance with section 232.141 and
 14 28 chapter 815:
 14 29 \$ 21,163,082

General Fund appropriation to the Department of Inspections and Appeals for the Indigent Defense Program.

 DETAIL: This is a decrease of \$1,088,257 compared to the estimated net FY 2005 appropriation. Division III of this Act provides an FY 2005 supplemental appropriation of \$2,896,042 for the Indigent Defense Program. The FY 2005 supplemental appropriation was not annualized in the FY 2006 appropriation.

14 30 Sec. 11. IOWA LAW ENFORCEMENT ACADEMY.

14 31 1. There is appropriated from the general fund of the
 14 32 state to the Iowa law enforcement academy for the fiscal year
 14 33 beginning July 1, 2005, and ending June 30, 2006, the
 14 34 following amount, or so much thereof as is necessary, to be
 14 35 used for the purposes designated:
 15 1 For salaries, support, maintenance, miscellaneous purposes,
 15 2 including jailer training and technical assistance, and for
 15 3 not more than the following full-time equivalent positions:
 15 4 \$ 1,075,138
 15 5 FTEs 30.05

General Fund appropriation to the Iowa Law Enforcement Academy (ILEA).

 DETAIL: Maintains current level of funding.

15 6 It is the intent of the general assembly that the Iowa law
 15 7 enforcement academy may provide training of state and local
 15 8 law enforcement personnel concerning the recognition of and
 15 9 response to persons with Alzheimer's disease.

Specifies the intent of the General Assembly that the Iowa Law Enforcement Academy may offer training for law enforcement officers in recognizing and responding to persons with Alzheimer's disease.

15 10 The Iowa law enforcement academy may temporarily exceed and
 15 11 draw more than the amount appropriated and incur a negative
 15 12 cash balance as long as there are receivables equal to or
 15 13 greater than the negative balance and the amount appropriated
 15 14 in this subsection is not exceeded at the close of the fiscal
 15 15 year.

Allows the Iowa Law Enforcement Academy to incur a negative balance as long as there are equal receivables coming into the Academy by the close of the fiscal year.

 DETAIL: This language is to help with cash flow issues the Academy faces in the last quarter of the fiscal year.

15 16 2. The Iowa law enforcement academy may select at least
 15 17 five automobiles of the department of public safety, division
 15 18 of the Iowa state patrol, prior to turning over the

Allows the Iowa Law Enforcement Academy to annually select at least five vehicles turned in to the State fleet administrator by the Department of Public Safety and exchange them for any of the

15 19 automobiles to the department of administrative services to be
 15 20 disposed of by public auction and the Iowa law enforcement
 15 21 academy may exchange any automobile owned by the academy for
 15 22 each automobile selected if the selected automobile is used in
 15 23 training law enforcement officers at the academy. However,
 15 24 any automobile exchanged by the academy shall be substituted
 15 25 for the selected vehicle of the department of public safety
 15 26 and sold by public auction with the receipts being deposited
 15 27 in the depreciation fund to the credit of the department of
 15 28 public safety, division of the Iowa state patrol.

Academy's training vehicles. The vehicles received by the Department of Public Safety from the Academy are to be sold at public auction. Requires the receipts to be deposited into the depreciation fund used to purchase new vehicles for the Department of Public Safety.

15 29 Sec. 12. BOARD OF PAROLE. There is appropriated from the
 15 30 general fund of the state to the board of parole for the
 15 31 fiscal year beginning July 1, 2005, and ending June 30, 2006,
 15 32 the following amount, or so much thereof as is necessary, to
 15 33 be used for the purposes designated:

General Fund appropriation to the Board of Parole.

DETAIL: This is an increase of \$48,484 and 1.00 FTE position compared to the estimated net FY 2004 appropriation. The increase funds a part-time Administrative Law Judge and a part-time clerk.

15 34 For salaries, support, maintenance, miscellaneous purposes,
 15 35 and for not more than the following full-time equivalent
 16 1 positions:
 16 2 \$ 1,121,044
 16 3 FTEs 17.50

16 4 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE. There is
 16 5 appropriated from the general fund of the state to the
 16 6 department of public defense for the fiscal year beginning
 16 7 July 1, 2005, and ending June 30, 2006, the following amounts,
 16 8 or so much thereof as is necessary, to be used for the
 16 9 purposes designated:

16 10 1. MILITARY DIVISION

16 11 For salaries, support, maintenance, miscellaneous purposes,
 16 12 and for not more than the following full-time equivalent
 16 13 positions:
 16 14 \$ 5,130,040
 16 15 FTEs 312.55

General Fund appropriation to the Military Division of the Department of Public Defense.

DETAIL: Maintains current level of funding and is a decrease of 4.80 FTE positions compared to the estimated net FY 2005 appropriation.

16 16 The military division may temporarily exceed and draw more
 16 17 than the amount appropriated and incur a negative cash balance
 16 18 as long as there are receivables of federal funds equal to or
 16 19 greater than the negative balance and the amount appropriated
 16 20 in this subsection is not exceeded at the close of the fiscal
 16 21 year.

Allows the Military Division to incur a negative balance as long as there are equal federal receivables coming into the Division by the close of the fiscal year.

DETAIL: The Military Division can experience a delay of up to 30 days in federal reimbursement of eligible expenses. This language is to help with cash flow issues the Military Division faces in the last quarter of the State fiscal year.

16 22 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION

16 23 For salaries, support, maintenance, miscellaneous purposes,
 16 24 and for not more than the following full-time equivalent
 16 25 positions:
 16 26 \$ 1,172,230
 16 27 FTEs 24.75

General Fund appropriation to the Emergency Management Division of the Department of Public Defense.

DETAIL: Maintains current level of funding and is a decrease of 0.50 FTE position.

16 28 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is
 16 29 appropriated from the general fund of the state to the
 16 30 department of public safety for the fiscal year beginning July
 16 31 1, 2005, and ending June 30, 2006, the following amounts, or
 16 32 so much thereof as is necessary, to be used for the purposes
 16 33 designated:

16 34 1. For the department's administrative functions,
 16 35 including the criminal justice information system, and for not
 17 1 more than the following full-time equivalent positions:
 17 2 \$ 3,073,274
 17 3 FTEs 38.00

General Fund appropriation to the Department of Public Safety for the Administrative Services Division.

DETAIL: Maintains current level of funding and is an increase of 1.00 FTE position for a Human Resources clerk.

17 4 2. For the division of criminal investigation and bureau
 17 5 of identification, including the state's contribution to the
 17 6 peace officers' retirement, accident, and disability system
 17 7 provided in chapter 97A in the amount of 17 percent of the
 17 8 salaries for which the funds are appropriated, to meet federal
 17 9 fund matching requirements, and for not more than the
 17 10 following full-time equivalent positions:

General Fund appropriation to the Department of Public Safety for the Division of Criminal Investigation (DCI).

DETAIL: This is an increase of \$552,388 and 13.00 FTE positions compared to the estimated net FY 2005 appropriation. The change includes:

17 11 \$ 14,760,898
 17 12 FTEs 228.50

- An increase of \$136,944 and 3.00 FTE positions for special agents at the three race tracks, including training, equipment, and supplies for the expansion of table games.
- An increase of \$125,000 and 3.00 FTE positions for the Sex Offender Registry as follows: \$60,000 for an Information Technology Specialist 1 (web master), \$30,000 for an Information Technology Support Worker I, and \$35,000 for a Clerk Specialist.
- An increase of \$227,000 and 3.00 FTE positions for staff to perform risk assessments. The statutory requirement for the Department to perform risk assessments was reinstated in HF 619 (Sex Offender Registry Act). Public Safety performs risk assessments on anyone not under the purview of the Department of Corrections or the Department of Human Services, such as juveniles that received a deferred judgment and out-of-State offenders.
- An increase of \$63,444 and 1.00 FTE position for a criminalist at the DCI crime lab.
- Division III of this Act provides an FY 2005 supplemental appropriation of \$150,000 for 3.00 additional gaming agents, one at each race track.

In addition to the General Fund appropriation, the DCI also received \$929,206 in one-time Microsoft settlement funds. Of this total, \$304,206 is to be used for one-time costs for DNA profiling required under HF 619, \$600,000 and 3.00 FTE positions for DNA profiling required under HF 619, and \$25,000 for one-time programming costs to update the programming, including an e-mail list serve, for the Sex Offender Registry.

FISCAL IMPACT: The DNA profiling cost estimates in HF 619 are \$1,078,000 for the first year, \$652,000 for the second year, and \$480,000 for the third and subsequent years.

17 13 3. For the criminalistics laboratory fund, if created in
 17 14 section 602.8108:
 17 15 \$ 342,000

General Fund appropriation to the newly created Crime Lab Revolving Fund.

DETAIL: This is a new appropriation related to the passage of HF 682 (Crime Lab Surcharge and Deferred Judgment, Civil Penalty Act) that provides funding for equipment for the Division of Criminal Investigation (DCI) Crime Lab.

FISCAL IMPACT: The revenue increase estimates for the Crime Lab Revolving Fund in HF 682 are as follows: \$342,000 in FY 2006, \$485,000 in FY 2007, \$531,000 in FY 2008, and \$577,000 in FY 2009 and subsequent years.

17 16 The department of public safety, with the approval of the
17 17 department of management, may employ no more than two special
17 18 agents and four gaming enforcement officers for each
17 19 additional riverboat regulated after July 1, 2005, and one
17 20 special agent for each racing facility which becomes
17 21 operational during the fiscal year which begins July 1, 2005.
17 22 One additional gaming enforcement officer, up to a total of
17 23 four per riverboat, may be employed for each riverboat that
17 24 has extended operations to 24 hours and has not previously
17 25 operated with a 24-hour schedule. Positions authorized in
17 26 this paragraph are in addition to the full-time equivalent
17 27 positions otherwise authorized in this subsection.

Permits the Department of Public Safety to employ a maximum of two special agents and four gaming officers upon receiving approval from the Department of Management for new riverboats licensed after July 1, 2005, and for riverboats that have extended operations to 24 hours. Also, permits the employment of one special agent for each racing facility that becomes operational during FY 2006.

17 28 4. a. For the division of narcotics enforcement,
17 29 including the state's contribution to the peace officers'
17 30 retirement, accident, and disability system provided in
17 31 chapter 97A in the amount of 17 percent of the salaries for
17 32 which the funds are appropriated, to meet federal fund
17 33 matching requirements, and for not more than the following
17 34 full-time equivalent positions:

General Fund appropriation to the Department of Public Safety for the Narcotics Enforcement Division.

17 35 \$ 4,701,141
18 1 FTEs 75.00

DETAIL: This is an increase of \$771,052 and no change in FTE positions compared to the estimated net FY 2005 appropriation. The increase in funding is for a criminal information database to track gangs and terrorists. The funds are necessary to cover a nine-month lapse in federal funding (October 2005 through June 2006) to pay the salaries of seven sworn and nine civilian staff.

18 2 b. For the division of narcotics enforcement for
18 3 undercover purchases:
18 4 \$ 123,343

General Fund appropriation to the Department of Public Safety for undercover purchases by the Division of Narcotics Enforcement.

DETAIL: Maintains current level of funding.

18 5 5. a. For the state fire marshal's office, including the
18 6 state's contribution to the peace officers' retirement,
18 7 accident, and disability system provided in chapter 97A in the
18 8 amount of 17 percent of the salaries for which the funds are
18 9 appropriated, and for not more than the following full-time

General Fund appropriation to the Department of Public Safety for the State Fire Marshal's Office.

DETAIL: This is a decrease of \$25,000 and an increase of 3.00 FTE positions compared to the estimated net FY 2005 appropriation for Fire Inspectors.

18 10 equivalent positions:
 18 11 \$ 2,256,998
 18 12 FTEs 42.00

Division III of this Act provides an FY 2005 supplemental appropriation of \$100,000 for the Fire Marshal's Office with nonreversion language allowing the money to be expended in FY 2006 for additional fire inspectors. A \$100,000 appropriation will need to be made in FY 2007 to maintain this level of funding since this funding was not part of the Fire Marshal's base budget for FY 2006. The overall increase in expenditures for FY 2006 is \$175,000 and 3.00 FTE positions for Fire Inspectors.

18 13 b. For the state fire marshal's office, for fire
 18 14 protection services as provided through the state fire service
 18 15 and emergency response council as created in the department,
 18 16 and for not more than the following full-time equivalent
 18 17 positions:
 18 18 \$ 638,021
 18 19 FTEs 10.00

General Fund appropriation to the State Fire Marshal's Office for Fire Protection Services.

DETAIL: Maintains current level of funding.

[18 20 Of the amount appropriated in this paragraph, the state
 18 21 fire marshal shall allocate \$200 for the mailing of a notice
 18 22 to all affected agencies or emergency services providers
 18 23 informing the agencies or providers about the requirement of
 18 24 an autopsy under section 144.56A.]

VETOED

Requires the State Fire Marshal to allocate \$200 of the General Fund appropriation for the mailing of a notice to all affected agencies about the requirements of an autopsy.

VETOED: The Governor vetoed this Section because he believed the wording would create a barrier for proper notification. The Governor has informed the Department of Public Safety, along with the State Medical Examiner's office, that they are required to inform agencies whose employees and volunteers are subject to the provisions of Section 19 of this Act.

18 25 6. For the division of the Iowa state patrol of the
 18 26 department of public safety, for salaries, support,
 18 27 maintenance, workers' compensation costs, and miscellaneous
 18 28 purposes, including the state's contribution to the peace
 18 29 officers' retirement, accident, and disability system provided
 18 30 in chapter 97A in the amount of 17 percent of the salaries for
 18 31 which the funds are appropriated, and for not more than the
 18 32 following full-time equivalent positions:
 18 33 \$ 43,076,973
 18 34 FTEs 531.00

General Fund appropriation to the Department of Public Safety for the Iowa State Patrol.

DETAIL: This is an increase of \$559,840 and 10.00 FTE positions compared to the estimated net FY 2005 appropriation.

In addition to the General Fund appropriation, the State Patrol also received \$785,000 in one-time Microsoft settlement funds. The funds will be used to purchase approximately 37 new Patrol vehicles. House File 826 (Speed Limit Act) allocated money from the increased speeding fine revenue to the State Patrol for the purchase of vehicles.

The Governor line-item vetoed this provision of HF 826, resulting in the increased fine revenue being deposited in the General Fund.

18 35 It is the intent of the general assembly that members of
19 1 the Iowa state patrol be assigned to patrol the highways and
19 2 roads in lieu of assignments for inspecting school buses for
19 3 the school districts.

Specifies the intent of the General Assembly that the Iowa State Patrol assign education officers to perform school bus inspections rather than having road troopers perform these inspections.

19 4 7. For deposit in the public safety law enforcement sick
19 5 leave benefits fund established under section 80.42, for all
19 6 departmental employees eligible to receive benefits for
19 7 accrued sick leave under the collective bargaining agreement:
19 8 \$ 316,179

General Fund appropriation to create a non-reversionary fund in the Department of Public Safety to be used for sick leave payout. All sworn officers of the Department are eligible to receive benefits for accrued sick leave under the collective bargaining agreement.

DETAIL: Maintains current level of funding.

19 9 An employee of the department of public safety who retires
19 10 after July 1, 2005, but prior to June 30, 2006, is eligible
19 11 for payment of life or health insurance premiums as provided
19 12 for in the collective bargaining agreement covering the public
19 13 safety bargaining unit at the time of retirement if that
19 14 employee previously served in a position which would have been
19 15 covered by the agreement. The employee shall be given credit
19 16 for the service in that prior position as though it were
19 17 covered by that agreement. The provisions of this subsection
19 18 shall not operate to reduce any retirement benefits an
19 19 employee may have earned under other collective bargaining
19 20 agreements or retirement programs.

Allows employees of the Department of Public Safety retiring after July 1, 2005, but prior to June 30, 2006, to be eligible for insurance benefits as provided by the collective bargaining agreement. The employees must have previously served in positions that would have been covered by the agreement. This allows supervisors in the Department to keep benefits earned while under the collective bargaining contract.

19 21 8. For costs associated with the training and equipment
19 22 needs of volunteer fire fighters and for not more than the
19 23 following full-time equivalent position:
19 24 \$ 699,587
19 25 FTEs 1.00

General Fund appropriation to the Department of Public Safety for Volunteer Fire Fighter Training Grants.

DETAIL: This is an increase of \$140,000 and no change in FTE positions compared to the estimated net FY 2005 appropriation. The increase in funding is to help offset the cost of new volunteer firefighter training standards adopted in the Administrative Rules process in 2005.

19 26 Notwithstanding section 8.33, moneys appropriated in this

CODE: Allows the balance remaining at the end of the fiscal year to

19 27 subsection that remain unobligated or unexpended at the close
19 28 of the fiscal year shall not revert but shall remain available
19 29 for expenditure only for the purpose designated in this
19 30 subsection until the close of the succeeding fiscal year.

carry forward to the next fiscal year for fire fighter training grants.

19 31 Sec. 15. CIVIL RIGHTS COMMISSION. There is appropriated
19 32 from the general fund of the state to the Iowa state civil
19 33 rights commission for the fiscal year beginning July 1, 2005,
19 34 and ending June 30, 2006, the following amount, or so much
19 35 thereof as is necessary, to be used for the purposes
20 1 designated:

20 2 For salaries, support, maintenance, miscellaneous purposes,
20 3 and for not more than the following full-time equivalent
20 4 positions:
20 5 \$ 950,788
20 6 FTEs 27.50

General Fund appropriation to the Civil Rights Commission.

DETAIL: This is an increase of \$6,700 and 0.50 FTE position compared to the estimated net FY 2005 appropriation for general operations.

20 7 The Iowa state civil rights commission may enter into a
20 8 contract with a nonprofit organization to provide legal
20 9 assistance to resolve civil rights complaints.

Permits the Commission to enter into a contract with a non-profit organization for legal assistance.

20 10 Sec. 16. DIVISION OF CRIMINAL AND JUVENILE JUSTICE
20 11 PLANNING. In addition to any other funds appropriated to the
20 12 division of criminal and juvenile justice planning of the
20 13 department of human rights, there is appropriated from the
20 14 general fund of the state to the division of criminal and
20 15 juvenile justice planning for the fiscal year beginning July
20 16 1, 2005, and ending June 30, 2006, the following amount, or so
20 17 much thereof as is necessary, to be used for the purposes
20 18 designated:
20 19 For the establishment and administration of the sex
20 20 offender treatment and supervision task force:
20 21 \$ 75,000

General Fund appropriation to the Department of Human Rights, Criminal and Juvenile Justice Planning Division.

DETAIL: This is a new appropriation of \$75,000 for staffing costs associated with the Sex Offender Treatment and Supervision Task Force established in HF 619 (Sex Offender Act).

20 22 Sec. 17. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
 20 23 DIVISION. There is appropriated from the wireless E911
 20 24 emergency communications fund to the administrator of the
 20 25 homeland security and emergency management division of the
 20 26 department of public defense for the fiscal year beginning
 20 27 July 1, 2005, and ending June 30, 2006, an amount not
 20 28 exceeding two hundred thousand dollars to be used for
 20 29 implementation, support, and maintenance of the functions of
 20 30 the administrator and program manager under chapter 34A and to
 20 31 employ the auditor of the state to perform an annual audit of
 20 32 the wireless E911 emergency communications fund.

Permits continued funding from the Wireless E911 Emergency Communications Fund for the Emergency Management Division of the Department of Public Defense through FY 2006.

DETAIL: The Division receives up to \$200,000 for the administration of the wireless E911 service and to employ the State Auditor to perform an annual audit of the Fund.

20 33 Sec. 18. IOWA LAW ENFORCEMENT ACADEMY — FEES.
 20 34 Notwithstanding section 80B.11B, the Iowa law enforcement
 20 35 academy may charge more than one-half the cost of providing
 21 1 the basic training course if a majority of the Iowa law
 21 2 enforcement academy council authorizes charging more than one-
 21 3 half of the cost of providing basic training. This section is
 21 4 repealed on June 30, 2006.

CODE: Allows the Iowa Law Enforcement Academy to charge more than one-half the cost to provide training if approved by the Law Enforcement Academy Council. This Section is repealed June 30, 2006.

21 5 Sec. 19. NEW SECTION. 144.56A PUBLIC SAFETY OFFICER
 21 6 DEATH — REQUIRED NOTICE — AUTOPSY.
 21 7 A person who is authorized to pronounce individuals dead is
 21 8 required to inform one of the persons authorized to request an
 21 9 autopsy, as provided in section 144.56, that an autopsy will
 21 10 be required if the individual who died was a public safety
 21 11 officer who may have died in the line of duty and an eligible
 21 12 beneficiary of the deceased seeks to claim a federal public
 21 13 safety officer death benefit.

CODE: Requires notice that an autopsy is required if the deceased was a public safety officer that may have died in the line of duty, and if an eligible beneficiary seeks to claim a federal public safety officer death benefit.

21 14 Sec. 20. Section 158.2, Code 2005, is amended by adding
 21 15 the following new subsection:
 21 16 NEW SUBSECTION. 7. Offenders committed to the custody of
 21 17 the director of the department of corrections who cut the
 21 18 hair, or trim or shave the beard of any other offender within
 21 19 a correctional facility, without receiving direct compensation
 21 20 from the person receiving the service.

CODE: Adds a new subsection to exempt inmates from barber licensing requirements.

PG LN	House File 811	Explanation
21 21	DIVISION II	
21 22	METHAMPHETAMINE BAIL	
21 23	PROVISIONS	
21 24 21 25 21 26	<p>Sec. 21. Section 804.21, subsection 1, Code 2005, as amended by 2005 Iowa Acts, Senate File 169, section 7, is amended to read as follows:</p>	<p>CODE: Adds possession with intent to manufacture methamphetamine to the list of offenses requiring restricted bail.</p>
21 27 21 28 21 29 21 30 21 31 21 32 21 33 21 34 21 35 22 1 22 2 22 3 22 4 22 5 22 6 22 7 22 8 22 9 22 10	<p>1. A person arrested in obedience to a warrant shall be taken without unnecessary delay before the nearest or most accessible magistrate. The officer shall at the same time deliver to the magistrate the warrant with the officer's return endorsed on it and subscribed by the officer with the officer's official title. However, this section, and sections 804.22 and 804.23, do not preclude the release of an arrested person within the period of time the person would otherwise remain incarcerated while waiting to be taken before a magistrate if the release is pursuant to pretrial release guidelines or a bond schedule promulgated by the judicial council, unless the person is charged with manufacture, delivery, possession with intent to <u>manufacture or deliver</u>, or distribution of methamphetamine. If, however, a person is released pursuant to pretrial release guidelines, a magistrate must, within twenty-four hours of the release, or as soon as practicable on the next subsequent working day of the court, either approve in writing of the release, or disapprove of the release and issue a warrant for the person's arrest.</p>	
22 11 22 12 22 13	<p>Sec. 22. Section 804.22, unnumbered paragraph 2, Code 2005, as amended by 2005 Iowa Acts, Senate File 169, section 8, is amended to read as follows:</p>	<p>CODE: Adds possession with intent to manufacture methamphetamine to the list of offenses requiring restricted bail.</p>
22 14 22 15 22 16 22 17 22 18 22 19	<p>This section and the rules of criminal procedure do not affect the provisions of chapter 805 authorizing the release of a person on citation or bail prior to initial appearance, unless the person is charged with manufacture, delivery, possession with intent to <u>manufacture or deliver</u>, or distribution of methamphetamine. The initial appearance of a</p>	

22 20 person so released shall be scheduled for a time not more than
 22 21 thirty days after the date of release.

22 22 Sec. 23. Section 811.2, subsection 1, unnumbered paragraph
 22 23 2, Code 2005, as amended by 2005 Iowa Acts, Senate File 169,
 22 24 section 10, is amended to read as follows:

22 25 Any bailable defendant who is charged with unlawful
 22 26 possession, manufacture, delivery, or distribution of a
 22 27 controlled substance or other drug under chapter 124 and is
 22 28 ordered released shall be required, as a condition of that
 22 29 release, to submit to a substance abuse evaluation and follow
 22 30 any recommendations proposed in the evaluation for appropriate
 22 31 substance abuse treatment. However, if a bailable defendant
 22 32 is charged with manufacture, delivery, possession with the
 22 33 intent to manufacture or deliver, or distribution of
 22 34 methamphetamine, its salts, optical isomers, and salts of its
 22 35 optical isomers, the defendant shall, in addition to a
 23 1 substance abuse evaluation, remain under supervision and be
 23 2 required to undergo random drug tests as a condition of
 23 3 release.

CODE: Adds possession with intent to manufacture methamphetamine to the list of offenses requiring additional supervision and random drug testing.

23 4 Sec. 24. Section 811.2, subsection 3, Code 2005, as
 23 5 amended by 2005 Iowa Acts, Senate File 169, section 11, is
 23 6 amended to read as follows:

23 7 3. RELEASE AT INITIAL APPEARANCE. This chapter does not
 23 8 preclude the release of an arrested person as authorized by
 23 9 section 804.21, unless the arrested person is charged with
 23 10 manufacture, delivery, possession with the intent to
 23 11 manufacture or deliver, or distribution of methamphetamine.

CODE: Adds possession with intent to manufacture methamphetamine to the list of offenses requiring restricted bail.

23 12 Sec. 25. EFFECTIVE DATE. This division of this Act, being
 23 13 deemed of immediate importance, takes effect upon enactment.

Specifies that provisions adding possession with intent to manufacture methamphetamine to the list of offenses requiring restricted bail, additional supervision, and random drug tests as a condition of release on bail take effect upon enactment.

24 11 beginning July 1, 2004, and ending June 30, 2005, the
 24 12 following amounts, or so much thereof as is necessary, to be
 24 13 allocated as follows:

24 14 a. For the first judicial district department of
 24 15 correctional services, including the treatment and supervision
 24 16 of probation and parole violators who have been released from
 24 17 the department of corrections violator program, the following
 24 18 amount, or so much thereof as is necessary:
 24 19 \$ ~~10,090,207~~
 24 20 10,142,332

CODE: General Fund FY 2005 supplemental appropriation to the First
 CBC District Department.

DETAIL: This is an increase of \$52,125.

24 21 b. For the second judicial district department of
 24 22 correctional services, including the treatment and supervision
 24 23 of probation and parole violators who have been released from
 24 24 the department of corrections violator program, the following
 24 25 amount, or so much thereof as is necessary:
 24 26 \$ ~~7,755,402~~
 24 27 7,803,027

CODE: General Fund FY 2005 supplemental appropriation to the
 Second CBC District Department.

DETAIL: This is an increase of \$47,625.

24 28 c. For the third judicial district department of
 24 29 correctional services, including the treatment and supervision
 24 30 of probation and parole violators who have been released from
 24 31 the department of corrections violator program, the following
 24 32 amount, or so much thereof as is necessary:
 24 33 \$ ~~4,631,423~~
 24 34 4,668,548

CODE: General Fund FY 2005 supplemental appropriation to the
 Third CBC District Department.

DETAIL: This is an increase of \$37,125.

24 35 d. For the fourth judicial district department of
 25 1 correctional services, including the treatment and supervision
 25 2 of probation and parole violators who have been released from
 25 3 the department of corrections violator program, the following
 25 4 amount, or so much thereof as is necessary:
 25 5 \$ ~~4,248,965~~
 25 6 4,268,465

CODE: General Fund FY 2005 supplemental appropriation to the
 Fourth CBC District Department.

DETAIL: This is an increase of \$19,500.

25 7 e. For the fifth judicial district department of
 25 8 correctional services, including the treatment and supervision
 25 9 of probation and parole violators who have been released from
 25 10 the department of corrections violator program, the following
 25 11 amount, or so much thereof as is necessary:
 25 12 \$ ~~12,982,837~~
 25 13 13,105,462

CODE: General Fund FY 2005 supplemental appropriation to the Fifth
 CBC District Department.
 DETAIL: This is an increase of \$122,625.

25 14 f. For the sixth judicial district department of
 25 15 correctional services, including the treatment and supervision
 25 16 of probation and parole violators who have been released from
 25 17 the department of corrections violator program, the following
 25 18 amount, or so much thereof as is necessary:
 25 19 \$ ~~10,064,717~~
 25 20 10,105,217

CODE: General Fund FY 2005 supplemental appropriation to the
 Sixth CBC District Department.
 DETAIL: This is an increase of \$40,500.

25 21 g. For the seventh judicial district department of
 25 22 correctional services, including the treatment and supervision
 25 23 of probation and parole violators who have been released from
 25 24 the department of corrections violator program, the following
 25 25 amount, or so much thereof as is necessary:
 25 26 \$ ~~5,677,314~~
 25 27 5,700,939

CODE: General Fund FY 2005 supplemental appropriation to the
 Seventh CBC District Department.
 DETAIL: This is an increase of \$23,625.

25 28 h. For the eighth judicial district department of
 25 29 correctional services, including the treatment and supervision
 25 30 of probation and parole violators who have been released from
 25 31 the department of corrections violator program, the following
 25 32 amount, or so much thereof as is necessary:
 25 33 \$ ~~5,574,865~~
 25 34 5,606,740

CODE: General Fund FY 2005 supplemental appropriation to the
 Eighth CBC District Department.
 DETAIL: This is an increase of \$31,875.

25 35 The appropriations made in this subsection include
 26 1 additional funding for costs to address additional
 26 2 methamphetamine drug offenders under supervision.

Requires the additional funding in this Subsection to be used to
 address supervision of methamphetamine drug offenders, pursuant to
 SF 169 (Methamphetamine Precursors Act).

DETAIL: This Subsection provides a supplemental appropriation of \$375,000 to fund additional supervision staff in CBC.

26 3 Sec. 29. 2004 Iowa Acts, chapter 1175, section 188, is
26 4 amended to read as follows:
26 5 SEC. 188. STATE PUBLIC DEFENDER. There is appropriated
26 6 from the general fund of the state to the office of the state
26 7 public defender of the department of inspections and appeals
26 8 for the fiscal year beginning July 1, 2004, and ending June
26 9 30, 2005, the following amounts, or so much thereof as is
26 10 necessary, to be allocated as follows for the purposes
26 11 designated:

26 12 1. For salaries, support, maintenance, and miscellaneous
26 13 purposes, and for not more than the following full-time
26 14 equivalent positions:
26 15 \$ ~~16,663,446~~
26 16 18,247,561
26 17 FTEs 202.00

CODE: General Fund FY 2005 supplemental appropriation to the Office of the State Public Defender within the Department of Inspections and Appeals.

DETAIL: This is an increase of \$1,584,115 to fully staff the Office.

26 18 2. For the fees of court-appointed attorneys for indigent
26 19 adults and juveniles, in accordance with section 232.141 and
26 20 chapter 815:
26 21 \$ ~~19,355,297~~
26 22 22,251,339

CODE: General Fund FY 2005 supplemental appropriation to the Office of the State Public Defender within the Department of Inspections and Appeals for indigent defense cases.

DETAIL: This is an increase of \$2,896,042 for an increase in claims filed. As of June 30, 2005, the projected deficit is an additional \$3,000,000.

26 23 Sec. 29. 2004 Iowa Acts, chapter 1175, section 192,
26 24 subsection 2, unnumbered paragraph 1, is amended to read as
26 25 follows:
26 26 For the division of criminal investigation and bureau of
26 27 identification, including the state's contribution to the
26 28 peace officers' retirement, accident, and disability system
26 29 provided in chapter 97A in the amount of 17 percent of the
26 30 salaries for which the funds are appropriated, to meet federal
26 31 fund matching requirements, and for not more than the

CODE: General Fund FY 2005 supplemental appropriation to the Department of Public Safety for the Division of Criminal Investigation.

DETAIL: This is an increase of \$150,000 for additional staff due to the expansion of table games. Under current law, the gaming industry reimburses the State General Fund for services provided by the Department.

PG LN	House File 811	Explanation
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26 32 following full-time equivalent positions:
 26 33 \$ 14,058,510
 26 34 14,208,510
 26 35 FTEs 221.50

27 1 Sec. 30. 2004 Iowa Acts, chapter 1175, section 192,
 27 2 subsection 4, paragraph a, is amended to read as follows:
 27 3 a. For the state fire marshal's office, including the
 27 4 state's contribution to the peace officers' retirement,
 27 5 accident, and disability system provided in chapter 97A in the
 27 6 amount of 17 percent of the salaries for which the funds are
 27 7 appropriated, and for not more than the following full-time
 27 8 equivalent positions:
 27 9 \$ 2,181,998
 27 10 2,281,998
 27 11 FTEs 39.00

CODE: General Fund FY 2005 supplemental appropriation to the Department of Public Safety for the Fire Marshal's Office.

DETAIL: This is an increase of \$100,000 for additional staff for fire inspectors to be expended in FY 2006.

A \$100,000 appropriation will need to be made in FY 2007 to maintain this level of funding since this funding was not part of the Fire Marshal's base budget for FY 2006.

27 12 Notwithstanding section 8.33, moneys appropriated in this
 27 13 lettered paragraph that remain unencumbered or unobligated at
 27 14 the close of the fiscal year shall not revert but shall remain
 27 15 available for expenditure for the purposes designated until
 27 16 the close of the succeeding fiscal year.

CODE: Nonreversion language that will allow the \$100,000 from the FY 2005 supplemental appropriation to be expended in FY 2006 for additional staff in the Fire Marshal's Office.

27 17 Sec. 31. 2004 Iowa Acts, chapter 1175, section 193, is
 27 18 amended to read as follows:
 27 19 SEC. 193. CIVIL RIGHTS COMMISSION. There is appropriated
 27 20 from the general fund of the state to the Iowa state civil
 27 21 rights commission for the fiscal year beginning July 1, 2004,
 27 22 and ending June 30, 2005, the following amount, or so much
 27 23 thereof as is necessary, to be used for the purposes
 27 24 designated:
 27 25 For salaries, support, maintenance, miscellaneous purposes,
 27 26 and for not more than the following full-time equivalent
 27 27 positions:
 27 28 \$ 825,752
 27 29 911,752
 27 30 FTEs 28.00

CODE: General Fund FY 2005 supplemental appropriation to the Civil Rights Commission.

DETAIL: This is an increase of \$86,000 to maintain existing operations. The Commission has laid off two staff and is holding three additional positions vacant. A furlough plan has been implemented.

27 31 The Iowa state civil rights commission may enter into a
 27 32 contract with a nonprofit organization to provide legal
 27 33 assistance to resolve civil rights complaints.

Restates current intent language.

27 34 Sec. 32. EFFECTIVE DATE. This division of this Act, being
 27 35 deemed of immediate importance, takes effect upon enactment.

Specifies that this Division takes effect on enactment.

28 1 DIVISION IV

28 2 APPROPRIATIONS FROM HEALTHY IOWANS TOBACCO TRUST

28 3 Sec. 33. In addition to any other funds appropriated from
 28 4 the healthy lowans tobacco trust created in section 12.65 to
 28 5 the department of corrections for the fiscal year beginning
 28 6 July 1, 2005, and ending June 30, 2006, there is appropriated
 28 7 from the healthy lowans tobacco trust to the department of
 28 8 corrections for the fiscal year beginning July 1, 2005, and
 28 9 ending June 30, 2006, the following amount, or so much thereof
 28 10 as is necessary, to be used for the purpose designated:
 28 11 For the judicial district departments of correctional
 28 12 services:
 28 13 \$ 800,000

Healthy lowans Tobacco Trust Fund appropriation to the eight CBC District Departments.

DETAIL: This appropriation replaces the General Fund reductions made to the CBC District Departments' appropriations in Division I of this Act.

28 14 Of the funds appropriated in this division, \$100,000 shall
 28 15 be allocated to each judicial district department of
 28 16 correctional services.

Allocates \$100,000 to each of the eight CBC District Departments.

28 17 DIVISION V

28 18 CONTINGENT APPROPRIATIONS FROM
 28 19 MICROSOFT SETTLEMENT

28 20 Sec. 34. DIVISION OF THE IOWA STATE PATROL. In addition
 28 21 to any other funds appropriated from the general fund of the
 28 22 state to the division of the Iowa state patrol, there is
 28 23 appropriated from the general fund of the state to the

Contingent General Fund appropriation to the Department of Public Safety for the Iowa State Patrol. The appropriation is contingent on the receipt of costs for attorney fees awarded to the State due to settlement of the antitrust action against Microsoft Corporation for

28 24 division of the Iowa state patrol for the fiscal year
 28 25 beginning July 1, 2005, and ending June 30, 2006, an amount
 28 26 not exceeding \$785,000 to be used for motor vehicle
 28 27 depreciation. The funds appropriated in this section are
 28 28 contingent upon receipt by the general fund of the state of an
 28 29 amount at least equal to the expenditure amount from costs or
 28 30 attorney fees awarded the state in settlement of its antitrust
 28 31 action against Microsoft brought under chapter 553. However,
 28 32 if the amounts received as a result of this settlement are in
 28 33 excess of \$785,000, the excess amounts shall not be
 28 34 appropriated to the division of the Iowa state patrol pursuant
 28 35 to this section.

software bundling.

DETAIL: The Office of the Attorney General received \$1,714,206 March 31, 2005, for Iowa's share of the settlement. Of this amount, the Iowa State Patrol will receive \$785,000 to be used for the purchase of approximately 37 new State Patrol vehicles.

29 1 Sec. 35. DIVISION OF CRIMINAL INVESTIGATION AND BUREAU OF
 29 2 IDENTIFICATION. In addition to any other funds appropriated
 29 3 from the general fund of the state to the division of criminal
 29 4 investigation and bureau of identification, there is
 29 5 appropriated from the general fund of the state to the
 29 6 division of criminal investigation and bureau of
 29 7 identification for the fiscal year beginning July 1, 2005, and
 29 8 ending June 30, 2006, an amount not exceeding \$929,206. The
 29 9 funds appropriated in this section are contingent upon receipt
 29 10 by the general fund of the state of an amount at least equal
 29 11 to the expenditure amount from costs or attorney fees awarded
 29 12 the state in settlement of its antitrust action against
 29 13 Microsoft brought under chapter 553. However, if the amounts
 29 14 received as a result of this settlement are in excess of
 29 15 \$929,206, the excess amounts shall not be appropriated to the
 29 16 division of criminal investigation and bureau of
 29 17 identification pursuant to this section.

Contingent General Fund appropriation to the Department of Public Safety for the Division of Criminal Investigation. The appropriation is contingent on the receipt of costs for attorney fees awarded to the State due to settlement of the antitrust action against Microsoft Corporation for software bundling.

DETAIL: The Office of the Attorney General received \$1,714,206 March 31, 2005, for Iowa's share of the settlement. Of this amount, the Division of Criminal Investigation will receive \$929,206 to be used for the following: \$304,206 in one-time funding for lab equipment associated with DNA profiling, \$600,000 and 3.00 FTE positions for DNA profiling, and \$25,000 for one-time programming costs for the Sex Offender Registry.

29 18 HF 811
 29 19 jm/es/25

**EXECUTIVE SUMMARY
TRANSPORTATION APPROPRIATIONS ACT**

HOUSE FILE 466

FUNDING SUMMARY

**OPERATIONS AND FINANCE
DIVISION**

**ADMINISTRATIVE SERVICES
DIVISION**

PLANNING DIVISION

MOTOR VEHICLES DIVISION

**DEPARTMENT OF ADMINISTRATIVE
SERVICES (DAS) UTILITY SERVICES
WORKERS' COMPENSATION**

COUNTY TREASURER SUPPORT

MOTOR VEHICLE BUILDING

HIGHWAYS DIVISION

ENACTMENT DATE

- Appropriates a total of \$294.7 million to the Department of Transportation (DOT). This includes \$101,000 from the General Fund, \$51.4 million from the Road Use Tax Fund, \$243.2 million from the Primary Road Fund, and 3,376.0 FTE positions. This is an increase of \$7.8 million (2.7%) and a decrease of 45.0 FTE positions (1.3%) compared to the estimated net FY 2005 appropriation.
- House File 875 (FY 2006 Infrastructure Appropriations Act) repeals the \$101,000 General Fund appropriation and appropriates the same amount from the Rebuild Iowa Infrastructure Fund (RIIF).
- Appropriates \$38.9 million and 269.0 FTE positions from the Road Use Tax Fund and the Primary Road Fund for the Operations and Finance Division. This is a decrease of \$420,000 and 2.0 FTE positions compared to the estimated net FY 2005 appropriation. (Page 1, Line 17 and Page 3, Line 6)
- Appropriates \$4.0 million and 36.0 FTE positions from the Road Use Tax Fund and the Primary Road Fund for the Administrative Services Division. This is a decrease of \$222,000 and 1.0 FTE position compared to the estimated net FY 2005 appropriation. (Page 1, Line 19 and Page 3, Line 9)
- Appropriates \$9.2 million and 137.0 FTE positions from the Road Use Tax Fund and the Primary Road Fund for the Planning Division. This is a decrease of \$289,000 and 5.0 FTE positions compared to the estimated net FY 2005 appropriation. (Page 1, Line 21 and Page 3, Line 12)
- Appropriates \$32.2 million and 483.0 FTE positions from the Road Use Tax Fund and the Primary Road Fund for the Motor Vehicles Division. This is a decrease of \$842,000 and 24.0 FTE positions compared to the estimated net FY 2005 appropriation. (Page 1, Line 23 and Page 3, Line 18)
- Appropriates \$1.0 million from the Road Use Tax Fund and the Primary Road Fund for DAS Utility Services. This is a new appropriation for FY 2006. (Page 1, Line 25 and Page 3, Line 21)
- Appropriates \$2.9 million from the Road Use Tax Fund and the Primary Road Fund for workers' compensation costs. This is an increase of \$489,000 compared to the estimated net FY 2005 appropriation. (Page 1, Line 30 and Page 3, Line 26)
- Appropriates \$1.3 million from the Road Use Tax Fund for County Treasurer Support. This is an increase of \$172,000 compared to the estimated net FY 2005 appropriation. (Page 2, Line 6)
- Appropriates \$9.4 million from the Road Use Tax Fund for a new Motor Vehicle Division Building. This is a new appropriation for FY 2006. (Page 2, Line 20)
- Appropriates \$189.3 million and 2,451.0 FTE positions from the Primary Road Fund for the Highways Division. This is a decrease of \$589,000 and 13.0 FTE positions compared to the estimated net FY 2005 appropriation. (Page 3, Line 15)
- This Act was approved by the General Assembly on April 4, 2005, and signed by the Governor on April 14, 2005.

House File 466 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
1	10	1.1	Nwthstnd	Sec. 8.33	Nonreversion of Driver's License Equipment Lease Appropriation
2	23	1.12	Nwthstnd	Sec. 8.33	Nonreversion of Motor Vehicle Division Appropriation
4	18	2.12	Nwthstnd	Sec. 8.33	Nonreversion of Capital Projects Appropriations

1 1 Section 1. There is appropriated from the road use tax
 1 2 fund to the state department of transportation for the fiscal
 1 3 year beginning July 1, 2005, and ending June 30, 2006, the
 1 4 following amounts, or so much thereof as is necessary, for the
 1 5 purposes designated:

1 6 1. For the payment of costs associated with the production
 1 7 of driver's licenses, as defined in section 321.1, subsection
 1 8 20A:
 1 9 \$ 2,820,000

1 10 Notwithstanding section 8.33, unencumbered or unobligated
 1 11 funds remaining on June 30, 2006, from the appropriation made
 1 12 in this subsection shall not revert, but shall remain
 1 13 available for subsequent fiscal years for the purposes
 1 14 specified in this subsection.

1 15 2. For salaries, support, maintenance, and miscellaneous
 1 16 purposes:

1 17 a. Operations and finance:
 1 18 \$ 5,450,315

Road Use Tax Fund appropriation to the Department of Transportation (DOT) for lease of the Driver's License Digitized Photo Imaging System.

DETAIL: Maintains current level of funding.

CODE: Specifies that the funds appropriated for the Driver's License Digitized Photo Imaging System do not revert and will remain available for expenditure in subsequent fiscal years.

Road Use Tax Fund appropriation to the Operations and Finance Division.

DETAIL: This is a decrease of \$14,267 compared to the estimated net FY 2005 appropriation.

The Operations and Finance Division also receives an appropriation of \$33,480,509 and 269.00 FTE positions from the Primary Road Fund (Section 2.1(a) of this Act) for a total appropriation of \$38,930,824. This combined funding represents a decrease of \$420,000 and 2.00 FTE positions compared to the estimated net FY 2005 appropriation. The changes include:

- An increase of \$82,000 to transfer 1.00 FTE position from the Highway Division.
- An increase of \$10,000 for lease inflationary increases and a reduction in printing costs.

- A decrease of \$382,000 for a reduction in Information Technology Support.
- A decrease of \$130,000 for a reduction of 3.00 FTE positions in the Office of Finance Division.

1 19 b. Administrative services:
 1 20 \$ 553,239

Road Use Tax Fund appropriation to the Administrative Services Division.

DETAIL: This is a decrease of \$28,555 compared to the estimated net FY 2005 appropriation.

The Administrative Services Division also receives an appropriation of \$3,398,458 and 36.00 FTE positions from the Primary Road Fund (Section 2.1(b) of this Act) for a total appropriation of \$3,951,697. This combined funding represents a decrease of \$222,000 and 1.00 FTE position compared to the estimated net FY 2005 appropriation. The changes include:

- A decrease of \$107,000 for a reduction in legal staff from the Attorney General's Office.
- A decrease of \$115,000 for general reductions and elimination of 1.00 FTE position from the Director's staff due to the early-out retirement option.

1 21 c. Planning:
 1 22 \$ 458,187

Road Use Tax Fund appropriation to the Planning Division.

DETAIL: This is a decrease of \$14,450 compared to the estimated net FY 2005 appropriation.

The Planning Division also receives an appropriation of \$8,705,565 and 137.00 FTE positions from the Primary Road Fund (Section 2.1(c) of this Act) for a total appropriation of \$9,163,752. This combined funding represents a decrease of \$289,000 and 5.00 FTE positions compared to the estimated net FY 2005 appropriation. The changes include:

- An increase of \$97,000 to transfer 1.00 FTE position from the Highway Division.
- A decrease of \$386,000 for a reduction of 6.00 FTE positions.

1 23 d. Motor vehicles:
 1 24 \$ 30,908,798

Road Use Tax Fund appropriation to the Motor Vehicles Division.

DETAIL: This is a decrease of \$775,801 compared to the estimated net FY 2005 appropriation.

The Motor Vehicles Division also receives an appropriation of \$1,252,049 and 483.00 FTE positions from the Primary Road Fund (Section 2.1(e) of this Act) for a total appropriation of \$32,160,847. This combined funding is a decrease of \$842,000 and 24.00 FTE positions compared to the estimated net FY 2005 appropriation. The changes include:

- A decrease of \$716,000 and 24.00 FTE positions for a change in driver's license station business hours.
- A decrease of \$126,000 for a reduction in contract programming.

1 25 3. For payments to the department of administrative
 1 26 services for utility services:
 1 27 \$ 140,616

Road Use Tax Fund appropriation for payment to the Department of Administrative Services (DAS) for personnel and utility costs.

DETAIL: This is a new appropriation for FY 2006. The appropriation replaces the Personnel Reimbursement appropriation. In prior years, personnel services provided by the Iowa Department of Personnel (IDOP) for the DOT were funded in two ways: (1) The DOT was billed by IDOP for services rendered, and paid for the services from the funds appropriated from the DOT Appropriations Act (approximately \$750,000 annually). (2) The IDOP received an appropriation from the Administration and Regulation Appropriations Act for personnel services rendered to the DOT (approximately \$540,000 annually) and did not bill the DOT. With the creation of the DAS, the DOT is billed by the DAS for personnel and utility services based on rates established annually by customer councils. Based on these rates, the DOT anticipates DAS utility costs to be approximately \$864,000 in FY 2006 for the following utility services:

- \$622,000 for Human Resources Enterprise services.
- \$9,000 for General Services Enterprise services.
- \$221,000 for Information Technology Enterprise services.
- \$140,000 for costs associated with use of the Integrated Information for Iowa (I/3) Budget System.

- \$12,113 allows for variance, or for costs of marketplace services if the DOT chooses to purchase such services from the DAS.

The Department also receives an appropriation from the Primary Road Fund of \$863,497 for DAS Utility Services (Section 2.2 of this Act) for a total appropriation of \$1,004,113.

1 28 4. Unemployment compensation:
 1 29 \$ 17,000

Road Use Tax Fund appropriation for the payment of unemployment compensation costs.

DETAIL: Maintains the current level of funding. The Department also receives an appropriation from the Primary Road Fund of \$328,000 (Section 2.3 of this Act) for a total appropriation of \$345,000.

1 30 5. For payments to the department of administrative
 1 31 services for paying workers' compensation claims under chapter
 1 32 85 on behalf of employees of the state department of
 1 33 transportation:
 1 34 \$ 114,000

Road Use Tax Fund appropriation for the payment of workers' compensation costs.

DETAIL: This is an increase of \$19,000 compared to the estimated net FY 2005 appropriation. The increase is for increased health claims, and for costs associated with a new methodology for computing workers' compensation costs for State agencies. The Department also receives an appropriation from the Primary Road Fund of \$2,738,000 (Section 2.4 of this Act) for a total appropriation of \$2,852,000. This combined funding is an increase of \$489,000 compared to the estimated net FY 2005 appropriation.

1 35 6. For payment to the general fund of the state for
 2 1 indirect cost recoveries:
 2 2 \$ 102,000

Road Use Tax Fund appropriation for payment of indirect cost recoveries to the General Fund.

DETAIL: Maintains the current level of funding. The Department also receives an appropriation of \$748,000 from the Primary Road Fund (Section 2.6 of this Act) for a total appropriation of \$850,000 for indirect cost recoveries.

Section 8A.505(1), Code of Iowa, requires the DOT to make payments to the General Fund for recovery of indirect costs associated with centralized services provided by other State agencies that receive funding from the General Fund.

<p>2 3 7. For reimbursement to the auditor of state for audit 2 4 expenses as provided in section 11.5B: 2 5 \$ 55,160</p>	<p>Road Use Tax Fund appropriation for State Auditor reimbursement.</p> <p>DETAIL: This is an increase of \$846 compared to the estimated net FY 2005 appropriation. The Department also receives an appropriation of \$338,840 from the Primary Road Fund (Section 2.7 of this Act) for a total appropriation of \$394,000 for State Auditor expenses. This combined funding is an increase of \$3,650 compared to the estimated net FY 2005 appropriation.</p>
<p>2 6 8. For automation, telecommunications, and related costs 2 7 associated with the county issuance of driver's licenses and 2 8 vehicle registrations and titles: 2 9 \$ 1,268,000</p>	<p>Road Use Tax Fund appropriation to support the issuance of driver's licenses, vehicle registrations, and titles at county treasurer offices throughout the State.</p> <p>DETAIL: This is an increase of \$172,000 compared to the estimated net FY 2005 appropriation. The change includes:</p> <ul style="list-style-type: none"> • An increase of \$145,000 for increased technology costs to support the county treasurers' automation system. • An increase of \$27,000 for State Auditor costs associated with the fiscal impact study of the county issuance of driver's licenses per HF 2433 (FY 2005 County Treasurer Licensing Act). <p>In addition to this appropriation, the Department receives an annual Road Use Tax Fund standing appropriation of \$650,000 for the purchase of automation and telecommunications equipment and support for issuing vehicle registrations, titles, and driver's licenses at county treasurer offices.</p>
<p>2 10 9. For transfer to the department of public safety for 2 11 operating a system providing toll-free telephone road and 2 12 weather conditions information: 2 13 \$ 100,000</p>	<p>Road Use Tax Fund appropriation for costs associated with the 511 toll-free telephone road and weather reporting system.</p> <p>DETAIL: Maintains the current level of funding.</p>
<p>2 14 10. For costs associated with the participation in the 2 15 Mississippi river parkway commission: 2 16 \$ 40,000</p>	<p>Road Use Tax Fund appropriation for the Mississippi River Parkway Commission.</p> <p>DETAIL: Maintains the current level of funding. The ten-member Commission is responsible for promoting transportation and tourism along the Iowa Great River Road. Specifically, the Commission</p>

develops and implements a Corridor Management Plan. The Plan includes establishing signage requirements, restrictions on outdoor advertising, methods to market and promote the Corridor, and actions to involve the public. This appropriation will fund annual organization dues and operational costs.

2 17 11. For membership in the North America's superhighway
 2 18 corridor coalition:
 2 19 \$ 50,000

Road Use Tax Fund appropriation for membership in the North America's Super Highway Corridor Coalition.

DETAIL: Maintains the current level of funding. The General Assembly has been appropriating money for membership in the Coalition since its creation in 1997. The Coalition consists of members from various states, including Iowa, that promote infrastructure and technology improvements along the International Trade Corridor of I-35, I-29, I-80/I-94, and Highway 75 in Canada. The Coalition also lobbies for federal funding for Corridor-related projects. Projects include creating international trade processing centers that will speed cross-border trade and increase security along the Corridor.

2 20 12. For design and construction of a new motor vehicle
 2 21 division building, including furnishings:
 2 22 \$ 9,350,000

Road Use Tax Fund appropriation for a new Motor Vehicle Division building.

DETAIL: This is a new appropriation for FY 2006. The Department has leased space for the Motor Vehicle Division at the Park Fair Mall in Des Moines since 1989 at an annual cost of \$640,000, and the lease will expire in June 2007. Of the total request, an estimated \$7,850,000 is to be expended on design, bid letting, and construction, and the remaining \$1,500,000 on furnishings. The square footage of the Park Fair Mall space is 49,000, while the new building would be 50,000 square feet. The Department estimates minor maintenance, snow removal, landscaping, utilities, and custodial work at the Park Fair Mall at \$252,840 annually (\$5.16 per square foot). These costs are included in the lease cost. The Department estimates the same maintenance and utility costs at the new building to be approximately \$200,000 annually (\$4.00 per square foot).

2 23 Notwithstanding section 8.33, moneys appropriated in this
 2 24 subsection that remain unencumbered or unobligated at the
 2 25 close of the fiscal year shall not revert but shall remain

CODE: Specifies that the unencumbered or unobligated funds appropriated for the Motor Vehicle Division building in Section 1.12 of this Act remain available for expenditure until June 30, 2009.

2 26 available for expenditure for the purposes designated until
 2 27 the close of the fiscal year that begins July 1, 2008.

2 28 The department shall make quarterly reports to the
 2 29 legislative council regarding the progress of the building
 2 30 project provided for in this subsection and shall inform the
 2 31 general assembly of any significant delays or unanticipated
 2 32 expenditures that arise.

Requires the DOT to report quarterly to the Legislative Council on the progress of the new Motor Vehicle Division building, and to inform the Council about any significant delays or unanticipated expenditures that may occur.

2 33 Sec. 2. There is appropriated from the primary road fund
 2 34 to the state department of transportation for the fiscal year
 2 35 beginning July 1, 2005, and ending June 30, 2006, the
 3 1 following amounts, or so much thereof as is necessary, to be
 3 2 used for the purposes designated:

3 3 1. For salaries, support, maintenance, and miscellaneous
 3 4 purposes and for not more than the following full-time
 3 5 equivalent positions:

3 6 a. Operations and finance:
 3 7 \$ 33,480,509
 3 8 FTEs 269.00

Primary Road Fund appropriation to the Operations and Finance Division of the DOT.

DETAIL: This is a decrease of \$405,733 and 2.00 FTE positions compared to the estimated net FY 2005 appropriation. The Department also receives an appropriation from the Road Use Tax Fund for the Operations and Finance Division (Section 1.2(a) of this Act).

3 9 b. Administrative services:
 3 10 \$ 3,398,458
 3 11 FTEs 36.00

Primary Road Fund appropriation to the Administrative Services Division of the DOT.

DETAIL: This is a decrease of \$193,445 and 1.00 FTE position compared to the estimated net FY 2005 appropriation. The Department also receives an appropriation from the Road Use Tax Fund for the Administrative Services Division (Section 1.2(b) of this Act).

PG LN	House File 466	Explanation
3 12	c. Planning:	Primary Road Fund appropriation to the Planning Division of the DOT.
3 13	..... \$ 8,705,565	DETAIL: This is a decrease of \$274,550 and 5.00 FTE positions compared to the estimated net FY 2005 appropriation. The Department also receives an appropriation from the Road Use Tax Fund for the Planning Division (Section 1.2(c) of this Act).
3 14	..... FTEs 137.00	
3 15	d. Highways:	Primary Road Fund appropriation to the Highways Division of the DOT.
3 16	..... \$189,325,084	DETAIL: This is a decrease of \$589,000 and 13.00 FTE positions compared to the estimated net FY 2005 appropriation. The changes include:
3 17	..... FTEs 2,451.00	<ul style="list-style-type: none"> • An increase of \$200,000 for materials and equipment operation expenses to maintain 140 additional lane miles that the DOT will acquire in FY 2006. • A decrease of \$610,000 for elimination of 11.00 FTE positions due to the early-out retirement option. • A decrease of \$82,000 to transfer 1.00 FTE position to the Operations and Finance Division. • A decrease of \$97,000 to transfer 1.00 FTE position to the Modal Division (within the Planning Division).
3 18	e. Motor vehicles:	Primary Road Fund appropriation to the Motor Vehicles Division of the DOT.
3 19	..... \$ 1,252,049	DETAIL: This is a decrease of \$66,199 and 24.00 FTE positions compared to the estimated net FY 2005 appropriation. The Department also receives an appropriation from the Road Use Tax Fund for the Motor Vehicles Division (Section 1.2(d) of this Act).
3 20	..... FTEs 483.00	
3 21	2. For payments to the department of administrative	Primary Road Fund appropriation for payment to the Department of Administrative Services (DAS) for personnel and utility costs.
3 22	services for utility services:	DETAIL: This is a new appropriation for FY 2006. The Department also receives an appropriation from the Road Use Tax Fund for DAS Utility Services (Section 1.3 of this Act).
3 23	..... \$ 863,497	

PG LN	House File 466	Explanation
3 24	3. Unemployment compensation:	Primary Road Fund appropriation for the payment of unemployment compensation costs. DETAIL: Maintains the current level of funding. The Department also receives an appropriation from the Road Use Tax Fund for unemployment compensation (Section 1.4 of this Act).
3 25	..... \$ 328,000	
3 26	4. For payments to the department of administrative services for paying workers' compensation claims under chapter 85 on behalf of the employees of the state department of transportation:	Primary Road Fund appropriation for the payment of workers' compensation costs. DETAIL: This is an increase of \$470,000 compared to the estimated net FY 2005 appropriation. The Department also receives an appropriation from the Road Use Tax Fund of \$114,000 for workers' compensation costs (Section 1.5 of this Act).
3 30	..... \$ 2,738,000	
3 31	5. For disposal of hazardous wastes from field locations and the central complex:	Primary Road Fund appropriation for costs associated with the disposal of hazardous wastes. DETAIL: Maintains the current level of funding. The appropriation will be used for costs associated with hazardous waste resulting from the day-to-day operations of the Department to comply with environmental regulations. The DOT contracts with the private sector for hazardous waste disposal services.
3 33	..... \$ 800,000	
3 34	6. For payment to the general fund for indirect cost recoveries:	Primary Road Fund appropriation for payment of indirect cost recoveries to the General Fund. DETAIL: Maintains the current level of funding. The Department also receives an appropriation from the Road Use Tax Fund for indirect cost recoveries (Section 1.6 of this Act).
4 1	..... \$ 748,000	
4 2	7. For reimbursement to the auditor of state for audit expenses as provided in section 11.5B:	Primary Road Fund appropriation for State Auditor reimbursement. DETAIL: This is an increase of \$2,804 compared to the estimated net FY 2005 appropriation. The Department also receives an appropriation from the Road Use Tax Fund for State Auditor expenses (Section 1.7 of this Act).
4 4	..... \$ 338,840	

PG LN	House File 466	Explanation
4 5 4 6 4 7	8. For costs associated with producing transportation maps: \$ 275,000	Primary Road Fund appropriation for costs associated with the production of State transportation maps. DETAIL: Maintains the current level of funding.
4 8 4 9	9. For utility improvements at various locations: \$ 150,000	Primary Road Fund appropriation to fund utility improvements. DETAIL: This is a new appropriation for FY 2006 for utility improvements at various locations statewide.
4 10 4 11	10. For garage roofing projects at various locations: \$ 150,000	Primary Road Fund appropriation for garage roofing projects. DETAIL: This is a new appropriation for FY 2006 for costs associated with replacement of garage roofs at various locations statewide.
4 12 4 13 4 14	11. For heating, cooling, and exhaust system improvements at various locations: \$ 250,000	Primary Road Fund appropriation for heating, cooling, and exhaust system improvements. DETAIL: This is a new appropriation for FY 2006 for utility improvements at various locations statewide.
4 15 4 16 4 17	12. For deferred maintenance projects at field facilities throughout the state: \$ 351,500	Primary Road Fund appropriation to fund deferred maintenance projects at various facilities statewide. DETAIL: Maintains the current level of funding. The funds will be used for a variety of purposes, including siding, insulation, lighting improvements, roof repairs, generator upgrades, window replacements, and electric panel replacements.
4 18 4 19 4 20 4 21 4 22 4 23	Notwithstanding section 8.33, moneys appropriated in subsections 9 through 12 that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that begins July 1, 2008.	CODE: Specifies that the unencumbered or unobligated funds appropriated for capital improvements in Sections 2.9, 2.10, 2.11, and 2.12 of this Act remain available for expenditure until June 30, 2009.
4 24 4 25	Sec. 3. GENERAL FUND APPROPRIATIONS. There is appropriated from the general fund of the state to the state	

4 26 department of transportation for the fiscal year beginning
 4 27 July 1, 2005, and ending June 30, 2006, the following amounts,
 4 28 or so much thereof as is necessary, to be used for the
 4 29 purposes designated:

4 30 1. For operation and maintenance of the network of
 4 31 automated weather observation and data transfer systems
 4 32 associated with the Iowa aviation weather system, the runway
 4 33 marking program for public airports, the windsock program for
 4 34 public airports, and the aviation improvement program:
 4 35 \$ 64,792

General Fund appropriation for the Airport Improvement Program, and operation and maintenance of the Aviation Weather System, Runway Marking Program, and Windsock Program.

DETAIL: House File 875 (FY 2006 Infrastructure Appropriations Act) repeals this General Fund appropriation and appropriates the same amount for the Program from the Rebuild Iowa Infrastructure Fund (RIIF). The Aviation Assistance Program was funded at the same level from the General Fund in FY 2005.

5 1 2. For the rail assistance program and to provide economic
 5 2 development project funding:
 5 3 \$ 35,959

General Fund appropriation for the Rail Assistance Program.

DETAIL: House File 875 (FY 2006 Infrastructure Appropriations Act) repeals this General Fund appropriation and appropriates the same amount for the Program from the Rebuild Iowa Infrastructure Fund (RIIF). The Rail Assistance Program was funded at the same level from the General Fund in FY 2005.

5 4 LSB 1094HV 81
 5 5 dea:mg/gg/14

EXECUTIVE SUMMARY
ASSET DISREGARD FOR LONG TERM CARE INSURANCE ACT

HOUSE FILE 819

NEW PROGRAM

- Establishes a Long-Term Care Asset Disregard Incentive Program within the Insurance Division of the Department of Commerce to provide an incentive for individuals to purchase long-term care insurance.
- Under current law, individuals must exhaust their resources before qualifying for the Medical Assistance (Medicaid) Program. This Program provides for long-term care insurance plans that allow the individual to retain assets equal to the amount of insurance paid on their behalf, and qualify for Medical Assistance, as long as they meet other income requirements.
- The intent of the Program is to make long-term care insurance more affordable and provide an incentive for individuals to purchase insurance, thereby lowering future Medical Assistance Program expenditures.
- Directs the Department of Human Services to apply for waivers or seek approval of a State Plan Amendment to implement the Program.
- Directs the Insurance Division to adopt rules to implement the Program and to establish a Program to educate Iowans about the Asset Disregard Program.

FISCAL IMPACT

- Makes a General Fund appropriation of \$300,000 and 2.0 FTE positions to the Insurance Division for Program operations and the educational Program.
- Savings to the Medical Assistance Program cannot be determined and would not occur in the near-term.

EFFECTIVE DATE

- This Act takes effect contingent on receipt of all necessary approvals from the federal Centers for Medicare and Medicaid Services.

ENACTMENT DATE

- This Act was approved by the General Assembly on April 26, 2005, and signed by the Governor on May 2, 2005.

**EXECUTIVE SUMMARY
PRESCRIPTION DRUG ASSISTANCE PROGRAM ACT**

HOUSE FILE 821

**NEW PROGRAMS, SERVICES, OR
ACTIVITIES**

- Requires the State Insurance Commissioner to establish, administer, and disseminate information regarding a Prescription Drug Assistance Clearinghouse Program designed to improve access to medically necessary prescription drugs and to provide assistance for accessing manufacturer prescription drug programs.

STUDIES AND INTENT LANGUAGE

- Requires the Commissioner to submit an annual report to the Governor and the General Assembly before December 15, 2005, with recommendations on the continuation and improvement of the Program, and an analysis of the Program's effectiveness.

**MAJOR INCREASES, DECREASES,
OR TRANSFERS OF EXISTING
PROGRAMS**

- Provides a contingent appropriation of \$250,000 from the Senior Living Trust Fund to the Insurance Division of the Department of Commerce for the period of October 1, 2005, through June 30, 2006, for establishment of the Program, if federal funding is not provided by October 1, 2005.

FISCAL IMPACT

- It is estimated that the Program will require an increase of \$250,000 and 4.0 FTE positions for the Division compared to estimated FY 2005.

GOVERNOR'S VETO

- The Governor vetoed the contingent appropriation stating that it unnecessarily diverts resources away from the Senior Living Trust Fund.

ENACTMENT DATE

- This Act was approved by the General Assembly on April 21, 2005, and item vetoed and signed by the Governor on June 10, 2005.

EXECUTIVE SUMMARY FINANCIAL UPDATE ACT

HOUSE FILE 837

CHARTER AGENCIES ACROSS-THE-BOARD REDUCTIONS

- Extends the exclusion of Charter Agencies from uniform budget reductions by the Governor through FY 2006.

CHARTER AGENCIES STATE APPEAL BOARD APPROVAL

- Permits Charter Agencies to pay prior fiscal year claims from non-General Fund sources without the approval of the State Appeal Board.

STATE APPEAL BOARD APPROPRIATION

- Extends through FY 2007, the unlimited General Fund appropriation to the State Appeal Board for the costs of streamlining and improving the State Appeal Board process. The current authority expires after FY 2005. The State Appeal Board has entered into an addendum to the master agreement with the Public Strategies Group (PSG). The addendum provides a maximum payment to the PSG of \$137,000 for redesign deliverables. The PSG has received payments totaling \$91,000. The remaining \$46,000 will be paid during FY 2005 after the satisfactory completion of the recommendations for streamlining the claims process.

FISCAL IMPACT

- The extension of the unlimited General Fund appropriation will have an unknown fiscal impact. The fiscal impact will not be known until a decision on the implementation of the redesign proposal has been made.

NON-REVERSION OF FUNDS FOR REINVENTION INITIATIVES

- Permits the Department of Management to carry forward funds for reinvention initiatives through FY 2007.

The Department received a net appropriation of \$6.2 million for reinvention initiatives in FY 2004. Current law permits the Department to carry the funds forward through FY 2005. The balance in the Fund as of June 7, 2005, was \$463,000.

ENACTMENT DATE

- This Act was approved by the General Assembly on April 29, 2005, and signed by the Governor on May 12, 2005.

**EXECUTIVE SUMMARY
STATE INFORMATION TECHNOLOGY REORGANIZATION ACT**

HOUSE FILE 839

**TECHNOLOGY GOVERNANCE
BOARD**

BOARD MEMBERS

MEETINGS

**POWERS AND DUTIES OF THE
BOARD**

**INFORMATION TECHNOLOGY
COUNCIL**

APPROPRIATION

EFFECTIVE DATE

ENACTMENT DATE

- Eliminates the current Information Technology Council and establishes a Technology Governance Board within the Department of Administrative Services.
- Specifies that the Board will be comprised of ten members, as follows:
 - The Director of the Department of Administrative Services will serve as the Board’s Chairperson.
 - The Director of the Department of Management.
 - Three representatives from agencies with more than 700 full-time employees.
 - Two representatives from agencies with between 70 and 700 full-time employees.
 - One representative from an agency with less than 70 full-time employees.
 - Two public members with knowledge and experience in information technology matters.
- Specifies that the agency representatives and public members will be appointed by the Governor, subject to Senate confirmation, and serve two-year staggered terms.
- Requires the Board to meet monthly for the first year.
- Requires the Board to report annually, on the second Monday in January, to the Governor, the Department of Management, and the General Assembly, the total spending on technology for the previous fiscal year, the total amount appropriated for the current year, an estimate of the amount to be requested for the succeeding year for all agencies, and projections of technology savings. Establishes further powers and duties of the Board.
- Requires the Board to perform duties that have been performed by the Information Technology Council.
- Appropriates \$250,000 from the IowAccess Revolving Fund for the support of the activities of the Board. The IowAccess Revolving Fund has historically received a transfer of \$1.0 million from the fees collected by the Department of Transportation for transactions involving the furnishing of certified abstracts of a vehicle operating record. The FY 2006 appropriation would be used to support the costs of the Board, including meeting costs and 3.0 FTE positions. The Department of Administrative Services anticipates the needed resources will increase to \$327,000 and 4.0 FTE positions for FY 2007.
- This Act takes effect upon the enactment of HF 882 (FY 2006 Standing Appropriations Act).
- This Act was approved by the General Assembly on April 21, 2005, and signed by the Governor on April 29, 2005.

EXECUTIVE SUMMARY IOWACARE MEDICAID REFORM ACT

HOUSE FILE 841

NEW PROGRAMS

- Establishes the IowaCare Program that expands the Medical Assistance (Medicaid) Program, on a limited basis, in order to replace 100% State and county funded programs for indigent health care with a federally matched Medicaid Program. In addition, this Act contains various Medicaid reform initiatives. (Page 1, Line 3)

MEDICAID EXPANSION

- Beginning July 1, 2005, expands eligibility for the Medicaid Program for adults (ages 19 through 64) to 200% of the Federal Poverty Level. (Page 2, Line 34)
 - The expansion has the following limitations:
 - Enrollment in the Program may be capped and services may be limited to remain within the amount appropriated. (Page 4, Line 7)
 - Covered benefits are limited to inpatient and outpatient hospital services, physician or licensed nurse practitioner services, dental services, and transportation only when offered by the provider. Further limits the services to specific diagnostic and procedure codes specified by the Department of Human Services (DHS). (Page 4, Line 32)
 - Requires IowaCare enrollees to receive a medical examination and personal health assessment within 90 days of enrollment. The Program will also include access to a pharmacy assistance clearinghouse and a 24-hour medical information hotline to assist members in making choices about emergency room usage. (Page 5, Line 21 and Page 6, Line 26)
 - Limits covered providers to the University of Iowa Hospitals and Clinics (UIHC), Broadlawns Hospital in Polk County, and the four State Mental Health Institutes (MHIs). (Page 7, Line 14)
 - Requires IowaCare enrollees to pay a monthly premium not to exceed one-twelfth of 5% of the member's annual income for a minimum of four months, for enrollees above 100% of the Federal Poverty Level. The monthly premium for those below 100.0% of the Federal Poverty Level is one-twelfth of 2% of family income. (Page 8, Line 16)
 - Requires disproportionate share hospitals and graduate medical education (GME) funds to be allocated to the hospitals. This funding will supplement the Medicaid expansion funding and ensure the hospitals are held harmless under the new Program. (Page 11, Line 27)
- ## REBALANCING LONG-TERM CARE
- Beginning July 1, 2005, increases the level of care requirements for Medicaid-reimbursed nursing facility services, but maintains the level of care requirements for home and community-based waiver services. (Page 12, Line 11)

EXECUTIVE SUMMARY IOWACARE MEDICAID REFORM ACT

HOUSE FILE 841

HEALTH PROMOTION PARTNERSHIPS

- Beginning July 1, 2006, requires the DHS to implement a strategy to provide dietary counseling to assist members with weight loss. (Page 16, Line 10)
- By October 1, 2006, requires the DHS to develop a strategy for expanding utilization of electronic medical records. (Page 16, Line 19)
- By January 1, 2007, requires the DHS to implement a provider incentive payment program. (Page 16, Line 28)
- By January 1, 2007, requires the DHS to work with other entities to assess the physical health of persons with mental retardation or developmental disabilities and provide a report to the Governor and General Assembly. (Page 16, Line 34)
- By July 1, 2007, requires the DHS to implement a program to reduce smoking among Medicaid recipients with a goal of less than one percent for children, and less than 10% for adults. (Page 17, Line 10)
- By July 1, 2008, requires Medicaid recipients to have a “dental home,” or regular dentist, and receive preventive dental care. (Page 17, Line 18)

GOVERNANCE

- Establishes a Legislative Medical Assistance Projections and Assessment Council to make quarterly cost projections for the Medicaid Program, and review quarterly reports on all aspects of the Medicaid expansion. The Council is also required to ensure that the expansion population is managed within the appropriation under the assumption that no supplemental funding will be provided. (Page 22, Line 15)

ENHANCING THE FEDERAL-STATE PARTNERSHIP

- Establishes the Account for Health Care Transformation. The Account will receive revenue from two financing proposals previously enacted by the General Assembly and pending federal approval. If approved, the two proposals provide approximately \$40.0 million in one-time federal funds. (Page 24, Line 31)

IOWACARE ACCOUNT

- Establishes the IowaCare Account. The Account is a pass-through account for appropriations to UIHC, Broadlawns Hospital, and the MHIs under the IowaCare Program. (Page 25, Line 35)
- The funding sources for the appropriations are State matching funds and the following federal revenues:
 - Federal Medicaid funds for the new Medicaid expansion program.
 - Federal disproportionate share hospitals (DSH) funds.
 - Federal graduate medical education (GME) funds.
- Requires the three entities to be paid in twelve equal monthly allotments. At the close of each fiscal year, the DHS will determine how much of the total payments to each facility are due to Medicaid expansion, DSH, GME, and other State funds. (Page 27, Line 3)

**EXECUTIVE SUMMARY
IOWACARE MEDICAID REFORM ACT**

**HOUSE FILE 841
DRAFT**

**IOWACARE ACCOUNT
(CONTINUED)**

LIMITATIONS

CORRESPONDING PROVISIONS

**MEDICAL AND SURGICAL
TREATMENT OF INDIGENT
PERSONS AND OBSTETRICAL AND
NEWBORN INDIGENT PATIENT
CARE**

**APPROPRIATIONS – IOWACARE
ACCOUNT**

**APPROPRIATIONS – ACCOUNT FOR
HEALTH CARE TRANSFORMATION**

- Requires Broadlawns Hospital to transfer \$34.0 million in property tax collections to the IowaCare Account annually. This \$34.0 million provides the State match for approximately \$53.2 million in federal matching funds under the Medicaid expansion, DSH, and GME Programs. (Page 27, Line 15)
- Specifies that no provision in the IowaCare Act may be construed as an entitlement. (Page 29, Line 9)
- Makes various conforming changes and requirements necessary for the DHS to implement the IowaCare Act, including applying for waivers from the federal Center for Medicare and Medicaid Services (CMS). (Page 30, Line 1 through Page 37, Line 3)
- Restores language related to obstetrical and newborn indigent patient care within the Department of Public Health. (Page 37, Line 7)
- Eliminates the Indigent Care Program (also known as the State Papers Program) within the UIHC and makes conforming changes. The Indigent Care Program is being replaced by the IowaCare Medicaid expansion. The Program is also supplemented by the new DSH and GME Programs established under this Act. (Page 40, Line 30 and Page 40, Line 33)
- Appropriates \$93.2 million from the IowaCare Account for FY 2006, including:
 - \$27.3 million to the UIHC. (Page 48, Line 8)
 - \$40.0 million to Broadlawns Hospital. Of this amount, \$37.0 million is allocated in 12 equal, monthly payments. Any amount above \$37.0 million is allocated if federal matching funds are available, up to \$40.0 million. (Page 48, Line 21)
 - A total of \$25.9 million to the four MHIs, including:
 - \$9.1 million to the Cherokee MHI. (Page 49, Line 11)
 - \$2.0 million to the Clarinda MHI. (Page 49, Line 17)
 - \$9.0 million to the Independence MHI. (Page 49, Line 23)
 - \$5.8 million to the Mount Pleasant MHI. (Page 49, Line 29)
- The appropriations are a combination of State and federal matching funds. The source of the State match for all appropriations is the Broadlawns Hospital property tax levy of \$34.0 million. The federal matching funds are derived from the Medicaid expansion, DSH, and GME. The amount from each source will be determined over the course of the fiscal year based on the number enrolled and amount expended for the Medicaid expansion. Amounts not covered by the Medicaid expansion funds will come from DSH, GME, and if necessary, 100% State funds to fund all of the appropriations.
- Appropriates \$4.1 million from the Account for Health Care Transformation for FY 2006, including:
 - \$136,500 for medical examinations and development of personal health improvement plans. (Page 50, Line 7)

**EXECUTIVE SUMMARY
IOWACARE MEDICAID REFORM ACT**

**HOUSE FILE 841
DRAFT**

**APPROPRIATIONS – ACCOUNT FOR
HEALTH CARE TRANSFORMATION
(CONTINUED)**

- \$150,000 for the Medical Information Hotline. (Page 50, Line 11)
- \$150,000 for the Insurance Cost Subsidy Program. (Page 50, Line 15)
- \$50,000 for the Health Care Account Program. (Page 50, Line 18)
- \$100,000 for Electronic Medical Records. (Page 50, Line 21)
- \$550,000 for other Health Care Partnership activities. (Page 50, Line 25)
- \$100,000 for required audits, performance evaluations, and studies related to the Program. (Page 50, Line 28)
- \$910,000 for the DHS administrative costs of implementing the Program, eligibility determination, system changes, and other start-up costs. (Page 50, Line 31)
- Transfers \$2.0 million to the IowaCare Account for the State match for payments to Broadlawns Hospital in excess of \$34.0 million. (Page 50, Line 33)

DEAPPROPRIATIONS

- If the IowaCare Act is enacted, the FY 2006 State General Fund appropriations to the UIHC Indigent Care Program and the MHIs will be reduced by amounts equal to the appropriations from the Hospital Trust Fund, including:
 - \$25.9 million to the MHIs. (Page 52, Line 2 through Page 52, Line 10)
 - \$27.3 million for the UIHC. (Page 52, Line 11)
- The funds are transferred to the Medicaid Program to offset the loss in revenue to the State resulting from the elimination of intergovernmental transfers (IGTs). The total estimated revenue loss to the State is \$66.1 million.
- In addition, this Act deappropriates \$22.9 million from the Hospital Trust Fund to Medicaid in FY 2006. (Page 52, Line 29)

FISCAL IMPACT

- The IGTs were estimated to provide approximately \$66.1 million in State revenue to the Medicaid Program in FY 2006. The elimination of IGTs by the CMS results in an estimated State shortfall in the Medicaid Program of \$66.1 million in FY 2006. This would have resulted in the need for a FY 2006 supplemental appropriation.
- This \$66.1 million in federal revenue has drawn approximately \$115.0 million in federal matching funds, for a total of \$181.1 million in total funds for the Medicaid Program.
- Under current law, the Indigent Care Program, the MHIs, and Broadlawns Hospital utilize \$89.2 million in 100% State and county funds to provide coverage to approximately 30,000 indigent and uninsured Iowans.
- House File 841 establishes a new limited Medicaid coverage group to provide care to these 30,000 Iowans. This new Program is structured to serve the same number of Iowans, but with 63.6% federal matching funds, reducing the State/county cost to serve 30,000 Iowans to approximately \$34.0 million.

EXECUTIVE SUMMARY IOWACARE MEDICAID REFORM ACT

HOUSE FILE 841

FISCAL IMPACT (CONTINUED)

- This estimated State and county savings of \$55.2 million is transferred to the Medicaid Program to help offset the loss of the \$66.1 million in IGT revenues, for a remaining net cost of \$12.9 million. This assumes that the Program is able to draw federal matching funds for 100% of the Program cost.
- The Medicaid Expansion Program will likely not cover all 30,000 Iowans. The DSH and GME funds are to offset what is not covered by the Medicaid expansion. However, DSH and GME funds are limited by federal rules. The amount covered by the Medicaid expansion versus DSH and GME funds is not known. If DSH and GME funds are not sufficient to fully cover any gap between the amount appropriated and the amount covered by the Medicaid expansion, the remaining gap would be covered by 100% State funds. This would increase the cost to the State above the \$12.9 million net cost estimated if federal matching funds are available for the entire Program.
- House File 841 appropriates from the Hospital Trust Fund the same amount that is deappropriated to ensure the four MHIs, UIHC, and Broadlawns Hospital are held harmless. The institutions are guaranteed to receive these payments in twelve equal monthly installments. However, it is possible that the hospitals covered by the IowaCare Act and/or hospitals not covered by the IowaCare Act may experience a net increase in uncompensated care from the potential redistribution of uninsured patients among hospitals statewide.
- Any net cost for these changes is not addressed in HF 841 or HF 825 (FY 2006 Health and Human Services Appropriations Act) and would need to be addressed in an FY 2006 supplemental appropriation to the Medicaid Program. Broadlawns Hospital receives a guaranteed net increase of \$3.0 million as a result of this Act, with the opportunity for an increase of \$6.0 million if expenditures are federally matchable. The financing is based on the \$6.0 million being funded with \$2.0 million of State funds (from the Health Care Transformation Fund) and \$4.0 million federal matching funds. It is uncertain whether it will be possible to fully match the \$6.0 million increase. Any unmatched amounts would add to the net cost of this Act as discussed above.
- In addition to the net State General Fund impact, \$40.0 million in one-time federal funds are deposited in the Fund for Health Care Transformation. This Act specifies that the monies will be used for implementation of the IowaCare Act.

EFFECTIVE DATES

- The provisions requiring the DHS to apply for waivers from the federal CMS take effect on enactment. (Page 51, Line 7)
- All other provisions do not take effect unless the DHS receives CMS approval of required waivers and State Plan Amendments for the Medicaid Program. (Page 51, Line 15)
- The provisions relating to the repeal of the nursing facility quality assurance fee take effect retroactively to May 2, 2003. (Page 53, Line 16)
- The provisions relating to the repeal of the Indigent Care Program take effect retroactively to May 17, 2004. (Page 53, Line 19)

ENACTMENT DATE

- This Act was approved by the General Assembly on May 10, 2005, and signed by the Governor on May 12, 2005.

House File 841 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
1	3	1	Adds	Sec. 249J.1	IowaCare Act Title
1	6	2	Adds	Sec. 249J.2	IowaCare Federal Matching Funds
1	15	3	Adds	Sec. 249J.3	IowaCare Definitions
2	21	4	Adds	Sec. 249J.4	IowaCare Purpose
2	34	5	Adds	Sec. 249J.5	IowaCare Eligibility Definitions
4	32	6	Adds	Sec. 249J.6	IowaCare Covered Services
7	14	7	Adds	Sec. 249J.7(1-4)	IowaCare Provider Network
8	6	7	Nwthstnd	Sec. 249J.7(5)	Broadlawns Free Care Exemption
8	16	8	Adds	Sec. 249J.8	IowaCare Members' Financial Participation
10	25	9	Adds	Sec. 249J.9	Future Expansion Limitations
11	27	10	Adds	Sec. 249J.10	Maximization of Funding
12	11	11	Adds	Sec. 249J.11	Nursing Facility Level of Care
14	2	12	Adds	Sec. 249J.12	Nursing Facility Case-Mix Reimbursement System and Plan
14	25	13	Adds	Sec. 249J.13	Child In Need of Assistance (CINA) Waiver
16	3	15	Adds	Sec. 249J.14	Health Promotion Partnership Programs
16	5	15	Adds	Sec. 249J.14(1)	Hospital Services at the Mental Health Institutions
16	10	15	Adds	Sec. 249J.14(2)	Dietary Counseling Program
16	19	15	Adds	Sec. 249J.14(3)	Electronic Medical Records
16	28	15	Adds	Sec. 249J.14(4)	Provider Incentive Payment Program
16	34	15	Adds	Sec. 249J.14(5)	Physical Health Assessment of Clients
17	10	15	Adds	Sec. 249J.14(6)	Smoking Cessation Program
17	18	15	Adds	Sec. 249J.14(7)	Dental Home for Children
17	24	15	Adds	Sec. 249J.14(8)	Health Promotion Partnership Reports
17	34	16	Adds	Sec. 249J.14A	Indigent Care Task Force
20	13	17	Adds	Sec. 249J.15	Cost and Quality Evaluation

Page #	Line #	Bill Section	Action	Code Section	Description
20	26	18	Adds	Sec. 249J.16	Iowa Medicaid Enterprise Evaluation
20	33	19	Adds	Sec. 249J.17	Clinicians Advisory Panel
21	30	20	Adds	Sec. 249J.18	Health Care Pricing and Reimbursement Rates
22	15	21	Adds	Sec. 249J.19	Medical Assistance Projections and Assessment Council
23	34	22	Adds	Sec. 249J.20	Provider Payments Actual Cost
24	13	23	Adds	Sec. 249J.21	Independent Annual Audit
24	31	24	Adds	Sec. 249J.22	Account for Health Care Transformation
25	35	25	Adds	Sec. 249J.23(1)	Establishes the IowaCare Account
26	24	25	Adds	Sec. 249J.23(2)	IowaCare Account Prohibition of Transfers
26	34	25	Adds	Sec. 249J.23(3)	IowaCare Account Rules
27	1	25	Adds	Sec. 249J.23(4)	IowaCare Account State Treasurer Report
27	3	25	Nwthstnd	Sec. 262.28 and All	IowaCare Account Provider Payments
27	15	25	Nwthstnd	All	Broadlawns Property Tax Transfer to IowaCare
28	19	25	Adds	Sec. 249J.23(7)	28E Agreement for Distribution of IowaCare Account
28	29	25	Adds	Sec. 249J.23(8)	Mental Health Payments to Broadlawns
29	9	26	Adds	Sec. 249J.24(1)	IowaCare Act Prohibition of Entitlement
29	19	26	Adds	Sec. 249J.24(2)	IowaCare Act Effects on Medicaid
29	23	27	Adds	Sec. 249J.25(1)	Audit by State Auditor
29	29	27	Repeals	Sec. 249J.25(2)	IowaCare Chapter Repeal
30	1	29	Amends	Sec. 97B.52A(1)(c)	Conforming Change
30	21	30	Amends	Sec. 218.78(1)	DHS Client Participation Language
31	1	31	Amends	Sec. 230.20(2)(a)	County Billings
31	20	32	Amends	Sec. 230.20(5)(6)	County Billings
32	20	33	Amends	Sec. 249A.11	Segregation of Patient Revenues
32	33	34	Adds	Sec. 249H.4	Elimination of Nursing Facility Intergovernmental Transfer
33	6	35	Amends	Sec. 86, Chap. 1175, 2004 Iowa Acts, as amended	FY 2005 Indigent Care Program Federal Financing
34	4	36	Amends	Sec. 11, Chap. 112, 2003 Iowa Acts, as amended	Physician Intergovernmental Transfer

Page #	Line #	Bill Section	Action	Code Section	Description
36	12	39	Repeals	Chapter 249I	Hospital Trust Fund Repeal
36	13	40	Repeals	Sec. 249A.20B and 249A.34	Nursing Facility Quality Assurance Fee
36	15	41	Repeals	Sec. 4, Chap. 112, 2003 Iowa Act, as amended	Nursing Facility Quality Assurance Fee
37	7	43	Adds	Sec. 135.152	Obstetrical and Newborn Indigent Care Program
39	32	44	Amends	Sec. 135B.31	Hospital Medical Care Requirements
40	11	45	Amends	Sec. 144.13A(3)	Birth Certificate Fees
40	30	46	Repeals	Sec. 249A.4(12)	DHS Director's Duties
40	33	47	Adds	Sec. 263.18	Use of Funds for UIHC Facilities
41	33	48	Adds	Sec. 263.19	University of Iowa Purchases
42	9	49	Adds	Sec. 263.20	Settling Claims for Care
42	25	50	Adds	Sec. 263.21	Transfer of Patients from State Institutions
43	9	51	Adds	Sec. 263.22	Medical Care for Parolees
43	19	52	Amends	Sec. 271.6	Oakdale Campus Patients
43	35	53	Repeals	Sec. 331.381(9)	Boards of Supervisors Indigent Health Care Requirement
44	2	54	Repeals	Sec. 331.502(17)	Auditors Indigent Care Cost Notification
44	4	55	Amends	Sec. 331.552(13)	Transfer Payments Requirements
44	10	56	Repeals	Sec. 331.653(26)	County Sheriff Indigent Care Program Requirements
44	12	57	Repeals	Sec. 331.756(53)	County Attorneys Indigent Care Program Requirements
44	14	58	Repeals	Sec. 602.8102(48)	County Clerks Indigent Care Program Requirements
44	16	59	Repeals	Sec. 255 and 255A	Indigent Care and Newborn and Obstetrical Indigent Care Programs
45	35	62	Adds	Sec. 218A.1	State Medical Institution

1 1 DIVISION I
1 2 IOWACARE

1 3 Section 1. NEW SECTION. 249J.1 TITLE.
1 4 This chapter shall be known and may be cited as the
1 5 "Iowacare Act".

CODE: Establishes the "IowaCare Act" chapter.

DETAIL: The IowaCare Program includes an expansion of the Medical Assistance (Medicaid) Program to 200.00% of the Federal Poverty Level, utilizing a limited set of covered benefits and provider network. The premise of the Program is to use State funds that are currently expended for indigent health care to draw a federal match. The Program also includes a number of Medicaid reform initiatives.

1 6 Sec. 2. NEW SECTION. 249J.2 FEDERAL FINANCIAL
1 7 PARTICIPATION — CONTINGENT IMPLEMENTATION.
1 8 This chapter shall be implemented only to the extent that
1 9 federal matching funds are available for nonfederal
1 10 expenditures under this chapter. The department shall not
1 11 expend funds under this chapter, including but not limited to
1 12 expenditures for reimbursement of providers and program
1 13 administration, if appropriated nonfederal funds are not
1 14 matched by federal financial participation.

CODE: Specifies that the IowaCare Act will only be implemented if federal matching funds for the IowaCare Program are received.

1 15 Sec. 3. NEW SECTION. 249J.3 DEFINITIONS.
1 16 As used in this chapter, unless the context otherwise
1 17 requires:
1 18 1. "Clean claim" means a claim submitted by a provider
1 19 included in the expansion population provider network that may
1 20 be adjudicated as paid or denied.
1 21 2. "Department" means the department of human services.
1 22 3. "Director" means the director of human services.
1 23 4. "Expansion population" means the individuals who are
1 24 eligible solely for benefits under the medical assistance
1 25 program waiver as provided in this chapter.
1 26 5. "Full benefit dually eligible Medicare Part D
1 27 beneficiary" means a person who is eligible for coverage for
1 28 Medicare Part D drugs and is simultaneously eligible for full
1 29 medical assistance benefits pursuant to chapter 249A, under

CODE: Establishes definitions for the IowaCare Program.

1 30 any category of eligibility.

1 31 6. "Full benefit recipient" means an adult who is eligible
1 32 for full medical assistance benefits pursuant to chapter 249A
1 33 under any category of eligibility.

1 34 7. "Iowa Medicaid enterprise" means the centralized
1 35 medical assistance program infrastructure, based on a business
2 1 enterprise model, and designed to foster collaboration among
2 2 all program stakeholders by focusing on quality, integrity,
2 3 and consistency.

2 4 8. "Medical assistance" or "Medicaid" means payment of all
2 5 or part of the costs of care and services provided to an
2 6 individual pursuant to chapter 249A and Title XIX of the
2 7 federal Social Security Act.

2 8 9. "Medicare Part D" means the Medicare Part D program
2 9 established pursuant to the Medicare Prescription Drug,
2 10 Improvement, and Modernization Act of 2003, Pub. L. No. 108–
2 11 173.

2 12 10. "Minimum data set" means the minimum data set
2 13 established by the centers for Medicare and Medicaid services
2 14 of the United States department of health and human services
2 15 for nursing home resident assessment and care screening.

2 16 11. "Nursing facility" means a nursing facility as defined
2 17 in section 135C.1.

2 18 12. "Public hospital" means a hospital licensed pursuant
2 19 to chapter 135B and governed pursuant to chapter 145A, 226,
2 20 347, 347A, or 392.

2 21 Sec. 4. NEW SECTION. 249J.4 PURPOSE.

2 22 It is the purpose of this chapter to propose a variety of
2 23 initiatives to increase the efficiency, quality, and
2 24 effectiveness of the health care system; to increase access to
2 25 appropriate health care; to provide incentives to consumers to
2 26 engage in responsible health care utilization and personal
2 27 health care management; to reward providers based on quality
2 28 of care and improved service delivery; and to encourage the
2 29 utilization of information technology, to the greatest extent
2 30 possible, to reduce fragmentation and increase coordination of

CODE: Specifies the purpose of the IowaCare Act is to increase the efficiency, quality, and effectiveness of the health care system; increase access; promote responsible health care decisions; reward quality; and maximize information technology.

2 31 care and quality outcomes.

2 32 DIVISION II

2 33 MEDICAID EXPANSION

2 34 Sec. 5. NEW SECTION. 249J.5 EXPANSION POPULATION
2 35 ELIGIBILITY.

3 1 1. Except as otherwise provided in this chapter, an
3 2 individual nineteen through sixty-four years of age shall be
3 3 eligible solely for the expansion population benefits
3 4 described in this chapter when provided through the expansion
3 5 population provider network as described in this chapter, if
3 6 the individual meets all of the following conditions:

3 7 a. The individual is not eligible for coverage under the
3 8 medical assistance program in effect on or after April 1,
3 9 2005.

3 10 b. The individual has a family income at or below two
3 11 hundred percent of the federal poverty level as defined by the
3 12 most recently revised poverty income guidelines published by
3 13 the United States department of health and human services.

3 14 c. The individual fulfills all other conditions of
3 15 participation for the expansion population described in this
3 16 chapter, including requirements relating to personal financial
3 17 responsibility.

3 18 2. Individuals otherwise eligible solely for family
3 19 planning benefits authorized under the medical assistance
3 20 family planning services waiver, effective January 1, 2005, as
3 21 described in 2004 Iowa Acts, chapter 1175, section 116,
3 22 subsection 8, may also be eligible for expansion population
3 23 benefits provided through the expansion population provider
3 24 network.

3 25 3. Individuals with family incomes below three hundred
3 26 percent of the federal poverty level as defined by the most
3 27 recently revised poverty income guidelines published by the
3 28 United States department of health and human services shall
3 29 also be eligible for obstetrical and newborn care under the
3 30 expansion population if deductions for the medical expenses of

CODE: Specifies the eligibility criteria for the IowaCare Program, including:

- Adults age 19 through 64 years, provided that the individual is not otherwise eligible for Medicaid.
- Income must be below 200% of the Federal Poverty Level (FPL), approximately \$18,900 for a family of four.
- Individuals must fulfill all other requirements of the Chapter, including payment of co-payments and premiums.
- Individuals eligible for the family planning waiver may also be eligible for the IowaCare Program.
- Individuals below 300% of the FPL are eligible for obstetrical and newborn care, if they have medical expenses that, when deducted from family income, reduces income to 200% of the FPL. Individuals in the specified counties (Cedar, Clinton, Iowa, Johnson, Keokuk, Louisa, Muscatine, Scott, and Washington) receive care at the University of Iowa Hospitals and Clinics (UIHC).
- Enrollment in the Program may be limited or closed, or the services may be reduced or eliminated if the Department of Human Services (DHS) determines that federal or State funds will not be available.
- Individuals with access to group health insurance are not eligible unless allowed by the DHS.
- Permits the DHS to contract with county general assistance directors to perform intake for the new Program.
- Requires the DHS to consider contracting with local nonprofit entities for intake services.

DETAIL: It is estimated that when the Program is fully implemented, approximately 30,000 individuals will be enrolled in the IowaCare Program. This is roughly equivalent to the number currently served with 100% State and county funds, that will be shifted to the federally matched Program. Enrollment and services in the Program may be capped to remain within the amount appropriated.

3 31 all family members would reduce the family income to two
3 32 hundred percent of the federal poverty level or below. Such
3 33 individuals shall be eligible for the same benefits as those
3 34 provided to individuals eligible under section 135.152.
3 35 Eligible individuals may choose to receive the appropriate
4 1 level of care at any licensed hospital or health care
4 2 facility, with the exception of individuals in need of such
4 3 care residing in the counties of Cedar, Clinton, Iowa,
4 4 Johnson, Keokuk, Louisa, Muscatine, Scott, and Washington, who
4 5 shall be provided care at the university of Iowa hospitals and
4 6 clinics.

4 7 4. Enrollment for the expansion population may be limited,
4 8 closed, or reduced and the scope and duration of expansion
4 9 population services provided may be limited, reduced, or
4 10 terminated if the department determines that federal medical
4 11 assistance program matching funds or appropriated state funds
4 12 will not be available to pay for existing or additional
4 13 enrollment.

4 14 5. Eligibility for the expansion population shall not
4 15 include individuals who have access to group health insurance,
4 16 unless the reason for not accessing group health insurance is
4 17 allowed by rule of the department.

4 18 6. Each expansion population member shall provide to the
4 19 department all insurance information required by the health
4 20 insurance premium payment program.

4 21 7. The department shall contract with the county general
4 22 assistance directors to perform intake functions for the
4 23 expansion population, but only at the discretion of the
4 24 individual county general assistance director.

4 25 8. If the department provides intake services at the
4 26 location of a provider included in the expansion population
4 27 provider network, the department shall consider subcontracting
4 28 with local nonprofit agencies to promote greater understanding
4 29 between providers, under the medical assistance program and
4 30 included in the expansion population provider network, and
4 31 their recipients and members.

4 32 Sec. 6. NEW SECTION. 249J.6 EXPANSION POPULATION
4 33 BENEFITS.

4 34 1. Beginning July 1, 2005, the expansion population shall
4 35 be eligible for all of the following expansion population

5 1 services:

5 2 a. Inpatient hospital procedures described in the
5 3 diagnostic related group codes or other applicable inpatient
5 4 hospital reimbursement methods designated by the department.

5 5 b. Outpatient hospital services described in the
5 6 ambulatory patient groupings or noninpatient services
5 7 designated by the department.

5 8 c. Physician and advanced registered nurse practitioner
5 9 services described in the current procedural terminology codes
5 10 specified by the department.

5 11 d. Dental services described in the dental codes specified
5 12 by the department.

5 13 e. Limited pharmacy benefits provided by an expansion
5 14 population provider network hospital pharmacy and solely
5 15 related to an appropriately billed expansion population
5 16 service.

5 17 f. Transportation to and from an expansion population
5 18 provider network provider only if the provider offers such
5 19 transportation services or the transportation is provided by a
5 20 volunteer.

5 21 2. a. Beginning no later than March 1, 2006, within
5 22 ninety days of enrollment in the expansion population, each
5 23 expansion population member shall participate, in conjunction
5 24 with receiving a single comprehensive medical examination and
5 25 completing a personal health improvement plan, in a health
5 26 risk assessment coordinated by a health consortium
5 27 representing providers, consumers, and medical education
5 28 institutions. An expansion population member who enrolls in
5 29 the expansion population prior to March 1, 2006, shall
5 30 participate in the health risk assessment, receive the single
5 31 comprehensive medical examination, and complete the personal
5 32 health improvement plan by June 1, 2006. The criteria for the
5 33 health risk assessment, the comprehensive medical examination

CODE: Specifies the services covered by the IowaCare Program, including:

- Inpatient hospital procedures designated by the DHS through Diagnosis Related Group (DRG) codes.
- Outpatient hospital procedures designated by the DHS through DRG codes.
- Physician and advanced registered nurse practitioner services, as specified by the DHS.
- Dental services specified by the DHS.
- Pharmacy benefits, if provided by an IowaCare provider pharmacy and solely related to one of the covered services above.
- Transportation services, if an IowaCare provider offers transportation services.
- Beginning March 1, 2006, each member is required to complete a personal health improvement plan and comprehensive medical examination within 90 days of enrollment. Specifies other requirements of the health assessment.
- Beginning July 1, 2006, each member will have access to a pharmacy assistance clearinghouse.
- Beginning July 1, 2006, each member will have access to a 24-hour medical hotline to assist members preventing inappropriate emergency room utilization.
- Other technical requirements for coverage.

5 34 and the personal health improvement plan shall be developed
5 35 and applied in a manner that takes into consideration cultural
6 1 variations that may exist within the expansion population.

6 2 b. The health risk assessment shall be a web-based
6 3 electronic system capable of capturing and integrating basic
6 4 data to provide an individualized personal health improvement
6 5 plan for each expansion population member. The health risk
6 6 assessment shall provide a preliminary diagnosis of current
6 7 and prospective health conditions and recommendations for
6 8 improving health conditions with an individualized wellness
6 9 program. The health risk assessment shall be made available
6 10 to the expansion population member and the provider specified
6 11 in paragraph "c" who performs the comprehensive medical
6 12 examination and provides the individualized personal health
6 13 improvement plan.

6 14 c. The single comprehensive medical examination and
6 15 personal health improvement plan may be provided by an
6 16 expansion population provider network physician, advanced
6 17 registered nurse practitioner, or physician assistant or any
6 18 other physician, advanced registered nurse practitioner, or
6 19 physician assistant, available to any full benefit recipient
6 20 including but not limited to such providers available through
6 21 a free clinic or rural health clinic under a contract with the
6 22 department to provide these services, through federally
6 23 qualified health centers that employ a physician, or through
6 24 any other nonprofit agency qualified or deemed to be qualified
6 25 by the department to perform these services.

6 26 3. Beginning no later than July 1, 2006, expansion
6 27 population members shall be provided all of the following:

6 28 a. Access to a pharmacy assistance clearinghouse program
6 29 to match expansion population members with free or discounted
6 30 prescription drug programs provided by the pharmaceutical
6 31 industry.

6 32 b. Access to a medical information hotline, accessible
6 33 twenty-four hours per day, seven days per week, to assist
6 34 expansion population members in making appropriate choices
6 35 about the use of emergency room and other health care

7 1 services.

7 2 4. Membership in the expansion population shall not
7 3 preclude an expansion population member from eligibility for
7 4 services not covered under the expansion population for which
7 5 the expansion population member is otherwise entitled under
7 6 state or federal law.

7 7 5. Members of the expansion population shall not be
7 8 considered full benefit dually eligible Medicare Part D
7 9 beneficiaries for the purposes of calculating the state's
7 10 payment under Medicare Part D, until such time as the
7 11 expansion population is eligible for all of the same benefits
7 12 as full benefit recipients under the medical assistance
7 13 program.

7 14 Sec. 7. NEW SECTION. 249J.7 EXPANSION POPULATION
7 15 PROVIDER NETWORK.

7 16 1. Expansion population members shall only be eligible to
7 17 receive expansion population services through a provider
7 18 included in the expansion population provider network. Except
7 19 as otherwise provided in this chapter, the expansion
7 20 population provider network shall be limited to a publicly
7 21 owned acute care teaching hospital located in a county with a
7 22 population over three hundred fifty thousand, the university
7 23 of Iowa hospitals and clinics, and the state hospitals for
7 24 persons with mental illness designated pursuant to section
7 25 226.1 with the exception of the programs at such state
7 26 hospitals for persons with mental illness that provide
7 27 substance abuse treatment, serve gero-psychiatric patients, or
7 28 treat sexually violent predators.

7 29 2. Expansion population services provided to expansion
7 30 population members by providers included in the expansion
7 31 population provider network shall be payable at the full
7 32 benefit recipient rates.

7 33 3. Providers included in the expansion population provider
7 34 network shall submit clean claims within twenty days of the
7 35 date of provision of an expansion population service to an
8 1 expansion population member.

CODE: Specifies the provider network for the IowaCare Program, including:

- Services are covered only through providers included in the provider network.
- The provider network includes the University of Iowa Hospitals and Clinics, Broadlawns Medical Center, and the State Mental Health Institutions.
- Reimbursement to providers must be at the same rate as the regular Medicaid Program.
- Providers must submit claims within twenty days of the date of service.
- Permits providers to deny services to individuals that refuse to apply for coverage under the IowaCare Program.

8 2 4. Unless otherwise prohibited by law, a provider under
 8 3 the expansion population provider network may deny care to an
 8 4 individual who refuses to apply for coverage under the
 8 5 expansion population.

8 6 5. Notwithstanding the provision of section 347.16,
 8 7 subsection 2, requiring the provision of free care and
 8 8 treatment to the persons described in that subsection, the
 8 9 publicly owned acute care teaching hospital described in
 8 10 subsection 1 may require any sick or injured person seeking
 8 11 care or treatment at that hospital to be subject to financial
 8 12 participation, including but not limited to copayments or
 8 13 premiums, and may deny nonemergent care or treatment to any
 8 14 person who refuses to be subject to such financial
 8 15 participation.

8 16 Sec. 8. NEW SECTION. 249J.8 EXPANSION POPULATION MEMBERS
 8 17 — FINANCIAL PARTICIPATION.

8 18 1. Beginning July 1, 2005, each expansion population
 8 19 member whose family income equals or exceeds one hundred
 8 20 percent of the federal poverty level as defined by the most
 8 21 recently revised poverty income guidelines published by the
 8 22 United States department of health and human services shall
 8 23 pay a monthly premium not to exceed one-twelfth of five
 8 24 percent of the member's annual family income, and each
 8 25 expansion population member whose family income is less than
 8 26 one hundred percent of the federal poverty level as defined by
 8 27 the most recently revised poverty income guidelines published
 8 28 by the United States department of health and human services
 8 29 shall pay a monthly premium not to exceed one-twelfth of two
 8 30 percent of the member's annual family income. All premiums
 8 31 shall be paid on the last day of the month of coverage. The
 8 32 department shall deduct the amount of any monthly premiums
 8 33 paid by an expansion population member for benefits under the
 8 34 healthy and well kids in Iowa program when computing the
 8 35 amount of monthly premiums owed under this subsection. An
 9 1 expansion population member shall pay the monthly premium

CODE: Specifies that Broadlawns may deny non-emergency care to persons that refuse to comply with the financial requirements of the IowaCare Program.

CODE: Specifies the requirements for financial participation for members of the IowaCare Program, including:

- A monthly premium of 5% of family income for members with family income greater than 100% FPL. The premium for a family of four at 100% FPL would be approximately \$78.63 per month.
- A monthly premium of 2% of family income for members with family income below 100% FPL. The premium for a family of four at 50% FPL would be approximately \$10 per month.
- Premiums paid by members for the Healthy and Well Kids in Iowa Program are deducted from the amount of premium owed under the IowaCare Program.
- Requires premiums to be paid for four consecutive months.
- Requires premiums to be deposited in a separate account of the IowaCare Account.
- Requires IowaCare members to pay the same co-payments as required for adults in the regular Medicaid Program.
- Allows the DHS to reduce members' financial requirements based on increased wellness activities, such as smoking cessation, or based upon a hardship exemption.

9 2 during the entire period of the member's enrollment. However,
9 3 regardless of the length of enrollment, the member is subject
9 4 to payment of the premium for a minimum of four consecutive
9 5 months. Timely payment of premiums, including any arrearages
9 6 accrued from prior enrollment, is a condition of receiving any
9 7 expansion population services. Premiums collected under this
9 8 subsection shall be deposited in the premiums subaccount of
9 9 the account for health care transformation created pursuant to
9 10 section 249J.22. An expansion population member shall also
9 11 pay the same copayments required of other adult recipients of
9 12 medical assistance.

9 13 2. The department may reduce the required out-of-pocket
9 14 expenditures for an individual expansion population member
9 15 based upon the member's increased wellness activities such as
9 16 smoking cessation or compliance with the personal health
9 17 improvement plan completed by the member. The department
9 18 shall also waive the required out-of-pocket expenditures for
9 19 an individual expansion population member based upon a
9 20 hardship that would accrue from imposing such required
9 21 expenditures.

9 22 3. The department shall submit to the governor and the
9 23 general assembly by March 15, 2006, a design for each of the
9 24 following:

9 25 a. An insurance cost subsidy program for expansion
9 26 population members who have access to employer health
9 27 insurance plans, provided that the design shall require that
9 28 no less than fifty percent of the cost of such insurance shall
9 29 be paid by the employer.

9 30 b. A health care account program option for individuals
9 31 eligible for enrollment in the expansion population. The
9 32 health care account program option shall be available only to
9 33 adults who have been enrolled in the expansion population for
9 34 at least twelve consecutive calendar months. Under the health
9 35 care account program option, the individual would agree to
10 1 exchange one year's receipt of benefits under the expansion
10 2 population, to which the individual would otherwise be
10 3 entitled, for a credit to obtain any medical assistance

DETAIL: Requires the DHS to report to the General Assembly and the Governor by March 15, 2006, regarding a design for each of the following programs:

- An insurance cost subsidy program for members that have access to employer health insurance, provided that no less than 50% of the cost be paid by the employer.
- A health care premium account option that would allow members to receive an allotment for health care expenditures and allow members to be paid any balance at the end of the year.
- Requires the DHS to study the impact of out-of-pocket expenditures on enrollment and report the findings quarterly to the Medical Assistance Projections and Assessment Council.

10 4 program covered service up to a specified amount. The balance
 10 5 in the health care account at the end of the year, if any,
 10 6 would be available for withdrawal by the individual.
 10 7 4. The department shall track the impact of the out-of-
 10 8 pocket expenditures on patient enrollment and shall report the
 10 9 findings on at least a quarterly basis to the medical
 10 10 assistance projections and assessment council established
 10 11 pursuant to section 249J.19. The findings shall include
 10 12 estimates of the number of expansion population members
 10 13 complying with payment of required out-of-pocket expenditures,
 10 14 the number of expansion population members not complying with
 10 15 payment of required out-of-pocket expenditures and the reasons
 10 16 for noncompliance, any impact as a result of the out-of-pocket
 10 17 requirements on the provision of services to the populations
 10 18 previously served, the administrative time and cost associated
 10 19 with administering the out-of-pocket requirements, and the
 10 20 benefit to the state resulting from the out-of-pocket
 10 21 expenditures. To the extent possible, the department shall
 10 22 track the income level of the member, the health condition of
 10 23 the member, and the family status of the member relative to
 10 24 the out-of-pocket information.

10 25 Sec. 9. NEW SECTION. 249J.9 FUTURE EXPANSION POPULATION,
 10 26 BENEFITS, AND PROVIDER NETWORK GROWTH.

10 27 1. POPULATION. The department shall contract with the
 10 28 division of insurance of the department of commerce or another
 10 29 appropriate entity to track, on an annual basis, the number of
 10 30 uninsured and underinsured lowans, the cost of private market
 10 31 insurance coverage, and other barriers to access to private
 10 32 insurance for lowans. Based on these findings and available
 10 33 funds, the department shall make recommendations, annually, to
 10 34 the governor and the general assembly regarding further
 10 35 expansion of the expansion population.

11 1 2. BENEFITS.

11 2 a. The department shall not provide services to expansion
 11 3 population members that are in addition to the services
 11 4 originally designated by the department pursuant to section

CODE: Specifies requirements for future expansions of the IowaCare Program, including:

- Requires the DHS to contract with the Insurance Division to track uninsured and underinsured lowans, costs and barriers to coverage, and make recommendations annually to the Governor and General Assembly regarding further expansion of the Program.
- Prohibits the DHS from expanding services without legislative action.
- Prohibits the DHS from expanding the provider network unless funding is available.
- Allows the DHS to limit access to the provider network, if necessary, to meet the financial obligations to all providers.

11 5 249J.6, without express authorization provided by the general
11 6 assembly.

11 7 b. The department, upon the recommendation of the
11 8 clinicians advisory panel established pursuant to section
11 9 249J.17, may change the scope and duration of any of the
11 10 available expansion population services, but this subsection
11 11 shall not be construed to authorize the department to make
11 12 expenditures in excess of the amount appropriated for benefits
11 13 for the expansion population.

11 14 3. EXPANSION POPULATION PROVIDER NETWORK.

11 15 a. The department shall not expand the expansion
11 16 population provider network unless the department is able to
11 17 pay for expansion population services provided by such
11 18 providers at the full benefit recipient rates.

11 19 b. The department may limit access to the expansion
11 20 population provider network by the expansion population to the
11 21 extent the department deems necessary to meet the financial
11 22 obligations to each provider under the expansion population
11 23 provider network. This subsection shall not be construed to
11 24 authorize the department to make any expenditure in excess of
11 25 the amount appropriated for benefits for the expansion
11 26 population.

11 27 Sec. 10. NEW SECTION. 249J.10 MAXIMIZATION OF FUNDING
11 28 FOR INDIGENT PATIENTS.

11 29 1. Unencumbered certified local matching funds may be used
11 30 to cover the state share of the cost of services for the
11 31 expansion population.

11 32 2. The department of human services shall include in its
11 33 annual budget submission, recommendations relating to a
11 34 disproportionate share hospital and graduate medical education
11 35 allocation plan that maximizes the availability of federal
12 1 funds for payments to hospitals for the care and treatment of
12 2 indigent patients.

12 3 3. If state and federal law and regulations so provide and
12 4 if federal disproportionate share hospital funds and graduate
12 5 medical education funds are available under Title XIX of the

CODE: Allows certified local matching funds, such as Broadlawns Hospital property tax funds, to be used for the State match for the IowaCare Program. Requires the DHS to allocate federal disproportionate share hospitals and graduate medical education funds in a manner that maximizes revenue for the IowaCare Program.

12 6 federal Social Security Act, federal disproportionate share
 12 7 hospital funds and graduate medical education funds shall be
 12 8 distributed as specified by the department.

12 9 DIVISION III
 12 10 REBALANCING LONG-TERM CARE

12 11 Sec. 11. NEW SECTION. 249J.11 NURSING FACILITY LEVEL OF
 12 12 CARE DETERMINATION FOR FACILITY-BASED AND COMMUNITY-
 BASED
 12 13 SERVICES.

12 14 The department shall amend the medical assistance state
 12 15 plan to provide for all of the following:
 12 16 1. That nursing facility level of care services under the
 12 17 medical assistance program shall be available to an individual
 12 18 admitted to a nursing facility on or after July 1, 2005, who
 12 19 meets eligibility criteria for the medical assistance program
 12 20 pursuant to section 249A.3, if the individual also meets any
 12 21 of the following criteria:
 12 22 a. Based upon the minimum data set, the individual
 12 23 requires limited assistance, extensive assistance, or has
 12 24 total dependence on assistance, provided by the physical
 12 25 assistance of one or more persons, with three or more
 12 26 activities of daily living as defined by the minimum data set,
 12 27 section G, entitled "physical functioning and structural
 12 28 problems".
 12 29 b. Based on the minimum data set, the individual requires
 12 30 the establishment of a safe, secure environment due to
 12 31 moderate or severe impairment of cognitive skills for daily
 12 32 decision making.
 12 33 c. The individual has established a dependency requiring
 12 34 residency in a medical institution for more than one year.
 12 35 2. That an individual admitted to a nursing facility prior
 13 1 to July 1, 2005, and an individual applying for home and
 13 2 community-based services waiver services at the nursing
 13 3 facility level of care on or after July 1, 2005, who meets the
 13 4 eligibility criteria for the medical assistance program

CODE: Specifies the level of care required for nursing facility and home and community-based services in the regular Medicaid Program. Provides for an exemption if home and community-based services are not available.

DETAIL: This results in a higher level of care requirement for nursing facility services and no change in the level of care required for home and community-based services (under current law the level of care requirement is the same for both). The goal is to divert Medicaid clients needing lower levels of care to home and community-based services, rather than more expensive nursing facility services.

13 5 pursuant to section 249A.3, shall also meet any of the
 13 6 following criteria:
 13 7 a. Based on the minimum data set, the individual requires
 13 8 supervision, or limited assistance, provided on a daily basis
 13 9 by the physical assistance of at least one person, for
 13 10 dressing and personal hygiene activities of daily living as
 13 11 defined by the minimum data set, section G, entitled "physical
 13 12 functioning and structural problems".
 13 13 b. Based on the minimum data set, the individual requires
 13 14 the establishment of a safe, secure environment due to
 13 15 modified independence or moderate impairment of cognitive
 13 16 skills for daily decision making.
 13 17 3. That, beginning July 1, 2005, if nursing facility level
 13 18 of care is determined to be medically necessary for an
 13 19 individual and the individual meets the nursing facility level
 13 20 of care requirements for home and community-based services
 13 21 waiver services under subsection 2, but appropriate home and
 13 22 community-based services are not available to the individual
 13 23 in the individual's community at the time of the determination
 13 24 or the provision of available home and community-based
 13 25 services to meet the skilled care requirements of the
 13 26 individual is not cost-effective, the criteria for admission
 13 27 of the individual to a nursing facility for nursing facility
 13 28 level of care services shall be the criteria in effect on June
 13 29 30, 2005. The department of human services shall establish
 13 30 the standard for determining cost-effectiveness of home and
 13 31 community-based services under this subsection.
 13 32 4. The department shall develop a process to allow
 13 33 individuals identified under subsection 3 to be served under
 13 34 the home and community-based services waiver at such time as
 13 35 appropriate home and community-based services become available
 14 1 in the individual's community.

14 2 Sec. 12. NEW SECTION. 249J.12 SERVICES FOR PERSONS WITH
 14 3 MENTAL RETARDATION OR DEVELOPMENTAL DISABILITIES.

14 4 1. The department, in cooperation with the Iowa state
 14 5 association of counties, the Iowa association of community

CODE: Requires the DHS, in cooperation with specified entities, to develop a plan for a case-mix reimbursement system for persons with mental retardation or developmental disabilities that ties payment rates to the acuity of the clients. The DHS is required to present the plan to

14 6 providers, the governor's developmental disabilities council,
 14 7 and other interested parties, shall develop a plan for a case-
 14 8 mix adjusted reimbursement system under the medical assistance
 14 9 program for both institution-based and community-based
 14 10 services for persons with mental retardation or developmental
 14 11 disabilities for submission to the general assembly by January
 14 12 1, 2007. The department shall not implement the case-mix
 14 13 adjusted reimbursement system plan without express
 14 14 authorization by the general assembly.

14 15 2. The department, in consultation with the Iowa state
 14 16 association of counties, the Iowa association of community
 14 17 providers, the governor's developmental disabilities council,
 14 18 and other interested parties, shall develop a plan for
 14 19 submission to the governor and the general assembly no later
 14 20 than July 1, 2007, to enhance alternatives for community-based
 14 21 care for individuals who would otherwise require care in an
 14 22 intermediate care facility for persons with mental
 14 23 retardation. The plan shall not be implemented without
 14 24 express authorization by the general assembly.

14 25 Sec. 13. NEW SECTION. 249J.13 CHILDREN'S MENTAL HEALTH
 14 26 WAIVER SERVICES.

14 27 The department shall provide medical assistance waiver
 14 28 services to not more than three hundred children who meet the
 14 29 eligibility criteria for the medical assistance program
 14 30 pursuant to section 249A.3, and also meet the criteria
 14 31 specified in section 234.7, subsection 2, if enacted in the
 14 32 2005 legislative session.

14 33 Sec. 14. CASE MANAGEMENT FOR THE FRAIL ELDERLY.

14 34 1. The department of human services shall submit an
 14 35 amendment to the home and community-based services waiver for
 15 1 the elderly to the centers for Medicare and Medicaid services
 15 2 of the United States department of health and human services
 15 3 to provide for inclusion of case management as a medical
 15 4 assistance covered service. The department of human services
 15 5 shall develop the amendment in collaboration with the

the General Assembly by January 1, 2007.

Requires the DHS, in consultation with specified entities, to develop a plan to enhance home and community based alternatives for persons that would otherwise receive institutional care. Requires the plan to be submitted to the Governor and General Assembly by July 1, 2007.

CODE: Requires the DHS to provide Medicaid waiver services to 300 children pursuant to new legislation that will result in a waiver of the Child in Need of Assistance (CINA) statutes.

Requires the DHS to submit a State Plan Amendment to add case management for the frail elderly as a covered Medicaid service, with the following requirements:

- The Department of Elder Affairs (DEA) must provide the State matching funds for the case management service using existing funds, while preserving funding for case management services for those not eligible for Medicaid.

15 6 department of elder affairs.
 15 7 2. If the request for an amendment to the waiver is
 15 8 approved, the department of elder affairs shall use existing
 15 9 funding for case management as nonfederal matching funds. The
 15 10 department of elder affairs, in collaboration with the
 15 11 department of human services, shall determine the amount of
 15 12 existing funding that would be eligible for use as nonfederal
 15 13 matching funds so that sufficient funding is retained to also
 15 14 provide case management services for frail elders who are not
 15 15 eligible for the medical assistance program.
 15 16 3. The department of human services, in collaboration with
 15 17 the department of elder affairs, shall establish a
 15 18 reimbursement rate for case management for the frail elderly
 15 19 such that the amount of state funding necessary to pay for
 15 20 such case management does not exceed the amount appropriated
 15 21 to the department of elder affairs for case management for the
 15 22 frail elderly in the fiscal year beginning July 1, 2005. Any
 15 23 state savings realized from including case management under
 15 24 the home and community-based services waiver for the elderly
 15 25 shall be used for services for the frail elderly and for
 15 26 substitute decision-making services to eligible individuals
 15 27 pursuant to chapter 231E, if enacted by the Eighty-first
 15 28 General Assembly.
 15 29 4. The department of human services, in collaboration with
 15 30 the department of elder affairs, shall determine whether case
 15 31 management for the frail elderly should continue to be
 15 32 provided through a sole source contract or if a request for
 15 33 proposals process should be initiated to provide the services.
 15 34 The departments shall submit their recommendations to the
 15 35 general assembly by January 1, 2006.

16 1 DIVISION IV
 16 2 HEALTH PROMOTION PARTNERSHIPS

16 3 Sec. 15. NEW SECTION. 249J.14 HEALTH PROMOTION
 16 4 PARTNERSHIPS.

- The DHS, in collaboration with the DEA, must determine a reimbursement rate for the service. The rate can not result in expenditures exceeding the amount appropriated to the DEA for case management in FY 2006.
- Requires any savings to be used for services to the frail elderly and for the Substitute Decision Makers Program.
- Requires the DHS, in collaboration with DEA, to determine if the service should continue as a sole source contract or if a request for proposals should be issued. Recommendations are to be submitted to the General Assembly by January 1, 2006.

CODE: Establishes the Health Promotion Partnerships Program.

<p>16 5 1. SERVICES FOR ADULTS AT STATE MENTAL HEALTH INSTITUTES. 16 6 Beginning July 1, 2005, inpatient and outpatient hospital 16 7 services at the state hospitals for persons with mental 16 8 illness designated pursuant to section 226.1 shall be covered 16 9 services under the medical assistance program.</p>	<p>CODE: Adds inpatient and outpatient services provided at the State Mental Health Institutions as covered services under the regular Medicaid Program.</p>
<p>16 10 2. DIETARY COUNSELING. By July 1, 2006, the department 16 11 shall design and begin implementation of a strategy to provide 16 12 dietary counseling and support to child and adult recipients 16 13 of medical assistance and to expansion population members to 16 14 assist these recipients and members in avoiding excessive 16 15 weight gain or loss and to assist in development of personal 16 16 weight loss programs for recipients and members determined by 16 17 the recipient's or member's health care provider to be 16 18 clinically overweight.</p>	<p>CODE: Requires the DHS to implement a new program to provide dietary counseling to Medicaid recipients to assist with weight loss by July 1, 2006.</p>
<p>16 19 3. ELECTRONIC MEDICAL RECORDS. By October 1, 2006, the 16 20 department shall develop a practical strategy for expanding 16 21 utilization of electronic medical recordkeeping by providers 16 22 under the medical assistance program and the expansion 16 23 population provider network. The plan shall focus, initially, 16 24 on medical assistance program recipients and expansion 16 25 population members whose quality of care would be 16 26 significantly enhanced by the availability of electronic 16 27 medical recordkeeping.</p>	<p>CODE: Requires the DHS to develop a strategy by October 1, 2006, for expanding use of electronic medical records within the Medicaid Program.</p>
<p>16 28 4. PROVIDER INCENTIVE PAYMENT PROGRAMS. By January 1, 16 29 2007, the department shall design and implement a provider 16 30 incentive payment program for providers under the medical 16 31 assistance program and providers included in the expansion 16 32 population provider network based upon evaluation of public 16 33 and private sector models.</p>	<p>CODE: Requires the DHS to design and implement a Provider Incentive Payment Program by January 1, 2007, to promote high quality and cost effective health care.</p>
<p>16 34 5. HEALTH ASSESSMENT FOR MEDICAL ASSISTANCE RECIPIENTS 16 35 WITH MENTAL RETARDATION OR DEVELOPMENTAL DISABILITIES. The 17 1 department shall work with the university of Iowa colleges of 17 2 medicine, dentistry, nursing, pharmacy, and public health, and</p>	<p>CODE: Requires the DHS to work with specified entities to assess the physical health of Medicaid clients with mental retardation or developmental disabilities. Requires the DHS to report to the Governor and General Assembly by January 1, 2007.</p>

17 3 the university of Iowa hospitals and clinics to determine
17 4 whether the physical and dental health of recipients of
17 5 medical assistance who are persons with mental retardation or
17 6 developmental disabilities are being regularly and fully
17 7 addressed and to identify barriers to such care. The
17 8 department shall report the department's findings to the
17 9 governor and the general assembly by January 1, 2007.

17 10 6. SMOKING CESSATION. The department, in collaboration
17 11 with Iowa department of public health programs relating to
17 12 tobacco use prevention and cessation, shall implement a
17 13 program with the goal of reducing smoking among recipients of
17 14 medical assistance who are children to less than one percent
17 15 and among recipients of medical assistance and expansion
17 16 population members who are adults to less than ten percent, by
17 17 July 1, 2007.

17 18 7. DENTAL HOME FOR CHILDREN. By July 1, 2008, every
17 19 recipient of medical assistance who is a child twelve years of
17 20 age or younger shall have a designated dental home and shall
17 21 be provided with the dental screenings and preventive care
17 22 identified in the oral health standards under the early and
17 23 periodic screening, diagnostic, and treatment program.

17 24 8. REPORTS. The department shall report on a quarterly
17 25 basis to the medical assistance projections and assessment
17 26 council established pursuant to section 249J.19 and the
17 27 council created pursuant to section 249A.4, subsection 8,
17 28 regarding the health promotion partnerships described in this
17 29 section. To the greatest extent feasible, and if applicable
17 30 to a data set, the data reported shall include demographic
17 31 information concerning the population served including but not
17 32 limited to factors, such as race and economic status, as
17 33 specified by the department.

17 34 Sec. 16. NEW SECTION. 249J.14A TASK FORCE ON INDIGENT
17 35 CARE.

CODE: Requires the DHS, in collaboration with the Department of Public Health, to implement a smoking cessation program among Medicaid clients with a goal of reducing smoking to less than 1% of children and less than 10% of adults. This Program is to be implemented by July 1, 2007.

CODE: Requires all Medicaid children age 12 and younger to have a "dental home" and receive preventive dental care and screenings by July 1, 2008.

CODE: Requires the DHS to report quarterly to the Medical Assistance Projections and Assessment Council on the Health Promotion Partnerships Program.

CODE: Establishes a Task Force on Indigent Care to study uncompensated care created as a result of this Act and to research

18 1 1. The department shall convene a task force on indigent
18 2 care to identify any growth in uncompensated care due to the
18 3 implementation of this chapter and to identify any local funds
18 4 that are being used to pay for uncompensated care that could
18 5 be maximized through a match with federal funds.

18 6 2. Any public, governmental or nongovernmental, private,
18 7 for-profit, or not-for-profit health services provider or
18 8 payor, whether or not enrolled in the medical assistance
18 9 program, and any organization of such providers or payors, may
18 10 become a member of the task force. Membership on the task
18 11 force shall require that an entity agree to provide accurate,
18 12 written information and data relating to each of the following
18 13 items for the fiscal year of the entity ending on or before
18 14 June 30, 2005, and for each fiscal year thereafter during
18 15 which the entity is a member:

18 16 a. The definition of indigent care used by the member for
18 17 purposes of reporting the data described in this subsection.

18 18 b. The actual cost of indigent care as determined under
18 19 Medicare principles of accounting or any accounting standard
18 20 used by the member to report the member's financial status to
18 21 its governing body, owner, members, creditors, or the public.

18 22 c. The usual and customary charge that would otherwise be
18 23 applied by the member to the indigent care provided.

18 24 d. The number of individuals and the age, sex, and county
18 25 of residence of the individuals receiving indigent care
18 26 reported by the member and a description of the care provided.

18 27 e. To the extent practical, the health status of the
18 28 individuals receiving the indigent care reported by the
18 29 member.

18 30 f. The funding source of payment for the indigent care
18 31 including revenue from property tax or other tax revenue,
18 32 local funding, and other sources.

18 33 g. The extent to which any part of the cost of indigent
18 34 care reported by the member was paid for by the individual on
18 35 a sliding fee scale or other basis, by an insurer, or by
19 1 another third-party payor.

19 2 h. The means by which the member covered any of the costs

uncompensated care provided by health care providers in Iowa.
Specifies requirements of those participating in the task force.
Requires a minimum of eight meetings during FY 2005 with at least six
completed prior to March 1, 2006.

19 3 of indigent care not covered by those sources described in
19 4 paragraph "g".

19 5 3. The department shall convene the task force for a
19 6 minimum of eight meetings during the fiscal year beginning
19 7 July 1, 2005, and during each fiscal year thereafter. For the
19 8 fiscal year beginning July 1, 2005, the department shall
19 9 convene at least six of the required meetings prior to March
19 10 1, 2006. The meetings shall be held in geographically
19 11 balanced venues throughout the state that are representative
19 12 of distinct rural, urban, and suburban areas.

19 13 4. The department shall provide the medical assistance
19 14 projections and assessment council created pursuant to section
19 15 249J.19 with all of the following, at intervals established by
19 16 the council:

19 17 a. A list of the members of the task force.
19 18 b. A copy of each member's written submissions of data and
19 19 information to the task force.
19 20 c. A copy of the data submitted by each member.
19 21 d. Any observations or recommendations of the task force
19 22 regarding the data.
19 23 e. Any observations and recommendations of the department
19 24 regarding the data.

19 25 5. The task force shall transmit an initial, preliminary
19 26 report of its efforts and findings to the governor and the
19 27 general assembly by March 1, 2006. The task force shall
19 28 submit an annual report to the governor and the general
19 29 assembly by December 31 of each year.

19 30 6. The department shall, to the extent practical, assist
19 31 task force members in assembling and reporting the data
19 32 required of members, by programming the department's systems
19 33 to accept, but not pay, claims reported on standard medical
19 34 assistance claims forms for the indigent care provided by the
19 35 members.

20 1 7. All meetings of the task force shall comply with
20 2 chapter 21.

20 3 8. Information and data provided by a member to the task
20 4 force shall be protected to the extent required under the

20 5 federal Health Insurance Portability and Accountability Act of
 20 6 1996.
 20 7 9. The department shall inform the members of the task
 20 8 force that costs associated with the work of the task force
 20 9 and with the required activities of members may not be
 20 10 eligible for federal matching funds.

20 11 DIVISION V
 20 12 IOWA MEDICAID ENTERPRISE

20 13 Sec. 17. NEW SECTION. 249J.15 COST AND QUALITY
 20 14 PERFORMANCE EVALUATION.

20 15 Beginning July 1, 2005, the department shall contract with
 20 16 an independent consulting firm to do all of the following:
 20 17 1. Annually evaluate and compare the cost and quality of
 20 18 care provided by the medical assistance program and through
 20 19 the expansion population with the cost and quality of care
 20 20 available through private insurance and managed care
 20 21 organizations doing business in the state.
 20 22 2. Annually evaluate the improvements by the medical
 20 23 assistance program and the expansion population in the cost
 20 24 and quality of services provided to lowans over the cost and
 20 25 quality of care provided in the prior year.

CODE: Requires the DHS to contract with an independent consultant to annually evaluate the cost and quality of care delivered through Medicaid and IowaCare versus private insurance, and the improvements in cost and quality in the Medicaid and IowaCare Programs.

20 26 Sec. 18. NEW SECTION. 249J.16 OPERATIONS — PERFORMANCE
 20 27 EVALUATION.

20 28 Beginning July 1, 2006, the department shall submit a
 20 29 report of the results of an evaluation of the performance of
 20 30 each component of the Iowa Medicaid enterprise using the
 20 31 performance standards contained in the contracts with the Iowa
 20 32 Medicaid enterprise partners.

CODE: Beginning July 1, 2006, requires the DHS to report on an evaluation of the performance of each component of the Iowa Medicaid Enterprise using the contract performance standards.

20 33 Sec. 19. NEW SECTION. 249J.17 CLINICIANS ADVISORY PANEL
 20 34 — CLINICAL MANAGEMENT.

20 35 1. Beginning July 1, 2005, the medical director of the
 21 1 Iowa Medicaid enterprise, with the approval of the
 21 2 administrator of the division of medical services of the

CODE: Establishes a Clinicians Advisory Panel to review and make recommendations on health care utilization management in the Medicaid Program. Requires the Medical Director of the Iowa Medicaid Enterprise to report recommendations and any actions pursued as a result, quarterly to the Medical Assistance Projections

21 3 department, shall assemble and act as chairperson for a
 21 4 clinicians advisory panel to recommend to the department
 21 5 clinically appropriate health care utilization management and
 21 6 coverage decisions for the medical assistance program and the
 21 7 expansion population which are not otherwise addressed by the
 21 8 Iowa medical assistance drug utilization review commission
 21 9 created pursuant to section 249A.24 or the medical assistance
 21 10 pharmaceutical and therapeutics committee established pursuant
 21 11 to section 249A.20A. The meetings shall be conducted in
 21 12 accordance with chapter 21 and shall be open to the public
 21 13 except to the extent necessary to prevent the disclosure of
 21 14 confidential medical information.

21 15 2. The medical director of the Iowa Medicaid enterprise
 21 16 shall report on a quarterly basis to the medical assistance
 21 17 projections and assessment council established pursuant to
 21 18 section 249J.19 and the council created pursuant to section
 21 19 249A.4, subsection 8, any recommendations made by the panel
 21 20 and adopted by rule of the department pursuant to chapter 17A
 21 21 regarding clinically appropriate health care utilization
 21 22 management and coverage under the medical assistance program
 21 23 and the expansion population.

21 24 3. The medical director of the Iowa Medicaid enterprise
 21 25 shall prepare an annual report summarizing the recommendations
 21 26 made by the panel and adopted by rule of the department
 21 27 regarding clinically appropriate health care utilization
 21 28 management and coverage under the medical assistance program
 21 29 and the expansion population.

and Assessment Council.

21 30 Sec. 20. NEW SECTION. 249J.18 HEALTH CARE SERVICES
 21 31 PRICING AND REIMBURSEMENT OF PROVIDERS.
 21 32 The department shall annually collect data on third-party
 21 33 payor rates in the state and, as appropriate, the usual and
 21 34 customary charges of health care providers, including the
 21 35 reimbursement rates paid to providers and by third-party
 22 1 payors participating in the medical assistance program and
 22 2 through the expansion population. The department shall
 22 3 consult with the division of insurance of the department of

CODE: Requires the DHS to collect data on third-party payor (private insurance) rates and provider reimbursement rates to evaluate the appropriateness of Medicaid reimbursement rates. Requires the DHS to report recommendations to the Governor and General Assembly annually by January 1.

22 4 commerce in adopting administrative rules specifying the
 22 5 reporting format and guaranteeing the confidentiality of the
 22 6 information provided by the providers and third-party payors.
 22 7 The department shall review the data and make recommendations
 22 8 to the governor and the general assembly regarding pricing
 22 9 changes and reimbursement rates annually by January 1. Any
 22 10 recommended pricing changes or changes in reimbursement rates
 22 11 shall not be implemented without express authorization by the
 22 12 general assembly.

22 13 DIVISION VI
 22 14 GOVERNANCE

22 15 Sec. 21. NEW SECTION. 249J.19 MEDICAL ASSISTANCE
 22 16 PROJECTIONS AND ASSESSMENT COUNCIL.

22 17 1. A medical assistance projections and assessment council
 22 18 is created consisting of the following members:
 22 19 a. The co-chairpersons and ranking members of the
 22 20 legislative joint appropriations subcommittee on health and
 22 21 human services, or a member of the appropriations subcommittee
 22 22 designated by the co-chairperson or ranking member.
 22 23 b. The chairpersons and ranking members of the human
 22 24 resources committees of the senate and the house of
 22 25 representatives, or a member of the committee designated by
 22 26 the chairperson or ranking member.
 22 27 c. The chairpersons and ranking members of the
 22 28 appropriations committees of the senate and the house of
 22 29 representatives, or a member of the committee designated by
 22 30 the chairperson or ranking member.
 22 31 2. The council shall meet as often as deemed necessary,
 22 32 but shall meet at least quarterly. The council may use
 22 33 sources of information deemed appropriate, and the department
 22 34 and other agencies of state government shall provide
 22 35 information to the council as requested. The legislative
 23 1 services agency shall provide staff support to the council.
 23 2 3. The council shall select a chairperson, annually, from
 23 3 its membership. A majority of the members of the council

CODE: Establishes the Medical Assistance Projections and Assessment Council and specifies the legislative membership. Requires the Council to meet at least quarterly. The Council has the following responsibilities:

- Make quarterly cost projections for the Medicaid and IowaCare Programs.
- Review reports on all initiatives under the IowaCare Act, audited financial statements from IowaCare providers, and reports on the performance of the Iowa Medicaid Enterprise.
- Make recommendations for the Medicaid and IowaCare Programs annually.
- Assure the IowaCare Program is managed within the funds appropriated and assume a supplemental appropriation will not be available.
- Requires the DHS, the Department of Management, and the Legislative Services Agency to provide a joint consensus projection for Medicaid and IowaCare expenditures annually, to be presented to the Council.
- Requires the Council to agree to an expenditure projection, based on the consensus estimates, by December 15 annually.

23 4 shall constitute a quorum.
 23 5 4. The council shall do all of the following:
 23 6 a. Make quarterly cost projections for the medical
 23 7 assistance program and the expansion population.
 23 8 b. Review quarterly reports on all initiatives under this
 23 9 chapter, including those provisions in the design,
 23 10 development, and implementation phases, and make additional
 23 11 recommendations for medical assistance program and expansion
 23 12 population reform on an annual basis.
 23 13 c. Review annual audited financial statements relating to
 23 14 the expansion population submitted by the providers included
 23 15 in the expansion population provider network.
 23 16 d. Review quarterly reports on the success of the Iowa
 23 17 Medicaid enterprise based upon the contractual performance
 23 18 measures for each Iowa Medicaid enterprise partner.
 23 19 e. Assure that the expansion population is managed at all
 23 20 times within funding limitations. In assuring such
 23 21 compliance, the council shall assume that supplemental funding
 23 22 will not be available for coverage of services provided to the
 23 23 expansion population.
 23 24 5. The department of human services, the department of
 23 25 management, and the legislative services agency shall utilize
 23 26 a joint process to arrive at an annual consensus projection
 23 27 for medical assistance program and expansion population
 23 28 expenditures for submission to the council. By December 15 of
 23 29 each fiscal year, the council shall agree to a projection of
 23 30 expenditures for the fiscal year beginning the following July
 23 31 1, based upon the consensus projection submitted.

23 32 DIVISION VII
 23 33 ENHANCING THE FEDERAL-STATE FINANCIAL PARTNERSHIP

23 34 Sec. 22. NEW SECTION. 249J.20 PAYMENTS TO HEALTH CARE
 23 35 PROVIDERS BASED ON ACTUAL COSTS.
 24 1 Payments, including graduate medical education payments,
 24 2 under the medical assistance program and the expansion
 24 3 population to each public hospital and each public nursing

CODE: Specifies that payments to public hospital and public nursing facility providers under the Medicaid and IowaCare Program will not exceed actual Medicaid costs.

DETAIL: This precludes the State from future intergovernmental transfer type financial arrangements.

24 4 facility shall not exceed the actual medical assistance costs
 24 5 of each such facility reported on the Medicare hospital and
 24 6 hospital health care complex cost report submitted to the
 24 7 centers for Medicare and Medicaid services of the United
 24 8 States department of health and human services. Each public
 24 9 hospital and each public nursing facility shall retain one
 24 10 hundred percent of the medical assistance payments earned
 24 11 under state reimbursement rules. State reimbursement rules
 24 12 may provide for reimbursement at less than actual cost.

24 13 Sec. 23. NEW SECTION. 249J.21 INDEPENDENT ANNUAL AUDIT.

24 14 The department shall contract with a certified public
 24 15 accountant to provide an analysis, on an annual basis, to the
 24 16 governor and the general assembly regarding compliance of the
 24 17 Iowa medical assistance program with each of the following:

24 18 1. That the state has not instituted any new provider
 24 19 taxes as defined by the centers for Medicare and Medicaid
 24 20 services of the United States department of health and human
 24 21 services.

24 22 2. That public hospitals and public nursing facilities are
 24 23 not paid more than the actual costs of care for medical
 24 24 assistance program and disproportionate share hospital program
 24 25 recipients based upon Medicare program principles of
 24 26 accounting and cost reporting.

24 27 3. That the state is not recycling federal funds provided
 24 28 under Title XIX of the Social Security Act as defined by the
 24 29 centers for Medicare and Medicaid services of the United
 24 30 States department of health and human services.

24 31 Sec. 24. NEW SECTION. 249J.22 ACCOUNT FOR HEALTH CARE
 24 32 TRANSFORMATION.

24 33 1. An account for health care transformation is created in
 24 34 the state treasury under the authority of the department.
 24 35 Moneys received through the physician payment adjustment as
 25 1 described in 2003 Iowa Acts, chapter 112, section 11,
 25 2 subsection 1, and through the adjustment to hospital payments
 25 3 to provide an increased base rate to offset the high costs

CODE: Requires the DHS to contract with a certified public accountant to annually certify compliance with the following:

- No new provider taxes have been implemented.
- Public hospital and public nursing facility reimbursement rates are not higher than actual costs.
- The State is not recycling federal funds.

CODE: Establishes the Account for Health Care Transformation. Requires funds in the Account to be used only for certain costs in the IowaCare Act.

DETAIL: Revenues to the Account include federal revenue for FY 2004 and FY 2005 for the physician intergovernmental transfer, and federal revenue for FY 2005 for a proposal related to the University of

25 4 incurred for providing services to medical assistance patients
 25 5 as described in 2004 Iowa Acts, chapter 1175, section 86,
 25 6 subsection 2, paragraph "b", shall be deposited in the
 25 7 account. The account shall include a separate premiums
 25 8 subaccount. Revenue generated through payment of premiums by
 25 9 expansion population members as required pursuant to section
 25 10 249J.8 shall be deposited in the separate premiums subaccount
 25 11 within the account.

25 12 2. Moneys in the account shall be separate from the
 25 13 general fund of the state and shall not be considered part of
 25 14 the general fund of the state. The moneys deposited in the
 25 15 account are not subject to section 8.33 and shall not be
 25 16 transferred, used, obligated, appropriated, or otherwise
 25 17 encumbered, except to provide for the purposes specified in
 25 18 this section. Notwithstanding section 12C.7, subsection 2,
 25 19 interest or earnings on moneys deposited in the account shall
 25 20 be credited to the account.

25 21 3. Moneys deposited in the account for health care
 25 22 transformation shall be used only as provided in
 25 23 appropriations from the account for the costs associated with
 25 24 certain services provided to the expansion population pursuant
 25 25 to section 249J.6, certain initiatives to be designed pursuant
 25 26 to section 249J.8, the case-mix adjusted reimbursement system
 25 27 for persons with mental retardation or developmental
 25 28 disabilities pursuant to section 249J.12, certain health
 25 29 promotion partnership activities pursuant to section 249J.14,
 25 30 the cost and quality performance evaluation pursuant to
 25 31 section 249J.15, auditing requirements pursuant to section
 25 32 249J.21, the provision of additional indigent patient care and
 25 33 treatment, and administrative costs associated with this
 25 34 chapter.

25 35 Sec. 25. NEW SECTION. 249J.23 IOWACARE ACCOUNT.

26 1 1. An lowacare account is created in the state treasury
 26 2 under the authority of the department of human services.
 26 3 Moneys appropriated from the general fund of the state to the
 26 4 account, moneys received as federal financial participation

Iowa Hospitals and Clinics. Both proposals are pending federal approval and would generate \$40,000,000 in one-time revenue to the Account.

CODE: Establishes the IowaCare Account, consisting of State General Fund, county property tax, and federal funds, including federal Medicaid matching funds, disproportionate share hospitals (DSH), and graduate medical education (GME) payments. Specifies that funds in

26 5 funds under the expansion population provisions of this
 26 6 chapter and credited to the account, moneys received for
 26 7 disproportionate share hospitals and credited to the account,
 26 8 moneys received for graduate medical education and credited to
 26 9 the account, proceeds transferred from the county treasurer as
 26 10 specified in subsection 6, and moneys from any other source
 26 11 credited to the account shall be deposited in the account.
 26 12 Moneys deposited in or credited to the account shall be used
 26 13 only as provided in appropriations or distributions from the
 26 14 account for the purposes specified in the appropriation or
 26 15 distribution. Moneys in the account shall be appropriated to
 26 16 the university of Iowa hospitals and clinics, to a publicly
 26 17 owned acute care teaching hospital located in a county with a
 26 18 population over three hundred fifty thousand, and to the state
 26 19 hospitals for persons with mental illness designated pursuant
 26 20 to section 226.1 for the purposes provided in the federal law
 26 21 making the funds available or as specified in the state
 26 22 appropriation and shall be distributed as determined by the
 26 23 department.

26 24 2. The account shall be separate from the general fund of
 26 25 the state and shall not be considered part of the general fund
 26 26 of the state. The moneys in the account shall not be
 26 27 considered revenue of the state, but rather shall be funds of
 26 28 the account. The moneys in the account are not subject to
 26 29 section 8.33 and shall not be transferred, used, obligated,
 26 30 appropriated, or otherwise encumbered, except to provide for
 26 31 the purposes of this chapter. Notwithstanding section 12C.7,
 26 32 subsection 2, interest or earnings on moneys deposited in the
 26 33 account shall be credited to the account.

26 34 3. The department shall adopt rules pursuant to chapter
 26 35 17A to administer the account.

27 1 4. The treasurer of state shall provide a quarterly report
 27 2 of activities and balances of the account to the director.

the account are to be appropriated to the University of Iowa Hospitals and Clinics, Broadlawns Hospital, and the State Mental Health Institutions for costs related to the IowaCare Program.

DETAIL: The IowaCare Account is a pass-through mechanism to finance the IowaCare Program. Revenues to the Account include a transfer of \$34,000,000 from Broadlawns Hospital property tax collections annually. This \$34,000,000 provides the State match for approximately \$53,200,000 in federal matching funds under the Medicaid expansion, DSH, and GME Programs

CODE: Requires the Account to be separate from the State General Fund and specifies that the funds in the account may not be transferred or used for any other purpose.

CODE: Requires the DHS to adopt rules to administer the Account.

CODE: Requires the State Treasurer to provide a quarterly report to the DHS director regarding the activities and balances of the Account.

27 3 5. Notwithstanding section 262.28 or any provision of this
 27 4 chapter to the contrary, payments to be made to participating
 27 5 public hospitals under this section shall be made on a
 27 6 prospective basis in twelve equal monthly installments based
 27 7 upon the amount appropriated or allocated, as applicable to a
 27 8 specific public hospital, in a specific fiscal year. After
 27 9 the close of the fiscal year, the department shall determine
 27 10 the amount of the payments attributable to the state general
 27 11 fund, federal financial participation funds collected for
 27 12 expansion population services, graduate medical education
 27 13 funds, and disproportionate share hospital funds, based on
 27 14 claims data and actual expenditures.

CODE: Requires payments to the University of Iowa Hospitals and Clinics, Broadlawns Hospital, and the State Mental Health Institutions to be made in 12 equal monthly installments. Specifies that after the end of the fiscal year, DHS will determine the distribution of the payments among the IowaCare Program, DSH, and GME, based on claims data and actual expenditures.

27 15 6. Notwithstanding any provision to the contrary, from
 27 16 each semiannual collection of taxes levied under section 347.7
 27 17 for which the collection is performed after July 1, 2005, the
 27 18 county treasurer of a county with a population over three
 27 19 hundred fifty thousand in which a publicly owned acute care
 27 20 teaching hospital is located shall transfer the proceeds
 27 21 collected pursuant to section 347.7 in a total amount of
 27 22 thirty-four million dollars annually, which would otherwise be
 27 23 distributed to the county hospital, to the treasurer of state
 27 24 for deposit in the lowacare account under this section. The
 27 25 board of trustees of the acute care teaching hospital
 27 26 identified in this subsection and the department shall execute
 27 27 an agreement under chapter 28E by July 1, 2005, and annually
 27 28 by July 1, thereafter, to specify the requirements relative to
 27 29 transfer of the proceeds and the distribution of moneys to the
 27 30 hospital from the lowacare account. The agreement shall
 27 31 include provisions relating to exceptions to the deadline for
 27 32 submission of clean claims as required pursuant to section
 27 33 249J.7 and provisions relating to data reporting requirements
 27 34 regarding the expansion population. The agreement may also
 27 35 include a provision allowing such hospital to limit access to
 28 1 such hospital by expansion population members based on
 28 2 residency of the member, if such provision reflects the policy
 28 3 of such hospital regarding indigent patients existing on April

CODE: Requires Broadlawns Hospital to annually transfer \$34,000,000 in property tax proceeds to the IowaCare Account. Requires the DHS and Broadlawns to annually execute a 28E agreement by July 1 specifying the requirements related to the transfer and payments from the Account to the Hospital. Specifies that if the amount appropriated to Broadlawns is decreased, the property tax transfer amount will also be decreased.

28 4 1, 2005, as adopted by its board of hospital trustees pursuant
 28 5 to section 347.14, subsection 4. Notwithstanding the
 28 6 specified amount of proceeds to be transferred under this
 28 7 subsection, if the amount allocated that does not require
 28 8 federal matching funds under an appropriation in a subsequent
 28 9 fiscal year to such hospital for medical and surgical
 28 10 treatment of indigent patients, for provision of services to
 28 11 expansion population members, and for medical education, is
 28 12 reduced from the amount allocated that does not require
 28 13 federal matching funds under the appropriation for the fiscal
 28 14 year beginning July 1, 2005, the amount of proceeds required
 28 15 to be transferred under this subsection in that subsequent
 28 16 fiscal year shall be reduced in the same amount as the amount
 28 17 allocated that does not require federal matching funds under
 28 18 that appropriation.

28 19 7. The state board of regents, on behalf of the university
 28 20 of Iowa hospitals and clinics, and the department shall
 28 21 execute an agreement under chapter 28E by July 1, 2005, and
 28 22 annually by July 1, thereafter, to specify the requirements
 28 23 relating to distribution of moneys to the hospital from the
 28 24 lowacare account. The agreement shall include provisions
 28 25 relating to exceptions to the deadline for submission of clean
 28 26 claims as required pursuant to section 249J.7 and provisions
 28 27 relating to data reporting requirements regarding the
 28 28 expansion population.

28 29 8. The state and any county utilizing the acute care
 28 30 teaching hospital located in a county with a population over
 28 31 three hundred fifty thousand for mental health services prior
 28 32 to July 1, 2005, shall annually enter into an agreement with
 28 33 such hospital to pay a per diem amount that is not less than
 28 34 the per diem amount paid for those mental health services in
 28 35 effect for the fiscal year beginning July 1, 2004, for each
 29 1 individual including each expansion population member
 29 2 accessing mental health services at that hospital on or after
 29 3 July 1, 2005. Any payment made under such agreement for an

CODE: Requires a 28E agreement to be executed by the providers and the DHS regarding the distribution of the IowaCare Account funds.

CODE: Requires the State and counties currently contracting with Broadlawns Hospital for mental health services to continue to pay the same per diem amount as was paid in FY 2005.

DETAIL: This provision ensures the continuation of payments for mental health services to individuals not covered by the IowaCare Act.

29 4 expansion population member pursuant to this chapter, shall be
 29 5 considered by the department to be payment by a third-party
 29 6 payor.

29 7 DIVISION VIII
 29 8 LIMITATIONS

29 9 Sec. 26. NEW SECTION. 249J.24 LIMITATIONS.
 29 10 1. The provisions of this chapter shall not be construed,
 29 11 are not intended as, and shall not imply a grant of
 29 12 entitlement for services to individuals who are eligible for
 29 13 assistance under this chapter or for utilization of services
 29 14 that do not exist or are not otherwise available on the
 29 15 effective date of this Act. Any state obligation to provide
 29 16 services pursuant to this chapter is limited to the extent of
 29 17 the funds appropriated or distributed for the purposes of this
 29 18 chapter.

CODE: Specifies that no provision in the IowaCare Act may be considered an entitlement. Limits the State's obligation to the amounts appropriated or distributed in the IowaCare Act.

29 19 2. The provisions of this chapter shall not be construed
 29 20 and are not intended to affect the provision of services to
 29 21 recipients of medical assistance existing on the effective
 29 22 date of this Act.

CODE: Specifies that the IowaCare Act does not affect services provided through the regular Medicaid Program.

29 23 Sec. 27. NEW SECTION. 249J.25 AUDIT — FUTURE REPEAL.
 29 24 1. The state auditor shall complete an audit of the
 29 25 provisions implemented pursuant to this chapter during the
 29 26 fiscal year beginning July 1, 2009, and shall submit the
 29 27 results of the audit to the governor and the general assembly
 29 28 by January 1, 2010.

CODE: Requires the State Auditor to complete an audit of the IowaCare Program during FY 2010 and submit the results to the Governor and General Assembly by January 1, 2010.

29 29 2. This chapter is repealed June 30, 2010.

CODE: Repeals the IowaCare Chapter on June 30, 2010.

DETAIL: This date equates to the expiration of the federal waivers.

29 30 Sec. 28. IMPLEMENTATION COSTS. Payment of any one-time
 29 31 costs specifically associated with the implementation of
 29 32 chapter 249J, as enacted in this Act, shall be made in the

Specifies that any one-time implementation costs are to be paid at the discretion of the DHS.

29 33 manner specified by, and at the discretion of, the department.

29 34 DIVISION IX
29 35 CORRESPONDING PROVISIONS

30 1 Sec. 29. Section 97B.52A, subsection 1, paragraph c, Code
30 2 2005, is amended to read as follows:
30 3 c. For a member whose first month of entitlement is July
30 4 2000 or later, the member does not return to any employment
30 5 with a covered employer until the member has qualified for at
30 6 least one calendar month of retirement benefits, and the
30 7 member does not return to covered employment until the member
30 8 has qualified for no fewer than four calendar months of
30 9 retirement benefits. For purposes of this paragraph,
30 10 effective July 1, 2000, any employment with a covered employer
30 11 does not include employment as an elective official or member
30 12 of the general assembly if the member is not covered under
30 13 this chapter for that employment. For purposes of determining
30 14 a bona fide retirement under this paragraph and for a member
30 15 whose first month of entitlement is July 2004 or later, but
30 16 before July 2006, covered employment does not include
30 17 employment as a licensed health care professional by a public
30 18 hospital as defined in section ~~249I.3~~ 249J.3, with the
30 19 exception of public hospitals governed pursuant to chapter
30 20 226.

CODE: Updates statutory reference and conforming change.

30 21 Sec. 30. Section 218.78, subsection 1, Code 2005, is
30 22 amended to read as follows:
30 23 1. All institutional receipts of the department of human
30 24 services, including funds received from client participation
30 25 at the state resource centers under section 222.78 and at the
30 26 state mental health institutes under section 230.20, shall be
30 27 deposited in the general fund except for reimbursements for
30 28 services provided to another institution or state agency, for
30 29 receipts deposited in the revolving farm fund under section
30 30 904.706, for deposits into the medical assistance fund under
30 31 section 249A.11, for any deposits into the medical assistance

CODE: Updates references to DHS client participation language to include revenues received under the IowaCare Program.

30 32 fund of any medical assistance payments received through the
30 33 expansion population program pursuant to chapter 249J, and
30 34 rentals charged to employees or others for room, apartment, or
30 35 house and meals, which shall be available to the institutions.

31 1 Sec. 31. Section 230.20, subsection 2, paragraph a, Code
31 2 2005, is amended to read as follows:
31 3 a. The superintendent shall certify to the department the
31 4 billings to each county for services provided to patients
31 5 chargeable to the county during the preceding calendar
31 6 quarter. The county billings shall be based on the average
31 7 daily patient charge and other service charges computed
31 8 pursuant to subsection 1, and the number of inpatient days and
31 9 other service units chargeable to the county. However, a
31 10 county billing shall be decreased by an amount equal to
31 11 reimbursement by a third party payor or estimation of such
31 12 reimbursement from a claim submitted by the superintendent to
31 13 the third party payor for the preceding calendar quarter.
31 14 When the actual third party payor reimbursement is greater or
31 15 less than estimated, the difference shall be reflected in the
31 16 county billing in the calendar quarter the actual third party
31 17 payor reimbursement is determined. For the purposes of this
31 18 paragraph, "third-party payor reimbursement" does not include
31 19 reimbursement provided under chapter 249J.

CODE: Updates references to county billings language to exclude revenues received under the IowaCare Program.

31 20 Sec. 32. Section 230.20, subsections 5 and 6, Code 2005,
31 21 are amended to read as follows:
31 22 5. An individual statement shall be prepared for a patient
31 23 on or before the fifteenth day of the month following the
31 24 month in which the patient leaves the mental health institute,
31 25 and a general statement shall be prepared at least quarterly
31 26 for each county to which charges are made under this section.
31 27 Except as otherwise required by sections 125.33 and 125.34 the
31 28 general statement shall list the name of each patient
31 29 chargeable to that county who was served by the mental health
31 30 institute during the preceding month or calendar quarter, the
31 31 amount due on account of each patient, and the specific dates

CODE: Updates references to county billing statements to exclude revenues received under the IowaCare Program.

31 32 for which any third party payor reimbursement received by the
 31 33 state is applied to the statement and billing, and the county
 31 34 shall be billed for eighty percent of the stated charge for
 31 35 each patient specified in this subsection. For the purposes
 32 1 of this subsection, "third-party payor reimbursement" does not
 32 2 include reimbursement provided under chapter 249J. The
 32 3 statement prepared for each county shall be certified by the
 32 4 department and a duplicate statement shall be mailed to the
 32 5 auditor of that county.

32 6 6. All or any reasonable portion of the charges incurred
 32 7 for services provided to a patient, to the most recent date
 32 8 for which the charges have been computed, may be paid at any
 32 9 time by the patient or by any other person on the patient's
 32 10 behalf. Any payment ~~se~~ made by the patient or other person,
 32 11 and any federal financial assistance received pursuant to
 32 12 Title XVIII or XIX of the federal Social Security Act for
 32 13 services rendered to a patient, shall be credited against the
 32 14 patient's account and, if the charges ~~se~~ paid as described in
 32 15 this subsection have previously been billed to a county,
 32 16 reflected in the mental health institute's next general
 32 17 statement to that county. However, any payment made under
 32 18 chapter 249J shall not be reflected in the mental health
 32 19 institute's next general statement to that county.

32 20 Sec. 33. Section 249A.11, Code 2005, is amended to read as
 32 21 follows:
 32 22 249A.11 PAYMENT FOR PATIENT CARE SEGREGATED.
 32 23 A state resource center or mental health institute, upon
 32 24 receipt of any payment made under this chapter for the care of
 32 25 any patient, shall segregate an amount equal to that portion
 32 26 of the payment which is required by law to be made from
 32 27 nonfederal funds except for any nonfederal funds received
 32 28 through the expansion population program pursuant to chapter
 32 29 249J which shall be deposited in the lowacare account created
 32 30 pursuant to section 249J.23. The money segregated shall be
 32 31 deposited in the medical assistance fund of the department of
 32 32 human services.

CODE: Updates references in State Resource Center and State
 Mental Health Institutes patient revenues language to exclude
 revenues received under the IowaCare Program.

32 33 Sec. 34. Section 249H.4, Code 2005, is amended by adding
 32 34 the following new subsection:
 32 35 NEW SUBSECTION. 7. The director shall amend the medical
 33 1 assistance state plan to eliminate the mechanism to secure
 33 2 funds based on skilled nursing facility prospective payment
 33 3 methodologies under the medical assistance program and to
 33 4 terminate agreements entered into with public nursing
 33 5 facilities under this chapter, effective June 30, 2005.

CODE: Requires the Medicaid Director to eliminate the nursing facilities' intergovernmental transfer funding mechanism.

33 6 Sec. 35. 2004 Iowa Acts, chapter 1175, section 86,
 33 7 subsection 2, paragraph b, unnumbered paragraph 2, and
 33 8 subparagraphs (1), (2), and (3), are amended to read as
 33 9 follows:

CODE: Provides conforming changes to the FY 2004 Indigent Care Program financing mechanism.

33 10 ~~Of the amount appropriated in this lettered paragraph,~~
 33 11 ~~\$25,950,166 shall be considered encumbered and shall not be~~
 33 12 ~~expended for any purpose until January 1, 2005.~~

DETAIL: Extends the deadline and makes technical changes to how the funding will be transferred to the General Fund. This proposal is estimated to provide one-time federal revenues of \$13,000,000 for FY 2005. The revenues will be deposited in the Health Care Transformation Account.

33 13 (1) ~~However, if~~ If the department of human services
 33 14 adjusts hospital payments to provide an increased base rate to
 33 15 offset the high cost incurred for providing services to
 33 16 medical assistance patients ~~on or~~ on or prior to ~~January~~ July 1,
 33 17 2005, a portion of the amount specified in this unnumbered
 33 18 paragraph equal to the increased Medicaid payment shall ~~revert~~
 33 19 ~~to the general fund of the state. Notwithstanding section~~
 33 20 ~~8.54, subsection 7, the amount required to revert under this~~
 33 21 ~~subparagraph shall not be considered to be appropriated for~~
 33 22 ~~purposes of the state general fund expenditure limitation for~~
 33 23 ~~the fiscal year beginning July 1, 2004.~~

33 24 (2) ~~If the adjustment described in subparagraph (1) to~~
 33 25 ~~increase the base rate is not made prior to January 1, 2005,~~
 33 26 ~~the amount specified in this unnumbered paragraph shall no~~
 33 27 ~~longer be considered encumbered, may be expended, and shall be~~
 33 28 ~~available for the purposes originally specified~~ be transferred
 33 29 by the university of Iowa hospitals and clinics to the medical
 33 30 assistance fund of the department of human services. Of the
 33 31 amount transferred, an amount equal to the federal share of
 33 32 the payments shall be transferred to the account for health
 33 33 care transformation created in section 249J.22.

33 34 ~~(3)~~ (2) Any incremental increase in the base rate made
 33 35 pursuant to subparagraph (1) shall not be used in determining
 34 1 the university of Iowa hospital and clinics disproportionate
 34 2 share rate or when determining the statewide average base rate
 34 3 for purposes of calculating indirect medical education rates.

34 4 Sec. 36. 2003 Iowa Acts, chapter 112, section 11,
 34 5 subsection 1, is amended to read as follows:
 34 6 1. For the fiscal year years beginning July 1, 2003, and
 34 7 ending June 30, 2004, and beginning July 1, 2004, and for each
 34 8 fiscal year thereafter ending June 30, 2005, the department of
 34 9 human services shall institute a supplemental payment
 34 10 adjustment applicable to physician services provided to
 34 11 medical assistance recipients at publicly owned acute care
 34 12 teaching hospitals. The adjustment shall generate
 34 13 supplemental payments to physicians which are equal to the
 34 14 difference between the physician's charge and the physician's
 34 15 fee schedule under the medical assistance program. To the
 34 16 extent of the supplemental payments, a qualifying hospital
 34 17 shall, after receipt of the payments, transfer to the
 34 18 department of human services an amount equal to the actual
 34 19 supplemental payments that were made in that month. The
 34 20 department of human services shall deposit these payments in
 34 21 the department's medical assistance account. The department
 34 22 of human services shall amend the medical assistance state
 34 23 plan as necessary to implement this section. The department
 34 24 may adopt emergency rules to implement this section. The
 34 25 department of human services shall amend the medical
 34 26 assistance state plan to eliminate this provision effective
 34 27 June 30, 2005.

34 28 Sec. 37. TRANSITION FROM INSTITUTIONAL SETTINGS TO HOME
 34 29 AND COMMUNITY-BASED SERVICES. The department, in consultation
 34 30 with provider and consumer organizations, shall explore
 34 31 additional opportunities under the medical assistance program
 34 32 to assist individuals in transitioning from institutional
 34 33 settings to home and community-based services. The department

CODE: Changes fiscal year reference for the University of Iowa physician intergovernmental transfer and eliminates the transfer as of June 30, 2005.

DETAIL: This proposal is estimated to provide one-time federal revenue of \$13,500,000 for FY 2004 and \$13,500,000 for FY 2005, for a total of \$27,000,000. The revenue will be deposited in the Health Care Transformation Account.

Requires the DHS to explore additional opportunities under Medicaid to assist individuals in transitioning to home and community-based settings. Requires the DHS to report to the Governor and General Assembly by December 31, 2005.

34 34 shall report any opportunities identified to the governor and
 34 35 the general assembly by December 31, 2005.

35 1 Sec. 38. CORRESPONDING DIRECTIVES TO DEPARTMENT. The
 35 2 department shall do all of the following:

35 3 1. Withdraw the request for the waiver and the medical
 35 4 assistance state plan amendment submitted to the centers for
 35 5 Medicare and Medicaid services of the United States department
 35 6 of health and human services regarding the nursing facility
 35 7 quality assurance assessment as directed pursuant to 2003 Iowa
 35 8 Acts, chapter 112, section 4, 2003 Iowa Acts, chapter 179,
 35 9 section 162, and 2004 Iowa Acts, chapter 1085, sections 8, 10,
 35 10 and 11.

35 11 2. Amend the medical assistance state plan to eliminate
 35 12 the mechanism to secure funds based on hospital inpatient and
 35 13 outpatient prospective payment methodologies under the medical
 35 14 assistance program, effective June 30, 2005.

35 15 3. Amend the medical assistance state plan to eliminate
 35 16 the mechanisms to receive supplemental disproportionate share
 35 17 hospital and graduate medical education funds as originally
 35 18 submitted, effective June 30, 2005.

35 19 4. Amend the medical assistance state plan amendment to
 35 20 adjust hospital payments to provide an increased base rate to
 35 21 offset the high cost incurred for providing services to
 35 22 medical assistance patients at the university of Iowa
 35 23 hospitals and clinics as originally submitted based upon the
 35 24 specifications of 2004 Iowa Acts, chapter 1175, section 86,
 35 25 subsection 2, paragraph "b", unnumbered paragraph 2, and
 35 26 subparagraphs (1), (2), and (3), to be approved for the fiscal
 35 27 year beginning July 1, 2004, and ending June 30, 2005, only,
 35 28 and to be eliminated June 30, 2005.

35 29 5. Amend the medical assistance state plan amendment to
 35 30 establish a physician payment adjustment from the university
 35 31 of Iowa hospitals and clinics, as originally submitted as
 35 32 described in 2003 Iowa Acts, chapter 112, section 11,
 35 33 subsection 1, to be approved for the state fiscal years
 35 34 beginning July 1, 2003, and ending June 30, 2004, and

Requires the DHS to submit, withdraw, or amend the following waivers
 and State Plan Amendments:

- Withdraw the waiver request regarding the Nursing Facility Quality Assurance Fee.
- Amend the State Plan to eliminate the hospital intergovernmental transfer financing mechanism.
- Amend the State Plan to eliminate the DSH and GME intergovernmental transfers.
- Amend the State Plan to increase reimbursement to the University of Iowa Hospitals and Clinics on a one-time basis for FY 2005.
- Amend the State Plan to provide for a physician intergovernmental transfer for FY 2004 and FY 2005 only.
- Amend the State Plan to eliminate the nursing facilities intergovernmental transfer.
- Request a waiver of the Early and Periodic Screening, Diagnostic, and Treatment requirements relative to the IowaCare Program.

35 35 beginning July 1, 2004, and ending June 30, 2005, and to be
 36 1 eliminated effective June 30, 2005.

36 2 6. Amend the medical assistance state plan to eliminate
 36 3 the mechanism to secure funds based on skilled nursing
 36 4 facility prospective payment methodologies under the medical
 36 5 assistance program, effective June 30, 2005.

36 6 7. Request a waiver from the centers for Medicare and
 36 7 Medicaid services of the United States department of health
 36 8 and human services of the provisions relating to the early and
 36 9 periodic screening, diagnostic, and treatment program
 36 10 requirements as described in section 1905(a)(5) of the federal
 36 11 Social Security Act relative to the expansion population.

36 12 Sec. 39. Chapter 249I, Code 2005, is repealed.

CODE: Repeals the Hospital Trust Fund Chapter as a result of the elimination of the intergovernmental transfer revenue.

DETAIL: Eliminates the Hospital Trust Fund appropriation of \$22,900,000 in Section 66.6 of HF 825 (FY 2006 Health and Human Services Appropriations Act).

36 13 Sec. 40. Sections 249A.20B and 249A.34, Code 2005, are
 36 14 repealed.

CODE: Repeals the Nursing Facility Quality Assurance Fee.

36 15 Sec. 41. 2003 Iowa Acts, chapter 112, section 4, 2003 Iowa
 36 16 Acts, chapter 179, section 162, and 2004 Iowa Acts, chapter
 36 17 1085, section 8, and section 10, subsection 5, are repealed.

CODE: Repeals the Nursing Facility Quality Assurance Fee.

36 18 DIVISION X
 36 19 PHARMACY COPAYMENTS

36 20 Sec. 42. COPAYMENTS FOR PRESCRIPTION DRUGS UNDER THE
 36 21 MEDICAL ASSISTANCE PROGRAM. The department of human services
 36 22 shall require recipients of medical assistance to pay the
 36 23 following copayments on each prescription filled for a covered
 36 24 prescription drug, including each refill of such prescription,
 36 25 as follows:

Specifies co-payment requirements for prescription drugs in the Medicaid Program.

36 26 1. A copayment of \$1 for each covered nonpreferred generic

36 27 prescription drug.
 36 28 2. A copayment of \$1 for each covered preferred brand-
 36 29 name or generic prescription drug.
 36 30 3. A copayment of \$1 for each covered nonpreferred brand-
 36 31 name prescription drug for which the cost to the state is up
 36 32 to and including \$25.
 36 33 4. A copayment of \$2 for each covered nonpreferred brand-
 36 34 name prescription drug for which the cost to the state is more
 36 35 than \$25 and up to and including \$50.
 37 1 5. A copayment of \$3 for each covered nonpreferred brand-
 37 2 name prescription drug for which the cost to the state is more
 37 3 than \$50.

37 4 DIVISION XI
 37 5 MEDICAL AND SURGICAL TREATMENT OF INDIGENT PERSONS
 37 6 AND OBSTETRICAL AND NEWBORN INDIGENT PATIENT CARE

37 7 Sec. 43. NEW SECTION. 135.152 STATEWIDE OBSTETRICAL AND
 37 8 NEWBORN INDIGENT PATIENT CARE PROGRAM.

37 9 1. The department shall establish a statewide obstetrical
 37 10 and newborn indigent patient care program to provide
 37 11 obstetrical and newborn care to medically indigent residents
 37 12 of this state at the appropriate and necessary level, at a
 37 13 licensed hospital or health care facility closest and most
 37 14 available to the residence of the indigent individual.
 37 15 2. The department shall administer the program, and
 37 16 appropriations by the general assembly for the program shall
 37 17 be allocated to the obstetrical and newborn patient care fund
 37 18 within the department to be utilized for the obstetrical and
 37 19 newborn indigent patient care program.
 37 20 3. The department shall adopt administrative rules
 37 21 pursuant to chapter 17A to administer the program.
 37 22 4. The department shall establish a patient quota formula
 37 23 for determining the maximum number of obstetrical and newborn
 37 24 patients eligible for the program, annually, from each county.
 37 25 The formula used shall be based upon the annual appropriation
 37 26 for the program, the average number of live births in each

CODE: Re-establishes the Obstetrical and Newborn Indigent Patient Care Program. This is a new statutory reference for this Program that was eliminated as part of the repeal of the Indigent Care Program at UIHC.

37 27 county for the most recent three-year period, and the per
37 28 capita income for each county for the most recent year. The
37 29 formula shall also provide for reassignment of an unused
37 30 county quota allotment on April 1 of each year.

37 31 5. a. The department, in collaboration with the
37 32 department of human services and the Iowa state association of
37 33 counties, shall adopt rules pursuant to chapter 17A to
37 34 establish minimum standards for eligibility for obstetrical
37 35 and newborn care, including physician examinations, medical
38 1 testing, ambulance services, and inpatient transportation
38 2 services under the program. The minimum standards shall
38 3 provide that the individual is not otherwise eligible for
38 4 assistance under the medical assistance program or for
38 5 assistance under the medically needy program without a spend-
38 6 down requirement pursuant to chapter 249A, or for expansion
38 7 population benefits pursuant to chapter 249J. If the
38 8 individual is eligible for assistance pursuant to chapter 249A
38 9 or 249J, or if the individual is eligible for maternal and
38 10 child health care services covered by a maternal and child
38 11 health program, the obstetrical and newborn indigent patient
38 12 care program shall not provide the assistance, care, or
38 13 covered services provided under the other program.

38 14 b. The minimum standards for eligibility shall provide
38 15 eligibility for persons with family incomes at or below one
38 16 hundred eighty-five percent of the federal poverty level as
38 17 defined by the most recently revised poverty income guidelines
38 18 published by the United States department of health and human
38 19 services, and shall provide, but shall not be limited to
38 20 providing, eligibility for uninsured and underinsured persons
38 21 financially unable to pay for necessary obstetrical and
38 22 newborn care. The minimum standards may include a spend-down
38 23 provision. The resource standards shall be set at or above
38 24 the resource standards under the federal supplemental security
38 25 income program. The resource exclusions allowed under the
38 26 federal supplemental security income program shall be allowed
38 27 and shall include resources necessary for self-employment.

38 28 c. The department in cooperation with the department of

38 29 human services, shall develop a standardized application form
38 30 for the program and shall coordinate the determination of
38 31 eligibility for the medical assistance and medically needy
38 32 programs under chapter 249A, the medical assistance expansion
38 33 under chapter 249J, and the obstetrical and newborn indigent
38 34 patient care program.

38 35 6. The department shall establish application procedures
39 1 and procedures for certification of an individual for
39 2 obstetrical and newborn care under this section.

39 3 7. An individual certified for obstetrical and newborn
39 4 care under this division may choose to receive the appropriate
39 5 level of care at any licensed hospital or health care
39 6 facility.

39 7 8. The obstetrical and newborn care costs of an individual
39 8 certified for such care under this division at a licensed
39 9 hospital or health care facility or from licensed physicians
39 10 shall be paid by the department from the obstetrical and
39 11 newborn patient care fund.

39 12 9. All providers of services to obstetrical and newborn
39 13 patients under this division shall agree to accept as full
39 14 payment the reimbursements allowable under the medical
39 15 assistance program established pursuant to chapter 249A,
39 16 adjusted for intensity of care.

39 17 10. The department shall establish procedures for payment
39 18 for providers of services to obstetrical and newborn patients
39 19 under this division from the obstetrical and newborn patient
39 20 care fund. All billings from such providers shall be
39 21 submitted directly to the department. However, payment shall
39 22 not be made unless the requirements for application and
39 23 certification for care pursuant to this division and rules
39 24 adopted by the department are met.

39 25 11. Moneys encumbered prior to June 30 of a fiscal year
39 26 for a certified eligible pregnant woman scheduled to deliver
39 27 in the next fiscal year shall not revert from the obstetrical
39 28 and newborn patient care fund to the general fund of the
39 29 state. Moneys allocated to the obstetrical and newborn
39 30 patient care fund shall not be transferred nor voluntarily

39 31 reverted from the fund within a given fiscal year.

39 32 Sec. 44. Section 135B.31, Code 2005, is amended to read as
39 33 follows:

39 34 135B.31 EXCEPTIONS.

39 35 ~~Nothing in this~~ This division is not intended ~~or should and~~
40 1 ~~shall not~~ affect in any way ~~that the~~ obligation of public
40 2 hospitals under chapter 347 or municipal hospitals, ~~as well as~~
40 3 ~~the state hospital at Iowa City, to provide medical or~~
40 4 ~~obstetrical and newborn care for indigent persons under~~
40 5 ~~chapter 255 or 255A, wherein medical care or treatment is~~
40 6 ~~provided by hospitals of that category~~ to patients of certain
40 7 entitlement, nor ~~to~~ the operation by the state of mental or
40 8 other hospitals authorized by law. ~~Nothing herein~~ This
40 9 division shall not in any way affect or limit the practice of
40 10 dentistry or the practice of oral surgery by a dentist.

CODE: Conforming change to the requirements for hospitals to provide medical care.

40 11 Sec. 45. Section 144.13A, subsection 3, Code 2005, is
40 12 amended to read as follows:

40 13 3. If the person responsible for the filing of the
40 14 certificate of birth under section 144.13 is not the parent,
40 15 the person is entitled to collect the fee from the parent.
40 16 The fee shall be remitted to the state registrar. If the
40 17 expenses of the birth are reimbursed under the medical
40 18 assistance program established by chapter 249A, ~~or paid for~~
40 19 ~~under the statewide indigent patient care program established~~
40 20 ~~by chapter 255, or paid for under the obstetrical and newborn~~
40 21 ~~indigent patient care program established by chapter 255A, or~~
40 22 if the parent is indigent and unable to pay the expenses of
40 23 the birth and no other means of payment is available to the
40 24 parent, the registration fee and certified copy fee are
40 25 waived. If the person responsible for the filing of the
40 26 certificate is not the parent, the person is discharged from
40 27 the duty to collect and remit the fee under this section if
40 28 the person has made a good faith effort to collect the fee
40 29 from the parent.

CODE: Conforming change to the birth certificate Section.

40 30 Sec. 46. Section 249A.4, subsection 12, Code 2005, is
40 31 amended by striking the subsection.

CODE: Conforming change to the DHS Director's duties Section.

40 32 UNIVERSITY OF IOWA HOSPITALS AND CLINICS

40 33 Sec. 47. NEW SECTION. 263.18 TREATMENT OF PATIENTS —
40 34 USE OF EARNINGS FOR NEW FACILITIES.

CODE: Re-establishes a statutory reference providing authority for the University of Iowa Hospitals and Clinics to perform specified activities related to the treatment of patients.

40 35 1. The university of Iowa hospitals and clinics
41 1 authorities may at their discretion receive patients into the
41 2 hospital for medical, obstetrical, or surgical treatment or
41 3 hospital care. The university of Iowa hospitals and clinics
41 4 ambulances and ambulance personnel may be used for the
41 5 transportation of such patients at a reasonable charge if
41 6 specialized equipment is required.
41 7 2. The university of Iowa hospitals and clinics
41 8 authorities shall collect from the person or persons liable
41 9 for support of such patients reasonable charges for hospital
41 10 care and service and deposit payment of the charges with the
41 11 treasurer of the university for the use and benefit of the
41 12 university of Iowa hospitals and clinics.
41 13 3. Earnings of the university of Iowa hospitals and
41 14 clinics shall be administered so as to increase, to the
41 15 greatest extent possible, the services available for patients,
41 16 including acquisition, construction, reconstruction,
41 17 completion, equipment, improvement, repair, and remodeling of
41 18 medical buildings and facilities, additions to medical
41 19 buildings and facilities, and the payment of principal and
41 20 interest on bonds issued to finance the cost of medical
41 21 buildings and facilities as authorized by the provisions of
41 22 chapter 263A.
41 23 4. The physicians and surgeons on the staff of the
41 24 university of Iowa hospitals and clinics who care for patients
41 25 provided for in this section may charge for the medical
41 26 services provided under such rules, regulations, and plans
41 27 approved by the state board of regents. However, a physician
41 28 or surgeon who provides treatment or care for an expansion
41 29 population member pursuant to chapter 249J shall not charge or

41 30 receive any compensation for the treatment or care except the
 41 31 salary or compensation fixed by the state board of regents to
 41 32 be paid from the hospital fund.

41 33 Sec. 48. NEW SECTION. 263.19 PURCHASES.
 41 34 Any purchase in excess of ten thousand dollars, of
 41 35 materials, appliances, instruments, or supplies by the
 42 1 university of Iowa hospitals and clinics, when the price of
 42 2 the materials, appliances, instruments, or supplies to be
 42 3 purchased is subject to competition, shall be made pursuant to
 42 4 open competitive quotations, and all contracts for such
 42 5 purchases shall be subject to chapter 72. However, purchases
 42 6 may be made through a hospital group purchasing organization
 42 7 provided that the university of Iowa hospitals and clinics is
 42 8 a member of the organization.

CODE: Re-establishes a statutory reference providing authority for the University of Iowa Hospitals and Clinics to perform specified activities related to purchases over \$10,000.

42 9 Sec. 49. NEW SECTION. 263.20 COLLECTING AND SETTLING
 42 10 CLAIMS FOR CARE.

42 11 Whenever a patient or person legally liable for the
 42 12 patient's care at the university of Iowa hospitals and clinics
 42 13 has insurance, an estate, a right of action against others, or
 42 14 other assets, the university of Iowa hospitals and clinics,
 42 15 through the facilities of the office of the attorney general,
 42 16 may file claims, institute or defend suit in court, and use
 42 17 other legal means available to collect accounts incurred for
 42 18 the care of the patient, and may compromise, settle, or
 42 19 release such actions under the rules and procedures prescribed
 42 20 by the president of the university and the office of the
 42 21 attorney general. If a county has paid any part of such
 42 22 patient's care, a pro rata amount collected, after deduction
 42 23 for cost of collection, shall be remitted to the county and
 42 24 the balance shall be credited to the hospital fund.

CODE: Re-establishes a statutory reference providing authority for the University of Iowa Hospitals and Clinics to perform specified activities related to collecting and settling claims for patient care at the UIHC.

42 25 Sec. 50. NEW SECTION. 263.21 TRANSFER OF PATIENTS FROM
 42 26 STATE INSTITUTIONS.

42 27 The director of the department of human services, in
 42 28 respect to institutions under the director's control, the

CODE: Re-establishes a statutory reference providing authority for agency directors to transfer patients from State Institutions to UIHC for treatment and care.

42 29 administrator of any of the divisions of the department, in
 42 30 respect to the institutions under the administrator's control,
 42 31 the director of the department of corrections, in respect to
 42 32 the institutions under the department's control, and the state
 42 33 board of regents, in respect to the Iowa braille and sight
 42 34 saving school and the Iowa school for the deaf, may send any
 42 35 inmate, student, or patient of an institution, or any person
 43 1 committed or applying for admission to an institution, to the
 43 2 university of Iowa hospitals and clinics for treatment and
 43 3 care. The department of human services, the department of
 43 4 corrections, and the state board of regents shall respectively
 43 5 pay the traveling expenses of such patient, and when necessary
 43 6 the traveling expenses of an attendant for the patient, out of
 43 7 funds appropriated for the use of the institution from which
 43 8 the patient is sent.

43 9 Sec. 51. NEW SECTION. 263.22 MEDICAL CARE FOR PAROLEES
 43 10 AND PERSONS ON WORK RELEASE.

43 11 The director of the department of corrections may send
 43 12 former inmates of the institutions provided for in section
 43 13 904.102, while on parole or work release, to the university of
 43 14 Iowa hospitals and clinics for treatment and care. The
 43 15 director may pay the traveling expenses of any such patient,
 43 16 and when necessary the traveling expenses of an attendant of
 43 17 the patient, out of funds appropriated for the use of the
 43 18 department of corrections.

CODE: Re-establishes a statutory reference providing authority for the Department of Corrections to send former inmates to the UIHC for treatment and care.

43 19 Sec. 52. Section 271.6, Code 2005, is amended to read as
 43 20 follows:

43 21 271.6 INTEGRATED TREATMENT OF UNIVERSITY HOSPITAL
 43 22 PATIENTS.

43 23 The authorities of the Oakdale campus may authorize
 43 24 patients for admission to the hospital on the Oakdale campus
 43 25 who are referred from the university hospitals and who shall
 43 26 retain the same status, classification, and authorization for
 43 27 care which they had at the university hospitals. Patients
 43 28 referred from the university hospitals to the Oakdale campus

CODE: Conforming change to the Oakdale patient language.

43 29 shall be deemed to be patients of the university hospitals.
 43 30 ~~Chapters 255 and 255A and the~~ The operating policies of the
 43 31 university hospitals shall apply to the patients ~~and to the~~
 43 32 ~~payment for their care~~ the same as the provisions apply to
 43 33 patients who are treated on the premises of the university
 43 34 hospitals.

43 35 Sec. 53. Section 331.381, subsection 9, Code 2005, is
 44 1 amended by striking the subsection.

CODE: Repeals the requirement for county boards of supervisors to hear and pay claims for indigent health care.

44 2 Sec. 54. Section 331.502, subsection 17, Code 2005, is
 44 3 amended by striking the subsection.

CODE: Repeals the requirement for county auditors to notify county treasurers of the amount owed for Indigent Health Care.

44 4 Sec. 55. Section 331.552, subsection 13, Code 2005, is
 44 5 amended to read as follows:

CODE: Conforming change to transfer payment requirements.

44 6 13. Make transfer payments to the state for school
 44 7 expenses for blind and deaf children, ~~and~~ support of persons
 44 8 with mental illness, ~~and hospital care for the indigent as~~
 44 9 provided in sections 230.21, ~~255.26,~~ 269.2, and 270.7.

44 10 Sec. 56. Section 331.653, subsection 26, Code 2005, is
 44 11 amended by striking the subsection.

CODE: Repeals the requirement for county sheriffs relative to the Indigent Care Program.

44 12 Sec. 57. Section 331.756, subsection 53, Code 2005, is
 44 13 amended by striking the subsection.

CODE: Repeals the requirement for county attorneys relative to the Indigent Care Program.

44 14 Sec. 58. Section 602.8102, subsection 48, Code 2005, is
 44 15 amended by striking the subsection.

CODE: Repeals the requirement for county clerks relative to the Indigent Care Program.

44 16 Sec. 59. Chapters 255 and 255A, Code 2005, are repealed.

CODE: Repeals the Indigent Care Program and Newborn and Obstetrical Indigent Care Program Chapters.

44 17 Sec. 60. OBLIGATIONS TO INDIGENT PATIENTS. The provisions
 44 18 of this Act shall not be construed and are not intended to
 44 19 change, reduce, or affect the obligation of the university of
 44 20 Iowa hospitals and clinics existing on April 1, 2005, to
 44 21 provide care or treatment at the university of Iowa hospitals

Requires the University of Iowa Hospitals and Clinics to maintain the same level of care to indigent patients or inmates as provided prior to April 1, 2005.

44 22 and clinics to indigent patients and to any inmate, student,
 44 23 patient, or former inmate of a state institution as specified
 44 24 in sections 263.21 and 263.22 as enacted in this Act, with the
 44 25 exception of the specific obligation to committed indigent
 44 26 patients as specified pursuant to section 255.16, Code 2005,
 44 27 repealed in this Act.

44 28 Sec. 61. INMATES, STUDENTS, PATIENTS, AND FORMER INMATES
 44 29 OF STATE INSTITUTIONS — REVIEW.

44 30 1. The director of human services shall convene a
 44 31 workgroup comprised of the director, the director of the
 44 32 department of corrections, the president of the state board of
 44 33 regents, and a representative of the university of Iowa
 44 34 hospitals and clinics to review the provision of treatment and
 44 35 care to the inmates, students, patients, and former inmates

45 1 specified in sections 263.21 and 263.22, as enacted in this
 45 2 Act. The review shall determine all of the following:

45 3 a. The actual cost to the university of Iowa hospitals and
 45 4 clinics to provide care and treatment to the inmates,
 45 5 students, patients, and former inmates on an annual basis.
 45 6 The actual cost shall be determined utilizing Medicare cost
 45 7 accounting principles.

45 8 b. The number of inmates, students, patients, and former
 45 9 inmates provided treatment at the university of Iowa hospitals
 45 10 and clinics, annually.

45 11 c. The specific types of treatment and care provided to
 45 12 the inmates, students, patients, and former inmates.

45 13 d. The existing sources of revenue that may be available
 45 14 to pay for the costs of providing care and treatment to the
 45 15 inmates, students, patients, and former inmates.

45 16 e. The cost to the department of human services, the Iowa
 45 17 department of corrections, and the state board of regents to
 45 18 provide transportation and staffing relative to provision of
 45 19 care and treatment to the inmates, students, patients, and
 45 20 former inmates at the university of Iowa hospitals and
 45 21 clinics.

45 22 f. The effect of any proposed alternatives for provision

Specifies membership of a workgroup to review treatment provided to inmates and patients of State Institutions through the University of Iowa Hospitals and Clinics. Specifies that the review include the cost, number of patients treated, type of services, and alternatives to the current Program. Requires the workgroup to report to the Governor and General Assembly by December 31, 2005.

45 23 of care and treatment for inmates, students, patients, or
 45 24 former inmates, including the proposed completion of the
 45 25 hospital unit at the Iowa state penitentiary at Fort Madison.
 45 26 2. The workgroup shall submit a report of its findings to
 45 27 the governor and the general assembly no later than December
 45 28 31, 2005. The report shall also include any recommendations
 45 29 for improvement in the provision of care and treatment to
 45 30 inmates, students, patients, and former inmates, under the
 45 31 control of the department of human services, the Iowa
 45 32 department of corrections, and the state board of regents.

45 33 DIVISION XII
 45 34 STATE MEDICAL INSTITUTION

45 35 Sec. 62. NEW SECTION. 218A.1 STATE MEDICAL INSTITUTION.

46 1 1. All of the following shall be collectively designated
 46 2 as a single state medical institution:

- 46 3 a. The mental health institute, Mount Pleasant, Iowa.
- 46 4 b. The mental health institute, Independence, Iowa.
- 46 5 c. The mental health institute, Clarinda, Iowa.
- 46 6 d. The mental health institute, Cherokee, Iowa.
- 46 7 e. The Glenwood state resource center.
- 46 8 f. The Woodward state resource center.

46 9 2. Necessary portions of the institutes and resource
 46 10 centers shall remain licensed as separate hospitals and as
 46 11 separate intermediate care facilities for persons with mental
 46 12 retardation, and the locations and operations of the
 46 13 institutes and resource centers shall not be subject to
 46 14 consolidation to comply with this chapter.

46 15 3. The state medical institution shall qualify for
 46 16 payments described in subsection 4 for the fiscal period
 46 17 beginning July 1, 2005, and ending June 30, 2010, if the state
 46 18 medical institution and the various parts of the institution
 46 19 comply with the requirements for payment specified in
 46 20 subsection 4, and all of the following conditions are met:

- 46 21 a. The total number of beds in the state medical
 46 22 institution licensed as hospital beds is less than fifty

CODE: Establishes a State Medical Institution comprised of the four
 MHIs and the State Resource Centers at Glenwood and Woodward.

DETAIL: This does not affect the operations of the facilities. This
 change will allow federal Medicaid matching funds and federal DSH
 funds to be used by the MHIs.

46 23 percent of the total number of all state medical institution
46 24 beds. In determining compliance with this requirement,
46 25 however, any reduction in the total number of beds that occurs
46 26 as the result of reduction in census due to an increase in
46 27 utilization of home and community-based services shall not be
46 28 considered.

46 29 b. An individual is appointed by the director of human
46 30 services to serve as the director of the state medical
46 31 institution and an individual is appointed by the director of
46 32 human services to serve as medical director of the state
46 33 medical institution. The individual appointed to serve as the
46 34 director of the state medical institution may also be an
46 35 employee of the department of human services or of a component
47 1 part of the state medical institution. The individual
47 2 appointed to serve as medical director of the state medical
47 3 institution may also serve as the medical director of one of
47 4 the component parts of the state medical institution.

47 5 c. A workgroup comprised of the director of human services
47 6 or the director's designee, the director of the state medical
47 7 institution, the directors of all licensed intermediate care
47 8 facilities for persons with mental retardation in the state,
47 9 and representatives of the Iowa state association of counties,
47 10 the Iowa association of community providers, and other
47 11 interested parties develops and presents a plan, for
47 12 submission to the centers for Medicare and Medicaid services
47 13 of the United States department of health and human services,
47 14 to the general assembly no later than July 1, 2007, to reduce
47 15 the number of individuals in intermediate care facilities for
47 16 persons with mental retardation in the state and concurrently
47 17 to increase the number of individuals with mental retardation
47 18 and developmental disabilities in the state who have access to
47 19 home and community-based services. The plan shall include a
47 20 proposal to redesign the home and community-based services
47 21 waivers for persons with mental retardation and persons with
47 22 brain injury under the medical assistance program. The
47 23 department shall not implement the plan without express
47 24 authorization by the general assembly.

47 25 4. The department of human services shall submit a waiver
 47 26 to the centers for Medicare and Medicaid services of the
 47 27 United States department of health and human services to
 47 28 provide for all of the following:
 47 29 a. Coverage under the medical assistance program, with
 47 30 appropriate federal matching funding, for inpatient and
 47 31 outpatient hospital services provided to eligible individuals
 47 32 by any part of the state medical institution that maintains a
 47 33 state license as a hospital.
 47 34 b. Disproportionate share hospital payments for services
 47 35 provided by any part of the state medical institution that
 48 1 maintains a state license as a hospital.
 48 2 c. Imposition of an assessment on intermediate care
 48 3 facilities for persons with mental retardation on any part of
 48 4 the state medical institution that provides intermediate care
 48 5 facility for persons with mental retardation services.

48 6 DIVISION XIII
 48 7 APPROPRIATIONS AND EFFECTIVE DATES

48 8 Sec. 63. APPROPRIATIONS FROM IOWACARE ACCOUNT.

48 9 1. There is appropriated from the lowacare account created
 48 10 in section 249J.23 to the university of Iowa hospitals and
 48 11 clinics for the fiscal year beginning July 1, 2005, and ending
 48 12 June 30, 2006, the following amount, or so much thereof as is
 48 13 necessary, to be used for the purposes designated:
 48 14 For salaries, support, maintenance, equipment, and
 48 15 miscellaneous purposes, for the provision of medical and
 48 16 surgical treatment of indigent patients, for provision of
 48 17 services to members of the expansion population pursuant to
 48 18 chapter 249J, as enacted in this Act, and for medical
 48 19 education:
 48 20 \$ 27,284,584

IowaCare Account appropriation to the University of Iowa Hospitals and Clinics for FY 2006.

DETAIL: This appropriation was made from the General Fund for FY 2005. This is no change in the level of funding provided.

48 21 2. There is appropriated from the lowacare account created
 48 22 in section 249J.23 to a publicly owned acute care teaching
 48 23 hospital located in a county with a population over three

IowaCare Account appropriation to Broadlawns Hospital for FY 2006.

48 24 hundred fifty thousand for the fiscal year beginning July 1,
 48 25 2005, and ending June 30, 2006, the following amount, or so
 48 26 much thereof as is necessary, to be used for the purposes
 48 27 designated:
 48 28 For the provision of medical and surgical treatment of
 48 29 indigent patients, for provision of services to members of the
 48 30 expansion population pursuant to chapter 249J, as enacted in
 48 31 this Act, and for medical education:
 48 32 \$ 40,000,000

DETAIL: Broadlawns Hospital is required to transfer \$34,000,000 of property tax revenues to the IowaCare Account in FY 2006. This IowaCare Account appropriation replaces the property tax revenues. This is an increase of \$6,000,000 compared to the amount of property tax funding transferred.

48 33 Notwithstanding any provision of this Act to the contrary,
 48 34 of the amount appropriated in this subsection, \$37,000,000
 48 35 shall be allocated in twelve equal monthly payments as
 49 1 provided in section 249J.23, as enacted in this Act. Any
 49 2 amount appropriated in this subsection in excess of
 49 3 \$37,000,000 shall be allocated only if federal funds are
 49 4 available to match the amount allocated.

Specifies that of the \$40,000,000 appropriation, Broadlawns Hospital will receive \$37,000,000 in twelve equal monthly payments. Broadlawns may receive an additional \$3,000,000 (for a total of \$40,000,000) only if federal matching funds are available.

DETAIL: Broadlawns Hospital receives guaranteed funding of \$37,000,000 from the IowaCare Account. This is an increase of \$3,000,000 compared to the amount of property tax funding Broadlawns is required to transfer to the State. If federal matching funds are available, Broadlawns may draw an additional \$3,000,000.

49 5 3. There is appropriated from the lowacare account created
 49 6 in section 249J.23 to the state hospitals for persons with
 49 7 mental illness designated pursuant to section 226.1 for the
 49 8 fiscal year beginning July 1, 2005, and ending June 30, 2006,
 49 9 the following amounts, or so much thereof as is necessary, to
 49 10 be used for the purposes designated:

IowaCare Account appropriation to the Mental Health Institutions for FY 2006.

DETAIL: This appropriation was made from the General Fund for FY 2005. This is no change in the level of funding provided.

49 11 a. For the state mental health institute at Cherokee, for
 49 12 salaries, support, maintenance, full-time equivalent
 49 13 positions, and miscellaneous purposes including services to
 49 14 members of the expansion population pursuant to chapter 249J,
 49 15 as enacted in this Act:
 49 16 \$ 9,098,425

IowaCare Account appropriation to the Cherokee Mental Health Institution for FY 2006.

DETAIL: This appropriation was made from the General Fund for FY 2005. This is no change in the level of funding provided.

49 17 b. For the state mental health institute at Clarinda, for
 49 18 salaries, support, maintenance, full-time equivalent
 49 19 positions, and miscellaneous purposes including services to

IowaCare Account appropriation to the Clarinda Mental Health Institution for FY 2006.

<p>49 20 members of the expansion population pursuant to chapter 249J, 49 21 as enacted in this Act: 49 22 \$ 1,977,305</p>	<p>DETAIL: This appropriation was made from the General Fund for FY 2005. This is no change in the level of funding provided.</p>
<p>49 23 c. For the state mental health institute at Independence, 49 24 for salaries, support, maintenance, full-time equivalent 49 25 positions, and miscellaneous purposes including services to 49 26 members of the expansion population pursuant to chapter 249J, 49 27 as enacted in this Act: 49 28 \$ 9,045,894</p>	<p>IowaCare Account appropriation to the Independence Mental Health Institution for FY 2006.</p> <p>DETAIL: This appropriation was made from the General Fund for FY 2005. This is no change in the level of funding provided.</p>
<p>49 29 d. For the state mental health institute at Mount 49 30 Pleasant, for salaries, support, maintenance, full-time 49 31 equivalent positions, and miscellaneous purposes including 49 32 services to members of the expansion population designation 49 33 pursuant to chapter 249J, as enacted in this Act: 49 34 \$ 5,752,587</p>	<p>IowaCare Account appropriation to the Mount Pleasant Mental Health Institution for FY 2006.</p> <p>DETAIL: This appropriation was made from the General Fund for FY 2005. This is no change in the level of funding provided.</p>
<p>49 35 Sec. 64. APPROPRIATIONS FROM ACCOUNT FOR HEALTH CARE 50 1 TRANSFORMATION. There is appropriated from the account for 50 2 health care transformation created in section 249J.22, as 50 3 enacted in this Act, to the department of human services, for 50 4 the fiscal year beginning July 1, 2005, and ending June 30, 50 5 2006, the following amounts, or so much thereof as is 50 6 necessary, to be used for the purposes designated:</p>	<p>Account for Health Care Transformation appropriations to the DHS for FY 2006 for costs associated with implementing the IowaCare Program and reform initiatives.</p> <p>DETAIL: These are new appropriations for FY 2006.</p>
<p>50 7 1. For the costs of medical examinations and development 50 8 of personal health improvement plans for the expansion 50 9 population pursuant to section 249J.6, as enacted in this Act: 50 10 \$ 136,500</p>	<p>Account for Health Care Transformation appropriation for medical examinations and personal health assessments.</p> <p>DETAIL: This is a new appropriation for FY 2006.</p>
<p>50 11 2. For the provision of a medical information hotline for 50 12 the expansion population as provided in section 249J.6, as 50 13 enacted in this Act: 50 14 \$ 150,000</p>	<p>Account for Health Care Transformation appropriation for a Medical Information Hotline.</p> <p>DETAIL: This is a new appropriation for FY 2006.</p>

PG LN	House File 841	Explanation
50 15 50 16 50 17	3. For the insurance cost subsidy program pursuant to section 249J.8, as enacted in this Act: \$ 150,000	Account for Health Care Transformation appropriation for an Insurance Cost Subsidy Program. DETAIL: This is a new appropriation for FY 2006.
50 18 50 19 50 20	4. For the health care account program option pursuant to section 249J.8, as enacted in this Act: \$ 50,000	Account for Health Care Transformation appropriation for the Health Care Account Program option. DETAIL: This is a new appropriation for FY 2006.
50 21 50 22 50 23 50 24	5. For the use of electronic medical records by medical assistance program and expansion population provider network providers pursuant to section 249J.14, as enacted in this Act: \$ 100,000	Account for Health Care Transformation appropriation for electronic medical records. DETAIL: This is a new appropriation for FY 2006.
50 25 50 26 50 27	6. For other health partnership activities pursuant to section 249J.14, as enacted in this Act: \$ 550,000	Account for Health Care Transformation appropriation for other health partnership activities. DETAIL: This is a new appropriation for FY 2006.
50 28 50 29 50 30	7. For the costs related to audits, performance evaluations, and studies required by this Act: \$ 100,000	Account for Health Care Transformation appropriation for audits, evaluations, and studies required by the IowaCare Act. DETAIL: This is a new appropriation for FY 2006.
50 31 50 32	8. For administrative costs associated with this Act: \$ 910,000	Account for Health Care Transformation appropriation for DHS administration costs. DETAIL: This is a new appropriation for FY 2006.
50 33 50 34 50 35 51 1 51 2 51 3 51 4	Sec. 65. TRANSFER FROM ACCOUNT FOR HEALTH CARE TRANSFORMATION. There is transferred from the account for health care transformation created pursuant to section 249J.22, as enacted in this Act, to the lowacare account created in section 249J.23, as enacted in this Act, a total of \$2,000,000 for the fiscal year beginning July 1, 2005, and ending June 30, 2006.	Transfers \$2,000,000 from the Account for Health Care Transformation to the IowaCare Account in FY 2006.

51 5 Sec. 66. EFFECTIVE DATES — CONTINGENT REDUCTION — RULES
51 6 — RETROACTIVE APPLICABILITY.

51 7 1. The provisions of this Act requiring the department of
51 8 human services to request waivers from the centers for
51 9 Medicare and Medicaid services of the United States department
51 10 of health and human services and to amend the medical
51 11 assistance state plan, and the provisions relating to
51 12 execution of chapter 28E agreements in section 249J.23, as
51 13 enacted in this Act, being deemed of immediate importance,
51 14 take effect upon enactment.

Specifies that the provisions requiring the DHS to request waivers and State Plan Amendments take effect on enactment.

51 15 2. The remaining provisions of this Act, with the
51 16 exception of the provisions described in subsection 1, shall
51 17 not take effect unless the department of human services
51 18 receives approval of all waivers and medical assistance state
51 19 plan amendments required under this Act. If all approvals are
51 20 received, the remaining provisions of this Act shall take
51 21 effect July 1, 2005, or on the date specified in the waiver or
51 22 medical assistance state plan amendment for a particular
51 23 provision. The department of human services shall notify the
51 24 Code editor of the date of receipt of the approvals.

Specifies that all other provisions take effect only if the DHS receives approval of all waivers and State Plan Amendments required by the Act. If the approval is received, the Act takes effect July 1, 2005, or the date specified in the waiver.

51 25 3. If this Act is enacted and if the Eighty-first General
51 26 Assembly enacts legislation appropriating moneys from the
51 27 general fund of the state to the department of human services
51 28 for the fiscal year beginning July 1, 2005, and ending June
51 29 30, 2006, for the state hospitals for persons with mental
51 30 illness designated pursuant to section 226.1, for salaries,
51 31 support, maintenance, and miscellaneous purposes and for full-
51 32 time equivalent positions, the appropriations shall be reduced
51 33 in the following amounts and the amounts shall be transferred
51 34 to the medical assistance fund of the department of human
51 35 services to diminish the effect of intergovernmental transfer
52 1 reductions:

General Fund deappropriation of \$25,874,211 from the DHS for the Mental Health Institutions for FY 2006.

DETAIL: If this Act becomes effective, the General Fund appropriations to the Mental Health Institutions are deappropriated and transferred to the Medicaid Program. The General Fund monies are replaced by an equal appropriation from the IowaCare Account. This is no change in the level of funding provided to the Institutions.

<p>52 2 a. For the state mental health institute at Cherokee: 52 3 \$ 9,098,425</p>	<p>General Fund deappropriation from the Cherokee Mental Health Institution for FY 2006.</p> <p>DETAIL: This is no change in the level of funding provided to the Institution.</p>
<p>52 4 b. For the state mental health institute at Clarinda: 52 5 \$ 1,977,305</p>	<p>General Fund deappropriation from the Clarinda Mental Health Institution for FY 2006.</p> <p>DETAIL: This is no change in the level of funding provided to the Institution.</p>
<p>52 6 c. For the state mental health institute at Independence: 52 7 \$ 9,045,894</p>	<p>General Fund deappropriation from the Independence Mental Health Institution for FY 2006.</p> <p>DETAIL: This is no change in the level of funding provided to the Institution.</p>
<p>52 8 d. For the state mental health institute at Mount 52 9 Pleasant: 52 10 \$ 5,752,587</p>	<p>General Fund deappropriation from the Mount Pleasant Mental Health Institution for FY 2006.</p> <p>DETAIL: This is no change in the level of funding provided to the Institution.</p>
<p>52 11 4. If this Act is enacted and if the Eighty-first General 52 12 Assembly enacts legislation appropriating moneys from the 52 13 general fund of the state to the state university of Iowa for 52 14 the fiscal year beginning July 1, 2005, and ending June 30, 52 15 2006, for the university hospitals for salaries, support, 52 16 maintenance, equipment, and miscellaneous purposes and for 52 17 medical and surgical treatment of indigent patients as 52 18 provided in chapter 255, for medical education, and for full- 52 19 time equivalent positions, the appropriation is reduced by 52 20 \$27,284,584 and the amount shall be transferred to the medical 52 21 assistance fund of the department of human services to 52 22 diminish the effect of intergovernmental transfer reductions.</p>	<p>General Fund deappropriation of \$27,284,584 from the University of Iowa Hospitals and Clinics for the Indigent Care Program for FY 2006.</p> <p>DETAIL: If the Act becomes effective, the General Fund appropriation to the Indigent Care Program is deappropriated and transferred to the Medicaid Program. The General Fund monies are replaced by an equal appropriation from the IowaCare Account. This is no change in the level of funding provided to the University.</p>

PG LN	House File 841	Explanation
52 23 52 24 52 25 52 26 52 27 52 28	5. If this Act is enacted, and if the Eighty-first General Assembly enacts 2005 Iowa Acts, House File 816, and 2005 Iowa Acts, House File 816 includes a provision relating to medical assistance supplemental amounts for disproportionate share hospital and indirect medical education, the provision in House File 816 shall not take effect.	Specifies that provisions in HF 816 (FY 2006 Education Appropriations Act) relating to supplemental disproportionate share hospitals and indirect medical education, do not take effect if the IowaCare Act is enacted.
52 29 52 30 52 31 52 32 52 33 52 34 52 35 53 1 53 2	6. If this Act is enacted, and if the Eighty-first General Assembly enacts 2005 Iowa Acts, House File 825, and 2005 Iowa Acts, House File 825, includes a provision appropriating moneys from the hospital trust fund created in section 249I.4 to the department of human services for the fiscal year beginning July 1, 2005, and ending June 30, 2006, to be used to supplement the appropriations made for the medical assistance program for that fiscal year, the appropriation is reduced by \$22,900,000.	Hospital Trust Fund deappropriation of \$22,900,000 from the DHS for the Medicaid Program for FY 2006. DETAIL: If the Act is enacted, the Hospital Trust Fund appropriation to the Medicaid Program is deappropriated. This is offset by the General Fund transfers from the University of Iowa Hospitals and Clinics and the Mental Health Institutions.
53 3 53 4 53 5	7. The department of human services may adopt emergency rules pursuant to chapter 17A to implement and administer the provisions of this Act.	Authorizes the DHS to adopt emergency rules to implement this Act.
53 6 53 7 53 8 53 9 53 10 53 11 53 12 53 13 53 14 53 15	8. The department of human services may procure sole source contracts to implement any provision of this Act. In addition to sole source contracting, the department may contract with local nonprofit agencies to provide services enumerated in this Act. The department shall utilize nonprofit agencies to the greatest extent possible in the delivery of the programs and services enumerated in this Act to promote greater understanding between providers, under the medical assistance program and included in the expansion population provider network, and their recipients and members.	Authorizes the DHS to utilize sole source procurement to implement this Act. Requires the DHS to utilize local nonprofit agencies to the extent possible.
53 16 53 17 53 18	9. The provisions of this Act amending 2003 Iowa Acts, chapter 112, section 11, and repealing section 249A.20B, are retroactively applicable to May 2, 2003.	Specifies that the provisions relating to the repeal of the Nursing Facility Quality Assurance Fee take effect retroactively to May 2, 2003.

53 19 10. The section of this Act amending 2004 Iowa Acts,
53 20 chapter 1175, section 86, is retroactively applicable to May
53 21 17, 2004.

Specifies that the provision related to the FY 2004 Indigent Care
Program language takes effect retroactively to May 17, 2004.

53 22 HF 841
53 23 pf/es/25

**EXECUTIVE SUMMARY
HEALTHY IOWANS TOBACCO TRUST FUND ACT**

FUNDING SUMMARY

DEPARTMENT OF HUMAN SERVICES

DEPARTMENT OF PUBLIC HEALTH

DEPARTMENT OF CORRECTIONS

DEPARTMENT FOR THE BLIND

IOWA EMPOWERMENT FUNDING

APPROPRIATIONS TRANSFERS

GOVERNOR'S VETO

ENACTMENT DATE

- Appropriates \$65.9 million from the Healthy Iowans Tobacco Trust for various health-related appropriations. This is an increase of \$2.1 million compared to the estimated net FY 2005 appropriation.
- House File 882 (FY 2006 Standing Appropriations Act) decreased total FY 2006 Healthy Iowans Tobacco Trust Fund appropriations in HF 862 by \$800,000.
- Appropriates a total of \$39.9 million from the Healthy Iowans Tobacco Trust to the Department of Human Services. This is no change compared to the estimated net FY 2005 appropriation. (Page 1, Line 8 through Page 2, Line 10)
- Appropriates \$21.4 million to the Department of Public Health. This is an increase of \$1.9 million compared to the estimated net FY 2005 appropriation, including:
 - \$163,000 for the Poison Control Center funded from the Healthy Iowans 2010 allocation. (Page 4, Line 18)
 - \$100,000 and 1.0 FTE position for a Capitol Complex Defibrillator. (Page 4, Line 31)
 - \$400,000 for a children's substance abuse prevention program utilizing a sole source contract. (Page 5, Line 6)
 - \$400,000 for a substance abuse prevention program using high school students as mentors. (Page 5, Line 26)
 - \$800,000 for a children's substance abuse prevention program utilizing a Request For Proposals (RFP) process. (Page 6, Line 22)
- Appropriates \$1.2 million to four Judicial District Departments of Correctional Services and the Newton and Mitchellville Correctional Facilities. This is an increase of \$234,000 compared to the estimated net FY 2005 appropriation. (Page 6, Line 33)
- Appropriates \$1.2 million for the special needs unit at the Fort Madison Correctional Facility. This maintains current funding. (Page 8, Line 18)
- Appropriates \$130,000 for a Newsline for the Blind Program. This maintains current funding. (Page 7, Line 24)
- Appropriates \$2.2 million for School Ready Grants for Iowa Empowerment. This maintains current funding. (Page 8, Line 12)
- Transfers \$7.6 million from the Endowment for Iowa's Health Account to the Healthy Iowans Tobacco Trust. This is an increase of \$1.3 million compared to the FY 2005 transfer. (Page 8, Line 27)
- The Governor vetoed the \$60,000 allocation for a value-based treatment program for women at the Iowa Correctional Institution for Women at Mitchellville, stating he wanted to avoid confusion in a pending court case on a similar program at the Newton Correctional Facility. (Page 7, Line 21)
- This Act was approved by the General Assembly on May 20, 2005, and signed by the Governor on June 14, 2005.

House File 862 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
6	17	1.2(i)(4)	Nwthstnd	Sec. 8.33	Nonreversion of Funds for Substance Abuse Prevention Program

1 1 Section 1. HEALTHY IOWANS TOBACCO TRUST — APPROPRIATIONS
 1 2 TO DEPARTMENTS. There is appropriated from the healthy Iowans
 1 3 tobacco trust created in section 12.65 to the following
 1 4 departments for the fiscal year beginning July 1, 2005, and
 1 5 ending June 30, 2006, the following amounts, or so much
 1 6 thereof as is necessary, to be used for the purposes
 1 7 designated:

Healthy Iowans Tobacco Trust appropriations for FY 2006.

1 8 1. To the department of human services:
 1 9 a. To supplement the medical assistance program
 1 10 appropriations for the fiscal year, including for
 1 11 reimbursement of noninstitutional medical assistance providers
 1 12 with the exception of anesthesia and dental providers and to
 1 13 continue the resource-based relative value system of
 1 14 reimbursement based upon the reimbursement rates established
 1 15 for the fiscal year beginning July 1, 2005, and ending June
 1 16 30, 2006, pursuant to 2005 Iowa Acts, House File 825, if
 1 17 enacted; for reimbursement of dental services, hospitals, home
 1 18 health care services, critical access hospitals, expansion of
 1 19 home health care services and habilitative day care for
 1 20 children with special needs, and expansion of respite care
 1 21 services provided through home and community-based waivers
 1 22 based upon the reimbursement rates established for the fiscal
 1 23 year beginning July 1, 2005, and ending June 30, 2006,
 1 24 pursuant to 2005 Iowa Acts, House File 825, if enacted; and
 1 25 for provision of coverage to women who require treatment for
 1 26 breast or cervical cancer as provided in section 249A.3,
 1 27 subsection 2, paragraph "b":
 1 28 \$ 35,013,803

Healthy Iowans Tobacco Trust appropriation to the Department of Human Services (DHS) to supplement the Medical Assistance (Medicaid) Program appropriation.

DETAIL: Maintains current level of funding. In FY 2005, multiple appropriations separated these funds by provider. For FY 2006, this appropriation consolidates all Medicaid provider appropriations.

1 29 Of the amount appropriated in this paragraph, \$50,000 shall
 1 30 be used to continue the efforts of the Iowa chronic care
 1 31 consortium pursuant to 2003 Iowa Acts, chapter 112, section
 1 32 12, as amended by 2003 Iowa Acts, chapter 179, sections 166
 1 33 and 167.

Requires a maximum allocation of \$50,000 for the Iowa Chronic Care Consortium.

DETAIL: Maintains current allocation level.

1 34 b. For child and family services and adoption subsidy
 1 35 services including for reimbursement of rehabilitative
 2 1 treatment and support services providers, adoption,
 2 2 independent living, shelter care, and home studies services
 2 3 providers, and other service providers under the purview of
 2 4 the department of human services:
 2 5 \$ 4,257,623

Healthy Iowans Tobacco Trust appropriation to the DHS for child welfare and adoption subsidy services.

DETAIL: Maintains current level of funding. For FY 2005, multiple appropriations were made for various providers of children and family services. For FY 2006, this appropriation consolidates the same amount of funds for the same providers.

2 6 c. To continue the supplementation of the children's
 2 7 health insurance program appropriation:
 2 8 \$ 200,000

Healthy Iowans Tobacco Trust appropriation to the DHS to supplement the Children's Health Insurance Program.

DETAIL: Maintains current level of funding.

2 9 d. For general administration of health-related programs:
 2 10 \$ 274,000

Healthy Iowans Tobacco Trust appropriation to the DHS for general administration of health-related programs.

DETAIL: Maintains current level of funding.

2 11 2. To the Iowa department of public health:
 2 12 a. For the tobacco use prevention and control initiative,
 2 13 including efforts at the state and local levels, as provided
 2 14 in chapter 142A and for not more than the following full-time
 2 15 equivalent positions:
 2 16 \$ 5,011,565
 2 17 FTEs 7.00

Healthy Iowans Tobacco Trust appropriation to the Department of Public Health for tobacco use prevention and control initiatives.

DETAIL: Maintains current level of funding.

Activities funded by this appropriation include:

- Administration
- Community partnerships
- School programs
- Enforcement
- Youth summit (Just Eliminate Lies)
- Counter marketing
- Cessation programs
- Surveillance and evaluation

2 18 (1) The director of public health shall dedicate
 2 19 sufficient resources to promote and ensure retailer compliance
 2 20 with tobacco laws and ordinances relating to persons under 18

Requires the Director of the Department of Public Health to promote and ensure retailer compliance with tobacco laws.

2 21 years of age, and shall prioritize the state's compliance in
 2 22 the allocation of available funds to comply with 42 U.S.C. §
 2 23 300x-26 and section 453A.2.

2 24 (2) Of the full-time equivalent positions funded in this
 2 25 paragraph "a", two full-time equivalent positions shall be
 2 26 utilized to provide for enforcement of tobacco laws,
 2 27 regulations, and ordinances under a chapter 28D agreement
 2 28 entered into between the Iowa department of public health and
 2 29 the alcoholic beverages division of the department of
 2 30 commerce.

2 31 (3) Of the funds appropriated in this paragraph "a", not
 2 32 more than \$525,759 shall be expended on administration and
 2 33 management of the program.

2 34 (4) Of the funds appropriated in this paragraph "a", not
 2 35 less than 80 percent of the amount expended in the fiscal year
 3 1 beginning July 1, 2001, for community partnerships shall be
 3 2 expended in the fiscal year beginning July 1, 2005, for that
 3 3 purpose.

3 4 b. For provision of smoking cessation and smoking-related
 3 5 diseases products as provided in this paragraph:
 3 6 \$ 75,000

3 7 The department shall award grants to free health clinics
 3 8 that are tax-exempt organizations pursuant to 26 U.S.C. § 501
 3 9 (c)(3) to fund the provision of smoking cessation and smoking-
 3 10 related diseases products to patients. The department shall
 3 11 adopt a methodology for the awarding of the grants to the
 3 12 health clinics based upon the order of receipt of
 3 13 applications.

Requires 2.00 FTE positions to be used jointly by the Department of Public Health and the Alcoholic Beverages Division of the Department of Commerce for enforcement of tobacco laws.

Requires that not more than \$525,759 be expended for administrative costs.

DETAIL: Maintains current level of funding.

Requires not less than 80.00% of the funds expended in FY 2002 for Community Partnerships be expended for the same purpose in FY 2006.

Healthy Iowans Tobacco Trust appropriation to the Department of Public Health for smoking cessation products.

DETAIL: Maintains current level of funding.

Specifies the process for the Department of Public Health to award grants for smoking cessation products and that certain free health clinics are potential grantees.

3 14 c. For additional substance abuse treatment under the
 3 15 substance abuse treatment program:
 3 16 \$ 11,800,000

Healthy Iowans Tobacco Trust appropriation to the Department of Public Health for substance abuse treatment.

 DETAIL: Maintains current level of funding.

3 17 (1) The department shall use funds appropriated in this
 3 18 paragraph "c" to enhance the quality of and to expand the
 3 19 capacity to provide 24-hour substance abuse treatment
 3 20 programs.

Requires the Department of Public Health to use the funds appropriated in this Subsection to enhance the quality of and expand capacity to provide 24-hour substance abuse treatment programs.

3 21 (2) The department shall use funds appropriated in this
 3 22 paragraph "c" to expand the length of individual client
 3 23 substance abuse treatment plans, as necessary to reduce
 3 24 program recidivism.

Requires the Department of Public Health to use the funds appropriated in this Subsection to expand the length of individual client substance abuse treatment plans.

3 25 (3) The department shall use funds appropriated in this
 3 26 paragraph "c" to share research-based best practices for
 3 27 treatment with substance abuse treatment facilities.

Requires the Department of Public Health to use the funds appropriated in this Subsection to share research-based best practices for substance abuse treatment.

3 28 (4) The department shall use funds appropriated in this
 3 29 paragraph "c" to develop a results-based funding approach for
 3 30 substance abuse treatment services.

Requires the Department of Public Health to use the funds appropriated in this Subsection to develop a results-based funding approach for substance abuse treatment services.

3 31 (5) The department shall use funds appropriated in this
 3 32 paragraph "c" to develop a program to encourage individuals
 3 33 who are successfully managing their substance abuse problems
 3 34 to serve as role models.

Requires the Department of Public Health to use the funds appropriated in this Subsection to develop a mentoring program.

3 35 (6) The department shall submit a report annually by March
 4 1 1, to the governor and the general assembly delineating the
 4 2 success rates of the substance abuse treatment programs that
 4 3 receive funding under this paragraph "c".

Requires the Department of Public Health to report annually by March 1 on the success rates of substance abuse treatment programs receiving funding under this Subsection.

4 4 d. For the healthy Iowans 2010 plan within the Iowa
 4 5 department of public health and for not more than the
 4 6 following full-time equivalent positions:
 4 7 \$ 2,509,960

Healthy Iowans Tobacco Trust appropriation to the Department of Public Health for Healthy Iowans 2010 initiatives.

<p>4 8 FTEs 4.00</p>	<p>4 9 (1) Of the funds appropriated in this paragraph "d", not 4 10 more than \$1,157,482 shall be used for core public health 4 11 functions, including home health care and public health 4 12 nursing services, contracted through a formula by local boards 4 13 of health, to enhance disease and injury prevention services.</p> <p>4 14 (2) Of the funds appropriated in this paragraph "d", not 4 15 more than \$387,320 shall be used for the continuation and 4 16 support of a coordinated system of delivery of trauma and 4 17 emergency medical services.</p> <p>4 18 (3) Of the funds appropriated in this paragraph "d", not 4 19 more than \$600,000 shall be used for the state poison control 4 20 center.</p> <p>4 21 (4) Of the funds appropriated in this paragraph "d", not 4 22 more than \$288,770 shall be used for the development of 4 23 scientific and medical expertise in environmental 4 24 epidemiology.</p> <p>4 25 (5) Of the funds appropriated in this paragraph "d", not 4 26 more than \$76,388 shall be used for the childhood lead 4 27 poisoning prevention program.</p> <p>4 28 e. For the automated external defibrillator grant program 4 29 established pursuant to section 135.26: 4 30 \$ 250,000</p>	<p>DETAIL: This is an increase of \$163,000 and no change in FTE positions compared to the estimated net FY 2005 appropriation to replace the loss of federal funds for the State Poison Control Center.</p> <p>Requires a maximum allocation of \$1,157,482 for core public health functions, including home health care and public health nursing services.</p> <p>DETAIL: Maintains current level of funding.</p> <p>Requires a maximum allocation of \$387,320 for the implementation and support of a coordinated system of delivery of trauma and emergency medical services.</p> <p>DETAIL: Maintains current level of funding.</p> <p>Requires a maximum allocation of \$600,000 for the State Poison Control Center.</p> <p>DETAIL: This is an increase of \$163,000 compared to the FY 2005 allocation level to replace the loss of federal funds.</p> <p>Requires a maximum allocation of \$288,770 for environmental epidemiology.</p> <p>DETAIL: Maintains current level of funding.</p> <p>Requires a maximum allocation of \$76,388 for childhood lead poisoning prevention.</p> <p>DETAIL: Maintains current level of funding.</p> <p>Healthy Iowans Tobacco Trust appropriation to the Department of Public Health to provide grants for automated external defibrillators in rural communities.</p>
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DETAIL: Maintains current level of funding.

4 31 f. For implementation and maintenance of a public access
 4 32 defibrillation plan to provide access to automatic external
 4 33 defibrillators throughout the state capitol complex on a 24-
 4 34 hour, 7 days per week basis and for not more than the
 4 35 following full-time equivalent positions:
 5 1 \$ 100,000
 5 2 FTEs 1.00

Healthy lowans Tobacco Trust appropriation to the Department of Public Health to provide for an automated external defibrillator in the State Capitol.

DETAIL: This is a new appropriation and an increase of 1.00 FTE position for FY 2006.

5 3 g. For the center for congenital and inherited disorders
 5 4 established pursuant to section 136A.3:
 5 5 \$ 26,000

Healthy lowans Tobacco Trust appropriation to the Department of Public Health for the Registry of Congenital and Inherited Disorders for the study of the causes and prevention of stillbirths.

DETAIL: Maintains current level of funding.

5 6 h. For a grant program to provide substance abuse
 5 7 prevention programming for children:
 5 8 \$ 400,000

Healthy lowans Tobacco Trust appropriation to the Department of Public Health for a grant to provide a substance abuse prevention program for children utilizing a sole source contract.

DETAIL: This is a new appropriation for FY 2006. House File 882 (FY 2006 Standing Appropriations Act) decreased this appropriation by \$200,000.

5 9 A program approved for a grant under the program shall meet
 5 10 all of the following criteria:
 5 11 (1) The program is administered by a federally chartered
 5 12 nonprofit organization.
 5 13 (2) The program is located in multiple locations across
 5 14 the state, including in at least one location in a county
 5 15 ranked in the bottom quartile of population when compared with
 5 16 other counties.
 5 17 (3) The program has been nationally recognized for its
 5 18 effectiveness in reducing substance abuse by children.
 5 19 (4) The program is able to use the grant funding to target
 5 20 a minimum of 1,000 children for substance abuse prevention
 5 21 programming.
 5 22 The Iowa department of public health shall procure a sole

Specifies the required criteria the grantee must meet to be the recipient of the funding provided for the substance abuse prevention program for children. Also specifies that the Department of Public Health shall issue a sole source contract.

5 23 source contract to implement this paragraph "h".
 5 24 A program approved for a grant shall participate in a
 5 25 program evaluation as a requirement for receiving grant funds.

5 26 i. For a grant to a program that utilizes high school
 5 27 mentors to teach life skills, violence prevention, and
 5 28 character education in an effort to reduce the illegal use of
 5 29 alcohol, tobacco, and other substances:
 5 30 \$ 400,000

Healthy lowans Tobacco Trust appropriation to the Department of Public Health for a grant to a substance abuse prevention program that utilizes high school mentors under a sole source contract.

DETAIL: This is a new appropriation for FY 2006. House File 882 (FY 2006 Standing Appropriations Act) decreased this appropriation by \$200,000.

5 31 (1) The program described in this paragraph "i" shall meet
 5 32 all of the following requirements:

5 33 (a) The program shall be a statewide mentoring program
 5 34 that is an alternative to mentoring programs that utilize the
 5 35 standards of effective practice.

6 1 (b) The program shall contract with a university to assist
 6 2 in curriculum development and performance evaluation.

6 3 (c) The program shall provide for some level of public-
 6 4 private partnership.

6 5 (d) The program shall obtain the assistance of the Iowa
 6 6 department of public health in the development of the
 6 7 performance evaluation design.

6 8 (e) The program shall demonstrate improvement in meeting
 6 9 current standards.

6 10 (2) The Iowa department of public health shall negotiate a
 6 11 sole source contract with a nonprofit corporation that mentors
 6 12 through live music and receives funds through private
 6 13 partnership to implement this paragraph "i".

6 14 (3) The Iowa department of public health may use up to
 6 15 \$50,000 of the moneys appropriated under this paragraph "i" to
 6 16 provide technical assistance to and monitoring of the program.

Specifies the required criteria the grantee must meet to be the recipient of the funding provided for the substance abuse prevention program that utilizes high school mentors, including a requirement for a sole source contract.

6 17 (4) Notwithstanding section 8.33, moneys appropriated
 6 18 under this paragraph "i" that remain unencumbered or
 6 19 unobligated at the close of the fiscal year shall not revert

CODE: Requires that unexpended or unobligated funds not revert to the Healthy lowans Tobacco Trust Fund but remain available in FY 2007 only for the specified purpose.

6 20 but shall remain available for the purpose designated in the
6 21 succeeding fiscal year.

6 22 j. For a grant program to provide substance abuse
6 23 prevention programming, including tobacco use prevention
6 24 programming, for children:
6 25 \$ 800,000

Healthy lowans Tobacco Trust appropriation to the Department of Public Health for a grant to a substance abuse prevention program for children utilizing a Request For Proposals (RFP) process.

DETAIL: This is a new appropriation for FY 2006. House File 882 (FY 2006 Standing Appropriations Act) decreased this appropriation by \$400,000.

6 26 The Iowa department of public health shall utilize a
6 27 request for proposals process to implement this paragraph "j".
6 28 A program approved for a grant under paragraph "h" or
6 29 paragraph "i" shall not be eligible for a grant under this
6 30 paragraph "j".
6 31 All grant recipients shall participate in a program
6 32 evaluation as a requirement for receiving grant funds.

Specifies the required criteria the grantee must meet to be the recipient of the funding provided for the substance abuse prevention program for children, including a requirement for a RFP process.

6 33 3. To the department of corrections:
6 34 \$ 1,214,000

Healthy lowans Tobacco Trust appropriation to the Department of Corrections for day programming and drug courts.

DETAIL: This is an increase of \$234,000 compared to the estimated net FY 2005 appropriation to replace the loss of federal funds in Community-Based Corrections Districts II and III.

6 35 a. Of the funds appropriated in this subsection, \$296,217
7 1 is allocated to the second judicial district department of
7 2 correctional services to replace expired federal funding for
7 3 day programming and to replace expired federal funding for the
7 4 drug court program. Of the amount allocated in this
7 5 paragraph, \$40,000 shall be used for substance abuse
7 6 treatment.

Requires an allocation of \$296,217 for the Community-Based Corrections District II.

DETAIL: This is an increase of \$169,000 compared to the FY 2005 allocation to replace the loss of federal funds. Allocates \$40,000 of the increase for substance abuse treatment.

7 7 b. Of the funds appropriated in this subsection, \$100,359
7 8 is allocated to the third judicial district department of
7 9 correctional services to replace expired federal funding for
7 10 the drug court program.

Requires an allocation of \$100,359 for Community-Based Corrections District III.

DETAIL: This is an increase of \$65,000 compared to the FY 2005 allocation to replace the loss of federal funds.

7 11 c. Of the funds appropriated in this subsection, \$191,731
7 12 is allocated to the fourth judicial district department of
7 13 correctional services for a drug court program.

Requires an allocation of \$191,731 for Community-Based Corrections District IV.

DETAIL: Maintains current level of funding.

7 14 d. Of the funds appropriated in this subsection, \$255,693
7 15 is allocated to the fifth judicial district department of
7 16 correctional services to replace expired funding for the drug
7 17 court program.

Requires an allocation of \$255,693 for Community-Based Corrections District V.

DETAIL: Maintains current level of funding.

7 18 e. Of the funds appropriated in this subsection, \$310,000
7 19 is allocated to the Newton correctional facility for a value-
7 20 based treatment program.

Requires an allocation of \$310,000 for a value-based treatment program at the Newton Correctional Facility.

DETAIL: Maintains current level of funding.

[7 21 f. Of the funds appropriated in this subsection, \$60,000
7 22 is allocated to the Iowa correctional institution for women at
7 23 Mitchellville for a value-based treatment program.]

VETOED

Requires an allocation of \$60,000 for a value-based treatment program for women at the Mitchellville Correctional Facility.

VETOED: The Governor vetoed this allocation and stated that a similar program at the Newton Correctional Facility is the subject of a constitutional challenge. In order to avoid confusion, the program should not be expanded until the federal court system resolves this issue. The Governor vetoed this allocation in FY 2005 for the same reason.

7 24 4. To the department for the blind:
7 25 \$ 130,000
7 26 To plan, establish, administer, and promote a statewide
7 27 program to provide audio news and information services to
7 28 blind or visually impaired persons residing in this state as
7 29 provided pursuant to section 216B.3, subsection 18, paragraphs
7 30 "a" and "b".

Healthy Iowans Tobacco Trust appropriation to the Department for the Blind for a Statewide Newsline for the Blind Program.

DETAIL: Maintains current level of funding.

<p>7 31 Sec. 2. PURCHASE OF SERVICE CONTRACT PROVIDERS 7 32 REIMBURSEMENT INCREASE. There is appropriated from the 7 33 healthy lowans tobacco trust created in section 12.65 to the 7 34 property tax relief fund created in section 426B.1 for the 7 35 fiscal year beginning July 1, 2005, and ending June 30, 2006, 8 1 the following amount, or so much thereof as is necessary, to 8 2 be used for the purposes designated: 8 3 For assistance to the counties with limited county mental 8 4 health, mental retardation, and developmental disabilities 8 5 services fund balances which were selected in accordance with 8 6 2000 Iowa Acts, chapter 1221, section 3, to receive such 8 7 assistance in the same amount provided during the fiscal year 8 8 beginning July 1, 2000, and ending June 30, 2001, to pay 8 9 reimbursement increases in accordance with 2000 Iowa Acts, 8 10 chapter 1221, section 3: 8 11 \$ 146,750</p>	<p>Healthy lowans Tobacco Trust appropriation to the Property Tax Relief Fund for continuation of the local purchase of service provider salary increases for FY 2006.</p> <p>DETAIL: Maintains current level of funding.</p>
<p>8 12 Sec. 3. IOWA EMPOWERMENT FUND. There is appropriated from 8 13 the healthy lowans tobacco trust created in section 12.65, to 8 14 the Iowa empowerment fund created in section 28.9 for the 8 15 fiscal year beginning July 1, 2005, and ending June 30, 2006, 8 16 for deposit in the school ready children grants account: 8 17 \$ 2,153,250</p>	<p>Healthy lowans Tobacco Trust appropriation to the Iowa Empowerment Fund.</p> <p>DETAIL: Maintains current level of funding.</p>
<p>8 18 Sec. 4. DEPARTMENT OF CORRECTIONS — SPECIAL NEEDS UNIT. 8 19 There is appropriated from the healthy lowans tobacco trust 8 20 created in section 12.65, to the department of corrections for 8 21 the fiscal year beginning July 1, 2005, and ending June 30, 8 22 2006, the following amount, or so much thereof as is 8 23 necessary, to be used for the purpose designated: 8 24 For operating the special needs unit at the Fort Madison 8 25 correctional facility: 8 26 \$ 1,187,285</p>	<p>Healthy lowans Tobacco Trust appropriation to the Department of Corrections for operating a special needs unit at the Fort Madison Correctional Facility.</p> <p>DETAIL: Maintains current level of funding.</p>
<p>8 27 Sec. 5. ENDOWMENT FOR IOWA'S HEALTH ACCOUNT — TRANSFER. 8 28 In addition to the amount transferred pursuant to section 8 29 12E.12, subsection 1, paragraph "b", subparagraph (2),</p>	<p>Endowment for Iowa's Health Account transfer to the Healthy lowans Tobacco Trust.</p>

8 30 subparagraph subdivision (b), \$7,600,000 is transferred from
8 31 the endowment for Iowa's health account of the tobacco
8 32 settlement trust fund created in section 12E.12 to the healthy
8 33 Iowans tobacco trust created in section 12.65 for the fiscal
8 34 year beginning July 1, 2005, and ending June 30, 2006.

DETAIL: This is an increase of \$1,283,923 compared to the FY 2005 transfer. This transfer is in addition to the statutory transfer of \$58,374,995 from the Endowment to the Trust. In total, \$65,974,995 is transferred from the Endowment to the Trust for FY 2006.

8 35 HF 862
9 1 pf:jp/es/25

EXECUTIVE SUMMARY SALARY ACT

HOUSE FILE 881

SIGNIFICANT SALARY ACT PROVISIONS

- Provides a 4.5% salary increase for justices, judges, and magistrates for FY 2006. Increases are effective July 1, 2005. (Page 1, Line 1)
- Provides 17.3% salary increase for elected executive officials, with a 21.0% increase for the Governor and an increase of 34.6% for the Lt. Governor, for FY 2006, effective July 1, 2005. (Page 2, Line 7)
- Provides salary range adjustments for appointed officials for FY 2006, effective July 1, 2005. (Page 3, Line 34 through Page 6, Line 10)
- Appropriates \$38.5 million from the General Fund to the Salary Adjustment Fund for FY 2006 for the negotiated bargaining agreements for contract-covered employees and noncontract employees, excluding the State Board of Regents, and allocates \$4.9 million to the Judicial Branch. The appropriation is increased to \$40.9 million in HF 882 (FY 2006 Standing Appropriations Act). (Page 6, Line 11)
- Provides a 2.5% increase to the pay range maximum effective March 24, 2006, and merit step increases for noncontract employees of the State for FY 2006. (Page 7, Line 24)
- Appropriates Road Use Tax Fund (RUTF) and Primary Road Fund (PRF) moneys to pay salary increases for employees supported from these Funds. (Page 8, Line 21 and Page 8, Line 29)
- Specifies that sworn peace officers in the Department of Public Safety, not covered by a collective bargaining agreement, receive the same per diem meal allowance as covered sworn peace officers. (Page 9, Line 23)
- Extends the American Federation of State, County, and Municipal Employees (AFSCME) Sick Leave Conversion Program to noncontract-covered Executive Branch employees, excluding the Board of Regents employees, and the State Police Officer's Council (SPOC) Program to noncontract-covered peace officers, effective July 1, 2006. Requires the Department of Administrative Services to submit proposed statutory and administrative rule changes necessary to implement the Program to the General Assembly by December 1, 2005. (Page 9, Line 30)
- Provides that the General Fund expenditure limitation for FY 2006 will be based upon the April 8, 2005, revenue estimate and not the December 14, 2004, revenue estimate. This will allow an additional \$84.2 million to be expended for FY 2006 appropriations. (Page 10, Line 13)
- Increases salaries and expense payments for members of the General Assembly. (Page 10, Line 30)
- Increases the annual salary of members of the Racing and Gaming Commission from \$6,000 to \$10,000. (Page 13, Line 2)
- Provides that the Section relating to salary and expense increases for members of the General Assembly is effective in January 2007, on the convening of the Eighty-second General Assembly, and the Section relating to the expenditure limitation is effective on enactment and retroactive to January 10, 2005. (Page 13, Line 11)
- This Act was approved by the General Assembly on May 5, 2005, and signed by the Governor on June 14, 2005.

SIGNIFICANT CHANGES TO THE CODE OF IOWA

EFFECTIVE AND RETROACTIVE DATES

ENACTMENT DATE

House File 881 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
3	5	3	Nwthstnd	Sec. 20.5(3)	Public Employment Relations Board Member Salaries
10	13	13	Nwthstnd	Sec. 8.22A(3) and (5)	Expenditure Limitation
10	30	14	Amends	Sec. 2.10(1) (2) (5) and (6)	Salaries and Expense Payments for Members of the General Assembly
13	2	15	Amends	Sec. 99D.5(4)	Racing and Gaming Commission Salaries

1 1 Section 1. STATE COURTS — JUSTICES, JUDGES, AND
 1 2 MAGISTRATES.
 1 3 1. The salary rates specified in subsection 2 are for the
 1 4 fiscal year beginning July 1, 2005, effective for the pay
 1 5 period beginning July 1, 2005, and for subsequent fiscal years
 1 6 until otherwise provided by the general assembly. The
 1 7 salaries provided for in this section shall be paid from funds
 1 8 appropriated to the judicial branch from the salary adjustment
 1 9 fund or if the appropriation is not sufficient, from funds
 1 10 appropriated to the judicial branch pursuant to any Act of the
 1 11 general assembly.
 1 12 2. The following annual salary rates shall be paid to the
 1 13 persons holding the judicial positions indicated during the
 1 14 fiscal year beginning July 1, 2005, effective with the pay
 1 15 period beginning July 1, 2005, and for subsequent pay periods.
 1 16 a. Chief justice of the supreme court:
 1 17 \$ 132,720
 1 18 b. Each justice of the supreme court:
 1 19 \$ 128,000
 1 20 c. Chief judge of the court of appeals:
 1 21 \$ 127,920
 1 22 d. Each associate judge of the court of appeals:
 1 23 \$ 123,120
 1 24 e. Each chief judge of a judicial district:
 1 25 \$ 122,000
 1 26 f. Each district judge except the chief judge of a
 1 27 judicial district:
 1 28 \$ 117,040
 1 29 g. Each district associate judge:
 1 30 \$ 102,000
 1 31 h. Each associate juvenile judge:
 1 32 \$ 102,000
 1 33 i. Each associate probate judge:
 1 34 \$ 102,000
 1 35 j. Each judicial magistrate:
 2 1 \$ 30,400
 2 2 k. Each senior judge:

Sets the FY 2006 salary rates for judicial positions and prohibits
 judicial positions from receiving additional salary adjustments under
 this Act.

DETAIL: Provides a 4.49% salary increase on July 1, 2005, for
 justices, judges, and magistrates. Total cost of these salary increases
 is estimated at \$1,149,170 for FY 2006.

2 3 \$ 6,800
 2 4 3. Persons receiving the salary rates established under
 2 5 this section shall not receive any additional salary
 2 6 adjustments provided by this Act.

2 7 Sec. 2. ELECTIVE EXECUTIVE OFFICIALS.
 2 8 1. The annual salary rates specified in this section are
 2 9 effective for the fiscal year beginning July 1, 2005, with the
 2 10 pay period beginning July 1, 2005, and for subsequent fiscal
 2 11 years until otherwise provided by the general assembly. The
 2 12 salaries provided for in this section shall be paid from funds
 2 13 appropriated to the department or agency specified in this
 2 14 section from the salary adjustment fund or if the
 2 15 appropriation is not sufficient, from funds appropriated to
 2 16 the department or agency pursuant to any Act of the general
 2 17 assembly.

2 18 2. The following annual salary rates shall be paid to the
 2 19 person holding the position indicated:

2 20 a. OFFICE OF THE GOVERNOR AND LIEUTENANT GOVERNOR

2 21 (1) Salary for the governor:
 2 22 \$ 130,000

2 23 (2) Salary for the lieutenant governor:
 2 24 \$ 103,212

2 25 b. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

2 26 Salary for the secretary of agriculture:
 2 27 \$ 103,212

2 28 c. DEPARTMENT OF JUSTICE

2 29 Salary for the attorney general:
 2 30 \$ 123,669

2 31 d. OFFICE OF THE AUDITOR OF STATE

2 32 Salary for the auditor of state:
 2 33 \$ 103,212

2 34 e. OFFICE OF THE SECRETARY OF STATE

2 35 Salary for the secretary of state:
 3 1 \$ 103,212

3 2 f. OFFICE OF THE TREASURER OF STATE

3 3 Salary for the treasurer of state:

Sets the FY 2006 salary rates for elected executive officials.

DETAIL: Provides a 17.30% salary increase on July 1, 2005, for elected executive officials except the Governor and the Lt. Governor. The Governor receives an increase of \$22,518 (20.95%), and the Lt. Governor receives an increase of \$26,514 (34.57%). The increase includes an inflation adjustment of 12.80% since the last increase and an additional 4.50% increase. Total cost of these salary increases is estimated at \$128,159 for FY 2006.

3 4 \$ 103,212

3 5 Sec. 3. APPOINTED STATE OFFICERS. Notwithstanding section
 3 6 20.5, subsection 3, the governor shall establish a salary for
 3 7 appointed nonelected persons in the executive branch of state
 3 8 government holding a position enumerated in section 4 of this
 3 9 Act within the range provided, by considering, among other
 3 10 items, the experience of the individual in the position,
 3 11 changes in the duties of the position, the incumbent's
 3 12 performance of assigned duties, and subordinates' salaries.
 3 13 However, the attorney general shall establish the salary for
 3 14 the consumer advocate, the chief justice of the supreme court
 3 15 shall establish the salary for the state court administrator,
 3 16 the ethics and campaign disclosure board shall establish the
 3 17 salary of the executive director, and the state fair board
 3 18 shall establish the salary of the secretary of the state fair
 3 19 board, each within the salary range provided in section 4 of
 3 20 this Act.

3 21 The governor, in establishing salaries as provided in
 3 22 section 4 of this Act, shall take into consideration other
 3 23 employee benefits which may be provided for an individual
 3 24 including, but not limited to, housing.

3 25 A person whose salary is established pursuant to section 4
 3 26 of this Act and who is a full-time, year-round employee of the
 3 27 state shall not receive any other remuneration from the state
 3 28 or from any other source for the performance of that person's
 3 29 duties unless the additional remuneration is first approved by
 3 30 the governor or authorized by law. However, this provision
 3 31 does not exclude the reimbursement for necessary travel and
 3 32 expenses incurred in the performance of duties or fringe
 3 33 benefits normally provided to employees of the state.

3 34 Sec. 4. STATE OFFICERS — SALARY RANGE. The following
 3 35 annual salary ranges are effective for the positions specified
 4 1 in this section for the fiscal year beginning July 1, 2005,
 4 2 and for subsequent fiscal years until otherwise provided by

Requires the Governor to set the salary for most nonelected State officials within the ranges authorized in Section 4. The salaries for the Consumer Advocate, State Court Administrator, Director of the Ethics and Campaign Disclosure Board, and Secretary of the State Fair Board are set by the appropriate directors or boards.

CODE: Requires the Governor to set the salaries of the Chairperson and the two members of the Public Employment Relations Board (PERB).

DETAIL: These salary range adjustments will have an unknown fiscal impact on FY 2006. The cost will be determined by placement in the new salary ranges.

Prohibits appointed nonelected State officials from receiving other State remuneration unless authorized by the Governor or by law. This does not apply to travel or expense reimbursements or fringe benefits.

Provides that salary ranges for appointed nonelected officials are effective for FY 2006.

4 3 the general assembly. The governor or other person designated
 4 4 in section 3 of this Act shall determine the salary to be paid
 4 5 to the person indicated at a rate within this salary range
 4 6 from funds appropriated by the general assembly for that
 4 7 purpose.

4 8 1. The following are salary ranges for state officers for
 4 9 the fiscal year beginning July 1, 2005, effective with the pay
 4 10 period beginning July 1, 2005:

4 11 SALARY RANGE	<u>Minimum</u>	<u>Maximum</u>
4 12 a. Range 1	\$ 8,800	\$ 33,753
4 13 b. Range 2	\$45,395	\$ 68,100
4 14 c. Range 3	\$52,210	\$ 78,315
4 15 d. Range 4	\$60,040	\$ 90,062
4 16 e. Range 5	\$69,045	\$103,571
4 17 f. Range 6	\$79,405	\$119,107
4 18 g. Range 7	\$95,055	\$142,578

Sets the salary rates and ranges for State officials and specifies that the ranges are effective with the pay period beginning July 1, 2005.

DETAIL: The maximum salary for any State official is increased by \$16,403 (13.00%) and the salary ranges have been compressed from nine down to seven.

The Director of the Department of Administrative Services has been added to salary range 7. The Iowa Lottery Commissioner has been eliminated from the salary range and the salary of the Iowa Lottery Authority President is established by the Iowa Lottery Board. The salary for the Chief Executive Officer for Iowa Public Employees' Retirement System (IPERS) is established by the IPERS Board. The directors of the Department of General Services, Information Technology Department, and the Department of Personnel have been eliminated from the salary ranges due to the elimination of the departments.

4 19 2. The following are range 1 positions: There are no
 4 20 range 1 positions for the fiscal year beginning July 1, 2005.

Establishes no State officials in salary range 1 (\$8,800 - \$33,753).

DETAIL: This is no change.

4 21 3. The following are range 2 positions: administrator of
 4 22 the arts division of the department of cultural affairs,
 4 23 administrators of the division of persons with disabilities,
 4 24 the division on the status of women, the division on the
 4 25 status of Asian and Pacific islander heritage, the division on
 4 26 the status of African-Americans, the division of deaf
 4 27 services, and the division of Latino affairs of the department

Establishes eight State officials in salary range 2 (\$45,395 - \$68,100).

DETAIL: The Administrator for the Division on the Status of Asian and Pacific Islander Heritage of the Department of Human Rights is added to this salary range. The position has not been established.

The current salaries are as follows:

4 28 of human rights, and administrator of the division of
 4 29 professional licensing and regulation of the department of
 4 30 commerce.

- Administrator of the Arts Division of the Department of Cultural Affairs - Vacant.
- Administrator of the Division of Persons with Disabilities of the Department of Human Rights - \$52,000.
- Administrator of the Division on the Status of Women of the Department of Human Rights - \$58,091.
- Administrator of the Division on the Status of Asian and Pacific Islander Heritage of the Department of Human Rights - Position has not been established.
- Administrator of the Division on the Status of African-Americans of the Department of Human Rights - \$52,000.
- Administrator of the Division of Deaf Services of the Department of Human Rights - \$58,081.
- Administrator of the Division of Latino Affairs of the Department of Human Rights - \$52,000.
- Administrator of the Division of Professional Licensing and Regulation of the Department of Commerce - Vacant.

4 31 4. The following are range 3 positions: administrator of
 4 32 the division of homeland security and emergency management of
 4 33 the department of public defense, administrator of the
 4 34 division of criminal and juvenile justice planning of the
 4 35 department of human rights, administrator of the division of
 5 1 community action agencies of the department of human rights,
 5 2 executive director of the commission of veterans affairs, and
 5 3 chairperson and members of the employment appeal board of the
 5 4 department of inspections and appeals.

Establishes seven State officials in salary range 3 (\$52,210 - 78,315), including three members of the Employment Appeal Board of the Department of Inspections and Appeals.

DETAIL: The positions and current salaries are as follows:

- Administrator of the Division of Homeland Security and Emergency Management of the Department of Public Defense - \$70,246.
- Administrator of the Division of Criminal and Juvenile Justice Planning of the Department of Human Rights - \$68,786.
- Administrator of the Division of Community Action Agencies of the Department of Human Rights - \$60,214.
- Executive Director of the Commission of Veterans Affairs - \$60,105.
- Chairperson and two members of the Employment Appeal Board of the Department of Inspections and Appeals - \$65,882.

5 5 5. The following are range 4 positions: director of the
 5 6 department of human rights, director of the Iowa state civil
 5 7 rights commission, executive director of the college student

Establishes 13 State officials in salary range 4 (\$60,040 - \$90,062), including three members of the Public Employment Relations Board and five members of the Board of Parole.

5 8 aid commission, director of the department for the blind,
 5 9 executive director of the ethics and campaign disclosure
 5 10 board, members of the public employment relations board, and
 5 11 chairperson, vice chairperson, and members of the board of
 5 12 parole.

DETAIL: The positions and their current salaries are as follows:

- Director of the Department of Human Rights - \$75,000.
- Director of the Iowa State Civil Rights Commission - \$78,000.
- Executive Director of the College Student Aid Commission - \$80,000.
- Director of the Department for the Blind - \$80,340.
- Executive Director of the Ethics and Campaign Disclosure Board - \$80,000.
- Three members of the Public Employment Relations Board were established outside of the salary ranges with a set salary of \$70,761 for the Chairperson and \$65,920 for each of the two members.
- Board of Parole - Chairperson (\$75,693), Vice Chairperson (\$65,410), and three members (\$285 per day).

5 13 6. The following are range 5 positions: state public
 5 14 defender, drug policy coordinator, labor commissioner,
 5 15 workers' compensation commissioner, director of the department
 5 16 of cultural affairs, director of the department of elder
 5 17 affairs, director of the law enforcement academy, and
 5 18 administrator of the historical division of the department of
 5 19 cultural affairs.

Establishes eight State officials in salary range 5 (\$69,045 - \$103,571).

DETAIL: The positions and their current salaries are as follows:

- State Public Defender - \$90,434.
- Drug Policy Coordinator - \$76,252.
- Labor Commissioner (Workforce Development) - \$89,985.
- Workers' Compensation Commissioner (Workforce Development) - \$90,434.
- Director of the Department of Cultural Affairs - \$89,103.
- Director of the Department of Elder Affairs - \$91,000.
- Director of the Iowa Law Enforcement Academy - \$91,155.
- Administrator of the Historical Division of the Department of Cultural Affairs - Vacant.

5 20 7. The following are range 6 positions: superintendent of
 5 21 banking, superintendent of credit unions, administrator of the
 5 22 alcoholic beverages division of the department of commerce,
 5 23 director of the department of inspections and appeals,
 5 24 commandant of the veterans home, administrator of the public
 5 25 broadcasting division of the department of education,

Establishes 15 State officials in salary range 6 (\$79,405 - \$119,107).

DETAIL: The positions and their current salaries include:

- Superintendent of Banking (Department of Commerce) - \$80,340.
- Superintendent of Credit Unions (Department of Commerce) - \$79,320.

5 26 commissioner of public safety, commissioner of insurance,
 5 27 executive director of the Iowa finance authority, director of
 5 28 the department of natural resources, director of the
 5 29 department of corrections, consumer advocate, and chairperson
 5 30 of the utilities board. The other members of the utilities
 5 31 board shall receive an annual salary within a range of not
 5 32 less than 90 percent but not more than 95 percent of the
 5 33 annual salary of the chairperson of the utilities board.

- Administrator of the Alcoholic Beverages Division (Department of Commerce) - \$100,006.
- Director of the Department of Inspections and Appeals - \$104,919.
- Commandant of the Veterans Home - \$92,000.
- Administrator of the Public Broadcasting Division (Department of Education) - \$96,000.
- Commissioner of the Department of Public Safety - \$105,781.
- Commissioner of Insurance (Department of Commerce) - \$92,000.
- Executive Director of the Iowa Finance Authority - \$105,781.
- Director of the Department of Natural Resources - \$105,781.
- Director of the Department of Corrections - \$105,000.
- Consumer Advocate - \$105,781.
- Chairperson of the Utilities Board (Department of Commerce) - \$104,758.
- Two members of the Utilities Board receive not less than 90.0% and not more than 95.0% of the annual salary of the Chairperson, with a current salary of \$99,521.

5 34 8. The following are range 7 positions: administrator of
 5 35 the state racing and gaming commission of the department of
 6 1 inspections and appeals, director of the department of
 6 2 education, director of human services, director of the
 6 3 department of economic development, executive director of the
 6 4 Iowa telecommunications and technology commission, executive
 6 5 director of the state board of regents, director of the state
 6 6 department of transportation, director of the department of
 6 7 workforce development, director of revenue, director of public
 6 8 health, state court administrator, secretary of the state fair
 6 9 board, director of the department of management, and director
 6 10 of the department of administrative services.

Establishes 14 State officials in salary range 7 (\$95,055 - \$142,578).

DETAIL: The positions and their current salaries include:

- Administrator of the State Racing and Gaming Commission (Department of Inspections and Appeals) - \$105,772.
- Director of the Department of Education - \$118,000.
- Director of the Department of Human Services - \$126,175.
- Director of the Department of Economic Development - \$126,125.
- Executive Director of the Iowa Telecommunications and Technology Commission (ICN) - \$126,175.
- Executive Director of the State Board of Regents - \$126,141.
- Director of the State Department of Transportation - \$126,173.
- Director of the Department of Workforce Development - \$113,580.
- Director of the Department of Revenue - \$126,175.
- Director of the Department of Public Health - \$122,720.
- State Court Administrator - \$126,175.
- Secretary of the State Fair Board - \$124,051.
- Director of the Department of Management - \$121,553.
- Director of the Department of Administrative Services - \$123,053.

6 11 Sec. 5. COLLECTIVE BARGAINING AGREEMENTS FUNDED —
6 12 GENERAL

6 13 FUND. There is appropriated from the general fund of the
6 14 state to the salary adjustment fund for distribution by the
6 15 department of management to the various state departments,
6 16 boards, commissions, councils, and agencies, excluding the
6 17 state board of regents, for the fiscal year beginning July 1,
6 18 2005, and ending June 30, 2006, the amount of \$38,500,000, or
6 19 so much thereof as may be necessary, to fully fund annual pay
6 20 adjustments, expense reimbursements, and related benefits
6 21 implemented pursuant to the following:

6 22 1. The collective bargaining agreement negotiated pursuant
6 23 to chapter 20 for employees in the blue collar bargaining
6 24 unit.

6 25 2. The collective bargaining agreement negotiated pursuant
6 26 to chapter 20 for employees in the public safety bargaining
6 27 unit.

6 28 3. The collective bargaining agreement negotiated pursuant
6 29 to chapter 20 for employees in the security bargaining unit.

6 30 4. The collective bargaining agreement negotiated pursuant
6 31 to chapter 20 for employees in the technical bargaining unit.

6 32 5. The collective bargaining agreement negotiated pursuant
6 33 to chapter 20 for employees in the professional fiscal and
6 34 staff bargaining unit.

6 35 6. The collective bargaining agreement negotiated pursuant
7 1 to chapter 20 for employees in the clerical bargaining unit.

7 2 7. The collective bargaining agreement negotiated pursuant
7 3 to chapter 20 for employees in the professional social
7 4 services bargaining unit.

7 5 8. The collective bargaining agreement negotiated pursuant
7 6 to chapter 20 for employees in the community-based corrections
7 7 bargaining unit.

7 8 9. The collective bargaining agreements negotiated
7 9 pursuant to chapter 20 for employees in the judicial branch of
7 10 government bargaining units.

7 11 10. The collective bargaining agreement negotiated
pursuant to chapter 20 for employees in the patient care

General Fund appropriation to the Salary Adjustment Fund of \$38,500,000 for FY 2006 to be distributed by the Department of Management (DOM) to the various State departments, boards, commissions, councils, and agencies, excluding the State Board of Regents, to pay salary increases negotiated by the bargaining units as listed. The appropriation is increased to \$40,900,000 in HF 882 (FY 2006 Standing Appropriations Act).

DETAIL: The appropriation funds the collective bargaining agreements for contract-covered employees in all collective bargaining units. These include:

American Federation of State, County, and Municipal Employees (AFSCME – Central and Community Based Corrections (CBCs)) -

- Increase the pay range maximum by 2.50% effective April 1, 2006.
- Step increases of 4.50% for eligible employees during FY 2006.
- The State will pay any increase in health premiums until January 1, 2006.
- Establishes a Sick Leave Conversion Program effective July 1, 2006.
- Permits an employee's family to use the Employee Assistance Program (EAP).
- Iowa United Professionals (IUP) – Social Services
- Change to pay plan 010 from pay plan 009 on April 1, 2006, provides a higher pay maximum than if they did not move.
- Step increases of 4.50% for eligible employees during FY 2006.
- Establishes a Sick Leave Conversion Program July 1, 2006.
- The State will pay any increase in health premiums until January 1, 2006.

Iowa United Professionals (IUP) – Science

- Increase the pay range maximum by 2.50% April 1, 2006.
- Step increases of 4.50% for eligible employees during FY 2006.
- Establishes a Sick Leave Conversion Program July 1, 2006.
- The State will pay any increase in health premiums until January 1, 2006.

State Police Officer's Council (SPOC)

- 0.50% across-the-board salary increase on January 1, 2006.

7 12 bargaining unit.
 7 13 11. The collective bargaining agreement negotiated
 7 14 pursuant to chapter 20 for employees in the science bargaining
 7 15 unit.
 7 16 12. The annual pay adjustments, related benefits, and
 7 17 expense reimbursements referred to in section 6 of this Act
 7 18 for employees not covered by a collective bargaining
 7 19 agreement.

- 1.00% across-the-board salary increases on April 1, 2006.
- Continuation of merit step increases for employees that are not at the top step of the pay range.
- The State will pay any increase in health premiums until January 1, 2006.

Judicial Public, Professional, and Maintenance Employees (PPME) –

- Increase the pay range maximum by 4.00% July 1, 2005.
- Step increases of 2.00% for eligible employees during FY 2006.
- 2.00% across-the-board salary increase on July 1, 2005.
- Beginning July 1, 2005, increases the deferred compensation match by the State. The State contributes \$1 for each \$2 deferred by the employee up to \$50 per month (\$600 annually).

Judicial AFSCME – Step increases of 4.50% for eligible employees during FY 2006.

FISCAL IMPACT: An estimated \$33,620,000 will remain in the Salary Adjustment Fund to be distributed by the DOM after the allocation of \$4,880,000 to the Judicial Branch in this Section. The remaining amount to be distributed increases to \$36,020,000 with the enactment of HF 882 (FY 2006 Standing Appropriations Act).

The identified need for FY 2006 salary increases for employees, excluding the Board of Regents and the Judicial Branch, is \$38,218,729. The Judicial Branch estimated need is \$7,019,813, for a total identified need of \$45,238,542.

Salary related expenses, excluding the Board of Regents, are estimated to increase by \$54,626,664 in FY 2007 compared to estimated FY 2006.

7 20 Of the amount appropriated in this section, \$4,880,000
 7 21 shall be allocated to the judicial branch for the purpose of
 7 22 funding annual pay adjustments, expense reimbursements, and
 7 23 related benefits implemented for judicial branch employees.

Allocates \$4,880,000 of the \$38,500,000 appropriated in this Section to the Judicial Branch for contract and noncontract employee salary increases.

7 24 Sec. 6. NONCONTRACT STATE EMPLOYEES — GENERAL.

7 25 1. a. For the fiscal year beginning July 1, 2005, the
7 26 maximum salary levels of all pay plans provided for in section
7 27 8A.413, subsection 2, as they exist for the fiscal year ending
7 28 June 30, 2005, shall be increased by 2.5 percent for the pay
7 29 period beginning March 24, 2006, and any additional changes in
7 30 the pay plans shall be approved by the governor.

7 31 b. For the fiscal year beginning July 1, 2005, employees
7 32 may receive a step increase or the equivalent of a step
7 33 increase.

7 34 2. The pay plans for state employees who are exempt from
7 35 chapter 8A, subchapter IV, and who are included in the
8 1 department of administrative service's centralized payroll
8 2 system shall be increased in the same manner as provided in
8 3 subsection 1, and any additional changes in any executive
8 4 branch pay plans shall be approved by the governor.

8 5 3. This section does not apply to members of the general
8 6 assembly, board members, commission members, salaries of
8 7 persons set by the general assembly pursuant to this Act or
8 8 set by the governor, other persons designated in section 3 of
8 9 this Act, employees designated under section 8A.412,
8 10 subsection 5, and employees covered by 11 IAC 53.6(3).

8 11 4. The pay plans for the bargaining eligible employees of
8 12 the state shall be increased in the same manner as provided in
8 13 subsection 1, and any additional changes in such executive
8 14 branch pay plans shall be approved by the governor. As used
8 15 in this section, "bargaining eligible employee" means an
8 16 employee who is eligible to organize under chapter 20, but has
8 17 not done so.

8 18 5. The policies for implementation of this section shall
8 19 be approved by the governor.

Provides noncontract State employees with an increase in the pay range maximum of 2.50% on March 24, 2006, and continuation of merit step increases for employees that are not at the top of the pay range.

Specifies that noncontract State employee increases do not apply to:

- Members of the General Assembly.
- Board or commission members.
- Salaries set by the General Assembly.
- Salaries set by the Governor.
- Employees under Section 8A.412(5), Code of Iowa, (presidents, deans, directors, teachers, professional and scientific personnel, and student employees of the Board of Regents).
- Employees of the Board of Regents (except Board Office employees).
- Employees that exceed the pay for the top of the range.

DETAIL: The appropriation in Section 5 of this Act provides funds for noncontract-covered employees including:

Judicial Exempt

- Change to pay plan 030 from pay plan 014 effective April 1, 2006, to move in line with the AFSCME pay plan.
- Step increases of 4.50% for eligible employees during FY 2006.

Non-Contract

- Increase the pay range maximum by 2.50% effective April 1, 2006.
- Step increases of 4.00% for eligible employees during FY 2006.
- Establishes a Sick Leave Conversion Program effective July 1, 2006.
- The State will pay any increase in health premiums until January 1, 2006.

Requires the Governor to approve the policies for implementation of this Section.

9 17 state board of regents.

9 18 Sec. 10. FEDERAL FUNDS APPROPRIATED. All federal grants
9 19 to and the federal receipts of the agencies affected by this
9 20 Act which are received and may be expended for purposes of
9 21 this Act are appropriated for those purposes and as set forth
9 22 in the federal grants or receipts.

Requires eligible federal funds received to be expended for salary adjustments where appropriate.

9 23 Sec. 11. STATE TROOPER MEAL ALLOWANCE. The sworn peace
9 24 officers in the department of public safety who are not
9 25 covered by a collective bargaining agreement negotiated
9 26 pursuant to chapter 20 shall receive the same per diem meal
9 27 allowance as the sworn peace officers in the department of
9 28 public safety who are covered by a collective bargaining
9 29 agreement negotiated pursuant to chapter 20.

Specifies that sworn peace officers in the Department of Public Safety, not covered by a collective bargaining agreement, receive the same per diem meal allowance as covered sworn peace officers.

9 30 Sec. 12. SICK LEAVE CONVERSION. Effective with the fiscal
9 31 year beginning July 1, 2006, the sick leave conversion program
9 32 under the collective bargaining agreement that covers the
9 33 greatest number of state employees and that affects sick leave
9 34 accrual and allows sick leave conversion and use upon
9 35 retirement for payment of certain health insurance premiums,
10 1 shall be extended to employees in the executive branch,
10 2 excluding state board of regents employees, not covered by a
10 3 collective bargaining agreement. Peace officers employed
10 4 within the department of public safety and department of
10 5 natural resources that are not covered under a collective
10 6 bargaining agreement shall have a sick leave conversion
10 7 program extended to them that is equivalent to the sick leave
10 8 conversion program of the state police officers council
10 9 collective bargaining agreement. By December 1, 2005, the
10 10 department of administrative services shall submit to the
10 11 general assembly proposed changes to the Code of Iowa and
10 12 administrative rules needed to implement this program.

Extends the AFSCME Sick Leave Conversion Program to noncontract-covered Executive Branch employees, excluding the Board of Regent's employees, and the SPOC Sick Leave Conversion Program to peace officer supervisors, effective July 1, 2006. Requires the Department of Administrative Services to submit proposed statutory and administrative rule changes necessary to implement the Program to the General Assembly by December 1, 2005.

DETAIL: The AFSCME Program permits employees to use the value of accumulated and unused sick leave first for the receipt of up to \$2,000 and then for the payment of the employer's share of health insurance premiums upon retirement and until age 65, or the death of the retiree. Employees with 750 hours or less can convert 60.00%; over 750 hours and less than 1,500 hours can convert 80.00%; and 1,500 hours or more can convert 100.00%, of the value. Changes the accrual rate of sick leave based on the current balance of sick leave hours the employee has accrued.

The SPOC Program permits employees to use 100.00% of the value of accumulated and unused sick leave to pay for health, dental, or life insurance premiums until the converted value is exhausted. The surviving spouse is entitled to use the remaining value upon the death

10 13 Sec. 13. APRIL 8, 2005, REVENUE ESTIMATE. For use by the
 10 14 general assembly in the budget process and the governor's
 10 15 approval or disapproval of the appropriations bills for the
 10 16 fiscal year beginning July 1, 2005, and for purposes of
 10 17 calculating the state general fund expenditure limitation
 10 18 pursuant to section 8.54 for the fiscal year beginning July 1,
 10 19 2005, the revenue estimate for the fiscal year beginning July
 10 20 1, 2005, that shall be used in the budget process and such
 10 21 calculation shall be the revenue estimate determined by the
 10 22 revenue estimating conference on April 8, 2005,
 10 23 notwithstanding the provision in section 8.22A, subsection 3,
 10 24 that disallows the use of a revenue estimate agreed to at a
 10 25 later meeting that projects a greater amount than the initial
 10 26 estimated amount agreed to in December 2004. This section
 10 27 also authorizes the use of the estimated revenue figures for
 10 28 the purposes or sources designated in section 8.22A,
 10 29 subsection 5.

10 30 Sec. 14. Section 2.10, subsections 1, 2, 5, and 6, Code
 10 31 2005, are amended to read as follows:
 10 32 1. Every member of the general assembly except the
 10 33 presiding officer of the senate, the speaker of the house, the
 10 34 majority and minority floor leader of each house, and the
 10 35 president pro tempore of the senate and speaker pro tempore of
 11 1 the house, shall receive an annual salary of ~~twenty twenty-~~
 11 2 ~~five thousand one hundred twenty~~ dollars for the year ~~1997~~
 11 3 2007 and subsequent years while serving as a member of the
 11 4 general assembly. In addition, each such member shall receive
 11 5 ~~the sum of eighty-six dollars per day a per diem, as defined~~
 11 6 in subsection 5, for expenses of office, except travel, for
 11 7 each day the general assembly is in session commencing with
 11 8 the first day of a legislative session and ending with the day
 11 9 of final adjournment of each legislative session as indicated
 11 10 by the journals of the house and senate, except that if the

of the retiree. Changes the accrual rate of sick leave based on the current balance of sick leave hours the employee has accrued.

CODE: Provides that the Revenue Estimating Conference (REC) revenue estimate of April 8, 2005, and not the December 14, 2004, estimate, is to be used to determine the expenditure limitation for FY 2006.

FISCAL IMPACT: Using the April 8, 2005, estimate will permit an additional \$84,150,000 to be expended for FY 2006 appropriations.

CODE: Increases salaries for members of the General Assembly. Also increases daily expense and constituency payments.

DETAIL: Changes include:

- Increases the annual salary for members of the General Assembly (except the Presiding Officer of the Senate, the Speaker of the House, the Majority and Minority Floor Leader of each chamber, and the President Pro Tempore of the Senate, and Speaker Pro Tempore of the House) from \$21,381 to \$25,000, beginning January 2007.
- Increases the daily expense payment of \$86 per day to the federal government per diem rate. The current maximum federal per diem rate for Polk County is \$105. This is comprised of a maximum of \$70 for lodging and \$35 for meals and incidental expenses (M&IE). Polk County members will receive 75.0% of the maximum rate (\$78.75).

11 11 length of the first regular session of the general assembly
 11 12 exceeds one hundred ten calendar days and the second regular
 11 13 session exceeds one hundred calendar days, the payments shall
 11 14 be made only for one hundred ten calendar days for the first
 11 15 session and one hundred calendar days for the second session.
 11 16 Members from Polk county shall receive ~~sixty-five dollars per~~
 11 17 ~~day~~ an amount per day equal to three-fourths of the per diem
 11 18 of the non-Polk county members. Each member shall receive a
 11 19 ~~two~~ three hundred dollar per month allowance for legislative
 11 20 district constituency postage, travel, telephone costs, and
 11 21 other expenses. Travel expenses shall be paid at the rate
 11 22 established by section 8A.363 for actual travel in going to
 11 23 and returning from the seat of government by the nearest
 11 24 traveled route for not more than one time per week during a
 11 25 legislative session unless the general assembly otherwise
 11 26 provides.

11 27 2. The speaker of the house, presiding officer of the
 11 28 senate, and the majority and minority floor leader of each
 11 29 house shall each receive an annual salary of ~~thirty-one~~
 11 30 ~~thirty-seven~~ thousand ~~thirty~~ thirty five hundred dollars for the year
 11 31 ~~1997~~ 2007 and subsequent years while serving in that capacity.
 11 32 The president pro tempore of the senate and the speaker pro
 11 33 tempore of the house shall receive an annual salary of
 11 34 ~~twenty-one~~ twenty-seven thousand ~~two hundred ninety~~
 11 35 ~~dollars~~ for the year ~~1997~~ 2007 and subsequent years while serving in
 12 1 that capacity. Expense and travel allowances shall be the
 12 2 same for the speaker of the house and the presiding officer of
 12 3 the senate, the president pro tempore of the senate and the
 12 4 speaker pro tempore of the house, and the majority and
 12 5 minority leader of each house as provided for other members of
 12 6 the general assembly.

12 7 5. In addition to the salaries and expenses authorized by
 12 8 this section, a member of the general assembly shall be paid
 12 9 ~~eighty-six dollars per day~~ a per diem, and necessary travel
 12 10 and actual expenses incurred in attending meetings for which
 12 11 per diem or expenses are authorized by law for members of the
 12 12 general assembly who serve on statutory boards, commissions,

- Increases the constituency payment from \$200 per month to \$300 per month.
- Increases the annual salary for the Presiding Officer of the Senate, the Speaker of the House, and the Majority and Minority Floor Leader of each chamber from \$32,974 to \$37,500, beginning in January 2007.
- Increases the annual salary for the President Pro Tempore of the Senate, and Speaker Pro Tempore of the House from \$22,624 to \$27,000, beginning in January 2007.

FISCAL IMPACT: Increasing legislative salaries will increase pay by an estimated \$549,806 per year, beginning in January 2007.

Increasing the per diem will increase payments by \$2,756 per day for all authorized days, beginning in January 2007. A 110 day Legislative Session will cost an additional \$303,105 and 100 days an additional \$275,550.

Increasing legislative constituency payments will increase payments an estimated \$180,000 per year, beginning in January 2007.

12 13 or councils, and for standing or interim committee or
 12 14 subcommittee meetings subject to the provisions of section
 12 15 2.14, or when on authorized legislative business when the
 12 16 general assembly is not in session. However, if a member of
 12 17 the general assembly is engaged in authorized legislative
 12 18 business at a location other than at the seat of government
 12 19 during the time the general assembly is in session, payment
 12 20 may be made for the actual transportation and lodging costs
 12 21 incurred because of the business. Such per diem or expenses
 12 22 shall be paid promptly from funds appropriated pursuant to
 12 23 section 2.12.

12 24 For purposes of this section, "per diem" means the maximum
 12 25 amount generally allowable to employees of the executive
 12 26 branch of the federal government for per diem while away from
 12 27 home at the seat of government.

12 28 6. If a special session of the general assembly is
 12 29 convened, members of the general assembly shall receive, in
 12 30 addition to their annual salaries, ~~the sum of eighty six~~
 12 31 ~~dollars per day~~ a per diem for each day the general assembly
 12 32 is actually in special session, and the same travel allowances
 12 33 and expenses as authorized by this section. A member of the
 12 34 general assembly shall receive the additional per diem, travel
 12 35 allowances and expenses only for the days of attendance during
 13 1 a special session.

13 2 Sec. 15. Section 99D.5, subsection 4, Code 2005, is
 13 3 amended to read as follows:

13 4 4. Commission members are each entitled to receive an
 13 5 annual salary of ~~six~~ ten thousand dollars. Members shall also
 13 6 be reimbursed for actual expenses incurred in the performance
 13 7 of their duties to a maximum of thirty thousand dollars per
 13 8 year for the commission. Each member shall be covered by the
 13 9 blanket surety bond of the state purchased pursuant to section
 13 10 8A.321, subsection 12.

CODE: Increases the annual salary of members of the Racing and Gaming Commission from \$6,000 to \$10,000.

DETAIL: There are five members of the Commission for a total annual increase of \$20,000.

13 11 Sec. 16. EFFECTIVE AND RETROACTIVE APPLICABILITY DATES.
 13 12 Section 14 of this Act takes effect upon the convening of the

Provides that Section 14 of this Act, relating to increases in salary and expense payments for members of the General Assembly, is effective

13 13 Eighty-second General Assembly in January 2007. The section
13 14 of this Act relating to the use of the April 8, 2005, revenue
13 15 estimate, being deemed of immediate importance, takes effect
13 16 upon enactment and applies retroactively to January 10, 2005.

in January 2007, upon the convening of the Eighty-second General
Assembly.

Provides that Section 13 of this Act, relating to the use of the April 8,
2005, Revenue Estimating Conference (REC) revenue estimate is
effective upon enactment and retroactive to January 10, 2005.

13 17 LSB 1106HV 81

13 18 mg:rj/sh/8

**EXECUTIVE SUMMARY
STANDING APPROPRIATIONS ACT**

HOUSE FILE 882

FUNDING SUMMARY

**DIVISION I – MENTAL HEALTH
ALLOWED GROWTH**

**DIVISION II – STANDING
APPROPRIATIONS**

- Appropriates a total of \$103.0 million from the General Fund. This is a decrease of \$65.4 million compared to the estimated net FY 2005 appropriations for the affected budget units in this Act. House File 882 also appropriates \$173.8 million from other funds. This is an increase of \$14.1 million compared to the estimated net FY 2005 appropriations for the affected budget units. This Act also adds 2.5 FTE positions to the Department of Management.
- Makes an FY 2007 General Fund appropriation of \$35.8 million for Mental Health Allowed Growth, and specifies distribution of the funds. (Page 1, Line 3)
- Limits the following FY 2006 General Fund standing appropriations to the amounts specified to maintain the current level of funding:
 - Department of Education for Instructional Support - \$14.4 million. (Page 2, Line 32)
 - Department of Education for At-Risk Children Programs - \$11.3 million. (Page 2, Line 35)
 - Department of Education for the Educational Excellence Program - \$55.5 million. (Page 3, Line 13)
 - Department of Revenue for the Statewide Fire and Police Officer Retirement Fund - \$2.7 million. (Page 3, Line 16)
 - Department of Revenue for the Livestock Production Tax Credit - \$1.8 million. (Page 3, Line 19)
- Limits the FY 2006 General Fund standing appropriation to the Department of Education for Nonpublic School Transportation to \$11.3 million. This is an increase of \$318,000 compared to the estimated net FY 2005 appropriation. (Page 3, Line 6)
- Requires a Property Tax Credit Fund to be established in the Office of the Treasurer, and appropriates \$159.7 million from the FY 2005 General Fund surplus to the Fund. (Page 3, Line 22)
- Notwithstanding certain General Fund standing appropriations, as well as conflicting and voting provisions of Section 8.56, Code of Iowa, and makes appropriations from the Property Tax Credit Fund for the following property tax credits and exemptions: (Page 3, Line 33)
 - Appropriates \$102.9 million for the Homestead Property Tax Credit. (Page 4, Line 7)
 - Appropriates \$34.6 million for the Agricultural Land and Family Farm Tax Credits. (Page 4, Line 10)
 - Appropriates \$2.6 million for the Military Service Tax Credit. (Page 4, Line 13)
 - Appropriates \$19.5 million for the Elderly and Disabled Tax Credit. (Page 4, Line 16)
- Increases the General Fund standing appropriation to the Department of Management for the Special Olympics from \$30,000 to \$50,000 for FY 2006 and subsequent years. (Page 5, Line 8)
- Reduces the State aid allocation for Area Education Agencies (AEAs) by \$11.8 million for FY 2006, maintaining the current level of reduction. (Page 5, Line 18)

**EXECUTIVE SUMMARY
STANDING APPROPRIATIONS ACT**

HOUSE FILE 882

**DIVISION II – STANDING
APPROPRIATIONS (CONTINUED)**

**DIVISION III – OTHER
APPROPRIATIONS**

- Notwithstanding the requirement that an appropriation be made from the General Fund to the Cash Reserve Fund in the event that the Cash Reserve does not maintain a maximum balance equal to 7.5% of the Revenue Estimating Conference estimate for FY 2006 as established in December 2004. (Page 5, Line 30)
- Specifies that the Section of this Act creating the Property Tax Credit Fund is effective upon enactment. (Page 6, Line 2)
- Appropriates \$25,000 from the General Fund to the Department of Cultural Affairs for FY 2006 for grants to nonprofit music entities. (Page 6, Line 7)
- Appropriates \$100,000 from the General Fund to the Department of Public Health for FY 2006 to provide grants to patients that have Phenylketonuria (PKU). (Page 6, Line 21)
- Appropriates \$60,000 from the Healthy Iowans Tobacco Trust (HITT) Fund to the Department of Public Health for FY 2006 to provide grants to patients that have Phenylketonuria (PKU). (Page 6, Line 30)
- Appropriates \$200,000 from the Rebuild Iowa Infrastructure Fund (RIIF) to the Department of Education for FY 2006 for the Enrich Iowa Libraries Program. (Page 7, Line 5)
- Appropriates \$2.0 million from the Rebuild Iowa Infrastructure Fund (RIIF) to the Department of Education each year for FY 2007, FY 2008, and FY 2009 for community college infrastructure. (Page 7, Line 15)
- Appropriates \$100,000 from the General Fund to the Homeland Security and Emergency Management Division of the Department of Public Safety for FY 2006 for the Iowa Civil Air Patrol. (Page 8, Line 3)
- Appropriates \$275,000 from the Healthy Iowans Tobacco Trust (HITT) Fund to the Department of Public Health for FY 2006 for the AIDS Drug Assistance Program. (Page 8, Line 11)
- Appropriates \$100,000 from the General Fund to the Department of Cultural Affairs for FY 2006 for the Great Places Initiative. (Page 8, Line 22)
- Appropriates \$5.0 million from the Underground Storage Tank (UST) Fund to the Watershed Improvement Fund for FY 2006. This appropriation was contingent on the enactment of SF 200 (Agriculture Powers, Duties, and Watershed Improvement Act) which was approved by the General Assembly on May 20, 2005, and signed by the Governor on June 15, 2005. (Page 8, Line 35)
- Decreases the FY 2006 General Fund appropriation to the Administration Division of the Department of Economic Development by \$115,000. (Page 9, Line 16)

**EXECUTIVE SUMMARY
STANDING APPROPRIATIONS ACT**

HOUSE FILE 882

**DIVISION III – OTHER
APPROPRIATIONS (CONTINUED)**

- Decreases the following FY 2006 HITT appropriations to the Department of Public Health:
 - \$200,000 for a Substance Abuse for Children Program. (Page 9, Line 31)
 - \$200,000 for a prevention program utilizing high school mentors. (Page 9, Line 35)
 - \$400,000 for substance abuse and tobacco prevention program. (Page 10, Line 6)
- Decreases the FY 2005 General Fund appropriation to the Department of Management by \$200,000 for payment of expenses related to the National Governors’ Association annual meeting. (Page 10, Line 25)
- Increases the FY 2006 General Fund appropriation to the Department of Management for the Salary Adjustment Fund by \$2.4 million. (Page 11, Line 7)
- Repeals the FY 2006 General Fund appropriation of \$29.6 million to the Endowment for Iowa’s Health Account. (Page 11, Line 19)
- Repeals the provision to reimburse the Endowment for Iowa’s Health Account. (Page 12, Line 1)
- Extends the sunset and the \$29.3 million General Fund appropriation for the Early Intervention Block Grant Program (Class Size Reduction) for one year until the end of FY 2006. (Page 12, Line 15)
- Amends HF 859 (Cooperative Act) to specify that businesses are required to file a biennial report with the Secretary of State by March 31 of each even-numbered year. It is estimated that 70,000 business entities will file the biennial report and pay a fee of \$35.00. This will increase General Fund revenue by \$2.5 million per year. (Page 12, Line 20)
- Repeals the annual \$5.0 million standing appropriation for the Secure an Advanced Vision for Education (SAVE) Fund, retroactive to July 1, 2004. (Page 13, Line 1)
- Specifies that the Section of this Act repealing the standing appropriation for the Secure an Advanced Vision for Education (SAVE) Fund, takes effect upon enactment and is retroactive to July 1, 2004. (Page 13, Line 3)
- Specifies that the following Sections of this Act are effective on enactment: (Page 13, Line 7)
 - FY 2006 General Fund appropriation to the Department of Cultural Affairs for the Great Places Initiative.
 - Decrease of \$200,000 for FY 2005 to the Department of Management for payment of expenses related to the National Governors’ Association annual meeting.

**EFFECTIVE AND RETROACTIVE
APPLICABILITY DATES**

**EXECUTIVE SUMMARY
STANDING APPROPRIATIONS ACT**

HOUSE FILE 882

**DIVISION IV – APPROPRIATION
REVISIONS**

- Makes the following FY 2006 General Fund appropriations:
 - \$400,000 to the Department of Education for the Jobs for America’s Graduates (JAG) Program. (Page 13, Line 14)
 - \$200,000 to the Department of Administrative Services for financial administration. (Page 13, Line 25)
 - \$216,000 and 2.5 FTE positions to the Department of Management for performance audits. (Page 13, Line 33)
- Makes the following FY 2006 General Fund appropriation reductions:
 - \$300,000 from the Governor’s Office of Drug Control Policy. (Page 14, Line 10)
 - \$49,000 from the Administration Division of the Department of Inspections and Appeals. (Page 14, Line 17)
 - \$26,000 from the Department of Revenue for operations. (Page 14, Line 25)
 - \$50,000 from the Department of Agriculture and Land Stewardship for soil and water conservation district expenses. (Page 14, Line 32)
 - \$75,000 from the College Student Aid Commission for the National Guard Education Assistance Program. (page 15, Line 7)
 - \$100,000 from the Department of Management for the Institute for Tomorrow’s Workforce. (Page 15, Line 15)
 - \$140,000 from the Department of Public Health for environmental hazards, injuries, and public protection. (Page 15, Line 24 through Page 16, Line 1)
 - \$11.4 million from the Department of Human Services (DHS) for the Medical Assistance (Medicaid) Program. Increases the FY 2006 Senior Living Trust Fund appropriation to DHS for Medicaid by \$9.4 million to partially offset the decrease. (Page 16, Line 2 and Page 16, Line 10)
 - \$50,000 from the DHS for the State Children’s Health Insurance Program. (Page 16, Line 24)
 - \$50,000 from the DHS for State Cases. (Page 16, Line 26)
 - \$25,000 from the Attorney General’s Office. (Page 16, Line 28)
 - \$100,000 from the Department of Corrections for offender substance abuse and mental health treatment. (Page 16, Line 34)
 - \$25,000 from the Department of Public Safety for security at the State Capitol and the Judicial Branch Building. (Page 17, Line 7)
 - \$50,000 from the Judicial Branch. (Page 17, Line 15)
- Specifies that up to \$50,000 of the funds appropriated to the College Student Aid Commission for the Tuition Grant Program are to be used for the Registered Nurse Recruitment Program. (Page 17, Line 21)

EXECUTIVE SUMMARY STANDING APPROPRIATIONS ACT

HOUSE FILE 882

DIVISION IV – APPROPRIATION REVISIONS (CONTINUED)

DIVISION V – MISCELLANEOUS STATUTORY CHANGES

- Nullifies funding for an FTE position for the Health Facilities Council. (Page 17, Line 32)
- Requires \$50,000 of \$100,000 appropriated to the Judicial Branch for the Youth Enrichment Pilot Project to be transferred to the Sixth Judicial District. (Page 18, Line 5)
- Decreases the FY 2006 appropriation from fees to the Department of Public Health for the Birth Defects Registry by \$40,000. (Page 18, Line 29)
- Permits the Iowa Communications Network (ICN) to be used in disaster response situations. (Page 19, Line 4 and Page 19, Line 15)
- Specifies information to be provided to the Enterprise Zone Commission. (Page 20, Line 5)
- Provides an exception for claiming of investment tax credits under the Enterprise Zone Program. (Page 20, Line 16)
- Allows the Department of Economic Development to issue a tax credit under the Enterprise Zone Program to certain recipients. (Page 21, Line 11)
- Requires that a government-issued photo identification card be presented to the pharmacist when purchasing pseudoephedrine. (Page 22, Line 34)
- Requires the Tobacco Use Prevention and Control Commission to approve materials distributed by the Just Eliminate Lies (JEL) Youth Program prior to distribution. (Page 23, Line 10)
- Repeals the requirement that school districts receive the scaled-down budget guarantee in FY 2005 to be eligible for that option in subsequent years. (Page 23, Line 15)
- Requires each county to designate a local hospital within its County Management Plan for Mental Health/Mental Retardation (MH/MR) Services. (Page 23, Line 18)
- Specifies civil and criminal penalties for nonresident homeowners. (Page 23, Line 27)
- Specifies inspection fees and enforcement for nonresident homeowners. (Page 24, Line 11)
- Specifies certain city budget requirements and provides for withholding of State funds for noncompliance. (Page 24, Line 30 and Page 25, Line 9)
- Provides an exception for claiming of Property Rehabilitation Tax Credits based on a pro rata share of earnings for specified recipients using low-income housing tax credits. (Page 25, Line 21)
- Provides a sales tax exemption for construction of residential treatment facilities for youth with emotional or behavioral disorders and specifies eligibility. (Page 26, Line 3) *This item was vetoed by the Governor.*
- Permits the private sale of bonds in anticipation of revenues from the School Infrastructure Local Option (SILO) Sales and Services Tax. (Page 26, Line 19)
- Specifies that low-rent public housing units owned and operated by nonprofit organizations are exempt from property taxes under specific circumstances. (Page 27, Line 25 and Page 28, Line 9)

**EXECUTIVE SUMMARY
STANDING APPROPRIATIONS ACT**

HOUSE FILE 882

**DIVISION V – MISCELLANEOUS
STATUTORY CHANGES
(CONTINUED)**

**EFFECTIVE DATES AND
APPLICABILITY PROVISIONS**

- Specifies assessment value for manufactured home community or mobile home park storm shelters. (Page 28, Line 18)
- Allows the Natural Resource Commission to identify additional species as aquatic invasive species. (Page 28, Line 34 and Page 29, Line 11)
- Repeals potential sanctions for real estate brokers and salespersons that pay consideration to real estate licensees. (Page 29, Line 22)
- Amends the restrictions and prohibited practices for real estate licensees. (Page 30, Line 3)
- Strikes language regarding financial statements that perfect a lien. (Page 30, Lines 35 and Page 31, Line 7)
- Requires the oath of office for attorneys to be promulgated by the Supreme Court. (Page 31, Line 26)
- Requires offenders whose victim was a minor to be electronically monitored for a minimum of five years. (Page 31, Line 35)
- Requires development and implementation of a risk assessment tool for certain sex offenders. (Page 32, Line 14)
- Repeals language that defines certain duties of attorneys and counselors. (Page 33, Line 2)
- Requires an interim study of the motor vehicle licensing law as it relates to dealerships that change locations within Iowa. (Page 33, Line 3)
- Specifies the following provisions are effective on enactment:
 - Sales tax exemption for construction of residential treatment facilities for youth. (Page 33, Line 10)
 - Deadline extension for the school budget guarantee resolution. (Page 34, Line 10)
 - Provisions related to the oath of office for attorneys and repeal of certain duties for attorneys and counselors. (Page 34, Line 16)
- Specifies that the portion of HF 739 (Learning Technology Act) establishing a research triangle and clearinghouse takes effect July 1, 2006. (Page 33, Line 13)
- Extends the FY 2006 deadline for a school board to adopt a resolution to receive the budget guarantee and notify the Department of Management from April 15, 2005, to June 1, 2005. (Page 33, Line 18)
- Specifies that the property tax exemption provision for low-rent public housing is not subject to the State mandate statute. (Page 33, Line 27)
- Specifies that the provision related to the private sale of bonds in anticipation of SILO revenues is retroactive to January 1, 2004. (Page 33, Line 32)
- Specifies that provisions related to the property tax exemption for low-rent housing are effective on enactment and retroactive to January 1, 2005. (Page 34, Line 1)
- Specifies the property tax valuation of storm shelters is not subject to the State mandate statute. (Page 34, Line 7)

**EXECUTIVE SUMMARY
STANDING APPROPRIATIONS ACT**

DIVISION VI – EDUCATION

- Makes statutory changes regarding nonprofit school organizations. (Page 34, Line 22 through Page 36, Line 13)
- Makes statutory changes regarding the school district open enrollment application deadline. (Page 36, Line 14 through Page 39, Line 22) *A portion of this item was vetoed by the Governor.*
- Limits certificate of need requirements for certain school districts to expend supplemental school infrastructure funds. (Page 39, Line 23)
- Makes various statutory changes relating to a County Land Record Information System. (Page 40, Line 20 through Page 44, Line 7)

**DIVISION VII – LAND RECORD
INFORMATION SYSTEM**

**DIVISION VIII – CORRECTIVE
PROVISIONS**

- Sections 104 through 143 of this Act are technical corrective provisions. (Page 44, Line 10 through Page 60, Line 35)

**DIVISION IX – STATE LIQUOR
ACTIVITIES**

- Establishes a \$2.0 million standing appropriation from liquor sales revenue to the Department of Public Health for the Substance Abuse Prevention and Treatment Program. (Page 61, Line 3)
- Requires the Department of Administrative Services to complete a competitive bidding process for State liquor warehousing and trucking functions. (Page 61, Line 20)
- Specifies that Section 144 requiring a liquor sales revenue appropriation to the Department of Public Health is effective July 1, 2006. (Page 62, Line 10)

EFFECTIVE DATE

DIVISION X – BOARD OF REGENTS

- Eliminates and changes numerous statutory provisions regarding regulatory and reporting requirements applicable to the State Board of Regents institutions. (Page 62, Line 12 through Page 71, Line 9)

**DIVISION XI – ENTREPRENEURS
WITH DISABILITIES**

- Transfers administrative duties related to the Entrepreneurs with Disabilities Program from the Department of Economic Development to the Iowa Finance Authority. Makes a \$200,000 General Fund appropriation for FY 2006 to the Authority for this purpose. (Page 71, Line 12 through Page 71, Line 28)

**DIVISION XII – WIND ENERGY
PRODUCTION TAX CREDIT**

- Amends several statutory provisions related to the Wind Energy Production Tax Credit. (Page 71, Line 29 through Page 78, Line 18)

**DIVISION XIII – PRACTICE OF
PHARMACY**

- Amends various provisions related to the practice of pharmacy. (Page 78, Line 21 through Page 90, Line 9)

GOVERNOR’S VETOES

- The Governor vetoed Section 65 of this Act that provided a sales tax exemption for construction of certain residential treatment facilities. The exemption was expected to affect two projects currently in progress. The Governor stated that he does not support providing special tax status to two specific projects. (Page 26, Line 3)

**EXECUTIVE SUMMARY
STANDING APPROPRIATIONS ACT**

HOUSE FILE 882

**GOVERNOR'S VETOES
(CONTINUED)**

- The Governor also vetoed Section 81 that provided an effective date provision for Section 65. (Page 33, Line 10)
- The Governor vetoed Section 94(b) that provided for expansion of the definition of good cause for late open enrollment applications for school districts. The Governor stated that this change was intended to accompany a change to move the authority for determining good cause to the resident district. Without the change of good cause determination provided to the resident district, open enrollment decisions may not be based on the best interest of the student. The Governor stated he is committed to working with the General Assembly and other stakeholders to resolve this issue in the future. (Page 37, Line 13)
- The Governor vetoed Sections 106 and 143 that provided effective date provisions for HF 770 (Food Establishment and Regulatory Authority Bill). House File 770 was vetoed by the Governor so these provisions are unnecessary. (Page 44, Line 32 and Page 60, Line 33)
- This Act was approved by the General Assembly on May 20, 2005, and item-vetoed and signed by the Governor on June 16, 2005.

ENACTMENT DATE

House File 882 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
2	6	2	Nwthstnd	Sec. 8.23(1)	Budget Process for FY 2007
2	32	3.1	Nwthstnd	Sec. 257.20	Instructional Support Standing Appropriation Limitation
2	35	3.2	Nwthstnd	Sec. 279.51(1)	Child Development Standing Appropriation Limitation
3	6	3.3	Nwthstnd	Sec. 285.2	Nonpublic School Transportation Standing Appropriation Limitation
3	13	3.4	Nwthstnd	Sec. 294A.25(1)	Educational Excellence Standing Appropriation Limitation
3	16	3.5	Nwthstnd	Sec. 411.20	Peace Officer Retirement Standing Appropriation Limitation
3	19	3.6	Nwthstnd	Sec. 422.121	Livestock Production Tax Credit Standing Appropriation Limitation
3	22	4.1	Nwthstnd	Sec. 8.57	Property Tax Credit Fund Established to Receive General Fund Surplus Funds
4	7	4.2(a)	Nwthstnd	Sec. 425.1	Homestead Property Tax Credit Standing Appropriation
4	10	4.2(b)	Nwthstnd	Sec. 425A.1 and 426.1	Agricultural Land and Family Farm Tax Credit Standing Appropriation
4	13	4.2(c)	Nwthstnd	Sec. 426A.1A	Military Service Tax Credit Standing Appropriation
4	16	4.2(d)	Nwthstnd	Sec. 425.16 through 425.40	Elderly and Disabled Property Tax Credit and Reimbursement Standing Appropriation
5	8	5	Amends	Sec. 8.8	Special Olympics Standing Appropriation Increase
5	18	6	Amends	Sec. 257.35(4)	Area Education Agency Allocation Reduction
5	30	7	Nwthstnd	Sec. 8.57(1)(a)	Cash Reserve Appropriation Eliminated

Page #	Line #	Bill Section	Action	Code Section	Description
7	5	12	Nwthstnd	Sec. 8.57(6)(c)	Enrich Iowa Libraries Program Infrastructure Appropriation
7	15	13	Nwthstnd	Sec. 8.33	Nonreversion of Infrastructure Appropriations for Community Colleges
8	22	16	Nwthstnd	Sec. 8.33	Nonreversion of Appropriations for Great Places Initiative
9	16	18	Amends	Sec. 2.1(a), HF 809	General Fund Appropriation to the Administration Division of the Department of Economic Development
9	31	19	Amends	Sec. 1.2(h), HF 862	Healthy Iowans Tobacco Trust (HITT) Appropriation Reduction for Substance Abuse Prevention Program
9	35	19	Amends	Sec. 1.2(i), HF 862	HITT Appropriation Reduction for High School Mentor Substance Abuse Prevention Program
10	6	20	Amends	Sec. 1.2(j), HF 862	HITT Appropriation Reduction for Substance Abuse Program for Children
10	25	21	Amends	Sec. 8.33 and Sec. 12.4, Chapter 1175, 2005 Iowa Acts, as amended	Reduction of Appropriation for National Governors' Association
11	7	22	Amends	Sec. 5, HF 881	Increases Appropriation for Salary Adjustment
11	19	23	Amends	Sec. 1.2, Chapter 174, 2001 Iowa Acts, as amended	Repeals Appropriation to Endowment for Iowa's Health Account
12	1	24	Amends	Sec. 8.55(2)(b and d)	Eliminates Repayments to Endowment for Iowa's Health Account
12	3	25	Amends	Sec. 8.55(2)(c)	Technical Correction
12	15	26	Amends	Sec. 256D.5(4)	Extends Sunset of the Early Intervention Block Grant Program (Class Size Reduction)
12	20	27	Amends	Sec. 490A.131(5)	Biennial Reporting to Secretary of State Required in Alternate Years
13	1	28	Repeals	Sec. 292.4	Repeals the Standing Appropriation for the Secure an Advanced Vision for Education (SAVE) Fund

Page #	Line #	Bill Section	Action	Code Section	Description
18	29	50	Nwthstnd	Sec. 144.13A(4)(a)	Decrease in Revenue for the Center for Congenital and Inherited Disorders Central Registry
19	4	51	Amends	Sec. 8D.2(5)(b)	Disaster Response Agency Added to Definition of Public Agency
19	15	52	Amends	Sec. 8D.9(3)	Disaster Response Procedures
20	5	53	Adds	Sec. 15E.193B(5)(f)	Information Requirements for Low Income Housing Tax Credit
20	16	54	Amends	Sec. 15E.193B(6)(a)	Exception for Investment Tax Credits Within Enterprise Zone Program
21	11	55	Amends	Sec. 15E.193B(8)	Tax Credits Within Enterprise Zone Program
22	34	56	Amends	Sec. 124.212(4)(c)	Government Photo Identification Required for Certain Pharmacy Purchases
23	10	57	Adds	Sec. 142A.4(23)	Materials Approval for Just Eliminate Lies (JEL) Youth Program
23	15	58	Repeals	Sec. 257.14(3)	Repeals Scaled-Down School Budget Guarantee Program Requirement
23	18	59	Adds	Sec. 331.439(9)	County Management Plan Hospital Designation
23	27	60	Amends	Sec. 364.17(3)(a)	Penalties and Fines for Nonresident Homeowners
24	11	61	Amends	Sec. 364.17(5)	City Late Payment Fees to Housing Owners
24	30	62	Amends	Sec. 384.16(1)	City Budget Requirements
25	9	63	Adds	Sec. 384.16(7)	City Budget Requirements
25	21	64	Amends	Sec. 422.11D(2)	Exception for Property Rehabilitation Tax Credit
26	3	65	Adds	Sec. 423.3(29A)	Sales Tax Exemption for Construction of Residential Treatment Facilities
26	19	66	Amends	Sec. 423E.5	Bond Sales for Anticipated Revenues from the School Infrastructure Local Option (SILO) Sales and Services Tax
27	25	67	Amends	Sec. 427.1(21)	Low-Rent Housing Specifications
28	9	68	Adds	Sec. 427.1(21A)	Nonprofit Low-Rent Housing Units

Page #	Line #	Bill Section	Action	Code Section	Description
28	18	69	Amends	Sec. 427.1(30)	Manufactured Home Community or Mobile Home Park Storm Shelter
28	34	70	Amends	Sec. 456A.37(1)(c)	Aquatic Invasive Species Definition
29	11	71	Amends	Sec. 456A.37(4)	Administrative Rules Process for Definition of Aquatic Invasive Species
29	22	72	Amends	Sec. 543.34(9)(a)	Eliminates Potential Sanctions for Real Estate Brokers and Salespersons
30	3	73	Amends	Sec. 543B.60A	Prohibited Practices for Real Estate Licensees
30	35	74	Amends	Sec. 579A.2(3)(b)	Eliminates Language Regarding Financial Statements to Perfect a Lien
31	7	75	Amends	Sec. 579B.4(1)(b)	Eliminates Language Regarding Financial Statements to Perfect a Lien
31	26	76	Amends	Sec. 602.10110	Oath of Office for Attorneys
31	35	77	Amends	Sec. 692A.4A	Electronic Monitoring Requirements
32	14	78	Amends	Sec. 692A.13A(1)	Risk Assessment Tool for Certain Sex Offenders
33	2	79	Repeals	Sec. 602.10112	Repeals Language Defining Certain Duties of Attorneys and Counselors
33	18	83	Nwthstnd	Sec. 257.14(3)	School Budget Guarantee Resolution - Adoption Extension
33	27	84	Nwthstnd	Sec. 25B.7	State Mandate Applicability for Low-Rent Housing Provisions
34	7	87	Nwthstnd	Sec. 25B.7	State Mandate Applicability for Storm Shelter Property Tax Valuation Changes
34	22	90	Amends	Sec. 11.6(1)(a)	School District Nonprofit Foundations
35	16	91	Adds	Sec. 256.9(53)	Achievement Gap Report
35	25	92	Adds	Sec. 279.60	Nonprofit School Organizations
36	14	93	Amends	Sec. 282.18(2)	Open Enrollment Deadline
37	13	94	Amends	Sec. 282.18(4)(a and b)	Open Enrollment Deadline Waiver
38	19	95	Amends	Sec. 282.18(5 and 6)	Open Enrollment Deadline
39	23	96	Amends	Sec. 423E.4(6)	Certificate of Need Requirement
40	20	98	Adds	Sec. 12B.6	Funds Held by County Officers

Page #	Line #	Bill Section	Action	Code Section	Description
40	30	99	Amends	Sec. 331.605C(4)	Local Government Electronic Transaction Fund
44	10	104	Amends	Sec. 8A.502(5)(c)	Technical Correction - Iowa Soybean Association
44	20	105	Amends	Sec. 8A.502(10)	Technical Correction - Iowa Soybean Association
44	32	106	Repeals	Sec. 10A.104(12 and 13)	Eliminates Certain Inspection and Licensing Duties for the Department of Inspections and Appeals
44	34	107	Amends	Sec. 12D.9(2)	Technical Correction - State Income Tax Treatment of Iowa Educational Savings Plan Trust
45	5	108	Amends	Sec. 15.104(4)	Technical Correction - Life Science Enterprise Plans or Amendments
45	33	109	Amends	Sec. 28.3(6)(b), as amended	Technical Correction - Add Reference to Community Empowerment Coordinator
46	20	110	Amends	Sec. 28.4(14)	Technical Correction - Reference to Staff for Iowa Empowerment Board
46	33	111	Amends	Sec. 97.51(4 and 6)	Technical Correction - Old-Age and Survivors' Insurance Coverage
48	10	112	Amends	Sec. 97B.1A(8)(b)(5)	Technical Correction - Name Reference for Iowa Soybean Association
48	21	113	Amends	Sec. 99D.13(2)	Technical Correction - Race Meetings Reference
49	16	114	Amends	Sec. 99D.13(3)	Technical Correction - Race Meetings Reference
49	24	115	Amends	Sec. 126.23A(1)(a)(1)	Technical Correction - Remove Drug Reference
49	30	116	Amends	Sec. 126.23A(1)(b)(3)	Technical Correction - Signature Requirements for Drug Purchase
50	1	117	Amends	Sec. 126.23A(3)	Technical Correction - Signature Requirements for Drug Purchase
50	6	118	Amends	Sec. 135.43(3)(g)	Technical Correction - Department of Public Health Division Reference

Page #	Line #	Bill Section	Action	Code Section	Description
50	17	119	Amends	Sec. 135M.6	Technical Correction - Distribution of Sample Prescription Drugs
50	25	120	Amends	Sec. 147.105(2)	Technical Correction - Clinical Laboratory Reference
51	2	121	Amends	Sec. 231C.2(9)	Technical Correction - Grammatical
51	10	122	Amends	Sec. 249.1(4)	Technical Correction - Grammatical
51	17	123	Amends	Sec. 249.10	Technical Correction - Reference to Prior Liens, Claims, and Assignments
51	35	124	Amends	Sec. 257.28	Technical Correction - Reference to School Enrichment Levy
52	8	125	Amends	Sec. 307.12(5)	Eliminates Required Approval by Transportation Commission of Budgets and Reports
52	13	126	Amends	Sec. 321.43	Technical Correction - Identification Numbers for Vehicles
52	24	127	Amends	Sec. 321.65	Technical Correction - Identification Numbers for Vehicles
52	32	128	Amends	Sec. 321.90(2)(b)	Technical Correction - Identification Numbers for Vehicles
53	11	129	Amends	Sec. 327B.1(6)	Technical Correction - Reference to Motor Carrier Operator
53	19	130	Amends	Sec. 331.606(3)	Technical Correction - Code Reference Related to Sale and Registration of Weapons
53	26	131	Amends	Sec. 453A.47A(4 and 9)	Technical Correction - Retail Permits for Tobacco Products
54	9	132	Amends	Sec. 483A.8(5)	Limits for Issuance of Nonresident Deer Licenses
54	34	133	Amends	Sec. 501A.231(5)	Technical Correction - Code Reference Related to Secretary of State
55	17	134	Amends	Sec. 501A.1001(4)	Technical Correction - Reference to Cooperative Contribution Agreements
56	25	136	Amends	Sec. 104, HF 859	Technical Correction - Code Reference Related to Business Cooperatives

Page #	Line #	Bill Section	Action	Code Section	Description
58	2	137	Amends	Sec. 602.1304(2)(b)	Technical Correction - HF 826 (Speed Limit Act)
59	21	138	Amends	Sec. 602.8108(2)	Technical Correction - HF 826 (Speed Limit Act)
60	1	139	Amends	Sec. 633.10(5)	Technical Correction - Statutory Reference for Actions for Accounting
60	7	140	Amends	Sec. 805.8C(6)	Technical Correction - Pseudoephedrine Sales Violations
60	20	141	Amends	Sec. 7, HF 739	Technical Correction - HF 739 (School Technology Act)
61	3	144	Amends	Sec. 123.53(3)	Liquor Sales Revenue Appropriation to the Department of Public Health
61	20	145	Nwthstnd	Sec. ALL, Chapter 22	State Liquor Warehouse and Trucking Functions
62	14	147	Adds	Sec. 12B.10C(10)	Board of Regents Exempted from Regulation of Public Funds Custodial Agreements
62	18	148	Amends	Sec. 73A.1(2)	Board of Regents Eliminated from Definition of Municipality
62	23	149	Amends	Sec. 262.9(7)	Executive Council Approval Eliminated for Board of Regents Real Estate Transactions
63	12	150	Amends	Sec. 292.9(15)	Eliminates Outdated Reference to Payment of Legal Fees
63	15	151	Amends	Sec. 262.10	Eliminates Executive Council Approval for Board of Regents Real Estate Transactions
63	25	152	Amends	Sec. 262.33A	Eliminates Board of Regents Fire and Environmental Safety Report
64	10	153	Amends	Sec. 262.34	Construction Bid Limit Increase for Board of Regents Institutions
66	32	154	Amends	Sec. 262.57	Board of Regents Permitted to Sell Bonds at Less Than Par Value
68	11	155	Amends	Sec. 262.78(6)	Eliminates Annual Report by Center for Agricultural Health and Safety
68	13	156	Amends	Sec. 262A.5	Board of Regents Permitted to Sell Bonds at Less Than Par Value

Page #	Line #	Bill Section	Action	Code Section	Description
69	16	157	Amends	Sec. 266.39F(2)	Eliminates Executive Council Approval for Board of Regents Real Estate Sale
69	22	158	Amends	Sec. 573.12(1)	Board of Regents Construction Contract Retainage
70	3	159	Amends	Sec. 573.14	Interest Rate for Retainage of Board of Regents Construction Contracts
71	8	160	Repeals	Sec. 262.64A, 262.67, 262A.3, 262A.6A, 263A.11, 265.6, and 473.12	Repeals Certain Statutory Provisions Related to the Board of Regents
71	31	163	Amends	Sec. 476B.1(4)(c)	In-Service Date Change for Wind Energy Production Tax Credit
71	35	164	Amends	Sec. 476B.3	Wind Energy Production Tax Credit Calculation
72	19	165	Repeals	Sec. 476B.4(1)(b)	Repeals Language Requiring Wind Energy Facilities to be Located in Iowa
72	21	166	Amends	Sec. 476B.5	Determination of Eligibility for Wind Energy Production Tax Credit
73	31	167	Amends	Sec. 476B.6	Wind Energy Production Tax Credit Certificate Procedure
76	34	168	Amends	Sec. 476B.7	Changes Reference from Utilities Board to Department of Revenue
77	21	169	Amends	Sec. 476B.8	Use of Wind Energy Production Tax Credit Certificates
78	3	170	Amends	Sec. 476B.9	Registration of Wind Energy Production Tax Credit Certificates
78	15	171	Adds	Sec. 476B.10	Administrative Rule Requirements for Wind Energy Production Tax Credit
78	21	172	Amends	Sec. Various	Pharmacy Practice Changes
82	4	185	Amends	Sec. Various	Pharmacy Practice Penalties
88	15	188	Adds	Sec. 155A.40	Criminal History Record Checks for Pharmacy Profession
89	29	189	Adds	Sec. 155A.41	Pharmacy Continuous Quality Improvement Program

1 1 DIVISION I
 1 2 MH/MR/DD ALLOWED GROWTH FUNDING

1 3 Section 1. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND
 1 4 DEVELOPMENTAL DISABILITIES ALLOWED GROWTH FACTOR
 ALLOCATIONS

1 5 — FISCAL YEAR 2006–2007.

1 6 1. There is appropriated from the general fund of the
 1 7 state to the department of human services for the fiscal year
 1 8 beginning July 1, 2006, and ending June 30, 2007, the
 1 9 following amount, or so much thereof as is necessary, to be
 1 10 used for the purpose designated:

1 11 For distribution to counties of the county mental health,
 1 12 mental retardation, and developmental disabilities allowed
 1 13 growth factor adjustment, as provided in this section in lieu
 1 14 of the provisions of section 331.438, subsection 2, and
 1 15 section 331.439, subsection 3, and chapter 426B:

1 16 \$ 35,788,041

1 17 2. The funding appropriated in this section is the allowed
 1 18 growth factor adjustment for fiscal year 2006–2007, and is
 1 19 allocated as follows:

1 20 a. For distribution to counties for fiscal year 2005–2006
 1 21 in accordance with the formula in section 331.438, subsection
 1 22 2, paragraph "b":

1 23 \$ 12,000,000

1 24 b. For deposit in the per capita expenditure target pool
 1 25 created in the property tax relief fund and for distribution
 1 26 in accordance with section 426B.5, subsection 1:

1 27 \$ 19,361,148

1 28 c. For deposit in the risk pool created in the property
 1 29 tax relief fund and for distribution in accordance with
 1 30 section 426B.5, subsection 2:

1 31 \$ 2,000,000

1 32 d. For distribution to counties as cost share for county
 1 33 coverage of services to adult persons with brain injury in
 1 34 accordance with the law enacted as a result of the provisions
 1 35 of 2005 Iowa Acts, House File 876, or other law providing for

General Fund appropriation for the Mental Health/Mental Retardation/Developmental Disabilities (MH/MR/DD) allowed growth for FY 2007.

DETAIL: This is an increase of \$7,280,679 compared to the estimated FY 2006 appropriation. This represents a 3.00% increase in the formula that generates this appropriation. A new allocation is established for FY 2007, for brain injury services for certain adults, if coverage is enacted for FY 2007.

2 1 such coverage to commence in the fiscal year beginning July 1,
 2 2 2006:
 2 3 \$ 2,426,893

2 4 DIVISION II
 2 5 STANDING APPROPRIATIONS

2 6 Sec. 2. BUDGET PROCESS FOR FISCAL YEAR 2006–2007.
 2 7 1. For the budget process applicable to the fiscal year
 2 8 beginning July 1, 2006, on or before October 1, 2005, in lieu
 2 9 of the information specified in section 8.23, subsection 1,
 2 10 unnumbered paragraph 1, and paragraph "a", all departments and
 2 11 establishments of the government shall transmit to the
 2 12 director of the department of management, on blanks to be
 2 13 furnished by the director, estimates of their expenditure
 2 14 requirements, including every proposed expenditure, for the
 2 15 ensuing fiscal year, together with supporting data and
 2 16 explanations as called for by the director of the department
 2 17 of management after consultation with the legislative services
 2 18 agency.
 2 19 2. The estimates of expenditure requirements shall be in a
 2 20 form specified by the director of the department of
 2 21 management, and the expenditure requirements shall include all
 2 22 proposed expenditures and shall be prioritized by program or
 2 23 the results to be achieved. The estimates shall be
 2 24 accompanied by performance measures for evaluating the
 2 25 effectiveness of the programs or results.

CODE: Specifies a new budget submission process for FY 2007 in lieu of the information currently required by statute. Requires all State departments and agencies to submit estimates of expenditure requirements, along with supporting data and explanations, to the Director of the Department of Management. Requires consultation with the Legislative Services Agency. Information submitted is also to include performance measure data.

2 26 Sec. 3. Notwithstanding the standing appropriations in the
 2 27 following designated sections for the fiscal year beginning
 2 28 July 1, 2005, and ending June 30, 2006, the amounts
 2 29 appropriated from the general fund of the state pursuant to
 2 30 those sections for the following designated purposes shall not
 2 31 exceed the following amounts:

CODE: Limits various standing appropriations in the amounts specified.

2 32 1. For instructional support state aid under section
 2 33 257.20:

CODE: Limits the FY 2006 standing appropriation to the Department of Education for Instructional Support State Aid.

PG LN	House File 882	Explanation
2 34	..... \$ 14,428,271	DETAIL: Maintains current level of funding.
2 35	2. For at-risk children programs under section 279.51,	CODE: Limits the FY 2006 standing appropriation to the Department of Education for At-Risk Children Programs.
3 1	subsection 1:	
3 2	..... \$ 11,271,000	DETAIL: Maintains current level of funding.
3 3	The amount of any reduction in this subsection shall be	Requires reductions to be prorated among the allocations for the following three programs funded by this appropriation:
3 4	prorated among the programs specified in section 279.51,	
3 5	subsection 1, paragraphs "a", "b", and "c".	<ul style="list-style-type: none"> • Area Education Agency funding to assist schools in planning for early childhood education. • Child Development Coordinating Council. • Grants to schools with the greatest need for at-risk programming.
3 6	3. For payment for nonpublic school transportation under	CODE: Limits the FY 2006 standing appropriation to the Department of Education for nonpublic school transportation.
3 7	section 285.2:	
3 8	..... \$ 8,273,763	DETAIL: This is an increase of \$318,222 compared to the estimated net FY 2005 appropriation.
3 9	If total approved claims for reimbursement for nonpublic	Requires the Department of Education to prorate claims for nonpublic school transportation, if the amount of claims exceeds the amount appropriated.
3 10	school pupil transportation claims exceed the amount	
3 11	appropriated in this section, the department of education	
3 12	shall prorate the amount of each claim.	
3 13	4. For the educational excellence program under section	CODE: Limits the FY 2006 standing appropriation to the Department of Education for the Educational Excellence Program.
3 14	294A.25, subsection 1:	
3 15	..... \$ 55,469,053	DETAIL: Maintains current level of funding.
3 16	5. For the state's share of the cost of the peace	CODE: Limits the FY 2006 standing appropriation to the Department of Revenue for the Statewide Fire and Police Retirement System for the State contribution to the Municipal Fire and Police Officer Retirement Fund.
3 17	officers' retirement benefits under section 411.20:	
3 18	..... \$ 2,745,784	DETAIL: Maintains current level of funding.

<p>3 19 6. For payment of livestock production tax credit refunds 3 20 under section 422.121: 3 21 \$ 1,770,342</p>	<p>CODE: Limits the FY 2006 standing appropriation to the Department of Revenue for the Livestock Production Tax Credit Refund.</p> <p>DETAIL: Maintains current level of funding. The appropriation is \$229,658 less than the projected amount of the FY 2006 credit claims.</p>
<p>3 22 Sec. 4. PROPERTY TAX CREDIT FUND — PAYMENTS IN LIEU OF 3 23 GENERAL FUND REIMBURSEMENT. 3 24 1. Notwithstanding section 8.57, prior to the 3 25 appropriation and distribution to the cash reserve fund of the 3 26 surplus existing in the general fund of the state at the 3 27 conclusion of the fiscal year beginning July 1, 2004, and 3 28 ending June 30, 2005, pursuant to section 8.57, subsection 1, 3 29 of that surplus, \$159,663,964 is appropriated to the property 3 30 tax credit fund which shall be created in the office of the 3 31 treasurer of state to be used for the purposes of this 3 32 section.</p>	<p>CODE: Requires a Property Tax Credit Fund be established in the Office of the Treasurer and appropriates \$159,663,964 from the FY 2005 General Fund surplus to the Fund, prior to the appropriation and distribution to the Cash Reserve Fund.</p>
<p>3 33 2. Notwithstanding the amount of the standing 3 34 appropriation from the general fund of the state in the 3 35 following designated sections and notwithstanding any 4 1 conflicting provisions or voting requirements of section 8.56, 4 2 there is appropriated from the property tax credit fund in 4 3 lieu of the appropriations in the following designated 4 4 sections for the fiscal year beginning July 1, 2005, and 4 5 ending June 30, 2006, the following amounts for the following 4 6 designated purposes:</p>	<p>CODE: Notwithstands General Fund standing appropriations in the specified sections and the conflicting provisions and voting requirements of Section 8.56, <u>Code of Iowa</u>, relating to the Cash Reserve Fund.</p>
<p>4 7 a. For reimbursement for the homestead property tax credit 4 8 under section 425.1: 4 9 \$102,945,379</p>	<p>CODE: Property Tax Credit Fund appropriation for the Homestead Property Tax Credit.</p> <p>DETAIL: Maintains current level of funding. The appropriation is \$26,454,621 less than the projected amount of the FY 2006 credit claims.</p>
<p>4 10 b. For reimbursement for the agricultural land and family 4 11 farm tax credits under sections 425A.1 and 426.1: 4 12 \$ 34,610,183</p>	<p>CODE: Property Tax Credit Fund appropriation for the Agricultural Land and Family Farm Tax Credits.</p>

DETAIL: Maintains current level of funding. The appropriation is \$4,489,817 less than the projected amount of the FY 2006 credit claims.

4 13 c. For reimbursement for the military service tax credit
 4 14 under section 426A.1A:
 4 15 \$ 2,568,402

CODE: Property Tax Credit Fund appropriation for the Military Service Tax Credit.

DETAIL: Maintains current level of funding, and fully funds the projected FY 2006 credit claims.

4 16 d. For implementing the elderly and disabled tax credit
 4 17 and reimbursement pursuant to sections 425.16 through 425.40:
 4 18 \$ 19,540,000

CODE: Property Tax Credit Fund appropriation for the Elderly and Disabled Tax Credit.

DETAIL: Maintains the current level of funding. The appropriation is \$2,196,000 less than the projected amount of the FY 2006 credit claims.

4 19 If the director determines that the amount of claims for
 4 20 credit for property taxes due plus the amount of claims for
 4 21 reimbursement for rent constituting property taxes paid which
 4 22 are to be paid during the fiscal year may exceed the amount
 4 23 appropriated, the director shall estimate the percentage of
 4 24 the credits and reimbursements which will be funded by the
 4 25 appropriation. The county treasurer shall notify the director
 4 26 of the amount of property tax credits claimed by June 8. The
 4 27 director shall estimate the percentage of the property tax
 4 28 credit and rent reimbursement claims that will be funded by
 4 29 the appropriation and notify the county treasurer of the
 4 30 percentage estimate by June 15. The estimated percentage
 4 31 shall be used in computing for each claim the amount of
 4 32 property tax credit and reimbursement for rent constituting
 4 33 property taxes paid for that fiscal year. If the director
 4 34 overestimates the percentage of funding, claims for
 5 1 reimbursement for rent constituting property taxes paid shall
 5 2 be paid until they can no longer be paid at the estimated
 5 3 percentage of funding. Rent reimbursement claims filed after
 5 4 that point in time shall receive priority and shall be paid in
 5 4 the following fiscal year. If the director underestimates the

Requires the Department of Revenue to estimate the claims for property tax credits and reimbursement for rent constituting property taxes, using information the county treasurers are required to file by June 8, and identify the proration percentage if the claims are projected to exceed the appropriations. The Department is to notify the county treasurers of the proration percentage by June 15. If the Department's estimate is inadequate to pay the claims for rent reimbursement, the remaining claims are to receive priority and be paid in FY 2007. If there are excess funds after claims are paid, the remaining funds are carried forward to the next fiscal year.

5 5 percentage of funding, the overage shall remain in the fund
 5 6 established in section 425.39 for payments to be made in the
 5 7 next fiscal year.

5 8 Sec. 5. Section 8.8, Code 2005, is amended to read as
 5 9 follows:

5 10 8.8 SPECIAL OLYMPICS FUND — APPROPRIATION.

5 11 A special olympics fund is created in the office of the
 5 12 treasurer of state under the control of the department of
 5 13 management. There is appropriated annually from the general
 5 14 fund of the state to the special olympics fund ~~thirty~~ fifty
 5 15 thousand dollars for distribution to one or more organizations
 5 16 which administer special olympics programs benefiting the
 5 17 citizens of Iowa with disabilities.

5 18 Sec. 6. Section 257.35, subsection 4, Code 2005, is
 5 19 amended to read as follows:

5 20 4. Notwithstanding subsection 1, and in addition to the
 5 21 reduction applicable pursuant to subsection 2, the state aid
 5 22 for area education agencies and the portion of the combined
 5 23 district cost calculated for these agencies for the fiscal
 5 24 year beginning July 1, ~~2004~~ 2005, shall be reduced by the
 5 25 department of management by eleven million seven hundred
 5 26 ninety-eight thousand seven hundred three dollars. The
 5 27 reduction for each area education agency shall be equal to the
 5 28 reduction that the agency received in the fiscal year
 5 29 beginning July 1, 2003.

5 30 Sec. 7. CASH RESERVE APPROPRIATION FOR FY 2005–2006. For
 5 31 the fiscal year beginning July 1, 2005, and ending June 30,
 5 32 2006, the appropriation to the cash reserve fund provided in
 5 33 section 8.57, subsection 1, paragraph "a", shall not be made.
 5 34 However, any surplus in the general fund of the state for the
 5 35 fiscal year beginning July 1, 2005, and ending June 30, 2006,
 6 1 shall be transferred to the cash reserve fund.

CODE: Increases the standing appropriation to the Department of Management for the Special Olympics from \$30,000 to \$50,000.

CODE: Continues the \$11,798,703 FY 2005 reduction in Area Education Agency funding to FY 2006. This is in addition to the previously existing statutory \$7,500,000 reduction.

CODE: Notwithstands the requirement that an appropriation be made from the General Fund to the Cash Reserve Fund in the event that the Cash Reserve does not maintain a maximum balance equal to 7.50% of the Revenue Estimating Conference estimate for FY 2006 as established in December 2004.

DETAIL: Under current law, if the Cash Reserve Fund balance is less than 6.50% of the adjusted revenue estimate, then an appropriation of the adjusted revenue estimate is required. An appropriation equal to 1.00% for FY 2006 would be an estimated \$49,003,000. If the Cash

Reserve Fund balance is more than 6.50% but less than 7.50% of the adjusted revenue estimate, then the appropriation is the amount required to bring the Cash Reserve Fund balance to 7.50% of the adjusted revenue estimate.

6 2 Sec. 8. EFFECTIVE DATE. The section of this division of
6 3 this Act creating the property tax credit fund, being deemed
6 4 of immediate importance, takes effect upon enactment.

Specifies that the Section of this Act creating the Property Tax Credit Fund is effective upon enactment.

6 5 DIVISION III
6 6 OTHER APPROPRIATIONS

6 7 Sec. 9. DEPARTMENT OF CULTURAL AFFAIRS — NONPROFIT MUSIC
6 8 ENTITIES. There is appropriated from the general fund of the
6 9 state to the department of cultural affairs for the fiscal
6 10 year beginning July 1, 2005, and ending June 30, 2006, twenty-
6 11 five thousand dollars for purposes of providing two twelve
6 12 thousand five hundred dollar grants to nonprofit music
6 13 entities. A recipient of a grant shall be a nonprofit entity
6 14 that is formed with members including local musicians, music
6 15 promoters, representatives of music venues and businesses,
6 16 community leaders, and live music enthusiasts who discuss,
6 17 assess, and expedite the implementation of a unified music
6 18 agenda for a local community and aggressively advocates,
6 19 sponsors, and develops an independent, progressive live music
6 20 economy in a local community.

General Fund appropriation of \$25,000 to the Department of Cultural Affairs for nonprofit music entities for FY 2006.

DETAIL: This is a new appropriation. Requires the funds to be provided in two \$12,500 grants.

6 21 Sec. 10. PKU ASSISTANCE. There is appropriated from the
6 22 general fund of the state to the Iowa department of public
6 23 health for the fiscal year beginning July 1, 2005, and ending
6 24 June 30, 2006, the following amount, or so much thereof as is
6 25 necessary, to be used for the purpose designated:
6 26 For providing grants to individual patients who have
6 27 phenylketonuria (PKU) to assist with the costs of special food
6 28 needed:
6 29 \$ 100,000

General Fund appropriation to the Department of Public Health for Phenylketonuria (PKU) Assistance for FY 2006.

DETAIL: This is a new appropriation for FY 2006 to provide grants to individual patients that have PKU resulting in specific food requirements.

6 30 Sec. 11. HEALTHY IOWANS TOBACCO TRUST — PKU ASSISTANCE.

6 31 There is appropriated from the healthy lowans tobacco trust
 6 32 created in section 12.65 to the Iowa department of public
 6 33 health for the fiscal year beginning July 1, 2005, and ending
 6 34 June 30, 2006, the following amount, or so much thereof as is
 6 35 necessary, to be used for the purpose designated:

7 1 For providing grants to individual patients who have
 7 2 phenylketonuria (PKU) to assist with the costs of special food
 7 3 needed:
 7 4 \$ 60,000

Healthy lowans Tobacco Trust (HITT) appropriation to the Department of Public Health for Phenylketonuria (PKU) Assistance for FY 2006.

 DETAIL: This is a new appropriation for FY 2006 to provide grants to individual patients that have PKU resulting in specific food requirements.

7 5 Sec. 12. ENRICH IOWA LIBRARIES PROGRAM. There is
 7 6 appropriated from the rebuild Iowa infrastructure fund to the
 7 7 department of education for the fiscal year beginning July 1,
 7 8 2005, and ending June 30, 2006, the following amount, or so
 7 9 much thereof as is necessary:

7 10 To provide resources for structural and technological
 7 11 improvements to local libraries and for the enrich Iowa
 7 12 program, notwithstanding section 8.57, subsection 6, paragraph
 7 13 "c":
 7 14 \$ 200,000

CODE: Rebuild Iowa Infrastructure Fund (RIIF) appropriation to the Department of Education for the Enrich Iowa Libraries Program.

 DETAIL: The funds will be distributed to local libraries for structural and technological improvements.

7 15 Sec. 13. DEPARTMENT OF EDUCATION — COMMUNITY COLLEGES.

7 16 There is appropriated from the rebuild Iowa infrastructure
 7 17 fund to the department of education for the designated fiscal
 7 18 years, the following amounts, or so much thereof as is
 7 19 necessary, to be used for the purposes designated:

7 20 For major renovation and major repair needs, including
 7 21 health, life, and fire safety needs, and for compliance with
 7 22 the federal Americans With Disabilities Act, for state
 7 23 buildings and facilities under the purview of the community
 7 24 colleges:
 7 25 FY 2006–2007..... \$ 2,000,000
 7 26 FY 2007–2008..... \$ 2,000,000
 7 27 FY 2008–2009..... \$ 2,000,000

7 28 The moneys appropriated in this section shall be allocated
 7 29 to the community colleges based upon the distribution formula

CODE: Rebuild Iowa Infrastructure Fund (RIIF) appropriations for FY 2007, FY 2008, and FY 2009 to the Department of Education for community college infrastructure.

 DETAIL: Specifies that funds are to be distributed based on the formula in HF 816 (FY 2006 Education Appropriations Act). Allows for nonreversion of funds through FY 2011.

7 30 established in section 260C.18C, if enacted by 2005 Iowa Acts,
 7 31 House File 816.
 7 32 Notwithstanding section 8.33, moneys appropriated in this
 7 33 section shall not revert at the close of the fiscal year for
 7 34 which they were appropriated but shall remain available for
 7 35 the purposes designated until the close of the fiscal year
 8 1 that begins July 1, 2010, or until the project for which the
 8 2 appropriation was made is completed, whichever is earlier.

8 3 Sec. 14. CIVIL AIR PATROL. There is appropriated from the
 8 4 general fund of the state to the homeland security and
 8 5 emergency management division of the department of public
 8 6 safety for the fiscal year beginning July 1, 2005, and ending
 8 7 June 30, 2006, the following amount, or so much thereof as is
 8 8 necessary, to be used for the purpose designated:
 8 9 For the Iowa civil air patrol:
 8 10 \$ 100,000

General Fund appropriation to the Homeland Security and Emergency Management Division of the Department of Public Safety for FY 2006 for the Civil Air Patrol.

DETAIL: This is a new appropriation. The Civil Air Patrol received General Fund appropriations from FY 1999 through FY 2001. Since that time, the quasi-public organization has operated with reimbursements from the Iowa National Guard and the federal government.

8 11 Sec. 15. HEALTHY IOWANS TOBACCO TRUST — AIDS DRUG
 8 12 ASSISTANCE PROGRAM. There is appropriated from the healthy
 8 13 Iowans tobacco trust created in section 12.65 to the Iowa
 8 14 department of public health for the fiscal year beginning July
 8 15 1, 2005, and ending June 30, 2006, the following amount, or so
 8 16 much thereof as is necessary, to be used for the purpose
 8 17 designated:
 8 18 For additional funding to leverage federal funding through
 8 19 the federal Ryan White Care Act, Title II, AIDS drug
 8 20 assistance program supplemental drug treatment grants:
 8 21 \$ 275,000

Healthy Iowans Tobacco Trust (HITT) appropriation to the Iowa Department of Public Health for the AIDS Drug Assistance Program.

DETAIL: This is a new appropriation.

8 22 Sec. 16. GREAT PLACES. There is appropriated from the
 8 23 general fund of the state to the department of cultural
 8 24 affairs for the fiscal year beginning July 1, 2004, and ending
 8 25 June 30, 2005, the following amount, or so much thereof as is
 8 26 necessary, to be used for the purposes designated:
 8 27 For salaries, support, maintenance, and miscellaneous
 8 28 purposes:

CODE: General Fund appropriation to the Department of Cultural Affairs for the Great Places Initiative.

DETAIL: This is a new appropriation. The Great Places Initiative is designed to coordinate information regarding tourist and arts events

<p>8 29 \$ 100,000</p> <p>8 30 Notwithstanding section 8.33, any moneys appropriated in</p> <p>8 31 this section that remain unencumbered or unobligated at the</p> <p>8 32 close of the fiscal year shall not revert but shall remain</p> <p>8 33 available for expenditure for the purposes designated until</p> <p>8 34 the close of the succeeding fiscal year.</p> <p>8 35 Sec. 17. UNDERGROUND STORAGE TANK FUND — WATERSHED</p> <p>9 1 IMPROVEMENT FUND — FY 2005–2006. Notwithstanding section</p> <p>9 2 455G.3, subsection 1, there is appropriated from the Iowa</p> <p>9 3 comprehensive petroleum underground storage tank fund created</p> <p>9 4 in section 455G.3, subsection 1, to the office of the</p> <p>9 5 treasurer of state during the fiscal year beginning July 1,</p> <p>9 6 2005, and ending June 30, 2006, the following amount, or so</p> <p>9 7 much thereof as is necessary, to be used for the purpose</p> <p>9 8 designated:</p> <p>9 9 For deposit in the watershed improvement fund created in</p> <p>9 10 2005 Iowa Acts, Senate File 200, if enacted:</p> <p>9 11 \$ 5,000,000</p> <p>9 12 Moneys in the watershed improvement fund are appropriated</p> <p>9 13 for the fiscal year beginning July 1, 2005, and ending June</p> <p>9 14 30, 2006, to fulfill the duties of the watershed improvement</p> <p>9 15 review board, if enacted by 2005 Iowa Acts, Senate File 200.</p> <p>9 16 Sec. 18. 2005 Iowa Acts, House File 809, section 2,</p> <p>9 17 subsection 1, paragraph a, if enacted, is amended to read as</p> <p>9 18 follows:</p> <p>9 19 a. General administration</p> <p>9 20 For salaries, support, maintenance, miscellaneous purposes,</p> <p>9 21 programs, for the transfer to the Iowa state commission grant</p> <p>9 22 program, and for not more than the following full-time</p> <p>9 23 equivalent positions:</p> <p>9 24 \$ 1,956,332</p> <p>9 25 <u>1,841,332</u></p> <p>9 26 FTEs 28.75</p>	<p>and locations within Iowa. The Initiative received an additional General Fund appropriation of \$200,000 for FY 2006 in HF 816 (FY 2006 Education Appropriations Act). Allows for nonreversion of funds.</p> <p>Underground Storage Tank Fund appropriation to the Watershed Improvement Fund.</p> <p>DETAIL: This is a new program. Specifies moneys will be appropriated for FY 2006 to fulfill the duties of the Watershed Improvement Review Board. The Fund will be administered by the Soil Conservation Division of the Department of Agriculture and Land Stewardship. The Watershed Improvement Review Board will award watershed grants, assist with watershed monitoring plans, review the progress for improving watersheds, and develop administrative rules. This appropriation was contingent on passage of SF 200 (Agriculture Powers, Duties, and Watershed Improvement Act) that was approved by the General Assembly on May 20, 2005, and signed by the Governor on June 15, 2005.</p> <p>CODE: General Fund appropriation to the Administration Division of the Department of Economic Development.</p> <p>DETAIL: This is a decrease of \$115,000 compared to the estimated net FY 2005 appropriation.</p>
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PG LN	House File 882	Explanation
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9 27 Sec. 19. 2005 Iowa Acts, House File 862, section 1,
 9 28 subsection 2, paragraph h, unnumbered paragraph 1, and
 9 29 paragraph i, unnumbered paragraph 1, if enacted, are amended
 9 30 to read as follows:

9 31 For a grant program to provide substance abuse prevention
 9 32 programming for children:
 9 33 \$ ~~400,000~~
 9 34 200,000

CODE: Decreases the Healthy Iowans Tobacco Trust (HITT) appropriation to the Department of Public Health for a Substance Abuse for Children Program by \$200,000.

DETAIL: This is a new appropriation for FY 2006. This is for a Program that utilizes a sole source contract.

9 35 For a grant to a program that utilizes high school mentors
 10 1 to teach life skills, violence prevention, and character
 10 2 education in an effort to reduce the illegal use of alcohol,
 10 3 tobacco, and other substances:
 10 4 \$ ~~400,000~~
 10 5 200,000

CODE: Decreases the HITT appropriation to the Department of Public Health for a Substance Abuse Children Program by \$200,000.

DETAIL: This is a new appropriation for FY 2006. This is for a Program that utilizes high school mentors and requires a sole source contract.

10 6 Sec. 20. 2005 Iowa Acts, House File 862, section 1,
 10 7 subsection 2, paragraph j, if enacted, is amended to read as
 10 8 follows:

10 9 j. For a grant program to provide substance abuse
 10 10 prevention programming, including tobacco use prevention
 10 11 programming, for children:
 10 12 \$ ~~800,000~~
 10 13 400,000

CODE: Decreases the HITT appropriation to the Department of Public Health for a Substance Abuse for Children Program by \$400,000.

DETAIL: This is a new appropriation for FY 2006. This is for a Program that utilizes a sole source contract.

10 14 The Iowa department of public health shall utilize a
 10 15 request for proposals process to implement this paragraph "j".
 10 16 A program approved for a grant under paragraph "h" or
 10 17 paragraph "i" shall not be eligible for a grant under this
 10 18 paragraph "j".

10 19 Eligible grant applicants shall include, but shall not be
 10 20 limited to, mentoring organizations and organizations that
 10 21 practice and implement nationally accepted standards for
 10 22 mentoring programs.

10 23 All grant recipients shall participate in a program

10 24 evaluation as a requirement for receiving grant funds.

10 25 Sec. 21. NATIONAL GOVERNORS ASSOCIATION MEETING. 2004
 10 26 Iowa Acts, chapter 1175, section 12, subsection 4, as amended
 10 27 by 2005 Iowa Acts, House File 810, if enacted, is amended to
 10 28 read as follows:

10 29 4. NATIONAL GOVERNORS ASSOCIATION
 10 30 For payment of Iowa's membership in the national governors
 10 31 association:

10 32 \$ ~~364,393~~
 10 33 164,393

10 34 Of the funds appropriated in this subsection, ~~\$300,000~~
 10 35 \$100,000 is allocated for security-related costs and other
 11 1 expenses associated with the national governors association
 11 2 national meeting. Notwithstanding section 8.33, the moneys
 11 3 allocated for the meeting that remain unencumbered or
 11 4 unobligated at the close of the fiscal year shall not revert
 11 5 but shall remain available for expenditure for the purposes
 11 6 designated until the close of the succeeding fiscal year.

CODE: Decreases the General Fund appropriation to the Department of Management for payment of membership expenses of the National Governors' Association by \$200,000.

DETAIL: The decrease will reduce funding for security and other expenses of the National Governors' Association meeting to be held in Des Moines during July of 2005. Provides for nonreversion of funds.

11 7 Sec. 22. 2005 Iowa Acts, House File 881, section 5,
 11 8 unnumbered paragraph 1, if enacted, is amended to read as
 11 9 follows:

11 10 There is appropriated from the general fund of the state to
 11 11 the salary adjustment fund for distribution by the department
 11 12 of management to the various state departments, boards,
 11 13 commissions, councils, and agencies, excluding the state board
 11 14 of regents, for the fiscal year beginning July 1, 2005, and
 11 15 ending June 30, 2006, the amount of ~~\$38,500,000~~ 40,900,000, or
 11 16 so much thereof as may be necessary, to fully fund annual pay
 11 17 adjustments, expense reimbursements, and related benefits
 11 18 implemented pursuant to the following:

CODE: Increases the General Fund appropriation to the Department of Management for salary adjustment by \$2,400,000.

11 19 Sec. 23. 2001 Iowa Acts, chapter 174, section 1,
 11 20 subsection 2, as amended by 2002 Iowa Acts, chapter 1174,
 11 21 section 8, 2003 Iowa Acts, chapter 179, section 38, and 2004
 11 22 Iowa Acts, chapter 1175, section 270, is amended to read as

CODE: Repeals the FY 2006 General Fund appropriation to the Endowment for Iowa's Health Account.

11 23 follows:
 11 24 2. There is appropriated from the general fund of the
 11 25 state to the endowment for Iowa's health account of the
 11 26 tobacco settlement trust fund created in section 12E.12, for
 11 27 the designated fiscal years, the following amounts, to be used
 11 28 for the purposes specified in section 12E.12 for the endowment
 11 29 for Iowa's health account:
 11 30 FY 2001–2002 \$ 7,248,000
 11 31 FY 2003–2004 \$ 0
 11 32 FY 2004–2005 \$ 0
 11 33 FY 2005–2006 \$ 29,562,000
 11 34 0
 11 35 FY 2006–2007 \$ 17,773,000

DETAIL: These funds were originally appropriated in SF 533 (FY 2002 Tobacco Settlement Trust Fund Appropriations Act) for the purpose of funding the Endowment for Iowa's Health Account. The Endowment also receives an annual allocation of \$70,000,000 from the State Wagering Tax. The Endowment was established to provide a long-term funding source for the Healthy Iowans Tobacco Trust to be used for health care, substance abuse treatment and enforcement, tobacco use prevention and control, and other purposes related to the needs of children, adults, and facilities in the State.

12 1 Sec. 24. Section 8.55, subsection 2, paragraphs b and d,
 12 2 Code 2005, are amended by striking the paragraphs.

CODE: Repeals a requirement that the Endowment for Iowa's Health Account receive up to \$171,536,000 in allocations from the General Fund surplus.

DETAIL: The provision being repealed was intended to reimburse the Endowment for Iowa's Health Account for numerous transfers that were made to the General Fund between FY 2002 and FY 2005.

12 3 Sec. 25. Section 8.55, subsection 2, paragraph c, Code
 12 4 2005, is amended to read as follows:
 12 5 c. Notwithstanding paragraph "a", any moneys in excess of
 12 6 the maximum balance in the economic emergency fund after the
 12 7 distribution of the surplus in the general fund of the state
 12 8 at the conclusion of each fiscal year ~~and after the~~
 12 9 ~~appropriate amount has been transferred pursuant to paragraph~~
 12 10 ~~"b"~~, shall not be transferred to the general fund of the state
 12 11 but shall be transferred to the senior living trust fund. The
 12 12 total amount transferred, in the aggregate, under this
 12 13 paragraph for all fiscal years shall not exceed one hundred
 12 14 eighteen million dollars.

CODE: Technical correction to current statutory language to remove paragraph references.

12 15 Sec. 26. Section 256D.5, subsection 4, Code 2005, is
 12 16 amended to read as follows:
 12 17 4. For each fiscal year of the fiscal year period
 12 18 beginning July 1, 2004, and ending June 30, ~~2005~~ 2006, the sum
 12 19 of twenty-nine million two hundred fifty thousand dollars.

CODE: Extends the sunset of the \$29,250,000 General Fund appropriation to the Department of Education for the Early Intervention Block Grant Program (Class Size Reduction) for one year until the end of FY 2006.

12 20 Sec. 27. Section 490A.131, subsection 5, if enacted by
 12 21 2005 Iowa Acts, House File 859, section 109, is amended to
 12 22 read as follows:
 12 23 5. The first biennial report shall be delivered to the
 12 24 secretary of state between January 1 and April 1 of the first
 12 25 ~~odd-numbered~~ even-numbered year following the calendar year in
 12 26 which a limited liability company was formed or a foreign
 12 27 limited liability company was authorized to transact business.
 12 28 Subsequent biennial reports must be delivered to the secretary
 12 29 of state between January 1 and April 1 of the following ~~odd-~~
 12 30 ~~numbered~~ even-numbered calendar years. A filing fee for the
 12 31 biennial report shall be determined by the secretary of state
 12 32 and deposited into the general fund of the state. For
 12 33 purposes of this section, each biennial report shall contain
 12 34 information related to the two-year period immediately
 12 35 preceding the calendar year in which the report is filed.

CODE: Specifies that businesses are required to file a biennial report with the Secretary of State by March 31 of each even-numbered year.

DETAIL: It is estimated that 70,000 business entities will file the biennial report and pay a fee of \$35. This will increase revenue to the General Fund by an estimated \$2,500,000 per year. There is an FY 2006 General Fund appropriation of \$275,000 to the Secretary of State to administer the biennial reporting in HF 810 (FY 2006 Administration and Regulation Appropriations Act).

House File 859 was approved by the General Assembly on April 29, 2005, and signed by the Governor on May 20, 2005.

13 1 Sec. 28. Section 292.4, Code 2005, is repealed.

CODE: Repeals the annual \$5,000,000 contingent standing appropriation for the Secure an Advanced Vision for Education (SAVE) Fund. The SAVE Fund is the funding pool for school infrastructure projects and receives revenues from the school infrastructure local option (SILO) sales tax. This appropriation was to supplement SILO revenues and was contingent on sales and use tax revenues to the State General Fund exceeding the previous year's revenues by 2%.

DETAIL: This Section is made retroactive to July 1, 2004, effectively deappropriating the FY 2005 appropriation (see below).

13 2 Sec. 29. EFFECTIVE AND RETROACTIVE APPLICABILITY DATES.

13 3 1. The section of this division of this Act repealing
13 4 section 292.4, being deemed of immediate importance, takes
13 5 effect upon enactment and applies retroactively to July 1,
13 6 2004.

Specifies that Section 28, repealing the standing appropriation for the Secure an Advanced Vision for Education Fund, takes effect upon enactment and is retroactive to July 1, 2004.

13 7 2. The sections of this division of this Act appropriating
13 8 moneys to the department of cultural affairs for great places
13 9 and amending 2004 Iowa Acts, chapter 1175, section 12,
13 10 subsection 4, being deemed of immediate importance, take
13 11 effect upon enactment.

Specifies the following Sections are effective on enactment:

- Section 16 - General Fund appropriation to the Department of Cultural Affairs for the Great Places Initiative.
- Section 21 - Decrease in the appropriation to the Department of Management for expenses associated with the National Governors Association.

13 12 DIVISION IV
13 13 APPROPRIATION REVISIONS

13 14 Sec. 30. JOBS FOR AMERICA'S GRADUATES. There is
13 15 appropriated from the general fund of the state to the
13 16 department of education for the fiscal year beginning July 1,
13 17 2005, and ending June 30, 2006, the following amount, or so
13 18 much thereof as is necessary, to be used for the purpose
13 19 designated:

General Fund appropriation to the Department of Education for the Jobs for America's Graduates (JAG) Program.

DETAIL: Maintains current level of funding.

13 20 For school districts to provide direct services to the most
13 21 at-risk senior high school students enrolled in school
13 22 districts through direct intervention by a jobs for America's
13 23 graduates specialist:
13 24 \$ 400,000

13 25 Sec. 31. DEPARTMENT OF ADMINISTRATIVE SERVICES —
13 26 FINANCIAL ADMINISTRATION. There is appropriated from the
13 27 general fund of the state to the department of administrative
13 28 services for the fiscal year beginning July 1, 2005, and
13 29 ending June 30, 2006, the following amount, or so much thereof
13 30 as is necessary, to be used for the purpose designated:

General Fund appropriation to the Department of Administrative Services for financial administration.

DETAIL: This is a new appropriation.

13 31 For financial administration duties:
13 32 \$ 200,000

13 33 Sec. 32. DEPARTMENT OF MANAGEMENT — PERFORMANCE
 13 34 AUDITS.

General Fund appropriation to the Department of Management for performance audits.

13 34 There is appropriated from the general fund of the state to
 13 35 the department of management for the fiscal year beginning
 14 1 July 1, 2005, and ending June 30, 2006, the following amount,
 14 2 or so much thereof as is necessary, to be used for the
 14 3 purposes designated:
 14 4 For conducting performance audits and developing
 14 5 performance measures, including salaries, support,
 14 6 maintenance, miscellaneous purposes, and for not more than the
 14 7 following full-time equivalent positions:
 14 8 \$ 216,000
 14 9 FTEs 2.50

DETAIL: This is a new appropriation and 2.50 new FTE positions.

14 10 Sec. 33. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY. If
 14 11 2005 Iowa Acts, House File 810, is enacted and provides for an
 14 12 appropriation from the general fund of the state to the
 14 13 governor's office of drug control policy for the fiscal year
 14 14 beginning July 1, 2005, and ending June 30, 2006, that
 14 15 appropriation is reduced by the following amount:
 14 16 \$ 13,195

General Fund appropriation reduction to the Governor's Office of Drug Control Policy.

DETAIL: This is a general reduction. The FY 2006 General Fund appropriation, after this reduction, is \$300,000.

14 17 Sec. 34. DEPARTMENT OF INSPECTIONS AND APPEALS —
 14 18 ADMINISTRATION DIVISION. If 2005 Iowa Acts, House File 810,
 14 19 is enacted and provides for an appropriation from the general
 14 20 fund of the state to the department of inspections and
 14 21 appeals, administration division, for the fiscal year
 14 22 beginning July 1, 2005, and ending June 30, 2006, that
 14 23 appropriation is reduced by the following amount:
 14 24 \$ 49,000

General Fund appropriation reduction to the Administration Division of the Department of Inspections and Appeals.

DETAIL: This is a general reduction. The FY 2006 General Fund appropriation, after this reduction, is \$1,515,755.

14 25 Sec. 35. DEPARTMENT OF REVENUE — OPERATIONS. If 2005
 14 26 Iowa Acts, House File 810, is enacted and provides for an
 14 27 appropriation from the general fund of the state to the
 14 28 department of revenue for operations for the fiscal year
 14 29 beginning July 1, 2005, and ending June 30, 2006, that
 14 30 appropriation is reduced by the following amount:

General Fund appropriation reduction to the Department of Revenue for operations.

DETAIL: This is a general reduction. The FY 2006 General Fund appropriation, after this reduction, is \$26,625,000.

PG LN	House File 882	Explanation
14 31	..... \$ 25,882	
14 32	Sec. 36. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP	General Fund appropriation reduction to the Department of Agriculture and Land Stewardship for soil and water conservation districts.
14 33	SOIL AND WATER CONSERVATION DISTRICTS. If 2005 Iowa Acts,	
14 34	House File 808, is enacted and provides for an appropriation	DETAIL: This reduction is to be made to the soil and water conservation district commissioners' expenses, not the cost-share program. The FY 2006 General Fund appropriation, after this reduction, is \$200,000.
14 35	from the general fund of the state to the department of	
15 1	agriculture and land stewardship for purposes of reimbursing	
15 2	commissioners of soil and water conservation districts for	
15 3	expenses, for the fiscal year beginning July 1, 2005, and	
15 4	ending June 30, 2006, that appropriation is reduced by the	
15 5	following amount:	
15 6	..... \$ 50,000	
15 7	Sec. 37. COLLEGE STUDENT AID COMMISSION. If 2005 Iowa	General Fund appropriation reduction to the College Student Aid Commission for the National Guard Education Assistance Program.
15 8	Acts, House File 816, is enacted and provides for an	
15 9	appropriation from the general fund of the state to the	DETAIL: This is a general reduction. The FY 2006 General Fund appropriation, after this reduction, is \$3,725,000.
15 10	college student aid commission for the national guard	
15 11	educational assistance program for the fiscal year beginning	
15 12	July 1, 2005, and ending June 30, 2006, that appropriation is	
15 13	reduced by the following amount:	
15 14	..... \$ 75,000	
15 15	Sec. 38. DEPARTMENT OF MANAGEMENT. If 2005 Iowa Acts,	General Fund appropriation reduction to the Department of Management for allocation to the Institute for Tomorrow's Workforce.
15 16	House File 816 is enacted and provides for an appropriation	
15 17	from the general fund of the state to the department of	DETAIL: This is a general reduction. The FY 2006 General Fund appropriation, after this reduction, is \$150,000.
15 18	management for allocation to the institute for tomorrow's	
15 19	workforce created under chapter 7K, if enacted by 2005 Iowa	
15 20	Acts, House File 816, for the fiscal year beginning July 1,	
15 21	2005, and ending June 30, 2006, that appropriation is reduced	
15 22	by the following amount:	
15 23	..... \$ 100,000	
15 24	Sec. 39. IOWA DEPARTMENT OF PUBLIC HEALTH. If 2005 Iowa	
15 25	Acts, House File 825, is enacted and provides for	
15 26	appropriations from the general fund of the state to the Iowa	
15 27	department of public health for the fiscal year beginning July	

PG LN	House File 882	Explanation
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15 28 1, 2005, and ending June 30, 2006, for the following indicated
 15 29 purposes in 2005 Iowa Acts, House File 825, those
 15 30 appropriations are reduced by the following amounts:

15 31 1. For environmental hazards:
 15 32 \$ 50,000

General Fund appropriation reduction to the Department of Public Health for environmental hazards.

DETAIL: This is a general reduction. The FY 2006 General Fund appropriation, after this reduction, is \$351,808.

15 33 2. For injuries:
 15 34 \$ 50,000

General Fund appropriation reduction to the Department of Public Health for injuries.

DETAIL: This is a general reduction. The FY 2006 General Fund appropriation, after this reduction, is \$1,329,258.

15 35 3. For public protection:
 16 1 \$ 40,000

General Fund appropriation reduction to the Department of Public Health for public protection.

DETAIL: This is a general reduction. The FY 2006 General Fund appropriation, after this reduction, is \$6,924,033.

16 2 Sec. 40. MEDICAL ASSISTANCE APPROPRIATION. If 2005 Iowa
 16 3 Acts, House File 825, is enacted and provides for an
 16 4 appropriation from the general fund of the state to the
 16 5 department of human services for the fiscal year beginning
 16 6 July 1, 2005, and ending June 30, 2006, for the medical
 16 7 assistance program, that appropriation is reduced by the
 16 8 following amount:
 16 9 \$ 11,353,381

General Fund appropriation reduction to the Department of Human Services for the Medical Assistance (Medicaid) Program.

DETAIL: This decrease is offset by an increase of \$9,353,381 from the Senior Living Trust Fund, for a net decrease of \$2,000,000. The FY 2006 General Fund appropriation, after this reduction, is \$507,686,936. This is an increase of \$84,892,835 compared to the estimated net FY 2005 General Fund appropriation.

16 10 Sec. 41. SENIOR LIVING TRUST FUND APPROPRIATION. If 2005
 16 11 Iowa Acts, House File 825, is enacted and provides for an
 16 12 appropriation from the senior living trust fund to the
 16 13 department of human services for the fiscal year beginning
 16 14 July 1, 2005, and ending June 30, 2006, to supplement the
 16 15 medical assistance appropriation, that appropriation is
 16 16 increased by the following amount:

Senior Living Trust Fund appropriation increase to the Department of Human Services for the Medical Assistance (Medicaid) Program.

DETAIL: The Senior Living Trust Fund appropriation for the Medicaid Program for FY 2006, after this increase, is \$99,660,490. This is a decrease of \$34,599,510 compared to the estimated net FY 2005 appropriation.

16 17 \$ 9,353,381

16 18 Sec. 42. DEPARTMENT OF HUMAN SERVICES. If 2005 Iowa Acts,
 16 19 House File 825, is enacted and provides for appropriations
 16 20 from the general fund of the state to the department of human
 16 21 services for the fiscal year beginning July 1, 2005, and
 16 22 ending June 30, 2006, for the following indicated purposes,
 16 23 those appropriations are reduced by the following amounts:

16 24 1. For the children's health insurance program:
 16 25 \$ 50,000

General Fund appropriation reduction to the Department of Human Services for the State Children's Health Insurance Program.

DETAIL: This is a general reduction. The FY 2006 General Fund appropriation for the Program, after this reduction, is \$16,586,275. This is an increase of \$4,450,000 compared to the estimated net FY 2005 General Fund appropriation.

16 26 2. For MI/MR/DD state cases:
 16 27 \$ 50,000

General Fund appropriation reduction to the Department of Human Services for State Cases.

DETAIL: This is a general reduction. The FY 2006 General Fund appropriation for State Cases, after this reduction, is \$10,864,619.

16 28 Sec. 43. DEPARTMENT OF JUSTICE — GENERAL OFFICE. If 2005
 16 29 Iowa Acts, House File 811, is enacted and provides for an
 16 30 appropriation from the general fund of the state to the
 16 31 department of justice for the department's general office,
 16 32 that appropriation is reduced by the following amount:
 16 33 \$ 25,000

General Fund appropriation reduction to the Attorney General's Office.

DETAIL: This is a general reduction. The FY 2006 General Fund appropriation for the Office, after this reduction, is \$7,999,280.

16 34 Sec. 44. DEPARTMENT OF CORRECTIONS. If 2005 Iowa Acts,
 16 35 House File 811, is enacted and provides for an appropriation
 17 1 from the general fund of the state to the department of
 17 2 corrections for offender substance abuse and mental health
 17 3 treatment for the fiscal year beginning July 1, 2005, and
 17 4 ending June 30, 2006, that appropriation is reduced by the
 17 5 following amount:
 17 6 \$ 100,000

General Fund appropriation reduction to the Department of Corrections for offender substance abuse and mental health treatment.

DETAIL: This is a general reduction. The FY 2006 General Fund appropriation for the treatment, after this reduction, is \$25,000.

<p>17 7 Sec. 45. DEPARTMENT OF PUBLIC SAFETY — BUILDING SECURITY. 17 8 If 2005 Iowa Acts, House File 875, is enacted and provides for 17 9 an appropriation from the general fund of the state to the 17 10 department of public safety for capitol building and judicial 17 11 building security for the fiscal year beginning July 1, 2005, 17 12 and ending June 30, 2006, that appropriation is reduced by the 17 13 following amount: 17 14 \$ 25,000</p> <p>17 15 Sec. 46. JUDICIAL BRANCH. If 2005 Iowa Acts, House File 17 16 807, is enacted and provides for an appropriation from the 17 17 general fund of the state to the judicial branch for the 17 18 fiscal year beginning July 1, 2005, and ending June 30, 2006, 17 19 that appropriation is reduced by the following amount: 17 20 \$ 50,000</p> <p>17 21 Sec. 47. REGISTERED NURSE RECRUITMENT PROGRAM FUNDS. From 17 22 the funds appropriated for tuition grants pursuant to section 17 23 261.25, subsection 1, for the fiscal year beginning July 1, 17 24 2005, up to fifty thousand dollars shall be used to provide 17 25 forgivable loans as provided in section 261.23 to residents of 17 26 Iowa who are registered nurses and who are seeking to become 17 27 qualified as nursing faculty in Iowa and to teach in Iowa 17 28 schools. To qualify for a forgivable loan pursuant to this 17 29 section, in addition to the requirements of section 261.23, a 17 30 person shall be enrolled at a not-for-profit accredited school 17 31 of nursing that is located in this state.</p> <p>17 32 Sec. 48. HEALTH FACILITIES COUNCIL. If 2005 Iowa Acts, 17 33 House File 810, is enacted and includes an appropriation from 17 34 the general fund of the state to the department of inspections 17 35 and appeals for the health facilities council for the fiscal 18 1 year beginning July 1, 2005, and ending June 30, 2006, any 18 2 provision of that appropriation designating the use of \$80,000 18 3 and a full-time equivalent position for a particular purpose 18 4 shall not be applied.</p>	<p>General Fund appropriation reduction to the Department of Public Safety for security at the State Capitol and the Judicial Branch building.</p> <p>DETAIL: This is a general reduction. The FY 2006 General Fund appropriation for security at these buildings, after this reduction, is \$775,000. This reduction is made to the appropriation in HF 875 (FY 2006 Infrastructure Appropriations Act).</p> <p>General Fund appropriation reduction to the Judicial Branch.</p> <p>DETAIL: This is a general reduction. The FY 2006 General Fund appropriation, after this reduction, is \$118,354,282.</p> <p>Specifies that up to \$50,000 of the funds appropriated for the Tuition Grant Program are to be used to provide forgivable loans as specified in the Registered Nurse Recruitment Program. The funds are to be provided to registered nurses seeking to become nursing faculty in Iowa schools. Eligible recipients must be enrolled at a nonprofit school of nursing.</p> <p>DETAIL: The FY 2006 General Fund appropriation to the College Student Aid Commission for the Tuition Grant Program is \$49,673,575.</p> <p>Nullifies the intent language in HF 810 (FY 2006 Administration and Regulation Appropriations Act) that requires \$80,000 and 1.00 FTE position to be dedicated to the operation, expansion, and maintenance of the direct care registry.</p> <p>DETAIL: This item falls under the purview of the Health Facilities Council of the Department of Inspections and Appeals.</p>
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18 5 Sec. 49. YOUTH ENRICHMENT PILOT PROJECT — YOUTH
18 6 LEADERSHIP PROGRAM.

18 7 1. Of the funds appropriated in 2005 Iowa Acts, House File
18 8 807, if enacted, from the general fund of the state to the
18 9 judicial branch for purposes of a youth enrichment pilot
18 10 project, for the fiscal year beginning July 1, 2005, and
18 11 ending June 30, 2006, \$50,000 is transferred to the department
18 12 of corrections to be used for a youth leadership program in
18 13 the sixth judicial district department of correctional
18 14 services in accordance with subsection 2.

18 15 2. The moneys transferred pursuant to subsection 1 shall
18 16 be used by the judicial district department of correctional
18 17 services to establish or maintain a youth leadership model
18 18 program to help at-risk youth in the judicial district
18 19 department of correctional services. As a part of the
18 20 program, the judicial district department of correctional
18 21 services may recruit college or high school students in the
18 22 judicial district to work with at-risk youth. The student
18 23 workers shall be recruited regardless of gender, be
18 24 recommended by their respective schools as good role models,
18 25 including, but not limited to, students who possess
18 26 capabilities in one or more of the following areas of ability:
18 27 intellectual capacity, athletic, visual arts, or performing
18 28 arts.

18 29 Sec. 50. CENTER FOR CONGENITAL AND INHERITED DISORDERS
18 30 CENTRAL REGISTRY. Notwithstanding section 144.13A, subsection
18 31 4, paragraph "a", for the fiscal year beginning July 1, 2005,
18 32 \$40,000 of the fees collected by the state registrar that
18 33 would otherwise be appropriated and used for the center for
18 34 congenital and inherited disorders central registry
18 35 established pursuant to section 136A.6 shall be credited to
19 1 the general fund of the state.

Requires \$50,000 of the \$100,000 General Fund appropriation for the Youth Enrichment Pilot Project in HF 807 (FY 2006 Judicial Branch Appropriations Act) to be transferred to the Sixth Judicial District for a youth leadership program. Specifies use of the transferred funds.

CODE: Decreases the FY 2006 amount appropriated to the Department of Public Health for the Center for Congenital and Inherited Disorders Central (Birth Defects) Registry by \$40,000.

DETAIL: The Registry receives an appropriation from a portion of the funds generated from birth certificate registration fees. For FY 2005, the fee was set at \$15 with the Registry receiving \$5 from each fee, or a total of \$120,000. For FY 2006, the fee was scheduled to increase to \$20 with the Registry receiving \$10 from each fee, or an estimated \$240,000. Under the provision in this Act, the Registry will receive an estimated \$200,000 in FY 2006.

- 19 2 DIVISION V
- 19 3 MISCELLANEOUS STATUTORY CHANGES

19 4 Sec. 51. Section 8D.2, subsection 5, paragraph b, Code
 19 5 2005, is amended to read as follows:
 19 6 b. For the purposes of this chapter, "public agency" also
 19 7 includes any homeland security or defense facility or disaster
 19 8 response agency established by the administrator of the
 19 9 homeland security and emergency management division of the
 19 10 department of public defense or the governor or any facility
 19 11 connected with a security or defense system or disaster
 19 12 response as required by the administrator of the homeland
 19 13 security and emergency management division of the department
 19 14 of public defense or the governor.

CODE: Adds disaster response agency to the definition of a public agency.

19 15 Sec. 52. Section 8D.9, subsection 3, Code 2005, is amended
 19 16 to read as follows:
 19 17 3. A facility that is considered a public agency pursuant
 19 18 to section 8D.2, subsection 5, paragraph "b", shall be
 19 19 authorized to access the Iowa communications network strictly
 19 20 for homeland security communication purposes and disaster
 19 21 communication purposes. Any utilization of the network that
 19 22 is not related to communications concerning homeland security
 19 23 or a disaster, as defined in section 29C.2, is expressly
 19 24 prohibited. Access under this subsection shall be available
 19 25 only if a state of disaster emergency is proclaimed by the
 19 26 governor pursuant to section 29C.6 or a homeland security or
 19 27 disaster event occurs requiring connection of disparate
 19 28 communications systems between public agencies to provide for
 19 29 a multi-agency or multi-jurisdictional response. Access shall
 19 30 continue only for the period of time the homeland security or
 19 31 disaster event exists. For purposes of this subsection,
 19 32 disaster communication purposes includes training and
 19 33 exercising for a disaster if public notice of the training and
 19 34 exercising session is posted on the website of the homeland
 19 35 security and emergency management division of the department
 20 1 of public defense. A scheduled and noticed training and

CODE: Adds disaster response agency to the definition of a public agency and allows the use of the ICN in the event of a State disaster proclaimed by the Governor or for a homeland security breach or other disaster and only for the period of time the disaster exists.

20 2 exercising session shall not exceed five days. Interpretation
 20 3 and application of the provisions of this subsection shall be
 20 4 strictly construed.

20 5 Sec. 53. Section 15E.193B, subsection 5, Code 2005, is
 20 6 amended by adding the following new paragraph:
 20 7 NEW PARAGRAPH. f. If the eligible housing business is a
 20 8 partnership, S corporation, or limited liability company using
 20 9 low-income housing tax credits authorized under section 42 of
 20 10 the Internal Revenue Code to assist in the financing of the
 20 11 housing development, the name of any partner if the business
 20 12 is a partnership, a shareholder if the business is an S
 20 13 corporation, or a member if the business is a limited
 20 14 liability company and the amount designated as allowed under
 20 15 subsection 8.

CODE: Specifies information to be provided to the Enterprise Zone Commission by an eligible housing business organized as a partnership, S corporation, or limited liability company, using low-income housing tax credits under Section 42 of the Internal Revenue Code.

20 16 Sec. 54. Section 15E.193B, subsection 6, paragraph a, Code
 20 17 2005, is amended to read as follows:

20 18 a. An eligible housing business may claim a tax credit up
 20 19 to a maximum of ten percent of the new investment which is
 20 20 directly related to the building or rehabilitating of a
 20 21 minimum of four single-family homes located in that part of a
 20 22 city or county in which there is a designated enterprise zone
 20 23 or one multiple dwelling unit building containing three or
 20 24 more individual dwelling units located in that part of a city
 20 25 or county in which there is a designated enterprise zone. The
 20 26 new investment that may be used to compute the tax credit
 20 27 shall not exceed the new investment used for the first one
 20 28 hundred forty thousand dollars of value for each single-family
 20 29 home or for each unit of a multiple dwelling unit building
 20 30 containing three or more units. The tax credit may be used to
 20 31 reduce the tax liability imposed under chapter 422, division
 20 32 II, III, or V, or chapter 432. Any credit in excess of the
 20 33 tax liability for the tax year may be credited to the tax
 20 34 liability for the following seven years or until depleted,
 20 35 whichever occurs earlier. If the business is a partnership, S
 21 1 corporation, limited liability company, or estate or trust

CODE: Provides an exception for claiming of investment tax credits under the Enterprise Zone Program based on a pro rata share of earnings for individuals in a partnership, S corporation, limited liability company, or estate or trust for projects using low-income housing tax credits under Section 42 of the Internal Revenue Code.

DETAIL: Investment tax credits for projects using low-income housing tax credits under Section 42 of the Internal Revenue Code are transferable or saleable under current law.

With this change, individuals in a business entity will not have to share in the earnings of the business entity, thereby increasing their tax liability, in order to claim a tax credit.

21 2 electing to have the income taxed directly to the individual,
 21 3 an individual may claim the tax credit allowed. The amount
 21 4 claimed by the individual shall be based upon the pro rata
 21 5 share of the individual's earnings of the partnership, S
 21 6 corporation, limited liability company, or estate or trust
 21 7 except as allowed for under subsection 8 when low-income
 21 8 housing tax credits authorized under section 42 of the
 21 9 Internal Revenue Code are used to assist in the financing of
 21 10 the housing development.

21 11 Sec. 55. Section 15E.193B, subsection 8, unnumbered
 21 12 paragraph 1, Code 2005, is amended to read as follows:
 21 13 The amount of the tax credits determined pursuant to
 21 14 subsection 6, paragraph "a", for each project shall be
 21 15 approved by the department of economic development. The
 21 16 department shall utilize the financial information required to
 21 17 be provided under subsection 5, paragraph "e", to determine
 21 18 the tax credits allowed for each project. In determining the
 21 19 amount of tax credits to be allowed for a project, the
 21 20 department shall not include the portion of the project cost
 21 21 financed through federal, state, and local government tax
 21 22 credits, grants, and forgivable loans. Upon approving the
 21 23 amount of the tax credit, the department of economic
 21 24 development shall issue a tax credit certificate to the
 21 25 eligible housing business except when low-income housing tax
 21 26 credits authorized under section 42 of the Internal Revenue
 21 27 Code are used to assist in the financing of the housing
 21 28 development in which case the tax credit certificate may be
 21 29 issued to a partner if the business is a partnership, a
 21 30 shareholder if the business is an S corporation, or a member
 21 31 if the business is a limited liability company in the amounts
 21 32 designated by the eligible partnership, S corporation, or
 21 33 limited liability company. An eligible housing business or
 21 34 the designated partner if the business is a partnership,
 21 35 designated shareholder if the business is an S corporation, or
 22 1 designated member if the business is a limited liability
 22 2 company, or transferee shall not claim the tax credit unless a

CODE: Allows the Department of Economic Development to issue a tax credit under the Enterprise Zone Program to a partner, shareholder, or member of the eligible housing business as designated by the business for projects using low-income housing tax credits under Section 42 of the Internal Revenue Code.

22 3 tax credit certificate issued by the department of economic
22 4 development is attached to the taxpayer's return for the tax
22 5 year for which the tax credit is claimed. The tax credit
22 6 certificate shall contain the taxpayer's name, address, tax
22 7 identification number, the amount of the tax credit, and other
22 8 information required by the department of revenue. The tax
22 9 credit certificate shall be transferable if low-income housing
22 10 tax credits authorized under section 42 of the Internal
22 11 Revenue Code are used to assist in the financing of the
22 12 housing development. Tax credit certificates issued under
22 13 this chapter may be transferred to any person or entity.
22 14 Within ninety days of transfer, the transferee must submit the
22 15 transferred tax credit certificate to the department of
22 16 economic development along with a statement containing the
22 17 transferee's name, tax identification number, and address, and
22 18 the denomination that each replacement tax credit certificate
22 19 is to carry and any other information required by the
22 20 department of revenue. Within thirty days of receiving the
22 21 transferred tax credit certificate and the transferee's
22 22 statement, the department of economic development shall issue
22 23 one or more replacement tax credit certificates to the
22 24 transferee. Each replacement certificate must contain the
22 25 information required to receive the original certificate and
22 26 must have the same expiration date that appeared in the
22 27 transferred tax credit certificate. Tax credit certificate
22 28 amounts of less than the minimum amount established by rule of
22 29 the department of economic development shall not be
22 30 transferable. A tax credit shall not be claimed by a
22 31 transferee under subsection 6, paragraph "a", until a
22 32 replacement tax credit certificate identifying the transferee
22 33 as the proper holder has been issued.

22 34 Sec. 56. Section 124.212, subsection 4, paragraph c, as
22 35 enacted by 2005 Iowa Acts, Senate File 169, section 1, is
23 1 amended to read as follows:
23 2 c. Pseudoephedrine. A person shall present a government-
23 3 issued photo identification card when purchasing a

CODE: Requires that a government-issued photo identification card be presented to the pharmacist when purchasing pseudoephedrine.

23 4 pseudoephedrine product from a pharmacy. A person shall not
 23 5 purchase more than seven thousand five hundred milligrams of
 23 6 pseudoephedrine, either separately or collectively, within a
 23 7 thirty-day period from a pharmacy, unless the person has a
 23 8 prescription for a pseudoephedrine product in excess of that
 23 9 quantity.

23 10 Sec. 57. Section 142A.4, Code 2005, is amended by adding
 23 11 the following new subsection:
 23 12 NEW SUBSECTION. 23. Approve the content of any materials
 23 13 distributed by the youth program pursuant to section 142A.9,
 23 14 prior to distribution of the materials.

23 15 Sec. 58. Section 257.14, subsection 3, unnumbered
 23 16 paragraph 2, Code 2005, is amended by striking the unnumbered
 23 17 paragraph.

23 18 Sec. 59. Section 331.439, Code 2005, is amended by adding
 23 19 the following new subsection:
 23 20 NEW SUBSECTION. 9. The county management plan shall
 23 21 designate at least one hospital licensed under chapter 135B
 23 22 that the county has contracted with to provide services
 23 23 covered under the plan. If the designated hospital does not
 23 24 have a bed available to provide the services, the county is
 23 25 responsible for the cost of covered services provided at an
 23 26 alternate hospital licensed under chapter 135B.

23 27 Sec. 60. Section 364.17, subsection 3, paragraph a, Code
 23 28 2005, is amended to read as follows:
 23 29 a. A schedule of civil penalties or criminal fines for
 23 30 violations. A city may charge the owner of housing a late
 23 31 payment fee of twenty-five dollars and may add interest of up
 23 32 to one and one-half percent per month if a penalty or fine
 23 33 imposed under this paragraph is not paid within thirty days of
 23 34 the date that the penalty or fine is due. The city shall send
 23 35 a notice of the late payment fee to such owner by first class
 24 1 mail to the owner's personal or business mailing address. The

CODE: Requires the Tobacco Use Prevention and Control Commission to approve materials distributed by the Just Eliminate Lies (JEL) Youth Program prior to distribution.

CODE: Repeals the requirement that school districts receive the scaled-down budget guarantee in FY 2005 to be eligible for that option in subsequent years.

CODE: Requires each county to designate a local hospital within its County Management Plan for MH/MR Services. If the designated hospital does not have a bed to provide services at the time necessary, a county is responsible for the costs of services at a different hospital although not the specifically designated hospital within the County Management Plan.

CODE: Permits cities to charge nonresident homeowners a late payment fee of \$25, in addition to interest of up to 1.50% per month for penalties and fines related to housing violations not paid with 30 days of the due date. The city is to send the late payment notice to the owner by first-class mail. The late payment fee and interest will not accrue if the owner files an appeal with either the city or District Court. Any unpaid penalty, fine, fee, or interest will constitute a lien on the real property and may be collected in the same manner as a property tax. However, before a lien is filed, the city is to send a notice of intent to file a lien to the owner of the housing by first-class mail.

24 2 late payment fee and the interest shall not accrue if such
 24 3 owner files an appeal with either the city, if the city has
 24 4 established an appeals procedure, or the district court. Any
 24 5 unpaid penalty, fine, fee, or interest shall constitute a lien
 24 6 on the real property and may be collected in the same manner
 24 7 as a property tax. However, before a lien is filed, the city
 24 8 shall send a notice of intent to file a lien to the owner of
 24 9 the housing by first class mail to such owner's personal or
 24 10 business mailing address.

24 11 Sec. 61. Section 364.17, subsection 5, Code 2005, is
 24 12 amended to read as follows:
 24 13 5. Cities may establish reasonable fees for inspection and
 24 14 enforcement procedures. A city may charge the owner of
 24 15 housing a late payment penalty of twenty-five dollars and may
 24 16 add interest of up to one and one-half percent per month if a
 24 17 fee imposed under this subsection is not paid within thirty
 24 18 days of the date that the fee is due. The city shall send a
 24 19 notice of the late payment penalty to such owner by first
 24 20 class mail to the owner's personal or business mailing
 24 21 address. The late payment penalty and the interest shall not
 24 22 accrue if such owner files an appeal with either the city, if
 24 23 the city has established an appeals procedure, or the district
 24 24 court. Any unpaid fee, penalty, or interest shall constitute
 24 25 a lien on the real property and may be collected in the same
 24 26 manner as a property tax. However, before a lien is filed,
 24 27 the city shall send a notice of intent to file a lien to the
 24 28 owner of the housing by first class mail to such owner's
 24 29 personal or business mailing address.

24 30 Sec. 62. Section 384.16, subsection 1, unnumbered
 24 31 paragraph 2, Code 2005, is amended to read as follows:
 24 32 A budget must show comparisons between the estimated
 24 33 expenditures in each program in the following year ~~and the~~
 24 34 ~~actual expenditures in each program during the two preceding~~
 24 35 ~~years, the latest estimated expenditures in each program in~~
 25 1 the current year, and the actual expenditures in each program

CODE: Permits cities to charge nonresident homeowners a late payment fee of \$25.00, in addition to interest of up to 1.50% per month for penalties and fines related to housing violations not paid with 30 days of the due date. The city is to send the late payment notice to the owner by first-class mail. The late payment fee and interest will not accrue if the owner files an appeal with either the city or District Court. Any unpaid penalty, fine, fee, or interest will constitute a lien on the real property and may be collected in the same manner as a property tax. However, before a lien is filed, the city is to send a notice of intent to file a lien to the owner of the housing by first-class mail.

CODE: Amends the requirements for a city budget to compare the estimated expenditures for each program in the following year, to the latest estimated expenditures for the current year, and to the actual expenditures from the annual report or corrected subsequent audit report.

25 2 from the annual report as provided in section 384.22, or as
 25 3 corrected by a subsequent audit report. Wherever practicable,
 25 4 as provided in rules of the committee, a budget must show
 25 5 comparisons between the levels of service provided by each
 25 6 program as estimated for the following year, and actual levels
 25 7 of service provided by each program during the two preceding
 25 8 years.

25 9 Sec. 63. Section 384.16, Code 2005, is amended by adding
 25 10 the following new subsection:
 25 11 NEW SUBSECTION. 7. A city that does not submit a budget
 25 12 in compliance with this section shall have all state funds
 25 13 withheld until a budget that is in compliance with this
 25 14 section is filed with the county auditor and subsequently
 25 15 received by the department of management. The department of
 25 16 management shall send notice to state agencies responsible for
 25 17 disbursement of state funds and that notice is sufficient
 25 18 authorization for those funds to be withheld until later
 25 19 notice is given by the department of management to release
 25 20 those funds.

25 21 Sec. 64. Section 422.11D, subsection 2, Code 2005, is
 25 22 amended to read as follows:
 25 23 2. An individual may claim a property rehabilitation tax
 25 24 credit allowed a partnership, limited liability company, S
 25 25 corporation, estate, or trust electing to have the income
 25 26 taxed directly to the individual. The amount claimed by the
 25 27 individual shall be based upon the pro rata share of the
 25 28 individual's earnings of a partnership, limited liability
 25 29 company, S corporation, estate, or trust except when low-
 25 30 income housing tax credits authorized under section 42 of the
 25 31 Internal Revenue Code are used to assist in the financing of
 25 32 the housing development in which case the amount claimed by a
 25 33 partner if the business is a partnership, a shareholder if the
 25 34 business is an S corporation, or a member if the business is a
 25 35 limited liability company shall be based on the amounts
 26 1 designated by the eligible partnership, S corporation, or

CODE: Requires State funds to be withheld from a city that does not submit a budget in compliance with the new comparison requirements. Authorizes the Department of Management to withhold State funds from cities for noncompliance.

CODE: Provides an exception for claiming of Property Rehabilitation Tax Credits based on a pro rata share of earnings for individuals in a partnership, S corporation, limited liability company, estate or trust for projects using low-income housing tax credits under Section 42 of the Internal Revenue Code.

DETAIL: Investment tax credits for projects using low-income housing tax credits under Section 42 of the Internal Revenue Code are transferable or saleable under current law.

With this change, individuals in a business entity will not have to share in the earnings of the business entity, thereby increasing their tax liability, in order to claim a tax credit.

26 2 limited liability company.

[26 3 Sec. 65. Section 423.3, Code 2005, is amended by adding
26 4 the following new subsection:

VETOED

26 5 **NEW SUBSECTION. 29A.** The sales price of all goods, wares,
26 6 or merchandise sold, or of services furnished, which are used
26 7 in the fulfillment of a written construction contract with a
26 8 residential treatment facility for youth with emotional or
26 9 behavioral disorders licensed pursuant to chapter 237 or 135H
26 10 if all of the following apply:

26 11 a. The sales and delivery of the goods, wares, or
26 12 merchandise, or the services furnished occurred between July
26 13 1, 2004, and December 31, 2006.

26 14 b. The written construction contract was entered into
26 15 after December 31, 2003.

26 16 c. The sales or services were purchased by a contractor as
26 17 the agent for the facility or were purchased directly by the
26 18 facility.]

26 19 Sec. 66. Section 423E.5, unnumbered paragraph 1, Code
26 20 2005, is amended to read as follows:

26 21 The board of directors of a school district shall be
26 22 authorized to issue negotiable, interest-bearing school bonds,
26 23 without election, and utilize tax receipts derived from the
26 24 sales and services tax for school infrastructure purposes and
26 25 the supplemental school infrastructure amount distributed
26 26 pursuant to section 423E.4, subsection 2, paragraph "b", for
26 27 principal and interest repayment. Proceeds of the bonds
26 28 issued pursuant to this section shall be utilized solely for
26 29 school infrastructure needs as school infrastructure is
26 30 defined in section 423E.1, subsection 3. Bonds issued under
26 31 this section may be sold at public ~~or private~~ sale as provided
26 32 in chapter 75, or at private sale, without notice and hearing
26 33 as provided in section 73A.12. Bonds may bear dates, bear
26 34 interest at rates not exceeding that permitted by chapter 74A,
26 35 mature in one or more installments, be in registered form,
27 1 carry registration and conversion privileges, be payable as to

CODE: Provides a sales tax exemption for construction of residential treatment facilities for youth with emotional or behavioral disorders and licensed under Chapter 237 (child foster care facilities) or Chapter 135H (psychiatric medical institutions for children), Code of Iowa. To qualify for the exemption, the written construction contract for the facility must have been signed after December 1, 2003, and the exempt expenses must occur between July 1, 2004, and December 31, 2006.

DETAIL: This exemption is estimated to reduce net General Fund revenue by \$200,000 in FY 2006. The exemption is assumed to impact at least two facilities currently under development.

VETOED: The Governor vetoed this Section. The Governor stated that this exemption was expected to affect two projects currently in progress and he does not support providing special tax status to two specific projects.

CODE: Permits the private sale of bonds in anticipation of revenues from the School Infrastructure Local Option (SILO) Sales and Services Tax in a manner similar to that permitted for the regular city and county sales and services tax revenue bonds.

27 2 principal and interest at times and places, be subject to
 27 3 terms of redemption prior to maturity with or without premium,
 27 4 and be in one or more denominations, all as provided by the
 27 5 resolution of the board of directors authorizing their
 27 6 issuance. The resolution may also prescribe additional
 27 7 provisions, terms, conditions, and covenants which the board
 27 8 of directors deems advisable, including provisions for
 27 9 creating and maintaining reserve funds, the issuance of
 27 10 additional bonds ranking on a parity with such bonds and
 27 11 additional bonds junior and subordinate to such bonds, and
 27 12 that such bonds shall rank on a parity with or be junior and
 27 13 subordinate to any bonds which may be then outstanding. Bonds
 27 14 may be issued to refund outstanding and previously issued
 27 15 bonds under this section. Local option sales and services tax
 27 16 revenue bonds are a contract between the school district and
 27 17 holders, and the resolution issuing the bonds and pledging
 27 18 local option sales and services tax revenues to the payment of
 27 19 principal and interest on the bonds is a part of the contract.
 27 20 Bonds issued pursuant to this section shall not constitute
 27 21 indebtedness within the meaning of any constitutional or
 27 22 statutory debt limitation or restriction, and shall not be
 27 23 subject to any other law relating to the authorization,
 27 24 issuance, or sale of bonds.

27 25 Sec. 67. Section 427.1, subsection 21, Code 2005, is
 27 26 amended to read as follows:
 27 27 21. LOW-RENT HOUSING. The property owned and operated or
 27 28 controlled by a nonprofit organization, as recognized by the
 27 29 internal revenue service, providing low-rent housing for
 27 30 persons who are elderly and persons with physical and mental
 27 31 disabilities. The exemption granted under the provisions of
 27 32 this subsection shall apply only until the ~~terms~~ final payment
 27 33 due date of the borrower's original low-rent housing
 27 34 development mortgage or until the borrower's original low-rent
 27 35 housing development mortgage is paid in full or expires,
 28 1 whichever is sooner, subject to the provisions of subsection
 28 2 14. However, if the borrower's original low-rent housing

CODE: Allows property owned or controlled by a nonprofit organization to refinance a mortgage and retain the tax exemption until the mortgage is paid or until the final payment date of the original mortgage, whichever is earlier.

28 3 development mortgage is refinanced, the exemption shall apply
 28 4 only until the date that would have been the final payment due
 28 5 date under the terms of the borrower's original low-rent
 28 6 housing development mortgage or until the refinanced mortgage
 28 7 is paid in full or expires, whichever is sooner, subject to
 28 8 the provisions of subsection 14.

28 9 Sec. 68. Section 427.1, Code 2005, is amended by adding
 28 10 the following new subsection:
 28 11 NEW SUBSECTION. 21A. Dwelling unit property owned and
 28 12 managed by a nonprofit organization if the nonprofit
 28 13 organization owns and manages more than forty dwelling units
 28 14 that are located in a city with a population of more than one
 28 15 hundred ten thousand which has a public housing authority that
 28 16 does not own or manage housing stock for the purpose of low-
 28 17 rent housing.

28 18 Sec. 69. Section 427.1, subsection 30, Code 2005, is
 28 19 amended to read as follows:
 28 20 30. MANUFACTURED HOME COMMUNITY OR MOBILE HOME PARK
 28 21 STORM

28 21 SHELTER. A structure constructed as a storm shelter at a
 28 22 manufactured home community or mobile home park as defined in
 28 23 section 435.1. An application for this exemption shall be
 28 24 filed with the assessing authority not later than February 1
 28 25 of the first year for which the exemption is requested, on
 28 26 forms provided by the department of revenue. The application
 28 27 shall describe and locate the storm shelter to be exempted.
 28 28 If the storm shelter structure is used exclusively as a storm
 28 29 shelter, all of the structure's assessed value shall be exempt
 28 30 from taxation. If the storm shelter structure is not used
 28 31 exclusively as a storm shelter, the storm shelter structure
 28 32 shall be assessed for taxation at ~~seventy-five~~ fifty percent
 28 33 of its value as commercial property.

28 34 Sec. 70. Section 456A.37, subsection 1, paragraph c, Code
 28 35 2005, is amended to read as follows:

CODE: Specifies that low-rent public housing units owned and managed by a nonprofit organization and located in a city with more than 110,000 in population, where the city does not own or manage low-rent housing stock, are exempt from property taxes.

CODE: Reduces the assessed property tax value percentage for storm shelters used for multiple purposes in manufactured home communities and mobile home parks from 75.00% to 50.00% of the commercial property value.

CODE: Allows the Natural Resource Commission to identify additional species as aquatic invasive species.

29 1 c. "Aquatic invasive species" means a species that is not
 29 2 native to an ecosystem and whose introduction causes or is
 29 3 likely to cause economic or environmental harm or harm to
 29 4 human health including but not limited to habitat alteration
 29 5 and degradation, and loss of biodiversity. For the purposes
 29 6 of this section, "aquatic invasive species" are limited to
 29 7 Eurasian water milfoil, purple loosestrife, and zebra mussels,
 29 8 ~~except as provided in subsection 4 and those species~~
 29 9 identified as "aquatic invasive species" by the commission by
 29 10 rule.

DETAIL: Aquatic invasive species are alien species that have been introduced into an ecosystem and often reproduce dramatically as there are no natural competitors such as disease or predators. As they increase in number, they affect the structure and function of the native ecosystem and can eliminate the native species.

29 11 Sec. 71. Section 456A.37, subsection 4, unnumbered
 29 12 paragraph 2, Code 2005, is amended to read as follows:
 29 13 c. If the commission determines that an additional species
 29 14 should be defined as an "aquatic invasive species", the
 29 15 species ~~may~~ shall be defined by the commission by rule as an
 29 16 "aquatic invasive species" ~~subject to enactment of the~~
 29 17 ~~definition by the general assembly at the next regular session~~
 29 18 ~~of the general assembly. Failure of the general assembly to~~
 29 19 ~~enact the definition pursuant to this paragraph constitutes a~~
 29 20 ~~nullification of the definition effective upon adjournment of~~
 29 21 ~~that next regular session of the general assembly.~~

CODE: Specifies that additions to the aquatic invasive species listing will be done through the Administrative Rules process.

29 22 Sec. 72. Section 543B.34, subsection 9, paragraph a,
 29 23 unnumbered paragraph 1, Code 2005, is amended to read as
 29 24 follows:
 29 25 Paying a commission or other valuable consideration or any
 29 26 part of such commission or consideration for performing any of
 29 27 the acts specified in this chapter to a person who is not a
 29 28 licensed broker or salesperson under this chapter or who is
 29 29 not engaged in the real estate business in another state or
 29 30 foreign country, ~~or paying a commission or other valuable~~
 29 31 ~~consideration for performing any of the acts specified in this~~
 29 32 ~~chapter to a licensee knowing that the licensee will pay a~~
 29 33 ~~portion of or all of such commission or consideration to a~~
 29 34 ~~person or party who is not licensed pursuant to this chapter,~~
 29 35 provided that the provisions of this section shall not be

CODE: Eliminates potential sanctions for real estate brokers and salespersons that pay consideration to real estate licensees, knowing that the licensee will pay a portion of the consideration to a person that is not licensed.

30 1 construed to prohibit the payment of earned commissions or
30 2 consideration to any of the following:

30 3 Sec. 73. Section 543B.60A, Code 2005, is amended by
30 4 striking the section and inserting in lieu thereof the
30 5 following:

30 6 543B.60A PROHIBITED PRACTICES.

30 7 1. A licensee shall not request a referral fee after a
30 8 bona fide offer to purchase is accepted.

30 9 2. A licensee shall not request a referral fee after a
30 10 bona fide listing agreement has been signed.

30 11 3. A licensee shall not offer, promote, perform, provide,
30 12 or otherwise participate in any marketing plan that requires a
30 13 consumer to receive brokerage services, including referral
30 14 services, from two or more licensees in a single real estate
30 15 transaction, as a required condition for the consumer to
30 16 receive either of the following:

30 17 a. Brokerage services from one or more of such licensees.

30 18 b. A rebate, prize, or other inducement from one or more
30 19 such licensees.

30 20 4. For purposes of this section, "consumer" shall include
30 21 parties or prospective parties to a real estate transaction,
30 22 clients or prospective clients of a licensee, or customers or
30 23 prospective customers of a licensee.

30 24 5. This section does not address relationships between a
30 25 broker and the broker associates or salespersons licensed
30 26 under, employed by, or otherwise associated with the broker in
30 27 a real estate brokerage agency.

30 28 6. A violation of this section is deemed a violation of
30 29 section 543B.29, subsection 3.

30 30 7. The purpose of this section is to prohibit licensee
30 31 practices that interfere with contractual arrangements, place
30 32 improper restrictions on consumer choice, compromise a
30 33 licensee's fiduciary obligations, and create conflicts of
30 34 interest.

CODE: Amends the restrictions and prohibited practices for real estate licensees.

30 35 Sec. 74. Section 579A.2, subsection 3, paragraph b, Code
 31 1 2005, is amended to read as follows:
 31 2 b. The lien terminates one year after the cattle have left
 31 3 the custom cattle feedlot. ~~Section 554.9515 shall not apply~~
 31 4 ~~to a financing statement perfecting the lien.~~ The lien may be
 31 5 terminated by the custom cattle feedlot operator who files a
 31 6 termination statement as provided in chapter 554, article 9.

CODE: Eliminates language regarding financial statements that perfect a lien.

31 7 Sec. 75. Section 579B.4, subsection 1, paragraph b, Code
 31 8 2005, is amended to read as follows:
 31 9 b. For a lien arising out of producing a crop, the lien
 31 10 becomes effective the day that the crop is first planted. In
 31 11 order to perfect the lien, the contract producer must file a
 31 12 financing statement in the office of the secretary of state as
 31 13 provided in section 554.9308. The contract producer must file
 31 14 a financing statement for the crop within forty-five days
 31 15 after the crop is first planted. The lien terminates one year
 31 16 after the crop is no longer under the authority of the
 31 17 contract producer. For purposes of this section, a crop is no
 31 18 longer under the authority of the contract producer when the
 31 19 crop or a warehouse receipt issued by a warehouse operator
 31 20 licensed under chapter 203C for grain from the crop is no
 31 21 longer under the custody or control of the contract producer.
 31 22 ~~Section 554.9515 shall not apply to a financing statement~~
 31 23 ~~perfecting the lien.~~ The lien may be terminated by the
 31 24 contract producer who files a termination statement as
 31 25 provided in chapter 554, article 9.

CODE: Strikes language regarding financial statements that perfect a lien.

31 26 Sec. 76. Section 602.10110, Code 2005, is amended to read
 31 27 as follows:
 31 28 602.10110 OATH.
 31 29 All persons on being admitted to the bar shall take an oath
 31 30 or affirmation, as promulgated by the supreme court, declaring
 31 31 to support the Constitutions of the United States and of the
 31 32 state of Iowa, and to faithfully discharge, according to the
 31 33 best of their ability, the duties of an attorney and counselor
 31 34 of this state according to the best of their ability.

CODE: Requires the oath of office for attorneys to be promulgated by the Supreme Court.

31 35 Sec. 77. Section 692A.4A, if enacted by 2005 Iowa Acts,
32 1 House File 619, is amended to read as follows:
32 2 692A.4A ELECTRONIC MONITORING.
32 3 A person required to register under this chapter who is
32 4 placed on probation, parole, work release, special sentence,
32 5 or any other type of conditional release, may be supervised by
32 6 an electronic tracking and monitoring system in addition to
32 7 any other conditions of supervision. However, if the person
32 8 committed a criminal offense against a minor, or an aggravated
32 9 offense, sexually violent offense, or other relevant offense
32 10 that involved a minor, the person shall be supervised for a
32 11 period of at least five years by an electronic tracking and
32 12 monitoring system in addition to any other conditions of
32 13 release.

CODE: Requires offenders whose victim was a minor to be electronically monitored for at least five years.

32 14 Sec. 78. Section 692A.13A, subsection 1, unnumbered
32 15 paragraph 1, if enacted by 2005 Iowa Acts, House File 619, is
32 16 amended to read as follows:
32 17 The department of corrections, the department of human
32 18 services, and the department of public safety shall, in
32 19 consultation with one another, develop methods and procedures
32 20 for the assessment of the risk to reoffend for persons newly
32 21 required to register under this chapter on or after the
32 22 effective date of this division of this Act, who have
32 23 committed a criminal offense against a minor, or an aggravated
32 24 offense, sexually violent offense, or other relevant offense
32 25 that involved a minor. The department of corrections, in
32 26 consultation with the department of human services, the
32 27 department of public safety, and the attorney general, shall
32 28 adopt rules relating to assessment procedures. The assessment
32 29 procedures shall include procedures for the sharing of
32 30 information between the department of corrections, department
32 31 of human services, the juvenile court, and the division of
32 32 criminal investigation of the department of public safety, as
32 33 well as the communication of the results of the risk
32 34 assessment to criminal and juvenile justice agencies. The
32 35 assignment of responsibility for the assessment of risk shall

CODE: Requires the Departments of Corrections, Public Safety, and Human Services to develop and implement a risk assessment tool that assesses the risk of certain sex offenders to reoffend, beginning July 1, 2005.

33 1 be as follows:

33 2 Sec. 79. Section 602.10112, Code 2005, is repealed.

CODE: Repeals language that defines certain duties of attorneys and counselors.

33 3 Sec. 80. VEHICLE DEALERSHIP STUDY. The legislative
33 4 council is requested to appoint an interim study committee
33 5 that will study the motor vehicle licensing law as it pertains
33 6 to motor vehicle dealerships' moves from one facility and
33 7 location to another facility and location in the state. A
33 8 report should be provided to the general assembly by January
33 9 15, 2006.

Requires the Legislative Council to appoint an interim study committee to study the motor vehicle licensing law as it relates to motor vehicle dealerships that move from one location to another within the State. A report is to be provided to the General Assembly by January 15, 2006.

[33 10 Sec. 81. EFFECTIVE DATE. The section of this division of
33 11 this Act enacting section 423.3, subsection 29A, being deemed
33 12 of immediate importance, takes effect upon enactment.]

VETOED

Specifies that Section 65 related to a sales tax exemption for construction of certain residential treatment facilities takes effect on enactment.

VETOED: The Governor vetoed this Section. The Governor stated that his veto of Section 65 made this effective date provision unnecessary.

33 13 Sec. 82. 2005 Iowa Acts, House File 739, if enacted, is
33 14 amended by adding the following new section:
33 15 NEW SECTION. Sec. __. EFFECTIVE DATE. The section of
33 16 this Act amending section 262.9 to establish a research
33 17 triangle and clearinghouse takes effect July 1, 2006.

Specifies that the portion of HF 739 (Learning Technology Act) establishing a research triangle and clearinghouse, if enacted, takes effect July 1, 2006.

DETAIL: House File 739 was enacted by the General Assembly on April 26, 2005, and signed by the Governor on June 3, 2005.

33 18 Sec. 83. BUDGET GUARANTEE RESOLUTION — RESOLUTION
33 19 ADOPTION EXTENSION. Notwithstanding the provisions of section
33 20 257.14, subsection 3, unnumbered paragraph 3, a school
33 21 district that wishes to receive a budget adjustment pursuant
33 22 to that subsection for the school budget year beginning July
33 23 1, 2005, shall have until June 1, 2005, to adopt a resolution
33 24 to receive the budget adjustment and to notify the department
33 25 of management of the adoption of the resolution and the amount
33 26 of the budget adjustment to be received.

CODE: Extends the FY 2006 deadline for a school board to adopt a resolution to receive the budget guarantee and notify the Department of Management (DOM) from April 15, 2005, to June 1, 2005.

DETAIL: This delay will allow school districts that become eligible for the budget guarantee because of the change in this Act to adopt a resolution and notify the DOM in order to receive the additional funding.

33 27 Sec. 84. APPLICABILITY PROVISION. The sections of this
 33 28 division of this Act amending section 427.1, subsection 21,
 33 29 and enacting new subsection 21A to section 427.1 shall not be
 33 30 considered property tax exemptions within the meaning of or
 33 31 for the purposes of section 25B.7.

CODE: Specifies that Sections 67 and 68 related to the property tax exemption for low-rent public housing units owned and managed by nonprofit organizations are not subject to the statute requiring such exemptions to be fully State funded (State mandate provisions).

33 32 Sec. 85. RETROACTIVE APPLICABILITY DATE. The section of
 33 33 this division of this Act amending section 423E.5, being
 33 34 deemed of immediate importance, takes effect upon enactment
 33 35 and applies retroactively to July 1, 2004.

Specifies that Section 66 related to the private sale of bonds in anticipation of revenues from the School Infrastructure Local Option (SILO) Sales and Services Tax is retroactive to July 1, 2004.

34 1 Sec. 86. EFFECTIVE AND APPLICABILITY DATES. The sections
 34 2 of this division of this Act amending section 427.1,
 34 3 subsection 21, and enacting new subsection 21A to section
 34 4 427.1, being deemed of immediate importance, take effect upon
 34 5 enactment and apply retroactively to January 1, 2005, for
 34 6 assessment years beginning on or after that date.

Specifies that Sections 67 and 68 related to the property tax exemption for low-rent public housing units owned and managed by nonprofit organizations are effective on enactment and are retroactive to January 1, 2005.

34 7 Sec. 87. APPLICABILITY. Section 25B.7 does not apply to
 34 8 the amendment to section 427.1, subsection 30, in this
 34 9 division of this Act.

CODE: Specifies that Section 69 related to the property tax valuation for manufactured homes or mobile home park storm shelters are not subject to the statute requiring such exemptions to be fully State funded (State mandate provisions).

34 10 Sec. 88. EFFECTIVE DATE. The section of this division of
 34 11 this Act providing an extension of time for adoption of a
 34 12 budget adjustment resolution pursuant to section 257.14,
 34 13 subsection 3, for a budget adjustment for the school budget
 34 14 year beginning July 1, 2005, being deemed of immediate
 34 15 importance, takes effect upon enactment.

Specifies that Section 83 that extends the deadline for the school budget guarantee resolution takes effect upon enactment.

34 16 Sec. 89. EFFECTIVE DATE. The sections of this division of
 34 17 this Act amending section 602.10110 and repealing section
 34 18 602.10112, being deemed of immediate importance, take effect
 34 19 upon enactment.

Specifies that Sections 76 and 79 related to the oath of office for attorneys and repeal of certain duties for attorneys and counselors are effective on enactment.

34 20 DIVISION VI
34 21 EDUCATION

34 22 Sec. 90. Section 11.6, subsection 1, paragraph a,
34 23 unnumbered paragraph 1, Code 2005, is amended to read as
34 24 follows:
34 25 The financial condition and transactions of all cities and
34 26 city offices, counties, county hospitals organized under
34 27 chapters 347 and 347A, memorial hospitals organized under
34 28 chapter 37, entities organized under chapter 28E having gross
34 29 receipts in excess of one hundred thousand dollars in a fiscal
34 30 year, merged areas, area education agencies, and all school
34 31 offices in school districts, shall be examined at least once
34 32 each year, except that cities having a population of seven
34 33 hundred or more but less than two thousand shall be examined
34 34 at least once every four years, and cities having a population
34 35 of less than seven hundred may be examined as otherwise
35 1 provided in this section. The examination shall cover the
35 2 fiscal year next preceding the year in which the audit is
35 3 conducted. The examination of school offices shall include an
35 4 audit of all school funds, the certified annual financial
35 5 report, ~~and~~ the certified enrollment as provided in section
35 6 257.6, and the revenues and expenditures of any nonprofit
35 7 school organization established pursuant to section 279.60.
35 8 Differences in certified enrollment shall be reported to the
35 9 department of management. The examination of a city that owns
35 10 or operates a municipal utility providing local exchange
35 11 services pursuant to chapter 476 shall include an audit of the
35 12 city's compliance with section 388.10. The examination of a
35 13 city that owns or operates a municipal utility providing
35 14 telecommunications services pursuant to section 388.10 shall
35 15 include an audit of the city's compliance with section 388.10.

35 16 Sec. 91. Section 256.9, Code 2005, is amended by adding
35 17 the following new subsection:
35 18 NEW SUBSECTION. 53. Prepare and submit to the
35 19 chairpersons and ranking members of the senate and house

CODE: Requires the revenues and expenditures of a nonprofit school organization to be included in the examination of the school district's financial condition.

CODE: Requires the Department of Education to report on the State's progress in closing the achievement gap for minority groups. The report is to be submitted to the Chairpersons and Ranking Members of the Senate and House Education Committees.

35 20 education committees a report on the state's progress toward
 35 21 closing the achievement gap, including student achievement for
 35 22 minority subgroups, and a comprehensive summary of state
 35 23 agency and local district activities and practices taken in
 35 24 the past year to close the achievement gap.

35 25 Sec. 92. NEW SECTION. 279.60 NONPROFIT SCHOOL
 35 26 ORGANIZATIONS.

35 27 The board of directors of a school district may take action
 35 28 to adopt a resolution to establish, and authorize expenditures
 35 29 for the operational support of, an entity or organization for
 35 30 the sole benefit of the school district and its students that
 35 31 is exempt from federal income taxation under section 501(c)(3)
 35 32 of the Internal Revenue Code. The entity or organization
 35 33 shall reimburse the school district for expenditures made by
 35 34 the school district on behalf of the entity or organization.
 35 35 Prior to establishing such an entity or organization, the
 36 1 board of directors shall hold a public hearing on the proposal
 36 2 to establish such an entity or organization. Such an entity
 36 3 or organization shall maintain its records in accordance with
 36 4 chapter 22, except that the entity or organization shall
 36 5 provide for the anonymity of a donor at the written request of
 36 6 the donor. The board of directors of a school district shall
 36 7 annually report to the department of education and to the
 36 8 local community the administrative expenditures, revenues, and
 36 9 activities of the entity or organization established by the
 36 10 school district pursuant to this section. The department
 36 11 shall include in its annual condition of education report a
 36 12 statewide summary of the expenditures and revenues submitted
 36 13 in accordance with this section.

36 14 Sec. 93. Section 282.18, subsection 2, Code 2005, is
 36 15 amended to read as follows:

36 16 2. By January March 1 of the preceding school year for
 36 17 students entering grades one through twelve, or by September 1
 36 18 of the current school year for students entering kindergarten,
 36 19 the parent or guardian shall send notification to the district

CODE: Permits school boards to set up nonprofit organizations or foundations that are tax exempt under Section 501(c)(3) of the Internal Revenue Code for the benefit of the school district and its students. The organization is to reimburse the school district for expenditures made on its behalf. Records and reporting requirements are specified.

CODE: Changes the open-enrollment application date from January 1 to March 1 for grades one through twelve and to September 1 for children entering kindergarten. School boards are permitted to grant the authority to approve open enrollment applications to the superintendent. Changes the date for notifying parents of open enrollment decisions from March 1 to June 1.

36 20 of residence and the receiving district, on forms prescribed
 36 21 by the department of education, that the parent or guardian
 36 22 intends to enroll the parent's or guardian's child in a public
 36 23 school in another school district. If a parent or guardian
 36 24 fails to file a notification that the parent intends to enroll
 36 25 the parent's or guardian's child in a public school in another
 36 26 district by the deadline of ~~January 1 of the previous year~~
 36 27 specified in this subsection, and one of the criteria defined
 36 28 in procedures of subsection 4 exists for the failure to meet
 36 29 the deadline or if the request is to enroll a child in
 36 30 kindergarten in a public school in another district, the
 36 31 parent or guardian shall be permitted to enroll the child in
 36 32 the other district in the same manner as if the deadline had
 36 33 been met apply.

36 34 The board of the receiving district shall enroll the pupil
 36 35 in a school in the receiving district for the following school
 37 1 year unless the receiving district does not have classroom
 37 2 space for the pupil. The board of directors of a receiving
 37 3 district may adopt a policy granting the superintendent of the
 37 4 school district authority to approve open enrollment
 37 5 applications. If the request is granted, the board shall
 37 6 transmit a copy of the form to the parent or guardian and the
 37 7 school district of residence within five days after board
 37 8 action, but not later than ~~March~~ June 1 of the preceding
 37 9 school year. The parent or guardian may withdraw the request
 37 10 at any time prior to the start of the school year. A denial
 37 11 of a request by the board of a receiving district is not
 37 12 subject to appeal.

37 13 Sec. 94. Section 282.18, subsection 4, paragraphs a and b,
 37 14 Code 2005, are amended to read as follows:
 37 15 a. After ~~January~~ March 1 of the preceding school year and
 37 16 until the third Friday in September of that calendar year, the
 37 17 parent or guardian shall send notification to the district of
 37 18 residence and the receiving district, on forms prescribed by
 37 19 the department of education, that good cause, as defined in
 37 20 paragraph "b", exists for failure to meet the ~~January~~ March 1

CODE: Permits school boards to grant the authority to the superintendent to approve an open enrollment application after the March 1 deadline if good cause exists. Makes conforming and technical changes.

VETOED: The Governor vetoed paragraph b. The Governor stated that this change was intended to accompany a change to move the authority for determining good cause to the resident district. Without the change of good cause determination provided to the resident

37 21 deadline. The board of directors of a receiving school
 37 22 district may adopt a policy granting the superintendent of the
 37 23 school district authority to approve open enrollment
 37 24 applications submitted after the March 1 deadline. The board
 37 25 of the receiving district shall take action to approve the
 37 26 request if good cause exists. If the request is granted, the
 37 27 board shall transmit a copy of the form to the parent or
 37 28 guardian and the school district of residence within five days
 37 29 after board action. A denial of a request by the board of a
 37 30 receiving district is not subject to appeal.

[37 31 b. For purposes of this section, "good cause" means a
 37 32 change in a child's residence due to a change in family
 37 33 residence, a change in the state in which the family residence
 37 34 is located, a change in a child's parents' marital status, a
 37 35 guardianship or custody proceeding, placement in foster care,
 38 1 adoption, participation in a foreign exchange program, or
 38 2 participation in a substance abuse or mental health treatment
 38 3 program, or a similar set of circumstances consistent with the
 38 4 definition of "good cause"; or a change in the status of a
 38 5 child's resident district such as removal of accreditation by
 38 6 the state board, surrender of accreditation, or permanent
 38 7 closure of a nonpublic school, revocation of a charter school
 38 8 contract as provided in section 256F.8, the failure of
 38 9 negotiations for a whole-grade sharing, reorganization,
 38 10 dissolution agreement or the rejection of a current whole-
 38 11 grade sharing agreement, or reorganization plan, or a similar
 38 12 set of circumstances consistent with the definition of "good
 38 13 cause". If the good cause relates to a change in status of a
 38 14 child's school district of residence, however, action by a
 38 15 parent or guardian must be taken to file the notification
 38 16 within forty-five days of the last board action or within
 38 17 thirty days of the certification of the election, whichever is
 38 18 applicable to the circumstances.]

VETOED

district, open enrollment decisions may not be based on the best interest of the student. The Governor stated he is committed to working with the General Assembly and other stakeholders to resolve this issue in the future.

38 19 Sec. 95. Section 282.18, subsections 5 and 6, Code 2005,
 38 20 are amended to read as follows:
 38 21 5. Open enrollment applications filed after January March

CODE: Changes the open-enrollment application date from January 1 to March 1.

38 22 1 of the preceding school year that do not qualify for good
38 23 cause as provided in subsection 4 shall be subject to the
38 24 approval of the board of the resident district and the board
38 25 of the receiving district. The parent or guardian shall send
38 26 notification to the district of residence and the receiving
38 27 district that the parent or guardian seeks to enroll the
38 28 parent's or guardian's child in the receiving district. A
38 29 decision of either board to deny an application filed under
38 30 this subsection involving repeated acts of harassment of the
38 31 student or serious health condition of the student that the
38 32 resident district cannot adequately address is subject to
38 33 appeal under section 290.1. The state board shall exercise
38 34 broad discretion to achieve just and equitable results that
38 35 are in the best interest of the affected child or children.

39 1 6. A request under this section is for a period of not
39 2 less than one year. If the request is for more than one year
39 3 and the parent or guardian desires to have the pupil enroll in
39 4 a different district, the parent or guardian may petition the
39 5 current receiving district by ~~January~~ March 1 of the previous
39 6 school year for permission to enroll the pupil in a different
39 7 district for a period of not less than one year. Upon receipt
39 8 of such a request, the current receiving district board may
39 9 act on the request to transfer to the other school district at
39 10 the next regularly scheduled board meeting after the receipt
39 11 of the request. The new receiving district shall enroll the
39 12 pupil in a school in the district unless there is insufficient
39 13 classroom space in the district or unless enrollment of the
39 14 pupil would adversely affect the court-ordered or voluntary
39 15 desegregation plan of the district. A denial of a request to
39 16 change district enrollment within the approved period is not
39 17 subject to appeal. However, a pupil who has been in
39 18 attendance in another district under this section may return
39 19 to the district of residence and enroll at any time, once the
39 20 parent or guardian has notified the district of residence and
39 21 the receiving district in writing of the decision to enroll
39 22 the pupil in the district of residence.

39 23 Sec. 96. Section 423E.4, subsection 6, unnumbered
 39 24 paragraph 1, Code 2005, is amended to read as follows:
 39 25 A school district with a certified enrollment of fewer than
 39 26 two hundred fifty pupils in the entire district or certified
 39 27 enrollment of fewer than one hundred pupils in high school
 39 28 shall not expend the supplemental school infrastructure amount
 39 29 received for new construction or for payments for bonds issued
 39 30 for new construction against the supplemental school
 39 31 infrastructure amount without prior application to the
 39 32 department of education and receipt of a certificate of need
 39 33 pursuant to this subsection. However, a certificate of need
 39 34 is not required for the payment of outstanding bonds issued
 39 35 for new construction pursuant to section 296.1, before April
 40 1 1, 2003. A certificate of need is also not required for
 40 2 repairing schoolhouses or buildings, equipment, technology, or
 40 3 transportation equipment for transporting students as provided
 40 4 in section 298.3, or for construction necessary for compliance
 40 5 with the federal Americans With Disabilities Act pursuant to
 40 6 42 U.S.C. § 12101—12117. In determining whether a
 40 7 certificate of need shall be issued or denied, the department
 40 8 shall consider all of the following:

CODE: Changes the requirement that school districts expending supplemental school infrastructure funds (SAVE Funds) receive a certificate of need from the Department of Education to apply only to school districts with fewer than 250 students or high schools with fewer than 100 students.

40 9 Sec. 97. RETROACTIVE APPLICABILITY FOR NONPROFIT SCHOOL
 40 10 ORGANIZATIONS. The provisions of section 279.60, as enacted
 40 11 by this division of this Act, authorizing the board of
 40 12 directors of a school district to establish and authorize
 40 13 expenditures for the operational support of an entity or
 40 14 organization for the sole benefit of the school district and
 40 15 its students, apply to entities or organizations established
 40 16 by the board of directors of a school district before, on, or
 40 17 after July 1, 2005.

Specifies that changes to provisions regarding nonprofit school organizations are effective regardless of when they were established.

40 18 DIVISION VII
 40 19 LAND RECORD INFORMATION SYSTEM

40 20 Sec. 98. NEW SECTION. 12B.6 CERTAIN PUBLIC FUNDS OF
40 21 POLITICAL SUBDIVISIONS.

40 22 All funds received, expended, or held by an association of
40 23 elected county officers before, on, or after the effective
40 24 date of this Act, to implement a state–authorized program, are
40 25 subject to audit by the auditor of state at the request of the
40 26 government oversight committees or the legislative council.
40 27 All such funds received or held on and after July 1, 2005,
40 28 shall be deposited in a fund in the office of the treasurer of
40 29 state.

CODE: Requires funds that are received, expended, or held by an association of elected county officers for a State-authorized program are subject to audit at the request of the Government Oversight committees or Legislative Council. Funds received or held on and after July 1, 2005, are to be deposited in a fund of the Office of the Treasurer of State.

DETAIL: This Division pertains to the County Land Record Information System (CLRIS) that was created as a result of Senate File 453 (FY 2004 Reinvention Act), and specified in Section 331.605C, Code of Iowa. Prior to passage of SF 453, county recorders collected filing fees for general recording of documents that were filed or recorded in each county. Those fees continue to be collected. Senate File 453 allows recorders to collect additional fees to be used for planning and implementing an electronic recording and transactions system for each county. The system became the County Land Record Information System. Per Section 331.605C, Code of Iowa, county recorders collected \$5 in FY 2004 from each recorded transaction. Of the \$5 collected, \$4 was distributed to each county for costs associated with developing web sites to provide electronic access to records and information, and \$1 was deposited into the Local Government Electronic Transaction Fund under control of the Treasure of State to be used for contract costs. The total amount collected from the \$4 and \$1 fees in FY 2004 was \$3,600,000 and \$911,000 respectively. In FY 2005 and beyond, county recorders continue to collect \$1 from each recorded transaction to be used for paying counties' ongoing costs of maintaining the System. The fees collected are deposited into the Local Government Electronic Transaction Fund.

40 30 Sec. 99. Section 331.605C, subsection 4, Code 2005, is
40 31 amended to read as follows:
40 32 4. The local government electronic transaction fund is
40 33 established in the office of the treasurer of state under the
40 34 control of the treasurer of state. Moneys deposited into the
40 35 fund are not subject to section 8.33. Notwithstanding section
41 1 12C.7, interest or earnings on moneys in the local government
41 2 electronic transaction fund shall be credited to the fund.
41 3 Moneys in the local government electronic transaction fund are

CODE: Allows funds that are credited to the Local Government Electronic Transaction Fund and appropriated to the Treasurer of State to be used for ongoing costs of integrating the Statewide internet web site, as well as maintaining the web site.

41 4 not subject to transfer, appropriation, or reversion to any
 41 5 other fund, or any other use except as provided in this
 41 6 subsection. On a monthly basis, the county treasurer shall
 41 7 pay each fee collected pursuant to subsection 2 to the
 41 8 treasurer of state for deposit into the local government
 41 9 electronic transaction fund. Moneys credited to the local
 41 10 government electronic transaction fund are appropriated to the
 41 11 treasurer of state to be used for the purpose of paying the
 41 12 ongoing costs of integrating and maintaining the statewide
 41 13 internet website developed and implemented under subsection 1.

41 14 Sec. 100. COUNTY REAL ESTATE ELECTRONIC GOVERNMENT
 41 15 ADVISORY COMMITTEE.

41 16 1. A county real estate electronic government advisory
 41 17 committee is created. Staffing services for the advisory
 41 18 committee shall be provided by the auditor of state. The
 41 19 advisory committee membership shall consist of the following:

41 20 a. Two members selected by the Iowa state association of
 41 21 county auditors.

41 22 b. Two members selected by the Iowa state county
 41 23 treasurers association.

41 24 c. Two members selected by the Iowa county recorders
 41 25 association.

41 26 d. Two members selected by the Iowa state association of
 41 27 assessors.

41 28 e. One member selected by each of the following
 41 29 organizations:

41 30 (1) Iowa state association of counties.

41 31 (2) Iowa land title association.

41 32 (3) Iowa bankers association.

41 33 (4) Iowa credit union league.

41 34 (5) Iowa state bar association.

41 35 (6) Iowa association of realtors.

42 1 2. The county real estate electronic government advisory
 42 2 committee shall facilitate discussion to integrate the county
 42 3 land record information system created pursuant to section
 42 4 331.605C with the electronic government internet applications

Creates a County Real Estate Electronic Government Advisory Committee to be staffed by the Auditor of State and specifies the 14 members. The Committee is to facilitate discussion to integrate the County Land Record Information System with electronic government internet applications of various county officials. The Advisory Committee is required to file an integration plan with the Governor and General Assembly on or before November 1, 2005.

42 5 of county treasurers, county recorders, county auditors, and
 42 6 county assessors. The advisory committee shall file an
 42 7 integration plan with the governor and the general assembly on
 42 8 or before November 1, 2005.

42 9 Sec. 101. COUNTY LAND RECORD INFORMATION SYSTEM —
 42 10 ADDITIONAL PROVISIONS.

42 11 1. The board of supervisors of each county, on behalf of
 42 12 each county recorder, shall execute a chapter 28E agreement
 42 13 with the Iowa county recorders association for the
 42 14 implementation of the county land record information system.
 42 15 Such agreement shall require the Iowa county recorders
 42 16 association to execute contracts necessary for implementation
 42 17 of the county land record information system. The Iowa county
 42 18 recorders association shall submit to the general assembly on
 42 19 or before November 1, 2005, a long-range business plan for
 42 20 implementing and maintaining the county land record
 42 21 information system, including a plan for integrating the
 42 22 system with electronic government and internet applications of
 42 23 other governmental entities.

Requires the Board of Supervisors of each county to execute a 28E agreement with the Iowa County Recorders Association for implementation of the CLRIS. The agreement will require the Association to execute contracts necessary for implementation of the System. The Iowa County Recorders Association is to submit to the General Assembly on or before November 1, 2005, a long-range plan for implementing and maintaining the System, including a plan for integrating the System with other electronic government and internet applications.

42 24 2. The auditor of state shall conduct an audit of the fees
 42 25 collected pursuant to section 331.605C for the purpose of
 42 26 determining the amount of fees collected and the uses for
 42 27 which such fees have been and are being expended. Audit
 42 28 results shall be filed with the general assembly on or before
 42 29 November 1, 2005. The cost of the audit, not to exceed five
 42 30 thousand dollars, shall be paid from the local government
 42 31 electronic transaction fund in the office of the treasurer of
 42 32 state.

Requires the Auditor of State to conduct an audit of the fees currently collected by county auditors for recorded transactions pursuant to Section 331.605C, Code of Iowa, to determine the amount and use for which the fees have been expended. The cost of the audit is not to exceed \$5,000, and is to be paid from the Local Government Electronic Transaction Fund.

42 33 3. County recorders shall collect only statutorily
 42 34 authorized fees for land records management. County recorders
 42 35 shall not collect fees for viewing, accessing, or printing
 43 1 documents in the county land record information system until
 43 2 authorized by the general assembly. However, county recorders

Requires county recorders to collect only those fees authorized by statute for land records management, and prohibits recorders from collecting fees for additional tasks unless authorized by the General Assembly. However, county recorders may collect actual third-party fees associated with processing statutorily authorized fees, including

43 3 may collect actual third-party fees associated with accepting
 43 4 and processing statutorily authorized fees including credit
 43 5 card fees, treasury management fees, and other transaction
 43 6 fees required to enable electronic payment. For the purposes
 43 7 of this subsection, the term "third-party" does not include
 43 8 the county land record information system, the Iowa state
 43 9 association of counties, or any of the association's
 43 10 affiliates.

credit card fees, treasury management fees, and other transaction fees required to enable electronic payment. Third-party does not include the CLRIS, the Iowa State Association of Counties, or any of the Association's affiliates.

43 11 4. The Iowa state association of counties shall provide
 43 12 information to the government oversight committees on or
 43 13 before July 1, 2005, defining all types of land management
 43 14 records, identifying each county or state office that holds
 43 15 such records, and specifying the fees associated with each of
 43 16 the different types of records.

Requires the Iowa State Association of Counties to provide information to the Government Oversight Committees on or before July 1, 2005, defining the types of land management records, identifying each county or State official that holds the records, and specifying the fees associated with each of the different types of records.

43 17 5. The fees collected, including those previously
 43 18 collected and deposited locally, pursuant to section 331.605C,
 43 19 shall be transferred to the treasurer of state for deposit
 43 20 into the local government electronic transaction fund.

Requires revenue collected pursuant Section 331.605C, Code of Iowa, including the fees previously collected and deposited locally, to be transferred to the Treasurer of State for deposit into the Local Government Electronic Transaction Fund.

43 21 Sec. 102. DATA SECURITY AUDIT.

43 22 1. The Iowa county recorders association shall select a
 43 23 vendor to conduct a data security audit of the county land
 43 24 record information system created pursuant to section
 43 25 331.605C. The review and assessment utilized in the audit
 43 26 shall include, but are not limited to, a review of the
 43 27 functional and system requirements, design documentation,
 43 28 software code developed to support the business requirements,
 43 29 operational procedures, financial flows including a financial
 43 30 forecast, requests for proposals, and all contracts.

Requires the Iowa County Recorders Association to select a vendor to conduct a data security audit of the CLRIS. The review and assessment used for the audit are to include various reporting requirements. The cost of the audit is to be paid from fees collected pursuant to Section 331.605C, Code of Iowa. The Association is to forward the complete results of the audit to the Government Oversight Committees and the General Assembly on or before December 1, 2005. The Government Oversight Committees may request additional updates.

43 31 2. The costs of the data security audit conducted pursuant
 43 32 to subsection 1 shall be paid from moneys appropriated to the
 43 33 treasurer of state pursuant to section 331.605C.

43 34 3. The Iowa county recorders association shall forward the
 43 35 complete results of the data security audit to the government
 44 1 oversight committees of the senate and the house of

44 2 representatives and the general assembly on or before December
 44 3 1, 2005, and the government oversight committees may request
 44 4 additional updates.

44 5 Sec. 103. EFFECTIVE DATE. This division of this Act,
 44 6 being deemed of immediate importance, takes effect upon
 44 7 enactment.

Specifies that this Division is effective on enactment.

44 8 DIVISION VIII
 44 9 CORRECTIVE PROVISIONS

44 10 Sec. 104. Section 8A.502, subsection 5, paragraph c, Code
 44 11 2005, is amended to read as follows:
 44 12 c. The Iowa dairy industry commission as established in
 44 13 chapter 179, the Iowa beef cattle producers association as
 44 14 established in chapter 181, the Iowa pork producers council as
 44 15 established in chapter 183A, the Iowa egg council as
 44 16 established in chapter 184, the Iowa turkey marketing council
 44 17 as established in chapter 184A, the Iowa soybean ~~promotion~~
 44 18 ~~board~~ association as established provided in chapter 185, and
 44 19 the Iowa corn promotion board as established in chapter 185C.

CODE: Technical correction to name of Iowa Soybean Association.

44 20 Sec. 105. Section 8A.502, subsection 10, Code 2005, is
 44 21 amended to read as follows:
 44 22 10. Entities representing agricultural producers. To
 44 23 control the financial operations of the Iowa dairy industry
 44 24 commission as provided in chapter 179, the Iowa beef cattle
 44 25 producers association as provided in chapter 181, the Iowa
 44 26 pork producers council as provided in chapter 183A, the Iowa
 44 27 egg council as provided in chapter 184, the Iowa turkey
 44 28 marketing council as provided in chapter 184A, the Iowa
 44 29 soybean ~~promotion board~~ association as provided in chapter
 44 30 185, and the Iowa corn promotion board as provided in chapter
 44 31 185C.

CODE: Technical correction to name of Iowa Soybean Association.

[44 32 Sec. 106. Section 10A.104, subsections 12 and 13, Code
44 33 2005, are amended by striking the subsections.]

VETOED

CODE: Repeals the requirement that the Department of Inspections and Appeals conduct inspections of and license certain food handling and serving establishments and administer the hotel sanitation code.

DETAIL: Section 143 of this Act makes these provisions contingent on the passage of HF 770 (Food Establishment Regulatory Authority Act), which transfers the responsibility and staff related to these duties to the Department of Public Health. House File 770 was approved by the General Assembly on April 19, 2005, and vetoed by the Governor on June 10, 2005.

VETOED: The Governor vetoed this Section and stated that this provision is unnecessary because of his veto of HF 770.

44 34 Sec. 107. Section 12D.9, subsection 2, Code 2005, is
44 35 amended to read as follows:
45 1 2. State income tax treatment of the Iowa educational
45 2 savings plan trust shall be as provided in section 422.7,
45 3 subsections 32, and 33, and 34, and section 422.35, subsection
45 4 14.

CODE: Technical correction to State Income Tax Treatment of Iowa Educational Savings Plan Trust.

45 5 Sec. 108. Section 15.104, subsection 4, unnumbered
45 6 paragraph 1, Code 2005, as amended by 2005 Iowa Acts, Senate
45 7 File 205, section 5, is amended to read as follows:
45 8 Review and approve or disapprove a life science enterprise
45 9 plan or amendments to that plan as provided in chapter 10C ~~as~~
45 10 ~~that chapter exists on or before June 30, 2005,~~ and according
45 11 to rules adopted by the board. A life science plan shall make
45 12 a reasonable effort to provide for participation by persons
45 13 who are individuals or family farm entities actively engaged
45 14 in farming as defined in section 10.1. The persons may
45 15 participate in the life science enterprise by holding an
45 16 equity position in the life science enterprise or providing
45 17 goods or service to the enterprise under contract. The plan
45 18 must be filed with the board not later than June 30, 2005.
45 19 The life science enterprise may file an amendment to a plan at
45 20 any time. A life science enterprise is not eligible to file a
45 21 plan, unless the life science enterprise files a notice with

CODE: Technical correction to life science enterprise plans or amendments.

45 22 the board. The notice shall be a simple statement indicating
45 23 that the life science enterprise may file a plan as provided
45 24 in this section. The notice must be filed with the board not
45 25 later than June 1, 2005. The notice, plan, or amendments
45 26 shall be submitted by a life science enterprise as provided by
45 27 the board. The board shall consult with the department of
45 28 agriculture and land stewardship during its review of a life
45 29 science plan or amendments to that plan. The plan shall
45 30 include information regarding the life science enterprise as
45 31 required by rules adopted by the board, including but not
45 32 limited to all of the following:

45 33 Sec. 109. Section 28.3, subsection 6, paragraph b, Code
45 34 2005, as amended by 2005 Iowa Acts, House File 761, section 5,
45 35 if enacted, is amended to read as follows:

46 1 b. In addition, a community empowerment office is
46 2 established as a division of the department of management to
46 3 provide a center for facilitation, communication, and
46 4 coordination for community empowerment activities and funding
46 5 and for improvement of the early care, education, health, and
46 6 human services systems. Staffing for the community
46 7 empowerment office shall be provided by a facilitator or
46 8 coordinator appointed by the governor, subject to confirmation
46 9 by the senate, and who serves at the pleasure of the governor.
46 10 A deputy and support staff may be designated, subject to
46 11 appropriation made for this purpose. The facilitator or
46 12 coordinator shall submit reports to the governor, the Iowa
46 13 board, and the general assembly. The facilitator or
46 14 coordinator shall provide primary staffing to the board,
46 15 coordinate state technical assistance activities and
46 16 implementation of the technical assistance system, and other
46 17 communication and coordination functions to move authority and
46 18 decision-making responsibility from the state to communities
46 19 and individuals.

CODE: Technical correction to add reference to community empowerment coordinator, contingent on enactment of HF 761 (Early Childhood Policy Act).

DETAIL: House File 761 was approved by the General Assembly on May 16, 2005, and signed by the Governor on June 6, 2005.

46 20 Sec. 110. Section 28.4, subsection 14, if enacted by 2005
46 21 Iowa Acts, House File 761, section 9, is amended to read as
46 22 follows:
46 23 14. With the assistance of the state departments
46 24 represented on the Iowa empowerment board and the community
46 25 empowerment office, develop and implement requirements for
46 26 community empowerment areas and the state administrators of
46 27 programs providing early care or early care services to
46 28 annually report to the public and the early care ~~coordinator~~
46 29 staff designated pursuant to section 28.3 regarding the
46 30 results produced by the community empowerment initiative and
46 31 by the programs. Source data shall also be made available to
46 32 the early care ~~coordinator~~.

46 33 Sec. 111. Section 97.51, subsections 4 and 6, Code 2005,
46 34 are amended to read as follows:
46 35 4. Any public employee subject to coverage under the
47 1 provisions of chapter 97, Code 1950, as amended, in public
47 2 service as of June 30, 1953, and who has not applied for and
47 3 qualified for benefit payments under the provisions of chapter
47 4 97, Code 1950, as amended, who had contributed to the Iowa
47 5 old-age and survivors' insurance fund prior to the repeal of
47 6 ~~said~~ chapter 97, Code 1950, as amended, shall be entitled to a
47 7 refund of contributions paid into the Iowa old-age and
47 8 survivors' insurance fund by such employee without interest,
47 9 but there shall be deducted from the amount of any such refund
47 10 any amount which has been or will be paid in the employee's
47 11 behalf as the employee's contribution as an employee to obtain
47 12 retroactive federal social security coverage. Any former
47 13 public employee not in public service as of June 30, 1953, who
47 14 has contributed to the Iowa old-age and survivors' insurance
47 15 fund, the employee's beneficiaries or estate, when no benefit
47 16 has been paid under chapter 97, Code 1950, based upon such
47 17 employee's prior record, shall be entitled to a refund of
47 18 seventy-five percent of all contributions paid by the employee
47 19 into said fund, without interest. The department shall
47 20 prescribe rules in regard to the granting of such refunds. In

CODE: Technical correction changing reference from coordinator to staff regarding duties of the Iowa Empowerment Board staff, contingent on enactment of HF 761 (Early Childhood Policy Act).

DETAIL: House File 761 was approved by the General Assembly on May 16, 2005, and signed by the Governor on June 6, 2005.

CODE: Technical correction to statutory references related to old-age and survivors' insurance coverage.

47 21 the event of such refund any individual receiving the same
47 22 shall be deemed to have waived any and all rights in behalf of
47 23 the individual or any beneficiary or the individual's estate
47 24 to further benefits under the provisions of chapter 97, Code
47 25 1950, as amended.

47 26 6. In the payment of any benefits in the future, as a
47 27 result of the provisions of chapter 97, Code 1950, as amended,
47 28 the department shall follow the same procedure as provided by
47 29 ~~said chapter 97, Code 1950~~, as amended, as though said chapter
47 30 had not been repealed, except the requirements of ~~section~~
47 31 ~~97.21~~, subsection 4, paragraph "a", and subsection 5 of
47 32 section 97.21, subsection 5 Code 1950, shall not be
47 33 applicable, but no primary benefit, based upon employment
47 34 prior to June 30, 1953, shall be paid to any individual for
47 35 any month during which the individual receives compensation
48 1 for work in any position which would have been subject to
48 2 coverage under the provisions of ~~said chapter 97, Code 1950~~,
48 3 as amended, if the individual's earnings for such month exceed
48 4 one hundred dollars, nor shall any benefit be paid to a wife
48 5 or dependent of such employee for such months, except that
48 6 after a retired member reaches the age of seventy-two years,
48 7 the member, the member's wife and dependents shall be entitled
48 8 to the benefits of this chapter regardless of the amount
48 9 earned.

48 10 Sec. 112. Section 97B.1A, subsection 8, paragraph b,
48 11 subparagraph (5), Code 2005, is amended to read as follows:
48 12 (5) Employees of the Iowa dairy industry commission
48 13 established under chapter 179, the Iowa beef cattle producers
48 14 association established under chapter 181, the Iowa pork
48 15 producers council established under chapter 183A, the Iowa
48 16 turkey marketing council established under chapter 184A, the
48 17 Iowa soybean ~~promotion board established under association as~~
48 18 provided in chapter 185, the Iowa corn promotion board
48 19 established under chapter 185C, and the Iowa egg council
48 20 established under chapter 184.

CODE: Technical correction to correct name reference of the Iowa Soybean Association.

48 21 Sec. 113. Section 99D.13, subsection 2, Code 2005, is
48 22 amended to read as follows:

CODE: Technical correction to race meetings reference.

48 23 2. Winnings from each racetrack forfeited under subsection
48 24 1 shall escheat to the state and to the extent appropriated by
48 25 the general assembly shall be used by the department of
48 26 agriculture and land stewardship to administer section 99D.22.
48 27 The remainder shall be paid over to the commission to pay all
48 28 or part of the cost of drug testing at the tracks. To the
48 29 extent the remainder paid over to the commission, less the
48 30 cost of drug testing, is from unclaimed winnings from harness
48 31 ~~racetrack meets~~ race meetings, the remainder shall be used as
48 32 provided in subsection 3. To the extent the remainder paid to
48 33 the commission, less the cost of drug testing, is from
48 34 unclaimed winnings from licensed dog tracks, the commission
48 35 shall remit annually five thousand dollars, or an equal
49 1 portion of that amount, to each licensed dog track to carry
49 2 out the racing dog adoption program pursuant to section
49 3 99D.27. To the extent the remainder paid over to the
49 4 commission, less the cost of drug testing, is from unclaimed
49 5 winnings from tracks licensed for dog or horse races, the
49 6 commission, on an annual basis, shall remit one-third of the
49 7 amount to the treasurer of the city in which the racetrack is
49 8 located, one-third of the amount to the treasurer of the
49 9 county in which the racetrack is located, and one-third of the
49 10 amount to the racetrack from which it was forfeited. If the
49 11 racetrack is not located in a city, then one-third shall be
49 12 deposited as provided in chapter 556. The amount received by
49 13 the racetrack under this subsection shall be used only for
49 14 retiring the debt of the racetrack facilities and for capital
49 15 improvements to the racetrack facilities.

49 16 Sec. 114. Section 99D.13, subsection 3, unnumbered
49 17 paragraph 1, Code 2005, is amended to read as follows:
49 18 One hundred twenty thousand dollars of winnings from wagers
49 19 placed at harness ~~racetrack meets~~ race meetings forfeited under
49 20 subsection 1 in a calendar year that escheat to the state and
49 21 are paid over to the commission are appropriated to the racing

CODE: Technical correction to race meetings reference.

49 22 commission for the fiscal year beginning in that calendar year
49 23 to be used as follows:

49 24 Sec. 115. Section 126.23A, subsection 1, paragraph a,
49 25 subparagraph (1), as enacted by 2005 Iowa Acts, Senate File
49 26 169, section 3, is amended to read as follows:

49 27 (1) Sell a product ~~that contains more than three hundred~~
49 28 ~~sixty milligrams of pseudoephedrine~~ in violation of section
49 29 124.212, subsection 4.

CODE: Technical correction to remove drug reference.

49 30 Sec. 116. Section 126.23A, subsection 1, paragraph b,
49 31 subparagraph (3), as enacted by 2005 Iowa Acts, Senate File
49 32 169, section 3, is amended to read as follows:

49 33 (3) Require the purchaser to ~~legibly~~ sign a logbook and to
49 34 also require the purchaser to legibly print the purchaser's
49 35 name and address in the logbook.

CODE: Technical correction to signature requirements for drug purchase.

50 1 Sec. 117. Section 126.23A, subsection 3, as enacted by
50 2 2005 Iowa Acts, Senate File 169, section 3, is amended to read
50 3 as follows:

50 4 3. A purchaser shall ~~legibly~~ sign the logbook and also
50 5 legibly print the purchaser's name and address in the logbook.

CODE: Technical correction to signature requirements for drug purchase.

50 6 Sec. 118. Section 135.43, subsection 3, paragraph g, as
50 7 enacted in 2005 Iowa Acts, House File 190, section 2, is
50 8 amended to read as follows:

50 9 g. In order to assist ~~another~~ a division of the department
50 10 in performing the division's duties, if the division does not
50 11 otherwise have access to the information, share information
50 12 possessed by the review team. The division receiving the
50 13 information shall maintain the confidentiality of the
50 14 information in accordance with this section. Unauthorized
50 15 release or disclosure of the information received is subject
50 16 to penalty as provided in this section.

CODE: Technical correction to change reference to a Division of the Department of Public Health as it relates to the Child Death Review Team.

50 17 Sec. 119. Section 135M.6, as enacted by 2005 Iowa Acts,
50 18 House File 724, section 6, is amended to read as follows:

CODE: Technical correction relating to distribution of sample prescription drugs.

50 19 135M.6 SAMPLE PRESCRIPTION DRUGS.
 50 20 This chapter shall not be construed to restrict the use of
 50 21 samples by a physician or other person legally authorized to
 50 22 prescribe drugs pursuant to ~~section 147.107~~ under state and
 50 23 federal law during the course of the physician's or other
 50 24 person's duties at a medical facility or pharmacy.

50 25 Sec. 120. Section 147.105, subsection 2, as enacted by
 50 26 2005 Iowa Acts, House File 418, section 1, is amended to read
 50 27 as follows:

50 28 2. Except as provided under subsections 5 and 6, a
 50 29 clinical laboratory or a physician providing anatomic
 50 30 pathology services to patients in this state shall not,
 50 31 directly or indirectly, charge, bill, or otherwise solicit
 50 32 payment for such services unless the services were personally
 50 33 rendered by a the clinical laboratory or the physician or
 50 34 under the direct supervision of a the clinical laboratory or
 50 35 the physician in accordance with section 353 of the federal
 51 1 Public Health Service Act, 42 U.S.C. § 263a.

CODE: Technical correction to add reference to clinical laboratory to
 billing requirements for pathology services.

51 2 Sec. 121. Section 231C.2, subsection 9, as amended by 2005
 51 3 Iowa Acts, House File 585, section 3, is amended to read as
 51 4 follows:

51 5 9. "Personal care" means assistance with the essential
 51 6 activities of daily living, which may include but are not
 51 7 limited to transferring, bathing, personal hygiene, dressing,
 51 8 grooming, and housekeeping, that are essential to the health
 51 9 and welfare of the tenant.

CODE: Technical correction to correct grammar.

51 10 Sec. 122. Section 249.1, subsection 4, Code 2005, is
 51 11 amended to read as follows:

51 12 4. "Previous categorical assistance programs" means the
 51 13 aid to the blind program authorized by chapter 241, the aid to
 51 14 the disabled program authorized by chapter 241A and the old-
 51 15 age assistance program authorized by chapter 249 ~~of the~~ Code
 51 16 ~~of~~ 1973.

CODE: Technical correction to correct grammar.

51 17 Sec. 123. Section 249.10, Code 2005, is amended to read as
 51 18 follows:
 51 19 249.10 PRIOR LIENS, CLAIMS AND ASSIGNMENTS.
 51 20 Any lien or claim against the estate of a decedent existing
 51 21 on January 1, 1974, which lien was perfected or which claim
 51 22 was filed under the provisions of section 249.19, 249.20, or
 51 23 249.21 ~~as they appeared in the~~ Code of 1973, and prior Codes,
 51 24 and which liens or claims have not been satisfied, are void.
 51 25 Any assignment of personal property which was made under the
 51 26 provisions of chapter 249 ~~as it appeared in the~~ Code of 1973,
 51 27 and prior Codes, is void. The director may in furtherance of
 51 28 this section release any lien or claim created or existing
 51 29 under that chapter. Each release made pursuant to this
 51 30 section shall be executed and acknowledged by the director or
 51 31 the director's authorized designee, and when recorded shall be
 51 32 conclusive in favor of any third person dealing with or
 51 33 concerning the property affected by the release in reliance
 51 34 upon such record.

CODE: Technical correction to statutory reference related to prior liens, claims, and assignments.

51 35 Sec. 124. Section 257.28, Code 2005, is amended to read as
 52 1 follows:
 52 2 257.28 ENRICHMENT LEVY.
 52 3 If a school district has approved the use of the
 52 4 instructional support program for a budget year, the district
 52 5 shall not also collect moneys under the additional enrichment
 52 6 amount approved by the voters under chapter 442, ~~as it~~
 52 7 ~~appeared in~~ Code 1991, for the budget year.

CODE: Technical correction to statutory reference.

52 8 Sec. 125. Section 307.12, subsection 5, Code 2005, is
 52 9 amended to read as follows:
 52 10 5. Prepare a budget for the department, ~~subject to the~~
 52 11 ~~approval of the commission~~, and prepare reports required by
 52 12 law.

CODE: Eliminates the requirement that the Director of the Department of Transportation receive approval of the Transportation Commission of budget and reports preparation.

52 13 Sec. 126. Section 321.43, Code 2005, is amended to read as
 52 14 follows:
 52 15 321.43 NEW IDENTIFYING NUMBERS.

CODE: Technical correction to reference of vehicle identification.

52 16 The department may assign a distinguishing number to a
52 17 vehicle when the ~~serial~~ vehicle identification number on the
52 18 vehicle is destroyed or obliterated and issue to the owner a
52 19 special plate bearing the distinguishing number which shall be
52 20 affixed to the vehicle in a position to be determined by the
52 21 director. The vehicle shall be registered and titled under
52 22 the distinguishing number in lieu of the former ~~serial~~ vehicle
52 23 identification number.

52 24 Sec. 127. Section 321.65, Code 2005, is amended to read as
52 25 follows:

52 26 321.65 GARAGE RECORD.

52 27 Every person or corporation operating a public garage shall
52 28 keep for public inspection a record of the registration number
52 29 and engine ~~or factory~~ serial number or manufacturer's vehicle
52 30 identification number of every motor vehicle offered for sale
52 31 or taken in for repairs in said garage.

CODE: Technical correction to reference of vehicle identification.

52 32 Sec. 128. Section 321.90, subsection 2, paragraph b, Code
52 33 2005, is amended to read as follows:

52 34 b. The application shall set out the name and address of
52 35 the applicant, and the year, make, model, and ~~serial~~ vehicle
53 1 identification number of the motor vehicle, if ascertainable,
53 2 together with any other identifying features, and shall
53 3 contain a concise statement of the facts surrounding the
53 4 abandonment, or a statement that the title of the motor
53 5 vehicle is lost or destroyed, or the reasons for the defect of
53 6 title in the owner. The applicant shall execute an affidavit
53 7 stating that the facts alleged are true and that no material
53 8 fact has been withheld. An order for disposal obtained
53 9 pursuant to section 555B.8, subsection 3, satisfies the
53 10 application requirements of this paragraph.

CODE: Technical correction to reference of vehicle identification.

53 11 Sec. 129. Section 327B.1, subsection 6, as enacted by 2005
53 12 Iowa Acts, House File 591, section 10, is amended to read as
53 13 follows:

53 14 6. A motor carrier ~~owner or driver~~ shall ~~carry~~ keep proper

CODE: Technical correction to reference related to motor carrier operator.

53 15 evidence of interstate authority in the motor ~~carrier~~ vehicle
 53 16 being operated by the motor carrier and the motor carrier
 53 17 owner or driver shall make such evidence available to a peace
 53 18 officer upon request.

53 19 Sec. 130. Section 331.606, subsection 3, Code 2005, is
 53 20 amended to read as follows:

53 21 3. The county recorder may give the county sheriff the
 53 22 records filed under this chapter or chapter 695 ~~of prior~~
 53 23 ~~Codes, Code 1977~~, pertaining to the sale and registration of
 53 24 weapons or may dispose of those records if the sheriff does
 53 25 not wish to receive the records.

CODE: Technical correction to statutory reference related to the sale and registration of weapons.

53 26 Sec. 131. Section 453A.47A, subsection 4, and subsection
 53 27 9, unnumbered paragraph 1, as enacted by 2005 Iowa Acts, House
 53 28 File 339, section 4, are amended to read as follows:

53 29 4. RETAILER — CIGARETTES AND TOBACCO PRODUCTS. A
 53 30 retailer, as defined in section 453A.1, who holds a permit
 53 31 under division I of this chapter is not required to also
 53 32 obtain a ~~retailer~~ retail permit under this division. However,
 53 33 if a retailer, as defined in section 453A.1, only holds a
 53 34 permit under division I of this chapter and that permit is
 53 35 suspended, revoked, or expired, the retailer shall not sell
 54 1 any cigarettes or tobacco products during the time which the
 54 2 permit is suspended, revoked, or expired.
 54 3 ~~Retailer~~ Retail permits shall be issued only upon
 54 4 applications, accompanied by the fee indicated above, made
 54 5 upon forms furnished by the department upon written request.
 54 6 The failure to furnish such forms shall be no excuse for the
 54 7 failure to file the form unless absolute refusal is shown.
 54 8 The forms shall specify:

CODE: Technical correction to reference related to retail permits for retailers of cigarettes and tobacco products.

54 9 Sec. 132. Section 483A.8, subsection 5, Code 2005, is
 54 10 amended to read as follows:

54 11 5. A nonresident owning land in this state may apply for
 54 12 ~~one of the first six thousand~~ a nonresident antlered or any
 54 13 sex deer licenses ~~not limited to antlerless deer~~ hunting

CODE: Removes references to the limits for nonresident deer licenses that may be issued.

54 14 license, and the provisions of subsection 3 shall apply.
 54 15 However, if a nonresident owning land in this state is
 54 16 unsuccessful in obtaining one of the ~~first six thousand~~
 54 17 nonresident antlered or any sex deer hunting licenses, the
 54 18 landowner shall be given preference for one of the ~~two~~
 54 19 ~~thousand five hundred~~ antlerless deer only nonresident deer
 54 20 hunting licenses available pursuant to subsection 3. A
 54 21 nonresident owning land in this state shall pay the fee for a
 54 22 nonresident antlerless only deer license and the license shall
 54 23 be valid to hunt on the nonresident's land only. A
 54 24 ~~nonresident owning land in this state is eligible for only one~~
 54 25 ~~nonresident deer license annually~~. If one or more parcels of
 54 26 land have multiple nonresident owners, only one of the
 54 27 nonresident owners is eligible for a nonresident antlerless
 54 28 only deer license. If a nonresident jointly owns land in this
 54 29 state with a resident, the nonresident shall not be given
 54 30 preference for a nonresident antlerless only deer license.
 54 31 The department may require proof of land ownership from a
 54 32 nonresident landowner applying for a nonresident antlerless
 54 33 only deer license.

54 34 Sec. 133. Section 501A.231, subsection 5, if enacted by
 54 35 2005 Iowa Acts, House File 859, section 17, is amended to read
 55 1 as follows:
 55 2 5. The secretary of state may provide for the change of
 55 3 registered office or registered agent on the form prescribed
 55 4 by the secretary of state for the biennial report, provided
 55 5 that the form contains the information required by section
 55 6 501A.402. If the secretary of state determines that a
 55 7 biennial report does not contain the information required by
 55 8 this section but otherwise meets the requirements of section
 55 9 ~~501.402~~ 501A.402 for the purpose of changing the registered
 55 10 office or registered agent, the secretary of state shall file
 55 11 the statement of change of registered office or registered
 55 12 agent, effective as provided in section 501A.203, before
 55 13 returning the biennial report to the cooperative as provided
 55 14 in this section. A statement of change of registered office

CODE: Technical correction to statutory reference related to the Secretary of State regarding business cooperatives, contingent on passage of HF 859 (Business Cooperatives Act).

DETAIL: House File 859 was approved by the General Assembly on April 29, 2005, and signed by the Governor on May 20, 2005.

55 15 or agent pursuant to this subsection shall be executed by a
55 16 person authorized to execute the biennial report.

55 17 Sec. 134. Section 501A.1001, subsection 4, if enacted by
55 18 2005 Iowa Acts, House File 859, section 73, is amended to read
55 19 as follows:

55 20 4. The determinations of the board as to the amount or
55 21 fair value or the fairness to the cooperative of the
55 22 contribution accepted or to be accepted by the cooperative or
55 23 the terms of payment or performance, including under a
55 24 contribution ~~rights~~ agreement in section 501A.1003, and a
55 25 contribution rights agreement in section 501A.1004, are
55 26 presumed to be proper if they are made in good faith and on
55 27 the basis of accounting methods, or a fair valuation or other
55 28 method, reasonable in the circumstances. Directors who are
55 29 present and entitled to vote, and who, intentionally or
55 30 without reasonable investigation, fail to vote against
55 31 approving a consideration that is unfair to the cooperative,
55 32 or overvalue property or services received or to be received
55 33 by the cooperative as a contribution, are jointly and
55 34 severally liable to the cooperative for the benefit of the
55 35 then members who did not consent to and are damaged by the
56 1 action to the extent of the damages of those members. A
56 2 director against whom a claim is asserted under this
56 3 subsection, except in case of knowing participation in a
56 4 deliberate fraud, is entitled to contribution on an equitable
56 5 basis from other directors who are liable under this
56 6 subsection.

56 7 Sec. 135. Section 10B.4, subsection 1, Code 2005, as
56 8 amended by 2005 Iowa Acts, House File 859, section 102, if
56 9 enacted, is amended to read as follows:

56 10 1. A biennial report shall be filed by a reporting entity
56 11 with the secretary of state on or before March 31 of each odd-
56 12 numbered year as required by rules adopted by the secretary of
56 13 state pursuant to chapter 17A. However, a reporting entity
56 14 required to file a biennial report pursuant to chapter 490,

CODE: Technical correction to reference related to contribution agreements for business cooperatives, contingent on passage of HF 859 (Business Cooperatives Act).

DETAIL: House File 859 was approved by the General Assembly on April 29, 2005, and signed by the Governor on May 20, 2005.

CODE: Technical correction to statutory reference related to business cooperatives, contingent on passage of HF 859 (Business Cooperatives Act).

DETAIL: House File 859 was approved by the General Assembly on April 29, 2005, and signed by the Governor on May 20, 2005.

56 15 490A, 496C, 497, 498, ~~490A~~, 499, 501, 501A, or 504A shall file
 56 16 the report required by this section in the same year as
 56 17 required by that chapter. The reporting entity may file the
 56 18 report required by this section together with the biennial
 56 19 report required to be filed by one of the other chapters
 56 20 referred to in this subsection. The reports shall be filed on
 56 21 forms prepared and supplied by the secretary of state. The
 56 22 secretary of state may provide for combining its reporting
 56 23 forms with other biennial reporting forms required to be used
 56 24 by the reporting entities.

56 25 Sec. 136. 2005 Iowa Acts, House File 859, section 104, if
 56 26 enacted, is amended by striking the section and inserting in
 56 27 lieu thereof the following:

56 28 SEC. 104. Section 15.385, subsection 4, paragraph a, Code
 56 29 2005, is amended to read as follows:

56 30 a. An eligible business may claim a tax credit equal to a
 56 31 percentage of the new investment directly related to new jobs
 56 32 created by the location or expansion of an eligible business
 56 33 under the program. The tax credit shall be allowed against
 56 34 taxes imposed under chapter 422, division II, III, or V. If
 56 35 the business is a partnership, S corporation, limited
 57 1 liability company, cooperative organized under chapter 501 or
 57 2 501A and filing as a partnership for federal tax purposes, or
 57 3 estate or trust electing to have the income taxed directly to
 57 4 the individual, an individual may claim the tax credit
 57 5 allowed. The amount claimed by the individual shall be based
 57 6 upon the pro rata share of the individual's earnings of the
 57 7 partnership, S corporation, limited liability company,
 57 8 cooperative organized under chapter 501 or 501A and filing as
 57 9 a partnership for federal tax purposes, or estate or trust.
 57 10 The percentage shall be equal to the amount provided in
 57 11 paragraph "d". Any tax credit in excess of the tax liability
 57 12 for the tax year may be credited to the tax liability for the
 57 13 following seven years or until depleted, whichever occurs
 57 14 first.

57 15 Subject to prior approval by the department of economic

CODE: Technical correction to statutory reference related to business cooperatives, contingent on passage of HF 859 (Business Cooperatives Act).

DETAIL: House File 859 was approved by the General Assembly on April 29, 2005, and signed by the Governor on May 20, 2005.

57 16 development, in consultation with the department of revenue,
57 17 an eligible business whose project primarily involves the
57 18 production of value-added agricultural products or uses
57 19 biotechnology-related processes may elect to receive a refund
57 20 of all or a portion of an unused tax credit. For purposes of
57 21 this subsection, such an eligible business includes a
57 22 cooperative described in section 521 of the Internal Revenue
57 23 Code which is not required to file an Iowa corporate income
57 24 tax return, and whose project primarily involves the
57 25 production of ethanol. The refund may be applied against a
57 26 tax liability imposed under chapter 422, division II, III, or
57 27 V. If the business is a partnership, S corporation, limited
57 28 liability company, cooperative organized under chapter 501 or
57 29 501A and filing as a partnership for federal tax purposes, or
57 30 estate or trust electing to have the income taxed directly to
57 31 the individual, an individual may claim the tax credit
57 32 allowed. The amount claimed by the individual shall be based
57 33 upon the pro rata share of the individual's earnings of the
57 34 partnership, S corporation, limited liability company,
57 35 cooperative organized under chapter 501 or 501A and filing as
58 1 a partnership for federal tax purposes, or estate or trust.

58 2 Sec. 137. Section 602.1304, subsection 2, paragraph b,
58 3 Code 2005, as amended by 2005 Acts, House File 826, section 3,
58 4 is amended to read as follows:
58 5 b. For each fiscal year, a judicial collection estimate
58 6 for that fiscal year shall be equally and proportionally
58 7 divided into a quarterly amount. The judicial collection
58 8 estimate shall be calculated by using the state revenue
58 9 estimating conference estimate made by December 15 pursuant to
58 10 section 8.22A, subsection 3, of the total amount of fines,
58 11 fees, civil penalties, costs, surcharges, and other revenues
58 12 collected by judicial officers and court employees for deposit
58 13 into the general fund of the state. The revenue estimating
58 14 conference estimate shall be reduced by the maximum amounts
58 15 allocated to the Iowa prison infrastructure fund pursuant to
58 16 section 602.8108A, the court technology and modernization fund

CODE: Technical correction to remove language that is no longer necessary based on the Governor's item veto of HF 826 (Speed Limit Act).

58 17 pursuant to section 602.8108, subsection 7, the judicial
58 18 branch pursuant to section 602.8108, subsection 7A, and the
58 19 road use tax fund pursuant to section 602.8108, subsection 8,
58 20 ~~and amounts allocated to the department of public safety's~~
58 21 ~~vehicle depreciation account pursuant to section 602.8108,~~
58 22 ~~subsection 9,~~ and the remainder shall be the judicial
58 23 collection estimate. In each quarter of a fiscal year, after
58 24 revenues collected by judicial officers and court employees
58 25 equal to that quarterly amount are deposited into the general
58 26 fund of the state, after the required amount is deposited
58 27 during the quarter into the Iowa prison infrastructure fund
58 28 pursuant to section 602.8108A and into the court technology
58 29 and modernization fund pursuant to section 602.8108,
58 30 subsection 7, and after the required amount is allocated to
58 31 the judicial branch pursuant to section 602.8108, subsection
58 32 7A, ~~and to the department of public safety's vehicle~~
58 33 ~~depreciation account pursuant to section 602.8108, subsection~~
58 34 ~~9,~~ the director of the department of administrative services
58 35 shall deposit the remaining revenues for that quarter into the
59 1 enhanced court collections fund in lieu of the general fund.
59 2 However, after total deposits into the collections fund for
59 3 the fiscal year are equal to the maximum deposit amount
59 4 established for the collections fund, remaining revenues for
59 5 that fiscal year shall be deposited into the general fund. If
59 6 the revenue estimating conference agrees to a different
59 7 estimate at a later meeting which projects a lesser amount of
59 8 revenue than the initial estimate amount used to calculate the
59 9 judicial collection estimate, the director of the department
59 10 of administrative services shall recalculate the judicial
59 11 collection estimate accordingly. If the revenue estimating
59 12 conference agrees to a different estimate at a later meeting
59 13 which projects a greater amount of revenue than the initial
59 14 estimate amount used to calculate the judicial collection
59 15 estimate, the director of the department of administrative
59 16 services shall recalculate the judicial collection estimate
59 17 accordingly but only to the extent that the greater amount is
59 18 due to an increase in the fines, fees, civil penalties, costs,

59 19 surcharges, or other revenues allowed by law to be collected
59 20 by judicial officers and court employees.

59 21 Sec. 138. Section 602.8108, subsection 2, Code 2005, as
59 22 amended by 2005 Acts, House File 826, section 5, is amended to
59 23 read as follows:

59 24 2. Except as otherwise provided, the clerk of the district
59 25 court shall report and submit to the state court
59 26 administrator, not later than the fifteenth day of each month,
59 27 the fines and fees received during the preceding calendar
59 28 month. Except as provided in subsections 3, 4, 5, 7, 7A, and
59 29 ~~8, and 9~~, the state court administrator shall deposit the
59 30 amounts received with the treasurer of state for deposit in
59 31 the general fund of the state. The state court administrator
59 32 shall report to the legislative services agency within thirty
59 33 days of the beginning of each fiscal quarter the amount
59 34 received during the previous quarter in the account
59 35 established under this section.

CODE: Technical correction to remove language that is no longer necessary based on the Governor's item veto of HF 826 (Speed Limit Act).

60 1 Sec. 139. Section 633.10, subsection 5, Code 2005, is
60 2 amended to read as follows:

60 3 5. ACTIONS FOR ACCOUNTING.

60 4 An action for an accounting against a beneficiary of a
60 5 transfer on death security registration, pursuant to ~~this~~
60 6 chapter 633D.

CODE: Technical correction to statutory reference related to actions for accounting against beneficiaries.

60 7 Sec. 140. Section 805.8C, subsection 6, as amended by 2005
60 8 Iowa Acts, Senate File 169, section 9, is amended to read as
60 9 follows:

60 10 6. PSEUDOEPHEDRINE SALES VIOLATIONS. For violations of
60 11 section 126.23A, subsection 1, by an employee of a retailer,
60 12 or for violations of section 126.23A, subsection 2, paragraph
60 13 "a", by a purchaser, the scheduled fine is as follows:

60 14 a. If the violation is a first offense, the scheduled fine
60 15 is one hundred dollars.

60 16 b. If the violation is a second offense, the scheduled
60 17 fine is two hundred fifty dollars.

CODE: Technical correction to statutory reference regarding pseudoephedrine sales violations.

60 18 c. If the violation is a third or subsequent offense, the
60 19 scheduled fine is five hundred dollars.

60 20 Sec. 141. 2005 Iowa Acts, House File 739, section 7, if
60 21 enacted, is amended to read as follows:
60 22 SEC. 7. CONTINGENT EFFECTIVENESS. The sections of this
60 23 Act ~~creating amending Code chapter 280A or enacting new~~
60 24 ~~sections in~~ Code chapter 280A take effect only if the general
60 25 assembly appropriates funds for the fiscal year beginning July
60 26 1, 2005, in an amount sufficient to implement the provisions
60 27 of Code chapter 280A, if enacted.

60 28 Sec. 142. 2005 Iowa Acts, House File 839, is amended by
60 29 adding the following new section:
60 30 SEC. __. EFFECTIVE DATE. This Act, being deemed of
60 31 immediate importance, takes effect upon enactment of 2005 Iowa
60 32 Acts, House File 882.

[60 33 Sec. 143. CONTINGENT EFFECTIVE DATE. The section of this
60 34 division of this Act amending section 10A.104 is contingent
60 35 upon the enactment of 2005 Iowa Acts, House File 770.]

VETOED

CODE: Technical correction to contingent effective provision of HF 739 (School Technology Act).

DETAIL: House File 739 was approved by the General Assembly on April 26 2005, and signed by the Governor on June 2, 2005.

Specifies that HF 839 (Establish Technology Governance Board for Department of Administrative Services Act) takes effect on the enactment date of this Act (HF 882).

Specifies that Section 106 related to the elimination of certain inspection and licensing duties of the Department of Inspections and Appeals is contingent on enactment of HF 770 (Food Establishment Regulatory Authority Act).

DETAIL: House File 770 was approved by the General Assembly on April 19, 2005, and vetoed by the Governor on June 10, 2005. Therefore, Section 106 will not become effective.

VETOED: The Governor vetoed this Section and stated that this provision is unnecessary because of his veto of HF 770.

61 1 DIVISION IX
61 2 STATE LIQUOR ACTIVITIES

61 3 Sec. 144. Section 123.53, subsection 3, Code 2005, is
61 4 amended to read as follows:
61 5 3. The treasurer of state shall transfer into a special
61 6 revenue account in the general fund of the state, a sum of
61 7 money at least equal to seven percent of the gross amount of

CODE: Establishes an appropriation of \$2,000,000 from liquor sales revenue to the Department of Public Health for the Substance Abuse Prevention and Treatment Program. Previously, all funding for the Program was appropriated from the General Fund.

61 8 sales made by the division from the beer and liquor control
 61 9 fund on a monthly basis but not less than nine million dollars
 61 10 annually, ~~and any amounts so.~~ Of the amounts transferred, two
 61 11 million dollars, plus an additional amount determined by the
 61 12 general assembly, shall be used by appropriated to the
 61 13 substance abuse division of the Iowa department of public
 61 14 health to be used for substance abuse treatment and prevention
 61 15 programs ~~in an amount determined by the general assembly and~~
 61 16 ~~any.~~ Any amounts received in excess of the amounts
 61 17 appropriated to the substance abuse division of the Iowa
 61 18 department of public health shall be considered part of the
 61 19 general fund balance.

61 20 Sec. 145. ALCOHOLIC BEVERAGES DIVISION — STATE LIQUOR
 61 21 WAREHOUSE AND TRUCKING FUNCTIONS. The department of
 61 22 administrative services shall issue a request for proposals
 61 23 developed with the alcoholic beverages division of the
 61 24 department of commerce or otherwise utilize a competitive
 61 25 process not inconsistent with the division's current charter
 61 26 agency agreement to select a provider to perform the state
 61 27 liquor warehouse and trucking functions. The request for
 61 28 proposals or competitive process shall be issued or commenced
 61 29 as soon as is reasonably possible and a provider shall be
 61 30 selected no later than December 31, 2005. The division may
 61 31 submit a bid in response to a request for proposals issued or
 61 32 competitive process conducted pursuant to this section. If
 61 33 the division submits a bid, the division shall include in the
 61 34 bid the cost of labor to perform the contract which shall be
 61 35 calculated by using the cost of hiring full-time equivalent
 62 1 positions to perform the contract pursuant to state pay grade
 62 2 classifications and benefits as outlined in the most recent
 62 3 collective bargaining agreement applicable to other employees
 62 4 of the division. Notwithstanding any provision of chapter 22
 62 5 to the contrary, the division's bid and any documents the
 62 6 division uses in developing its bid shall be considered a
 62 7 confidential record until the department of administrative
 62 8 services announces the results of the request for proposals or

CODE: Requires the Department of Administrative Services to issue a request for proposals (RFP) or some other competitive bidding process to select a successor contractor to perform the State liquor warehouse and trucking functions, and establishes a due date of December 31, 2005, for selection. Permits the Alcoholic Beverages Division in the Department of Commerce to submit a confidential bid based on using costs associated with State pay grade classifications and benefits from the most recent collective bargaining agreement.

62 9 competitive process.

62 10 Sec. 146. EFFECTIVE DATE. The section of this division of
62 11 this Act amending section 123.53 takes effect July 1, 2006.

Specifies that Section 144 requiring an appropriation of liquor sales revenue to the Department of Public Health is effective July 1, 2006.

62 12 DIVISION X
62 13 BOARD OF REGENTS

62 14 Sec. 147. Section 12B.10C, Code 2005, is amended by adding
62 15 the following new subsection:
62 16 NEW SUBSECTION. 10. The state board of regents governed
62 17 by chapter 262.

CODE: Adds the Board of Regents to the list of State entities that are exempt from the statutory requirements regarding regulation of public funds custodial agreements for certain investments.

62 18 Sec. 148. Section 73A.1, subsection 2, Code 2005, is
62 19 amended to read as follows:
62 20 2. "Municipality" as used in this chapter means township,
62 21 school corporation, and state fair board, ~~and state board of~~
62 22 ~~regents.~~

CODE: Removes the Board of Regents from the statutory definition of municipality related to public contracts and bonds.

DETAIL: This relieves the Board of advertising public hearings for construction work.

62 23 Sec. 149. Section 262.9, subsection 7, Code 2005, is
62 24 amended to read as follows:
62 25 ~~7. With the approval of the executive council, acquire~~
62 26 Acquire real estate for the proper uses of ~~said~~ institutions
62 27 under its control, and dispose of real estate belonging to
62 28 ~~said the~~ institutions when not necessary for their purposes.
62 29 ~~A~~ The disposal of ~~such~~ real estate shall be made upon such
62 30 terms, conditions, and consideration as the board may
62 31 recommend ~~and subject to the approval of the executive~~
62 32 ~~council.~~ If real estate subject to sale ~~hereunder~~ has been
62 33 purchased or acquired from appropriated funds, the proceeds of
62 34 such sale shall be deposited with the treasurer of state and
62 35 credited to the general fund of the state. There is hereby
63 1 appropriated from the general fund of the state a sum equal to
63 2 the proceeds so deposited and credited to the general fund of
63 3 the state to the state board of regents, ~~which, with the prior~~
63 4 ~~approval of the executive council,~~ may be used to purchase
63 5 other real estate and buildings, and for the construction and

CODE: Authorizes the Board of Regents to acquire or dispose of real estate and grant easements without Executive Council approval.

63 6 alteration of buildings and other capital improvements. All
 63 7 transfers shall be by state patent in the manner provided by
 63 8 law. The board is also authorized to grant easements for
 63 9 rights-of-way over, across, and under the surface of public
 63 10 lands under its jurisdiction when in the board's judgment such
 63 11 easements are desirable and will benefit the state of Iowa.

63 12 Sec. 150. Section 262.9, subsection 15, unnumbered
 63 13 paragraph 2, Code 2005, is amended by striking the unnumbered
 63 14 paragraph.

CODE: Eliminates an outdated reference to payment of legal fees prior to July 1, 1978.

63 15 Sec. 151. Section 262.10, unnumbered paragraph 1, Code
 63 16 2005, is amended to read as follows:
 63 17 No sale or purchase of real estate shall be made save upon
 63 18 the order of the board, made at a regular meeting, or one
 63 19 called for that purpose, and then in such manner and under
 63 20 such terms as the board may prescribe ~~and only with the~~
 63 21 ~~approval of the executive council.~~ No member of the board or
 63 22 any of its committees, offices or agencies nor any officer of
 63 23 any institution, shall be directly or indirectly interested in
 63 24 such purchase or sale.

CODE: Authorizes the Board of Regents to acquire or dispose of real estate and grant easements without Executive Council approval.

63 25 Sec. 152. Section 262.33A, Code 2005, is amended to read
 63 26 as follows:
 63 27 262.33A FIRE AND ENVIRONMENTAL SAFETY — REPORT —
 63 28 EXPENDITURES.
 63 29 It is the intent of the general assembly that each
 63 30 institution of higher education under the control of the state
 63 31 board of regents shall, in consultation with the state fire
 63 32 marshal, identify and correct all critical fire and
 63 33 environmental safety deficiencies. ~~The state fire marshal~~
 63 34 ~~shall report annually to the joint subcommittee on education~~
 63 35 ~~appropriations. The report shall include, but is not limited~~
 64 1 ~~to, the identified deficiencies in fire and environmental~~
 64 2 ~~safety at the institutions, and plans for correction of the~~
 64 3 ~~deficiencies and for compliance with this section.~~ Commencing
 64 4 July 1, 1993, each institution under the control of the state

CODE: Eliminates a statutory requirement that the State Fire Marshal make an annual report to the Education Appropriations Subcommittee.

64 5 board of regents shall expend annually for fire safety and
 64 6 deferred maintenance at least the amount budgeted for these
 64 7 purposes for the fiscal year beginning July 1, 1992, in
 64 8 addition to any moneys appropriated from the general fund for
 64 9 these purposes in succeeding years.

64 10 Sec. 153. Section 262.34, Code 2005, is amended to read as
 64 11 follows:
 64 12 262.34 IMPROVEMENTS — ADVERTISEMENT FOR BIDS —
 64 13 DISCLOSURES — PAYMENTS.
 64 14 1. When the estimated cost of construction, repairs, or
 64 15 improvement of buildings or grounds under charge of the state
 64 16 board of regents exceeds ~~twenty-five~~ one hundred thousand
 64 17 dollars, the board shall advertise for bids for the
 64 18 contemplated improvement or construction and shall let the
 64 19 work to the lowest responsible bidder. However, if in the
 64 20 judgment of the board bids received are not acceptable, the
 64 21 board may reject all bids and proceed with the construction,
 64 22 repair, or improvement by a method as the board may determine.
 64 23 All plans and specifications for repairs or construction,
 64 24 together with bids on the plans or specifications, shall be
 64 25 filed by the board and be open for public inspection. All
 64 26 bids submitted under this section shall be accompanied by a
 64 27 deposit of money, a certified check, or a credit union
 64 28 certified share draft in an amount as the board may prescribe.
 64 29 2. A bidder awarded a contract shall disclose the names of
 64 30 all subcontractors, who will work on the project being bid,
 64 31 within forty-eight hours after the award of the contract. If
 64 32 a subcontractor named by a bidder awarded a contract is
 64 33 replaced, or if the cost of work to be done by a subcontractor
 64 34 is reduced, the bidder shall disclose the name of the new
 64 35 subcontractor or the amount of the reduced cost.
 65 1 3. Payments made by the board for the construction of
 65 2 public improvements shall be made in accordance with the
 65 3 provisions of chapter 573 except that:
 65 4 a. Payments may be made without retention until ninety-
 65 5 five percent of the contract amount has been paid. The

CODE: Increases the bid limit for Board of Regents construction projects from \$25,000 to \$100,000. Also modifies language related to retainage funds for construction contracts.

65 6 remaining five percent of the contract amount shall be paid as
65 7 provided in section 573.14, except that:
65 8 (1) At any time after all or any part of the work is
65 9 substantially completed in accordance with paragraph "c", the
65 10 contractor may request the release of all or part of the
65 11 retainage owed. Such request shall be accompanied by a waiver
65 12 of claim rights under the provisions of chapter 573 from any
65 13 person, firm, or corporation who has, under contract with the
65 14 principal contractor or with subcontractors performed labor,
65 15 or furnished materials, service, or transportation in the
65 16 construction of that portion of the work for which release of
65 17 the retainage is requested.
65 18 (2) Upon receipt of the request, the board shall release
65 19 all or part of the unpaid funds. Retainage that is approved
65 20 as payable shall be paid at the time of the next monthly
65 21 payment or within thirty days, whichever is sooner. If
65 22 partial retainage is released pursuant to a contractor's
65 23 request, no retainage shall be subsequently held based on that
65 24 portion of the work. If within thirty days of when payment
65 25 becomes due the board does not release the retainage due,
65 26 interest shall accrue on the retainage amount due as provided
65 27 in section 573.14 until that amount is paid.
65 28 (3) If at the time of the request for the retainage there
65 29 are remaining or incomplete minor items, an amount equal to
65 30 two hundred percent of the value of each remaining or
65 31 incomplete item, as determined by the board's authorized
65 32 contract representative, may be withheld until such item or
65 33 items are completed.
65 34 (4) An itemization of the remaining or incomplete items,
65 35 or the reason that the request for release of the retainage
66 1 was denied, shall be provided to the contractor in writing
66 2 within thirty calendar days of the receipt of the request for
66 3 release of retainage.
66 4 b. For purposes of this section, "authorized contract
66 5 representative" means the architect or engineer who is in
66 6 charge of the project and chosen by the board to represent its
66 7 interests, or if there is no architect or engineer, then such

66 8 other contract representative or officer as designated in the
66 9 contract documents as the party representing the board's
66 10 interest regarding administration and oversight of the
66 11 project.
66 12 c. For purposes of this section, "substantially completed"
66 13 means the first date on which any of the following occurs:
66 14 (1) Completion of the project or when the work has been
66 15 substantially completed in general accordance with the terms
66 16 and provisions of the contract.
66 17 (2) The work or the portion designated is sufficiently
66 18 complete in accordance with the requirements of the contract
66 19 so the board can occupy or utilize the work for its intended
66 20 purpose.
66 21 (3) The project is certified as having been substantially
66 22 completed by either of the following:
66 23 (a) The architect or engineer authorized to make such
66 24 certification.
66 25 (b) The contracting authority representing the board.
66 26 4. Each contractor or subcontractor shall withhold
66 27 retainage, if at all, in the same manner as retainage is
66 28 withheld from the contractor or subcontractor; and each
66 29 subcontractor shall pass through all retainage payments to
66 30 lower tier subcontractors in accordance with the provisions of
66 31 chapter 573.

66 32 Sec. 154. Section 262.57, unnumbered paragraph 1, Code
66 33 2005, is amended to read as follows:
66 34 To pay all or any part of the cost of carrying out any
66 35 project at any institution the board is authorized to borrow
67 1 money and to issue and sell negotiable bonds or notes and to
67 2 refund and refinance bonds or notes heretofore issued or as
67 3 may be hereafter issued for any project or for refunding
67 4 purposes at a lower rate, the same rate or a higher rate or
67 5 rates of interest and from time to time as often as the board
67 6 shall find it to be advisable and necessary so to do. Such
67 7 bonds or notes may be sold by said board at public sale in the
67 8 manner prescribed by chapter 75 but if the board shall find it

CODE: Permits the Board of Regents to sell bonds at less than par value.

67 9 to be advantageous and in the public interest to do so, such
67 10 bonds or notes may be sold by the board at private sale
67 11 without published notice of any kind and without regard to the
67 12 requirements of chapter 75 in such manner and upon such terms
67 13 as may be prescribed by the resolution authorizing the same,
67 14 ~~but such bonds or notes shall in any event be sold upon terms~~
67 15 ~~of not less than par plus accrued interest.~~ Bonds or notes
67 16 issued to refund other bonds or notes heretofore or hereafter
67 17 issued by the board for residence hall or dormitory purposes
67 18 at any institution, including dining or other facilities and
67 19 additions, or heretofore or hereafter issued for refunding
67 20 purposes, may either be sold in the manner hereinbefore
67 21 specified and the proceeds thereof applied to the payment of
67 22 the obligations being refunded, or the refunding bonds or
67 23 notes may be exchanged for and in payment and discharge of the
67 24 obligations being refunded, and a finding by the board in the
67 25 resolution authorizing the issuance of such refunding bonds or
67 26 notes that the bonds or notes being refunded were issued for a
67 27 purpose specified in this division and constitute binding
67 28 obligations of the board shall be conclusive and may be relied
67 29 upon by any holder of any refunding bond or note issued under
67 30 the provisions of this division. The refunding bonds or notes
67 31 may be sold or exchanged in installments at different times or
67 32 an entire issue or series may be sold or exchanged at one
67 33 time. Any issue or series of refunding bonds or notes may be
67 34 exchanged in part or sold in parts in installments at
67 35 different times or at one time. The refunding bonds or notes
68 1 may be sold or exchanged at any time on, before, or after the
68 2 maturity of any of the outstanding notes, bonds or other
68 3 obligations to be refinanced thereby and may be issued for the
68 4 purpose of refunding a like or greater principal amount of
68 5 bonds or notes, except that the principal amount of the
68 6 refunding bonds or notes may exceed the principal amount of
68 7 the bonds or notes to be refunded to the extent necessary to
68 8 pay any premium due on the call of the bonds or notes to be
68 9 refunded or to fund interest in arrears or about to become
68 10 due.

68 11 Sec. 155. Section 262.78, subsection 6, Code 2005, is
68 12 amended by striking the subsection.

CODE: Eliminates the requirement for submission of an annual report by the Center for Agricultural and Health Safety located at the University of Iowa.

68 13 Sec. 156. Section 262A.5, unnumbered paragraph 1, Code
68 14 2005, is amended to read as follows:
68 15 The board is authorized to borrow money under this chapter,
68 16 and the board may issue and sell negotiable bonds to pay all
68 17 or any part of the cost of carrying out any project at any
68 18 institution and may refund and refinance bonds issued for any
68 19 project or for refunding purposes at the same rate or at a
68 20 higher or lower rate or rates of interest. Bonds issued under
68 21 the provisions of this chapter shall be sold by said board at
68 22 public sale on the basis of sealed proposals received pursuant
68 23 to a notice specifying the time and place of sale and the
68 24 amount of bonds to be sold which shall be published at least
68 25 once not less than seven days prior to the date of sale in a
68 26 newspaper published in the state of Iowa and having a general
68 27 circulation in said state. The provisions of chapter 75 shall
68 28 ~~not~~ apply to bonds issued under authority contained in this
68 29 chapter, ~~but such bonds shall be sold upon terms of not less~~
68 30 ~~than par plus accrued interest to the extent not in conflict~~
68 31 with this chapter. Bonds issued to refund other bonds issued
68 32 under the provisions of this chapter may either be sold in the
68 33 manner hereinbefore specified and the proceeds thereof applied
68 34 to the payment of the obligations being refunded, or the
68 35 refunding bonds may be exchanged for and in payment and
69 1 discharge of the obligations being refunded. The refunding
69 2 bonds may be sold or exchanged in installments at different
69 3 times or an entire issue or series may be sold or exchanged at
69 4 one time. Any issue or series of refunding bonds may be
69 5 exchanged in part or sold in parts in installments at
69 6 different times or at one time. The refunding bonds may be
69 7 sold or exchanged at any time on, before, or after the
69 8 maturity of any of the outstanding bonds or other obligations
69 9 to be refinanced thereby and may be issued for the purpose of
69 10 refunding a like or greater principal amount of bonds, except

CODE: Permits the Board of Regents to sell bonds at less than par value.

69 11 that the principal amount of the refunding bonds may exceed
 69 12 the principal amount of the bonds to be refunded to the extent
 69 13 necessary to pay any premium due on the call of the bonds to
 69 14 be refunded or to fund interest in arrears or which is to
 69 15 become due.

69 16 Sec. 157. Section 266.39F, subsection 2, unnumbered
 69 17 paragraph 2, Code 2005, is amended to read as follows:
 69 18 The provisions of section 262.9, subsection 7, ~~and section~~
 69 19 ~~262.10~~, shall not apply to the sale of any portion of land to
 69 20 be sold in accordance with this section or to the use of the
 69 21 proceeds from the sale of the land.

CODE: Eliminates reference to the Executive Council in relation to the sale of the Dairy Research Farm located in Ankeny. The Farm is owned by Iowa State University.

69 22 Sec. 158. Section 573.12, subsection 1, unnumbered
 69 23 paragraph 1, Code 2005, is amended to read as follows:
 69 24 Payments made under contracts for the construction of
 69 25 public improvements, unless provided otherwise by law, shall
 69 26 be made on the basis of monthly estimates of labor performed
 69 27 and material delivered, as determined by the project architect
 69 28 or engineer. The public corporation shall retain from each
 69 29 monthly payment not more than five percent of that amount
 69 30 which is determined to be due according to the estimate of the
 69 31 architect or engineer. ~~However, institutions governed~~
 69 32 ~~pursuant to chapter 262 may, on contracts where a bond is~~
 69 33 ~~required under section 573.2, make payments under this section~~
 69 34 ~~without retention until ninety-five percent of the contract~~
 69 35 ~~amount has been paid and the remaining five percent of the~~
 70 1 ~~contract amount shall be paid as provided under section~~
 70 2 ~~573.14.~~

CODE: Eliminates language regarding retainage related to construction contracts of the Board of Regents.

70 3 Sec. 159. Section 573.14, unnumbered paragraph 2, Code
 70 4 2005, is amended to read as follows:
 70 5 The public corporation shall order payment of any amount
 70 6 due the contractor to be made in accordance with the terms of
 70 7 the contract. Except as provided in section 573.12 for
 70 8 progress payments, failure to make payment pursuant to this
 70 9 section, of any amount due the contractor, within forty days,

CODE: Specifies interest rate for retainage related to construction contracts of the Board of Regents

70 10 unless a greater time period not to exceed fifty days is
70 11 specified in the contract documents, after the work under the
70 12 contract has been completed and if the work has been accepted
70 13 and all required materials, certifications, and other
70 14 documentations required to be submitted by the contractor and
70 15 specified by the contract have been furnished the awarding
70 16 public corporation by the contractor, shall cause interest to
70 17 accrue on the amount unpaid to the benefit of the unpaid
70 18 party. Interest shall accrue during the period commencing the
70 19 thirty-first day following the completion of work and
70 20 satisfaction of the other requirements of this paragraph and
70 21 ending on the date of payment. The rate of interest shall be
70 22 determined by the period of time during which interest
70 23 accrues, and shall be the same as the rate of interest that is
70 24 in effect under section 12C.6, as of the day interest begins
70 25 to accrue, for a deposit of public funds for a comparable
70 26 period of time. However, for institutions governed pursuant
70 27 to chapter 262, the rate of interest shall be determined by
70 28 the period of time during which interest accrues, and shall be
70 29 calculated as the prime rate plus one percent per year as of
70 30 the day interest begins to accrue. This paragraph does not
70 31 abridge any of the rights set forth in section 573.16. Except
70 32 as provided in sections 573.12 and 573.16, interest shall not
70 33 accrue on funds retained by the public corporation to satisfy
70 34 the provisions of this section regarding claims on file. This
70 35 chapter does not apply if the public corporation has entered
71 1 into a contract with the federal government or accepted a
71 2 federal grant which is governed by federal law or rules that
71 3 are contrary to the provisions of this chapter. For purposes
71 4 of this unnumbered paragraph, "prime rate" means the prime
71 5 rate charged by banks on short-term business loans, as
71 6 determined by the board of governors of the federal reserve
71 7 system and published in the federal reserve bulletin.

71 8 Sec. 160. Sections 262.64A, 262.67, 262A.3, 262A.6A,
71 9 263A.11, 265.6, and 473.12, Code 2005, are repealed.

CODE: Repeals the following statutory requirements related to the
Board of Regents:

- Section 262.64A - Specific reporting requirements related to building projects funded by bonding.
- Section 262.67 - Approval by the Executive Council to grant easements for public property.
- Section 262A.3 - Annual report outlining the five-year building plan for each institution and two-year bonding resolution needs.
- Section 262A.6A - Language related to the Iowa College Super Savings Plan. This language was outdated and was applicable to bonds issued in 1994.
- Section 263A.11 - Annual report outlining the five-year building plan for each institution and two-year bonding resolution needs related to the University of Iowa Hospitals and Clinics.
- Section 265.6 - State aid requirements for students at Price Laboratory School at the University of Northern Iowa.
- Section 473.12 - Implementation of energy conservation measures and an annual reporting requirement regarding energy savings. This language related to an engineering analysis that was completed in 1989.

71 10 DIVISION XI
71 11 ENTREPRENEURS WITH DISABILITIES

71 12 Sec. 161. ENTREPRENEURS WITH DISABILITIES PROGRAM —
71 13 TRANSFER OF ADMINISTRATION. The department of economic
71 14 development shall transfer the administrative duties of the
71 15 entrepreneurs with disabilities program to the Iowa finance
71 16 authority. The authority shall adopt rules pursuant to
71 17 chapter 17A for purposes of administering the program. Any
71 18 contract entered into under the program by the department of
71 19 economic development remains valid. The transfer of
71 20 administrative duties to the authority shall not constitute
71 21 grounds for rescission or modification of a contract under the
71 22 program entered into with the department.

Transfers administrative duties related to the Entrepreneurs with Disabilities Program from the Department of Economic Development to the Iowa Finance Authority.

71 23 Sec. 162. ENTREPRENEURS WITH DISABILITIES PROGRAM —
71 24 APPROPRIATION. For the fiscal year beginning July 1, 2005,
71 25 and ending June 30, 2006, there is appropriated from the
71 26 general fund of the state to the Iowa finance authority two

General Fund appropriation of \$200,000 for FY 2006 to the Iowa Finance Authority for administration of the Entrepreneurs with Disabilities Program.

71 27 hundred thousand dollars for purposes of the entrepreneurs
71 28 with disabilities program.

DETAIL: This is a new appropriation.

71 29 DIVISION XII
71 30 WIND ENERGY PRODUCTION TAX CREDIT

71 31 Sec. 163. Section 476B.1, subsection 4, paragraph c, Code
71 32 2005, is amended to read as follows:
71 33 c. Was originally placed in service on or after July 1,
71 34 ~~2004~~ 2005, but before July 1, ~~2007~~ 2008.

CODE: Changes property in-service date for the Wind Energy Production Tax Credit.

71 35 Sec. 164. Section 476B.3, Code 2005, is amended to read as
72 1 follows:

CODE: Specifies calculation of Wind Energy Production Tax Credit.

72 2 476B.3 CREDIT AMOUNT.

DETAIL: The Tax Credit is equal to one cent per kilowatt-hour of electricity produced and sold by a qualified wind energy facility.

72 3 ~~1. Except as limited by subsection 2, the~~ The wind energy
72 4 production tax credit allowed under this chapter equals the
72 5 product of one cent multiplied by the number of kilowatt-hours
72 6 of qualified electricity sold by the owner during the taxable
72 7 year.

FISCAL IMPACT: It is estimated that an anticipated 450 megawatts of constructed capacity will earn approximately \$143.9 million in State production tax credits over 14 fiscal years. The finances of State government will see a return in the form of increased sales and income taxes, as well as property tax revenues deposited to the State General Fund. Local governments where the wind facilities are located will realize increases after the property tax diversion to the State General Fund has expired.

72 8 ~~2. a. The maximum amount of tax credit which a group of~~
72 9 ~~qualified facilities operating as one unit may receive for a~~
72 10 ~~taxable year equals the rate of credit times thirty-two~~
72 11 ~~percent of the total number of kilowatts of nameplate~~
72 12 ~~generating capacity.~~

Over the 16 years it takes for all production tax credits to be exhausted, the projected 450 megawatts will reduce net State General Fund revenues for the entire period by \$16.8 million.

72 13 ~~b. However, if for the previous taxable year the amount of~~
72 14 ~~the tax credit for the group of qualified facilities operating~~
72 15 ~~as one unit is less than the maximum amount available as~~
72 16 ~~provided in paragraph "a", the maximum amount for the next~~
72 17 ~~taxable year shall be increased by the amount of the previous~~
72 18 ~~year's unused maximum credit.~~

For the General Fund, the fiscal analysis shows that the sales and income tax receipts during the construction period may produce positive net benefits in FY 2006 and FY 2007.

Local governments will see a decrease in revenue during the 12 years the State receives the consolidated property tax, with a projected cumulative decrease in property tax revenue of \$10.1 million over 16 years. The negative impact only relates to the megawatts where construction is assumed to occur with or without the enactment of the new tax credit. For those megawatts, current law provides for a

	discounted property tax structure where the resulting tax is distributed to local governments.
72 19 Sec. 165. Section 476B.4, subsection 1, paragraph b, Code 72 20 2005, is amended by striking the paragraph.	CODE: Repeals language that requires qualified wind energy facilities to be located in Iowa.
72 21 Sec. 166. Section 476B.5, Code 2005, is amended by 72 22 striking the section and inserting in lieu thereof the 72 23 following: 72 24 476B.5 DETERMINATION OF ELIGIBILITY. 72 25 1. An owner may apply to the board for a written 72 26 determination regarding whether a facility is a qualified 72 27 facility by submitting to the board a written application 72 28 containing all of the following: 72 29 a. Information regarding the ownership of the facility 72 30 including the percentage of equity interest held by each 72 31 owner. 72 32 b. The nameplate generating capacity of the facility. 72 33 c. Information regarding the facility's initial placement 72 34 in service. 72 35 d. Information regarding the type of facility. 73 1 e. A copy of an executed power purchase agreement or other 73 2 agreement to purchase electricity upon completion of the 73 3 project. 73 4 f. Any other information the board may require. 73 5 2. The board shall review the application and supporting 73 6 information and shall make a preliminary determination 73 7 regarding whether the facility is a qualified facility. The 73 8 board shall notify the applicant of the approval or denial of 73 9 the application within thirty days of receipt of the 73 10 application and information required. If the board fails to 73 11 notify the applicant of the approval or denial within thirty 73 12 days, the application shall be deemed denied. An applicant 73 13 who receives a determination denying an application may file 73 14 an appeal with the board within thirty days from the date of 73 15 the denial pursuant to the provisions of chapter 17A. In the 73 16 absence of a timely appeal, the preliminary determination	CODE: Specifies determination of eligibility for the Wind Energy Production Tax Credit.

73 17 shall be final. If the application is incomplete, the board
73 18 may grant an extension of time for the provision of additional
73 19 information.

73 20 3. A facility that is not operational within eighteen
73 21 months after issuance of an approval for the facility by the
73 22 board shall cease to be a qualified facility. A facility that
73 23 is granted and thereafter loses approval may reapply to the
73 24 board for a new determination.

73 25 4. The maximum amount of nameplate generating capacity of
73 26 all qualified facilities the board may find eligible under
73 27 this chapter shall not exceed four hundred fifty megawatts of
73 28 nameplate generating capacity.

73 29 5. An owner shall not be an owner of more than two
73 30 qualified facilities.

73 31 Sec. 167. Section 476B.6, Code 2005, is amended by
73 32 striking the section and inserting in lieu thereof the
73 33 following:

73 34 476B.6 TAX CREDIT CERTIFICATE PROCEDURE.

73 35 1. a. To be eligible to receive the wind energy
74 1 production tax credit, the owner must first receive approval
74 2 of the board of supervisors of the county in which the
74 3 qualified facility is located. The application for approval
74 4 may be submitted prior to commencement of the construction of
74 5 the qualified facility but shall be submitted no later than
74 6 the close of the owner's first taxable year for which the
74 7 credit is to be applied for. The application must contain the
74 8 owner's name and address, the address of the qualified
74 9 facility, and the dates of the owner's first and last taxable
74 10 years for which the credit will be applied for. Within forty–
74 11 five days of the receipt of the application for approval, the
74 12 board of supervisors shall either approve or disapprove the
74 13 application. After the forty–five–day limit, the application
74 14 is deemed to be approved.

74 15 b. Upon approval of the application, the owner may apply
74 16 for the tax credit as provided in subsection 2. In addition,
74 17 approval of the application is acceptance by the applicant for

CODE: Specifies the Wind Energy Production Tax Credit procedure.

74 18 the assessment of the qualified facility for property tax
74 19 purposes for a period of twelve years and approval by the
74 20 board of supervisors for the payment of the property taxes
74 21 levied on the qualified property to the state. For purposes
74 22 of property taxation, the qualified facility shall be
74 23 centrally assessed and shall be exempt from any replacement
74 24 tax under section 437A.6 for the period during which the
74 25 facility is subject to property taxation. The property taxes
74 26 to be paid to the state are those property taxes which make up
74 27 the consolidated tax levied on the qualified facility and
74 28 which are due and payable in the twelve-year period beginning
74 29 with the first fiscal year beginning on or after the end of
74 30 the owner's first taxable year for which the credit is applied
74 31 for. Upon approval of the application, the board of
74 32 supervisors shall notify the county treasurer to state on the
74 33 tax statement which lists the taxes on the qualified facility
74 34 that the amount of the property taxes shall be paid to the
74 35 department. Payment of the designated property taxes to the
75 1 department shall be in the same manner as required for the
75 2 payment of regular property taxes and failure to pay
75 3 designated property taxes to the department shall be treated
75 4 the same as failure to pay property taxes to the county
75 5 treasurer.

75 6 c. Once the owner of the qualified facility receives
75 7 approval under paragraph "a", subsequent approval under
75 8 paragraph "a" is not required for the same qualified facility
75 9 for subsequent taxable years.

75 10 2. An owner of a qualified facility may apply to the board
75 11 for the wind energy production tax credit by submitting to the
75 12 board all of the following:

75 13 a. A completed application in a form prescribed by the
75 14 board.

75 15 b. A copy of the determination granting approval of the
75 16 facility as a qualified facility by the board.

75 17 c. A copy of a signed power purchase agreement or other
75 18 agreement to purchase electricity.

75 19 d. Sufficient documentation that the electricity has been

75 20 generated by the qualified facility and sold to a purchaser.
75 21 e. Any other information the board deems necessary.
75 22 3. The board shall notify the department of the amount of
75 23 kilowatt-hours generated and purchased from a qualified
75 24 facility. The department shall calculate the amount of the
75 25 tax credit for which the applicant is eligible and shall issue
75 26 the tax credit certificate for that amount or notify the
75 27 applicant in writing of its refusal to do so. An applicant
75 28 whose application is denied may file an appeal with the
75 29 department within sixty days from the date of the denial
75 30 pursuant to the provisions of chapter 17A.
75 31 4. Each tax credit certificate shall contain the owner's
75 32 name, address, and tax identification number, the amount of
75 33 tax credits, the first taxable year the certificate may be
75 34 used, the type of tax to which the tax credits shall be
75 35 applied, and any other information required by the department.
76 1 The tax credit certificate shall only list one type of tax to
76 2 which the amount of the tax credit may be applied. Once
76 3 issued by the department, the tax credit certificate shall not
76 4 be terminated or rescinded.
76 5 5. If the tax credit application is filed by a
76 6 partnership, limited liability company, S corporation, estate,
76 7 trust, or other reporting entity all of the income of which is
76 8 taxed directly to its equity holders or beneficiaries, for the
76 9 taxes imposed under chapter 422, division II or III, the tax
76 10 credit certificate shall be issued directly to equity holders
76 11 or beneficiaries of the applicant in proportion to their pro
76 12 rata share of the income of such entity. The applicant shall,
76 13 in the application made under this section, identify its
76 14 equity holders or beneficiaries, and the percentage of such
76 15 entity's income that is allocable to each equity holder or
76 16 beneficiary. If the tax credit application is filed by a
76 17 partnership, limited liability company, S corporation, estate,
76 18 trust, or other reporting entity, all of whose income is taxed
76 19 directly to its equity holders or beneficiaries for the taxes
76 20 imposed under chapter 422, division V, or under chapter 432,
76 21 the tax credit certificate shall be issued directly to the

76 22 partnership, limited liability company, S corporation, estate,
76 23 trust, or other reporting entity.

76 24 6. The department shall not issue a tax credit certificate
76 25 if the facility approved by the board as a qualified facility
76 26 is not operational within eighteen months after the approval
76 27 is issued.

76 28 7. Once a tax credit certificate is issued pursuant to
76 29 this section, the tax credit may only be claimed against the
76 30 type of tax reflected on the certificate.

76 31 8. A tax credit certificate shall not be used or attached
76 32 to a return filed for a taxable year beginning prior to July
76 33 1, 2006.

76 34 Sec. 168. Section 476B.7, unnumbered paragraph 1, Code
76 35 2005, is amended to read as follows:

77 1 Wind energy production tax credit certificates issued under
77 2 this chapter may be transferred to any person or entity.
77 3 Within thirty days of transfer, the transferee must submit the
77 4 transferred tax credit certificate to the ~~board~~ department
77 5 along with a statement containing the transferee's name, tax
77 6 identification number, and address, and the denomination that
77 7 each replacement tax credit certificate is to carry and any
77 8 other information required by the department. Within thirty
77 9 days of receiving the transferred tax credit certificate and
77 10 the transferee's statement, the ~~board~~ department shall issue
77 11 one or more replacement tax credit certificates to the
77 12 transferee. Each replacement certificate must contain the
77 13 information required under section 476B.6 and must have the
77 14 same effective taxable year and the same expiration date that
77 15 appeared in the transferred tax credit certificate. Tax
77 16 credit certificate amounts of less than the minimum amount
77 17 established by rule of the board shall not be transferable. A
77 18 tax credit shall not be claimed by a transferee under this
77 19 chapter until a replacement tax credit certificate identifying
77 20 the transferee as the proper holder has been issued.

CODE: Requires Wind Energy Production Tax Credit certificates to be administered by the Department of Revenue rather than the Utilities Board of the Department of Commerce.

77 21 Sec. 169. Section 476B.8, Code 2005, is amended to read as
 77 22 follows:
 77 23 476B.8 USE OF TAX CREDIT CERTIFICATES.
 77 24 To claim a wind energy production tax credit under this
 77 25 chapter, a taxpayer must attach one or more tax credit
 77 26 certificates to the taxpayer's tax return. A tax credit
 77 27 certificate shall not be used or attached to a return filed
 77 28 for a taxable year beginning prior to July 1, ~~2005~~ 2006. The
 77 29 tax credit certificate or certificates attached to the
 77 30 taxpayer's tax return shall be issued in the taxpayer's name,
 77 31 expire on or after the last day of the taxable year for which
 77 32 the taxpayer is claiming the tax credit, and show a tax credit
 77 33 amount equal to or greater than the tax credit claimed on the
 77 34 taxpayer's tax return. Any tax credit in excess of the
 77 35 taxpayer's tax liability for the taxable year may be credited
 78 1 to the taxpayer's tax liability for the following seven
 78 2 taxable years or until depleted, whichever is the earlier.

CODE: Changes the effective date for the Wind Energy Production Tax Credit from July 1, 2005, to July 1, 2006.

78 3 Sec. 170. Section 476B.9, Code 2005, is amended to read as
 78 4 follows:
 78 5 476B.9 REGISTRATION OF TAX CREDIT CERTIFICATES.
 78 6 The ~~board shall, in conjunction with the department, shall~~
 78 7 develop a system for the registration of the wind energy
 78 8 production tax credit certificates issued or transferred under
 78 9 this chapter and a system that permits verification that any
 78 10 tax credit claimed on a tax return is valid and that transfers
 78 11 of the tax credit certificates are made in accordance with the
 78 12 requirements of this chapter. The tax credit certificates
 78 13 issued under this chapter shall not be classified as a
 78 14 security pursuant to chapter 502.

CODE: Changes statutory reference for registration of Wind Energy Production Tax Credit certificates from the Utilities Board to the Department of Revenue.

78 15 Sec. 171. NEW SECTION. 476B.10 RULES.
 78 16 The department and the board may adopt rules pursuant to
 78 17 chapter 17A for the administration and enforcement of this
 78 18 chapter.

CODE: Permits the Department of Revenue and the Utilities Board of the Department of Commerce to adopt rules for administration and enforcement of the Wind Energy Production Tax Credit.

78 19 DIVISION XIII
78 20 PROVISIONS RELATING TO THE PRACTICE OF PHARMACY

78 21 Sec. 172. Section 155A.3, subsection 11, Code 2005, is
78 22 amended to read as follows:

78 23 11. "Dispense" means to deliver a prescription drug,
78 24 device, or controlled substance to an ultimate user or
78 25 research subject by or pursuant to the lawful prescription
78 26 drug order or medication order of a practitioner, including
78 27 the prescribing, administering, packaging, labeling, or
78 28 compounding necessary to prepare the substance for that
78 29 delivery.

78 30 Sec. 173. Section 155A.3, Code 2005, is amended by adding
78 31 the following new subsection:

78 32 NEW SUBSECTION. 22A. "Logistics provider" means an entity
78 33 that provides or coordinates warehousing, distribution, or
78 34 other services on behalf of a manufacturer or other owner of a
78 35 drug, but does not take title to the drug or have general
79 1 responsibility to direct its sale or other disposition.

79 2 Sec. 174. Section 155A.3, Code 2005, is amended by adding
79 3 the following new subsection:

79 4 NEW SUBSECTION. 23A. "Pedigree" means a recording of each
79 5 distribution of any given drug or device, from the sale by the
79 6 manufacturer through acquisition and sale by any wholesaler,
79 7 pursuant to rules adopted by the board.

79 8 Sec. 175. Section 155A.3, subsection 33, paragraph b, Code
79 9 2005, is amended to read as follows:

79 10 b. A drug or device that under federal law is required,
79 11 prior to being dispensed or delivered, to be labeled with
79 12 ~~either one~~ of the following statements:

79 13 (1) Caution: Federal law prohibits dispensing without a
79 14 prescription.

79 15 (2) Caution: Federal law restricts this drug to use by or
79 16 on the order of a licensed veterinarian.

79 17 (3) Caution: Federal law restricts this device to sale
79 18 by, or on the order of, a physician.

79 19 (4) Rx only.

CODE: Amends various definitions with regard to pharmacy practice; modifies requirements for a pharmacy license application, authorizes the Board of Pharmacy Examiners to define specific types of wholesaler licenses, and requires licensed wholesalers to report specific occurrences to the Board.

79 20 Sec. 176. Section 155A.3, subsection 35, Code 2005, is
79 21 amended to read as follows:
79 22 35. "Proprietary medicine" or "~~over-the-counter medicine~~"
79 23 means a nonnarcotic drug or device that may be sold without a
79 24 prescription and that is labeled and packaged in compliance
79 25 with applicable state or federal law.

79 26 Sec. 177. Section 155A.3, subsection 38, Code 2005, is
79 27 amended to read as follows:
79 28 38. "Wholesaler" means a person operating or maintaining,
79 29 either within or outside this state, a manufacturing plant,
79 30 wholesale distribution center, wholesale business, or any
79 31 other business in which prescription drugs or devices,
79 32 medicinal chemicals, medicines, or poisons are sold,
79 33 manufactured, compounded, dispensed, stocked, exposed,
79 34 distributed from, or offered for sale at wholesale in this
79 35 state. "Wholesaler" does not include those wholesalers who
80 1 sell only proprietary or ~~over-the-counter~~ medicines.
80 2 "Wholesaler" also does not include a commercial carrier that
80 3 temporarily stores prescription drugs or devices, medicinal
80 4 chemicals, medicines, or poisons while in transit.

80 5 Sec. 178. Section 155A.4, subsection 2, paragraph a, Code
80 6 2005, is amended to read as follows:
80 7 a. A ~~manufacturer~~ or wholesaler to distribute prescription
80 8 drugs or devices as provided by state or federal law.

80 9 Sec. 179. Section 155A.13, subsection 6, unnumbered
80 10 paragraph 1, Code 2005, is amended to read as follows:
80 11 To qualify for a pharmacy license, the applicant shall
80 12 submit to the board a license fee as determined by the board
80 13 and a completed application on a form prescribed by the board
80 14 ~~that shall include the following information and~~. The
80 15 application shall include the following and such other
80 16 information as required by rules of the board and shall be
80 17 given under oath:

80 18 Sec. 180. Section 155A.17, subsection 2, Code 2005, is
80 19 amended to read as follows:
80 20 2. The board shall establish standards for drug wholesaler
80 21 licensure and may define specific types of wholesaler

80 22 licenses. The board may deny, suspend, or revoke a drug
80 23 wholesale license for failure to meet the applicable standards
80 24 or for a violation of the laws of this state, another state,
80 25 or the United States relating to prescription drugs, devices,
80 26 or controlled substances, or for a violation of this chapter,
80 27 chapter 124, 124A, 124B, 126, or 205, or a rule of the board.

80 28 Sec. 181. Section 155A.17, subsection 3, Code 2005, is
80 29 amended to read as follows:

80 30 3. The board shall adopt rules pursuant to chapter 17A on
80 31 matters pertaining to the issuance of a wholesale drug
80 32 license. The rules shall provide for conditions of licensure,
80 33 compliance standards, licensure fees, disciplinary action, and
80 34 other relevant matters. Additionally, the rules shall
80 35 establish provisions or exceptions for pharmacies, chain
81 1 pharmacy distribution centers, logistics providers, and other
81 2 types of wholesalers relating to pedigree requirements, drug
81 3 or device returns, and other related matters, so as not to
81 4 prevent or interfere with usual, customary, and necessary
81 5 business activities.

81 6 Sec. 182. Section 155A.19, subsection 1, paragraph f, Code
81 7 2005, is amended by striking the paragraph and inserting in
81 8 lieu thereof the following:

81 9 f. Change of legal name or doing-business-as name.

81 10 Sec. 183. Section 155A.19, Code 2005, is amended by adding
81 11 the following new subsection:

81 12 NEW SUBSECTION. 3. A wholesaler shall report in writing
81 13 to the board, pursuant to its rules, the following:

81 14 a. Permanent closing or discontinuation of wholesale
81 15 distributions into this state.

81 16 b. Change of ownership.

81 17 c. Change of location.

81 18 d. Change of the wholesaler's responsible individual.

81 19 e. Change of legal name or doing-business-as name.

81 20 f. Theft or significant loss of any controlled substance
81 21 on discovery of the theft or loss.

81 22 g. Disasters, accidents, and emergencies that may affect
81 23 the strength, purity, or labeling of drugs, medications,

81 24 devices, or other materials used in the diagnosis or the
81 25 treatment of injury, illness, and disease.

81 26 h. Other information or activities as required by rule.

81 27 Sec. 184. Section 155A.20, subsection 1, Code 2005, is
81 28 amended to read as follows:

81 29 1. A person, other than a pharmacy or wholesaler licensed
81 30 under this chapter, shall not display in or on any store,
81 31 internet site, or place of business, nor use in any
81 32 advertising or promotional literature, communication, or
81 33 representation, the word or words: "apothecary", "drug",
81 34 "drug store", or "pharmacy", either in English or any other
81 35 language, any other word or combination of words of the same
82 1 or similar meaning, or any graphic representation in a manner
82 2 that would mislead the public unless it is a pharmacy or drug
82 3 wholesaler licensed under this chapter.

82 4 Sec. 185. Section 155A.21, Code 2005, is amended to read
82 5 as follows:

82 6 155A.21 UNLAWFUL POSSESSION OF PRESCRIPTION DRUG OR
82 7 DEVICE

82 7 — PENALTY.

82 8 1. A person found in possession of a drug or device
82 9 limited to dispensation by prescription, unless the drug or
82 10 device was so lawfully dispensed, commits a serious
82 11 misdemeanor.

82 12 2. Subsection 1 does not apply to a licensed pharmacy,
82 13 licensed wholesaler, physician, veterinarian, dentist,
82 14 podiatric physician, therapeutically certified optometrist,
82 15 advanced registered nurse practitioner, physician assistant, a
82 16 nurse acting under the direction of a physician, or the board
82 17 of pharmacy examiners, its officers, agents, inspectors, and
82 18 representatives, nor to a common carrier, manufacturer's
82 19 representative, or messenger when transporting the drug or
82 20 device in the same unbroken package in which the drug or
82 21 device was delivered to that person for transportation.

82 22 Sec. 186. Section 155A.23, Code 2005, is amended to read
82 23 as follows:

CODE: Implements a graduated system of penalties for prohibited acts in relation to practice of pharmacy, including serious misdemeanors, an aggravated misdemeanor, a Class D felony, and numerous Class C felonies.

82 24 155A.23 PROHIBITED ACTS.
82 25 A person shall not ~~perform or cause the performance of or~~
82 26 ~~aid and abet any of the following acts:~~
82 27 1. ~~Obtain or attempt~~ Obtaining or attempting to obtain a
82 28 prescription drug or device or procure or attempt procuring or
82 29 attempting to procure the administration of a prescription
82 30 drug or device by:
82 31 a. ~~Fraud~~ Engaging in fraud, deceit, misrepresentation, or
82 32 subterfuge.
82 33 b. ~~Forgery or alteration of~~ Forging or altering a written,
82 34 electronic, or facsimile prescription or of any written,
82 35 electronic, or facsimile order.
83 1 c. ~~Concealment of~~ Concealing a material fact.
83 2 d. ~~Use of~~ Using a false name or the giving of a false
83 3 address.
83 4 2. ~~Willfully make~~ making a false statement in any
83 5 prescription, report, or record required by this chapter.
83 6 3. For the purpose of obtaining a prescription drug or
83 7 device, falsely assume assuming the title of or claim claiming
83 8 to be a manufacturer, wholesaler, pharmacist, pharmacy owner,
83 9 physician, dentist, podiatric physician, veterinarian, or
83 10 other authorized person.
83 11 4. ~~Make or utter~~ Making or uttering any false or forged
83 12 oral, written, electronic, or facsimile prescription or oral,
83 13 written, electronic, or facsimile order.
83 14 5. ~~Affix any false or forged label to a package or~~
83 15 ~~receptacle containing prescription drugs~~ Forging,
83 16 counterfeiting, simulating, or falsely representing any drug
83 17 or device without the authority of the manufacturer, or using
83 18 any mark, stamp, tag, label, or other identification device
83 19 without the authorization of the manufacturer.
83 20 6. Manufacturing, repackaging, selling, delivering, or
83 21 holding or offering for sale any drug or device that is
83 22 adulterated, misbranded, counterfeit, suspected of being
83 23 counterfeit, or that has otherwise been rendered unfit for
83 24 distribution.
83 25 7. Adulterating, misbranding, or counterfeiting any drug

83 26 or device.
83 27 8. Receiving any drug or device that is adulterated,
83 28 misbranded, stolen, obtained by fraud or deceit, counterfeit,
83 29 or suspected of being counterfeit, and delivering or
83 30 proffering delivery of such drug or device for pay or
83 31 otherwise.
83 32 9. Adulterating, mutilating, destroying, obliterating, or
83 33 removing the whole or any part of the labeling of a drug or
83 34 device or committing any other act with respect to a drug or
83 35 device that results in the drug or device being misbranded.
84 1 10. Purchasing or receiving a drug or device from a person
84 2 who is not licensed to distribute the drug or device to that
84 3 purchaser or recipient.
84 4 11. Selling or transferring a drug or device to a person
84 5 who is not authorized under the law of the jurisdiction in
84 6 which the person receives the drug or device to purchase or
84 7 possess the drug or device from the person selling or
84 8 transferring the drug or device.
84 9 12. Failing to maintain or provide records as required by
84 10 this chapter, chapter 124, or rules of the board.
84 11 13. Providing the board or any of its representatives or
84 12 any state or federal official with false or fraudulent records
84 13 or making false or fraudulent statements regarding any matter
84 14 within the scope of this chapter, chapter 124, or rules of the
84 15 board.
84 16 14. Distributing at wholesale any drug or device that
84 17 meets any of the following conditions:
84 18 a. The drug or device was purchased by a public or private
84 19 hospital or other health care entity.
84 20 b. The drug or device was donated or supplied at a reduced
84 21 price to a charitable organization.
84 22 c. The drug or device was purchased from a person not
84 23 licensed to distribute the drug or device.
84 24 d. The drug or device was stolen or obtained by fraud or
84 25 deceit.
84 26 15. Failing to obtain a license or operating without a
84 27 valid license when a license is required pursuant to this

84 28 chapter or chapter 147.
84 29 16. Engaging in misrepresentation or fraud in the
84 30 distribution of a drug or device.
84 31 17. Distributing a drug or device to a patient without a
84 32 prescription drug order or medication order from a
84 33 practitioner licensed by law to use or prescribe the drug or
84 34 device.
84 35 18. Distributing a drug or device that was previously
85 1 dispensed by a pharmacy or distributed by a practitioner
85 2 except as provided by rules of the board.
85 3 19. Failing to report any prohibited act.
85 4 Information communicated to a physician in an unlawful
85 5 effort to procure a prescription drug or device or to procure
85 6 the administration of a prescription drug shall not be deemed
85 7 a privileged communication.
85 8 Subsections 6 and 7 shall not apply to the wholesale
85 9 distribution by a manufacturer of a prescription drug or
85 10 device that has been delivered into commerce pursuant to an
85 11 application approved by the federal food and drug
85 12 administration.
85 13 Sec. 187. Section 155A.24, Code 2005, is amended to read
85 14 as follows:
85 15 155A.24 PENALTIES.
85 16 1. A Except as otherwise provided in this section, a
85 17 person who violates a provision of section 155A.23 or who
85 18 sells or offers for sale, gives away, or administers to
85 19 another person any prescription drug or device in violation of
85 20 this chapter commits a public offense and shall be punished as
85 21 follows:
85 22 a. If the prescription drug is a controlled substance, the
85 23 person shall be punished pursuant to ~~section 124.401,~~
85 24 ~~subsection 1, and section 124.411~~ chapter 124, division IV.
85 25 b. If the prescription drug is not a controlled substance,
85 26 the person, upon conviction of a first offense, is guilty of a
85 27 serious misdemeanor. For a second offense, or if in case of a
85 28 first offense the offender previously has been convicted of
85 29 any violation of the laws of the United States or of any

85 30 state, territory, or district thereof relating to prescription
85 31 drugs or devices, the offender is guilty of an aggravated
85 32 misdemeanor. For a third or subsequent offense or if in the
85 33 case of a second offense the offender previously has been
85 34 convicted two or more times in the aggregate of any violation
85 35 of the laws of the United States or of any state, territory,
86 1 or district thereof relating to prescription drugs or devices,
86 2 the offender is guilty of a class "D" felony.

86 3 2. A person who violates any provision of this chapter by
86 4 selling, giving away, or administering any prescription drug
86 5 or device to a minor is guilty of a class "C" felony.

86 6 3. A wholesaler who, with intent to defraud or deceive,
86 7 fails to deliver to another person, when required by rules of
86 8 the board, complete and accurate pedigree concerning a drug
86 9 prior to transferring the drug to another person is guilty of
86 10 a class "C" felony.

86 11 4. A wholesaler who, with intent to defraud or deceive,
86 12 fails to acquire, when required by rules of the board,
86 13 complete and accurate pedigree concerning a drug prior to
86 14 obtaining the drug from another person is guilty of a class
86 15 "C" felony.

86 16 5. A wholesaler who knowingly destroys, alters, conceals,
86 17 or fails to maintain, as required by rules of the board,
86 18 complete and accurate pedigree concerning any drug in the
86 19 person's possession is guilty of a class "C" felony.

86 20 6. A wholesaler who is in possession of pedigree documents
86 21 required by rules of the board, and who knowingly fails to
86 22 authenticate the matters contained in the documents as
86 23 required, and who nevertheless distributes or attempts to
86 24 further distribute drugs is guilty of a class "C" felony.

86 25 7. A wholesaler who, with intent to defraud or deceive,
86 26 falsely swears or certifies that the person has authenticated
86 27 any documents related to the wholesale distribution of drugs
86 28 or devices is guilty of a class "C" felony.

86 29 8. A wholesaler who knowingly forges, counterfeits, or
86 30 falsely creates any pedigree, who falsely represents any
86 31 factual matter contained in any pedigree, or who knowingly

86 32 omits to record material information required to be recorded
86 33 in a pedigree is guilty of a class "C" felony.
86 34 9. A wholesaler who knowingly purchases or receives drugs
86 35 or devices from a person not authorized to distribute drugs or
87 1 devices in wholesale distribution is guilty of a class "C"
87 2 felony.
87 3 10. A wholesaler who knowingly sells, barter, brokers, or
87 4 transfers a drug or device to a person not authorized to
87 5 purchase the drug or device under the jurisdiction in which
87 6 the person receives the drug or device in a wholesale
87 7 distribution is guilty of a class "C" felony.
87 8 11. A person who knowingly manufactures, sells, or
87 9 delivers, or who possesses with intent to sell or deliver, a
87 10 counterfeit, misbranded, or adulterated drug or device is
87 11 guilty of the following:
87 12 a. If the person manufactures or produces a counterfeit,
87 13 misbranded, or adulterated drug or device; or if the quantity
87 14 of a counterfeit, misbranded, or adulterated drug or device
87 15 being sold, delivered, or possessed with intent to sell or
87 16 deliver exceeds one thousand units or dosages; or if the
87 17 violation is a third or subsequent violation of this
87 18 subsection, the person is guilty of a class "C" felony.
87 19 b. If the quantity of a counterfeit, misbranded, or
87 20 adulterated drug or device being sold, delivered, or possessed
87 21 with intent to sell or deliver exceeds one hundred units or
87 22 dosages but does not exceed one thousand units or dosages; or
87 23 if the violation is a second or subsequent violation of this
87 24 subsection, the person is guilty of a class "D" felony.
87 25 c. All other violations of this subsection shall
87 26 constitute an aggravated misdemeanor.
87 27 12. A person who knowingly forges, counterfeits, or
87 28 falsely creates any label for a drug or device or who falsely
87 29 represents any factual matter contained on any label of a drug
87 30 or device is guilty of a class "C" felony.
87 31 13. A person who knowingly possesses, purchases, or brings
87 32 into the state a counterfeit, misbranded, or adulterated drug
87 33 or device is guilty of the following:

87 34 a. If the quantity of a counterfeit, misbranded, or
 87 35 adulterated drug or device being possessed, purchased, or
 88 1 brought into the state exceeds one hundred units or dosages;
 88 2 or if the violation is a second or subsequent violation of
 88 3 this subsection, the person is guilty of a class "D" felony.

88 4 b. All other violations of this subsection shall
 88 5 constitute an aggravated misdemeanor.

88 6 14. This section does not prevent a licensed practitioner
 88 7 of medicine, dentistry, podiatry, nursing, veterinary
 88 8 medicine, optometry, or pharmacy from acts necessary in the
 88 9 ethical and legal performance of the practitioner's
 88 10 profession.

88 11 15. Subsections 1 and 2 shall not apply to a parent or
 88 12 legal guardian administering, in good faith, a prescription
 88 13 drug or device to a child of the parent or a child for whom
 88 14 the individual is designated a legal guardian.

88 15 Sec. 188. NEW SECTION. 155A.40 CRIMINAL HISTORY RECORD
 88 16 CHECKS.

88 17 1. The board may request and obtain, notwithstanding
 88 18 section 692.2, subsection 5, criminal history data for any
 88 19 applicant for an initial or renewal license or registration
 88 20 issued pursuant to this chapter or chapter 147, any applicant
 88 21 for reinstatement of a license or registration issued pursuant
 88 22 to this chapter or chapter 147, or any licensee or registrant
 88 23 who is being monitored as a result of a board order or
 88 24 agreement resolving an administrative disciplinary action, for
 88 25 the purpose of evaluating the applicant's, licensee's, or
 88 26 registrant's eligibility for licensure, registration, or
 88 27 suitability for continued practice of the profession.
 88 28 Criminal history data may be requested for all owners,
 88 29 managers, and principal employees of a pharmacy or drug
 88 30 wholesaler licensed pursuant to this chapter. The board shall
 88 31 adopt rules pursuant to chapter 17A to implement this section.
 88 32 The board shall inform the applicant, licensee, or registrant
 88 33 of the criminal history requirement and obtain a signed waiver
 88 34 from the applicant, licensee, or registrant prior to

CODE: Authorizes the Board of Pharmacy Examiners to request and obtain criminal history data for those in the pharmacy profession, including drug wholesaler applicants, provides for the collection of fees from these applicants for this purpose, and authorizes the Board to process these fees as repayment receipts.

FISCAL IMPACT: It is estimated that the Board will collect and retain an estimated \$78,000 annually in repayment receipts from applicants to cover the cost of criminal history background checks.

88 35 submitting a criminal history data request.
89 1 2. A request for criminal history data shall be submitted
89 2 to the department of public safety, division of criminal
89 3 investigation and bureau of identification, pursuant to
89 4 section 692.2, subsection 1. The board may also require such
89 5 applicants, licensees, and registrants to provide a full set
89 6 of fingerprints, in a form and manner prescribed by the board.
89 7 Such fingerprints may be submitted to the federal bureau of
89 8 investigation through the state criminal history repository
89 9 for a national criminal history check. The board may
89 10 authorize alternate methods or sources for obtaining criminal
89 11 history record information. The board may, in addition to any
89 12 other fees, charge and collect such amounts as may be incurred
89 13 by the board, the department of public safety, or the federal
89 14 bureau of investigation in obtaining criminal history
89 15 information. Amounts collected shall be considered repayment
89 16 receipts as defined in section 8.2.
89 17 3. Criminal history information relating to an applicant,
89 18 licensee, or registrant obtained by the board pursuant to this
89 19 section is confidential. The board may, however, use such
89 20 information in a license or registration denial proceeding.
89 21 In a disciplinary proceeding, such information shall
89 22 constitute investigative information under section 272C.6,
89 23 subsection 4, and may be used only for purposes consistent
89 24 with that section.
89 25 4. This section shall not apply to a manufacturer of a
89 26 prescription drug or device that has been delivered into
89 27 commerce pursuant to an application approved by the federal
89 28 food and drug administration.

89 29 Sec. 189. NEW SECTION. 155A.41 CONTINUOUS QUALITY
89 30 IMPROVEMENT PROGRAM.
89 31 1. Each licensed pharmacy shall implement or participate
89 32 in a continuous quality improvement program to review pharmacy
89 33 procedures in order to identify methods for addressing
89 34 pharmacy medication errors and for improving patient use of
89 35 medications and patient care services. Under the program,

CODE: Requires licensed pharmacies to implement or participate in a continuous quality improvement program that will address pharmacy medication errors and improve patient medication use and services. Also, requires the Board of Pharmacy Examiners to adopt rules for the administration of the program.

90 1 each pharmacy shall assess its practices and identify areas
90 2 for quality improvement.
90 3 2. The board shall adopt rules for the administration of a
90 4 continuous quality improvement program. The rules shall
90 5 address all of the following:
90 6 a. Program requirements and procedures.
90 7 b. Program record and reporting requirements.
90 8 c. Any other provisions necessary for the administration
90 9 of a program.

90 10 HF 882
90 11 mg:jp/es/25

EXECUTIVE SUMMARY
FY 2007 SCHOOL AID ALLOWABLE GROWTH RATE

SENATE FILE 36

FY 2007 ALLOWABLE GROWTH RATE

- Sets the FY 2007 allowable growth rate at 4.0%.

FISCAL IMPACT

- With 4.0% allowable growth:
 - The school district cost per pupil will increase by \$197 compared to the FY 2006 amount, yielding an FY 2007 State cost per pupil of \$5,128.
 - State Aid will total \$2,074.1 million, an increase of \$111.3 million compared to FY 2006.
 - Foundation Property Tax will total \$1,072.9 million, an increase of \$27.7 million compared to FY 2006.
 - The budget guarantee will total \$14.0 million (this amount is included in the total Foundation Property Tax amount) and 133 school districts will be eligible to receive the budget guarantee. Of these school districts, 46 will receive the 101.0% budget adjustment, and 87 will receive the scaled-down budget adjustment.

SCHOOL DISTRICT INFORMATION

- Estimates for individual school districts are available from the Fiscal Services Division of the Legislative Services Agency (LSA) or on the LSA web site at:
http://staffweb.legis.state.ia.us/lfb/docs/k-12_ed/k-12_ed.htm.

ENACTMENT DATE

- This Act was approved by the General Assembly on January 24, 2005, and signed by the Governor on February 2, 2005.

**EXECUTIVE SUMMARY
SOIL CONSERVATION DISTRICT EXPENSE SUPPLEMENTAL ACT**

SENATE FILE 71

NEW PROGRAMS, SERVICES, OR
ACTIVITIES

MAJOR INCREASES, DECREASES,
OR TRANSFERS OF EXISTING
PROGRAMS

FISCAL IMPACT

INTENT LANGUAGE

EFFECTIVE DATE

ENACTMENT DATE

- Allocates funds to the Department of Agriculture and Land Stewardship to reimburse District Soil and Water Commissioners for expenses incurred while performing duties.
- Allocates \$250,000 from the \$2.0 million Environment First Fund appropriation to the Conservation Reserve Program (CRP) in the Department of Agriculture and Land Stewardship for FY 2005. The Department budgeted funds for this in FY 2004 from the General Fund appropriation, but did not in FY 2005.
- The fiscal impact is a reduction for the CRP of \$250,000. As of June 1, 2006, the CRP balance was \$2.1 million. This includes the \$250,000 transfer of funds to the Department.
- Specifies that Soil and Water Conservation Districts that receive an allocation must report a summary of expenditures, the amount of obligated or encumbered funds, and remaining fund balances to the Soil Conservation Division in the Department of Agriculture and Land Stewardship, by January 1, 2006.
- This Act takes effect upon enactment.
- This Act was approved by the General Assembly on March 23, 2005, and signed by the Governor on March 31, 2005.

**EXECUTIVE SUMMARY
MILITARY PAY DIFFERENTIAL PROGRAM CHANGES ACT**

SENATE FILE 75

**EXPANDS MILITARY PAY
DIFFERENTIAL PROGRAM**

**TRANSFER TO DEPARTMENT OF
PUBLIC HEALTH**

**DEPARTMENT OF ADMINISTRATIVE
SERVICES APPROPRIATION
RETAINED**

**TRANSFER TO COLLEGE STUDENT
AID COMMISSION**

**TRANSFER TO IOWA FINANCE
AUTHORITY**

NONREVERSION

EFFECTIVE DATE

ENACTMENT DATE

- Allows an FY 2003 appropriation made from the Cash Reserve Fund for a military pay differential program for State employees to be expanded to qualifying persons that are not State employees. As of December 2004, the Department of Administrative Services (DAS) had expended approximately \$23,000 of the original appropriation of \$1.8 million to assist 18 individuals.
- Transfers \$10,000 to the Department of Public Health for community mental health centers to provide counseling services to persons, whether or not they are employed by the State, that are members of the National Guard or Reservists and are assigned to active duty in the United States armed forces.
- Requires \$100,000 to be retained by the Department of Administrative Services (DAS) for the military pay differential and health insurance retention programs for employees on the central payroll system that have been activated for the armed services of the United States.
- Transfers \$650,000 to the College Student Aid Commission for the National Guard Educational Assistance Program to supplement funds appropriated for FY 2005.
- Transfers the remainder of the appropriation (approximately \$1.1 million) to the Iowa Finance Authority (IFA) for a home ownership assistance program for persons who are eligible members of the United States Armed Forces. Requires the surviving spouse be eligible for a loan under the Program in the event the eligible member is deceased, and specifies eligibility for participation in the Program.
- Allows unencumbered or unobligated funds to be carried forward to future fiscal years and remain available for expenditure.
- This Act takes effect upon enactment and is retroactively applicable to May 17, 2004.
- This Act was approved by the General Assembly on February 28, 2005, and signed by the Governor on March 10, 2005.

**EXECUTIVE SUMMARY
FY 2005 SUPPLEMENTAL APPROPRIATIONS ACT**

SENATE FILE 342

FUNDING SUMMARY

- Appropriates a total of \$74.0 million in FY 2005 supplemental appropriations from the General Fund to the Department of Human Services (DHS).
- Transfers \$2.8 million from the FY 2005 General Fund ending balance to the Board of Regents for support of the Regents institutions. (Page 1, Line 3)
- The FY 2005 supplemental appropriation of \$74.0 million to the DHS includes:
 - \$70.0 million for the Medical Assistance Program. (Page 1, Line 20)
 - \$1.0 million allocation for Medical Contracts' start-up costs associated with the Iowa Medicaid Enterprise. (Page 2, Line 4)
 - \$1.0 million for the State Resource Center at Glenwood. (Page 2, Line 7)
 - \$1.0 million for the State Resource Center at Woodward. (Page 2, Line 13)
 - \$250,000 for the State Cases Program. (Page 2, Line 17)
 - \$775,000 for the Sexual Predator Commitment Program. (Page 2, Line 34)
- Specifies legislative intent that the Department of Management utilize its transfer authority under Section 8.39 to transfer funds in FY 2005 to the State Public Defender within the Department of Inspections and Appeals. (Page 3, Line 16)
- Makes statutory changes to Workers' Compensation and employment. (Page 3, Line 27 through Page 12, Line 32)
- Specifies that the provisions related to employment and Workers' Compensation take effect July 1, 2005. All other provisions take effect on enactment. (Page 12, Line 34)
- This Act was approved by the General Assembly on May 20, 2005, and signed by the Governor on June 3, 2005.

INTENT LANGUAGE

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA**

EFFECTIVE DATE

ENACTMENT DATE

Senate File 342

Senate File 342 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
1	20	2	Amends	Sec. 116, Chapter 1175, 2004 Iowa Acts	Medical Assistance Program
1	31	3	Amends	Sec. 118, Chapter 1175, 2004 Iowa Acts	Medical Contracts
2	7	4.1	Amends	Sec. 130.1, Chapter 1175, 2004 Iowa Acts	State Resource Center at Glenwood
2	13	4.2	Amends	Sec. 130.2, Chapter 1175, 2004 Iowa Acts	State Resource Center at Woodward
2	17	5	Amends	Sec. 131, Chapter 1175, 2004 Iowa Acts	Mental Illness/Mental Retardation/Developmental Disabilities State Cases
2	34	6	Amends	Sec. 134.1, Chapter 1175, 2004 Iowa Acts	Sexual Predator Commitment Program
3	9	6	Nwthstnd	Sec. 8.33	Nonreversion of Funds for Sexual Predator Commitment Program
3	27	8	Amends	Sec. 22.7	Confidential Information
3	32	9	Amends	Sec. 85.27(7)	Incapacity to Work
4	21	10	Amends	Sec. 85.35	Settlements under Workers' Compensation
7	22	11	Amends	Sec. 85.38(2)	Liability under Nonoccupational Plan
7	34	12	Amends	Sec. 85.71	Injury Out-of-State
8	5	13	Amends	Sec. 86.24(4)	Affidavit Elimination on Appeal
8	16	14	Adds	Sec. 86.45	Confidential Information Definition
9	35	15	Amends	Sec. 87.11	Security for Compensation & Benefits
10	26	16	Amends	Sec. 87.14A	Bond in Lieu of Insurance
11	1	17	Amends	Sec. 87.19	Elimination of Bond & Notice
11	10	18	Amends	Sec. 87.20	Revocation of Release from Insurance
11	18	19	Amends	Sec. 91A.3(3)	Direct Deposit

Page #	Line #	Bill Section	Action	Code Section	Description
12	7	20	Amends	Sec. 91A.6(3)	Access to Statements
12	20	21	Adds	Sec. 91A.6	Payroll Information Requirement
12	32	22	Repeals	Sec. 87.16 and 87.17	Repeal of Bond and Notice

PG LN	Senate File 342	Explanation
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1 1 DIVISION I
 1 2 EDUCATION

1 3 Section 1. STATE BOARD OF REGENTS — GENERAL FUND ENDING
 1 4 BALANCE.

1 5 1. Prior to the appropriation of the surplus existing in
 1 6 the general fund of the state at the conclusion of the fiscal
 1 7 year beginning July 1, 2004, pursuant to section 8.57,
 1 8 subsection 1, from appropriations that remain unencumbered or
 1 9 unobligated and would otherwise revert on August 31, 2005,
 1 10 pursuant to section 8.33, up to \$2,800,000 shall be
 1 11 transferred to the state board of regents.

1 12 2. The transfer made in subsection 1 shall be distributed
 1 13 to the state board of regents in the fiscal year beginning
 1 14 July 1, 2005, to be used as additional funding for the fiscal
 1 15 year beginning July 1, 2005, for the institutions under the
 1 16 state board of regents.

1 17 DIVISION II
 1 18 HEALTH AND HUMAN SERVICES
 1 19 DEPARTMENT OF HUMAN SERVICES

1 20 Sec. 2. 2004 Iowa Acts, chapter 1175, section 116,
 1 21 unnumbered paragraph 2, is amended to read as follows:
 1 22 For medical assistance reimbursement and associated costs
 1 23 as specifically provided in the reimbursement methodologies in
 1 24 effect on June 30, 2004, except as otherwise expressly
 1 25 authorized by law, including reimbursement for abortion
 1 26 services, which shall be available under the medical
 1 27 assistance program only for those abortions which are
 1 28 medically necessary:

1 29	\$352,794,101
1 30	<u>422,794,101</u>

1 31 Sec. 3. 2004 Iowa Acts, chapter 1175, section 118,
 1 32 unnumbered paragraph 2, is amended to read as follows:
 1 33 For medical contracts, including salaries, support,

General Fund transfer to the State Board of Regents for Regents' institutions.

DETAIL: Transfers \$2,800,000 from the FY 2005 ending General Fund balance for supplemental funds to the Board of Regents.

CODE: General Fund supplemental appropriation to the Department of Human Services Medical Assistance Program.

DETAIL: This is an increase of \$70,000,000 for the Medical Assistance Program.

CODE: General Fund supplemental appropriation to the Department of Human Services for Medical Contracts (Iowa Medicaid Enterprise).

1 34 maintenance, and miscellaneous purposes, and for not more than
 1 35 the following full-time equivalent position:
 2 1 \$ 9,725,035
 2 2 10,725,035
 2 3 FTEs 1.00

DETAIL: This is an increase of \$1,000,000 for expenditures related to the start-up costs for the new Medical Assistance Program fiscal agent contractors. The increase relates to software costs and lower than anticipated federal match rates for a portion of the start-up costs. This increase will result in a projected savings of \$1,600,000 in the Medical Assistance Program in FY 2006.

2 4 Of the amount appropriated in this section, \$1,000,000 is
 2 5 allocated for implementation costs for the Iowa Medicaid
 2 6 enterprise initiative.

Specifies an allocation of \$1,000,000 for the Iowa Medicaid Enterprise.

2 7 Sec. 4. 2004 Iowa Acts, chapter 1175, section 130,
 2 8 subsections 1 and 2, are amended to read as follows:
 2 9 1. For the state resource center at Glenwood for salaries,
 2 10 support, maintenance, and miscellaneous purposes:
 2 11 \$ 8,550,280
 2 12 9,550,280

CODE: General Fund supplemental appropriation to the Department of Human Services for the State Resource Center at Glenwood.

DETAIL: This is an increase of \$1,000,000 to offset the impact of reducing beds within a net budgeted line item and funds for continuing staff increases based on the U.S. Department of Justice Settlement.

2 13 2. For the state resource center at Woodward for salaries,
 2 14 support, maintenance, and miscellaneous purposes:
 2 15 \$ 4,520,459
 2 16 5,520,459

CODE: General Fund supplemental appropriation to the Department of Human Services for the State Resource Center at Woodward.

DETAIL: This is an increase of \$1,000,000 to offset the impact of reducing beds within a net budgeted line item and funds for continuing staff increases based on the U.S. Department of Justice Settlement.

2 17 Sec. 5. 2004 Iowa Acts, chapter 1175, section 131, is
 2 18 amended to read as follows:
 2 19 SEC. 131. MI/MR/DD STATE CASES. There is appropriated
 2 20 from the general fund of the state to the department of human
 2 21 services for the fiscal year beginning July 1, 2004, and
 2 22 ending June 30, 2005, the following amount, or so much thereof
 2 23 as is necessary, to be used for the purpose designated:
 2 24 For purchase of local services for persons with mental
 2 25 illness, mental retardation, and developmental disabilities
 2 26 where the client has no established county of legal
 2 27 settlement:
 2 28 \$ 11,014,619

CODE: General Fund supplemental appropriation to the Department of Human Services for the Mental Illness/Mental Retardation/Developmental Disabilities State Cases Program.

DETAIL: This is an increase of \$250,000 for higher than projected caseload increases.

2 29 11,264,619
 2 30 The general assembly encourages the department to continue
 2 31 discussions with the Iowa state association of counties and
 2 32 administrators of county central point of coordination offices
 2 33 regarding proposals for moving state cases to county budgets.

2 34 Sec. 6. 2004 Iowa Acts, chapter 1175, section 134,
 2 35 subsection 1, unnumbered paragraph 2, is amended to read as
 3 1 follows:
 3 2 For costs associated with the commitment and treatment of
 3 3 sexually violent predators in the unit located at the state
 3 4 mental health institute at Cherokee, including costs of legal
 3 5 services and other associated costs, including salaries,
 3 6 support, maintenance, and miscellaneous purposes:
 3 7 \$ ~~2,833,646~~
 3 8 3,608,646

CODE: General Fund supplemental appropriation to the Department of Human Services for the Sexual Predator Commitment Program.

DETAIL: This is an increase of \$775,000 for anticipated costs in FY 2005.

3 9 Notwithstanding section 8.33, moneys appropriated in this
 3 10 section that remain unencumbered or unobligated at the close
 3 11 of the fiscal year shall not revert but shall remain available
 3 12 for expenditure for the purposes designated until the close of
 3 13 the succeeding fiscal year.

CODE: Permits the nonreversion of funds until the end of FY 2006.

3 14 DIVISION III
 3 15 JUSTICE SYSTEM

3 16 Sec. 7. INDIGENT DEFENSE CLAIMS — TRANSFERS. It is the
 3 17 intent of the general assembly that the director of the
 3 18 department of management, with the approval of the governor,
 3 19 shall utilize the transfer authority available under section
 3 20 8.39 to provide the office of the state public defender of the
 3 21 department of inspections and appeals with sufficient funding
 3 22 to satisfy all valid indigent defense claims under section
 3 23 232.141 and chapter 815 for the fiscal year beginning July 1,
 3 24 2004, and ending June 30, 2005.

Specifies legislative intent that the Department of Management transfer funds from other areas to provide the State Public Defender with sufficient funds for FY 2005.

3 25 3 26	DIVISION IV EMPLOYMENT	
3 27 3 28 3 29 3 30 3 31	<p>Sec. 8. Section 22.7, Code 2005, is amended by adding the following new subsection:</p> <p><u>NEW SUBSECTION.</u> 51. Confidential information, as defined in section 86.45, subsection 1, filed with the workers' compensation commissioner.</p>	<p>CODE: Adds confidential information filed with the Workers' Compensation Commissioner to the list of confidential public records.</p>
3 32 3 33 3 34 3 35 4 1 4 2 4 3 4 4 4 5 4 6 4 7 4 8 4 9 4 10 4 11 4 12 4 13 4 14 4 15 4 16 4 17 4 18 4 19 4 20	<p>Sec. 9. Section 85.27, subsection 7, Code 2005, is amended to read as follows:</p> <p>7. If, after the third day of incapacity to work following the date of sustaining a compensable injury which does not result in permanent partial disability, or if, at any time after sustaining a compensable injury which results in permanent partial disability, an employee, who is not receiving weekly benefits under section 85.33 or section 85.34, subsection 1, returns to work and is required to leave work for one full day or less to receive services pursuant to this section, the employee shall be paid an amount equivalent to the wages lost at the employee's regular rate of pay for the time the employee is required to leave work. <u>For the purposes of this subsection, "day of incapacity to work" means eight hours of accumulated absence from work due to incapacity to work or due to the receipt of services pursuant to this section.</u> The employer shall make the payments under this subsection as wages to the employee after making such deductions from the amount as legally required or customarily made by the employer from wages. Payments made under this subsection shall be required to be reimbursed pursuant to any insurance policy covering workers' compensation. Payments under this subsection shall not be construed to be payment of weekly benefits.</p>	<p>CODE: Defines "day of incapacity to work" as eight hours of accumulated absence from work due to incapacity to work or due to the receipt of services as specified in this Section.</p>
4 21 4 22 4 23	<p>Sec. 10. Section 85.35, Code 2005, is amended to read as follows:</p> <p>85.35 <u>SETTLEMENT IN CONTESTED CASE SETTLEMENTS.</u></p>	<p>CODE: Makes the following statutory changes related to Workers' Compensation case settlements:</p>

4 24 1. The parties to a contested case or persons who are
 4 25 involved in a dispute which could culminate in a contested
 4 26 case may enter into a settlement of any claim arising under
 4 27 this chapter or chapter 85A, 85B, or 86, providing for final
 4 28 disposition of the claim, provided that no final disposition
 4 29 affecting rights to future benefits may be had when the only
 4 30 dispute is the degree of disability resulting from an injury
 4 31 for which an award for payments or agreement for settlement
 4 32 under section 86.13 has been made. The settlement shall be in
 4 33 writing on forms prescribed by the workers' compensation
 4 34 commissioner and submitted to the workers' compensation
 4 35 commissioner for approval.

5 1 2. The parties may enter into an agreement for settlement
 5 2 that establishes the employer's liability, fixes the nature
 5 3 and extent of the employee's current right to accrued
 5 4 benefits, and establishes the employee's right to statutory
 5 5 benefits that accrue in the future.

5 6 3. The parties may enter into a compromise settlement of
 5 7 the employee's claim to benefits as a full and final
 5 8 disposition of the claim.

5 9 4. The parties may enter into a settlement that is a
 5 10 combination of an agreement for settlement and a compromise
 5 11 settlement that establishes the employer's liability for part
 5 12 of a claim but makes a full and final disposition of other
 5 13 parts of a claim.

5 14 5. A contingent settlement may be made and approved,
 5 15 conditioned upon subsequent approval by a court or
 5 16 governmental agency, or upon any other subsequent event that
 5 17 is expected to occur within one year from the date of the
 5 18 settlement. If the subsequent approval or event does not
 5 19 occur, the contingent settlement and its approval may be
 5 20 vacated by order of the workers' compensation commissioner
 5 21 upon a petition for vacation filed by one of the parties or
 5 22 upon agreement by all parties. If a contingent settlement is
 5 23 vacated, the running of any period of limitation provided for
 5 24 in section 85.26 is tolled from the date the settlement was
 5 25 initially approved until the date that the settlement is

- Requires settlements to be in writing on forms prescribed by the Workers' Compensation Commissioner.
- Specifies the types of settlement agreements.
- Eliminates the requirement that a bona fide dispute exist in order for a settlement to be approved.
- Specifies new requirements that must exist in order to approve a settlement agreement.

5 26 vacated, and the claim is restored to the status that the
5 27 claim held when the contingent settlement was initially
5 28 approved. The contingency on a settlement lapses and the
5 29 settlement becomes final and fully enforceable if an action to
5 30 vacate the contingent settlement or to extend the period of
5 31 time allowed for the subsequent approval or event to occur is
5 32 not initiated within one year from the date that the
5 33 contingent settlement was initially approved.

5 34 6. The parties may agree that settlement proceeds, which
5 35 are paid in a lump sum, are intended to compensate the injured
6 1 worker at a given monthly or weekly rate over the life
6 2 expectancy of the injured worker. If such an agreement is
6 3 reached, neither the weekly compensation rate which either has
6 4 been paid, or should have been paid, throughout the case, nor
6 5 the maximum statutory weekly rate applicable to the injury
6 6 shall apply. Instead, the rate set forth in the settlement
6 7 agreement shall be the rate for the case.

6 8 ~~The settlement shall not be approved unless evidence of a~~
6 9 ~~bona fide dispute exists concerning any of the following:~~

6 10 ~~1. The claimed injury arose out of or in the course of the~~
6 11 ~~employment.~~

6 12 ~~2. The injured employee gave notice under section 85.23.~~

6 13 ~~3. Whether or not the statutes of limitations as provided~~
6 14 ~~in section 85.26 have run. When the issue involved is whether~~
6 15 ~~or not the statute of limitations of section 85.26, subsection~~
6 16 ~~2, has run, the final disposition shall pertain to the right~~
6 17 ~~to weekly compensation unless otherwise provided for in~~
6 18 ~~subsection 7 of this section.~~

6 19 ~~4. The injury was caused by the employee's willful intent~~
6 20 ~~to injure the employee's self or to willfully injure another.~~

6 21 ~~5. Intoxication, which did not arise out of and in the~~
6 22 ~~course of employment but which was due to the effects of~~
6 23 ~~alcohol or another narcotic, depressant, stimulant,~~
6 24 ~~hallucinogenic, or hypnotic drug not prescribed by an~~
6 25 ~~authorized medical practitioner, was a substantial factor in~~
6 26 ~~causing the employee's injury.~~

6 27 ~~6. The injury was caused by the willful act of a third~~

6 28 party directed against the employee for reasons personal to
6 29 such employee.

6 30 ~~7. This chapter or chapter 85A, 85B, 86 or 87 applies to~~
6 31 ~~the party making the claim.~~

6 32 ~~8. A substantial portion of the claimed disability is~~
6 33 ~~related to physical or mental conditions other than those~~
6 34 ~~caused by the injury.~~

6 35 7. A settlement shall be approved by the workers'
7 1 compensation commissioner if the parties show all of the
7 2 following:

7 3 a. Substantial evidence exists to support the terms of the
7 4 settlement.

7 5 b. Waiver of the employee's right to a hearing, decision,
7 6 and statutory benefits is made knowingly by the employee.

7 7 c. The settlement is a reasonable and informed compromise
7 8 of the competing interests of the parties.

7 9 If an employee is represented by legal counsel, it is
7 10 presumed that the required showing for approval of the
7 11 settlement has been made.

7 12 8. Approval of a settlement by the workers' compensation
7 13 commissioner shall be is binding on the parties and shall not
7 14 be construed as an original proceeding. Notwithstanding any
7 15 provisions of this chapter and chapters 85A, 85B, 86 and 87,
7 16 an approved compromise settlement shall constitute a final bar
7 17 to any further rights arising under this chapter and chapters
7 18 85A, 85B, 86, and 87. Such regarding the subject matter of
7 19 the compromise and a payment made pursuant to a compromise
7 20 settlement agreement shall not be construed as the payment of
7 21 weekly compensation.

7 22 Sec. 11. Section 85.38, subsection 2, unnumbered paragraph
7 23 2, Code 2005, is amended to read as follows:

7 24 If an employer denies liability under this chapter, chapter
7 25 85A, or chapter 85B, for payment for any medical services
7 26 received or weekly compensation requested by an employee with
7 27 a disability, and the employee is a beneficiary under either
7 28 an individual or group plan for nonoccupational illness,

CODE: Prohibits a nonoccupational plan from denying an employee weekly compensation or benefits under the plan when an employer denies liability under Workers' Compensation.

7 29 injury, or disability, the nonoccupational plan shall not deny
 7 30 payment for the medical services received or for benefits
 7 31 under the plan on the basis that the employer's liability ~~for~~
 7 32 ~~the medical services~~ under this chapter, chapter 85A, or
 7 33 chapter 85B is unresolved.

7 34 Sec. 12. Section 85.71, Code 2005, is amended by adding
 7 35 the following new subsection:
 8 1 NEW SUBSECTION. 5. The employer has a place of business
 8 2 in Iowa, and the employee is working under a contract of hire
 8 3 which provides that the employee's workers' compensation
 8 4 claims be governed by Iowa law.

CODE: Permits employees injured out-of-State to receive Workers' Compensation under Iowa law under specified circumstances.

8 5 Sec. 13. Section 86.24, subsection 4, Code 2005, is
 8 6 amended to read as follows:
 8 7 4. A transcript of a contested case proceeding shall be
 8 8 provided to the workers' compensation commissioner by an
 8 9 appealing party at the party's cost ~~and an affidavit shall be~~
 8 10 ~~filed by the appealing party or the party's attorney with the~~
 8 11 ~~workers' compensation commissioner within ten days after the~~
 8 12 ~~filing of the appeal to the workers' compensation commissioner~~
 8 13 ~~stating that the transcript has been ordered and identifying~~
 8 14 ~~the name and address of the reporter or reporting firm from~~
 8 15 ~~which the transcript has been ordered.~~

CODE: Eliminates the requirement that an affidavit be filed by the appealing party after filing an appeal with the Workers' Compensation Commissioner.

8 16 Sec. 14. NEW SECTION. 86.45 CONFIDENTIAL INFORMATION.
 8 17 1. "Confidential information", for the purposes of this
 8 18 section, means all information that is filed with the workers'
 8 19 compensation commissioner as a result of an employee's injury
 8 20 or death that would allow the identification of the employee
 8 21 or the employee's dependents. Confidential information
 8 22 includes first reports of injury and subsequent reports of
 8 23 claim activity. Confidential information does not include
 8 24 pleadings, motions, decisions, opinions, or applications for
 8 25 settlement that are filed with the workers' compensation
 8 26 commissioner.
 8 27 2. The workers' compensation commissioner shall not

CODE: Defines "confidential information" under Workers' Compensation, prohibits the Workers' Compensation Commissioner from disclosing confidential information, and provides exceptions for disclosing the information.

8 28 disclose confidential information except as follows:

8 29 a. Pursuant to the terms of a written waiver of

8 30 confidentiality executed by the employee or the dependents of

8 31 the employee whose information is filed with the workers'

8 32 compensation commissioner.

8 33 b. To another governmental agency, or to an advisory,

8 34 rating, or research organization, for the purpose of compiling

8 35 statistical data, evaluating the state's workers' compensation

9 1 system, or conducting scientific, medical, or public policy

9 2 research, where such disclosure will not allow the

9 3 identification of the employee or the employee's dependents.

9 4 c. To the employee or to the agent or attorney of the

9 5 employee whose information is filed with the workers'

9 6 compensation commissioner.

9 7 d. To the person or to the agent of the person who

9 8 submitted the information to the workers' compensation

9 9 commissioner.

9 10 e. To an agent, representative, attorney, investigator,

9 11 consultant, or adjuster of an employer, or insurance carrier

9 12 or third-party administrator of workers' compensation

9 13 benefits, who is involved in administering a claim for such

9 14 benefits related to the injury or death of the employee whose

9 15 information is filed with the workers' compensation

9 16 commissioner.

9 17 f. To all parties to a contested case proceeding before

9 18 the workers' compensation commissioner in which the employee

9 19 or a dependent of the employee, whose information is filed

9 20 with the workers' compensation commissioner, is a party.

9 21 g. In compliance with a subpoena.

9 22 h. To an agent, representative, attorney, investigator,

9 23 consultant, or adjuster of the employee, employer, or

9 24 insurance carrier or third-party administrator of insurance

9 25 benefits, who is involved in administering a claim for

9 26 insurance benefits related to the injury or death of the

9 27 employee whose information is filed with the workers'

9 28 compensation commissioner.

9 29 i. To another governmental agency that is charged with the

9 30 duty of enforcing liens or rights of subrogation or indemnity.
 9 31 3. This section does not create a cause of action for a
 9 32 violation of its provisions against the workers' compensation
 9 33 commissioner or against the state or any governmental
 9 34 subdivision of the state.

9 35 Sec. 15. Section 87.11, unnumbered paragraph 1, Code 2005,
 10 1 is amended to read as follows:

10 2 When an employer coming under this chapter furnishes
 10 3 satisfactory proofs to the insurance commissioner of such
 10 4 employer's solvency and financial ability to pay the
 10 5 compensation and benefits as by law provided and to make such
 10 6 payments to the parties when entitled thereto, or when such
 10 7 employer deposits with the insurance commissioner security
 10 8 satisfactory to the insurance commissioner ~~and the workers'~~
 10 9 ~~compensation commissioner~~ as guaranty for the payment of such
 10 10 compensation, such employer shall be relieved of the
 10 11 provisions of this chapter requiring insurance; but such
 10 12 employer shall, from time to time, furnish such additional
 10 13 proof of solvency and financial ability to pay as may be
 10 14 required by such insurance commissioner ~~or workers'~~
 10 15 ~~compensation commissioner~~. Such security shall be held in
 10 16 trust for the sole purpose of paying compensation and benefits
 10 17 and is not subject to attachment, levy, execution,
 10 18 garnishment, liens, or any other form of encumbrance.
 10 19 However, the insurance commissioner shall be reimbursed from
 10 20 the security for all costs and fees incurred by the insurance
 10 21 commissioner in resolving disputes involving the security. A
 10 22 political subdivision, including a city, county, community
 10 23 college, or school corporation, that is self-insured for
 10 24 workers' compensation is not required to submit a plan or
 10 25 program to the insurance commissioner for review and approval.

10 26 Sec. 16. Section 87.14A, Code 2005, is amended to read as
 10 27 follows:

10 28 87.14A INSURANCE ~~OR BOND~~ REQUIRED.
 10 29 An employer subject to this chapter and chapters 85, 85A,

CODE: Eliminates the Workers' Compensation Commissioner involvement in the process of verifying an employer's solvency and financial ability to pay compensation and benefits when seeking relief from compensation liability insurance in the case where an employer deposits security satisfactory to the Insurance Commissioner. Requires the security to be held in trust for the sole purpose of paying compensation and benefits, specifies the security is not subject to any forms of encumbrance, and requires the Insurance Commissioner to be reimbursed from the security for all costs and fees incurred by the Commissioner in resolving disputes involving the security.

CODE: Eliminates an employer's option to furnish a bond in lieu of compensation liability insurance.

10 30 85B, and 86 shall not engage in business without first
 10 31 obtaining insurance covering compensation benefits or
 10 32 obtaining relief from insurance as provided in this chapter or
 10 33 ~~furnishing a bond pursuant to section 87.16.~~ A person who
 10 34 willfully and knowingly violates this section is guilty of a
 10 35 class "D" felony.

11 1 Sec. 17. Section 87.19, unnumbered paragraph 1, Code 2005,
 11 2 is amended to read as follows:
 11 3 Upon the receipt of information by the workers'
 11 4 compensation commissioner of any employer failing to comply
 11 5 with ~~sections 87.16 and 87.17~~ section 87.14A, the commissioner
 11 6 shall at once notify such employer by certified mail that
 11 7 unless such employer comply with the requirements of law,
 11 8 legal proceedings will be instituted to enforce such
 11 9 compliance.

11 10 Sec. 18. Section 87.20, Code 2005, is amended to read as
 11 11 follows:
 11 12 87.20 REVOCATION OF RELEASE FROM INSURANCE.
 11 13 The insurance commissioner ~~with the concurrence of the~~
 11 14 ~~workers' compensation commissioner~~ may, at any time, upon
 11 15 reasonable notice to such employer and upon hearing, revoke
 11 16 for cause any order theretofore made relieving any employer
 11 17 from carrying insurance as provided by this chapter.

11 18 Sec. 19. Section 91A.3, subsection 3, Code 2005, is
 11 19 amended to read as follows:
 11 20 3. The wages paid under subsection 1 shall be sent to the
 11 21 employee by mail or be paid at the employee's normal place of
 11 22 employment during normal employment hours or at a place and
 11 23 hour mutually agreed upon by the employer and employee, or the
 11 24 employee may elect to have the wages sent for direct deposit,
 11 25 on or by the regular payday of the employee, into a financial
 11 26 institution designated by the employee. An employer shall not
 11 27 require a current employee to participate in direct deposit.
 11 28 The employer may require, as a condition of hire, a new

CODE: Eliminates reference to obtaining a bond in lieu of compensation insurance liability and to posting a notice of a security to secure compensation payments.

CODE: Eliminates the Workers' Compensation Commissioner's role in revocation of release from insurance.

CODE: Allows an employee to have paychecks direct deposited to a financial institution, prohibits an employer from requiring a current employee from participating in direct deposit, and allows an employer to require a new employee to sign up for direct deposit unless certain specified conditions exist.

11 29 employee to sign up for direct deposit of the employee's wages
 11 30 in a financial institution of the employee's choice unless any
 11 31 of the following conditions exist:
 11 32 a. The costs to the employee of establishing and
 11 33 maintaining an account for purposes of the direct deposit
 11 34 would effectively reduce the employee's wages to a level below
 11 35 the minimum wage provided under section 91D.1.
 12 1 b. The employee would incur fees charged to the employee's
 12 2 account as a result of the direct deposit.
 12 3 c. The provisions of a collective bargaining agreement
 12 4 mutually agreed upon by the employer and the employee
 12 5 organization prohibit the employer from requiring an employee
 12 6 to sign up for direct deposit as a condition of hire.

12 7 Sec. 20. Section 91A.6, subsection 3, Code 2005, is
 12 8 amended to read as follows:
 12 9 3. Within ten working days of a request by an employee, an
 12 10 employer shall furnish to the employee a written, itemized
 12 11 statement or access to a written, itemized statement as
 12 12 provided in subsection 4, listing the earnings and deductions
 12 13 made from the wages for each pay period in which the
 12 14 deductions were made together with an explanation of how the
 12 15 wages and deductions were computed. ~~An employer need honor~~
 12 16 ~~only one such request in any calendar year unless the rate of~~
 12 17 ~~earnings, hours or deductions are changed during the calendar~~
 12 18 ~~year. Each change shall entitle an employee to a further~~
 12 19 ~~request for an itemized statement.~~

12 20 Sec. 21. Section 91A.6, Code 2005, is amended by adding
 12 21 the following new subsection:
 12 22 **NEW SUBSECTION.** 4. On each regular payday, the employer
 12 23 shall send to each employee by mail or shall provide at the
 12 24 employee's normal place of employment during normal employment
 12 25 hours a statement showing the hours the employee worked, the
 12 26 wages earned by the employee, and deductions made for the
 12 27 employee. An employer who provides each employee access to
 12 28 view an electronic statement of the employee's earnings and

CODE: Allows an employer to provide access to a written, itemized statement in lieu of the written itemized statement itself and eliminates the requirement that an employer must honor only one such request in any calendar year.

CODE: Requires an employer to provide certain payroll information to an employee on each regular payday. Also requires access to an electronic payroll statement and printer.

12 29 provides the employee free and unrestricted access to a
12 30 printer to print the employee's statement of earnings, if the
12 31 employee chooses, is in compliance with this subsection.

12 32 Sec. 22. Sections 87.16 and 87.17, Code 2005, are
12 33 repealed.

CODE: Repeals statutory provisions regarding obtaining a bond in lieu of compensation insurance liability and posting a notice of a security to secure compensation payments.

12 34 Sec. 23. EFFECTIVE DATE. This division of this Act takes
12 35 effect July 1, 2005.

Specifies the Division relating to employment takes effect July 1, 2005.

13 1 DIVISION V
13 2 Sec. 24. EFFECTIVE DATE. Unless specifically provided
13 3 otherwise, this Act, being deemed of immediate importance,
13 4 takes effect upon enactment.
13 5 SF 342
13 6 jp:mg/cc/26

Specifies that this Act takes effect on enactment.

EXECUTIVE SUMMARY FY 2006 BLOCK GRANT ACT

SENATE FILE 346

FUNDING SUMMARY

FFY 2006 BLOCK GRANTS

PROCEDURES FOR REDUCED OR INCREASED BLOCK GRANTS

FFY 2006 CATEGORICAL GRANTS

- Senate File 346 authorizes the receipt and expenditure of federal funds totaling \$4.1 billion for FFY 2006. This is an increase of \$38.7 million compared to estimated FFY 2005.
- Provides the mechanisms for the State to receive \$159.3 million in federal Block Grant funds, including:
 - Substance Abuse: \$13.6 million. (Page 1, Line 2)
 - Community Mental Health Services: \$3.7 million. (Page 2, Line 1)
 - Maternal and Child Health Services: \$6.8 million. (Page 3, Line 15)
 - Preventive Health and Health Services: \$1.5 million. (Page 4, Line 34)
 - Stop Violence Against Women: \$1.5 million. (Page 6, Line 7)
 - Residential Substance Abuse Treatment for State Prisoners: \$297,000. (Page 6, Line 28)
 - Edward Byrne Memorial (Law Enforcement Drug Policy): \$3.1 million. (Page 7, Line 10)
 - Community Services: \$6.9 million. (Page 7, Line 32)
 - Community Development: \$29.3 million. (Page 8, Line 35)
 - Low-Income Home Energy Assistance: \$34.6 million. (Page 9, Line 31)
 - Social Services: \$17.2 million. (Page 11, Line 1)
 - Child Care and Development: \$40.8 million. (Page 13, Line 21)
- Specifies the procedures for prorating funds to various programs if funding received is different than the amount appropriated. (Page 14, Line 13 and Page 15, Line 9)
- Specifies the procedures for notifying the Legislative Fiscal Committee when additional federal funding becomes available when the General Assembly is not in Session. (Page 15, Line 26)
- Appropriates expected funds for various Departments of State Government. The estimated amount of the grants to be received during FFY 2006 is \$3.9 billion. These include:
 - Department of Agriculture and Land Stewardship: \$5.9 million. (Page 16, Line 13)
 - Department for the Blind: \$7.9 million. (Page 16, Line 29)
 - Iowa State Civil Rights Commission: \$1.1 million. (Page 17, Line 1)
 - College Student Aid Commission: \$27.8 million. (Page 17, Line 9)

**EXECUTIVE SUMMARY
FY 2006 BLOCK GRANT ACT**

SENATE FILE 346

**FFY 2006 CATEGORICAL GRANTS
(CONTINUED)**

- Department of Commerce: \$250,000. (Page 17, Line 17)
- Department of Corrections: \$1.4 million. (Page 17, Line 24)
- Department of Cultural Affairs: \$1.3 million. (Page 17, Line 31)
- Department of Economic Development: \$16.4 million. (Page 18, Line 4)
- Department of Education: \$414.6 million. (Page 18, Line 12)
- Department of Elder Affairs: \$17.9 million. (Page 18, Line 19)
- Office of the Governor for the Drug Policy Coordinator: \$7.2 million. (Page 19, Line 8)
- Department of Human Rights: \$5.2 million. (Page 19, Line 16)
- Department of Human Services: \$2.0 billion. (Page 19, Line 24)
- Department of Inspections and Appeals: \$5.8 million. (Page 19, Line 32)
- Judicial Branch: \$1.0 million. (Page 20, Line 5)
- Department of Justice: \$7.0 million. (Page 20, Line 12)
- Department of Natural Resources: \$34.2 million. (Page 20, Line 34)
- Department of Public Defense: \$129.7 million. (Page 21, Line 14)
- Department of Public Health: \$84.4 million. (Page 21, Line 30)
- Department of Public Safety: \$6.8 million. (Page 22, Line 3)
- State Board of Regents: \$382.0 million. (Page 22, line 11)
- Office of Treasurer of State: \$350,000. (Page 23, Line 21)
- Department of Transportation: \$275.7 million. (Page 23, Line 29)
- Commission of Veterans Affairs: \$13.9 million. (Page 24, line 2)
- Department of Workforce Development: \$450.9 million. (Page 24, Line 10)
- This Act was approved by the General Assembly on April 13, 2005, and signed by the Governor on April 19, 2005.

ENACTMENT DATE

1 1 Section 1. SUBSTANCE ABUSE APPROPRIATION.

1 2 1. There is appropriated from the fund created by section
 1 3 8.41 to the Iowa department of public health for the federal
 1 4 fiscal year beginning October 1, 2005, and ending September
 1 5 30, 2006, the following amount:
 1 6 \$ 13,641,441

Federal Substance Abuse Block Grant appropriation to the Department of Public Health.

DETAIL: This is an increase of \$725,734 compared to the estimated FFY 2005 appropriation.

1 7 a. Funds appropriated in this subsection are the
 1 8 anticipated funds to be received from the federal government
 1 9 for the designated federal fiscal year under 42 U.S.C.,
 1 10 chapter 6A, subchapter XVII, which provides for the substance
 1 11 abuse prevention and treatment block grant. The department
 1 12 shall expend the funds appropriated in this subsection as
 1 13 provided in the federal law making the funds available and in
 1 14 conformance with chapter 17A.

Requires the Department of Public Health (DPH) to expend the funds appropriated according to federal law and in conformance with administrative procedures set forth in Chapter 17A, Code of Iowa.

1 15 b. Of the funds appropriated in this subsection, an amount
 1 16 not exceeding 5 percent shall be used by the department for
 1 17 administrative expenses.

Requires a maximum allocation of 5.00% of the Substance Abuse Block Grant funds for administrative expenses.

DETAIL: The maximum allocation of \$682,072 is an increase of \$36,287 compared to the estimated FFY 2005 allocation.

1 18 c. The department shall expend no less than an amount
 1 19 equal to the amount expended for treatment services in the
 1 20 state fiscal year beginning July 1, 2004, for pregnant women
 1 21 and women with dependent children.

Requires a minimum allocation equal to the State FY 2005 allocation for treatment services for pregnant women and women with dependent children.

DETAIL: The minimum allocation of \$1,390,939 is no change compared to the estimated FFY 2005 allocation.

1 22 d. Of the funds appropriated in this subsection, an amount
 1 23 not exceeding \$24,585 shall be used for audits.

Requires a maximum allocation of \$24,585 of the Substance Abuse Block Grant funds for audit costs.

DETAIL: The maximum allocation is no change compared to the estimated FFY 2005 allocation.

1 24 2. At least 20 percent of the funds remaining from the
 1 25 appropriation made in subsection 1 shall be allocated for
 1 26 prevention programs.

Requires a minimum allocation of 20.00% of the remaining Substance Abuse Block Grant funds be used for prevention programs.

 DETAIL: Requires a minimum allocation of \$2,308,769 for prevention programs. This is an increase of \$137,889 compared to estimated FFY 2005 allocation.

1 27 3. In implementing the federal substance abuse prevention
 1 28 and treatment block grant under 42 U.S.C., chapter 6A,
 1 29 subchapter XVII, and any other applicable provisions of the
 1 30 federal Public Health Service Act under 42 U.S.C., chapter 6A,
 1 31 subchapter III–A, the department shall apply the provisions of
 1 32 Pub. L. No. 106–310, § 3305, as codified in 42 U.S.C. § 300x–
 1 33 65, relating to services under such federal law being provided
 1 34 by religious and other nongovernmental organizations.

Requires the Department of Public Health (DPH) to apply federal law regarding non-discrimination requirements for religious or other nongovernmental organizations that may provide services when implementing the federal Substance Abuse Prevention and Treatment Block Grant.

1 35 Sec. 2. COMMUNITY MENTAL HEALTH SERVICES APPROPRIATION.

2 1 1. a. There is appropriated from the fund created by
 2 2 section 8.41 to the Iowa department of human services for the
 2 3 federal fiscal year beginning October 1, 2005, and ending
 2 4 September 30, 2006, the following amount:
 2 5 \$ 3,704,898

Federal Community Mental Health Services Block Grant appropriation to the Department of Human Services (DHS).

 DETAIL: This is no change compared to the FFY 2005 appropriation.

2 6 b. Funds appropriated in this subsection are the
 2 7 anticipated funds to be received from the federal government
 2 8 for the designated federal fiscal year under 42 U.S.C.,
 2 9 chapter 6A, subchapter XVII, which provides for the community
 2 10 mental health services block grant. The department shall
 2 11 expend the funds appropriated in this subsection as provided
 2 12 in the federal law making the funds available and in
 2 13 conformance with chapter 17A.

Requires the DHS to expend the funds appropriated according to federal law and in conformance with administrative procedures as delineated in Chapter 17A, Code of Iowa.

2 14 c. The department shall allocate not less than 95 percent
 2 15 of the amount of the block grant to eligible community mental
 2 16 health services providers for carrying out the plan submitted
 2 17 to and approved by the federal substance abuse and mental

Requires a minimum allocation of 95.00% of the Community Mental Health Services Block Grant funds be used for eligible community mental health service providers.

2 18 health services administration for the fiscal year involved.

DETAIL: The minimum allocation of \$3,519,653 is no change compared to the estimated FFY 2005 allocation.

2 19 d. Of the amount allocated to eligible services providers
 2 20 under paragraph "c", 70 percent shall be distributed to the
 2 21 state's accredited community mental health centers established
 2 22 or designated by counties in accordance with law or
 2 23 administrative rule. If a county has not established or
 2 24 designated a community mental health center and has received a
 2 25 waiver from the mental health and developmental disabilities
 2 26 commission, the mental health services provider designated by
 2 27 that county is eligible to receive funding distributed
 2 28 pursuant to this paragraph in lieu of a community mental
 2 29 health center. The funding distributed shall be used by
 2 30 recipients of the funding for the purpose of developing and
 2 31 providing evidence-based practices and emergency services to
 2 32 adults with a serious mental illness and children with a
 2 33 serious emotional disturbance. The distribution amounts shall
 2 34 be announced at the beginning of the federal fiscal year and
 2 35 distributed on a quarterly basis according to the formulas
 3 1 used in previous fiscal years. Recipients shall submit
 3 2 quarterly reports containing data consistent with the
 3 3 performance measures approved by the federal substance abuse
 3 4 and mental health services administration.

Requires that 70.00% of the 95.00% of the funds set aside for community mental health service providers be distributed to specified community mental health centers or counties. Requires funds be used for developing and providing evidence-based practices and emergency services for certain adults and children. Requires funds be distributed on a quarterly basis. Requires recipients of funds to submit quarterly reports.

3 5 2. An amount not exceeding 5 percent of the funds
 3 6 appropriated in subsection 1 shall be used by the department
 3 7 of human services for administrative expenses. From the funds
 3 8 set aside by this subsection for administrative expenses, the
 3 9 department shall pay to the auditor of state an amount
 3 10 sufficient to pay the cost of auditing the use and
 3 11 administration of the state's portion of the funds
 3 12 appropriated in subsection 1. The auditor of state shall bill
 3 13 the department for the costs of the audits.

Requires a maximum allocation of 5.00% of the Community Mental Health Services Block Grant funds be used for administrative and audit costs.

DETAIL: The maximum allocation of \$185,245 is no change compared to the estimated FFY 2005 allocation.

3 14 Sec. 3. MATERNAL AND CHILD HEALTH SERVICES APPROPRIATIONS.

3 15 1. There is appropriated from the fund created by section
 3 16 8.41 to the Iowa department of public health for the federal
 3 17 fiscal year beginning October 1, 2005, and ending September
 3 18 30, 2006, the following amount:
 3 19 \$ 6,760,133

Federal Maternal and Child Health Services Block Grant appropriation to the DPH.

DETAIL: This is a decrease of \$355,543 compared to the estimated FFY 2005 appropriation.

3 20 The funds appropriated in this subsection are the funds
 3 21 anticipated to be received from the federal government for the
 3 22 designated federal fiscal year under 42 U.S.C., chapter 7,
 3 23 subchapter V, which provides for the maternal and child health
 3 24 services block grant. The department shall expend the funds
 3 25 appropriated in this subsection as provided in the federal law
 3 26 making the funds available and in conformance with chapter
 3 27 17A.

Requires the DPH to expend the funds appropriated according to federal law and in conformance with administrative procedures as defined in Chapter 17A, Code of Iowa.

3 28 Of the funds appropriated in this subsection, an amount not
 3 29 exceeding \$45,700 shall be used for audits.

Requires a maximum allocation of the Maternal and Child Health Services Block Grant for audit costs.

DETAIL: The maximum allocation of \$45,700 is no change compared to the estimated FFY 2005 allocation.

3 30 Funds appropriated in this subsection shall not be used by
 3 31 the university of Iowa hospitals and clinics for indirect
 3 32 costs.

Prohibits the use of the appropriated funds by the University of Iowa Hospitals and Clinics for indirect costs.

3 33 2. An amount not exceeding \$150,000 of the funds
 3 34 appropriated in subsection 1 to the Iowa department of public
 3 35 health shall be used by the Iowa department of public health
 4 1 for administrative expenses in addition to the amount to be
 4 2 used for audits in subsection 1.

Requires a maximum allocation of the Maternal and Child Health Services Block Grant funds for administrative costs, in addition to the amount for audit costs.

DETAIL: The maximum allocation of \$150,000 is no change compared to the estimated FY 2005 allocation.

4 3 The departments of public health, human services, and
 4 4 education and the university of Iowa's mobile and regional
 4 5 child health specialty clinics shall continue to pursue to the

Requires the DPH, the DHS, the Department of Education, and the University of Iowa's Mobile and Regional Child Health Specialty Clinics to continue integration and coordination of services to women and children.

4 6 maximum extent feasible the coordination and integration of
4 7 services to women and children.

4 8 3. a. Sixty–three percent of the remaining funds
4 9 appropriated in subsection 1 shall be allocated to supplement
4 10 appropriations for maternal and child health programs within
4 11 the Iowa department of public health. Of these funds,
4 12 \$300,291 shall be set aside for the statewide perinatal care
4 13 program.

Requires an allocation of 63.00% of the remaining Maternal and Child Health Services Block Grant funds be used for maternal and child health programs with an allocation of \$300,291 for the Statewide Perinatal Care Program.

DETAIL: The allocation of \$4,135,593 is a decrease of \$223,992 compared to the estimated FFY 2005 allocation for maternal and child health programs. The allocation of \$300,291 is no change compared to the estimated FFY 2005 allocation for the Statewide Perinatal Care Program.

4 14 b. Thirty–seven percent of the remaining funds
4 15 appropriated in subsection 1 shall be allocated to the
4 16 university of Iowa hospitals and clinics under the control of
4 17 the state board of regents for mobile and regional child
4 18 health specialty clinics. The university of Iowa hospitals
4 19 and clinics shall not receive an allocation for indirect costs
4 20 from the funds for this program. Priority shall be given to
4 21 establishment and maintenance of a statewide system of mobile
4 22 and regional child health specialty clinics.

Requires an allocation of 37.00% of the remaining Maternal and Child Health Services Block Grant funds be used for the Mobile and Regional Child Health Specialty Clinics operated by the University of Iowa Hospitals and Clinics.

DETAIL: The allocation of \$2,428,840 is a decrease of \$131,551 compared to the estimated FFY 2005 allocation.

Prohibits the University of Iowa Hospitals and Clinics from receiving an allocation for indirect costs. Requires a prioritization of the Mobile and Regional Child Health Specialty Clinics.

4 23 4. The Iowa department of public health shall administer
4 24 the statewide maternal and child health program and the
4 25 disabled children's program by conducting mobile and regional
4 26 child health specialty clinics and conducting other activities
4 27 to improve the health of low–income women and children and to
4 28 promote the welfare of children with actual or potential
4 29 handicapping conditions and chronic illnesses in accordance
4 30 with the requirements of Title V of the federal Social
4 31 Security Act.

Requires the DPH to administer the Statewide Maternal and Child Health Program and the Disabled Children's' Program.

4 32 Sec. 4. PREVENTIVE HEALTH AND HEALTH SERVICES
4 33 APPROPRIATIONS.

4 34 1. There is appropriated from the fund created by section
 4 35 8.41 to the Iowa department of public health for the federal
 5 1 fiscal year beginning October 1, 2005, and ending September
 5 2 30, 2006, the following amount:
 5 3 \$ 1,500,443

Federal Preventive Health and Health Services Block Grant appropriation to the DPH.

DETAIL: This is a decrease of \$4,719 compared to the estimated FFY 2005 appropriation.

5 4 Funds appropriated in this subsection are the funds
 5 5 anticipated to be received from the federal government for the
 5 6 designated federal fiscal year under 42 U.S.C., chapter 6A,
 5 7 subchapter XVII, which provides for the preventive health and
 5 8 health services block grant. The department shall expend the
 5 9 funds appropriated in this subsection as provided in the
 5 10 federal law making the funds available and in conformance with
 5 11 chapter 17A.

Requires the DPH to expend the funds appropriated according to federal law and in conformance with administrative procedures as defined in Chapter 17A, Code of Iowa.

5 12 Of the funds appropriated in this subsection, an amount not
 5 13 exceeding \$5,522 shall be used for audits.

Requires a maximum allocation of the Preventive Health and Health Services Block Grant funds for audit costs.

DETAIL: The maximum allocation of \$5,522 is no change compared to the estimated FFY 2005 allocation.

5 14 2. Of the funds appropriated in subsection 1, the specific
 5 15 amount of funds stipulated by the notice of the block grant
 5 16 award shall be allocated for services to victims of sex
 5 17 offenses and for rape prevention education.

Requires that funds designated by the federal government be allocated for services to victims of sex offenses and for rape prevention education.

DETAIL: The estimated allocation of \$71,660 is no change compared to the estimated FFY 2005 allocation.

5 18 3. After deducting the funds allocated in subsections 1
 5 19 and 2, an amount not exceeding \$94,670 of the remaining funds
 5 20 appropriated in subsection 1 shall be used by the Iowa
 5 21 department of public health for administrative expenses in
 5 22 addition to the amount to be used for audits in subsection 1.

Requires a maximum allocation of the Preventive Health and Health Services Block Grant funds for administrative costs, in addition to the \$5,522 for audit costs.

DETAIL: The maximum allocation of \$94,670 is no change compared to the estimated FFY 2005 allocation.

5 23 4. After deducting the funds allocated in subsections 1,
 5 24 2, and 3, the remaining funds appropriated in subsection 1
 5 25 shall be used by the department for healthy people

Requires an allocation of the remaining Preventive Health and Health Services Block Grant funds for services including:

5 26 2010/healthy lowans 2010 program objectives, preventive health
 5 27 advisory committee, and risk reduction services, including
 5 28 nutrition programs, health incentive programs, chronic disease
 5 29 services, emergency medical services, monitoring of the
 5 30 fluoridation program and start-up fluoridation grants, and
 5 31 acquired immune deficiency syndrome services. The moneys
 5 32 specified in this subsection shall not be used by the
 5 33 university of iowa hospitals and clinics or by the state
 5 34 hygienic laboratory for the funding of indirect costs. Of the
 5 35 funds used by the department under this subsection, an amount
 6 1 not exceeding \$90,000 shall be used for the monitoring of the
 6 2 fluoridation program and for start-up fluoridation grants to
 6 3 public water systems, and an amount not exceeding \$50,000
 6 4 shall be used to provide chlamydia testing.

- Healthy People 2010/Healthy Iowans 2010 Program
- Preventive Health Advisory Committee
- Risk Reduction Services, including:
- Nutrition programs
- Health Incentive programs
- Chronic Disease Services
- Emergency Medical Services
- Fluoridation Program monitoring and start-up fluoridation grants
- Acquired Immune Deficiency Syndrome (AIDS) services

Prohibits the use of Preventive Health and Health Services Block Grant funds by the University of Iowa Hospitals and Clinics and the State Hygienic Laboratory for indirect costs.

DETAIL: The allocation of \$1,328,591 is a decrease of \$4,719 compared to the estimated FFY 2005 allocation.

Requires a maximum allocation of the Preventive Health and Health Services Block Grant funds be used for start-up grants and to monitor the Fluoridation Program.

DETAIL: The maximum allocation of \$90,000 is no change compared to the estimated FFY 2005 allocation.

Requires a maximum allocation of \$50,000 of the Preventive Health and Health Services Block Grant funds be used to provide Chlamydia testing.

DETAIL: The maximum allocation of \$50,000 is no change compared to the estimated FFY 2005 allocation.

6 5 Sec. 5. STOP VIOLENCE AGAINST WOMEN GRANT PROGRAM
 6 6 APPROPRIATION.

6 7 1. There is appropriated from the fund created by section
 6 8 8.41 to the department of justice for the federal fiscal year
 6 9 beginning October 1, 2005, and ending September 30, 2006, the
 6 10 following amount:
 6 11 \$ 1,471,000

Federal Stop Violence Against Women Block Grant appropriation to the Department of Justice.

DETAIL: This is a decrease of \$143,000 compared to the estimated FFY 2005 appropriation.

6 12 Funds appropriated in this subsection are the anticipated
 6 13 funds to be received from the federal government for the
 6 14 designated fiscal year under 42 U.S.C., chapter 46, section
 6 15 3796gg-1, which provides for grants to combat violent crimes
 6 16 against women. The department of justice shall expend the
 6 17 funds appropriated in this subsection as provided in the
 6 18 federal law making the funds available and in conformance with
 6 19 chapter 17A.

Requires the Department of Justice to expend the funds appropriated according to federal law and in conformance with administrative procedures as defined in Chapter 17A, Code of Iowa.

6 20 2. An amount not exceeding 10 percent of the funds
 6 21 appropriated in subsection 1 shall be used by the department
 6 22 of justice for administrative expenses. From the funds set
 6 23 aside by this subsection for administrative expenses, the
 6 24 department shall pay to the auditor of state an amount
 6 25 sufficient to pay the cost of auditing the use and
 6 26 administration of the state's portion of the funds
 6 27 appropriated in subsection 1.

Requires a maximum allocation of 10.00% of the Stop Violence Against Women Block Grant funds for administrative and audit costs.

DETAIL: The maximum allocation for FFY 2005 was 5.00% of the FFY 2005 Grant, or \$80,700. With the increase from 5.00% to 10.00%, or \$147,100, this is an increase of \$66,400 compared to the estimated FFY 2005 allocation.

6 28 Sec. 6. RESIDENTIAL SUBSTANCE ABUSE TREATMENT FOR STATE
 6 29 PRISONERS FORMULA GRANT PROGRAM. There is appropriated from
 6 30 the fund created by section 8.41 to the office of the governor
 6 31 for the drug policy coordinator for the federal fiscal year
 6 32 beginning October 1, 2005, and ending September 30, 2006, the
 6 33 following amount:
 6 34 \$ 297,225

Federal Residential Substance Abuse Treatment for State Prisoners Formula Grant Program to the Office of the Governor for the Drug Policy Coordinator.

DETAIL: This is a new federal Grant appropriation for FFY 2006. For FFY 2004, there was a similar Grant received of \$633,248.

6 35 Funds appropriated in this section are the funds
 7 1 anticipated to be received from the federal government for the
 7 2 designated fiscal year under 42 U.S.C., chapter 46, subchapter
 7 3 XII-G, which provides grants for substance abuse treatment
 7 4 programs in state and local correctional facilities. The drug
 7 5 policy coordinator shall expend the funds appropriated in this
 7 6 section as provided in federal law making the funds available
 7 7 and in conformance with chapter 17A.

Requires the Drug Policy Coordinator to expend the funds appropriated according to federal law and in conformance with administrative procedures as defined in Chapter 17A, Code of Iowa.

7 8 Sec. 7. EDWARD BYRNE MEMORIAL FORMULA GRANT PROGRAM
7 9 APPROPRIATION.

7 10 1. There is appropriated from the fund created by section
7 11 8.41 to the office of the governor for the drug policy
7 12 coordinator for the federal fiscal year beginning October 1,
7 13 2005, and ending September 30, 2006, the following amount:
7 14 \$ 3,121,266

Federal Local Law Enforcement Block Grant appropriation to the Office of the Governor for the Drug Policy Coordinator.

DETAIL: This is an increase of \$2,971,266 compared to the estimated FFY 2005 appropriation. With the merger of this Grant and the FFY 2005 Local Law Enforcement Block Grant, together this appropriation would reflect a decrease of \$2,461,686.

7 15 Funds appropriated in this subsection are the anticipated
7 16 funds to be received from the federal government for the
7 17 designated fiscal year under 42 U.S.C., chapter 136, § 14233,
7 18 which provides for the Edward Byrne Memorial formula grant
7 19 program. The drug policy coordinator shall expend the funds
7 20 appropriated in this subsection as provided in the federal law
7 21 making the funds available and in conformance with chapter
7 22 17A.

Requires the Drug Policy Coordinator to expend the funds appropriated according to federal law and in conformance with administrative procedures as defined in Chapter 17A, Code of Iowa.

7 23 2. An amount not exceeding 10 percent of the funds
7 24 appropriated in subsection 1 shall be used by the drug policy
7 25 coordinator for administrative expenses. From the funds set
7 26 aside by this subsection for administrative expenses, the drug
7 27 policy coordinator shall pay to the auditor of state an amount
7 28 sufficient to pay the cost of auditing the use and
7 29 administration of the state's portion of the funds
7 30 appropriated in subsection 1.

Requires a maximum allocation of 10.00% of the Local Law Enforcement Block Grant funds be used for administrative and audit costs.

DETAIL: The maximum allocation for FFY 2005 was 3.00%, or \$4,500. With the increase from 3.00% to 10.00%, or \$312,127, this is an increase of \$307,627 compared to the estimated FFY 2005 allocation.

7 31 Sec. 8. COMMUNITY SERVICES APPROPRIATIONS.

7 32 1. a. There is appropriated from the fund created by
7 33 section 8.41 to the division of community action agencies of
7 34 the department of human rights for the federal fiscal year
7 35 beginning October 1, 2005, and ending September 30, 2006, the
8 1 following amount:
8 2 \$ 6,856,891

Federal Community Services Block Grant appropriation to the Division of Community Action Agencies within the Department of Human Rights.

DETAIL: This is a decrease of \$98,619 compared to the estimated FFY 2005 appropriation. This is due to a federal reduction in FFY 2005 that is estimated to also occur in FFY 2006.

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

Requires the Department of Human Rights to expend the funds appropriated according to federal law and in conformance with administrative procedures as defined in Chapter 17A, Code of Iowa.

8 11 b. The administrator of the division of community action
 8 12 agencies of the department of human rights shall allocate not
 8 13 less than 96 percent of the amount of the block grant to
 8 14 eligible community action agencies for programs benefiting
 8 15 low-income persons. Each eligible agency shall receive a
 8 16 minimum allocation of not less than \$100,000. The minimum
 8 17 allocation shall be achieved by redistributing increased funds
 8 18 from agencies experiencing a greater share of available funds.
 8 19 The funds shall be distributed on the basis of the poverty-
 8 20 level population in the area represented by the community
 8 21 action areas compared to the size of the poverty-level
 8 22 population in the state.

Requires a minimum allocation of 96.00% of the Community Services Block Grant funds to go to eligible community action agencies for programs benefiting low-income persons.

DETAIL: The minimum allocation of \$6,582,615 is a decrease of \$94,675 compared to the estimated FFY 2005 allocation.

Requires that each eligible community action agency receive a minimum allocation of \$100,000 from the Community Services Block Grant funds.

8 23 2. An amount not exceeding 4 percent of the funds
 8 24 appropriated in subsection 1 shall be used by the division of
 8 25 community action agencies of the department of human rights
 8 26 for administrative expenses. From the funds set aside by this
 8 27 subsection for administrative expenses, the division of
 8 28 community action agencies of the department of human rights
 8 29 shall pay to the auditor of state an amount sufficient to pay
 8 30 the cost of auditing the use and administration of the state's
 8 31 portion of the funds appropriated in subsection 1. The
 8 32 auditor of state shall bill the division of community action
 8 33 agencies for the costs of the audits.

Requires a maximum allocation of 4.00% of the Community Services Block Grant funds be used by the Division of Community Action Agencies of the Department of Human Rights for administrative and audit costs.

DETAIL: The maximum allocation of \$274,276 is a decrease of \$3,944 compared to the estimated FFY 2004 allocation.

8 34 Sec. 9. COMMUNITY DEVELOPMENT APPROPRIATIONS.

8 35 1. There is appropriated from the fund created by section
 9 1 8.41 to the Iowa department of economic development for the
 9 2 federal fiscal year beginning October 1, 2005, and ending
 9 3 September 30, 2006, the following amount:
 9 4 \$ 29,260,000

Federal Community Development Block Grant appropriation to the Department of Economic Development.

DETAIL: This is a decrease of \$1,721,000 compared to the estimated FFY 2005 appropriation.

9 5 Funds appropriated in this subsection are the funds
 9 6 anticipated to be received from the federal government for the
 9 7 designated federal fiscal year under 42 U.S.C., chapter 69,
 9 8 which provides for community development block grants. The
 9 9 Iowa department of economic development shall expend the funds
 9 10 appropriated in this subsection as provided in the federal law
 9 11 making the funds available and in conformance with chapter
 9 12 17A.

Requires the Department of Economic Development to expend the funds appropriated according to federal law and in conformance with administrative procedures as defined in Chapter 17A, Code of Iowa.

9 13 2. An amount not exceeding \$1,270,400 for the federal
 9 14 fiscal year beginning October 1, 2005, shall be used by the
 9 15 Iowa department of economic development for administrative
 9 16 expenses for the community development block grant. The total
 9 17 amount used for administrative expenses includes \$685,200 for
 9 18 the federal fiscal year beginning October 1, 2005, of funds
 9 19 appropriated in subsection 1 and a matching contribution from
 9 20 the state equal to \$585,200 from the appropriation of state
 9 21 funds for the community development block grant and state
 9 22 appropriations for related activities of the Iowa department
 9 23 of economic development. From the funds set aside for
 9 24 administrative expenses by this subsection, the Iowa
 9 25 department of economic development shall pay to the auditor of
 9 26 state an amount sufficient to pay the cost of auditing the use
 9 27 and administration of the state's portion of the funds
 9 28 appropriated in subsection 1. The auditor of state shall bill
 9 29 the department for the costs of the audit.

Requires a maximum allocation of Community Development Block Grant funds for administrative and audit costs. Requires that the amount used include \$685,200 of the funds appropriated in Subsection 1 and a \$585,200 matching contribution from the State.

DETAIL: The allocation from the appropriation in Subsection 1 of \$685,200 is a decrease of \$34,060 compared to the estimated FFY 2005 allocation. The requirement of the matching contribution from the State of \$585,200 is a decrease of \$134,060 from the requirement for FFY 2005.

9 30 Sec. 10. LOW-INCOME HOME ENERGY ASSISTANCE
 APPROPRIATIONS.

9 31 1. There is appropriated from the fund created by section
 9 32 8.41 to the division of community action agencies of the
 9 33 department of human rights for the federal fiscal year
 9 34 beginning October 1, 2005, and ending September 30, 2006, the
 9 35 following amount:
 10 1 \$ 34,570,110

Federal Low-Income Home Energy Assistance Program (LIHEAP)
 Block Grant Appropriation to the Division of Community Action
 Agencies of the Department of Human Rights.

DETAIL: This is a decrease of \$4,307,697 compared to the estimated
 FFY 2005 appropriation due to additional delayed supplemental
 federal funding in FFY 2005.

10 2 The funds appropriated in this subsection are the funds
 10 3 anticipated to be received from the federal government for the
 10 4 designated federal fiscal year under 42 U.S.C., chapter 94,
 10 5 subchapter II, which provides for the low-income home energy
 10 6 assistance block grants. The division of community action
 10 7 agencies of the department of human rights shall expend the
 10 8 funds appropriated in this subsection as provided in the
 10 9 federal law making the funds available and in conformance with
 10 10 chapter 17A.

Requires the Department of Human Rights to expend the funds
 appropriated according to federal law and in conformance with
 administrative procedures as defined in Chapter 17A, Code of Iowa.

10 11 2. Up to 15 percent of the amount appropriated in this
 10 12 section that is actually received shall be used for
 10 13 residential weatherization or other related home repairs for
 10 14 low-income households. Of this allocation amount, not more
 10 15 than 10 percent may be used for administrative expenses.

Requires a maximum allocation of up to 15.00% of the Low-Income
 Home Energy Assistance Block Grant funds to be utilized for
 residential weatherization or other related home repairs for low-income
 households. Of this allocation, not more than 10.00% may be used for
 administrative costs.

DETAIL: The maximum allocation of \$5,185,517 is an increase of
 \$266,584 compared to the estimated FFY 2005 allocation. This is a
 decrease of \$645,554 when compared to the revised estimated FFY
 2005 allocation. The maximum allocation is to be distributed as
 follows:

- \$4,666,965 required to be used for weatherization or home
 repairs. This is an increase of \$239,925 compared to the
 estimated FFY 2005 allocation. This is a decrease of \$580,999
 when compared to the revised estimated FFY 2005 allocation.
- \$518,552 permitted to be used for administrative costs within the
 Division of Community Action Agencies of the Department of

	Human Rights for residential weatherization efforts. This is an increase of \$26,695 compared to the estimated FFY 2005 allocation. This is a decrease of \$64,555 when compared to the revised estimated FFY 2005 allocation.
<p>10 16 3. After subtracting the allocation in subsection 2, up to 10 17 10 percent of the remainder is allocated for administrative 10 18 expenses of the low-income home energy assistance program of 10 19 which \$377,000 is allocated for administrative expenses of the 10 20 division. The costs of auditing the use and administration of 10 21 the portion of the appropriation in this section that is 10 22 retained by the state shall be paid from the amount allocated 10 23 in this subsection to the division. The auditor of state 10 24 shall bill the division for the audit costs.</p>	<p>Allows for a maximum allocation of \$2,561,459 (7.41%) to be used for administrative costs of the Low-income Home Energy Assistance Program. This is a decrease of \$84,262 compared to the FFY 2005 allocation. This is 10.00% of the remainder of the funds as specified in the Subsection. Permits \$377,000 to be retained by the Division of Community Action Agencies of the Department of Human Rights for State administrative and audit costs. This is an increase of \$87,000 compared to the FFY 2005 allocations.</p>
<p>10 25 4. The remainder of the appropriation in this section 10 26 following the allocations made in subsections 2 and 3, shall 10 27 be used to help eligible households as defined in 42 U.S.C., 10 28 chapter 94, subchapter II, to meet home energy costs.</p>	<p>Requires that at least \$26,446,134, if all maximum allocations are utilized, be used for home energy costs.</p> <p>DETAIL: This is an increase of \$1,217,901 compared to the estimated FFY 2005 allocation. This is a decrease of \$3,950,881 when compared to the revised estimated FFY 2005 allocation.</p>
<p>10 29 5. Not more than 10 percent of the amount appropriated in 10 30 this section that is actually received may be carried forward 10 31 for use in the succeeding federal fiscal year.</p>	<p>Permits a maximum of 10.00% (\$3,457,011) of the Low-Income Home Energy Assistance Block Grants funds to be carried forward for use in FFY 2007. This is an increase of \$177,722 compared to the FFY 2005 amount permitted to be carried forward into FFY 2006.</p>
<p>10 32 6. Expenditures for assessment and resolution of energy 10 33 problems shall be limited to 5 percent of the amount 10 34 appropriated in this section that is actually received.</p>	<p>Allows for a maximum allocation of 5.00% of the Low-Income Home Energy Assistance Block Grant funds for energy problem assessments and resolutions.</p> <p>DETAIL: This maximum of \$1,728,505 is an increase of \$88,861 compared to the estimated FFY 2005 allocation.</p>
<p>10 35 Sec. 11. SOCIAL SERVICES APPROPRIATIONS.</p>	

11 1 1. There is appropriated from the fund created by section
 11 2 8.41 to the department of human services for the federal
 11 3 fiscal year beginning October 1, 2005, and ending September
 11 4 30, 2006, the following amount:
 11 5 \$ 17,216,209

Federal Social Services Block Grant appropriation to the Department of Human Services (DHS).

 DETAIL: This is no change compared to the estimated FFY 2005 appropriation.

11 6 Funds appropriated in this subsection are the funds
 11 7 anticipated to be received from the federal government for the
 11 8 designated federal fiscal year under 42 U.S.C., chapter 7,
 11 9 subchapter XX, which provides for the social services block
 11 10 grant. The department of human services shall expend the
 11 11 funds appropriated in this subsection as provided in the
 11 12 federal law making the funds available and in conformance with
 11 13 chapter 17A.

Requires the DHS to expend the funds appropriated according to federal law and in conformance with administrative procedures defined in Chapter 17A, Code of Iowa.

11 14 2. Not more than \$1,094,737 of the funds appropriated in
 11 15 subsection 1 shall be used by the department of human services
 11 16 for general administration. From the funds set aside in this
 11 17 subsection for general administration, the department of human
 11 18 services shall pay to the auditor of state an amount
 11 19 sufficient to pay the cost of auditing the use and
 11 20 administration of the state's portion of the funds
 11 21 appropriated in subsection 1.

Requires a maximum allocation of \$1,094,737 of the Social Services Block Grant funds for administrative and audit costs.

 DETAIL: This is no change compared to the estimated FFY 2005 allocation.

11 22 3. In addition to the allocation for general
 11 23 administration in subsection 2, the remaining funds
 11 24 appropriated in subsection 1 shall be allocated in the
 11 25 following amounts to supplement appropriations for the federal
 11 26 fiscal year beginning October 1, 2005, for the following
 11 27 programs within the department of human services:

11 28 a. Field operations:
 11 29 \$ 6,547,743

Requires an allocation of the Social Services Block Grant funds for Field Operations.

 DETAIL: This allocation is no change compared to the estimated FFY 2005 allocation.

PG LN	Senate File 346	Explanation
11 30	b. Child and family services:	Requires an allocation of the Social Services Block Grant funds for Child and Family Services.
11 31	..... \$ 979,361	DETAIL: This allocation is no change compared to the estimated FFY 2005 allocation.
11 32	c. Local administrative costs and other local services:	Requires an allocation of the Social Services Block Grant funds for local administrative costs and services.
11 33	..... \$ 694,407	DETAIL: This allocation is no change compared to the estimated FFY 2005 allocation.
11 34	d. Volunteers:	Requires an allocation of the Social Services Block Grant funds for volunteers.
11 35	..... \$ 75,893	DETAIL: This allocation is no change compared to the estimated FFY 2005 allocation.
12 1	e. Community-based services:	Requires an allocation of the Social Services Block Grant funds for community-based services.
12 2	..... \$ 87,275	DETAIL: This allocation is no change compared to the estimated FFY 2005 allocation.
12 3	f. MH/MR/DD/BI community services (local purchase):	Requires an allocation of the Social Services Block Grant funds for Mental Health/Mental Retardation/Developmental Disabilities/Brain Injury community services.
12 4	..... \$ 7,736,793	DETAIL: This allocation is no change compared to the estimated FFY 2005 allocation.
12 5	Sec. 12. SOCIAL SERVICES BLOCK GRANT PLAN. The department	Requires the DHS to develop a plan for the use of federal Social Services Block Grant funds for the subsequent State fiscal year. Specifies the contents of the plan and requires that the plan be submitted with the Department's budget requests to the Governor and the General Assembly.
12 6	of human services during each state fiscal year shall develop	
12 7	a plan for the use of federal social services block grant	
12 8	funds for the subsequent state fiscal year.	
12 9	The proposed plan shall include all programs and services	
12 10	at the state level which the department proposes to fund with	
12 11	federal social services block grant funds, and shall identify	

12 12 state and other funds which the department proposes to use to
12 13 fund the state programs and services.

12 14 The proposed plan shall also include all local programs and
12 15 services which are eligible to be funded with federal social
12 16 services block grant funds, the total amount of federal social
12 17 services block grant funds available for the local programs
12 18 and services, and the manner of distribution of the federal
12 19 social services block grant funds to the counties. The
12 20 proposed plan shall identify state and local funds which will
12 21 be used to fund the local programs and services.

12 22 The proposed plan shall be submitted with the department's
12 23 budget requests to the governor and the general assembly.

12 24 Sec. 13. PROJECTS FOR ASSISTANCE IN TRANSITION FROM
12 25 HOMELESSNESS.

12 26 1. Upon receipt of the minimum formula grant from the
12 27 federal alcohol, drug abuse, and mental health administration
12 28 to provide mental health services for the homeless, for the
12 29 federal fiscal year beginning October 1, 2005, and ending
12 30 September 30, 2006, the department of human services shall
12 31 assure that a project which receives funds under the formula
12 32 grant from either the federal or local match share of 25
12 33 percent in order to provide outreach services to persons who
12 34 have chronic mental illness and are homeless or who are
12 35 subject to a significant probability of becoming homeless

13 1 shall do all of the following:

13 2 a. Provide community mental health services, diagnostic
13 3 services, crisis intervention services, and habilitation and
13 4 rehabilitation services.

13 5 b. Refer clients to medical facilities for necessary
13 6 hospital services, and to entities that provide primary health
13 7 services and substance abuse services.

13 8 c. Provide appropriate training to persons who provide
13 9 services to persons targeted by the grant.

13 10 d. Provide case management to homeless persons.

13 11 e. Provide supportive and supervisory services to certain

Requires the DHS to administer the projects for the transition from homelessness. Outlines the requirements for projects receiving funds from the transition from homelessness from the federal Alcohol, Drug Abuse, and Mental Health Administration funding. Program requirements and permissive expenditures were also provided for in the FFY 2005 program requirements and permissive expenditures.

13 12 homeless persons living in residential settings which are not
 13 13 otherwise supported.
 13 14 2. Projects may expend funds for housing services
 13 15 including minor renovation, expansion and repair of housing,
 13 16 security deposits, planning of housing, technical assistance
 13 17 in applying for housing, improving the coordination of housing
 13 18 services, the costs associated with matching eligible homeless
 13 19 individuals with appropriate housing, and one-time rental
 13 20 payments to prevent eviction.

13 21 Sec. 14. CHILD CARE AND DEVELOPMENT APPROPRIATION. There
 13 22 is appropriated from the fund created by section 8.41 to the
 13 23 department of human services for the federal fiscal year
 13 24 beginning October 1, 2005, and ending September 30, 2006, the
 13 25 following amount:
 13 26 \$ 40,846,720

Federal Child Care and Development Fund appropriation to the DHS.
 DETAIL: This is a decrease of \$1,463,467 compared to the estimated
 FFY 2005 appropriation.

13 27 Funds appropriated in this section are the funds
 13 28 anticipated to be received from the federal government under
 13 29 42 U.S.C., chapter 105, subchapter II-B, which provides for
 13 30 the child care and development block grant. The department
 13 31 shall expend the funds appropriated in this section as
 13 32 provided in the federal law making the funds available and in
 13 33 conformance with chapter 17A.

Requires the DHS to expend the funds appropriated according to
 federal law and in conformance with administrative procedures as
 defined in Chapter 17A, Code of Iowa.

13 34 If the amount of the child care and development block grant
 13 35 to be received exceeds the amount appropriated in this section
 14 1 and the excess amount is sufficient to fund both the purposes
 14 2 identified by the department for the excess amount and the
 14 3 purpose described in this sentence, notwithstanding any
 14 4 contrary provision enacted by the Eighty-first General
 14 5 Assembly, 2005 Session, the department shall, to the extent
 14 6 sufficient funds are available, set child care provider
 14 7 reimbursement rates based on the most recently completed rate
 14 8 reimbursement survey. Moneys appropriated in this section
 14 9 that remain unencumbered or unobligated at the close of the
 14 10 fiscal year shall revert to be available for appropriation for

Specifies that if additional federal Child Care and Development Block
 Grant funds are available, the DHS is required to set child care
 provider reimbursement rates (for the Child Care Assistance Subsidy
 Program) based upon the 2004 reimbursement rate survey.

14 11 purposes of the child care and development block grant in the
14 12 succeeding fiscal year.

14 13 Sec. 15. PROCEDURE FOR REDUCED FEDERAL FUNDS.

14 14 1. If the funds received from the federal government for
14 15 the block grants specified in this Act are less than the
14 16 amounts appropriated, the funds actually received shall be
14 17 prorated by the governor for the various programs, other than
14 18 for the services to victims of sex offenses and for rape
14 19 prevention education under section 4, subsection 2, of this
14 20 Act, for which each block grant is available according to the
14 21 percentages that each program is to receive as specified in
14 22 this Act. However, if the governor determines that the funds
14 23 allocated by the percentages will not be sufficient to effect
14 24 the purposes of a particular program, or if the appropriation
14 25 is not allocated by percentage, the governor may allocate the
14 26 funds in a manner which will effect to the greatest extent
14 27 possible the purposes of the various programs for which the
14 28 block grants are available.

14 29 2. Before the governor implements the actions provided for
14 30 in subsection 1, the following procedures shall be taken:

14 31 a. The chairpersons and ranking members of the senate and
14 32 house standing committees on appropriations, the appropriate
14 33 chairpersons and ranking members of subcommittees of those
14 34 committees, and the director of the legislative services
14 35 agency shall be notified of the proposed action.

15 1 b. The notice shall include the proposed allocations, and
15 2 information on the reasons why particular percentages or
15 3 amounts of funds are allocated to the individual programs, the
15 4 departments and programs affected, and other information
15 5 deemed useful. Chairpersons and ranking members notified
15 6 shall be allowed at least two weeks to review and comment on

Specifies the procedures for prorating funds to various programs if funding received is less than the amount appropriated. Permits the Governor to allocate funds to attain the purposes of the programs if the Governor determines the funds allocated by the prorated methodology is not sufficient. These procedures were also enacted for the FFY 2005 funding.

Requires the Governor to notify the Chairpersons and Ranking Members of the Senate and House Appropriations Committees, the appropriate Chairpersons and Ranking Members of the Appropriations Subcommittees, and the Director of the Legislative Services Agency of pending action regarding a reduction in allocations for programs based upon reduced federal funds.

Requires the Governor to include specified information regarding the proposed reductions or reallocations in the required notice to the specified legislators and legislative staff. Requires notice at least two weeks prior to the action by the Governor to allow review and comment.

15 7 the proposed action before the action is taken.

15 8 Sec. 16. PROCEDURE FOR INCREASED FEDERAL FUNDS.

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

Requires that additional funds received from specified Block Grants be prorated for the specific programs, except for administration costs, based on the percentages in the Bill. Block Grants not included in this proration process are:

- Stop Violence Against Women
- Residential Substance Abuse Treatment for State Prisoners. (This is an additional exception for FFY 2006.)
- Community Services
- Low-Income Home Energy Assistance

15 15 2. If actual funds received from the federal government
15 16 from block grants exceed the amount appropriated in section 10
15 17 of this Act for the low-income home energy assistance program,
15 18 not more than 15 percent of the excess may be allocated to the
15 19 low-income residential weatherization program and not more
15 20 than 5 percent of the excess may be used for administrative
15 21 costs.

Permits funds received in excess of the appropriated amount for the Low-Income Home Energy Assistance Program to be allocated as follows:

- Not more than 15.00% of the additional funds for the Low-Income Residential Weatherization Program.
- Not more than 5.00% of the additional funds for administrative costs.

15 22 3. If funds received from the federal government from
15 23 community services block grants exceed the amount appropriated
15 24 in section 8 of this Act, 100 percent of the excess is
15 25 allocated to the community services block grant program.

Requires that additional funds from the Community Services Block Grant be allocated for the Community Services Block Grant Program.

15 26 Sec. 17. PROCEDURE FOR EXPENDITURE OF ADDITIONAL FEDERAL
15 27 FUNDS. If other federal grants, receipts, and funds and other
15 28 nonstate grants, receipts, and funds become available or are
15 29 awarded which are not available or awarded during the period
15 30 in which the general assembly is in session, but which require
15 31 expenditure by the applicable department or agency prior to
15 32 March 15 of the fiscal year beginning July 1, 2005, and ending
15 33 June 30, 2006, these grants, receipts, and funds are
15 34 appropriated to the extent necessary, provided that the fiscal

Appropriates federal and nonstate funds that are available and require expenditure by March 15, 2006. Requires notice to the Legislative Fiscal Committee within 30 days of the receipt of the funds to permit comment on planned expenditures. This appropriation process was included for FFY 2005.

15 35 committee of the legislative council is notified within thirty
 16 1 days of receipt of the grants, receipts, or funds and the
 16 2 fiscal committee of the legislative council has an opportunity
 16 3 to comment on the expenditure of the grants, receipts, or
 16 4 funds.

16 5 Sec. 18. DEPARTMENT OF ADMINISTRATIVE SERVICES. Federal
 16 6 grants, receipts, and funds and other nonstate grants,
 16 7 receipts, and funds, available in whole or in part of the
 16 8 fiscal year beginning July 1, 2005, and ending June 30, 2006,
 16 9 are appropriated to the department of administrative services
 16 10 for the purposes set forth in the grants, receipts, or
 16 11 conditions accompanying the receipt of the funds, unless
 16 12 otherwise provided by law.

Appropriates federal and nonstate funds to the Department of Administrative Services for the purposes or conditions set forth in the funds.

16 13 Sec. 19. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP.
 16 14 Federal grants, receipts, and funds and other nonstate grants,
 16 15 receipts, and funds, available in whole or in part for the
 16 16 fiscal year beginning July 1, 2005, and ending June 30, 2006,
 16 17 are appropriated to the department of agriculture and land
 16 18 stewardship for the purposes set forth in the grants,
 16 19 receipts, or conditions accompanying the receipt of the funds,
 16 20 unless otherwise provided by law.

Appropriates federal and nonstate funds to the Department of Agriculture and Land Stewardship for the purposes or conditions set forth in the funds.

DETAIL: The FFY 2006 estimated categorical grants are \$5,938,959, a decrease of \$148,700 compared to the estimated FFY 2005 grants.

16 21 Sec. 20. OFFICE OF AUDITOR OF STATE. Federal grants,
 16 22 receipts, and funds and other nonstate grants, receipts, and
 16 23 funds, available in whole or in part for the fiscal year
 16 24 beginning July 1, 2005, and ending June 30, 2006, are
 16 25 appropriated to the office of auditor of state for the
 16 26 purposes set forth in the grants, receipts, or conditions
 16 27 accompanying the receipt of the funds, unless otherwise
 16 28 provided by law.

Appropriates federal and nonstate funds to the Office of the Auditor of State for the purposes or conditions set forth in the funds.

16 29 Sec. 21. DEPARTMENT FOR THE BLIND. Federal grants,
 16 30 receipts, and funds and other nonstate grants, receipts, and
 16 31 funds, available in whole or in part for the fiscal year
 16 32 beginning July 1, 2005, and ending June 30, 2006, are

Appropriates federal and nonstate funds to the Department for the Blind for the purposes or conditions set forth in the funds.

16 33 appropriated to the department for the blind for the purposes
 16 34 set forth in the grants, receipts, or conditions accompanying
 16 35 the receipt of the funds, unless otherwise provided by law.

DETAIL: The FFY 2006 estimated categorical grants are \$7,866,028, no change compared to the estimated FFY 2005 grants.

17 1 Sec. 22. IOWA STATE CIVIL RIGHTS COMMISSION. Federal
 17 2 grants, receipts, and funds and other nonstate grants,
 17 3 receipts, and funds, available in whole or in part for the
 17 4 fiscal year beginning July 1, 2005, and ending June 30, 2006,
 17 5 are appropriated to the Iowa state civil rights commission for
 17 6 the purposes set forth in the grants, receipts, or conditions
 17 7 accompanying the receipt of the funds, unless otherwise
 17 8 provided by law.

Appropriates federal and nonstate funds to the Iowa State Civil Rights Commission for the purposes or conditions set forth in the funds.

DETAIL: The FFY 2006 estimated categorical grants are \$1,114,903, a decrease of \$97,505 compared to the estimated FFY 2005 grants.

17 9 Sec. 23. COLLEGE STUDENT AID COMMISSION. Federal grants,
 17 10 receipts, and funds and other nonstate grants, receipts, and
 17 11 funds, available in whole or in part for the fiscal year
 17 12 beginning July 1, 2005, and ending June 30, 2006, are
 17 13 appropriated to the college student aid commission for the
 17 14 purposes set forth in the grants, receipts, or conditions
 17 15 accompanying the receipt of the funds, unless otherwise
 17 16 provided by law.

Appropriates federal and nonstate funds to the College Student Aid Commission for the purposes or conditions set forth in the funds.

DETAIL: The FFY 2006 estimated categorical grants are \$27,832,025, a decrease of \$200,000 compared to the estimated FFY 2005 grants.

17 17 Sec. 24. DEPARTMENT OF COMMERCE. Federal grants,
 17 18 receipts, and funds and other nonstate grants, receipts, and
 17 19 funds, available in whole or in part for the fiscal year
 17 20 beginning July 1, 2005, and ending June 30, 2006, are
 17 21 appropriated to the department of commerce for the purposes
 17 22 set forth in the grants, receipts, or conditions accompanying
 17 23 the receipt of the funds, unless otherwise provided by law.

Appropriates federal and nonstate funds to the Department of Commerce for the purposes or conditions set forth in the funds.

DETAIL: The FFY 2006 estimated categorical grants are \$250,000, an increase of \$250,000 compared to the estimated FFY 2005 grants. The Department is not expected to receive categorical grants in FFY 2005.

17 24 Sec. 25. DEPARTMENT OF CORRECTIONS. Federal grants,
 17 25 receipts, and funds and other nonstate grants, receipts, and
 17 26 funds, available in whole or in part for the fiscal year
 17 27 beginning July 1, 2005, and ending June 30, 2006, are
 17 28 appropriated to the department of corrections for the purposes
 17 29 set forth in the grants, receipts, or conditions accompanying
 17 30 the receipt of the funds, unless otherwise provided by law.

Appropriates federal and nonstate funds to the Department of Corrections for the purposes or conditions set forth in the funds.

DETAIL: The FFY 2006 estimated categorical grants are \$1,449,400, a decrease of \$500,000 compared to the estimated FFY 2005 grants. This is a result of a Rape Prevention Grant in FFY 2005 not available in FFY 2006.

<p>17 31 Sec. 26. DEPARTMENT OF CULTURAL AFFAIRS. Federal grants, 17 32 receipts, and funds and other nonstate grants, receipts, and 17 33 funds, available in whole or in part for the fiscal year 17 34 beginning July 1, 2005, and ending June 30, 2006, are 17 35 appropriated to the department of cultural affairs for the 18 1 purposes set forth in the grants, receipts, or conditions 18 2 accompanying the receipt of the funds, unless otherwise 18 3 provided by law.</p>	<p>Appropriates federal and nonstate funds to the Department of Cultural Affairs for the purposes or conditions set forth in the funds.</p> <p>DETAIL: The FFY 2006 estimated categorical grants are \$1,274,845, a decrease of \$357,360 compared to the estimated FFY 2005 grants.</p>
<p>18 4 Sec. 27. IOWA DEPARTMENT OF ECONOMIC DEVELOPMENT. Federal 18 5 grants, receipts, and funds and other nonstate grants, 18 6 receipts, and funds, available in whole or in part for the 18 7 fiscal year beginning July 1, 2005, and ending June 30, 2006, 18 8 are appropriated to the Iowa department of economic 18 9 development for the purposes set forth in the grants, 18 10 receipts, or conditions accompanying the receipt of the funds, 18 11 unless otherwise provided by law.</p>	<p>Appropriates federal and nonstate funds to the Department of Economic Development for the purposes or conditions set forth in the funds.</p> <p>DETAIL: The FFY 2006 estimated categorical grants are \$16,396,012, an increase of \$1,721,000 compared to the estimated FFY 2005 grants.</p>
<p>18 12 Sec. 28. DEPARTMENT OF EDUCATION. Federal grants, 18 13 receipts, and funds and other nonstate grants, receipts, and 18 14 funds, available in whole or in part for the fiscal year 18 15 beginning July 1, 2005, and ending June 30, 2006, are 18 16 appropriated to the department of education for the purposes 18 17 set forth in the grants, receipts, or conditions accompanying 18 18 the receipt of the funds, unless otherwise provided by law.</p>	<p>Appropriates federal and nonstate funds to the Department of Education for the purposes or conditions set forth in the funds.</p> <p>DETAIL: The FFY 2006 estimated categorical grants are \$414,575,136, a decrease of \$15,102,262 compared to the estimated FFY 2005 grants. Estimated significant changes for this decrease include:</p> <ul style="list-style-type: none"> • A decrease of \$1,500,000 in the Title VI (Protection from Discrimination) Program. • A decrease of \$1,500,000 from a federal technology grant. • A decrease of \$5,200,000 from the Vocational Rehabilitation Services Basic Grant. • A decrease of \$2,200,000 from the Technology Literacy Challenge Grant. • A decrease of \$1,600,000 from the State Assessment Program due to the expenditure of carryforward funds in FFY 2005. • A decrease of \$3,102,262 for miscellaneous grants.

<p>18 19 Sec. 29. DEPARTMENT OF ELDER AFFAIRS. Federal grants, 18 20 receipts, and funds and other nonstate grants, receipts, and 18 21 funds, available in whole or in part for the fiscal year 18 22 beginning July 1, 2005, and ending June 30, 2006, are 18 23 appropriated to the department of elder affairs for the 18 24 purposes set forth in the grants, receipts, or conditions 18 25 accompanying the receipt of the funds, unless otherwise 18 26 provided by law.</p>	<p>Appropriates federal and nonstate funds to the Department of Elder Affairs for the purposes or conditions set forth in the funds.</p> <p>DETAIL: The FFY 2006 estimated categorical grants are \$17,891,324, a decrease of \$968,100 compared to the estimated FFY 2005 grants. This is due to the completion of the three-year federal Seamless System Grant.</p>
<p>18 27 Sec. 30. ETHICS AND CAMPAIGN DISCLOSURE BOARD. Federal 18 28 grants, receipts, and funds and other nonstate grants, 18 29 receipts, and funds, available in whole or in part for the 18 30 fiscal year beginning July 1, 2005, and ending June 30, 2006, 18 31 are appropriated to the Iowa ethics and campaign disclosure 18 32 board for the purposes set forth in the grants, receipts, or 18 33 conditions accompanying the receipt of the funds, unless 18 34 otherwise provided by law.</p>	<p>Appropriates federal and nonstate funds to the Ethics and Campaign Disclosure Board for the purposes or conditions set forth in the funds.</p>
<p>18 35 Sec. 31. OFFICES OF THE GOVERNOR AND LIEUTENANT GOVERNOR. 19 1 Federal grants, receipts, and funds and other nonstate grants, 19 2 receipts, and funds, available in whole or in part for the 19 3 fiscal year beginning July 1, 2005, and ending June 30, 2006, 19 4 are appropriated to the offices of the governor and lieutenant 19 5 governor for the purposes set forth in the grants, receipts, 19 6 or conditions accompanying the receipt of the funds, unless 19 7 otherwise provided by law.</p>	<p>Appropriates federal and nonstate funds to the Offices of the Governor and the Lieutenant Governor for the purposes or conditions set forth in the funds.</p>
<p>19 8 Sec. 32. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY. 19 9 Federal grants, receipts, and funds and other nonstate grants, 19 10 receipts, and funds, available in whole or in part for the 19 11 fiscal year beginning July 1, 2005, and ending June 30, 2006, 19 12 are appropriated to the governor's office of drug control 19 13 policy for the purposes set forth in the grants, receipts, or 19 14 conditions accompanying the receipt of the funds, unless 19 15 otherwise provided by law.</p>	<p>Appropriates federal and nonstate funds to the Office of the Governor for the Drug Policy Coordinator for the purposes or conditions set forth in the funds.</p> <p>DETAIL: The FFY 2006 estimated categorical grants are \$7,209,318, an increase of \$2,554,110 compared to the estimated FFY 2005 grants.</p>

19 16 Sec. 33. DEPARTMENT OF HUMAN RIGHTS. Federal grants,
 19 17 receipts, and funds and other nonstate grants, receipts, and
 19 18 funds, available in whole or in part for the fiscal year
 19 19 beginning July 1, 2005, and ending June 30, 2006, are
 19 20 appropriated to the department of human rights for the
 19 21 purposes set forth in the grants, receipts, or conditions
 19 22 accompanying the receipt of the funds, unless otherwise
 19 23 provided by law.

Appropriates federal and nonstate funds to the Department of Human Rights for the purposes or conditions set forth in the funds.

DETAIL: The FFY 2006 estimated categorical grants are \$5,156,437, a decrease of \$3,189,144 compared to the estimated FFY 2005 grants. The decrease is a result of delayed supplemental Low Income Home Energy Assistance Program (ILHEAP) funding placed in this line item in FFY 2005.

19 24 Sec. 34. DEPARTMENT OF HUMAN SERVICES. Federal grants,
 19 25 receipts, and funds and other nonstate grants, receipts, and
 19 26 funds, available in whole or in part for the fiscal year
 19 27 beginning July 1, 2005, and ending June 30, 2006, are
 19 28 appropriated to the department of human services, for the
 19 29 purposes set forth in the grants, receipts, or conditions
 19 30 accompanying the receipt of the funds, unless otherwise
 19 31 provided by law.

Appropriates federal and nonstate funds to the Department of Human Services for the purposes or conditions set forth in the funds.

DETAIL: The FFY 2006 estimated categorical grants are \$2,002,855,533, an increase of \$73,465,836 compared to the estimated FFY 2005 grants.

19 32 Sec. 35. DEPARTMENT OF INSPECTIONS AND APPEALS. Federal
 19 33 grants, receipts, and funds and other nonstate grants,
 19 34 receipts, and funds, available in whole or in part for the
 19 35 fiscal year beginning July 1, 2005, and ending June 30, 2006,
 20 1 are appropriated to the department of inspections and appeals
 20 2 for the purposes set forth in the grants, receipts, or
 20 3 conditions accompanying the receipt of the funds, unless
 20 4 otherwise provided by law.

Appropriates federal and nonstate funds to the Department of Inspections and Appeals for the purposes or conditions set forth in the funds.

DETAIL: The FFY 2006 estimated categorical grants are \$5,791,615, an increase of \$2,012,546 compared to the estimated FFY 2005 grants. The increase is a result of an expected increase in funds shifted from the Department of Human Services federal Medicaid revenues regarding dual certification of nursing facilities. (Nursing facilities that meet both federal Medicare and Medicaid standards.)

20 5 Sec. 36. JUDICIAL BRANCH. Federal grants, receipts, and
 20 6 funds and other nonstate grants, receipts, and funds,
 20 7 available in whole or in part for the fiscal year beginning
 20 8 July 1, 2005, and ending June 30, 2006, are appropriated to
 20 9 the judicial branch for the purposes set forth in the grants,
 20 10 receipts, or conditions accompanying the receipt of the funds,
 20 11 unless otherwise provided by law.

Appropriates federal and nonstate funds to the Judicial Branch for the purposes or conditions set forth in the funds.

DETAIL: The FFY 2006 estimated categorical grants are \$1,008,633, no change compared to the estimated FFY 2005 grants.

<p>20 12 Sec. 37. DEPARTMENT OF JUSTICE. Federal grants, receipts, 20 13 and funds and other nonstate grants, receipts, and funds, 20 14 available in whole or in part for the fiscal year beginning 20 15 July 1, 2005, and ending June 30, 2006, are appropriated to 20 16 the department of justice for the purposes set forth in the 20 17 grants, receipts, or conditions accompanying the receipt of 20 18 the funds, unless otherwise provided by law.</p>	<p>Appropriates federal and nonstate funds to the Department of Justice for the purposes or conditions set forth in the funds.</p> <p>DETAIL: The FFY 2006 estimated categorical grants are \$7,030,370, an increase of \$152,900 compared to the estimated FFY 2005 grants.</p>
<p>20 19 Sec. 38. IOWA LAW ENFORCEMENT ACADEMY. Federal grants, 20 20 receipts, and funds and other nonstate grants, receipts, and 20 21 funds, available in whole or in part for the fiscal year 20 22 beginning July 1, 2005, and ending June 30, 2006, are 20 23 appropriated to the Iowa law enforcement academy for the 20 24 purposes set forth in the grants, receipts, or conditions 20 25 accompanying the receipt of the funds, unless otherwise 20 26 provided by law.</p>	<p>Appropriates federal and nonstate funds to the Iowa Law Enforcement Academy for the purposes or conditions set forth in the funds.</p>
<p>20 27 Sec. 39. DEPARTMENT OF MANAGEMENT. Federal grants, 20 28 receipts, and funds and other nonstate grants, receipts, and 20 29 funds, available in whole or in part for the fiscal year 20 30 beginning July 1, 2005, and ending June 30, 2006, are 20 31 appropriated to the department of management for the purposes 20 32 set forth in the grants, receipts, or conditions accompanying 20 33 the receipt of the funds, unless otherwise provided by law.</p>	<p>Appropriates federal and nonstate funds to the Department of Management for the purposes or conditions set forth in the funds.</p> <p>DETAIL: The FFY 2006 funds expected are \$0. This is a decrease of \$600 compared to estimated FFY 2005.</p>
<p>20 34 Sec. 40. DEPARTMENT OF NATURAL RESOURCES. Federal grants, 20 35 receipts, and funds and other nonstate grants, receipts, and 21 1 funds, available in whole or in part for the fiscal year 21 2 beginning July 1, 2005, and ending June 30, 2006, are 21 3 appropriated to the department of natural resources for the 21 4 purposes set forth in the grants, receipts, or conditions 21 5 accompanying the receipt of the funds, unless otherwise 21 6 provided by law.</p>	<p>Appropriates federal and nonstate funds to the Department of Natural Resources for the purposes or conditions set forth in the funds.</p> <p>DETAIL: The FFY 2006 estimated categorical grants are \$34,234,098, a decrease of \$1,005,000 compared to the estimated FFY 2005 grants. This includes:</p> <ul style="list-style-type: none"> • An increase of \$95,000 for the on-site Wastewater Program. • A decrease of \$800,000 for the discontinuance of a grant for the Restore the Outdoors Program. • A decrease of \$300,000 due to decreased funding for the Lake Dredging Program.

<p>21 7 Sec. 41. BOARD OF PAROLE. Federal grants, receipts, and 21 8 funds and other nonstate grants, receipts, and funds, 21 9 available in whole or in part for the fiscal year beginning 21 10 July 1, 2005, and ending June 30, 2006, are appropriated to 21 11 the board of parole for the purposes set forth in the grants, 21 12 receipts, or conditions accompanying the receipt of the funds, 21 13 unless otherwise provided by law.</p>	<p>Appropriates federal and nonstate funds to the Board of Parole for the purposes or conditions set forth in the funds.</p>
<p>21 14 Sec. 42. DEPARTMENT OF PUBLIC DEFENSE. Federal grants, 21 15 receipts, and funds and other nonstate grants, receipts, and 21 16 funds, available in whole or in part for the fiscal year 21 17 beginning July 1, 2005, and ending June 30, 2006, are 21 18 appropriated to the department of public defense for the 21 19 purposes set forth in the grants, receipts, or conditions 21 20 accompanying the receipt of the funds, unless otherwise 21 21 provided by law.</p>	<p>Appropriates federal and nonstate funds to the Department of Public Defense for the purposes or conditions set forth in the funds.</p> <p>DETAIL: The FFY 2006 estimated categorical grants are \$129,738,771, a decrease of \$12,205,682 compared to the estimated FFY 2005 grants. Information from the Department indicates that the decrease may be a decrease in capitals funding.</p>
<p>21 22 Sec. 43. PUBLIC EMPLOYMENT RELATIONS BOARD. Federal 21 23 grants, receipts, and funds and other nonstate grants, 21 24 receipts, and funds, available in whole or in part for the 21 25 fiscal year beginning July 1, 2005, and ending June 30, 2006, 21 26 are appropriated to the public employment relations board for 21 27 the purposes set forth in the grants, receipts, or conditions 21 28 accompanying the receipt of the funds, unless otherwise 21 29 provided by law.</p>	<p>Appropriates federal and nonstate funds to the Public Employment Relations Board for the purposes or conditions set forth in the funds.</p> <p>DETAIL: Federal Fiscal Year 2006 categorical grants are not expected. This is a decrease of \$9,864 compared to the estimated FFY 2005 grants.</p>
<p>21 30 Sec. 44. IOWA DEPARTMENT OF PUBLIC HEALTH. Federal 21 31 grants, receipts, and funds and other nonstate grants, 21 32 receipts, and funds, available in whole or in part for the 21 33 fiscal year beginning July 1, 2005, and ending June 30, 2006, 21 34 are appropriated to the Iowa department of public health for 21 35 the purposes set forth in the grants, receipts, or conditions 22 1 accompanying the receipt of the funds, unless otherwise 22 2 provided by law.</p>	<p>Appropriates federal and nonstate funds to the DPH for the purposes or conditions set forth in the funds.</p> <p>DETAIL: The FFY 2006 estimated categorical grants are \$84,384,063, a decrease of \$1,484,473 compared to the estimated FFY 2005 grants.</p>
<p>22 3 Sec. 45. DEPARTMENT OF PUBLIC SAFETY. Federal grants, 22 4 receipts, and funds and other nonstate grants, receipts, and</p>	<p>Appropriates federal and nonstate funds to the Department of Public Safety for the purposes or conditions set forth in the grants.</p>

22 5 funds, available in whole or in part for the fiscal year
 22 6 beginning July 1, 2005, and ending June 30, 2006, are
 22 7 appropriated to the department of public safety, for the
 22 8 purposes set forth in the grants, receipts, or conditions
 22 9 accompanying the receipt of the funds, unless otherwise
 22 10 provided by law.

DETAIL: The FFY 2006 estimated categorical grants are \$6,771,492, a decrease of \$854,513 compared to the estimated FFY 2005 grants. This includes:

- A decrease of \$450,000 from a reduction in the Crime Lab Improvement Program Grant.
- A decrease of \$300,000 from completion of the Community Oriented Policing Services Equipment Grant.
- A decrease of \$79,513 from a reduction in expected federal asset forfeiture funds.
- A decrease of \$25,000 from funds for the Governor's Traffic Safety Bureau.

22 11 Sec. 46. STATE BOARD OF REGENTS. Federal grants,
 22 12 receipts, and funds and other nonstate grants, receipts, and
 22 13 funds, available in whole or in part for the fiscal year
 22 14 beginning July 1, 2005, and ending June 30, 2006, are
 22 15 appropriated to the state board of regents for the purposes
 22 16 set forth in the grants, receipts, or conditions accompanying
 22 17 the receipt of the funds, unless otherwise provided by law.

Appropriates federal and nonstate funds to the State Board of Regents for the purposes or conditions set forth in the grants.

DETAIL: The FFY 2006 estimated categorical grants are \$381,986,625, an increase of \$33,224,860 compared to the estimated FFY 2005 grants. This increase is a result of anticipated increased applications for and receipt of federal research funds by the three Universities.

22 18 Sec. 47. DEPARTMENT OF REVENUE. Federal grants, receipts,
 22 19 and funds and other nonstate grants, receipts, and funds,
 22 20 available in whole or in part for the fiscal year beginning
 22 21 July 1, 2005, and ending June 30, 2006, are appropriated to
 22 22 the department of revenue for the purposes set forth in the
 22 23 grants, receipts, or conditions accompanying the receipt of
 22 24 the funds, unless otherwise provided by law.

Appropriates federal and nonstate funds to the Department of Revenue for the purposes or conditions set forth in the grants.

22 25 Sec. 48. OFFICE OF SECRETARY OF STATE. Federal grants,
 22 26 receipts, and funds and other nonstate grants, receipts, and
 22 27 funds, available in whole or in part for the fiscal year
 22 28 beginning July 1, 2005, and ending June 30, 2006, are
 22 29 appropriated to the office of secretary of state for the
 22 30 purposes set forth in the grants, receipts, or conditions
 22 31 accompanying the receipt of the funds, unless otherwise

Appropriates federal and nonstate funds to the Office of the Secretary of State for the purposes or conditions set forth in the funds.

DETAIL: The FFY 2006 estimated categorical grants are \$0 which is a decrease of \$28,749,822, compared to the estimated FFY 2005 grants. This decrease is a result of the federal Help America Vote Act (HAVA) funding made available in FFY 2005.

22 32 provided by law.

22 33 Sec. 49. IOWA STATE FAIR AUTHORITY. Federal grants,
 22 34 receipts, and funds and other nonstate grants, receipts, and
 22 35 funds, available in whole or in part for the fiscal year
 23 1 beginning July 1, 2005, and ending June 30, 2006, are
 23 2 appropriated to the Iowa state fair authority for the purposes
 23 3 set forth in the grants, receipts, or conditions accompanying
 23 4 the receipt of the funds, unless otherwise provided by law.

Appropriates federal and nonstate funds to the Iowa State Fair Authority for the purposes or conditions set forth in the funds.

23 5 Sec. 50. OFFICE OF STATE–FEDERAL RELATIONS. Federal
 23 6 grants, receipts, and funds and other nonstate grants,
 23 7 receipts, and funds, available in whole or in part for the
 23 8 fiscal year beginning July 1, 2005, and ending June 30, 2006,
 23 9 are appropriated to the office of state–federal relations for
 23 10 the purposes set forth in the grants, receipts, or conditions
 23 11 accompanying the receipt of the funds, unless otherwise
 23 12 provided by law.

Appropriates federal and nonstate funds to the Office of State-Federal Relations for the purposes or conditions set forth in the funds.

23 13 Sec. 51. IOWA TELECOMMUNICATIONS AND TECHNOLOGY
 23 14 COMMISSION. Federal grants, receipts, and funds and other
 23 15 nonstate grants, receipts, and funds, available in whole or in
 23 16 part for the fiscal year beginning July 1, 2005, and ending
 23 17 June 30, 2006, are appropriated to the Iowa telecommunications
 23 18 and technology commission for the purposes set forth in the
 23 19 grants, receipts, or conditions accompanying the receipt of
 23 20 the funds, unless otherwise provided by law.

Appropriates federal and nonstate funds to the Iowa Telecommunications and Technology Commission for the purposes or conditions set forth in the funds.

23 21 Sec. 52. OFFICE OF TREASURER OF STATE. Federal grants,
 23 22 receipts, and funds and other nonstate grants, receipts, and
 23 23 funds, available in whole or in part for the fiscal year
 23 24 beginning July 1, 2005, and ending June 30, 2006, are
 23 25 appropriated to the office of treasurer of state for the
 23 26 purposes set forth in the grants, receipts, or conditions
 23 27 accompanying the receipt of the funds, unless otherwise
 23 28 provided by law.

Appropriates federal and nonstate funds to the Office of the Treasurer of State for the purposes or conditions set forth in the funds.

DETAIL: The FFY 2006 estimated categorical grants are \$350,000, a decrease of \$1,000 compared to the estimated FFY 2005 grants.

<p>23 29 Sec. 53. STATE DEPARTMENT OF TRANSPORTATION. Federal 23 30 grants, receipts, and funds and other nonstate grants, 23 31 receipts, and funds, available in whole or in part for the 23 32 fiscal year beginning July 1, 2005, and ending June 30, 2006, 23 33 are appropriated to the state department of transportation for 23 34 the purposes set forth in the grants, receipts, or conditions 23 35 accompanying the receipt of the funds, unless otherwise 24 1 provided by law.</p>	<p>Appropriates federal and nonstate funds to the Department of Transportation for the purposes or conditions set forth in the funds.</p> <p>DETAIL: The FFY 2006 estimated categorical grants are \$275,720,000, a decrease of \$1,000,000 compared to the estimated FFY 2005 grants.</p>
<p>24 2 Sec. 54. COMMISSION OF VETERANS AFFAIRS. Federal grants, 24 3 receipts, and funds and other nonstate grants, receipts, and 24 4 funds, available in whole or in part for the fiscal year 24 5 beginning July 1, 2005, and ending June 30, 2006, are 24 6 appropriated to the commission of veterans affairs for the 24 7 purposes set forth in the grants, receipts, or conditions 24 8 accompanying the receipt of the funds, unless otherwise 24 9 provided by law.</p>	<p>Appropriates federal and nonstate funds to the Commission of Veterans Affairs for the purposes or conditions set forth in the funds.</p> <p>DETAIL: The FFY 2006 estimated categorical grants are \$13,851,729, a decrease of \$1,216 compared to the estimated FFY 2005 grants.</p>
<p>24 10 Sec. 55. DEPARTMENT OF WORKFORCE DEVELOPMENT. Federal 24 11 grants, receipts, and funds and other nonstate grants, 24 12 receipts, and funds, available in whole or in part for the 24 13 fiscal year beginning July 1, 2005, and ending June 30, 2006, 24 14 are appropriated to the department of workforce development 24 15 for the purposes set forth in the grants, receipts, or 24 16 conditions accompanying the receipt of the funds, unless 24 17 otherwise provided by law.</p>	<p>Appropriates federal and nonstate funds to the Department of Workforce Development for the purposes or conditions set forth in the funds.</p> <p>DETAIL: The FFY 2006 estimated categorical grants are \$450,859,504, a decrease of \$700,707 compared to the estimated FFY 2005 grants. This is due to an expected decrease in funding from the federal Workforce Investment Act (IWA).</p>
<p>24 18 LSB 1105SV 81 24 19 jp:mg/gg/14</p>	

General Fund Revenue Report

(Dollars in Millions)

Act	Short Title/Provision	Revenue / Tax Type	General Fund Fiscal Impact Estimate		
			FY 2005	FY 2006	FY 2007
SF 360	Insurance Omnibus and Tax Rebate Act	Refunds	0.000	-0.181	0.000
SF 389	Soy-Based Oil Tax Credit Act	Income Tax	0.000	0.000	-0.060
SF 390	Small Energy Producer Tax Credit Act	Income Tax/Sales Tax	0.000	0.000	-2.800
SF 395	Wine Revenue Act	Other Revenue	0.000	-0.250	-0.250
SF 405	Interior Design Act	Fees	0.000	0.065	0.043
SF 413	Streamline Sales Tax Act - Drainage System Exemption	Sales/Use Tax	0.000	-0.670	-0.670
HF 102	Bonus Depreciation and Expensing Changes Act	Income Tax	-2.250	-1.250	0.000
HF 186	Internal Revenue Code (IRC) Update Act - Direct Impacts	Income Tax	-\$9.300	-\$21.300	-\$19.500
HF 186	IRC Update Act - Automatic Impacts (Fed. Deductibility)	Income Tax	14.100	25.900	19.500
HF 275	Alcohol Purchases by Minors Act	Fees	0.000	0.573	0.616
HF 310	Toys for Tots Sales Tax Exemption Act	Sales/Use Tax	0.000	-0.020	-0.020
HF 645	Ad-Tabs and the Lottery Act	Transfers	0.000	1.000	1.000
HF 682	Criminal Penalty Surcharge and Deferred Judgment Act	Other Revenue	0.000	1.416	2.417
HF 737	Mortgage Brokers Licensing Act	Fees	0.000	0.000	0.210
HF 761	Early Childhood Policy and Tax Credit Act - Child Care Credit	Income Tax	0.000	0.000	-2.300
HF 761	Early Childhood Policy and Tax Credit Act - Preschool Tax Credit	Income Tax	0.000	0.000	-2.500
HF 807	Judicial Branch Appropriations Act	Other Revenue	0.000	0.337	0.337
HF 810	Admin. & Regulation Appropriations Act - Riverboats	Fees	0.000	0.554	0.554
HF 810	Admin. & Regulation Appropriations Act - Pari-Mutuel	Fees	0.000	0.149	0.149
HF 810	Admin. & Regulation Appropriations Act - Banking Division Fees	Fees	0.000	0.219	0.219
HF 810	Admin. & Regulation Appropriations Act - Utility Division Fees	Fees	0.000	0.102	0.102
HF 816	Education Appropriations Act - Board of Ed. Examiners Fees	Fees	0.000	-0.357	-0.357
HF 825	Health & Human Services Appropriations Act - Public Health	Fees	0.000	0.065	0.065
HF 826	Speed Limit Act - Court Fines	Fines	0.000	0.000	0.900
HF 826	Speed Limit Act - Speeding Fines	Fines	0.000	0.596	0.709
HF 840	Newton Racetrack Sales Tax Rebate Act	Sales/Use Tax	0.000	0.000	-0.500
HF 856	Habitat for Humanity Tax Exemption Act	Sales/Use Tax	0.000	-0.112	-0.112
HF 857	Housing Development Tax Credit Act	Income Tax/Sales Tax	0.000	-0.840	-3.600
HF 859	Cooperative Associations Act	Fees	0.000	2.450	0.000
HF 868	Grow Iowa Values Fund Act	Various	0.000	-3.000	-24.500
HF 869	Beginning Farmer Tax Credit and Exemption Act - Bonus Depreciation	Income Tax	0.000	-0.070	-0.170
HF 869	Beginning Farmer Tax Credit and Exemption Act - Agric. Confinement	Sales/Use Tax	0.000	-0.400	-0.080
HF 875	Infrastructure Appropriations Act - Marine Fuel Tax	Transfers	0.000	0.000	-0.411
HF 875	Infrastructure Appropriations Act - Railroad Revolving Fund	Transfers	0.000	0.000	-1.268
HF 882	Standing Appropriations Act - Youth Facility Exemption	Sales/Use Tax	0.000	-0.200	0.000
			\$2.550	\$5.812	-\$24.061

Note: Shaded items were vetoed by the Governor and are not included in the totals.

**EXECUTIVE SUMMARY
BONUS DEPRECIATION AND EXPENSING CHANGES ACT**

HOUSE FILE 102

**BONUS DEPRECIATION AND
EXPENSING CHANGES**

FISCAL IMPACT

**EFFECTIVE AND RETROACTIVE
APPLICABILITY DATES
ENACTMENT DATE**

- Allows taxpayers an additional method to take advantage of depreciation allowances enacted in HF 2581 (Special Session Bonus Depreciation Act of 2004). Permits taxpayers to include the additional depreciation as part of their tax return for the next tax year. Under HF 2581, the taxpayer was restricted to filing amended returns in order to receive the benefit.
- The expansion of options to claim additional depreciation benefits is projected to reduce net General Fund revenue by the following amounts.
 - FY 2005: \$-2.25 million
 - FY 2006: \$-1.25 million
- Specifies this Act was effective on enactment, and Sections of this Act are retroactive to tax years beginning and ending in calendar year 2003.
- This Act was approved by the General Assembly on February 17, 2005, and signed by the Governor on February 24, 2005.

**EXECUTIVE SUMMARY
INTERNAL REVENUE CODE UPDATE ACT**

HOUSE FILE 186

**INTERNAL REVENUE CODE (IRC)
UPDATE
FISCAL IMPACT**

- Conforms Iowa’s revenue law with changes made to the federal Internal Revenue Code (IRC) during the 2003, 2004, and 2005 sessions of Congress (through January 31, 2005).
- The Department of Revenue examined six federal Acts passed during the applicable time period and identified 179 provisions with potential impact on Iowa revenue. Of these provisions, the Department determined 78 had significant positive or negative impact when Iowa couples with the federal changes. The net direct General Fund fiscal impact is estimated to be:
 - FY 2005: \$ -9.3 million
 - FY 2006: \$ -21.3 million
 - FY 2007: \$ -19.5 million
 - FY 2008: \$ -9.2 million
 - FY 2009: \$ -1.4 million
- In addition to the direct coupling impact listed above, federal changes to tax rates and tax base also indirectly impact Iowa tax revenue through the “deductibility effect.” This effect is the result of Iowa individual and corporate deductions for federal taxes paid. When the federal government lowers its taxes, Iowa taxpayers have less federal tax to deduct so they see a marginal increase in the amount of taxes owed the State. This deductibility effect occurs without any action by the Iowa Legislature. The Department of Revenue estimates the impact of the deductibility effect to be:
 - FY 2005: \$14.1 million
 - FY 2006: \$25.9 million
 - FY 2007: \$19.5 million
 - FY 2008: \$12.9 million
 - FY 2009: \$ 0.0 million
- The adjustments were accounted for by the April REC and are, therefore, not listed individually on the General Fund Balance Sheet.
- This Act was effective on enactment and applies retroactively to tax years beginning on or after January 1, 2003.
- This Act was approved by the General Assembly on April 5, 2005, and signed by the Governor on April 13, 2005.

EFFECTIVE DATE

ENACTMENT DATE

EXECUTIVE SUMMARY
ALCOHOL PURCHASES BY MINORS ACT

HOUSE FILE 275

ALCOHOL PURCHASES BY MINORS

- Changes the criminal violation from a simple misdemeanor to a scheduled violation for the first offense with a fine amount of \$200. Increases the simple misdemeanor fine for a second offense from \$200 to \$500. An individual in violation of a second offense will also choose between completing a substance abuse evaluation or the suspension of their driver's license for no more than one year. The simple misdemeanor fine for a third or subsequent offense is \$500 and the suspension of the driver's license for one year.

FISCAL IMPACT

- This Act will result in the following estimated increased net revenue to the General Fund:
 - FY 2006 - \$573,000
 - FY 2007 - \$616,000
 - FY 2008 - \$636,000

ENACTMENT DATE

- This Act was approved by the General Assembly on April 26, 2005, and signed by the Governor on May 4, 2005.

EXECUTIVE SUMMARY ADDITIONAL VETERANS' BENEFITS ACT

HOUSE FILE 374

DEPARTMENT OF VETERANS AFFAIRS

NEW PROGRAMS, SERVICES, OR ACTIVITIES

LIFETIME HUNTING AND FISHING LICENSE

MILITARY TAX CREDIT

EFFECTIVE DATE

ENACTMENT DATE

- Makes technical and corrective changes to establish the Commission of Veterans Affairs as the Department of Veterans Affairs.
- Establishes a Hepatitis C Awareness Program for veterans within the Department of Public Health.
 - FISCAL IMPACT: The cost of the Program is projected to be \$35,000.
- Changes the definition of disabled or prisoner of war veteran to be eligible for the reduced fee lifetime hunting and fishing license combination to apply to veterans that served 90 days of active federal service, including peacetime service.
 - FISCAL IMPACT: The expansion of the benefit is projected to reduce revenues for the Fish and Wildlife Trust Fund by an annual average of less than \$8,000 over the next 10 years.
- Modifies the definition of veteran, for military tax exemption purposes, so that the following groups qualify for the exemption:
 - Members of the reserve forces of the United States and the National Guard with 20 years of service that received an honorable discharge without restriction on the dates of service.
 - Members of the reserve forces of the United States and the National Guard that have 20 years of service and continue to serve.
 - Veterans with three years of active military service and an honorable discharge.
 - FISCAL IMPACT: These changes are estimated to affect an estimated 5,400 veteran homeowners and exempt \$9.9 million of taxable property value. The exempted property is projected to have produced a total of \$335,000 in property taxes. The FY 2006 cost to the State will be \$69,000 for the Military Service Tax Credit reimbursement to local governments and \$54,000 in General Fund State Foundation Aid to schools. The current Property Tax Credit Fund appropriation for the Military Service Tax Credit is adequate to pay this projected increase. Those local governmental entities that are not at their maximum levies may increase levy rates to offset the reduction in taxable value. To the extent that levy rates can be adjusted, local revenues will not be affected.
- This Act was effective on enactment.
- This Act was approved by the General Assembly on April 28, 2005, and signed by the Governor on May 5, 2005.

**EXECUTIVE SUMMARY
AD-TABS AND THE LOTTERY ACT**

HOUSE FILE 645

AD-TABS AND THE LOTTERY

- Clarifies the definition of a lottery and restricts a commercial organization's lottery promotional activities, that are occasional and ancillary to the primary business of the organization, to 90 days within a one-year period. A monetary prize is not to be paid on the premises where the chance to win a prize is obtained.

ENFORCEMENT

- Requires the Attorney General, at the request of the Iowa Lottery or the Division of Criminal Investigation, to bring proceedings against a person for operating an illegal lottery. The Attorney General can request a county attorney to prosecute the person.

FISCAL IMPACT

- The Iowa Lottery will transfer an additional \$1.0 million in net profit from Pull-Tab sales to the General Fund in FY 2006 due to increased enforcement and remain at that level in subsequent years.

ENACTMENT DATE

- This Act was approved by the General Assembly on April 20, 2005, and signed by the Governor on April 29, 2005.

EXECUTIVE SUMMARY
CRIMINAL PENALTY SURCHARGE AND DEFERRED JUDGMENT ACT

HOUSE FILE 682

CRIMINAL PENALTY SURCHARGE

- Increases the criminal penalty surcharge from 30.0% to 32.0% and creates a Criminalistics Laboratory Fund for equipment, maintenance, depreciation, and training for the Division of Criminal Investigation (DCI) Crime Lab. Changes the allocation to the Victim Compensation Fund from 18.0% to 17.0%, with the remaining 83.0% deposited to the General Fund.

DEFERRED JUDGMENT, CIVIL PENALTY

- Adds assessment of a civil penalty on the entry of a deferred judgment. The civil penalty must not be less than the criminal fine authorized by law. The civil penalty will be remitted to the State Court Administrator and deposited into the General Fund.

FISCAL IMPACT

- This Act will result in the following projected increased net revenue compared to estimated FY 2005:
 - FY 2006
 - \$1,416,000 - General Fund
 - \$7,000 - Victim Compensation Fund
 - \$18,000 - Local Governments
 - FY 2007
 - \$2,417,000 - General Fund
 - \$10,000 - Victim Compensation Fund
 - \$26,000 - Local Governments.
- House File 811 (FY 2006 Justice System Appropriations Act) makes an appropriation of \$342,000 to the Department of Public Safety, Criminalistics Laboratory Revolving Fund for the purchase of Crime Lab equipment.

ENACTMENT DATE

- This Act was approved by the General Assembly on April 21, 2005, and signed by the Governor on June 3, 2005.

**EXECUTIVE SUMMARY
MORTGAGE BROKERS LICENSING ACT**

HOUSE FILE 737

**MORTGAGE BROKERS LICENSING
FEES**

- Establishes a registration and criminal background check for mortgage bankers and brokers.
- Establishes fees based on the costs incurred administering the annual registration. The fee is estimated to be \$110 annually for each registrant.
- Establishes a separate fee of approximately \$13 to cover the cost of criminal background checks.

FISCAL IMPACT

- The estimated fiscal impact of HF 737 is an increase in General Fund revenue of \$210,000 for FY 2007. House File 810 (Administration and Regulation Appropriations Act) includes an increase of \$210,000 and 2.0 FTE positions for the Department of Commerce, Banking Division, for this purpose.

EFFECTIVE DATE

- Specifies that this Act takes effect July 1, 2006.

ENACTMENT DATE

- This Act was approved by the General Assembly on April 19, 2005, and signed by the Governor on April 29, 2005.

**EXECUTIVE SUMMARY
EARLY CHILDHOOD POLICY & TAX CREDIT ACT**

HOUSE FILE 761

**CHILD AND DEPENDENT TAX
CREDIT EXPANSION**

**EARLY CHILDHOOD DEVELOPMENT
TAX CREDIT CREATED**

FISCAL IMPACT

EFFECTIVE DATE

ENACTMENT DATE

- Expands eligibility for the Child and Dependent Care Tax Credit (Section 422.12C, Code of Iowa), by increasing the qualifying upper limit for net income to \$45,000 from the current \$40,000.
- Creates a new Early Childhood Development Tax Credit. The new credit is available in lieu of the Child and Dependent Care Tax Credit. The credit is available for qualified child development expenses (preschool) for children age three through five. The total amount of Early Childhood Development Tax Credits allowed in a year is limited to \$2.5 million across all taxpayers that apply. The Credit is to be pro-rated if applications exceed the limit.
- Expansion of the Child and Dependent Care Tax Credit is projected to reduce net General Fund revenue by \$2.3 million per year, beginning in FY 2007.
- The Early Childhood Development Tax Credit is projected to reduce net General Fund revenue by \$2.5 million per year, beginning in FY 2007.
- Specifies the portion of this Act expanding and creating tax credits (Division III) applies to tax years beginning on or after January 1, 2006.
- This Act was approved by the General Assembly on May 16, 2005, and signed by the Governor on June 6, 2005.

EXECUTIVE SUMMARY SPEED LIMIT ACT

HOUSE FILE 826

SPEED LIMIT INCREASE

- Increases the speed limit on Interstate highways from 65 m.p.h. to 70 m.p.h. for all vehicles but maintains the speed limit on divided, multi-lane highways at 65 m.p.h. Broadens the authority of the Department of Transportation to establish a lower speed limit on any portion of a divided, multi-lane highway, including Interstates.

SPEEDING FINE INCREASE

- Increases the fines for speeding in zones greater than 55 m.p.h. as follows:
 - Increases from \$10 to \$20 for speeding fines one to five miles over.
 - Increases from \$20 to \$40 for speeding fines six to ten miles over.
 - Increases from \$40 to \$60 for speeding fines 11 to 15 miles over.
 - Increases from \$60 to \$80 for speeding fines 16 to 20 miles over.
 - Increases from \$60 to \$90 for speeding fines in excess of 20 miles over, plus an increase from \$2 to \$5 for each mile per hour of excessive speed.

COURT COST INCREASE

- Increases the court cost for filing and docketing a complaint or information for a simple misdemeanor with the Judicial Branch from \$17 to \$30. The Judicial Branch retains the first \$7.0 million for operations. Revenues above that level are deposited into the General Fund.

STATE PATROL VEHICLE REPLACEMENT ALLOCATION

- Allocates a portion of the additional speeding fine and surcharge revenue from the State Court Administrator's Office to the State Patrol for the purchase of vehicles until June 30, 2009. The remaining surcharge revenue will be retained by local governments. The Department of Public Safety is required to use a portion of the vehicle depreciation funds to replace State Patrol vehicles used by canine handlers with multipurpose vehicles equipped for canine transport when the existing vehicles are due for replacement.
- Requires the Department of Public Safety to replace State Patrol cars as follows:
 - FY 2006 = \$596,000 for 28 cars
 - FY 2007 = \$709,000 for 34 cars
 - FY 2008 = \$841,000 for 40 cars
 - FY 2009 = \$841,000 for 40 cars

GOVERNOR'S VETO

- This item was vetoed by the Governor.
- The Governor vetoed language that allocated a portion of the additional speeding fine and surcharge revenue from the State Court Administrator's Office to the State Patrol for the purchase of vehicles until June 30, 2009. The Governor stated that he agreed with the need to increase vehicle funding, but did not agree with directly tying the increase in speeding fine revenue to the purchase of State Patrol vehicles.

EXECUTIVE SUMMARY SPEED LIMIT ACT

HOUSE FILE 826

FISCAL IMPACT

- The estimated fiscal impact to change the speed limit signs ranges from \$124,000 to \$248,000, including labor, materials, and equipment. The range includes installing an overlay on the maximum speed limit sign or installing a new sign, which includes replacing the maximum and minimum speed limit sign. Costs will be paid from the Primary Road Fund.
- For FY 2006, the increased fine revenue is expected to be distributed as follows:
 - \$7.0 million is allocated to the Judicial Branch
 - \$596,000 is deposited into the General Fund
 - Approximately \$19,000 is deposited into the Victim Compensation Fund
 - Approximately \$177,000 will be received by local governments
- This Act was approved by the General Assembly on April 13, 2005, and signed by the Governor on April 19, 2005.

ENACTMENT DATE

EXECUTIVE SUMMARY BOAT REGISTRATION ACT

HOUSE FILE 828

MAJOR INCREASES, DECREASES, OR TRANSFERS OF EXISTING PROGRAMS

- Changes the boat registration fee from a biennial to a triennial fee and includes:
 - A triennial fee of \$12 for a boat with no motor or sail.
 - A triennial fee of \$22 for vessels that are less than 16 feet in length.
 - A triennial fee of \$36 for vessels that are more than 16 feet but less than 26 feet in length.
 - A triennial fee of \$75 for vessels that are 26 feet or more but less than 40 feet in length.
 - A triennial fee of \$150 for vessels that are 40 feet in length or longer.
 - A triennial fee of \$45 for personal watercraft.
 - Beginning January 1, 2007, boats not registered by May 1 are subject to payment of a \$5 penalty. In addition, a boat not registered during the first year of the three-year registration period will pay a prorated registration fee in the second or third year.

FISCAL IMPACT

- Increases the county writing fee from \$1.00 to \$1.25 per transaction.
- The estimated fiscal impact is an increase in revenue to the Fish and Game Protection Fund of \$962,000 for FY 2007 and every year thereafter. Of that amount, \$481,000 will be used for boating enforcement and \$481,000 will be used for the prevention of aquatic invasive species through FY 2013.
- The estimated fiscal impact from the county writing fee increase, and changing it from a biennial fee to a triennial fee, is an annual decrease of \$13,000 per year.

INTENT LANGUAGE

- Requires the Natural Resource Commission to submit an annual report summarizing the use of the funds from the fee increase for FY 2007 through FY 2013.

SIGNIFICANT CHANGES TO THE CODE OF IOWA

- Defines the qualifications of a peace officer and allows a peace officer or representative of the Natural Resource Commission to inspect a commercial vessel for hire at any time.
- Outlines the reasons for suspending a commercial boat registration certificate.
- Requires boat operators that are between 12 and 17 years of age to complete the Watercraft Safety Course offered by the Department of Natural Resources (DNR).
- Specifies that any operator of a vessel that has ten or more horsepower, and is 12 years of age but less than 18 years of age, cannot operate the vessel unless the operator has either successfully completed the Department's watercraft safety course, or is accompanied by a responsible person 18 years or older that is experienced in motorboat operation.
- Fees collected from vessel registration will be forwarded to the Natural Resource Commission to be deposited in the Fish and Game Protection Fund for enforcement of navigation laws and water safety.

**EXECUTIVE SUMMARY
BOAT REGISTRATION ACT**

HOUSE FILE 828

EFFECTIVE DATE

ENACTMENT DATE

- This Act takes effect on enactment. The fee increases are effective January 1, 2007.
- This Act was approved by the General Assembly on May 20, 2005, and signed by the Governor on May 28, 2005.

EXECUTIVE SUMMARY SEED CAPITAL FUNDS ACT

HOUSE FILE 831

SIGNIFICANT CHANGES TO THE CODE OF IOWA

- Extends the period for unused tax credits to be issued for equity investments in qualifying businesses or community-based seed capital funds. Currently, the aggregate amount of tax credits issued is limited to \$10.0 million during the fiscal period beginning July 1, 2002, and ending June 30, 2005. This Act extends the period indefinitely or until the \$10.0 million limit is reached. As of March 8, 2005, the amount of tax credits issued totaled \$1.8 million.
- Caps the amount of tax credits that may be issued in any one fiscal year at \$3.0 million.
- Changes criteria necessary to receive investments that are eligible for tax credits. This Act specifies that the business must have been in operation for six years or less and that the business shall not have a net worth that exceeds \$10.0 million.
- Allows capital commitment requirements to be waived if the fund is an Iowa-based seed capital fund with at least 40.0% of its committed capital subscribed by community-based seed capital funds. Currently, there are capital commitment limits for community-based seed capital funds, and the requirements may be waived only if the fund is a rural business investment company under the Rural Business Investment Program of the federal Farm Security and Rural Investment Act of 2002.
- Changes the measurement period for which a community-based seed capital fund is required to invest a certain percentage of its capital in qualifying businesses from the 36th month to the 48th month. Currently, if a community-based seed capital fund has not invested at least 33.0% of its invested capital in one or more separate qualifying businesses, measured at the end of the 36th month after commencing the fund's investing activities, tax credit certificates issued for investments in the fund may be rescinded.
- Prohibits an investor from receiving an additional tax credit for the investor's share of investments in an Iowa-based seed capital fund with at least 40.0% of its committed capital subscribed by community-based seed capital funds. Currently, an investor in a community-based seed capital fund only receives a tax credit for the investor's investment in the fund and cannot receive any additional tax credit for the investor's share of investments in a qualifying business.
- Allows a community-based seed capital fund to invest up to 60.0% of its committed capital in an Iowa-based seed capital fund with at least 40.0% of its committed capital subscribed by community-based seed capital funds.
- House File 831 will reduce General Fund revenues by an estimated \$1.0 million annually for eight fiscal years beginning in FY 2009.
- This Act was approved by the General Assembly on May 20, 2005, and signed by the Governor on June 13, 2005.

FISCAL IMPACT

ENACTMENT DATE

EXECUTIVE SUMMARY
NEWTON RACETRACK SALES TAX REBATE ACT

HOUSE FILE 840

NEWTON RACETRACK SALES TAX
REBATE

FISCAL IMPACT

ENACTMENT DATE

- Provides a sales tax rebate to a newly constructed automobile racetrack in Iowa meeting specified conditions. The proposed track in Newton meets these specifications. The rebate is effective January 1, 2006, and runs for ten years or until a total of \$12.5 million in sales tax has been rebated to the track.
- The tax rebate is projected to reduce net General Fund revenues by a maximum of \$12.5 million, with the first rebate issued in FY 2007.
- This Act was approved by the General Assembly on April 27, 2005, and signed by the Governor on May 4, 2005.

**EXECUTIVE SUMMARY
HABITAT FOR HUMANITY SALES TAX EXEMPTION ACT**

HOUSE FILE 856

**SALES TAX EXEMPTION FOR
NONPROFIT HOME CONSTRUCTION
ORGANIZATION**

- Provides a sales tax exemption for a nonprofit organization that constructs and repairs one-family and two-family homes for low-income families. The exemption applies only to the materials used in construction or repair of low-income housing. This Act applies to Habitat for Humanity, but may not be limited to only that organization.

FISCAL IMPACT

- The tax exemption in HF 856 will reduce net General Fund receipts by an average of \$112,000 per year, beginning in FY 2006. The exemption will also reduce local option sales tax receipts by an average of \$27,000 per year.

ENACTMENT DATE

- This Act was approved by the General Assembly on May 2, 2005, and signed by the Governor on June 20, 2005.

**EXECUTIVE SUMMARY
HOUSING DEVELOPMENT TAX CREDIT ACT**

HOUSE FILE 857

**NEW PROGRAMS, SERVICES, OR
ACTIVITIES**

- Allows for the transfer of up to \$3.0 million in housing business investment tax credits per year for projects started on or after July 1, 2005, in blighted or Brownfield areas within an enterprise zone.
- Requires that no more than \$1.5 million be awarded to a single project in one calendar year. The Act specifies, however, that any moneys that have not been allocated by the end of the calendar year may be prorated to more than one eligible applicant.
- Allows un-issued tax credits to be carried forward and used in subsequent fiscal years.

FISCAL IMPACT

- House File 857 will reduce General Fund revenues by approximately \$810,000 to \$840,000 in FY 2006. General Fund revenues will be reduced by \$3.5 to \$3.6 million annually from FY 2007 through FY 2010. In FY 2011, General Fund revenues will be reduced by an estimated \$2.9 to \$3.0 million and by \$900,000 annually beginning in FY 2012 due to the completion of a large project involving 725 to 750 new housing units.

ENACTMENT DATE

- This Act was approved by the General Assembly on April 29, 2005, and signed by the Governor on May 12, 2005.

EXECUTIVE SUMMARY COOPERATIVE ASSOCIATIONS ACT

HOUSE FILE 859

NEW PROGRAMS, SERVICES, OR ACTIVITIES

- Creates a hybrid cooperative business that has organizational provisions similar to cooperative associations and limited liability companies.
- Specifies organizational requirements for hybrid cooperatives, including:
 - General filing requirements and related duties with the Secretary of State.
 - Filing fees paid to the Secretary of State, including the filing of a biennial report in even-numbered years.
 - Powers and duties of hybrid cooperatives, including the powers and duties of the directors and members.
 - Contributions made by members and the methods for allocating profit and loss.
 - Procedures for business mergers, consolidations, and dissolution.

FISCAL IMPACT

- It is estimated that 70,000 business entities will pay a \$35 filing fee to the Secretary of State in even-numbered years. This will result in an increase of \$2.5 million in revenue to the General Fund for FY 2006 and every even-numbered year thereafter.

SIGNIFICANT CHANGES TO THE CODE OF IOWA

- Creates Chapter 501, Code of Iowa, related to hybrid cooperative business organizations.

EFFECTIVE DATE

- Specifies that Section 118, relating to hybrid cooperative definitions, takes effect January 1, 2006.

ENACTMENT DATE

- This Act was approved by the General Assembly on May 3, 2005, and signed by the Governor on May 20, 2005.

EXECUTIVE SUMMARY

GROW IOWA VALUES FUND ACT

HOUSE FILE 868

GROW IOWA VALUES FUND

- Creates the Grow Iowa Values Fund.
- Makes changes to the composition and structure of the Economic Development Board.
- Requires the Department of Economic Development (DED) to coordinate all business-related regulatory assistance for the State.
- Requires the DED to establish an Iowa Business Resource Center Program.
- Creates the Iowa Great Places Program and the Iowa Great Places Board in the Department of Cultural Affairs, specifies the composition and duties of the Board, and requires initially that three great places projects be identified.
- Allows for the establishment of economic development regions and economic development region revolving funds.
- Creates a new chapter in the Code of Iowa, relating to the establishment and operation of port authorities in Iowa.
- Establishes a State Property Assessment Appeal Board consisting of three Board members with support from an attorney and administrative staff. Specifies the duties of the Board.
- Allows for a 20.0% tax credit for making a contribution to an economic development region revolving fund, caps the tax credit at \$2.0 million per fiscal year plus carry-forward, allows un-awarded tax credits to be carried forward and used in subsequent fiscal years, and allows a non-profit entity to receive a General Fund appropriation in lieu of the tax credit for its contribution.
- Allows economic development regions to apply to the DED for financial assistance, and caps the aggregate financial assistance at \$1.0 million per fiscal year.
- Establishes and defines economic enterprise areas and allows up to ten areas to receive up to \$75,000 each per fiscal year from the Grow Iowa Values Fund.
- Requires the DED to create a business accelerator program and requires the Department to use moneys appropriated from the Grow Iowa Values Fund to fund the program.
- Requires the Department of Cultural Affairs to establish a Cultural and Entertainment District Certification Program.
- Authorizes historic rehabilitation tax credits for projects in certified cultural and entertainment districts and allows an additional \$4.0 million in tax credits each fiscal year for historic rehabilitation and cultural and entertainment tax credits.

EXECUTIVE SUMMARY GROW IOWA VALUES FUND ACT

HOUSE FILE 868

GROW IOWA VALUES FUND (CONTINUED)

- Requires the Economic Development Board to establish a Technology Commercialization Committee, and specifies the composition and duties of the Committee.
- Requires the establishment of a Technology Commercialization Specialist in the DED and specifies the duties of the position.
- Requires the Governor to appoint a Chief Technology Officer to a four-year term to facilitate and oversee commercialization of research efforts.
- Allows the Department of Economic Development to allocate up to 10.0% of the assets in the Loan and Credit Guarantee Fund for certain microenterprises as defined in the Act.
- Creates the High Quality Job Creation Program in the Department of Economic Development to take the place of the New Jobs and Income Program and the New Capital Investment Program, and allows for the award of tax credits under the Program on a sliding scale based on the size of the capital investment, number of jobs created, and wages and benefits paid for those jobs. The more jobs a business creates, and the greater the investment and compensation, the greater the tax incentive will be. The tax credit awarded is to be amortized equally over a five-year period, and may be carried forward and used for up to seven years or until depleted, whichever occurs first.
- Limits investment tax credits to \$3.6 million annually for investments below \$1.0 million under the High Quality Job Creation Program. There is no cap for investments greater than \$1.0 million.
- Specifies wage thresholds that must be met to receive tax incentives and allows the Department of Economic Development to grant waivers.
- Creates the Wage-Benefits Tax Credit Program and allows a non-retail, non-service business to apply to the Department of Revenue to claim a minimum of 5.0% to a maximum of 10.0 % tax credit of the annual wages and benefits paid for a qualified new job created by the location or expansion of the business in the State. The percentage of the award is based on the wages and benefits paid for the new job. The Act caps the tax credit at \$10.0 million per year, to be awarded on a first come, first serve basis after the business maintains the new job for a 12-month period. The business is eligible to receive the same tax credit for four additional years without additional investment provided it maintains the new jobs created for each of those years. Businesses that receive a tax credit in excess of their tax liability are allowed to receive a tax refund for the amount in excess of the liability or are allowed to carry the credits forward to be used in a subsequent year.
- Allows up to \$1.0 million in research and development tax credits for innovative renewable energy generation as specified in the Act.

**EXECUTIVE SUMMARY
GROW IOWA VALUES FUND ACT**

HOUSE FILE 868

**GROW IOWA VALUES FUND
(CONTINUED)**

FISCAL IMPACT

EFFECTIVE DATES

**FUTURE REPEAL
ENACTMENT DATE**

- Amends the definition of “qualified community foundation” under the Endow Iowa Program, extends the sunset date for tax credits under the Program from December 31, 2005, to December 31, 2008, allows for the issuance of up to \$2.0 million in tax credits per year, allocates 10.0% of the aggregate tax credits each year for gifts of \$30,000 or under, requires 3.0% of the county endowment fund to be used by the lead philanthropic entity for administration, and specifies effective and retroactive applicability dates.
- Requires the Department of Economic Development to create a cost-share program for financial incentives for at least 30 new or converted E-85 retail outlets and 4 new or converted on-site or off-site terminal facilities, and caps the expenditure for this program at \$325,000 per year from FY 2006 through FY 2008.
- Provides for the imposition of a \$0.17 per gallon excise tax on E-85 gasoline.
- Requires the Department of Revenue to examine the taxes paid on E-85 gasoline for the previous calendar year, and based on the data, and revenue generated, requires the Department to establish the rate of taxation for E-85 gasoline for the following fiscal year.
- House File 868 will reduce General Fund revenues in FY 2006 by \$3.0 million, including \$1.0 million for the Endow Iowa Tax Credit and \$2.0 million for the Economic Development Region Revolving Fund Tax Credit.
- In FY 2007, this Act will reduce General Fund Revenues by \$24.5 million, including:
 - \$5.5 million for the High Quality Job Creation Program
 - \$10.0 million for the Wage and Benefits Tax Credit
 - \$1.0 million for the Research and Development Tax Credit for Innovative Renewable Energy
 - \$2.0 million for the Endow Iowa Tax Credit
 - \$2.0 million for the Economic Development Region Revolving Fund Tax Credit
 - \$4.0 million for the increase in the Historic Rehabilitation and Cultural Entertainment Tax Credit
- Specifies the provisions relating to the Wage and Benefit Tax Credit Program take effect on enactment.
- Specifies the Division of this Act relating to the Endow Iowa Program takes effect on enactment and is retroactively applicable to January 1, 2005.
- Specifies the Division of this Act relating to E-85 gasoline takes effect January 1, 2006.
- Repeals various Sections relating to certain property assessment provisions, effective July 1, 2013.
- This Act was approved by the General Assembly on May 20, 2005, and signed by the Governor June 9, 2005.

**EXECUTIVE SUMMARY
BEGINNING FARMER TAX CREDIT AND EXEMPTION ACT**

HOUSE FILE 869

**BEGINNING FARMER ASSISTANCE
INCOME TAX CREDIT**

**LIVESTOCK PRODUCTION SALES
TAX EXEMPTION**

FISCAL IMPACT

GOVERNOR'S VETO

ENACTMENT DATE

- Creates an Agricultural Asset Transfer Income Tax Credit to encourage persons to rent or lease assets to beginning farmers. The tax credit is available for tax years beginning on or after January 1, 2006.
- Adds specified machinery to the list of farm machinery exempt from sales and use tax. The machinery is used in livestock confinement operations. The tax exemption is retroactive to January 1, 1992. Refunds of previously paid taxes are allowed, subject to a limit of \$25,000 in aggregate.
- The provisions of this Act creating an Agricultural Asset Transfer Income Tax Credit are projected to reduce net General Fund revenue by \$70,000 in FY 2006, \$170,000 in FY 2007, and increase revenues by \$490,000 by FY 2012.
- The provisions of this Act creating a retroactive sales tax exemption for specified livestock confinement equipment are projected to reduce net General Fund revenue by \$400,000 in FY 2006 and \$80,000 in FY 2007 and subsequent fiscal years.
- The Governor vetoed this Act, stating that while he supports the tax credit to encourage asset transfer to beginning farmers, he does not support the inclusion of the sales tax exemption, citing several current court cases related to the taxation of this machinery.
- This Act was approved by the General Assembly on May 5, 2005, and vetoed by the Governor on June 10, 2005.

EXECUTIVE SUMMARY SNOWMOBILE REGISTRATION ACT

HOUSE FILE 879

NEW PROGRAMS, SERVICES, OR ACTIVITIES

MAJOR INCREASES, DECREASES, OR TRANSFERS OF EXISTING PROGRAMS

FISCAL IMPACT

SIGNIFICANT CHANGES TO THE CODE OF IOWA

EFFECTIVE DATE

ENACTMENT DATE

- Implements an electronic registration and renewal system for snowmobiles owned by residents and non-residents.
- The Natural Resource Commission will establish the administrative fee for each registration.
- Changes the registration fee for snowmobiles from a biennial fee of \$25 to an annual fee of \$15 beginning in FY 2005.
- Allows a one-time registration fee of \$25 for a snowmobile that is more than 30 years old.
- Requires a non-resident to obtain a user permit fee when operating a snowmobile in Iowa for an annual fee of \$15.
- Allows an unregistered snowmobile to be registered for a cost of \$20 after September 1 of each year. This includes a \$5 registration fee for the remainder of the current year and \$15 for the following year. The snowmobile owner saves \$10 on the current year registration.
- In addition to the registration or renewal fees, a writing fee of \$1.25 will be charged by a county recorder that will be deposited into the General Fund of the county. A license agent designated by the Department of Natural Resources will charge and retain a \$1 writing fee for each registration or renewal.
- The estimated net fiscal impact is an increase in revenue to the Snowmobile Registration Fund of \$75,000 for FY 2006 and \$100,000 for FY 2007.
- The increased funding will leverage additional National Recreational Trail federal funds that require a 20.0% State match.
- Consolidates existing law related to snowmobiles under Chapter 321G, Code of Iowa.
- This Act takes effect on enactment. Snowmobiles that are currently registered do not expire until December 31, 2005.
- This Act was approved by the General Assembly on May 20, 2005, and signed by the Governor on May 23, 2005.

EXECUTIVE SUMMARY DEER HARVEST ACT

SENATE FILE 206

NEW PROGRAMS, SERVICES, OR ACTIVITIES

- Authorizes the Department of Natural Resources (DNR) to regulate whitetail deer on hunting preserves and includes penalties for violations. Also, provides for the following specifications:
 - Number of acres required for a hunting preserve and the exceptions for the minimum number of acres.
 - Fencing requirements for hunting preserves and the certification process.
 - Annual registration fee that cannot exceed \$350 per fiscal year.
 - Procedures for releasing preserve whitetail deer, record keeping, and inspections.
 - Use of transportation tags to move whitetail deer from a hunting preserve.
 - Plan to handle and contain any outbreak of Chronic Wasting Disease.

MAJOR INCREASES, DECREASES, OR TRANSFERS OF EXISTING PROGRAMS

- Specifies that 6,000 non-resident hunters that are eligible to purchase an antlered or any-sex deer license must purchase an additional antlerless deer license for \$100.
- Specifies all resident and non-resident hunters pay a \$1 fee for the Help Us Stop Hunger (HUSH) Program.
- Requires the Natural Resource Commission to establish a deer harvest reporting system and specifies the information that must be submitted.
- Specifies that the Natural Resource Commission establish special deer hunts in counties where antlerless deer licenses remain available for issuance with the following provisions:
 - Resident hunters can purchase up to three licenses prior to December 15.
 - Resident and non-resident hunters can purchase an unlimited number of antlerless deer licenses beginning December 15.
 - Specifies that a person in violation related to a special deer hunt is guilty of a simple misdemeanor.

FISCAL IMPACT

- The estimated fiscal impact is an increase in revenue of \$355,000 for the HUSH Program and an increase in revenue of \$277,000 for the Fish and Wildlife Trust Fund for FY 2006 and each following year.

INTENT LANGUAGE

- Specifies that the DNR will administer and enforce Administrative Rules regarding deer depredation permits.
- Specifies that the DNR and the Department of Agriculture and Land Stewardship will conduct a joint study regarding whitetail farm and whitetail hunting preserve deer. The study will be presented to the Government Oversight Committee at the November 2005 meeting.

**EXECUTIVE SUMMARY
DEER HARVEST ACT**

SENATE FILE 206

INTENT LANGUAGE (CONTINUED)

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA**

ENACTMENT DATE

- Specifies that the DNR and the hunting preserve industry will conduct a joint study on the hunting preserve industry and make recommendations regarding standards for granting waivers for the minimum number of acres needed for a hunting preserve. The report will be submitted to the Natural Resource Commission by January 1, 2006.
- Specifies whitetail deer maintained on a hunting preserves are not included under the definition of farm deer.
- Changes the requirement of a farm unit eligible for free wild turkey or deer licenses from 10 to two acres. The free licenses restrict the owner or tenant to hunting only on the farm unit.
- Increases the number of free landowner or tenant deer licenses from one to two and allows the issuance of one antlered or any-sex license and one antlerless only license.
- Specifies that a landowner or tenant signature certifies eligibility for a free wild turkey or deer license. A person found to have submitted false information is guilty of a simple misdemeanor and hunting privileges will be revoked for one year.
- Requires landowners that keep preserve whitetail deer to pay an annual fee to not exceed \$350 by June 30. The money is deposited in the Fish and Wildlife Trust Fund. Failing to register results in a civil penalty of not more than \$2,500. The civil penalty goes into the Fish and Wildlife Trust Fund.
- This Act was approved by the General Assembly on May 2, 2005, and signed by the Governor on June 3, 2005.

**EXECUTIVE SUMMARY
INSURANCE OMNIBUS AND TAX REBATE ACT**

SENATE FILE 360

INSURANCE PREMIUM TAX
REBATES ALLOWED
FISCAL IMPACT

- Allows the Insurance Commissioner to approve refunds of insurance premium taxes in certain instances. Current law makes no provision for the issuance of insurance premium tax refunds.
- Section 2 of SF 360 is expected to decrease net General Fund receipts by at least \$181,000 in FY 2006. There is an additional \$146,000 in potential refunds available to companies not currently writing policies in Iowa, but still licensed to do so.
- Provides authority to the Insurance Commissioner to approve cash refunds will reduce net General Fund receipts in future fiscal years, as current law does not provide for any refund option. The volume of future refund requests is not expected to be significant.
- This Act has various effective dates, including some Sections with retroactive effective dates. Section 2, relating to insurance premium tax refunds, is effective July 1, 2005.
- This Act was approved by the General Assembly on April 19, 2005, and signed by the Governor on April 28, 2005.

EFFECTIVE DATE

ENACTMENT DATE

**EXECUTIVE SUMMARY
SMALL ENERGY PRODUCER TAX CREDIT ACT**

SENATE FILE 390

**WIND & ALTERNATIVE ENERGY
SMALL PRODUCER TAX CREDIT**

- Creates a tax credit available to specified producers or purchasers of renewable energy.
 - The credit is equal to \$0.015 cents per kilowatt-hour for wind energy and an equivalent amount for heat and hydrogen fuel generation.
 - Each form of energy must be generated by and purchased from an eligible renewable energy facility located in Iowa.
 - Credits are available for ten years from the initial operation of the facility. No more than 90 megawatts of nameplate wind energy capacity and 10 megawatts of other energy source capacity may be approved under the tax credit program.
 - Once issued, the tax credits may be sold once, but a sale to the energy producer does not count as a sale. Tax credits cannot be utilized prior to July 1, 2006. Unused tax credits may be carried forward to a future tax year.
 - Tax credits may be used against personal income, corporate income and other business tax, and sales/use tax liability.

FISCAL IMPACT

- The tax credit is projected to reduce net General Fund revenues by a total of \$55.0 million from FY 2007 through FY 2019. The projected impacts for the first five years are:
 - FY 2007 -- \$-2.8 million
 - FY 2008 -- \$-4.4 million
 - FY 2009 -- \$-5.4 million
 - FY 2010 -- \$-5.5 million
 - FY 2011 -- \$-5.5 million

**EFFECTIVE DATE
ENACTMENT DATE**

- Specifies this Act was effective on enactment.
- This Act was approved by the General Assembly on May 16, 2005, and signed by the Governor on June 15, 2005.

EXECUTIVE SUMMARY WINE REVENUE ACT

SENATE FILE 395

NEW PROGRAMS, SERVICES, OR ACTIVITIES

MAJOR INCREASES, DECREASES, OR TRANSFERS OF EXISTING PROGRAMS

FISCAL IMPACT

SIGNIFICANT CHANGES TO THE CODE OF IOWA

ENACTMENT DATE

- Transfers 5.0% of the funds collected from the wine gallonage tax on wine imported into Iowa for sale at wholesale into the Grape and Wine Development Fund. The Fund will be administered by the Department of Agriculture and Land Stewardship and funds will be used for expenditures related to the growth of the Iowa grape and wine industry.
- During the 2001 General Assembly, legislation was approved that created the Grape and Wine Development Fund to receive funds from the wine gallonage tax with maximum funding of \$75,000 per year. As the number of Iowa commercial grape growers and wine makers increases, additional funding is needed to provide technical expertise to growers and wine manufacturers.
- The estimated fiscal impact is an annual increase of \$250,000 in the Grape and Wine Development Fund and a decrease of \$250,000 to the General Fund for FY 2006 and each year thereafter.
- Requires the Department to consult with the Grape and Wine Development Commission. Requires the Commission to make recommendations to the Department regarding expenditures, prior to any expenditure of funds.
- This Act was approved by the General Assembly on April 26, 2005, and signed by the Governor on May 5, 2005.

**EXECUTIVE SUMMARY
STREAMLINED SALES TAX ACT**

SENATE FILE 413

STREAMLINED SALES TAX ACT

**DRAINAGE TILE SALES TAX
EXEMPTION**

FISCAL IMPACT

EFFECTIVE DATE

ENACTMENT DATE

- Modifies, updates, and corrects Iowa’s sales and use tax laws to keep the State in compliance with the national Streamlined Sales Tax Project.
- Exempts parts of an agricultural drainage tile system from the State sales and use tax. The exempted parts are those portions not buried in the ground.
- The drainage system tax exemption in Section 44 is projected to reduce net General Fund revenue by \$670,000 per year, beginning in FY 2006. Refunds of previously paid taxes are limited to \$25,000 in aggregate.
- The remaining Sections of the Act are projected to have no impact or only minimal impact on net General Fund revenue.
- This Act has various effective dates, including some Sections with retroactive effective dates. Section 44, relating to agricultural drainage systems, is effective on enactment and applies retroactively to purchases made on or after January 1, 1998.
- This Act was approved by the General Assembly on May 9, 2005, and signed by the Governor on June 3, 2005.

ISSUE REVIEW SERIES

The Fiscal Services Division of the LSA monitors a variety of issues that develop in State agencies as part of the continuing effort to provide legislative oversight. Many issues are reported in the ***Fiscal Update*** newsletter, but some require more detailed review to present sufficient information, and some may require legislative action.

The Fiscal Services Division developed an ***Issue Review*** series in 1992 to present selected issues to members of the Fiscal and Oversight Committees and the General Assembly. Where appropriate, each paper contains a specific issue, background information, and explains the current situation. In addition, the papers identify affected agencies, the Code of Iowa authority, and may provide alternatives the General Assembly may wish to consider, as well as budgetary impacts.

The following ***Issue Reviews*** were published during the 2004 Legislative Interim or the 2005 Legislative Session and are available from the Fiscal Services Division or the LSA web site: <http://staffweb.legis.state.ia.us/lfb/ireview/ireview.htm>.

- Auditor of State
- Adoption Subsidy Program
- Allocation of State Aid to Community Colleges
- Battelle Institute Report on Iowa's Bioeconomy
- Board of Regents Student Financial Aid for FY 2003
- College Work Study
- Conservation Reserve Enhancement Program
- Enhanced 911 System
- High School Drop Outs
- Iowa Finance Authority
- Medicaid - FY 2005 and FY 2006
- Methamphetamine Laboratories
- Medical Costs of the State Prison System
- Overview of the State Corrections System
- Projected Infrastructure Funds
- Special License Plates
- Road Use Tax Fund Revenue Update
- Taxpayer Migration - Iowa to Texas and Arizona
- Workers' Compensation for State Employees Funding

FISCAL SERVICES DIVISION REPORTS

ANNUAL REPORTS

[Factbook](#)

[Fiscal Facts](#)

Legislative Intent Language

Expenditure Oversight

[Analysis of Departmental Budget Requests \(Summary\)](#)

[Analysis of Governor's Budget Recommendations \(Summary\)](#);

Standing Appropriations and Built-In Increases Report

- This report contains historical information on issues and questions commonly asked by the General Assembly about departmental activities or funds. The subject matter, both financial and non-financial, is arranged topically.
- This is a condensed, pocket-sized version of the Factbook and also contains revenue and expenditure information from the most recent Legislative Session.
- The Fiscal Services Division annually conducts an analysis of departmental compliance with the legislative intent language specified in enacted legislation (primarily appropriations bills). Intent language compliance is also monitored periodically throughout the fiscal year. Significant items and noncompliance items are reported in the *Fiscal Update*.
- The Fiscal Services Division annually conducts an analysis of the expenditures of departments, comparing expected expenditures to actual levels. The report is issued in November as a special edition of the *Fiscal Update* and includes an analysis of FTE position usage by the departments and reversions for the fiscal year. Additionally, analysts conduct a monthly review of expenditures and FTE position usage. Any significant deviations are included in the *Fiscal Update*.
- This report reviews receipts and expenditures of the current fiscal year and summarizes departmental requests for the next fiscal year. It is issued in December or January.
- The LSA's analysis of the Governor's budget recommendations is issued in January, one week after the Governor's budget message is delivered to the General Assembly.
- This report provides information concerning State General Fund expenditures for standing appropriations and increases in expenditures that have been "built into" statute. Examples include spending for property tax assistance to local governments and entitlement programs, education funding including school foundation aid, and other standing appropriations.

FISCAL SERVICES DIVISION REPORTS

WEEKLY/MONTHLY REPORTS

[General Fund Receipts Memo](#)

- This memo, issued on the first working day of each month, details the status of General Fund receipts comparable to the same time period of the previous year. The memo includes growth figures for the fiscal year and the prior month, as well as information on the unemployment rate and labor force in Iowa.

[Fiscal Update](#)

- This is the Fiscal Services Division's weekly (during session) and semimonthly (during the interim) newsletter. It contains summaries of issues that are important to members of the General Assembly. Examples include summaries of fund transfers and board or commission meetings, action on all appropriations bills at each stage of the appropriations process, expenditure oversight issues, and summaries of reports issued by the Division. Special issues are also published periodically.

SESSION-ONLY REPORTS

[Appropriations Tracking Document](#)

- These reports contain an updated summary, in table form, of the prior fiscal year's appropriation, the Governor's recommendations, and legislative action to that point in the Legislative Session. Tracking documents are published weekly during session and more frequently as necessary.

[Notes On Bills and Amendments \(NOBA\)](#)

- These reports provide the actual text of a bill and/or amendment in the left column, with a section-by-section analysis of the legislation in the right column. The reports are issued for each appropriations bill at every step in the appropriations process. The report also highlights all changes to the Code of Iowa and provides an appropriations summary and comparison of prior fiscal year appropriations.

PERIODIC REPORTS

Program Evaluation And Other Mandated Studies

- These reports are issued periodically to all members of the General Assembly. A research team is assigned within the Fiscal Services Division to work with a sponsoring legislative committee to refine the specific evaluation criteria to be addressed to insure relevancy to the General Assembly. The studies are recommended by either the Legislative Fiscal Committee or the Legislative Studies Committee and then must be approved by the Legislative Council. The studies may review departmental or program implementation, operations or outcomes, or offer recommendations for program and administrative improvement or programmatic alternatives.

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