

# **2010 SESSION FISCAL REPORT**

**83rd General Assembly  
State of Iowa**

**Fiscal Services Division  
Legislative Services Agency  
August 2010**

August 2010

Members of the 83rd General Assembly of Iowa and Other Interested Citizens:

The **2010 Session Fiscal Report**, issued by the Fiscal Services Division of the Legislative Services Agency, contains a summary of fiscal information and legislation enacted by the 2010 Session of the 83rd General Assembly.

This Report is intended to provide interested persons with information on General Fund and non-General Fund appropriations, receipts, and legislation that has a significant fiscal impact on the State of Iowa.

Included in this Report is the following information: appropriations summary; General Fund balance sheet; balance sheets for various other funds; bill summaries for subcommittee and other miscellaneous appropriation acts; and a summary of Fiscal Services reports. Also included are the final action versions of the fiscal notes issued during the Session for all enacted legislation with a fiscal impact of \$100,000 or more.

Fiscal Services Division staff members are available to answer any questions concerning the contents of this document.

Sincerely,

Holly M. Lyons,  
Fiscal Services Division Director

## STAFF DIRECTORY

### FISCAL SERVICES DIVISION LEGISLATIVE SERVICES AGENCY

Holly M. Lyons, Director  
[holly.lyons@legis.state.ia.us](mailto:holly.lyons@legis.state.ia.us)  
State Capitol, Room G01  
Telephone: 281-5279  
Fax: 281-8027  
Website: <http://staffweb.legis.state.ia.us/lfb>

STAFF ASSIGNMENTS	STAFF PERSON	PHONE	EMAIL ADDRESS
<b>PUBLICATION COORDINATOR/EDITOR</b>	Mary Shipman	281-4617	<a href="mailto:mary.shipman@legis.state.ia.us">mary.shipman@legis.state.ia.us</a>
<b>APPROPRIATIONS SUBCOMMITTEES</b>			
<b>ADMINISTRATION &amp; REGULATION</b>			
Administrative Services	Joe Brandstatter	281-8223	<a href="mailto:joseph.brandstatter@legis.state.ia.us">joseph.brandstatter@legis.state.ia.us</a>
Commerce			
Ethics & Campaign Finance Disclosure Bd.			
Governor's Office of Drug Control Policy			
Human Rights			
Inspections & Appeals			
Iowa Public Employees Retirement System			
Lottery			
Management			
Racing & Gaming			
Revenue			
Auditor			
Governor			
Secretary of State	David Reynolds	281-6934	<a href="mailto:dave.reynolds@legis.state.ia.us">dave.reynolds@legis.state.ia.us</a>
Treasurer			
<b>AGRICULTURE &amp; NATURAL RESOURCES</b>			
Agriculture	Debra Kozel	281-6767	<a href="mailto:deb.kozel@legis.state.ia.us">deb.kozel@legis.state.ia.us</a>
Environment First Fund			
Natural Resources			

## STAFF DIRECTORY

### ECONOMIC DEVELOPMENT

Board of Regents – Economic Development  
Cultural Affairs  
Economic Development  
Iowa Finance Authority  
Office of Energy Independence  
Public Employment Relations Board  
Workforce Development

Ron Robinson

281-6256

[ron.robinson@legis.state.ia.us](mailto:ron.robinson@legis.state.ia.us)

### EDUCATION

Board of Regents  
College Aid Commission  
Blind  
Community Colleges  
Education  
Iowa Public Television

Dwayne Ferguson

281-6561

[dwayne.ferguson@legis.state.ia.us](mailto:dwayne.ferguson@legis.state.ia.us)

Robin Madison

281-5270

[robin.madison@legis.state.ia.us](mailto:robin.madison@legis.state.ia.us)

### HUMAN SERVICES

Child Care  
Child Welfare  
Field Operations  
Foster Care  
General Administration  
Juvenile Justice  
Public Health  
Child Support Recovery  
Children's Health Insurance Program  
County Based Services  
Elder Affairs  
Family Investment Program (FIP), Promise  
Jobs, Food Stamps  
Institutions  
Medical Services/Medicaid  
Mental Health/Mental Retardation/Developmental  
Disabilities (MH/MR/DD) Enhanced Services  
Senior Living Trust Fund  
Social Services Block Grant  
Temporary Assistance for Needy Families  
(TANF) Block Grant  
Veteran's Affairs  
Veteran's Home

Deborah Helsen

281-6764

[deborah.helsen@legis.state.ia.us](mailto:deborah.helsen@legis.state.ia.us)

Jess Benson

281-4611

[jess.benson@legis.state.ia.us](mailto:jess.benson@legis.state.ia.us)

Sue Lerdal

281-7794

[sue.lerdal@legis.state.ia.us](mailto:sue.lerdal@legis.state.ia.us)

## STAFF DIRECTORY

### JUSTICE SYSTEM

Iowa Communications Network  
Iowa Law Enforcement Academy  
Judicial Branch  
Public Defense  
Public Safety  
Civil Rights  
Corrections  
Indigent Defense/Public Defender  
Justice Department  
Parole Board

Jennifer Acton

281-7846

[jennifer.acton@legis.state.ia.us](mailto:jennifer.acton@legis.state.ia.us)

Beth Lenstra

281-6301

[beth.lenstra@legis.state.ia.us](mailto:beth.lenstra@legis.state.ia.us)

### TRANSPORTATION, INFRASTRUCTURE, & CAPITALS

Transportation  
Capitals & Infrastructure  
Iowa Communications Network

Marcia Tannian

281-7942

[marcia.tannian@legis.state.ia.us](mailto:marcia.tannian@legis.state.ia.us)

### APPROPRIATIONS

Standing Committees

Sue Lerdal

281-7794

[sue.lerdal@legis.state.ia.us](mailto:sue.lerdal@legis.state.ia.us)

David Reynolds

281-6934

[dave.reynolds@legis.state.ia.us](mailto:dave.reynolds@legis.state.ia.us)

### EDUCATION STANDING COMMITTEES

(School Finance)

Shawn Snyder

281-7799

[shawn.snyder@legis.state.ia.us](mailto:shawn.snyder@legis.state.ia.us)

Dwayne Ferguson

281-6561

[dwayne.ferguson@legis.state.ia.us](mailto:dwayne.ferguson@legis.state.ia.us)

### FISCAL COMMITTEE

Sue Lerdal

281-7794

[sue.lerdal@legis.state.ia.us](mailto:sue.lerdal@legis.state.ia.us)

David Reynolds

281-6934

[dave.reynolds@legis.state.ia.us](mailto:dave.reynolds@legis.state.ia.us)

### GOVERNMENT OVERSIGHT

Robin Madison

281-5270

[robin.madison@legis.state.ia.us](mailto:robin.madison@legis.state.ia.us)

### WAYS AND MEANS

Standing Committees

Jeff Robinson

281-4614

[jeff.robinson@legis.state.ia.us](mailto:jeff.robinson@legis.state.ia.us)

Shawn Snyder

281-7799

[shawn.snyder@legis.state.ia.us](mailto:shawn.snyder@legis.state.ia.us)

Dwayne Ferguson

281-6561

[dwayne.ferguson@legis.state.ia.us](mailto:dwayne.ferguson@legis.state.ia.us)

### SUBCOMMITTEE STAFFING/TRAINING COORDINATOR

Sue Lerdal

281-7794

[sue.lerdal@legis.state.ia.us](mailto:sue.lerdal@legis.state.ia.us)

### TRACKING/FINANCIAL DOCUMENT COORDINATOR

Dave Reynolds

281-6934

[dave.reynolds@legis.state.ia.us](mailto:dave.reynolds@legis.state.ia.us)

## THE YEAR IN REVIEW

### FY 2009

Iowa ended FY 2009 without a surplus; the ending balance was \$0.0. The U.S. economy entered a recession in December 2007 and Iowa entered the recession sometime between April and October 2008. Due to the downturn in the economy, tax revenues declined significantly throughout the fiscal year. The revenue growth rate was 3.5% before refunds and accruals; down from the FY 2008 actual growth rate of 9.5%. As revenues declined during the fiscal year, actions were taken to maintain a balanced budget. In December 2008, the Governor implemented a 1.5% across-the-board reduction (ATB) totaling \$89.1 million and the 2009 General Assembly enacted additional appropriations reductions of \$101.5 million. The 2009 General Assembly also used \$150.0 million in federal stimulus funds to replace reductions in K-12 education and Medicaid. By the close of the fiscal year, a transfer of \$45.3 million from the Economic Emergency Fund was needed to balance the budget.

As a result of the zero ending balance, no money was transferred to the Cash Reserve Fund, the Senior Living Trust Fund, or the Property Tax Credit Fund.

### FY 2010

The 2009 General Assembly appropriated a total of \$5.768 billion from the General Fund for FY 2010, a decrease of \$192.6 million (3.2%) compared to the estimated FY 2009 General Fund appropriations. However, the reductions were offset by federal stimulus funding of \$529.3 million in FY 2010.

The October 2009 Revenue Estimating Conference (REC) revised the FY 2010 net General Fund revenue estimate downward by \$415.4 million (7.1%) compared to the estimate that was used to balance the FY 2010 budget. This resulted in a projected deficit of \$317.8 million. In response, the Governor issued Executive Order 19 requiring a 10.0% ATB reduction to all FY 2010 General Fund appropriations, cutting \$564.4 million from the budget. In the weeks following, the Legislative and Judicial Branches announced reductions to their FY 2010 budgets of 10.0% and 7.1% respectively. This resulted in reductions of \$3.3 million to the Legislative Branch budget and \$11.4 million to the Judicial Branch. The reductions to all three branches of government reduced General Fund appropriations by a total of \$579.1 million.

The December 2009 REC reduced revenue estimates further, estimating FY 2010 revenue growth at negative 8.7%. The 2010 General Assembly made further reductions to FY 2010 appropriations for a net appropriation total of \$5.302 billion from the General Fund. In addition, the 2010 General Assembly used \$633.8 million in federal stimulus funds and \$80.3 million from the reserve funds to balance the FY 2010 budget, leaving a projected ending balance of \$100.7 million.

According to a March 2010 report released by the National Conference of State Legislatures (NCSL), personal income tax collections were below the latest target in 25 states and general sales tax revenues were below the most recent forecast in 23 states. However, in Iowa, personal income tax and general sales tax revenues were on target at the time of the March report, indicating that like all states, Iowa's economy was suffering, but it seemed to be in better shape than many other states.

### FY 2011

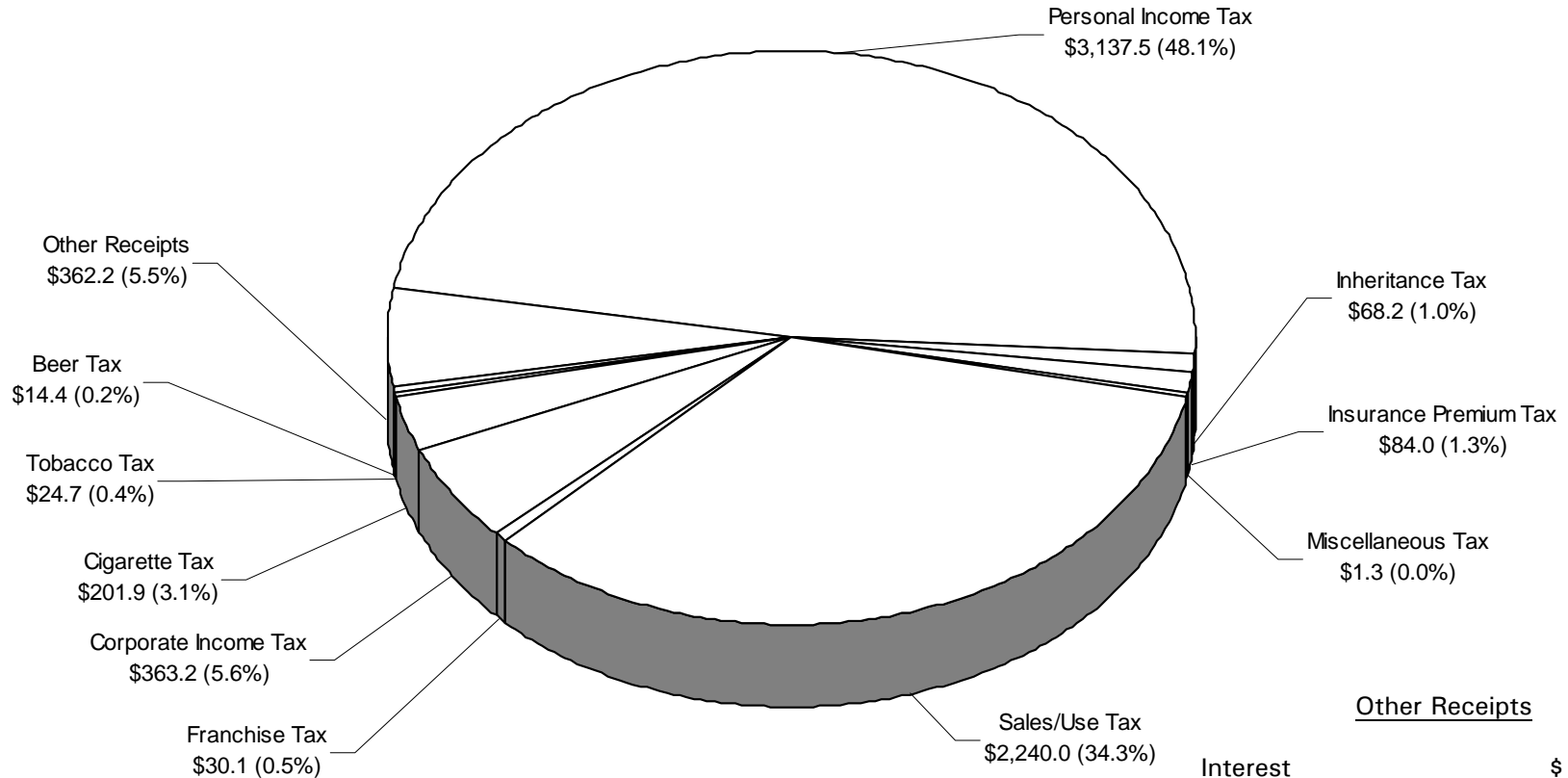
The December 2009 REC estimate for FY 2011 reflected 0.7% growth, and the March 2010 REC increased that projection to 1.5% growth before refunds and accruals. There continues to be concern about the Iowa and national economy. Net General Fund revenue peaked in November 2008 and fell by 10.7% by February 2010. Economic indicators are starting to show recovery but the recovery is from a very low level and it is likely to take years for revenues to attain the pre-recession levels. To achieve real revenue growth, Iowa needs to increase the number of jobs and therefore wage and salary income.

Senate File 2088 (Government Reorganization and Efficiency Act) made changes in the structure of State government and impacted elements of local governments and various boards and commissions. The Act impacts the State General Fund and other funds. Specifically, General Fund savings related to reorganization are estimated to be \$70.5 million in FY 2011. The General Assembly also approved SF 2062 (Early Retirement Incentive Act) establishing a State Employee Retirement Incentive Program for eligible employees. The Act was effective on February 10, 2010, and is estimated to result in total savings for FY 2011 of \$53.7 million (\$22.8 million from the General Fund and \$30.9 million from other funds).

The 2010 General Assembly appropriated \$5.279 billion from the General Fund for FY 2011. In addition, \$323.9 million in federal stimulus (ARRA) funds and \$267.4 million from reserve funds, and the anticipated savings from reorganization and early retirement incentive were used to balance the budget for a total appropriation for FY 2010 of \$5.871 billion. The projected General Fund ending balance for FY 2011 is \$182.6 million.

# FY 2010 Estimated Total General Fund Receipts (In Millions)

As estimated by the March 11, 2010, Revenue Estimating Conference.  
Totals may not add due to rounding.



## Other Receipts

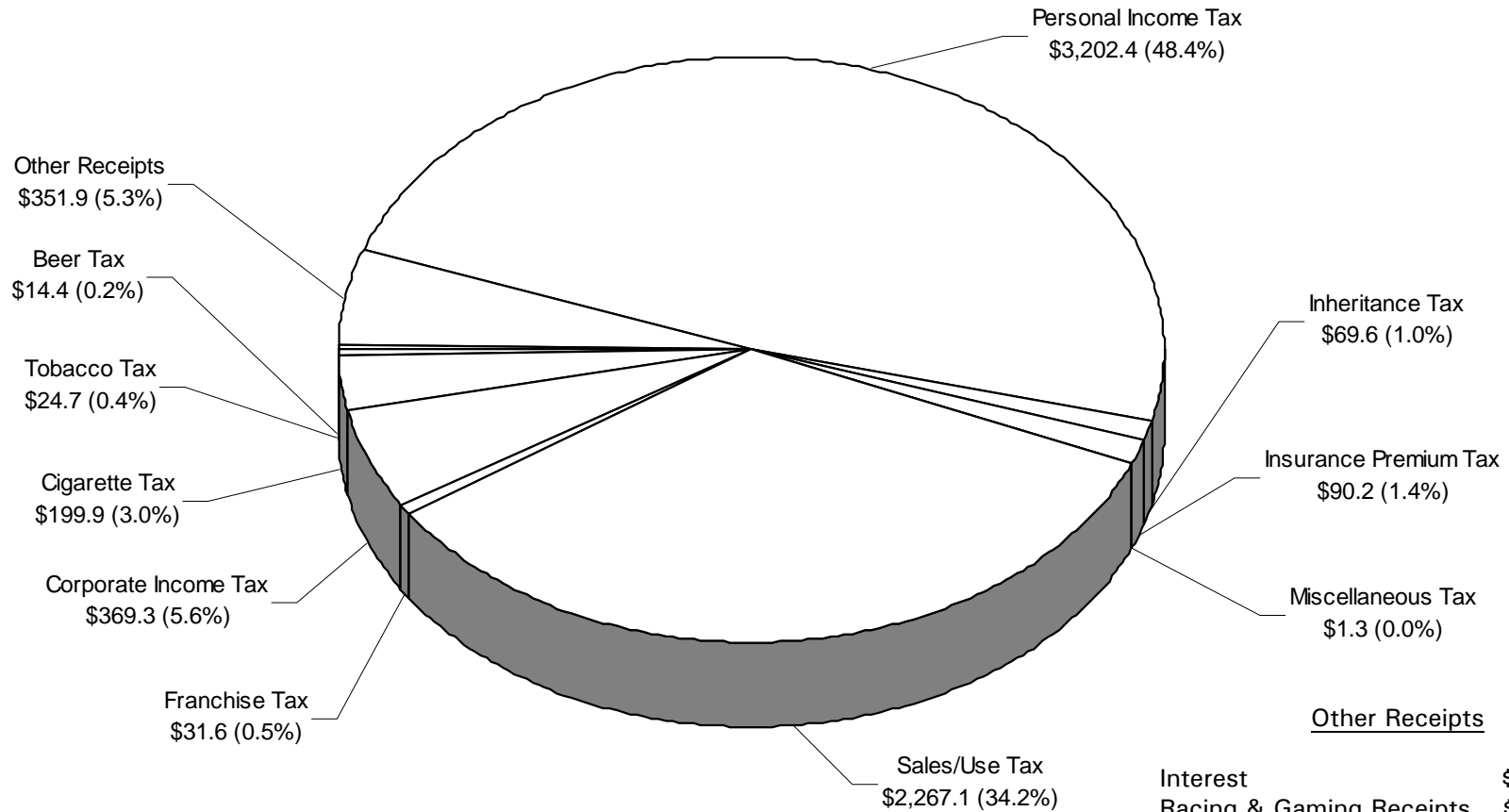
Interest	\$ 2.8
Racing & Gaming Receipts	\$ 66.0
Liquor Profits	\$ 85.5
Miscellaneous Receipts	\$ 38.0
Judicial Revenue	\$114.0
Fees	\$ 40.4
Institutional Payments	\$ 15.5

**Total: \$6,527.5**

Total General Fund receipts do not include adjustments for transfers, refunds, and accruals. Net General Fund receipts (after adjustments) equal \$5,402.1 million.

# FY 2011 Estimated Total General Fund Receipts (In Millions)

As estimated by the March 11, 2010, Revenue Estimating Conference.  
Totals may not add due to rounding.



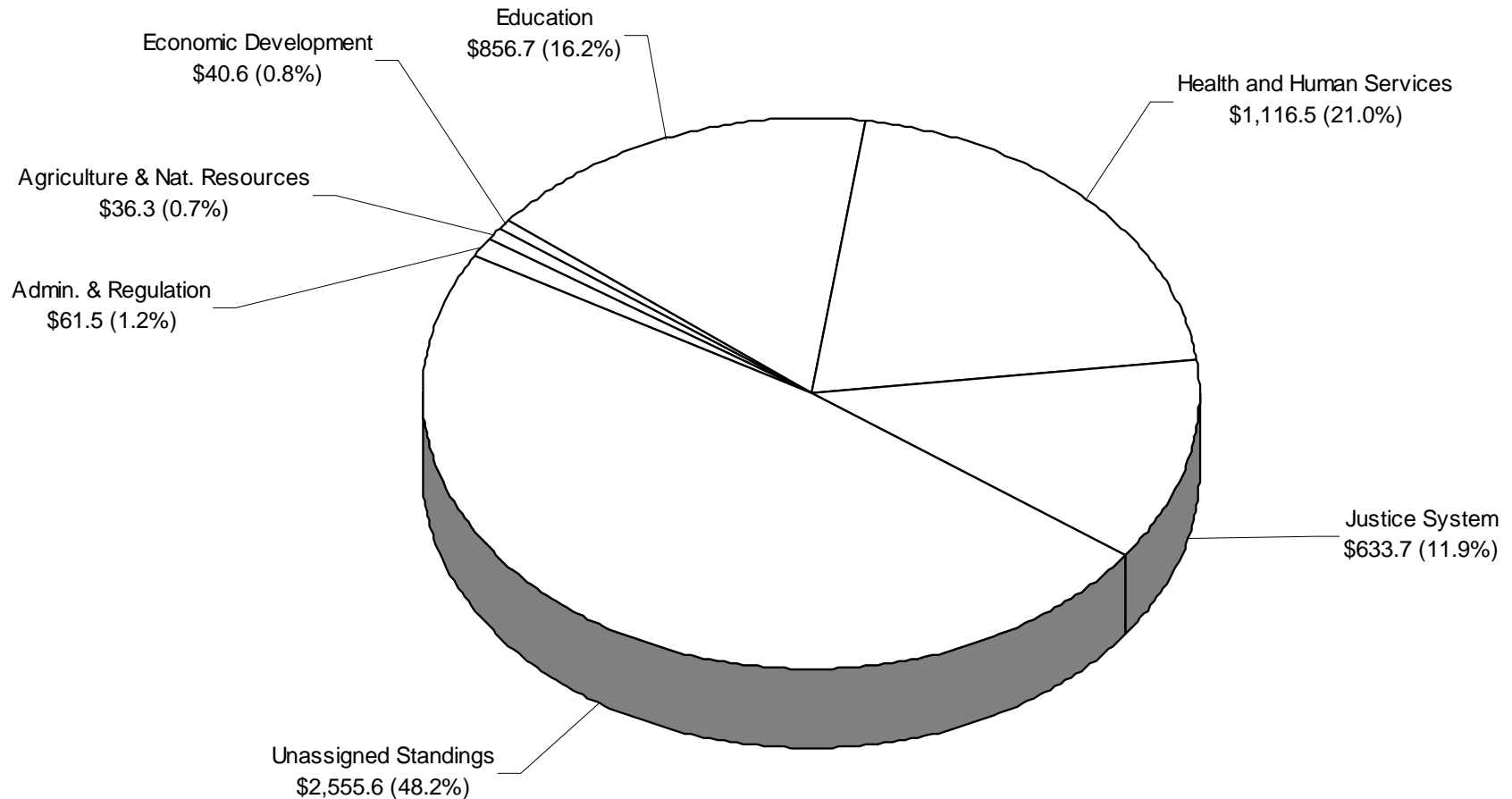
Total General Fund receipts do not include adjustments for transfers, refunds, and accruals.  
Net General Fund receipts (after adjustments) equal \$5,436.3 million.

**Total: \$6,622.4**

<u>Other Receipts</u>	
Interest	\$ 2.8
Racing & Gaming Receipts	\$ 66.0
Liquor Profits	\$ 87.2
Miscellaneous Receipts	\$ 34.4
Judicial Revenue	\$114.0
Fees	\$ 32.8
Institutional Payments	\$ 14.7



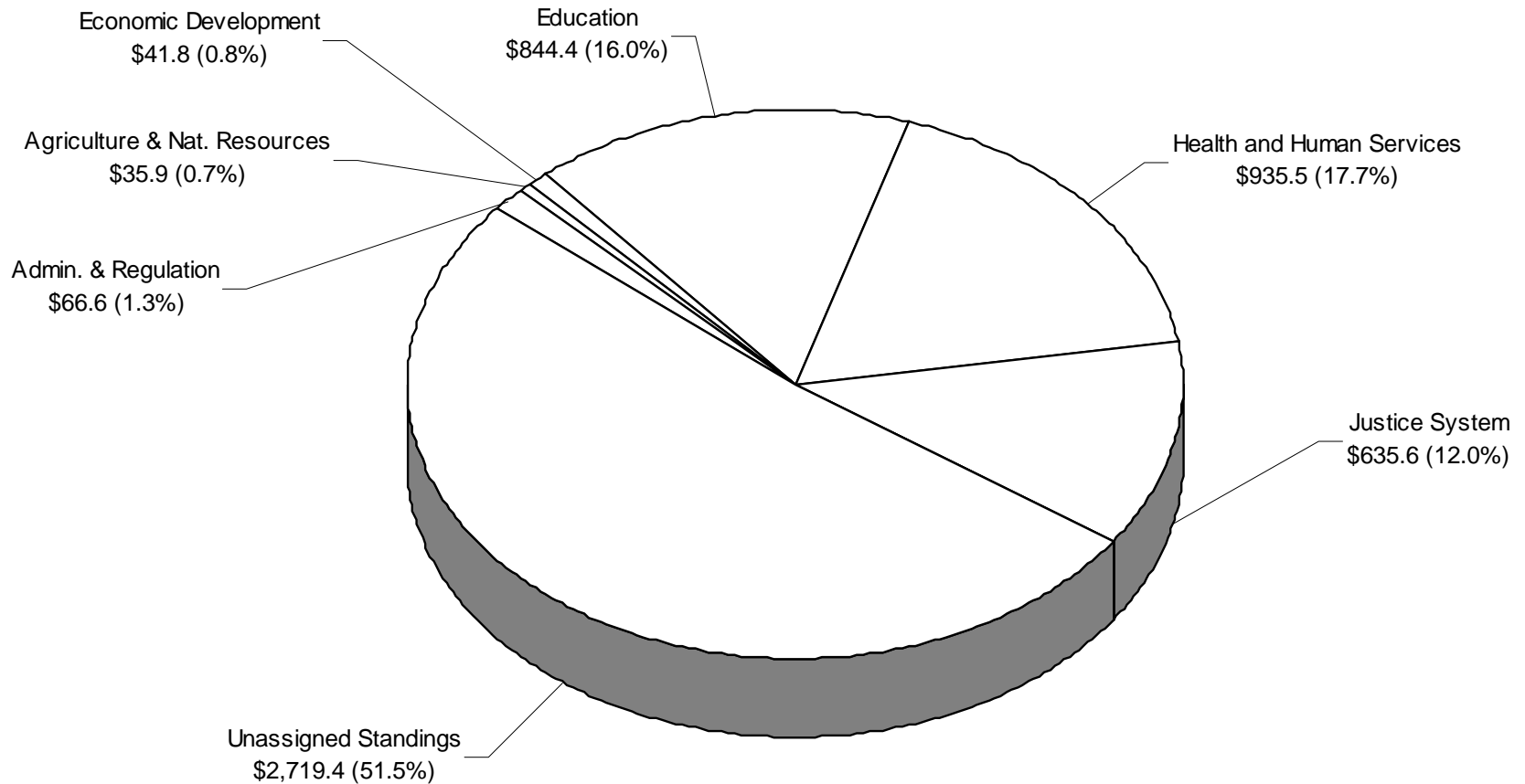
# FY 2010 Revised Net General Fund Appropriations (In Millions)



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

**Total: \$5,302.2**

# FY 2011 Final Action General Fund Appropriations (In Millions)



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

**Total: \$5,279.2**

**STATE OF IOWA**  
**Estimated Condition of the General Fund**  
(Dollars in Millions)

	Actual FY 2009	Estimated FY 2010	Legislative Action FY 2011
<b><i>Funds Available:</i></b>			
Receipts and Transfers	\$ 7,106.5	\$ 6,681.1	\$ 6,700.9
Tax Refunds	- 803.9	- 901.0	- 916.0
School Infrastructure Refunds (Accrual)	- 385.8	- 363.8	- 367.1
Accruals	17.2	- 14.2	18.5
Revenue Adjustments		- 0.1	23.5
<b><i>Total Funds Available</i></b>	<b>5,934.0</b>	<b>5,402.0</b>	<b>5,459.8</b>
<b><i>Expenditure Limitation</i></b>			<b>5,371.1</b>
<b><i>Estimated Appropriations and Expenditures:</i></b>			
Appropriations	5,959.0	5,768.2	5,279.2
Statutory Repayment to Econ. Emerg. Fund		45.3	
Across-the-Board Reductions (All Branches)		- 564.4	
Supplemental Appropriations		53.1	
Total Appropriations	5,959.0	5,302.2	5,279.2
Reversions	- 25.0	- 1.0	- 2.0
<b><i>Net Appropriations</i></b>	<b>5,934.0</b>	<b>5,301.2</b>	<b>5,277.2</b>
<b><i>Ending Balance - Surplus</i></b>	<b>\$ 0.0</b>	<b>\$ 100.8</b>	<b>\$ 182.6</b>
<b><i>Below (Over) Expenditure Limitation</i></b>			<b>\$ 91.9</b>
<b><i>Appropriations/Transfers to Other Funds</i></b>			
Senior Living Trust Fund	\$ 0.0	\$ 48.2	\$ 0.0
Cash Reserve Fund	0.0	52.6	182.6
<b><i>Total</i></b>	<b>\$ 0.0</b>	<b>\$ 100.8</b>	<b>\$ 182.6</b>

Numbers may not equal totals due to rounding.

**State of Iowa**  
**General Fund Revenue Adjustments**  
(Dollars in Millions)

		Legislative Action FY 2010	Legislative Action FY 2011
<u>Bill No.</u>			
SF 2380	Tax Credit Report		\$ 4.5
SF 2378	DCI Gaming Receipts		- 8.9
SF 2088	Publication Modernization		0.4
SF 2088	DAS - Sale of Property		13.8
SF 2088	Shipment of Wine		0.4
SF 2088	Gambling Setoffs		4.6
SF 2088	Additional Revenue Examiners		2.7
HF 2531	Vets Home Construction Federal Reimb.		0.7
HF 2531	Disaster-Related Loss Deduction	- 0.1	- 0.1
SF 2387	Blood Lab Sales Tax Exemption		- 0.2
SF 2383	Debt Collection		5.6
<b>Total Revenue Adjustments</b>		<u>\$ - 0.1</u>	<u>\$ 23.5</u>

**State of Iowa**  
**General Fund Appropriations**  
(Dollars in Millions)

***Appropriations by Bill***

Bill No.		Legislative	Legislative
		Action	Action
		FY 2010	FY 2011
SF 2367	Administration and Regulation		\$ 63.8
HF 2525	Agriculture and Natural Resources		35.9
HF 2522	Economic Development		41.8
SF 2376	Education		844.4
HF 2526	Health and Human Services		942.6
SF 2378	Justice System		484.0
SF 2377	Judicial Branch		150.3
SF 2088	Government Reorganization		1.7
HF 2519	Block Grant Bill		- 47.9
HF 2502	Public Retirement Systems Bill		- 0.6
SF 2366	Appropriations Adjustment	52.6	
HF 2531	Standing Appropriations Bill	0.5	- 420.9
	Standing Appropriations (Current Law)		3,184.1
		<u>\$ 53.1</u>	<u>\$ 5,279.2</u>

**State of Iowa**  
**General Fund Appropriations**  
(Dollars in Millions)

	Actual	Estimated	Legislative
	FY 2009	FY 2010	Action
<b><i>Appropriations by Subcommittee</i></b>			FY 2011
Administration and Regulation	\$ 97.5	\$ 61.5	\$ 66.6
Agriculture and Natural Resources	51.5	36.3	35.9
Economic Development	48.2	40.6	41.8
Education	1,271.3	856.7	844.4
Health and Human Services	1,172.6	1,116.5	935.5
Justice System	689.4	633.7	635.6
Transportation & Infrastructure	0.0	1.3	0.0
Unassigned Standings	2,628.5	2,555.6	2,719.4
<b><i>Total Appropriations</i></b>	<b><u>\$ 5,959.0</u></b>	<b><u>\$ 5,302.2</u></b>	<b><u>\$ 5,279.2</u></b>
 <b><i>Reserve Funds and ARRA Funding*</i></b>			
ARRA Funding - Medicaid	134.0	239.2	240.2
ARRA Funding - Other	40.0	394.6	83.7
Reserve Funds	56.0	80.3	267.4
Total	<b><u>\$ 230.0</u></b>	<b><u>\$ 714.1</u></b>	<b><u>\$ 591.3</u></b>
 Total All Appropriations	<b><u>\$ 6,189.0</u></b>	<b><u>\$ 6,016.3</u></b>	<b><u>\$ 5,870.5</u></b>

\* This table does not include all one-time funds that were used in balancing the General Fund budget.

## Expenditure Limitation Calculation

(Dollars in Millions)

		<b>Legislative Action</b>		
		<b>Fiscal Year 2011</b>		
		Amount	%	Expend. Limit
Revenue Estimating Conference (Dec. 2009 Est.)		\$ 6,657.2	99%	\$ 6,590.6
Refund of Taxes		- 898.0	99%	- 889.0
School Infras. Refunds (Accrual)		- 374.2	99%	- 370.5
Accrued Revenue Changes		18.2	99%	18.0
Total		\$ 5,403.2		\$ 5,349.1
<b>Revenue Adjustments:</b>				
SF 2380	Tax Credit Report	\$ 4.5	95%	\$ 4.3
SF 2378	DCI Gaming Receipts	- 8.9	100%	- 8.9
SF 2088	Publication Modernization	0.4	95%	0.4
SF 2088	DAS - Sale of Property	13.8	95%	13.1
SF 2088	Shipment of Wine	0.4	95%	0.4
SF 2088	Gambling Setoffs	4.6	95%	4.4
SF 2088	Additional Revenue Examiners	2.7	95%	2.6
HF 2531	Vets Home Construction Federal Reimb.	0.7	95%	0.7
HF 2531	Disaster-Related Loss Deduction	- 0.1	100%	- 0.1
SF 2387	Blood Lab Sales Tax Exemption	- 0.2	100%	- 0.2
SF 2383	Debt Collection	5.6	95%	5.3
Total Adjustments		\$ 23.5		\$ 22.0
Expenditure Limitation		<u>\$ 5,426.7</u>		<u>\$ 5,371.1</u>

## State of Iowa Reserve Funds

(Dollars in Millions)

	Actual FY 2009	Estimated FY 2010	Leg Action FY 2011
<b>Senior Living Trust Fund Requirement</b>			
Balance Brought Forward	\$ 183.1	\$ 251.8	\$ 251.8
Gen. Fund Appropriation from Surplus	48.3	0.0	48.2
Economic Emergency Fund Excess	20.4	0.0	0.0
Cumulative Repayment Balance	<u>\$ 251.8</u>	<u>\$ 251.8</u>	<u>\$ 300.0</u>
<i>Maximum \$300.0 million</i>			
 <b>Cash Reserve Fund</b>			
Balance Brought Forward	\$ 444.3	\$ 465.2	\$ 319.9
Gen. Fund Appropriation from Surplus	48.3	0.0	52.6
Total Funds Available	<u>492.6</u>	<u>465.2</u>	<u>372.5</u>
Transfer to General Fund		- 65.0	
Appropriation to Executive Council		- 25.6	- 10.6
Property Tax Credit Appropriation		- 54.7	- 54.7
Appropriation to Medicaid			- 187.8
Flood Mitigation Projects			- 6.6
Preschool Program			- 4.0
Iowa Power Fund			- 2.0
Other Appropriations			- 1.7
Total Adjustments	<u>0.0</u>	<u>-145.3</u>	<u>-267.4</u>
Excess Transferred to Econ. Emergency Fund	- 27.4	0.0	0.0
Balance Carried Forward	<u>\$ 465.2</u>	<u>\$ 319.9</u>	<u>\$ 105.1</u>
<i>Maximum 7.5%</i>	<u>\$ 465.2</u>	<u>\$ 439.2</u>	<u>\$ 407.0</u>
 <b>Economic Emergency Fund</b>			
Balance Brought Forward	\$ 148.1	\$ 53.8	\$ 99.1
General Fund Repayment (Sec. 8.55)		45.3	
Excess from Cash Reserve	27.4	0.0	0.0
Total Funds Available	<u>175.5</u>	<u>99.1</u>	<u>99.1</u>
Excess Transferred to Senior Living Trust Fund	- 20.4		
Rebuild Iowa Appropriation	- 56.0		
Transfer to General Fund	- 45.3		
Balance Carried Forward	<u>\$ 53.8</u>	<u>\$ 99.1</u>	<u>\$ 99.1</u>
<i>Maximum 2.5%</i>	<u>\$ 155.1</u>	<u>\$ 146.4</u>	<u>\$ 135.7</u>

\* House File 2531 (Standing Appropriations Bill) makes two contingent appropriations from the Cash Reserve Fund totaling \$25.0 million. This includes \$20.0 million to the Unemployment Trust Fund and \$5.0 million to the Department of Management.



## Rebuild Iowa Infrastructure Fund (RIIF)

	Actual FY 2009	Legislative Adjustments FY 2010	Legislative Action FY 2011	Legislative Action FY 2012
<b>Resources</b>				
Balance Forward	\$ 32,167,362	\$ -5,394,942	\$ 43,579	\$ 1,321,565
Wagering Taxes and Related Fees*	198,783,211	182,200,000	121,700,000	121,700,000
Riverboat License Fees	8,000,000	0	0	0
Transfer from Vertical Infrastructure Fund	0	8,400,023 *	0	0
Interest	18,311,788	5,000,000	5,000,000	5,000,000
Transfer to General Fund	-37,000,000	0	0	0
Transfer from TOS - unencumbered bal from bond pymt*	0	0	11,869,000	0
MSA Tobacco Payment (transfer from Endowment)	0	16,617,343	15,917,573	15,905,618
<b>Total Resources</b>	<b>\$ 220,262,361</b>	<b>\$ 206,822,424</b>	<b>\$ 154,530,152</b>	<b>\$ 143,927,183</b>
<b>Appropriations</b>				
<b>Administrative Services</b>				
Major Maintenance	2,000,000	0	0 *	0
Routine Maintenance	3,000,000	3,000,000	0	0
DAS Distribution Account	2,000,000	3,700,000	3,700,000	0
Wallace Bldg Improvements	0	1,500,000	0	0
DHS - Civil Comm. Unit for Sex Offenders Renov.	829,000	0	0	0
Capitol Complex Electrical Distribution	0	850,000	0	0
Capitol Interior/Exterior Restoration and ADA Compliance	1,900,000	5,000,000	0	0
Capitol Complex Utility Tunnel	1,000,000	0	0	0
Hoover Building HVAC Improvements	0	1,500,000	0	0
Hoover Building Security/Fire Walls	165,000	0	0	0
Property Acquisition	1,000,000	0	0	0
Energy Plant and Additions	0	623,000	0	0
Vehicle Dispatch Fleet Relocation	-349,161	0	0	0
Mercy Capitol Hospital Purchase	3,950,000	0	0	0
Mercy Capitol Hospital Building Operations	0	500,000	1,083,175	0
Capitol Master Plan Update	250,000	0	0	0
Terrace Hill Preservation and Restoration	0	769,543	0	0
Human Resource I/3 Payroll Module	200,000	-200,000	0	0
Contract Project Manager - Veterans Home	200,000	0	0	0
D-Line Bus Service and Employee Ride Program	183,000	200,000	200,000	0
<b>Agriculture and Land Stewardship</b>				
Watershed Improvement Review Board Administration	0	0	50,000	0
National Junior Gelbvieh Heifer Show	10,000	0	0	0
<b>Department for the Blind</b>				
Newsline for the Blind	0	0	20,000	0
<b>Corrections</b>				
ISP Electrical Lease	0	-27,764	0	0
Correctional Institutions Capitals Request	-2,797,376	0	0	0
Davenport CBC Facility	-3,458,217	0	0	0
A & E Funding for Ft. Madison and Mitchellville	1,000,000	0	0	0
Construction Project Management and Correctional Spec.	500,000	1,750,000	0	4,500,000 *
Mitchellville Expansion	0	0	0	11,700,000
Des Moines CBC Planning Study	200,000	-103,346	0	0

## Rebuild Iowa Infrastructure Fund (RIIF)

	Actual FY 2009	Legislative Adjustments FY 2010	Legislative Action FY 2011	Legislative Action FY 2012
<b>Cultural Affairs</b>				
Historical Preservation Grant Program	1,000,000	1,000,000	0	0
Great Places Grants	2,000,000	1,900,000	0	0
Iowa Battle Flags	220,000	0	60,000	0
Civil War Sesquicentennial	0	350,000	0	0
Community Cultural Grants	0	200,000	0	0
Historic Sites	0	0	40,000	0
Kimball Organ Restoration	80,000	-25,000	0	0
<b>Economic Development</b>				
Community Attraction & Tourism Grants	12,000,000	0	0 *	5,000,000
River Enhancement Comm Attract & Tourism (RECAT)	10,000,000	0	0 *	10,000,000
Accelerated Career Education (ACE) Program	-4,225,000	0	0	0
Targeted Industries Infrastructure	900,000	0	0	0
Regional Sport Authorities	500,000	500,000	500,000	0
Community Colleges - Workforce Training	2,000,000	2,000,000	2,000,000	0
Grow Iowa Values Fund	50,000,000	23,000,000	38,000,000	0
Asbestos Demolition Assistance City of Seymour	0	50,000	0	0
Blank Park Zoo Capitals	0	0	500,000	0
AAU Jr. Olympics Summer 2009	0	200,000	0	0
Warren County Juvenile Courthouse Renovation	0	100,000	0	0
Fire Station Improvements - Muscatine Fire Dept.	0	200,000	0	0
Stratford Community Center ADA Compliance	0	10,000	0	0
Multi use Community Center - Des Moines	100,000	0	0	0
6th Avenue Corridor Revitalization - Main Streets	0	0	100,000	0
Port Authority - Economic Development Southeast Iowa	0	0	50,000	0
World Food Prize Borlaug/Ruan Scholar Program	0	0	100,000	0
<b>Education</b>				
Enrich Iowa Libraries	1,000,000	1,000,000	500,000	0
Iowa Learning Technologies	250,000	0	0	0
Agricultural Learning Center - Muscatine	80,000	0	0	0
<b>Human Services</b>				
Nursing Home Facility Financial Assistance	600,000	-1,400,000	0	0
Child Care Workgroup	30,000	0	0	0
Community Family Resource Center - North Cen. Iowa	15,000	0	0	0
Child Care Workers' Insurance Study	50,000	-50,000	0	0
Independence Mental Health Institute	0	200,000	0	0
<b>Iowa Finance Authority</b>				
Wastewater Treatment Assist - Water Quality Grants	3,000,000	0	0	0
Administration of IJOBS Program	0	200,000	200,000	200,000
State Housing Trust Fund	3,000,000	3,000,000	1,000,000 *	3,000,000
Facilities Multiple-Handicapped -Polk County	0	0	250,000	0
<b>Management</b>				
Technology Reinvestment Fund	17,500,000	14,525,000	10,000,000	0
Environment First Fund	42,000,000	42,000,000	33,000,000 *	42,000,000

## Rebuild Iowa Infrastructure Fund (RIIF)

	Actual FY 2009	Legislative Adjustments FY 2010	Legislative Action FY 2011	Legislative Action FY 2012
<b>Natural Resources</b>				
Lake Delhi Improvements	100,000	0	0	0
State Park Infrastructure	0	0	0	5,000,000 *
Lake Restoration & Water Quality	0	2,800,000	0	0
Floodplain Management/Dam Safety	0	2,000,000	2,000,000	0
Water Trails and Low Head Dam Programs	1,000,000	800,000	0	0
Hungry Canyons Alliance	0	100,000	0	0
Honey Creek Asset Manager	0	0	100,000	0
Rock Creek Permanent Shelter	0	0	40,000	0
Plasma Arc Technology - Marion	150,000	-15,000	0	0
<b>Public Defense</b>				
Gold Star Museum - Camp Dodge	2,000,000	1,000,000	0	0
STARCOMM	1,600,000	0	0	0
Camp Dodge Water Distribution System	410,000	0	0	0
Facility/Armory Maintenance	1,500,000	1,500,000	1,500,000	0
Ottumwa Armory Addition	500,000	0	0	0
Davenport Aviation Readiness Center	0	2,000,000	0	0
Mount Pleasant Readiness Center	0	1,000,000	0	0
Camp Dodge Electrical Distribution System Upgrade	526,000	0	0	0
Middletown AF Readiness Center	0	0	100,000	0
Iowa Falls Readiness Center	0	0	500,000	0
Cedar Rapids Armed Forces Readiness Center	0	0	200,000	0
Statewide Modernization Agenda - Readiness Centers	1,800,000	1,800,000	1,800,000	0
<b>Public Health</b>				
Vision Screening	130,000	130,000	100,000	0
<b>Public Safety</b>				
State Fire Training Facilities	-2,000,000	0	0	0
<b>Regents</b>				
Tuition Replacement	24,305,412	24,305,412	24,305,412	0
SUI - Institute for Biomedical Discovery	-550,000	0	0 *	0
ISU - Biorenewables Building	3,479,000	11,597,000	0	0
SUI - Hygienic Laboratory	12,000,000	0	0	0
ISU - Veterinary Lab. Phase II Small Animals Hospital	1,800,000	0	0 *	0
SUI - Iowa Flood Center	0	1,300,000	1,300,000	0
ISU - Veterinary Training Modernization	0	0	400,000	0
Midwest Grape and Wine Industry Institute	50,000	0	0	0
<b>Revenue</b>				
Secure an Advanced Vision for Education (SAVE)	10,000,000	10,000,000	0 *	10,000,000
<b>State Fair</b>				
Agriculture Exhibition Center	0	5,500,000	0 *	0

## Rebuild Iowa Infrastructure Fund (RIIF)

	Actual FY 2009	Legislative Adjustments FY 2010	Legislative Action FY 2011	Legislative Action FY 2012
<b>Transportation</b>				
Local Roads Counties and Cities 50/50	0	14,750,000	24,700,000	0
Passenger Rail Service	0	3,000,000	0	6,500,000
Rail Assistance/Revolving Loan Fund	2,000,000	1,500,000	2,000,000	2,000,000
Recreational Trails	3,000,000	3,500,000	0	0
Public Transit Infrastructure	0	1,250,000	0	0
General Aviation Airport Grants	750,000	750,000	750,000	0
Dubuque Depot and Platform	300,000	0	0	0
<b>Treasurer</b>				
County Fairs Infrastructure	1,060,000	1,590,000	1,060,000	0
Watershed Improvement Review Board	5,000,000	5,000,000	0	0
<b>Veterans Affairs</b>				
Home Ownership Program	1,600,000	1,600,000	1,000,000	0
<b>Net Appropriations</b>	<u>\$ 226,392,658</u>	<u>\$ 206,778,845</u>	<u>\$ 153,208,587</u>	<u>\$ 99,900,000</u>
Reversions	<u>-735,355</u>	<u>0</u>	<u>0</u>	<u>0</u>
<b>Ending Balance</b>	<u><u>\$ -5,394,942</u></u>	<u><u>\$ 43,579</u></u>	<u><u>\$ 1,321,565</u></u>	<u><u>\$ 44,027,183</u></u>

**Notes:**

\* Wagering tax estimates include tax credits for land-based and riverboat casinos, beginning in FY 2009 and FY 2011, respectively.

\* Transfer of remaining balance from the Vertical Infrastructure Fund to the RIIF was intended to occur in FY 2009, per SF 2432 (FY 2009 Infrastructure Appropriations Act), but did not happen until FY 2010.

\* The unencumbered balance from the revenue bond debt service is transferred from the Treasurer of State in accordance with new Code Section 12.89, created in SF 376 of the 2009 Legislative Session. Revenue bonds issued in FY 2011 will eliminate this transfer beginning FY 2012. The \$11.9 million will be used for debt service on the new bonds.

\* The FY 2011 previously enacted appropriation of \$10.0 million for DAS Major Maintenance has been deappropriated. In addition, the FY 2011 previously enacted appropriation of \$5.0 million for Fifth Judicial District CBC has been deappropriated. The latter is not reflected on this balance sheet.

\* For FY 2011, the standing appropriation to the Housing Trust Fund has been reduced by \$2.0 million, the standing appropriation to the Environment First Fund has been reduced by \$9.0 million, and the \$10.0 million appropriation to the Secure an Advanced Visior for Education (SAVE) has been eliminated. There is \$2.0 million in the bond proceeds for the Housing Trust Fund grants.

\* The FY 2012 appropriation for construction management is the fourth of several years of funding for the construction management and correctional specialist involved in the Fort Madison and Mitchellville projects. Additional out year funding will be \$1.0 million in FY 2013 and \$200,000 in FY 2014. Funding for FY 2011 is \$2.5 million in bond proceed funds.

\* For FY 2011, the \$5.0 million for CAT and \$10.0 million for RECAT have been moved to the bond proceeds. The funding from the RIIF is scheduled to resume in FY 2012 and sunset at the end of FY 2013.

\* The FY 2012 appropriation for State Park Infrastructure is the first of four years of funding from the RIIF. The overall project will receive a total of \$20.0 million from the RIIF, in addition to the \$5.0 million from bond proceeds. The RIIF appropriation will sunset at the end of FY 2015.

\* The following FY 2011 previously enacted appropriations have been moved to bond proceeds: \$10.0 million for SUI Institute for Biomedical Discovery; \$13.0 million for ISU Veterinary Lab Small Animals Teaching Hospital; and \$2.5 million for the State Fair Agricultural Exhibition Center.

## Environment First Fund

	Actual FY 2009	Estimated FY 2010	Legislative Action FY 2011
<b>Revenue</b>			
Balance Forward	\$ 22,454	\$ 22,454	\$ 22,454
RIIF Appropriation	42,000,000	42,000,000	33,000,000
<b>Total</b>	<b>\$ 42,022,454</b>	<b>\$ 42,022,454</b>	<b>\$ 33,022,454</b>
<b>Appropriations</b>			
Department of Agriculture			
Soil Conservation Cost Share	\$ 7,000,000	\$ 7,000,000	\$ 1,050,000
Watershed Protection Program	2,550,000	2,550,000	1,500,000
Wetland Incentive Program (CREP)	1,500,000	1,500,000	1,500,000
Conservation Reserve Program (CRP)	1,500,000	1,500,000	1,300,000
Farm Demonstration Program	850,000	800,000	750,000
Loess Hills Conservation Authority	600,000	600,000	500,000
Agricultural Drainage Wells	1,500,000	1,500,000	1,250,000
Soil & Water Conservation Fund	0	0	1,751,600
So. Iowa Conservation & Dev. Authority	300,000	300,000	250,000
Total Department of Agriculture	\$ 15,800,000	\$ 15,750,000	\$ 9,851,600
Department of Natural Resources			
REAP Program	\$ 18,000,000	\$ 18,000,000	\$ 15,000,000
Park Operations and Maintenance	2,470,000	2,470,000	2,470,000
Volunteer Water Quality Initiative	100,000	100,000	100,000
Animal Feeding Operations	360,000	360,000	608,400
Water Quantity Program	495,000	495,000	495,000
Resource Conservation and Development	250,000	250,000	150,000
Air Quality Monitoring Program	325,000	425,000	425,000
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
State Park Volunteer Activities	0	0	250,000
Global Climate Change Council	50,000	0	0
Total Department of Natural Resources	\$ 25,700,000	\$ 25,750,000	\$ 23,148,400
Department of Economic Development			
Brownfield Redevelopment Program	\$ 500,000	\$ 500,000	\$ 0
Total Appropriations	<b>\$ 42,000,000</b>	<b>\$ 42,000,000</b>	<b>\$ 33,000,000</b>
Reversions	0	0	0
Ending Balance	<b>\$ 22,454</b>	<b>\$ 22,454</b>	<b>\$ 22,454</b>

**Tobacco Settlement Trust Fund  
Restricted Capital Fund (RCF)**

	Actual FY 2007	Actual FY 2008	Actual FY 2009	Estimated FY 2010
<b>Resources</b>				
Balance Forward	\$ 423,101	\$ 2,857,854	\$ 3,401,941	\$ 737,019
Adjustment to Balance	1,433	8,777	0	0
Interest	2,425,977	534,289	36,202	100
Total Available Resources	<u>\$ 2,850,511</u>	<u>\$ 3,400,920</u>	<u>\$ 3,438,143</u>	<u>\$ 737,119</u>
<b>Appropriations</b>				
Dept. of Administrative Services				
Major Maintenance	0	0	0	195,484
Terrace Hill Roof - Supplemental	700,000	0	0	0
Electrical Distribution - Supplemental	800,000	0	0	0
Terrace Hill Restoration and Repair			186,457	0
Dept. of Natural Resources				
Honey Creek Resort State Park - Cabins	0	0	3,100,000	0
Dept. of Public Safety				
Dubuque Fire Training Facility	0	0	0	0
Mason City Patrol Post	-2,400,000	0	0	0
Property Acquisition - Supplemental	1,200,000	0	0	0
Radio Consoles - Supplemental	1,000,000	0	0	0
Public Safety Building Furnishings	200,000	0	0	0
Total Appropriations	<u>\$ 1,500,000</u>	<u>\$ 0</u>	<u>\$ 3,286,457</u>	<u>\$ 195,484</u>
Reversions	-7,343	-1,021	-585,333	0
Deappropriations	-1,500,000	0	0	0
Balance transferred to DAS Major Maintenance*				-541,635
Ending Balance	<u>\$ 2,857,854</u>	<u>\$ 3,401,941</u>	<u>\$ 737,019</u>	<u>\$ 0</u>

\*House File 822 (FY 2010 Infrastructure Appropriations Act) provided for any remaining balance in the RCF to transfer to DAS for major maintenance. This is because the Restricted Capital Fund was required to be expended in a specific time period, including interest earned.

**Tobacco Settlement Trust Fund**  
**Endowment for Iowa's Health Restricted Capitals Fund (RC2)**

	Actual FY 2007	Actual FY 2008	Actual FY 2009	Estimated FY 2010
<b>Resources</b>				
Balance Forward	\$ 102,397,765	\$ 3,821,417	\$ 6,485,884	\$ -387,682
Tax-Exempt Bond Proceeds	0	0	0	0
Interest	5,202,653	4,064,467	1,410,129	500,000
Total Available Resources	\$ 107,600,418	\$ 7,885,884	\$ 7,896,013	\$ 112,318
<b>Appropriations</b>				
Department of Administrative Services				
DHS - Toledo Juvenile Home	\$ 1,521,045	\$ 0	\$ 0	\$ 0
DHS - Toledo Education & Infirmary Bldg.	5,030,668	0	0	0
Capitol Interior Restoration	6,830,000	0	0	0
Woodward Resource Center Wastewater Treatment	2,443,000	0	0	0
New Office Building	37,585,000	0	-36,923,898	0
Property Acquisition	500,000	0	0	0
Install Pre-Heat Piping for Lucas Building	0	0	300,000	0
Capitol Complex Alternative Energy System	0	0	200,000	0
Department for the Blind				
Building Renovation	4,000,000	0	0	0
Dept. of Economic Development				
Accelerated Career Education (ACE) Infrastructure	5,500,000	0	4,600,000	0
Accelerated Career Education (ACE) Infrastructure (from RIIIF)			5,125,000	
State Fair Board				
Capitals	1,000,000	0	0	0
Department of Corrections				
Davenport CBC Facility	3,750,000	0	3,458,217	0
Fort Dodge CBC Facility	1,000,000	0	0	0
Cedar Rapids CBC Mental Health Facility	1,000,000	0	0	0
Capitals Request	0	0	2,797,376	0
Anamosa Dietary Renovation	0	1,400,000	0	0
Department of Cultural Affairs				
Great Places	3,000,000	0	0	0
Department of Education				
Community College Infrastructure	2,000,000	0	0	0
Department of Natural Resources				
Honey Creek Destination Resort Park Phase 1	0	0	4,900,000	
Department of Public Defense				
Iowa City Readiness Center	1,444,288	0	0	0
Waterloo Aviation Readiness Center Addition	1,236,000	0	0	0
Spencer Readiness Center	689,000	0	0	0
STARCOMM Project	600,000	0	0	0
Department of Public Safety				
Regional Fire Training Facilities	2,000,000	0	2,000,000	0
Board of Regents				
Construction Projects	10,000,000	0	0	0
SUI Institute of Biomedical Discovery	0	0	10,550,000	0
ISU Biorenewables Building	0	0	11,277,000	0

**Tobacco Settlement Trust Fund**  
**Endowment for Iowa's Health Restricted Capitals Fund (RC2)**

	Actual FY 2007	Actual FY 2008	Actual FY 2009	Estimated FY 2010
Dept. of Transportation				
Commercial Aviation Infrastructure	1,500,000	0	0	0
Public Transit Infrastructure	2,200,000	0	0	0
Recreational Trails	2,000,000	0	0	0
General Aviation Airport Grants	750,000	0	0	0
Iowa Veterans Home				
Capital Projects	6,200,000	0	0	0
Total Appropriations	<u>\$ 103,779,001</u>	<u>\$ 1,400,000</u>	<u>\$ 8,283,695</u>	<u>\$ 0</u>
Reversions	0	0	0	0
Balance transferred to DAS Major Maintenance*	0	0	0	-112,318
Ending Balance	<u>\$ 3,821,417</u>	<u>\$ 6,485,884</u>	<u>\$ -387,682</u>	<u>\$ 0</u>

\*House File 822 (FY 2010 Infrastructure Appropriations Act) provided for any remaining balance in the RC2 to transfer to DAS for major maintenance. This is because the Restricted Capital Fund was required to be expended in a specific time period, including interest earned.



## Revenue Bonds Capitals II Fund (RBC2)

	Legislative Action FY 2011
<b>Resources</b>	
Beginning Balance	\$ 0
Bond Proceeds	150,000,000
Total Available Resources	<u>\$ 150,000,000</u>
<b>Appropriations</b>	
Department of Agriculture and Land Stewardship	
Soil Conservation	\$ 5,950,000
Conservation Reserve Enhancement Program	2,500,000
Department of Economic Development	
Community Attraction and Tourism Grants (CAT)	12,000,000
River Enhancement Community Attraction and Tourism (RECAT)	4,000,000
ACE Vertical Infrastructure Community Colleges	5,500,000
Main Street Projects	8,450,000
NIACC/Mason City Small Business Center	1,500,000
Kirkwood Comm College/Cedar Rapids Small Business Center	1,200,000
Department of Education	
Community College Infrastructure	2,000,000
Iowa Finance Authority - I-JOBS Board	
I-JOBS Board - Local Infrastructure Grants	0
I-JOBS Board - Disaster Prevention Smart Planning Local Grants	30,000,000
Flood Projects Cedar Rapids and Linn County	8,800,000
Flood Mitigation and Renovation Courthouse Area Cedar Rapids	2,000,000
Flood Projects Des Moines and Polk County	9,500,000
Flood Mitigation Davenport - Woodmen Field	1,050,000
Flood Projects Waterloo - Public Works Building	5,000,000
Flood Projects Iowa City - Wastewater Treatment Plant	2,000,000
Flood Mitigation West Union - Green Pilot Project	1,175,000
Jessup City Hall	475,000
Flood Mitigation Belmond - Storm Sewer Flood Protection	600,000
Flood Mitigation Norwalk - Orchard Ridge Drainage Channel Projects	300,000

## Revenue Bonds Capitals II Fund (RBC2)

	Legislative Action FY 2011
Department of Natural Resources	
Lake Restoration and Dredging Projects	3,000,000
State Parks Infrastructure Improvements	5,000,000
Department of Public Defense	
Statewide Modernization - Readiness Centers	0
Regents	
ISU - Veterinary Lab Phase II Small Animal Teaching Hospital	0
SUI - Institute for Biomedical Discovery	10,000,000
Iowa Energy Center - Alternative Energy Revolving Loan Program	5,000,000
Department of Transportation	
Public Transit Infrastructure Grants	2,000,000
Commercial Airport Vertical Infrastructure Grants	1,500,000
Bridge Safety	10,000,000
Rail Ports Improvements Economic Development	7,500,000
Treasurer of State	
Watershed Improvement Review Board	2,000,000
<b>Total Appropriations</b>	<b>\$ 150,000,000</b>
<b>Ending Balance</b>	<b>\$ 0</b>

## Technology Reinvestment Fund

	Actual FY 2009	Estimated FY 2010	Legislative Action FY 2011
<b>Resources</b>			
Beginning Balance	\$ 290,193	\$ 389,225	\$ 115,610
General Fund Limited Standing Appropriation	0	0	0
Rebuild Iowa Infrastructure Fund	17,500,000	14,525,000	10,000,000
Other revenues	7,374	0	0
<b>Total Available Resources</b>	<b>\$ 17,797,567</b>	<b>\$ 14,914,225</b>	<b>\$ 10,115,610</b>
<b>Appropriations</b>			
Dept. of Administrative Services			
Pooled Technology Projects	\$ 3,980,255	\$ 2,037,184	\$ 3,793,654
Dept. of Corrections			
Iowa Corrections Offender Network Data System	500,000	500,000	500,000
Department of Cultural Affairs			
Iowa Veterans Oral Histories Interactive Exhibit	500,000	486,250	0
Dept. of Education			
ICN Part III & Maintenance & Leases	2,727,000	2,727,000	2,727,000
Statewide Education Data Warehouse	600,000	600,000	600,000
IPTV - Generators and Transmitters	1,602,437	0	0
IPTV - Replace Keosauqua Tower Antenna, Bldg.	701,500	0	0
Skills Iowa Technology Grant Fund	500,000	0	0
Ethics and Campaign Finance			
Technology Upgrades Online Database	0	15,000	0
Department of Human Rights			
Criminal Justice Information System Integration	1,839,852	0	0
Justice Enterprise Data Warehouse	0	361,072	0
Iowa Telecom. and Technology Commission			
ICN Equipment Replacement	2,190,123	2,211,863	2,244,956
Generator Replacement	0	2,755,246	0
Network Redundancy	0	2,320,000	0
Redundancy for Continuity of Operations (Fiber)	1,800,000	0	0
Law Enforcement Academy			
Training Software and Mobile Simulator	0	185,000	0
Department of Public Defense			
2-1-1 Call System	0	250,000	0
Department of Public Health			
Mental Health Services Database Medical Records	0	0	250,000
Department of Public Safety			
Auto. Fingerprint Info. System (AFIS) Lease Purchase	560,000	350,000	0
<b>Total Appropriations</b>	<b>\$ 17,501,167</b>	<b>\$ 14,798,615</b>	<b>\$ 10,115,610</b>
Reversions	-92,825	0	0
<b>Ending Balance</b>	<b>\$ 389,225</b>	<b>\$ 115,610</b>	<b>\$ 0</b>

## FY 2009 Prison Bonding Fund

	Actual FY 2009	Estimated FY 2010	Legislative Action FY 2011
<b>Revenues</b>			
Beginning Balance	\$ 0	\$ 322,500	\$ 322,500
Bond Proceeds	131,000,000	0	0
Interest*	0	0	0
<b>Total Available Resources</b>	<u>131,000,000</u>	<u>322,500</u>	<u>322,500</u>
<b>Appropriations</b>			
Department of Corrections			
Iowa State Penitentiary	130,677,500	0	0
Prison Construction Management	0	0	322,500
<b>Total Appropriations</b>	<u>130,677,500</u>	<u>0</u>	<u>322,500</u>
<b>Ending Balance</b>	<u><u>\$ 322,500</u></u>	<u><u>\$ 322,500</u></u>	<u><u>\$ 0</u></u>

\* Although authorized during the 2008 Legislative Session, the bonds will be issued in June 2010 and will not begin earning interest until then.

## Revenue Bonds Capitals Fund (RBC Fund)

	Actual FY 2009*	Adjusted Estimated FY 2010	Legislative Action FY 2011
<b>Resources</b>			
Beginning Balance	\$ 0	\$ -185,000,000	\$ 29,850,000
Bond Proceeds	0	545,000,000	0
Interest	0	400,000	400,000
Total Available Resources	<u>\$ 0</u>	<u>\$ 360,400,000</u>	<u>\$ 30,250,000</u>
<b>Appropriations</b>			
Department of Administrative Services			
Major Maintenance	\$ 14,624,923	\$ 0	\$ 3,000,000
Department of Agriculture and Land Stewardship			
Soil Conservation -Wetlands, Water Quality	0	11,500,000	0
Soil Conservation Cost Share	0	0	1,000,000
Department for the Blind			
Dormitory Remodel Adult Orientation Center Des Moines	869,748	0	0
Department for Cultural Affairs			
Great Places Grants	0	0	2,000,000
Department of Corrections			
First CBC - Waterloo Residential Expansion	6,000,000	0	0
Third CBC - Sioux City Residential Expansion	5,300,000	0	0
Seventh CBC - Davenport Residential Expansion	2,100,000	0	0
Eighth CBC - Ottumwa Residential Expansion	4,100,000	0	0
Iowa Correctional Institution for Women at Mitchellville Expansior	47,500,000	0	0
Fifth CBC - Des Moines Residential Expansion	13,100,000	0	-13,100,000
Project Management - Prison Construction Projects	0	0	2,200,000
Mt. Pleasant and Rockwell City Improvements	12,500,000	0	0
Security Barrier Fifth CBC Des Moines/Blank Park	0	0	1,000,000
One-time Opening Costs for CBCs - equipment purchases	0	0	1,519,048
Department of Economic Development			
Community Attraction and Tourism Grants (CAT)	12,000,000	0	0
River Enhancement Community Attraction and Tourism (RECAT)	10,000,000	0	0
Main Street Projects (FY 2010 Supplemental)	0	5,550,000	0
ACE Vertical Infrastructure Community Colleges	5,500,000	0	0
Regional Transit Hub Construction	0	0	4,000,000
Department of Education			
Community College Major Maintenance Infrastructure	2,000,000	0	0

## Revenue Bonds Capitals Fund (RBC Fund)

	Actual FY 2009*	Adjusted Estimated FY 2010	Legislative Action FY 2011
Iowa Finance Authority			
Public Service Shelter Grants	0	10,000,000	0
Disaster Damage Housing Assistance Grants	0	5,000,000	0
Affordable Housing Assistance Grants	0	20,000,000	0
Sewer Infrastructure	0	55,000,000	0
Housing Trust Fund Grants	0	0	2,000,000
Department of Natural Resources			
Volga River Rec. Area Infrastructure Improvements	750,000	0	0
Carter Lake Improvements	500,000	0	0
Lake Restoration and Water Quality	10,000,000	0	7,000,000
Watershed Rebuilding - Water Quality	0	13,500,000	0
Regents			
Iowa Public Radio Infrastructure	1,900,000	0	0
ISU - Veterinary Lab Phase II Small Animals Teaching Hospital	10,000,000	0	13,000,000
Iowa Energy Center - Alternative Energy Revolving Loan Program	0	5,000,000	0
State Fair Authority			
Agriculture Exhibition Center	0	0	2,500,000
Department of Transportation			
Public Transit Infrastructure	2,200,000	0	0
Commercial Airport Vertical Infrastructure	1,500,000	0	0
Bridge Safety Fund	0	40,000,000	0
Treasurer of State			
I-JOBS Board - \$165.0 million allocated as follows:			
Local Infrastructure Competitive Grant Program	0	118,500,000	0
Targeted Disaster Rebuilding Linn County	0	46,500,000	0
Department of Veterans Affairs			
Iowa Veterans Home Master Plan	22,555,329	0	0
<b>Total Appropriations</b>	<b>\$ 185,000,000</b>	<b>\$ 330,550,000</b>	<b>\$ 26,119,048</b>
<b>Ending Balance</b>	<b>\$ -185,000,000</b>	<b>\$ 29,850,000</b>	<b>\$ 4,130,952</b>

\*FY 2009 appropriations from the Revenue Bonds Capitals Fund (RBC Fund) were appropriated in SF 376 of the 2009 Legislative Session. Funding was mostly used to restore projects because the planned securitization of remaining tobacco payments, authorized in 2008 Legislative Session, did not occur. Although the projects were appropriated for FY 2009, the bonds were not issued until FY 2010 so net proceeds did not deposit in the RBC Fund until then.

## Property Tax Credit Fund

	Actual FY 2009	Estimated FY 2010	Final Action FY 2011
<b>Resources</b>			
Beginning Balance	\$ 6,137,043	\$ 3,833,953	\$ 12,526
Revenues			
Transfer from General Fund Surplus	99,849,544	0	0
General Fund Appropriation	44,400,000	101,395,597	91,256,037
Across-the-Board Reduction	-666,000	-10,139,560	0
Transferred to GF due to Reversion	-4,231,903	0	0
Salary Adj. Fund Transfer (Gen. Fund)	13,937,263	0	0
Cash Reserve Fund	0	54,684,481	54,684,481
Balance Adjustment	25,224	0	0
Total Available Resources	<u>\$ 159,451,171</u>	<u>\$ 149,774,471</u>	<u>\$ 145,953,044</u>
<b>Expenditures</b>			
Appropriations			
Department of Revenue			
Homestead Property Tax Credit	\$ 99,254,781	\$ 94,216,619	\$ 87,757,913
Ag, Land & Family Farm Tax Credits	34,610,183	32,395,131	32,395,131
Military Service Tax Credit	2,800,000	2,370,995	2,400,000
Elderly and Disabled Tax Credit	23,204,000	20,779,200	23,400,000
Total Appropriations	<u>159,868,964</u>	<u>149,761,945</u>	<u>145,953,044</u>
Reversions	<u>-4,251,746</u>	<u>0</u>	<u>0</u>
<b>Ending Balance</b>	<u><u>\$ 3,833,953</u></u>	<u><u>\$ 12,526</u></u>	<u><u>\$ 0</u></u>

## Senior Living Trust Fund

	Actual FY 2009	Estimated FY 2010	Legislative Action FY 2011
<b>Resources</b>			
Beginning Balance	\$ 78,319,751	\$ 27,710,401	\$ 0
Revenues			
Transfer from General Fund Surplus	48,282,728	0	48,267,133
Economic Emergency Fund Transfer	20,333,728	0	0
Interest	1,827,546	502,652	0
Total Available Resources	<u>\$ 148,763,753</u>	<u>\$ 28,213,053</u>	<u>\$ 48,267,133</u>
<b>Expenditures</b>			
Appropriations			
Finance Authority - Rent Subsidy Program	\$ 700,000	\$ 700,000	\$ 700,000
Human Services - Medicaid	111,753,195	17,686,828	39,080,435
Department on Aging	8,486,698	8,486,698	8,486,698
DIA-Assisted Living/Adult Day Care	1,339,527	1,339,527	0
Total Appropriations	<u>\$ 122,279,420</u>	<u>\$ 28,213,053</u>	<u>\$ 48,267,133</u>
Reversions	<u>-1,226,068</u>	<u>0</u>	<u>0</u>
<b>Ending Balance</b>	<u><u>\$ 27,710,401</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>



## IowaCare Account

	Actual FY 2009	Estimated FY 2010	Legislative Action FY 2011
<b>Revenues</b>			
Balance Forward	\$ -1,485,975	\$ 4,851,294	\$ 6,773,720
County Contributions	38,000,000	38,000,000	38,000,000
Federal Aid-Categorical	76,040,227	80,872,426	96,016,931
CPE State Share	0	0	6,482,001
Intra-State Receipts	0	0	4,601,848
Interest	157,399	50,000	50,000
<b>Total</b>	<b>\$ 112,711,651</b>	<b>\$ 123,773,720</b>	<b>\$ 151,924,500</b>
<b>Appropriations</b>			
UI Hospital	\$ 27,284,584	\$ 27,284,584	\$ 27,284,584
UIHC-Expansion Population	35,969,365	47,020,131	49,020,031
UIHC IowaCare Physician	0	0	12,000,000
UIHC Physician Reimbursement	0	0	2,000,000
Broadlawns Hospital	46,000,000	47,000,000	51,000,000
Federally Qualified Health Center	0	0	6,000,000
State Hospital-Cherokee	3,164,766	0	0
State Hospital-Clarinda	687,779	0	0
State Hospital-Independence	3,146,494	0	0
State Hospital-Mt Pleasant	2,000,961	0	0
Repay Broadlawns SF 2151	0	2,500,000	0
<b>Total Appropriations</b>	<b>\$ 118,253,949</b>	<b>\$ 123,804,715</b>	<b>\$ 147,304,615</b>
Reversions	-10,393,592	\$ -6,804,715	0
<b>Balance</b>	<b>\$ 4,851,294</b>	<b>\$ 6,773,720</b>	<b>\$ 4,619,885</b>

CPE = Certified Public Expenditures

## Health Care Transformation Account

	Actual FY 2009	Estimated FY 2010	Legislative Action FY 2011
Revenues			
Balance Forward	\$ 24,508,189	\$ 23,331,464	\$ 18,957,252
Balance Adjustment	327	0	0
Insurance Premiums	477,158	530,000	500,000
Federal Aid-Categorical	20,397	0	0
Interest	558,673	500,000	440,000
Total	<u>\$ 25,564,744</u>	<u>\$ 24,361,464</u>	<u>\$ 19,897,252</u>
Appropriations/Expenses			
Medical Exams and Dev. of Health Plans	\$ 556,800	\$ 556,800	\$ 556,800
Medical Information Hotline	150,000	100,000	100,000
Broadlawns Administration	230,000	290,000	290,000
Other Health Partnership Activities	900,000	600,000	600,000
Audits, Performance Evaluations, and Studies	400,000	125,000	125,000
DHS Administrative Costs	1,132,412	1,132,412	1,132,412
Dental Home for Children	1,000,000	1,000,000	1,000,000
Mental Health Transformation Pilot	250,000	0	0
Tuition Assistance	500,000	50,000	50,000
DHS Medical Contracts	0	1,300,000	1,300,000
Elder Affairs Case Management Upgrade	0	200,000	0
Total Appropriations/Expenses	<u>\$ 5,119,212</u>	<u>\$ 5,354,212</u>	<u>\$ 5,154,212</u>
Refunds	30,416	50,000	50,000
Total Appropriations and Transfers	<u>\$ 5,149,628</u>	<u>\$ 5,404,212</u>	<u>\$ 5,204,212</u>
Reversions	-2,916,348	0	0
Balance	<u><u>\$ 23,331,464</u></u>	<u><u>\$ 18,957,252</u></u>	<u><u>\$ 14,693,040</u></u>

## Health Care Trust Fund

	Actual FY 2009	Estimated FY 2010	Legislative Action FY 2011
<b>Revenues</b>			
Balance Forward	\$ 2,995,303	\$ 698,811	\$ 698,678
General Fund Appropriation	127,600,000	117,796,000	106,016,400
ATB Reduction	-1,914,000	-11,779,600	0
Interest	1,202,837	600,000	900,133
Total Revenues	<u>\$ 129,884,140</u>	<u>\$ 107,315,211</u>	<u>\$ 107,615,211</u>
<b>Appropriations</b>			
Department of Public Health			
Addictive Disorders	\$ 3,178,713	\$ 2,473,823	\$ 0
Healthy Children and Families	664,262	444,217	0
Chronic Conditions	1,158,187	899,297	0
Community Capacity	2,775,635	2,448,456	0
Total Department of Public Health	<u>\$ 7,776,797</u>	<u>\$ 6,265,793</u>	<u>\$ 0</u>
Department of Human Services			
Medical Assistance	\$ 114,351,496	\$ 100,650,740	\$ 107,615,211
MH/DD Growth Factor	7,553,010	0	0
Total Department of Human Services	<u>\$ 121,904,506</u>	<u>\$ 100,650,740</u>	<u>\$ 107,615,211</u>
Total Appropriations	<u>\$ 129,681,303</u>	<u>\$ 106,916,533</u>	<u>\$ 107,615,211</u>
Reversions	-495,974	-300,000	0
Ending Balance	<u>\$ 698,811</u>	<u>\$ 698,678</u>	<u>\$ 0</u>

MH/DD = Mental Health / Developmental Disabilities

## Temporary Assistance for Needy Families (TANF) Fund

	Actual FY 2009	Estimated FY 2010	Legislative Action FY 2011
<b>Revenues</b>			
Beginning Balance	\$ 23,453,831	\$ 11,739,830	\$ 6,536,551
TANF Payment	130,993,952	130,993,952	130,993,952
Emergency TANF Funds	0	10,226,991	17,678,279
Total	<u>\$ 154,447,783</u>	<u>\$ 152,960,773</u>	<u>\$ 155,208,782</u>
<b>Appropriations</b>			
Family Investment Program			
Family Investment Program	\$ 26,101,513	\$ 38,811,394	\$ 42,054,620
FaDSS	2,998,675	2,448,980	2,898,980
JOBS Program	13,334,528	13,026,796	12,411,528
Technology Needs	1,037,186	1,037,186	1,037,186
Early Childhood Development	7,350,000	6,850,000	6,350,000
HOPES	200,000	0	0
Child Abuse Prevention	250,000	125,000	125,000
Pregnancy Prevention	1,930,067	1,327,878	1,930,067
Child Care Assistance	18,986,177	18,986,177	16,382,687
Child Care Direct Assistance	8,900,000	6,845,000	0
Child and Family Services	32,084,430	32,084,430	32,084,430
General Administration	3,744,000	3,744,000	3,744,000
Field Operations	18,507,495	21,659,136	31,296,232
MH/DD Community Services	4,894,052	4,894,052	4,894,052
Local Administrative Costs	2,189,830	1,094,915	0
Child Support Recovery Unit	200,000	0	0
Total Appropriations	<u>\$ 142,707,953</u>	<u>\$ 152,934,944</u>	<u>\$ 155,208,782</u>
Reversions	0	-6,510,722	0
Ending Balance	<u>\$ 11,739,830</u>	<u>\$ 6,536,551</u>	<u>\$ 0</u>

CIETC = Central Iowa Employment and Training Consortium

FaDSS = Family Development and Self Sufficiency Success

HOPES = Healthy Opportunities for Parents to Experience Success

MH/DD = Mental Health/Developmental Disability

### ARRA (Stimulus) Funding

		FY 2009			FY 2010					FY 2011				
Sub	Budget Unit	ARRA Medicaid	ARRA Education	Total	ARRA Medicaid	Other HHS	ARRA Education	ARRA Gov't Stabilization	Total	ARRA Medicaid	Other HHS	ARRA Education	ARRA Gov't Stabilization	Total
Ed	School Foundation Aid		\$ 40,000,000	\$ 40,000,000			\$ 202,546,705		\$ 202,546,705			\$ 25,343,090	\$ 22,604,797	\$ 47,947,887
Ed	Regents Institutions		-	-			80,280,000		80,280,000					-
Ed	Community Colleges		-	-			23,100,000	2,500,000	25,600,000					-
Ed	Teacher Prof. Development		-	-			2,000,000		2,000,000					-
Ed.	Instructional Support		-	-			13,103,950		13,103,950					-
Admin	Dept. of Administrative Services		-	-				100,000	100,000					-
Admin	Dept. of Inspections and Appeals		-	-				400,000	400,000					-
Admin	Dept. of Management		-	-				200,000	200,000					-
Admin	Legislative Services Agency		-	-				100,000	100,000					-
Just	Corr. - Ft. Madison		-	-				4,347,000	4,347,000					-
Just	Corr. - Anamosa		-	-				931,000	931,000					-
Just	Corr. - Oakdale		-	-				2,030,000	2,030,000					-
Just	Corr. - Newton		-	-				1,029,000	1,029,000					-
Just	Corr. - Mt. Pleasant		-	-				903,000	903,000					-
Just	Corr. - Rockwell City		-	-				301,000	301,000					-
Just	Corr. - Clarinda		-	-				2,506,000	2,506,000					-
Just	Corr. - Mitchellville		-	-				679,000	679,000					-
Just	Corr. - Ft. Dodge		-	-				1,064,000	1,064,000					-
Just	Corr. - General Administration		-	-				210,000	210,000					-
Just	DPD - Military Division		-	-				180,000	180,000					-
Just	DPS - Public Safety		-	-				750,000	750,000					-
HHS	Medicaid	113,976,907		113,976,907	202,277,653			25,874,211	228,151,864	198,598,152				198,598,152
HHS	Medicaid - Medicare Part D Clawback	8,833,866		8,833,866	17,505,545				17,505,545	18,811,484				18,811,484
HHS	Mental Health State Cases		-	-				286,789	286,789					-
HHS	Volunteer Health Care		-	-				20,000	20,000					-
HHS	Risk Pool Property Tax		-	-				10,000,000	10,000,000					-
HHS	DHS - Health Insurance Pilot		-	-				400,000	400,000					-
HHS	DPH - Elderly Wellness		-	-				700,000	700,000					-
HHS	DPH - Community Capacity		-	-				500,000	500,000					-
HHS	DPH - Resource Management		-	-				1,800,000	1,800,000					-
HHS	DHS - IowaCare ARRA	7,236,104		7,236,104	11,609,113				11,609,113	8,450,077				8,450,077
HHS	DHS - State Resource Centers	3,988,356		3,988,356	7,830,907				7,830,907	5,833,974				5,833,974
HHS	DHS - Emergency TANF		-	-		10,226,991			10,226,991		17,678,279			17,678,279
HHS	DHS - Child Care Assistance		-	-					-		18,120,842			18,120,842
HHS	DHS - Adoption Enhanced		2,336,232	2,336,232		3,258,156			3,258,156		3,131,346			3,131,346
HHS	DHS - Foster Care Enhanced		1,041,250	1,041,250		1,167,703			1,167,703		1,189,151			1,189,151
HHS	DHS - Hospital Assessment FMAP		-	-					-	5,305,182				5,305,182
HHS	Benefit Quality Assurance Trust Fund		-	-					-	3,200,000				3,200,000
Trans	Road Funds		-	-				5,550,000	5,550,000					-
ARRA Funding Totals		\$ 134,035,233	\$ 43,377,482	\$ 177,412,715	\$ 239,223,218	\$ 14,652,850	\$ 321,030,655	\$ 63,361,000	\$ 638,267,723	\$ 240,198,869	\$ 40,119,618	\$ 25,343,090	\$ 22,604,797	\$ 328,266,374

NOTE: Some of the funding items listed on this table are not appropriated through session law, but are received directly by departments.

## Comparison of All Appropriated Funds

(Dollars in Millions)

Funding Sources	Actual FY 2009	Est. Net FY 2010	Gov. Rec. FY 2011	Gov. Rec. vs. FY 2010	Legis FY 2011	Legis vs. FY 2010	Percent Change
<b>GENERAL FUND</b>							
Total General Fund Appropriations	\$ 5,959.0	\$ 5,299.1	\$ 5,320.8	\$ 21.7	\$ 5,279.2	\$ - 19.9	-0.4%
<i>General Fund Appropriations to Other Funds *</i>							
Mental Health Property Tax Relief Fund	-6.2	-3.3	-3.3	0.0	0.0	3.3	
Health Care Trust Fund	-125.7	-106.0	-106.0	0.0	-106.0	0.0	
Property Tax Credit Fund	-43.7	-91.3	-91.3	0.0	-91.3	0.0	
Total GF Appropriations to Other Funds	-175.6	-200.6	-200.6	0.0	-197.3	3.3	
<b>Net General Fund Appropriations</b>	<b>\$ 5,783.4</b>	<b>\$ 5,098.5</b>	<b>\$ 5,120.2</b>	<b>\$ 21.7</b>	<b>\$ 5,081.9</b>	<b>\$ - 16.6</b>	-0.3%
<b>APPROPRIATIONS FROM NON-GENERAL FUND STATE SOURCES</b>							
Rebuild Iowa Infrastructure Fund	\$ 226.4	\$ 206.8	\$ 159.0	\$ - 47.8	\$ 153.2	\$ - 53.6	-25.9%
RIIF Appropriations to Other Funds*	-109.5	-79.5	-83.0	-3.5	-81.0	-1.5	1.9%
Net RIIF Appropriations	\$ 116.9	\$ 127.3	\$ 76.0	\$ - 51.3	\$ 72.2	\$ - 55.1	-43.3%
Cash Reserve Fund	\$ 0.0	\$ 80.3	\$ 207.5	\$ 127.2	\$ 272.4	\$ 192.1	239.2%
CRF Appropriations to Other Funds*	0.0	-54.7	-54.7	0.0	-54.7	0.0	0.0%
Net CRF Appropriations	\$ 0.0	\$ 25.6	\$ 152.8	\$ 127.2	\$ 217.7	\$ 192.1	750.4%
Primary Road Fund	\$ 291.0	\$ 302.4	\$ 301.8	\$ - 0.6	\$ 301.8	\$ - 0.6	-0.2%
Temporary Assistance for Needy Families (TANF)	142.7	152.9	160.6	7.7	155.2	2.3	1.5%
IJOBS Revenue Bonds II	0.0	0.0	150.0	150.0	150.0	150.0	--
Property Tax Credit Fund	159.9	149.8	146.0	-3.8	146.0	-3.8	-2.5%
Federal Recovery and Reinvestment Fund**	174.0	633.8	142.1	-491.7	323.9	-309.9	-48.9%
Iowa Care Account	118.3	120.3	120.3	0.0	147.3	27.0	22.4%
Health Care Trust Fund	129.7	106.9	106.9	0.0	107.6	0.7	0.7%
Road Use Tax Fund	51.9	52.9	51.6	-1.3	51.6	-1.3	-2.5%
Senior Living Trust Fund	122.3	28.2	48.3	20.1	48.3	20.1	71.3%
Fish and Game Fund	38.8	38.8	38.8	0.0	38.8	0.0	0.0%
Grow Iowa Values Fund	40.7	23.0	38.0	15.0	38.0	15.0	65.2%
Environment First Fund	42.0	42.0	35.0	-7.0	33.0	-9.0	-21.4%
Commerce Revolving Fund	0.0	26.7	27.0	0.3	27.1	0.4	1.5%
IPERS Fund	17.8	18.0	17.7	-0.3	17.7	-0.3	-1.7%
Technology Reinvestment Fund	17.5	14.8	9.9	-4.9	10.1	-4.7	-31.8%
Health Care Transformation Account	5.1	5.4	5.2	-0.2	5.2	-0.2	-3.7%
Revenue Bonds Capitals Fund	185.0	330.6	1.0	-329.6	26.1	-304.5	-92.1%
DHS Reinvestment Fund	0.0	16.1	0.0	-16.1	0.0	-16.1	-100.0%
Underground Storage Tank Fund	0.0	0.0	0.0	0.0	26.4	26.4	--
Prison Bond Fund	130.7	0.0	0.0	0.0	0.3	0.3	--
Iowa Economic Emergency Fund	56.0	0.0	0.0	0.0	0.0	0.0	--
Healthy Iowans Tobacco Trust (HITT) Fund	36.5	0.0	0.0	0.0	0.0	0.0	--
Gambling Enforcement Revolving Fund	0.0	0.0	0.0	0.0	9.3	9.3	--
Public Safety Enforcement Fund	0.0	0.0	0.0	0.0	9.3	9.3	--
School Infrastructure Fund	0.0	0.0	0.0	0.0	12.7	12.7	--
Hospital Health Care Access Trust Fund	0.0	0.0	0.0	0.0	40.0	40.0	--
Quality Assurance Trust Fund	0.0	0.0	0.0	0.0	13.9	13.9	--
Medicaid Fraud Account	0.0	0.0	0.0	0.0	1.6	1.6	--
Nonparticipating Provider Revolving Fund	0.0	0.0	0.0	0.0	2.0	2.0	--
Other Funds	53.8	22.0	23.6	1.6	21.5	-0.5	-2.3%
<b>Total Non-General Fund</b>	<b>1,930.6</b>	<b>2,237.5</b>	<b>1,652.6</b>	<b>-584.9</b>	<b>2,054.6</b>	<b>-184.4</b>	<b>-8.2%</b>
<b>SUBTOTAL OF ALL STATE FUNDS</b>	<b>\$ 7,714.0</b>	<b>\$ 7,336.0</b>	<b>\$ 6,772.8</b>	<b>\$ - 563.2</b>	<b>\$ 7,136.5</b>	<b>\$ - 199.5</b>	<b>-2.7%</b>

\* Appropriations between funding sources are adjusted to avoid double counting.

\*\* Includes non-appropriated federal stimulus funds received directly by the Medicaid Program that were used to offset State funding.

## Common Acronyms Used in the Appropriations Tables

A & E =	Architectural and Engineering	LSTA =	Library Service and Technology Act
ACE =	Accelerated Career Education	MFA =	Medicaid Fraud Account
AD. Dis. =	Addictive Disorders	MHI =	Mental Health Institute
ARRA =	American Recovery and Reinvestment Act of 2009	MVFT =	Motor Vehicle Fuel Tax
CCUSO =	Civil Commitment Unit for Sexual Offenders	NAEP =	National Assessment of Educational Progress
Chr. Con. =	Chronic Conditions	NCES =	National Center for Education Statistics
CPB =	Corporation for Public Broadcasting	NPDES =	National Pollutant Discharge Elimination System
CRF =	Cash Reserve Fund	NPRF =	Nonparticipating Provider Revolving Fund
CSG =	Community Service Grant	NTIA =	National Telecommunications and Information Administration
CMRF =	Commerce Revolving Fund	PCF =	Prison Construction Fund
DE =	Department of Education	PSEF =	Public Safety Enforcement Fund
DHSRF =	Department of Human Services Reinvestment Fund	PTRF =	Property Tax Relief Fund
EEF =	Economic Emergency Fund	PTCF =	Property Tax Credit Fund
EFF =	Environment First Fund	QATF =	Quality Assurance Trust Fund
ENDW =	Endowment for Iowa Health Account (Tobacco Settlement Trust Fund)	RBC =	Revenue Bonds Capitals Fund
ESCF =	Employment Security Contingency Fund	RBC2 =	Revenue Bonds Capitals II Fund
ESEA =	Elementary and Secondary Education Act	RC 2000 =	Rural Community 2000 Program
FES =	Federal Economic Stimulus Fund	RC2 =	Endowment for Iowa's Health Restricted Capitals Fund
FRRF =	Federal Recovery and Reinvestment Fund	RC3 =	Tax-Exempt Bond Proceeds Restricted Capital Fund
GERF =	Gambling Enforcement Revolving Fund	RCF =	Restricted Capital Fund (Tobacco Settlement Trust Fund)
GIVF =	Grow Iowa Values Fund	REAP =	Resource Enhancement and Protection
GTF =	Gamblers Treatment Fund	RFIF =	Renewable Fuel Infrastructure Fund
GWF =	Groundwater Protection Fund	RIIF =	Rebuild Iowa Infrastructure Fund
HCTA =	Health Care Transformation Account	RUTF =	Road Use Tax Fund
HCTF =	Health Care Trust Fund	SAF =	State Aviation Fund
HITT =	Healthy Iowans Tobacco Trust Fund	SIF =	School Infrastructure Fund
HHCATF =	Hospital Health Care Access Trust Fund	SLTF =	Senior Living Trust Fund
HR =	Human Resources	SUI =	University of Iowa
HSRF =	Human Services Revolving Fund	TANF =	Temporary Assistance for Needy Families
ICA =	Iowa Care Account	TRF =	Technology Reinvestment Fund
ICIW =	Iowa Correctional Institute for Women	TSB =	Targeted Small Business
ICN =	Iowa Communications Network	UNI =	University of Northern Iowa
IPERS =	Iowa Public Employees Retirement System	UST =	Underground Storage Tank Fund
ISP =	Iowa State Patrol	VIF =	Vertical Infrastructure Fund
ISU =	Iowa State University	VTF =	Veterans Trust Fund
ITE =	Information Technology Enterprise	WDF =	Workforce Development Fund

**General Fund  
Appropriations to  
Departments for FY 2011**



## Summary Data

### General Fund

	Actual FY 2009	Orig. Est. FY 2010	ATB Reduction FY 2010	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Administration and Regulation	\$ 97,529,560	\$ 67,791,216	\$ -6,811,974	\$ 60,979,242	\$ 500,000	\$ 61,479,242	\$ 66,636,703	\$ 5,157,461
Agriculture and Natural Resources	51,498,897	40,316,680	-4,058,588	36,258,092	0	36,258,092	35,917,312	-340,780
Economic Development	48,213,307	45,540,734	-4,924,099	40,616,635	0	40,616,635	41,754,957	1,138,322
Education	1,271,326,576	906,873,760	-91,016,056	815,857,704	40,871,974	856,729,678	844,371,902	-12,357,776
Health and Human Services	1,172,553,570	1,254,110,218	-131,607,235	1,122,502,983	-6,016,599	1,116,486,384	935,477,757	-181,008,627
Justice System	689,441,099	677,547,990	-51,775,018	625,772,972	7,976,051	633,749,023	635,566,394	1,817,371
Transportation, Infrastructure, and Capitals	0	1,500,000	-150,000	1,350,000	0	1,350,000	0	-1,350,000
Unassigned Standings	2,628,458,707	2,819,918,184	-274,101,640	2,545,816,544	9,735,662	2,555,552,206	2,719,435,866	163,883,660
<b>Grand Total</b>	<b>\$ 5,959,021,716</b>	<b>\$ 5,813,598,782</b>	<b>\$ -564,444,610</b>	<b>\$ 5,249,154,172</b>	<b>\$ 53,067,088</b>	<b>\$ 5,302,221,260</b>	<b>\$ 5,279,160,891</b>	<b>\$ -23,060,369</b>

#### Column Explanations:

- (1) Actual FY 2009 - The actual FY 2009 appropriations. Reversions are not deducted from the appropriations.
- (2) Orig. Est. FY 2010 - Represents the original estimated FY 2010 appropriations prior to the Governor's across-the-board reduction.
- (3) ATB Reduction - Represents the Governor's across-the-board reduction of 10.0% implemented through Executive Order 19.
- (4) Estimated Net FY 2010 - The FY 2010 legislative action after the Governor's 10.0% across-the-board reduction.
- (5) Supp-Final Act. FY 2010 - Additional appropriations and deappropriations enacted during the 2010 Legislative Session to supplement or reduce FY 2010 budgets.
- (6) Rev Est Net FY 2010 - This reflects the Revised Estimated Net appropriations and is the sum of columns 4 and 5.
- (7) Final Action FY 2011 - Final legislative action from the Regular Legislative Session.
- (8) Final Action vs. Rev Est Net - Column 7 minus column 6.

## Bill Totals

### General Fund

	Supp-Final Act. FY 2010	Final Action FY 2011
	(1)	(2)
HF2518 Public Retirement Systems Act	\$ 0	\$ -618,159
HF2519 Block Grant Act	0	-47,947,887
HF2522 Economic Development Appropriations Act	0	41,754,957
HF2525 Agriculture and Natural Resources Appropriations Act	0	35,917,312
HF2526 Health and Human Services Appropriations Act	0	942,561,274
HF2531 FY 2010 Standing Appropriations Act	500,000	-420,890,223
SF2088 Government Reorganization Act	0	1,700,000
SF2151 FY 2010 Supplemental Appropriations Act	0	0
SF2366 FY 2010 Appropriations Adjustments Act	52,567,088	0
SF2367 Administration and Regulation Appropriations Act	0	63,836,703
SF2376 Education Appropriations Act	0	844,371,902
SF2377 Judicial Branch Appropriations Act	0	150,311,822
SF2378 Justice System Appropriations Act	0	484,054,572
Standing Standing Appropriations	0	3,184,108,618
<b>Grand Total</b>	<b>\$ 53,067,088</b>	<b>\$ 5,279,160,891</b>

# Administration and Regulation

## General Fund

	Actual FY 2009 (1)	Orig. Est. FY 2010 (2)	ATB Reduction FY 2010 (3)	Estimated Net FY 2010 (4)	Supp-Final Act. FY 2010 (5)	Rev Est Net FY 2010 (6)	Final Action FY 2011 (7)	Final Action vs Rev Est Net (8)	Bill Number (9)	Page and Line # (10)
<b><u>Administrative Services, Dept. of</u></b>										
Administrative Services										
Administrative Services, Dept.	\$ 6,316,905	\$ 5,349,232	\$ -534,923	\$ 4,814,309	\$ 0	\$ 4,814,309	\$ 2,053,209	\$ -2,761,100	SF2367	PG 1 LN 4
DAS Operations	0	0	0	0	0	0	2,761,100	2,761,100	HF2531	PG 39 LN 20
Utilities	3,643,197	3,517,432	-390,347	3,127,085	0	3,127,085	3,127,085	0	SF2367	PG 1 LN 15
Technology Procurement	0	0	0	0	0	0	2,300,000	2,300,000	HF2531	PG 17 LN 10
Terrace Hill Operations	0	0	0	0	0	0	263,329	263,329	HF2531	PG 97 LN 19
<b>Total Administrative Services, Dept. of</b>	<b>\$ 9,960,102</b>	<b>\$ 8,866,664</b>	<b>\$ -925,270</b>	<b>\$ 7,941,394</b>	<b>\$ 0</b>	<b>\$ 7,941,394</b>	<b>\$ 10,504,723</b>	<b>\$ 2,563,329</b>		
<b><u>Auditor of State</u></b>										
Auditor Of State										
Auditor of State - General Office	\$ 1,233,691	\$ 905,468	\$ -90,547	\$ 814,921	\$ 0	\$ 814,921	\$ 905,468	\$ 90,547	SF2367	PG 3 LN 9
<b>Total Auditor of State</b>	<b>\$ 1,233,691</b>	<b>\$ 905,468</b>	<b>\$ -90,547</b>	<b>\$ 814,921</b>	<b>\$ 0</b>	<b>\$ 814,921</b>	<b>\$ 905,468</b>	<b>\$ 90,547</b>		
<b><u>Ethics and Campaign Disclosure</u></b>										
Campaign Finance Disclosure										
Ethics & Campaign Disclosure Board	\$ 537,256	\$ 523,000	\$ -52,300	\$ 470,700	\$ 0	\$ 470,700	\$ 537,256	\$ 66,556	SF2367	PG 5 LN 8
<b>Total Ethics and Campaign Disclosure</b>	<b>\$ 537,256</b>	<b>\$ 523,000</b>	<b>\$ -52,300</b>	<b>\$ 470,700</b>	<b>\$ 0</b>	<b>\$ 470,700</b>	<b>\$ 537,256</b>	<b>\$ 66,556</b>		
<b><u>Commerce, Dept. of</u></b>										
Alcoholic Beverages										
Alcoholic Beverages Operations	\$ 2,080,358	\$ 2,007,160	\$ -200,716	\$ 1,806,444	\$ 0	\$ 1,806,444	\$ 1,786,444	\$ -20,000	SF2367	PG 5 LN 25
Banking Division										
Banking Division	\$ 8,662,670	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
Credit Union Division										
Credit Union Division	\$ 1,727,995	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
Insurance Division										
Insurance Division	\$ 4,881,216	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
Senior Health Insurance Information Program	59,100	52,253	-5,225	47,028	0	47,028	0	-47,028		
Health Insurance Oversight	78,800	0	0	0	0	0	0	0		
<b>Total Insurance Division</b>	<b>\$ 5,019,116</b>	<b>\$ 52,253</b>	<b>\$ -5,225</b>	<b>\$ 47,028</b>	<b>\$ 0</b>	<b>\$ 47,028</b>	<b>\$ 0</b>	<b>\$ -47,028</b>		
Professional Licensing and Reg.										
Professional Licensing Bureau	\$ 933,521	\$ 900,553	\$ -90,055	\$ 810,498	\$ 0	\$ 810,498	\$ 810,498	\$ 0	SF2367	PG 5 LN 31
Utilities Division										
Utilities Division	\$ 7,795,527	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
<b>Total Commerce, Dept. of</b>	<b>\$ 26,219,187</b>	<b>\$ 2,959,966</b>	<b>\$ -295,996</b>	<b>\$ 2,663,970</b>	<b>\$ 0</b>	<b>\$ 2,663,970</b>	<b>\$ 2,596,942</b>	<b>\$ -67,028</b>		

# Administration and Regulation

## General Fund

	Actual FY 2009 (1)	Orig. Est. FY 2010 (2)	ATB Reduction FY 2010 (3)	Estimated Net FY 2010 (4)	Supp-Final Act. FY 2010 (5)	Rev Est Net FY 2010 (6)	Final Action FY 2011 (7)	Final Action vs Rev Est Net (8)	Bill Number (9)	Page and Line # (10)
<b>Governor</b>										
<b>Governor's Office</b>										
Governor/Lt. Governor's Office	\$ 2,534,982	\$ 2,293,857	\$ -229,386	\$ 2,064,471	\$ 0	\$ 2,064,471	\$ 2,064,471	\$ 0	SF2367	PG 8 LN 26
Terrace Hill Quarters	515,367	438,101	-43,810	394,291	0	394,291	394,291	0	SF2367	PG 8 LN 33
Terrace Hill Reduction	0	0	0	0	0	0	-263,329	-263,329	HF2531	PG 97 LN 30
Administrative Rules Coordinator	175,552	141,297	-14,130	127,167	0	127,167	127,167	0	SF2367	PG 9 LN 4
National Governor's Association	80,600	70,783	0	70,783	0	70,783	70,783	0	SF2367	PG 9 LN 11
State-Federal Relations	141,235	46,620	-4,662	41,958	0	41,958	41,958	0	SF2367	PG 9 LN 15
<b>Total Governor</b>	<b>\$ 3,447,736</b>	<b>\$ 2,990,658</b>	<b>\$ -291,988</b>	<b>\$ 2,698,670</b>	<b>\$ 0</b>	<b>\$ 2,698,670</b>	<b>\$ 2,435,341</b>	<b>\$ -263,329</b>		
<b>Governor's Office of Drug Control Policy</b>										
<b>Office of Drug Control Policy</b>										
Drug Policy Coordinator	\$ 357,866	\$ 348,368	\$ -34,837	\$ 313,531	\$ 0	\$ 313,531	\$ 357,866	\$ 44,335	SF2367	PG 9 LN 21
Drug Task Forces	1,729,812	0	0	0	0	0	0	0		
<b>Total Governor's Office of Drug Control Policy</b>	<b>\$ 2,087,678</b>	<b>\$ 348,368</b>	<b>\$ -34,837</b>	<b>\$ 313,531</b>	<b>\$ 0</b>	<b>\$ 313,531</b>	<b>\$ 357,866</b>	<b>\$ 44,335</b>		
<b>Human Rights, Dept. of</b>										
<b>Human Rights, Department of</b>										
Human Rights Administration	\$ 359,087	\$ 306,777	\$ -32,004	\$ 274,773	\$ 0	\$ 274,773	\$ 274,773	\$ 0	SF2367	PG 10 LN 4
Community Advocacy and Services	0	0	0	0	0	0	1,247,926	1,247,926	SF2367	PG 10 LN 10
Criminal & Juvenile Justice	1,601,076	1,427,472	-142,747	1,284,725	0	1,284,725	1,284,725	0	SF2367	PG 10 LN 16
Deaf Services	424,859	378,792	-37,879	340,913	0	340,913	0	-340,913		
Asian and Pacific Islanders	149,658	133,430	-13,343	120,087	0	120,087	0	-120,087		
Persons with Disabilities	233,555	208,231	-20,823	187,408	0	187,408	0	-187,408		
Latino Affairs	199,759	178,100	-17,810	160,290	0	160,290	0	-160,290		
Status of Women	354,299	315,883	-31,588	284,295	0	284,295	0	-284,295		
Status of African Americans	187,080	166,796	-16,680	150,116	0	150,116	0	-150,116		
Status of Native Americans	5,910	5,352	-535	4,817	0	4,817	0	-4,817		
Dev., Assess. & Resolution Prog.	9,850	0	0	0	0	0	0	0		
<b>Total Human Rights, Dept. of</b>	<b>\$ 3,525,133</b>	<b>\$ 3,120,833</b>	<b>\$ -313,409</b>	<b>\$ 2,807,424</b>	<b>\$ 0</b>	<b>\$ 2,807,424</b>	<b>\$ 2,807,424</b>	<b>\$ 0</b>		

# Administration and Regulation

## General Fund

	Actual FY 2009 (1)	Orig. Est. FY 2010 (2)	ATB Reduction FY 2010 (3)	Estimated Net FY 2010 (4)	Supp-Final Act. FY 2010 (5)	Rev Est Net FY 2010 (6)	Final Action FY 2011 (7)	Final Action vs Rev Est Net (8)	Bill Number (9)	Page and Line # (10)
<b><u>Inspections &amp; Appeals, Dept. of</u></b>										
<b>Inspections and Appeals, Dept. of</b>										
Administration Division	\$ 2,248,855	\$ 2,005,011	\$ -200,501	\$ 1,804,510	\$ 0	\$ 1,804,510	\$ 1,984,510	\$ 180,000	SF2367	PG 10 LN 32
Administrative Hearings Division	759,690	677,317	-67,732	609,585	0	609,585	609,585	0	SF2367	PG 11 LN 3
Investigations Division	1,629,666	1,452,962	-145,296	1,307,666	0	1,307,666	1,365,570	57,904	SF2367	PG 11 LN 9
Health Facilities Division	2,507,242	2,235,383	-223,538	2,011,845	0	2,011,845	4,030,108	2,018,263	SF2367	PG 11 LN 21
Employment Appeal Board	57,724	51,465	-5,147	46,318	0	46,318	46,318	0	SF2367	PG 12 LN 16
Child Advocacy Board	2,860,637	2,920,367	-292,037	2,628,330	0	2,628,330	2,920,367	292,037	SF2367	PG 12 LN 31
<b>Total Inspections and Appeals, Dept. of</b>	<b>\$ 10,063,814</b>	<b>\$ 9,342,505</b>	<b>\$ -934,251</b>	<b>\$ 8,408,254</b>	<b>\$ 0</b>	<b>\$ 8,408,254</b>	<b>\$ 10,956,458</b>	<b>\$ 2,548,204</b>		
<b>Racing Commission</b>										
Pari-Mutuel Regulation	\$ 2,930,682	\$ 2,930,682	\$ -293,068	\$ 2,637,614	\$ 0	\$ 2,637,614	\$ 2,637,614	\$ 0	SF2367	PG 14 LN 29
Riverboat Regulation	3,372,069	3,372,069	-337,207	3,034,862	0	3,034,862	3,034,862	0	SF2367	PG 15 LN 6
<b>Total Racing Commission</b>	<b>\$ 6,302,751</b>	<b>\$ 6,302,751</b>	<b>\$ -630,275</b>	<b>\$ 5,672,476</b>	<b>\$ 0</b>	<b>\$ 5,672,476</b>	<b>\$ 5,672,476</b>	<b>\$ 0</b>		
<b>Total Inspections &amp; Appeals, Dept. of</b>	<b>\$ 16,366,565</b>	<b>\$ 15,645,256</b>	<b>\$ -1,564,526</b>	<b>\$ 14,080,730</b>	<b>\$ 0</b>	<b>\$ 14,080,730</b>	<b>\$ 16,628,934</b>	<b>\$ 2,548,204</b>		
<b><u>Management, Dept. of</u></b>										
<b>Management, Dept. of</b>										
DOM Operations (Supp)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 200,000	\$ 200,000	\$ 0	\$ -200,000	HF2531	PG 35 LN 31
Department Operations	3,253,620	2,811,511	-281,151	2,530,360	0	2,530,360	4,997,742	2,467,382	SF2367	PG 16 LN 2
DOM Reduction	0	0	0	0	0	0	-2,761,100	-2,761,100	HF2531	PG 39 LN 29
GEMS Program	0	0	0	0	0	0	175,000	175,000	SF2088	PG 116 LN 13
<b>Total Management, Dept. of</b>	<b>\$ 3,253,620</b>	<b>\$ 2,811,511</b>	<b>\$ -281,151</b>	<b>\$ 2,530,360</b>	<b>\$ 200,000</b>	<b>\$ 2,730,360</b>	<b>\$ 2,411,642</b>	<b>\$ -318,718</b>		
<b><u>Revenue, Dept. of</u></b>										
<b>Revenue, Dept. of</b>										
State Debt Coordinator	\$ 0	\$ 0	\$ 0	\$ 0	\$ 300,000	\$ 300,000	\$ 0	\$ -300,000	HF2531	PG 35 LN 35
Revenue, Department of	26,332,296	25,254,688	-2,525,469	22,729,219	0	22,729,219	22,729,219	0	SF2367	PG 16 LN 25
School Infrastructure Transfer	0	0	0	0	0	0	0	0		
Revenue Examiners	0	0	0	0	0	0	325,000	325,000	SF2088	PG 115 LN 35
<b>Total Revenue, Dept. of</b>	<b>\$ 26,332,296</b>	<b>\$ 25,254,688</b>	<b>\$ -2,525,469</b>	<b>\$ 22,729,219</b>	<b>\$ 300,000</b>	<b>\$ 23,029,219</b>	<b>\$ 23,054,219</b>	<b>\$ 25,000</b>		
<b><u>Secretary of State</u></b>										
<b>Secretary of State</b>										
Admin/Elections/Voter Registration	\$ 1,515,404	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
Secretary of State-Operations	1,986,241	3,217,317	-321,732	2,895,585	0	2,895,585	2,895,585	0	SF2367	PG 17 LN 23
<b>Total Secretary of State</b>	<b>\$ 3,501,645</b>	<b>\$ 3,217,317</b>	<b>\$ -321,732</b>	<b>\$ 2,895,585</b>	<b>\$ 0</b>	<b>\$ 2,895,585</b>	<b>\$ 2,895,585</b>	<b>\$ 0</b>		

# Administration and Regulation

## General Fund

	Actual FY 2009 (1)	Orig. Est. FY 2010 (2)	ATB Reduction FY 2010 (3)	Estimated Net FY 2010 (4)	Supp-Final Act. FY 2010 (5)	Rev Est Net FY 2010 (6)	Final Action FY 2011 (7)	Final Action vs Rev Est Net (8)	Bill Number (9)	Page and Line # (10)
<u>Treasurer of State</u>										
Treasurer of State										
Treasurer - General Office	\$ 1,064,651	\$ 949,210	\$ -94,921	\$ 854,289	\$ 0	\$ 854,289	\$ 854,289	\$ 0	SF2367	PG 18 LN 13
<b>Total Treasurer of State</b>	<b>\$ 1,064,651</b>	<b>\$ 949,210</b>	<b>\$ -94,921</b>	<b>\$ 854,289</b>	<b>\$ 0</b>	<b>\$ 854,289</b>	<b>\$ 854,289</b>	<b>\$ 0</b>		
<u>Rebuild Iowa Office</u>										
Rebuild Iowa										
Rebuild Iowa	\$ 0	\$ 198,277	\$ -19,828	\$ 178,449	\$ 0	\$ 178,449	\$ 647,014	\$ 468,565	SF2367	PG 19 LN 11
<b>Total Rebuild Iowa Office</b>	<b>\$ 0</b>	<b>\$ 198,277</b>	<b>\$ -19,828</b>	<b>\$ 178,449</b>	<b>\$ 0</b>	<b>\$ 178,449</b>	<b>\$ 647,014</b>	<b>\$ 468,565</b>		
<b>Total Administration and Regulation</b>	<b>\$ 97,529,560</b>	<b>\$ 67,791,216</b>	<b>\$ -6,811,974</b>	<b>\$ 60,979,242</b>	<b>\$ 500,000</b>	<b>\$ 61,479,242</b>	<b>\$ 66,636,703</b>	<b>\$ 5,157,461</b>		

# Agriculture and Natural Resources

## General Fund

	Actual FY 2009	Orig. Est. FY 2010	ATB Reduction FY 2010	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
<b><u>Agriculture and Land Stewardship</u></b>										
<b>Agriculture and Land Stewardship</b>										
Administrative Division	\$ 19,044,179	\$ 18,747,009	\$ -1,874,701	\$ 16,872,308	\$ 0	\$ 16,872,308	\$ 16,872,308	\$ 0	HF2525	PG 1 LN 4
Chronic Wasting Disease	98,500	0	0	0	0	0	0	0		
Regulatory Dairy Products	935,750	0	0	0	0	0	0	0		
Avian Influenza	27,750	0	-18,077	-18,077	0	-18,077	0	18,077		
Apiary Program	73,875	0	0	0	0	0	0	0		
Gypsy Moth Control - GF	49,250	0	0	0	0	0	0	0		
Emerald Ash Borer Public Awareness	49,250	0	0	0	0	0	0	0		
Soil Commissioners Expense	394,000	0	0	0	0	0	0	0		
Sr. Farmers Market Program	73,875	0	0	0	0	0	0	0		
Emergency Veterinarian Rapid Response	128,050	0	0	0	0	0	0	0		
Organic Agricultural Products	49,250	0	0	0	0	0	0	0		
Grape & Wine Development Fund	275,800	0	0	0	0	0	0	0		
Farm to School Program	73,160	0	0	0	0	0	0	0		
<b>Total Agriculture and Land Stewardship</b>	<b>\$ 21,272,689</b>	<b>\$ 18,747,009</b>	<b>\$ -1,892,778</b>	<b>\$ 16,854,231</b>	<b>\$ 0</b>	<b>\$ 16,854,231</b>	<b>\$ 16,872,308</b>	<b>\$ 18,077</b>		
<b><u>Natural Resources, Dept. of</u></b>										
<b>Natural Resources</b>										
Natural Resources Operations	\$ 22,091,049	\$ 17,742,678	\$ -1,774,268	\$ 15,968,410	\$ 0	\$ 15,968,410	\$ 15,600,710	\$ -367,700	HF2525	PG 2 LN 27
Redemption Center	985,000	0	-8,843	-8,843	0	-8,843	0	8,843		
Supplemental to Fish & Wildlife Trust Fund - GF	4,070,000	0	0	0	0	0	0	0		
<b>Total Natural Resources, Dept. of</b>	<b>\$ 27,146,049</b>	<b>\$ 17,742,678</b>	<b>\$ -1,783,111</b>	<b>\$ 15,959,567</b>	<b>\$ 0</b>	<b>\$ 15,959,567</b>	<b>\$ 15,600,710</b>	<b>\$ -358,857</b>		
<b><u>Regents, Board of</u></b>										
<b>Regents, Board of</b>										
ISU - Veterinary Diagnostic Laboratory	\$ 3,080,159	\$ 3,826,993	\$ -382,699	\$ 3,444,294	\$ 0	\$ 3,444,294	\$ 3,444,294	\$ 0	HF2525	PG 7 LN 29
<b>Total Regents, Board of</b>	<b>\$ 3,080,159</b>	<b>\$ 3,826,993</b>	<b>\$ -382,699</b>	<b>\$ 3,444,294</b>	<b>\$ 0</b>	<b>\$ 3,444,294</b>	<b>\$ 3,444,294</b>	<b>\$ 0</b>		
<b>Total Agriculture and Natural Resources</b>	<b>\$ 51,498,897</b>	<b>\$ 40,316,680</b>	<b>\$ -4,058,588</b>	<b>\$ 36,258,092</b>	<b>\$ 0</b>	<b>\$ 36,258,092</b>	<b>\$ 35,917,312</b>	<b>\$ -340,780</b>		

## Economic Development General Fund

	Actual FY 2009 (1)	Orig. Est. FY 2010 (2)	ATB Reduction FY 2010 (3)	Estimated Net FY 2010 (4)	Supp-Final Act. FY 2010 (5)	Rev Est Net FY 2010 (6)	Final Action FY 2011 (7)	Final Action vs Rev Est Net (8)	Bill Number (9)	Page and Line # (10)
<b><u>Cultural Affairs, Dept. of</u></b>										
<b>Cultural Affairs, Dept. of</b>										
Administration Division	\$ 252,013	\$ 235,632	\$ -23,563	\$ 212,069	\$ 0	\$ 212,069	\$ 212,069	\$ 0	HF2522	PG 1 LN 7
Community Cultural Grants	298,566	279,159	-5,659	273,500	0	273,500	273,500	0	HF2522	PG 1 LN 20
Historical Division	3,796,919	3,550,119	-355,012	3,195,107	0	3,195,107	3,195,107	0	HF2522	PG 1 LN 24
Historic Sites	585,930	547,845	-54,785	493,060	0	493,060	493,060	0	HF2522	PG 1 LN 27
Arts Division	1,216,533	1,137,458	-113,746	1,023,712	0	1,023,712	1,023,712	0	HF2522	PG 1 LN 30
Great Places	328,804	248,060	-33,191	214,869	0	214,869	214,869	0	HF2522	PG 1 LN 33
Archiving Former Governor's Papers	83,354	77,936	-7,794	70,142	0	70,142	70,142	0	HF2522	PG 2 LN 1
Records Center Rent	237,452	222,018	-22,202	199,816	0	199,816	227,243	27,427	HF2522	PG 2 LN 4
Hist. Resource Dev. Emerg. Grants	-1,470	0	0	0	0	0	0	0		
Iowa Cultural Caucus	19,700	0	0	0	0	0	0	0		
<b>Total Cultural Affairs, Dept. of</b>	<b>\$ 6,817,801</b>	<b>\$ 6,298,227</b>	<b>\$ -615,952</b>	<b>\$ 5,682,275</b>	<b>\$ 0</b>	<b>\$ 5,682,275</b>	<b>\$ 5,709,702</b>	<b>\$ 27,427</b>		
<b><u>Economic Development, Dept. of</u></b>										
<b>Economic Development, Dept. of</b>										
Economic Dev. Administration	\$ 2,186,814	\$ 2,044,671	\$ -218,625	\$ 1,826,046	\$ 0	\$ 1,826,046	\$ 1,976,046	\$ 150,000	HF2522	PG 2 LN 28
Business Development	6,513,612	5,965,227	-618,691	5,346,536	0	5,346,536	5,346,536	0	HF2522	PG 3 LN 17
Community Development Division	6,372,598	5,833,379	-769,462	5,063,917	0	5,063,917	5,063,917	0	HF2522	PG 5 LN 2
World Food Prize	1,000,000	750,000	0	750,000	0	750,000	650,000	-100,000	HF2522	PG 5 LN 26
Historic Preservation Challenge Grants	197,000	184,195	-18,420	165,775	0	165,775	165,775	0	HF2522	PG 5 LN 29
Iowa Comm. Volunteer Ser.-Promise	0	125,000	-12,500	112,500	0	112,500	112,500	0	HF2522	PG 6 LN 3
Center for Citizen Diplomacy	147,750	0	0	0	0	0	0	0		
TSB Marketing and Compliance	-2,173	0	-9,457	-9,457	0	-9,457	0	9,457		
TSB Process Improvement & Admin.	-3,374	0	-20,358	-20,358	0	-20,358	0	20,358		
TSB Advocacy Centers	-13,104	0	-79,308	-79,308	0	-79,308	0	79,308		
<b>Total Economic Development, Dept. of</b>	<b>\$ 16,399,123</b>	<b>\$ 14,902,472</b>	<b>\$ -1,746,821</b>	<b>\$ 13,155,651</b>	<b>\$ 0</b>	<b>\$ 13,155,651</b>	<b>\$ 13,314,774</b>	<b>\$ 159,123</b>		
<b><u>Iowa Finance Authority</u></b>										
<b>Iowa Finance Authority</b>										
Council on Homelessness	\$ 0	\$ 5,000	\$ -500	\$ 4,500	\$ 0	\$ 4,500	\$ 0	\$ -4,500		
<b>Total Iowa Finance Authority</b>	<b>\$ 0</b>	<b>\$ 5,000</b>	<b>\$ -500</b>	<b>\$ 4,500</b>	<b>\$ 0</b>	<b>\$ 4,500</b>	<b>\$ 0</b>	<b>\$ -4,500</b>		



## Economic Development General Fund

	Actual FY 2009 (1)	Orig. Est. FY 2010 (2)	ATB Reduction FY 2010 (3)	Estimated Net FY 2010 (4)	Supp-Final Act. FY 2010 (5)	Rev Est Net FY 2010 (6)	Final Action FY 2011 (7)	Final Action vs Rev Est Net (8)	Bill Number (9)	Page and Line # (10)
<b><u>Iowa Workforce Development</u></b>										
Iowa Workforce Development										
IWD - Labor Services Division	\$ 3,851,643	\$ 3,851,643	\$ -456,203	\$ 3,395,440	\$ 0	\$ 3,395,440	\$ 3,495,440	\$ 100,000	HF2522	PG 11 LN 2
IWD - Workers' Comp Division	2,884,187	2,884,187	-288,419	2,595,768	0	2,595,768	2,595,768	0	HF2522	PG 11 LN 12
IWD Operations - Field Offices	12,370,209	12,010,167	-1,214,693	10,795,474	0	10,795,474	11,293,047	497,573	HF2522	PG 11 LN 27
Offender Reentry Program	367,447	367,447	-45,186	322,261	0	322,261	322,261	0	HF2522	PG 12 LN 15
Security Employee Training Program	15,000	15,000	-1,967	13,033	0	13,033	13,033	0	HF2522	PG 12 LN 26
Employee Misclassification	0	500,000	-50,000	450,000	0	450,000	500,000	50,000	HF2522	PG 14 LN 2
Statewide Standard Skills Assessment	489,929	0	-33,699	-33,699	0	-33,699	0	33,699		
<b>Total Iowa Workforce Development</b>	<b>\$ 19,978,415</b>	<b>\$ 19,628,444</b>	<b>\$ -2,090,167</b>	<b>\$ 17,538,277</b>	<b>\$ 0</b>	<b>\$ 17,538,277</b>	<b>\$ 18,219,549</b>	<b>\$ 681,272</b>		
<b><u>Public Employment Relations Board</u></b>										
Public Employment Relations										
PER Board - General Office	\$ 1,227,126	\$ 1,168,781	\$ -116,878	\$ 1,051,903	\$ 0	\$ 1,051,903	\$ 1,101,903	\$ 50,000	HF2522	PG 14 LN 12
<b>Total Public Employment Relations Board</b>	<b>\$ 1,227,126</b>	<b>\$ 1,168,781</b>	<b>\$ -116,878</b>	<b>\$ 1,051,903</b>	<b>\$ 0</b>	<b>\$ 1,051,903</b>	<b>\$ 1,101,903</b>	<b>\$ 50,000</b>		
<b><u>Regents, Board of</u></b>										
Regents, Board of										
ISU - Economic Development	\$ 2,943,124	\$ 2,751,092	\$ -275,109	\$ 2,475,983	\$ 0	\$ 2,475,983	\$ 2,575,983	\$ 100,000	HF2522	PG 7 LN 24
SUI - Economic Development	264,325	247,080	-24,708	222,372	0	222,372	222,372	0	HF2522	PG 9 LN 11
UNI - Economic Development	583,393	539,638	-53,964	485,674	0	485,674	610,674	125,000	HF2522	PG 9 LN 34
<b>Total Regents, Board of</b>	<b>\$ 3,790,842</b>	<b>\$ 3,537,810</b>	<b>\$ -353,781</b>	<b>\$ 3,184,029</b>	<b>\$ 0</b>	<b>\$ 3,184,029</b>	<b>\$ 3,409,029</b>	<b>\$ 225,000</b>		
<b>Total Economic Development</b>	<b>\$ 48,213,307</b>	<b>\$ 45,540,734</b>	<b>\$ -4,924,099</b>	<b>\$ 40,616,635</b>	<b>\$ 0</b>	<b>\$ 40,616,635</b>	<b>\$ 41,754,957</b>	<b>\$ 1,138,322</b>		

## Education General Fund

	Actual FY 2009	Orig. Est. FY 2010	ATB Reduction FY 2010	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
<b>Blind, Dept. of the</b>										
<b>Blind, Dept. for the</b>										
Department for the Blind	\$ 2,463,314	\$ 2,258,072	\$ -225,807	\$ 2,032,265	\$ 0	\$ 2,032,265	\$ 1,952,203	\$ -80,062	SF2376	PG 1 LN 7
<b>Total Blind, Dept. of the</b>	<b>\$ 2,463,314</b>	<b>\$ 2,258,072</b>	<b>\$ -225,807</b>	<b>\$ 2,032,265</b>	<b>\$ 0</b>	<b>\$ 2,032,265</b>	<b>\$ 1,952,203</b>	<b>\$ -80,062</b>		
<b>College Aid Commission</b>										
<b>College Student Aid Comm.</b>										
College Aid Commission	\$ 381,137	\$ 349,381	\$ -34,938	\$ 314,443	\$ 0	\$ 314,443	\$ 310,843	\$ -3,600	SF2376	PG 1 LN 18
Iowa Grants	1,070,976	981,743	0	981,743	0	981,743	848,761	-132,982	SF2376	PG 1 LN 24
DSM University-Osteopathic Loans	100,000	91,668	0	91,668	0	91,668	79,251	-12,417	SF2376	PG 1 LN 28
DSM University-Physician Recruit.	341,254	312,821	-31,282	281,539	0	281,539	270,448	-11,091	SF2376	PG 2 LN 2
National Guard Benefits Program	3,742,629	3,499,545	-423,762	3,075,783	0	3,075,783	3,186,233	110,450	SF2376	PG 2 LN 6
Teacher Shortage Forgivable Loan	478,119	438,282	-43,828	394,454	0	394,454	421,016	26,562	SF2376	PG 2 LN 10
All Iowa Opportunity Foster Care Program	0	687,510	-68,751	618,759	0	618,759	594,383	-24,376	SF2376	PG 2 LN 14
All Iowa Opportunity Scholarships	3,940,000	2,502,537	-250,254	2,252,283	0	2,252,283	2,403,949	151,666	SF2376	PG 2 LN 18
Nurse & Nurse Educator Loan Program	98,500	90,293	-9,029	81,264	0	81,264	86,736	5,472	SF2376	PG 2 LN 28
Barber & Cosmetology Tuition Grant	50,000	45,834	0	45,834	0	45,834	39,626	-6,208	SF2376	PG 3 LN 5
College Work Study	980,075	0	0	0	0	0	0	0	SF2376	PG 3 LN 27
Tuition Grant Program-Standing	49,322,612	47,213,069	-4,721,307	42,491,762	0	42,491,762	44,013,448	1,521,686	SF2376	PG 24 LN 12
Tuition Grant - For-Profit	5,441,985	4,988,561	-498,856	4,489,705	0	4,489,705	4,650,487	160,782	SF2376	PG 24 LN 16
Vocational Technical Tuition Grant	2,741,368	2,512,958	-251,296	2,261,662	0	2,261,662	2,413,959	152,297	SF2376	PG 25 LN 4
Washington DC Internships	100,000	0	0	0	0	0	0	0		
<b>Total College Aid Commission</b>	<b>\$ 68,788,655</b>	<b>\$ 63,714,202</b>	<b>\$ -6,333,303</b>	<b>\$ 57,380,899</b>	<b>\$ 0</b>	<b>\$ 57,380,899</b>	<b>\$ 59,319,140</b>	<b>\$ 1,938,241</b>		
<b>Education, Dept. of</b>										
<b>Education, Dept. of</b>										
Administration	\$ 8,625,560	\$ 8,073,976	\$ -807,398	\$ 7,266,578	\$ 0	\$ 7,266,578	\$ 7,096,482	\$ -170,096	SF2376	PG 4 LN 4
Vocational Education Administration	625,091	582,755	-58,276	524,479	0	524,479	559,797	35,318	SF2376	PG 4 LN 10
Vocational Education Secondary	2,892,850	2,696,921	-269,692	2,427,229	0	2,427,229	2,590,675	163,446	SF2376	PG 5 LN 26
Food Service	2,472,038	2,266,069	-226,607	2,039,462	0	2,039,462	2,176,797	137,335	SF2376	PG 5 LN 34
State Library	1,907,426	1,748,500	-174,850	1,573,650	0	1,573,650	1,511,656	-61,994	SF2376	PG 4 LN 34
State Library - Enrich Iowa	1,796,081	1,796,081	-179,608	1,616,473	179,608	1,796,081	1,796,081	0	SF2376	PG 5 LN 5
State Library - Library Service Areas	1,562,210	1,562,210	-156,221	1,405,989	0	1,405,989	1,105,989	-300,000	SF2376	PG 5 LN 8
Early Child - Comm Empowerment Gen Aid	21,967,476	7,477,675	-747,768	6,729,907	0	6,729,907	5,729,907	-1,000,000	SF2376	PG 6 LN 6
Early Child - Family Support & Parent Ed.	4,925,000	15,214,551	-1,521,455	13,693,096	0	13,693,096	13,153,653	-539,443	SF2376	PG 8 LN 25
Early Child - Empower. Preschool Assist.	0	8,772,150	-877,215	7,894,935	877,215	8,772,150	7,583,912	-1,188,238	SF2376	PG 8 LN 8
Early Child - Early Care, Health & Ed.	9,850,000	-54,595	0	-54,595	0	-54,595	0	54,595		
Early Child - Spec. Ed. Services Birth to 3	1,695,579	1,554,304	-155,430	1,398,874	0	1,398,874	1,721,400	322,526	SF2376	PG 9 LN 5
Early Child - Voluntary Preschool	14,769,449	11,538,863	-1,194,569	10,344,294	1,194,569	11,538,863	12,242,230	703,367	SF2376	PG 9 LN 17
Nonpublic Textbook Services	682,500	625,634	-62,563	563,071	62,563	625,634	600,987	-24,647	SF2376	PG 9 LN 29
Administrator Mentoring	246,250	225,733	-22,573	203,160	0	203,160	195,157	-8,003	SF2376	PG 10 LN 2
Model Core Curriculum	2,159,466	1,979,540	-197,954	1,781,586	197,954	1,979,540	1,901,556	-77,984	SF2376	PG 10 LN 7
Student Achievement/Teacher Quality	245,752,706	7,614,750	-892,428	6,722,322	892,428	7,614,750	7,314,765	-299,985	SF2376	PG 10 LN 13

# Education

## General Fund

	Actual FY 2009	Orig. Est. FY 2010	ATB Reduction FY 2010	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Community Colleges General Aid	180,316,478	158,678,501	-15,867,850	142,810,651	5,943,581	148,754,232	0	-148,754,232		
Comm College - Northeast Iowa (I)	0	0	0	0	0	0	7,883,981	7,883,981	SF2376	PG 10 LN 19
Comm College - North Iowa Area (II)	0	0	0	0	0	0	8,436,896	8,436,896	SF2376	PG 10 LN 24
Comm College - Iowa Lakes (III)	0	0	0	0	0	0	7,768,728	7,768,728	SF2376	PG 10 LN 29
Comm College - Northwest (IV)	0	0	0	0	0	0	3,815,063	3,815,063	SF2376	PG 10 LN 34
Comm College - Iowa Central (V)	0	0	0	0	0	0	8,716,704	8,716,704	SF2376	PG 11 LN 4
Comm College - Iowa Valley (VI)	0	0	0	0	0	0	7,429,793	7,429,793	SF2376	PG 11 LN 9
Comm College - Hawkeye (VII)	0	0	0	0	0	0	11,063,319	11,063,319	SF2376	PG 11 LN 14
Comm College - Eastern Iowa (IX)	0	0	0	0	0	0	13,761,226	13,761,226	SF2376	PG 11 LN 19
Comm College - Kirkwood (X)	0	0	0	0	0	0	24,208,455	24,208,455	SF2376	PG 11 LN 24
Comm College - Des Moines Area (XI)	0	0	0	0	0	0	24,375,295	24,375,295	SF2376	PG 11 LN 29
Comm College - Western Iowa Tech (XII)	0	0	0	0	0	0	9,034,857	9,034,857	SF2376	PG 11 LN 34
Comm College - Iowa Western (XIII)	0	0	0	0	0	0	9,285,726	9,285,726	SF2376	PG 12 LN 4
Comm College - Southwestern (XIV)	0	0	0	0	0	0	3,872,747	3,872,747	SF2376	PG 12 LN 9
Comm College - Indian Hills (XV)	0	0	0	0	0	0	12,139,931	12,139,931	SF2376	PG 12 LN 14
Comm College - Southeastern (XVI)	0	0	0	0	0	0	6,961,511	6,961,511	SF2376	PG 12 LN 19
Community Colleges Salaries	0	0	0	0	0	0	825,012	825,012	SF2376	PG 13 LN 15
Community College Salaries - Past Years	1,477,500	916,680	-91,668	825,012	0	825,012	0	-825,012		
Comm College Interpreters for Deaf	197,000	200,000	-20,000	180,000	0	180,000	0	-180,000		
Jobs For America's Grads	591,000	600,000	-60,000	540,000	0	540,000	0	-540,000		
Educational Expenses for American Indians	0	100,000	-10,000	90,000	0	90,000	0	-90,000		
K-12 Management Information System	0	230,000	-23,000	207,000	23,000	230,000	0	-230,000		
Before/After School Grants	0	54,595	-54,595	0	0	0	0	0		
Senior Year Plus	1,871,500	0	-140,566	-140,566	140,556	-10	0	10		
Private Instruction	146,000	0	0	0	0	0	0	0		
<b>Total Education, Dept. of</b>	<b>\$ 506,529,160</b>	<b>\$ 234,454,893</b>	<b>\$ -23,812,286</b>	<b>\$ 210,642,607</b>	<b>\$ 9,511,474</b>	<b>\$ 220,154,081</b>	<b>\$ 226,860,288</b>	<b>\$ 6,706,207</b>		
<b>Vocational Rehabilitation</b>										
Vocational Rehabilitation	\$ 5,624,107	\$ 5,155,508	\$ -515,551	\$ 4,639,957	\$ 0	\$ 4,639,957	\$ 5,139,957	\$ 500,000	SF2376	PG 4 LN 16
Independent Living	55,717	51,075	-5,108	45,967	0	45,967	44,156	-1,811	SF2376	PG 4 LN 22
Entrepreneurs with Disabilities Program	197,000	180,590	-18,059	162,531	0	162,531	156,128	-6,403	SF2376	PG 4 LN 28
Farmers with Disabilities	0	108,000	-10,800	97,200	0	97,200	0	-97,200		
Independent Living Center Grant	246,250	50,000	-5,000	45,000	0	45,000	43,227	-1,773	SF2376	PG 4 LN 31
<b>Total Vocational Rehabilitation</b>	<b>\$ 6,123,074</b>	<b>\$ 5,545,173</b>	<b>\$ -554,518</b>	<b>\$ 4,990,655</b>	<b>\$ 0</b>	<b>\$ 4,990,655</b>	<b>\$ 5,383,468</b>	<b>\$ 392,813</b>		
<b>Iowa Public Television</b>										
Iowa Public Television	\$ 8,738,387	\$ 8,971,682	\$ -897,168	\$ 8,074,514	\$ 0	\$ 8,074,514	\$ 7,756,417	\$ -318,097	SF2376	PG 5 LN 11
Regional Telecom. Councils	1,344,057	1,232,071	-123,207	1,108,864	0	1,108,864	1,065,180	-43,684	SF2376	PG 5 LN 17
<b>Total Iowa Public Television</b>	<b>\$ 10,082,444</b>	<b>\$ 10,203,753</b>	<b>\$ -1,020,375</b>	<b>\$ 9,183,378</b>	<b>\$ 0</b>	<b>\$ 9,183,378</b>	<b>\$ 8,821,597</b>	<b>\$ -361,781</b>		
<b>Total Education, Dept. of</b>	<b>\$ 522,734,678</b>	<b>\$ 250,203,819</b>	<b>\$ -25,387,179</b>	<b>\$ 224,816,640</b>	<b>\$ 9,511,474</b>	<b>\$ 234,328,114</b>	<b>\$ 241,065,353</b>	<b>\$ 6,737,239</b>		

# Education

## General Fund

	Actual FY 2009	Orig. Est. FY 2010	ATB Reduction FY 2010	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
<b><u>Regents, Board of</u></b>										
Regents, Board of										
Regent Board Office	\$ 1,324,523	\$ 1,227,914	\$ -122,791	\$ 1,105,123	\$ 0	\$ 1,105,123	\$ 1,105,123	\$ 0	SF2376	PG 14 LN 8
Southwest Iowa Resource Ctr	110,018	100,851	-10,085	90,766	0	90,766	90,766	0	SF2376	PG 14 LN 16
Tri State Graduate	83,769	76,789	-7,679	69,110	0	69,110	69,110	0	SF2376	PG 14 LN 19
Quad Cities Grad Ctr	163,228	149,628	-14,963	134,665	0	134,665	134,665	0	SF2376	PG 14 LN 23
Midwestern Higher Ed Consortium	90,000	0	0	0	0	0	0	0		
IPR - Iowa Public Radio	492,500	451,465	-45,147	406,318	0	406,318	406,318	0	SF2376	PG 14 LN 26
University of Iowa - General	269,527,169	235,483,091	-23,548,309	211,934,782	14,371,621	226,306,403	217,638,034	-8,668,369	SF2376	PG 14 LN 30
SUI - Center for Disabilities & Development	6,839,740	0	0	0	0	0	0	0		
SUI - Oakdale Campus	2,721,464	2,521,028	-252,103	2,268,925	0	2,268,925	2,268,925	0	SF2376	PG 15 LN 1
SUI - Hygienic Laboratory	4,401,916	4,077,715	-407,772	3,669,943	0	3,669,943	3,669,943	0	SF2376	PG 15 LN 7
SUI - Family Practice Program	2,225,735	2,061,809	-206,181	1,855,628	0	1,855,628	1,855,628	0	SF2376	PG 15 LN 13
SUI - Specialized Children Health Services	820,780	760,330	-76,033	684,297	0	684,297	684,297	0	SF2376	PG 15 LN 21
SUI - Iowa Cancer Registry	185,514	171,851	-17,185	154,666	0	154,666	154,666	0	SF2376	PG 15 LN 30
SUI - Substance Abuse Consortium	69,113	64,023	-6,402	57,621	0	57,621	57,621	0	SF2376	PG 15 LN 35
SUI - Biocatalysis	900,775	834,433	-83,443	750,990	0	750,990	750,990	0	SF2376	PG 16 LN 6
SUI - Primary Health Care	807,680	748,195	-74,820	673,375	0	673,375	673,375	0	SF2376	PG 16 LN 11
SUI - Iowa Birth Defects Registry	47,656	44,145	-4,415	39,730	0	39,730	39,730	0	SF2376	PG 16 LN 21
SUI - Iowa Nonprofit Resource Center	202,301	187,402	-18,740	168,662	0	168,662	168,662	0	SF2376	PG 16 LN 26
SUI Ag Health & Safety	126,713	0	0	0	0	0	0	0		
Iowa State University - General	212,192,481	184,987,583	-18,498,758	166,488,825	10,839,521	177,328,346	170,536,017	-6,792,329	SF2376	PG 16 LN 33
ISU - Agricultural Experiment Station	34,989,170	32,412,044	-3,241,204	29,170,840	0	29,170,840	29,170,840	0	SF2376	PG 17 LN 4
ISU - Cooperative Extension	22,324,765	20,680,435	-2,068,044	18,612,391	0	18,612,391	18,612,391	0	SF2376	PG 17 LN 10
ISU - Leopold Center	494,642	458,209	-45,821	412,388	0	412,388	412,388	0	SF2376	PG 17 LN 18
ISU - Livestock Disease Research	215,129	199,284	-19,928	179,356	0	179,356	179,356	0	SF2376	PG 17 LN 24
ISU - George Wash. Carver Endowed Chair	243,681	0	0	0	0	0	0	0		
University of Northern Iowa - General	95,792,085	83,789,887	-8,378,989	75,410,898	5,227,665	80,638,563	77,549,809	-3,088,754	SF2376	PG 17 LN 29
UNI - Recycling and Reuse Center	220,430	202,064	-20,206	181,858	0	181,858	181,858	0	SF2376	PG 17 LN 35
UNI - Math and Science Collaborative	3,940,000	3,611,721	-361,172	3,250,549	0	3,250,549	1,800,000	-1,450,549	SF2376	PG 18 LN 5
UNI - Real Estate Education Program	157,600	144,469	-14,447	130,022	0	130,022	130,022	0	SF2376	PG 18 LN 26
Iowa School for the Deaf	9,974,495	9,644,404	-964,440	8,679,964	583,902	9,263,866	8,679,964	-583,902	SF2376	PG 18 LN 31
Iowa Braille and Sight Saving School	5,640,062	5,463,736	-546,374	4,917,362	337,791	5,255,153	4,917,362	-337,791	SF2376	PG 19 LN 2
ISD/IBS - Tuition and Transportation	14,795	13,562	-1,356	12,206	0	12,206	12,206	0	SF2376	PG 19 LN 8
UNI - Research Dev. School Infra. Study	0	35,000	-3,500	31,500	0	31,500	0	-31,500		
ISD/IBS - Licensed Classroom Teachers	0	94,600	-9,460	85,140	0	85,140	85,140	0	SF2376	PG 19 LN 16
<b>Total Regents, Board of</b>	<b>\$ 677,339,929</b>	<b>\$ 590,697,667</b>	<b>\$ -59,069,767</b>	<b>\$ 531,627,900</b>	<b>\$ 31,360,500</b>	<b>\$ 562,988,400</b>	<b>\$ 542,035,206</b>	<b>\$ -20,953,194</b>		
<b>Total Education</b>	<b>\$ 1,271,326,576</b>	<b>\$ 906,873,760</b>	<b>\$ -91,016,056</b>	<b>\$ 815,857,704</b>	<b>\$ 40,871,974</b>	<b>\$ 856,729,678</b>	<b>\$ 844,371,902</b>	<b>\$ -12,357,776</b>		

# Health and Human Services

## General Fund

	Actual FY 2009 (1)	Orig. Est. FY 2010 (2)	ATB Reduction FY 2010 (3)	Estimated Net FY 2010 (4)	Supp-Final Act. FY 2010 (5)	Rev Est Net FY 2010 (6)	Final Action FY 2011 (7)	Final Action vs Rev Est Net (8)	Bill Number (9)	Page and Line # (10)
<b><u>Aging, Dept. on</u></b>										
Aging, Dept. on										
Aging Programs	\$ 5,274,444	\$ 4,958,230	\$ -495,823	\$ 4,462,407	\$ 0	\$ 4,462,407	\$ 4,662,988	\$ 200,581	HF2526	PG 1 LN 8
<b>Total Aging, Dept. on</b>	<b>\$ 5,274,444</b>	<b>\$ 4,958,230</b>	<b>\$ -495,823</b>	<b>\$ 4,462,407</b>	<b>\$ 0</b>	<b>\$ 4,462,407</b>	<b>\$ 4,662,988</b>	<b>\$ 200,581</b>		
<b><u>Public Health, Dept. of</u></b>										
Public Health, Dept. of										
Addictive Disorders	\$ 3,035,917	\$ 28,652,500	\$ -2,865,250	\$ 25,787,250	\$ 2,627,532	\$ 28,414,782	\$ 28,974,840	\$ 560,058	HF2526	PG 3 LN 24
Healthy Children and Families	2,584,835	2,249,167	-224,917	2,024,250	329,267	2,353,517	2,735,062	381,545	HF2526	PG 6 LN 23
Chronic Conditions	2,169,991	2,756,236	-275,624	2,480,612	321,643	2,802,255	3,597,313	795,058	HF2526	PG 7 LN 28
Community Capacity	1,722,362	4,116,847	-411,685	3,705,162	23,000	3,728,162	5,503,037	1,774,875	HF2526	PG 8 LN 33
Elderly Wellness	9,095,475	8,345,779	-834,578	7,511,201	834,578	8,345,779	8,045,779	-300,000	HF2526	PG 13 LN 19
Environmental Hazards	721,737	1,000,391	-100,039	900,352	65,598	965,950	900,352	-65,598	HF2526	PG 13 LN 29
Infectious Diseases	2,795,546	1,630,661	-163,066	1,467,595	138,372	1,605,967	1,475,095	-130,872	HF2526	PG 14 LN 2
Public Protection	3,115,215	3,569,986	-356,999	3,212,987	23,248	3,236,235	3,287,987	51,752	HF2526	PG 14 LN 8
Resource Management	1,194,098	1,062,517	-106,252	956,265	0	956,265	956,265	0	HF2526	PG 14 LN 34
Prevention and Chronic Care Management	188,165	0	0	0	0	0	0	0		
Medical Home System	163,379	0	0	0	0	0	0	0		
Healthy Communities Initiative	874,682	0	0	0	0	0	0	0		
Gov. Council on Physical Fitness and Nutrition	108,160	0	0	0	0	0	0	0		
Iowa Health Information Technology System	188,069	0	0	0	0	0	0	0		
Health Care Access	171,965	0	0	0	0	0	0	0		
<b>Total Public Health, Dept. of</b>	<b>\$ 28,129,596</b>	<b>\$ 53,384,084</b>	<b>\$ -5,338,410</b>	<b>\$ 48,045,674</b>	<b>\$ 4,363,238</b>	<b>\$ 52,408,912</b>	<b>\$ 55,475,730</b>	<b>\$ 3,066,818</b>		
<b><u>Human Services, Dept. of</u></b>										
General Administration										
General Administration	\$ 16,848,360	\$ 15,252,523	\$ -1,525,252	\$ 13,727,271	\$ 0	\$ 13,727,271	\$ 16,602,271	\$ 2,875,000	HF2526	PG 56 LN 2
Field Operations										
Child Support Recoveries	\$ 15,082,461	\$ 13,420,460	\$ -1,342,046	\$ 12,078,414	\$ 0	\$ 12,078,414	\$ 11,877,414	\$ -201,000	HF2526	PG 26 LN 20
Field Operations	69,234,591	63,032,831	-6,303,283	56,729,548	680,596	57,410,144	56,207,624	-1,202,520	HF2526	PG 55 LN 24
<b>Total Field Operations</b>	<b>\$ 84,317,052</b>	<b>\$ 76,453,291</b>	<b>\$ -7,645,329</b>	<b>\$ 68,807,962</b>	<b>\$ 680,596</b>	<b>\$ 69,488,558</b>	<b>\$ 68,085,038</b>	<b>\$ -1,403,520</b>		
Toledo Juvenile Home										
Toledo Juvenile Home	\$ 7,591,274	\$ 6,754,759	\$ -675,476	\$ 6,079,283	\$ 0	\$ 6,079,283	\$ 7,777,599	\$ 1,698,316	HF2526	PG 40 LN 1
Licensed Classroom Teachers	0	115,500	-11,550	103,950	0	103,950	103,950	0	HF2526	PG 40 LN 17
<b>Total Toledo Juvenile Home</b>	<b>\$ 7,591,274</b>	<b>\$ 6,870,259</b>	<b>\$ -687,026</b>	<b>\$ 6,183,233</b>	<b>\$ 0</b>	<b>\$ 6,183,233</b>	<b>\$ 7,881,549</b>	<b>\$ 1,698,316</b>		

## Health and Human Services

### General Fund

	Actual FY 2009	Orig. Est. FY 2010	ATB Reduction FY 2010	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
<b>Eldora Training School</b>										
Eldora Training School	\$ 12,045,087	\$ 10,717,787	\$ -1,071,779	\$ 9,646,008	\$ 0	\$ 9,646,008	\$ 11,001,062	\$ 1,355,054	HF2526	PG 40 LN 6
<b>Cherokee CCUSO</b>										
Civil Commit. Unit for Sex Offenders	\$ 6,701,758	\$ 6,860,204	\$ -686,020	\$ 6,174,184	\$ 0	\$ 6,174,184	\$ 6,632,660	\$ 458,476	HF2526	PG 55 LN 1
<b>Cherokee</b>										
Cherokee MHI	\$ 6,109,285	\$ 5,436,076	\$ -543,608	\$ 4,892,468	\$ 0	\$ 4,892,468	\$ 5,221,979	\$ 329,511	HF2526	PG 49 LN 16
<b>Clarinda</b>										
Clarinda MHI	\$ 7,298,531	\$ 6,227,335	\$ -622,734	\$ 5,604,601	\$ 0	\$ 5,604,601	\$ 6,139,698	\$ 535,097	HF2526	PG 49 LN 21
<b>Independence</b>										
Independence MHI	\$ 10,693,858	\$ 9,503,567	\$ -950,357	\$ 8,553,210	\$ 0	\$ 8,553,210	\$ 9,590,653	\$ 1,037,443	HF2526	PG 49 LN 26
<b>Mt Pleasant</b>										
Mt Pleasant MHI	\$ 2,023,008	\$ 1,795,552	\$ -180,889	\$ 1,614,663	\$ 0	\$ 1,614,663	\$ 1,613,175	\$ -1,488	HF2526	PG 49 LN 31
<b>Glenwood</b>										
Glenwood Resource Center	\$ 18,903,764	\$ 17,620,487	\$ -1,812,049	\$ 15,808,438	\$ 0	\$ 15,808,438	\$ 14,982,839	\$ -825,599	HF2526	PG 50 LN 31
<b>Woodward</b>										
Woodward Resource Center	\$ 12,561,726	\$ 10,929,200	\$ -1,142,920	\$ 9,786,280	\$ 0	\$ 9,786,280	\$ 9,312,271	\$ -474,009	HF2526	PG 50 LN 34
<b>Assistance</b>										
Family Investment Program/JOBS	\$ 42,060,901	\$ 34,592,700	\$ -3,459,270	\$ 31,133,430	\$ 0	\$ 31,133,430	\$ 31,735,539	\$ 602,109	HF2526	PG 25 LN 7
Medical Assistance	593,302,330	681,949,840	-71,853,706	610,096,134	-19,637,038	590,459,096	412,546,344	-177,912,752	HF2526	PG 27 LN 34
Health Insurance Premium Payment	570,924	508,011	-50,801	457,210	0	457,210	457,210	0	HF2526	PG 35 LN 14
Medical Contracts	13,953,067	13,651,503	-1,365,150	12,286,353	0	12,286,353	9,683,668	-2,602,685	HF2526	PG 35 LN 26
State Supplementary Assistance	18,332,214	18,412,646	-1,954,813	16,457,833	0	16,457,833	18,259,235	1,801,402	HF2526	PG 36 LN 6
State Children's Health Insurance	13,660,852	14,629,830	-1,462,983	13,166,847	0	13,166,847	23,637,040	10,470,193	HF2526	PG 37 LN 2
Child Care Assistance	40,483,732	37,974,472	-5,427,008	32,547,464	0	32,547,464	32,325,964	-221,500	HF2526	PG 37 LN 23
Child and Family Services	88,971,729	90,591,451	-9,059,145	81,532,306	2,500,000	84,032,306	79,593,023	-4,439,283	HF2526	PG 40 LN 29
Adoption Subsidy	33,656,339	34,883,674	-3,488,367	31,395,307	0	31,395,307	31,856,896	461,589	HF2526	PG 47 LN 5
Family Support Subsidy	1,907,312	1,697,137	-174,139	1,522,998	0	1,522,998	1,167,998	-355,000	HF2526	PG 48 LN 14
Connors Training	41,984	37,358	-3,736	33,622	0	33,622	33,622	0	HF2526	PG 48 LN 35
MI/MR/DD State Cases	13,067,178	11,446,288	-1,151,081	10,295,207	100,163	10,395,370	11,295,207	899,837	HF2526	PG 51 LN 35
MH/DD Community Services	18,017,890	15,790,111	-1,579,011	14,211,100	0	14,211,100	14,211,100	0	HF2526	PG 52 LN 27
Volunteers	105,717	94,067	-9,407	84,660	0	84,660	84,660	0	HF2526	PG 57 LN 26
Family Planning	738,750	10,000	-55,654	-45,654	0	-45,654	0	45,654		
Pregnancy Counseling	197,000	100,000	-28,312	71,688	0	71,688	0	-71,688		
MH/DD Growth Factor	54,081,310	54,108,770	-5,410,877	48,697,893	0	48,697,893	48,697,893	0	HF2526	PG 78 LN 26
Medical Assistance, Hawk-i, Hawk-i Expansion	4,728,000	4,207,001	-420,700	3,786,301	6,263,231	10,049,532	10,049,532	0	HF2526	PG 86 LN 10
Medicaid Deappropriation	0	0	0	0	0	0	-18,863,117	-18,863,117	HF2531	PG 102 LN 29
MI/MR/DD State Cases (SF2151)	0	0	0	0	-286,789	-286,789	0	286,789	SF2151	PG 3 LN 35
<b>Total Assistance</b>	<b>\$ 937,877,229</b>	<b>\$ 1,014,684,859</b>	<b>\$ -106,954,160</b>	<b>\$ 907,730,699</b>	<b>\$ -11,060,433</b>	<b>\$ 896,670,266</b>	<b>\$ 706,771,814</b>	<b>\$ -189,898,452</b>		
<b>Total Human Services, Dept. of</b>	<b>\$ 1,122,970,932</b>	<b>\$ 1,182,351,140</b>	<b>\$ -123,822,123</b>	<b>\$ 1,058,529,017</b>	<b>\$ -10,379,837</b>	<b>\$ 1,048,149,180</b>	<b>\$ 863,835,009</b>	<b>\$ -184,314,171</b>		

## Health and Human Services

### General Fund

	Actual FY 2009	Orig. Est. FY 2010	ATB Reduction FY 2010	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
<b><u>Veterans Affairs, Dept. of</u></b>										
Veterans Affairs, Department of										
General Administration	\$ 1,199,329	\$ 1,067,170	\$ -106,717	\$ 960,453	\$ 0	\$ 960,453	\$ 960,453	\$ 0	HF2526	PG 15 LN 18
War Orphans Educational Assistance	25,785	22,944	-10,213	12,731	0	12,731	12,731	0	HF2526	PG 16 LN 7
Injured Veterans Grant Program	-23,550	0	-128,145	-128,145	0	-128,145	0	128,145		
Veterans County Grants	585,599	1,000,000	-10,000	990,000	0	990,000	900,000	-90,000	HF2526	PG 16 LN 12
<b>Total Veterans Affairs, Department of</b>	<b>\$ 1,787,163</b>	<b>\$ 2,090,114</b>	<b>\$ -255,075</b>	<b>\$ 1,835,039</b>	<b>\$ 0</b>	<b>\$ 1,835,039</b>	<b>\$ 1,873,184</b>	<b>\$ 38,145</b>		
<b><u>Veterans Affairs, Dept. of</u></b>										
Iowa Veterans Home	\$ 14,391,435	\$ 11,326,650	\$ -1,695,804	\$ 9,630,846	\$ 0	\$ 9,630,846	\$ 9,630,846	\$ 0	HF2526	PG 15 LN 25
<b>Total Veterans Affairs, Dept. of</b>	<b>\$ 16,178,598</b>	<b>\$ 13,416,764</b>	<b>\$ -1,950,879</b>	<b>\$ 11,465,885</b>	<b>\$ 0</b>	<b>\$ 11,465,885</b>	<b>\$ 11,504,030</b>	<b>\$ 38,145</b>		
<b>Total Health and Human Services</b>	<b>\$ 1,172,553,570</b>	<b>\$ 1,254,110,218</b>	<b>\$ -131,607,235</b>	<b>\$ 1,122,502,983</b>	<b>\$ -6,016,599</b>	<b>\$ 1,116,486,384</b>	<b>\$ 935,477,757</b>	<b>\$ -181,008,627</b>		

# Justice System

## General Fund

	Actual FY 2009 (1)	Orig. Est. FY 2010 (2)	ATB Reduction FY 2010 (3)	Estimated Net FY 2010 (4)	Supp-Final Act. FY 2010 (5)	Rev Est Net FY 2010 (6)	Final Action FY 2011 (7)	Final Action vs Rev Est Net (8)	Bill Number (9)	Page and Line # (10)
<u>Justice, Department of</u>										
Justice, Dept. of										
General Office A.G.	\$ 9,359,691	\$ 8,592,145	\$ -859,215	\$ 7,732,930	\$ 0	\$ 7,732,930	\$ 7,732,930	\$ 0	SF2378	PG 1 LN 9
Victim Assistance Grants	147,750	3,400,000	-340,000	3,060,000	0	3,060,000	3,060,000	0	SF2378	PG 1 LN 22
Legal Services Poverty Grants	1,970,000	1,954,634	-195,463	1,759,171	0	1,759,171	1,930,671	171,500	SF2378	PG 1 LN 35
Farm Mediation Services	289,457	0	0	0	0	0	0	0		
False Claims Enforcement	0	0	0	0	0	0	60,000	60,000	SF2088	PG 194 LN 12
<b>Total Justice, Dept. of</b>	<b>\$ 11,766,898</b>	<b>\$ 13,946,779</b>	<b>\$ -1,394,678</b>	<b>\$ 12,552,101</b>	<b>\$ 0</b>	<b>\$ 12,552,101</b>	<b>\$ 12,783,601</b>	<b>\$ 231,500</b>		
Consumer Advocate										
Consumer Advocate	\$ 3,623,328	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
<b>Total Justice, Department of</b>	<b>\$ 15,390,226</b>	<b>\$ 13,946,779</b>	<b>\$ -1,394,678</b>	<b>\$ 12,552,101</b>	<b>\$ 0</b>	<b>\$ 12,552,101</b>	<b>\$ 12,783,601</b>	<b>\$ 231,500</b>		
<u>Civil Rights Commission</u>										
Civil Rights Commission										
Civil Rights Commission	\$ 1,545,232	\$ 1,533,179	\$ -153,318	\$ 1,379,861	\$ 0	\$ 1,379,861	\$ 1,379,861	\$ 0	SF2378	PG 19 LN 18
<b>Total Civil Rights Commission</b>	<b>\$ 1,545,232</b>	<b>\$ 1,533,179</b>	<b>\$ -153,318</b>	<b>\$ 1,379,861</b>	<b>\$ 0</b>	<b>\$ 1,379,861</b>	<b>\$ 1,379,861</b>	<b>\$ 0</b>		
<u>Corrections, Dept. of</u>										
CBC District 1										
CBC District I	\$ 13,300,371	\$ 13,242,989	\$ -1,324,299	\$ 11,918,690	\$ 110,275	\$ 12,028,965	\$ 12,453,082	\$ 424,117	SF2378	PG 9 LN 13
CBC District 2										
CBC District II	\$ 11,053,717	\$ 11,096,272	\$ -1,109,627	\$ 9,986,645	\$ 308,214	\$ 10,294,859	\$ 10,770,616	\$ 475,757	SF2378	PG 9 LN 20
CBC District 3										
CBC District III	\$ 6,104,702	\$ 5,939,602	\$ -593,960	\$ 5,345,642	\$ 18,010	\$ 5,363,652	\$ 5,715,578	\$ 351,926	SF2378	PG 9 LN 23
CBC District 4										
CBC District IV	\$ 5,603,983	\$ 5,755,000	\$ -575,500	\$ 5,179,500	\$ 76,117	\$ 5,255,617	\$ 5,522,416	\$ 266,799	SF2378	PG 9 LN 26
CBC District 5										
CBC District V	\$ 19,232,705	\$ 19,278,247	\$ -1,927,825	\$ 17,350,422	\$ 790,020	\$ 18,140,442	\$ 18,938,081	\$ 797,639	SF2378	PG 9 LN 29
CBC District 6										
CBC District VI	\$ 14,273,011	\$ 13,787,019	\$ -1,378,702	\$ 12,408,317	\$ 302,810	\$ 12,711,127	\$ 13,030,356	\$ 319,229	SF2378	PG 10 LN 6
CBC District 7										
CBC District VII	\$ 7,265,034	\$ 7,152,217	\$ -715,222	\$ 6,436,995	\$ 24,923	\$ 6,461,918	\$ 6,846,560	\$ 384,642	SF2378	PG 10 LN 9
CBC District 8										
CBC District VIII	\$ 7,109,164	\$ 7,102,030	\$ -710,203	\$ 6,391,827	\$ 400,850	\$ 6,792,677	\$ 6,935,622	\$ 142,945	SF2378	PG 10 LN 12



# Justice System

## General Fund

	Actual FY 2009 (1)	Orig. Est. FY 2010 (2)	ATB Reduction FY 2010 (3)	Estimated Net FY 2010 (4)	Supp-Final Act. FY 2010 (5)	Rev Est Net FY 2010 (6)	Final Action FY 2011 (7)	Final Action vs Rev Est Net (8)	Bill Number (9)	Page and Line # (10)
<b>Central Office</b>										
County Confinement	\$ 967,983	\$ 861,213	\$ -86,121	\$ 775,092	\$ 0	\$ 775,092	\$ 775,092	\$ 0	SF2378	PG 5 LN 3
Federal Prisoners/ Contractual	241,293	239,411	-23,941	215,470	0	215,470	239,411	23,941	SF2378	PG 5 LN 8
Corrections Administration	5,047,861	4,810,048	-481,005	4,329,043	0	4,329,043	4,254,068	-74,975	SF2378	PG 5 LN 20
Corrections Education	1,570,358	1,558,109	-194,402	1,363,707	0	1,363,707	1,558,109	194,402	SF2378	PG 6 LN 23
Iowa Corrections Offender Network	427,700	424,364	-42,436	381,928	0	381,928	424,364	42,436	SF2378	PG 7 LN 22
Mental Health/Substance Abuse	24,994	24,799	-2,480	22,319	0	22,319	22,319	0	SF2378	PG 7 LN 25
Hormone Treatment	188,000	186,534	-18,653	167,881	0	167,881	167,881	0	SF2378	PG 7 LN 28
<b>Total Central Office</b>	<b>\$ 8,468,189</b>	<b>\$ 8,104,478</b>	<b>\$ -849,038</b>	<b>\$ 7,255,440</b>	<b>\$ 0</b>	<b>\$ 7,255,440</b>	<b>\$ 7,441,244</b>	<b>\$ 185,804</b>		
<b>Fort Madison</b>										
Ft. Madison Institution	\$ 44,737,908	\$ 41,114,692	\$ -4,111,469	\$ 37,003,223	\$ 764,048	\$ 37,767,271	\$ 39,991,374	\$ 2,224,103	SF2378	PG 3 LN 10
<b>Anamosa</b>										
Anamosa Institution	\$ 31,548,089	\$ 31,413,895	\$ -3,141,390	\$ 28,272,505	\$ 543,179	\$ 28,815,684	\$ 30,416,461	\$ 1,600,777	SF2378	PG 3 LN 18
<b>Oakdale</b>										
Oakdale Institution	\$ 59,219,891	\$ 58,646,095	\$ -5,864,610	\$ 52,781,485	\$ 2,650,762	\$ 55,432,247	\$ 55,755,246	\$ 322,999	SF2378	PG 4 LN 5
<b>Newton</b>										
Newton Institution	\$ 28,372,772	\$ 28,033,393	\$ -2,803,339	\$ 25,230,054	\$ 526,181	\$ 25,756,235	\$ 26,452,257	\$ 696,022	SF2378	PG 4 LN 9
<b>Mt Pleasant</b>										
Mt. Pleasant Inst.	\$ 27,430,137	\$ 27,216,182	\$ -2,721,618	\$ 24,494,564	\$ 415,980	\$ 24,910,544	\$ 26,265,257	\$ 1,354,713	SF2378	PG 4 LN 13
<b>Rockwell City</b>										
Rockwell City Institution	\$ 9,466,021	\$ 9,392,186	\$ -939,219	\$ 8,452,967	\$ 108,833	\$ 8,561,800	\$ 9,324,565	\$ 762,765	SF2378	PG 4 LN 17
<b>Clarinda</b>										
Clarinda Institution	\$ 25,526,358	\$ 23,421,051	\$ -2,342,105	\$ 21,078,946	\$ 451,752	\$ 21,530,698	\$ 23,645,033	\$ 2,114,335	SF2378	PG 4 LN 21
<b>Mitchellville</b>										
Mitchellville Institution	\$ 16,126,292	\$ 15,836,794	\$ -1,583,679	\$ 14,253,115	\$ 169,416	\$ 14,422,531	\$ 15,486,586	\$ 1,064,055	SF2378	PG 4 LN 30
<b>Fort Dodge</b>										
Ft. Dodge Institution	\$ 30,313,681	\$ 29,999,036	\$ -2,999,904	\$ 26,999,132	\$ 200,000	\$ 27,199,132	\$ 29,020,235	\$ 1,821,103	SF2378	PG 4 LN 34
<b>Total Corrections, Dept. of</b>	<b>\$ 365,152,025</b>	<b>\$ 356,531,178</b>	<b>\$ -35,691,709</b>	<b>\$ 320,839,469</b>	<b>\$ 7,861,370</b>	<b>\$ 328,700,839</b>	<b>\$ 344,010,569</b>	<b>\$ 15,309,730</b>		
<b><u>Inspections &amp; Appeals, Dept. of</u></b>										
<b>Public Defender</b>										
Public Defender	\$ 21,465,998	\$ 21,743,182	\$ -2,174,318	\$ 19,568,864	\$ 0	\$ 19,568,864	\$ 21,743,182	\$ 2,174,318	SF2378	PG 12 LN 35
Indigent Defense Appropriation	33,013,300	24,009,163	-2,400,916	21,608,247	10,900,000	32,508,247	15,680,929	-16,827,318	SF2378	PG 13 LN 5
Public Defender Positions	0	0	0	0	0	0	1,140,000	1,140,000	SF2088	PG 233 LN 12
<b>Total Inspections &amp; Appeals, Dept. of</b>	<b>\$ 54,479,298</b>	<b>\$ 45,752,345</b>	<b>\$ -4,575,234</b>	<b>\$ 41,177,111</b>	<b>\$ 10,900,000</b>	<b>\$ 52,077,111</b>	<b>\$ 38,564,111</b>	<b>\$ -13,513,000</b>		

# Justice System

## General Fund

	Actual FY 2009 (1)	Orig. Est. FY 2010 (2)	ATB Reduction FY 2010 (3)	Estimated Net FY 2010 (4)	Supp-Final Act. FY 2010 (5)	Rev Est Net FY 2010 (6)	Final Action FY 2011 (7)	Final Action vs Rev Est Net (8)	Bill Number (9)	Page and Line # (10)
<b><u>Judicial Branch</u></b>										
Judicial Branch										
Jury & Witness (GF) to Revolving Fd. (0043)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 1,500,000	\$ 1,500,000	SF2377	PG 1 LN 20
Judicial Branch	149,366,784	160,184,957	0	160,184,957	-11,373,135	148,811,822	148,811,822	0	SF2377	PG 1 LN 1
Judicial Retirement	3,450,963	0	0	0	0	0	0	0		
<b>Total Judicial Branch</b>	<b>\$ 152,817,747</b>	<b>\$ 160,184,957</b>	<b>\$ 0</b>	<b>\$ 160,184,957</b>	<b>\$ -11,373,135</b>	<b>\$ 148,811,822</b>	<b>\$ 150,311,822</b>	<b>\$ 1,500,000</b>		
<b><u>Law Enforcement Academy</u></b>										
Law Enforcement Academy										
Law Enforcement Academy	\$ 1,275,199	\$ 1,166,033	\$ -116,603	\$ 1,049,430	\$ 0	\$ 1,049,430	\$ 1,049,430	\$ 0	SF2378	PG 13 LN 9
<b>Total Law Enforcement Academy</b>	<b>\$ 1,275,199</b>	<b>\$ 1,166,033</b>	<b>\$ -116,603</b>	<b>\$ 1,049,430</b>	<b>\$ 0</b>	<b>\$ 1,049,430</b>	<b>\$ 1,049,430</b>	<b>\$ 0</b>		
<b><u>Parole, Board of</u></b>										
Parole Board										
Parole Board	\$ 1,251,903	\$ 1,161,399	\$ -116,140	\$ 1,045,259	\$ 0	\$ 1,045,259	\$ 1,045,259	\$ 0	SF2378	PG 14 LN 8
<b>Total Parole, Board of</b>	<b>\$ 1,251,903</b>	<b>\$ 1,161,399</b>	<b>\$ -116,140</b>	<b>\$ 1,045,259</b>	<b>\$ 0</b>	<b>\$ 1,045,259</b>	<b>\$ 1,045,259</b>	<b>\$ 0</b>		
<b><u>Public Defense, Dept. of</u></b>										
Public Defense, Dept. of										
Public Defense, Department of	\$ 6,361,947	\$ 6,249,201	\$ -624,920	\$ 5,624,281	\$ 526,202	\$ 6,150,483	\$ 6,249,201	\$ 98,718	SF2378	PG 14 LN 24
Emergency Management Division										
Homeland Security & Emer. Mgmt.	\$ 2,212,722	\$ 2,038,119	\$ -203,812	\$ 1,834,307	\$ 61,614	\$ 1,895,921	\$ 2,038,119	\$ 142,198	SF2378	PG 15 LN 1
<b>Total Public Defense, Dept. of</b>	<b>\$ 8,574,669</b>	<b>\$ 8,287,320</b>	<b>\$ -828,732</b>	<b>\$ 7,458,588</b>	<b>\$ 587,816</b>	<b>\$ 8,046,404</b>	<b>\$ 8,287,320</b>	<b>\$ 240,916</b>		
<b><u>Public Safety, Department of</u></b>										
Public Safety, Dept. of										
Public Safety - Department Wide Duties	\$ 0	\$ 1,576,987	\$ -157,699	\$ 1,419,288	\$ 0	\$ 1,419,288	\$ 0	\$ -1,419,288		
Public Safety Administration	4,470,414	4,391,190	-439,119	3,952,071	0	3,952,071	4,134,461	182,390	SF2378	PG 15 LN 24
Public Safety DCI	21,506,406	21,125,270	-2,112,527	19,012,743	0	19,012,743	12,861,710	-6,151,033	SF2378	PG 15 LN 29
DCI - Crime Lab Equipment/Training	342,000	335,939	-33,594	302,345	0	302,345	302,345	0	SF2378	PG 16 LN 34
Narcotics Enforcement	6,501,493	6,386,274	-638,627	5,747,647	0	5,747,647	6,507,048	759,401	SF2378	PG 17 LN 2
Public Safety Undercover Funds	123,343	121,158	-12,116	109,042	0	109,042	109,042	0	SF2378	PG 17 LN 12
DPS Fire Marshal	4,060,859	3,988,892	-398,889	3,590,003	0	3,590,003	4,343,896	753,893	SF2378	PG 17 LN 15
Iowa State Patrol	50,971,409	50,068,094	-5,006,809	45,061,285	0	45,061,285	48,984,147	3,922,862	SF2378	PG 17 LN 26
DPS/SPOC Sick Leave Payout	316,179	310,575	-31,058	279,517	0	279,517	279,517	0	SF2378	PG 18 LN 5
Fire Fighter Training	662,697	680,421	-68,166	612,255	0	612,255	612,255	0	SF2378	PG 18 LN 10
<b>Total Public Safety, Department of</b>	<b>\$ 88,954,800</b>	<b>\$ 88,984,800</b>	<b>\$ -8,898,604</b>	<b>\$ 80,086,196</b>	<b>\$ 0</b>	<b>\$ 80,086,196</b>	<b>\$ 78,134,421</b>	<b>\$ -1,951,775</b>		
<b>Total Justice System</b>	<b>\$ 689,441,099</b>	<b>\$ 677,547,990</b>	<b>\$ -51,775,018</b>	<b>\$ 625,772,972</b>	<b>\$ 7,976,051</b>	<b>\$ 633,749,023</b>	<b>\$ 635,566,394</b>	<b>\$ 1,817,371</b>		

# **Transportation, Infrastructure, and Capitals** General Fund

	Actual FY 2009	Orig. Est. FY 2010	ATB Reduction FY 2010	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
<u>Transportation, Dept. of</u>										
Transportation, Dept. of										
Commercial Service Airports	\$ 0	\$ 1,500,000	\$ -150,000	\$ 1,350,000	\$ 0	\$ 1,350,000	\$ 0	\$ -1,350,000		
Total Transportation, Dept. of	\$ 0	\$ 1,500,000	\$ -150,000	\$ 1,350,000	\$ 0	\$ 1,350,000	\$ 0	\$ -1,350,000		
Total Transportation, Infrastructure, and Capitals	\$ 0	\$ 1,500,000	\$ -150,000	\$ 1,350,000	\$ 0	\$ 1,350,000	\$ 0	\$ -1,350,000		

# Unassigned Standings

## General Fund

	Actual FY 2009	Orig. Est. FY 2010	ATB Reduction FY 2010	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
<b><u>Administrative Services, Dept. of</u></b>										
<b>State Accounting Trust Accounts</b>										
Federal Cash Management Standing	\$ 559,953	\$ 396,208	\$ -39,621	\$ 356,587	\$ 0	\$ 356,587	\$ 356,587	\$ 0	Standing	
Unemployment Compensation-State Standing	597,553	489,301	-48,930	440,371	0	440,371	440,371	0	Standing	
Municipal Fire & Police Retirement	2,704,597	2,503,510	-250,351	2,253,159	0	2,253,159	2,253,159	0	Standing	
Municipal Fire & Police Retire (HF2518)	0	0	0	0	0	0	-2,253,159	-2,253,159	HF2518	
Municipal Fire & Police Approp	0	0	0	0	0	0	1,500,000	1,500,000	HF2518	
Sac Fox Attorney Costs	1,953	0	0	0	0	0	0	0	Standing	
<b>Total Administrative Services, Dept. of</b>	<b>\$ 3,864,056</b>	<b>\$ 3,389,019</b>	<b>\$ -338,902</b>	<b>\$ 3,050,117</b>	<b>\$ 0</b>	<b>\$ 3,050,117</b>	<b>\$ 2,296,958</b>	<b>\$ -753,159</b>		
<b><u>Corrections, Dept. of</u></b>										
<b>Central Office</b>										
State Cases Court Costs	\$ 0	\$ 66,370	\$ -6,637	\$ 59,733	\$ 0	\$ 59,733	\$ 59,733	\$ 0	Standing	
<b>Total Corrections, Dept. of</b>	<b>\$ 0</b>	<b>\$ 66,370</b>	<b>\$ -6,637</b>	<b>\$ 59,733</b>	<b>\$ 0</b>	<b>\$ 59,733</b>	<b>\$ 59,733</b>	<b>\$ 0</b>		
<b><u>Cultural Affairs, Dept. of</u></b>										
<b>Cultural Affairs, Dept. of</b>										
County Endowment DCA Grants-AGR	\$ 512,200	\$ 452,783	\$ -9,483	\$ 443,300	\$ 0	\$ 443,300	\$ 520,000	\$ 76,700	Standing	
County Endw Grants-Reduction	0	0	0	0	0	0	-76,700	-76,700	HF2531	PG 2 LN 18
<b>Total Cultural Affairs, Dept. of</b>	<b>\$ 512,200</b>	<b>\$ 452,783</b>	<b>\$ -9,483</b>	<b>\$ 443,300</b>	<b>\$ 0</b>	<b>\$ 443,300</b>	<b>\$ 443,300</b>	<b>\$ 0</b>		
<b><u>Economic Development, Dept. of</u></b>										
<b>Economic Development, Dept. of</b>										
Tourism Marketing - AGR	\$ 1,107,524	\$ 957,809	\$ -95,781	\$ 862,028	\$ 0	\$ 862,028	\$ 1,104,000	\$ 241,972	Standing	
Tourism Marketing-Reduction	0	0	0	0	0	0	-241,972	-241,972	HF2531	PG 2 LN 22
Grow Iowa Values Fund	-81	0	0	0	0	0	0	0	Standing	
<b>Total Economic Development, Dept. of</b>	<b>\$ 1,107,443</b>	<b>\$ 957,809</b>	<b>\$ -95,781</b>	<b>\$ 862,028</b>	<b>\$ 0</b>	<b>\$ 862,028</b>	<b>\$ 862,028</b>	<b>\$ 0</b>		

# Unassigned Standings

## General Fund

	Actual FY 2009	Orig. Est. FY 2010	ATB Reduction FY 2010	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
<b><u>Education, Dept. of</u></b>										
<b>Education, Dept. of</b>										
State Foundation School Aid	\$ 2,155,814,794	\$ 2,384,953,295	\$ -238,495,330	\$ 2,146,457,965	\$ 0	\$ 2,146,457,965	\$ 2,661,200,000	\$ 514,742,035	Standing	
School Aid Reduction	0	0	0	0	0	0	-162,042,125	-162,042,125	HF2531	PG 3 LN 19
State Aid (UST) Reduction	0	0	0	0	0	0	-5,100,000	-5,100,000	HF2531	PG 3 LN 28
School Aid Reduction-Ed Stabilization	0	0	0	0	0	0	-25,343,090	-25,343,090	HF2519	PG 17 LN 22
School Aid Reduction-Gov Stabilization	0	0	0	0	0	0	-22,604,797	-22,604,797	HF2519	PG 18 LN 7
Subtotal	2,155,814,794	2,384,953,295	-238,495,330	2,146,457,965	0	2,146,457,965	2,446,109,988	299,652,023		
Child Development/At-Risk	12,417,103	11,493,891	-1,149,389	10,344,502	1,149,389	11,493,891	12,606,196	1,112,305	Standing	
Child Development/At-Risk	0	0	0	0	0	0	-1,112,305	-1,112,305	HF2531	PG 2 LN 32
Subtotal	12,417,103	11,493,891	-1,149,389	10,344,502	1,149,389	11,493,891	11,493,891	0		
Instructional Support	14,211,828	0	0	0	0	0	14,800,000	14,800,000	Standing	
Instructional Support	0	0	0	0	0	0	-14,800,000	-14,800,000	HF2531	PG 4 LN 18
Subtotal	14,211,828	0	0	0	0	0	0	0		
Transportation of Nonpublic Pupils	8,475,643	7,845,479	-784,548	7,060,931	0	7,060,931	9,200,000	2,139,069	Standing	
Trans. of Nonpublic Pupils-Reduction	0	0	0	0	0	0	-2,139,069	-2,139,069	HF2531	PG 3 LN 2
Subtotal	8,475,643	7,845,479	-784,548	7,060,931	0	7,060,931	7,060,931	0		
Early Intervention Block Grant	29,250,000	0	0	0	0	0	0	0	Standing	
Teacher Excellence Program	54,637,017	0	0	0	0	0	0	0	Standing	
<b>Total Education, Dept. of</b>	<b>\$ 2,274,806,385</b>	<b>\$ 2,404,292,665</b>	<b>\$ -240,429,267</b>	<b>\$ 2,163,863,398</b>	<b>\$ 1,149,389</b>	<b>\$ 2,165,012,787</b>	<b>\$ 2,464,664,810</b>	<b>\$ 299,652,023</b>		
<b><u>Energy Independence</u></b>										
<b>Office of Energy Independence</b>										
Iowa Power Fund	\$ 24,625,000	\$ 24,000,000	\$ -2,400,000	\$ 21,600,000	\$ 0	\$ 21,600,000	\$ 25,000,000	\$ 3,400,000	Standing	
Iowa Power Fund-Reduction	0	0	0	0	0	0	-5,400,000	-5,400,000	HF2531	PG 3 LN 16
<b>Total Energy Independence</b>	<b>\$ 24,625,000</b>	<b>\$ 24,000,000</b>	<b>\$ -2,400,000</b>	<b>\$ 21,600,000</b>	<b>\$ 0</b>	<b>\$ 21,600,000</b>	<b>\$ 19,600,000</b>	<b>\$ -2,000,000</b>		
<b><u>Executive Council</u></b>										
<b>Executive Council</b>										
Performance of Duty	\$ 21,578,911	\$ 2,000,000	\$ -200,000	\$ 1,800,000	\$ 0	\$ 1,800,000	\$ 1,800,000	\$ 0	Standing	
Court Costs	21,135	66,413	-6,641	59,772	0	59,772	59,772	0	Standing	
Drainage Assessment	41,236	22,475	-2,248	20,227	0	20,227	20,227	0	Standing	
Public Improvements	0	44,276	-4,428	39,848	0	39,848	39,848	0	Standing	
<b>Total Executive Council</b>	<b>\$ 21,641,282</b>	<b>\$ 2,133,164</b>	<b>\$ -213,317</b>	<b>\$ 1,919,847</b>	<b>\$ 0</b>	<b>\$ 1,919,847</b>	<b>\$ 1,919,847</b>	<b>\$ 0</b>		

# Unassigned Standings

## General Fund

Actual FY 2009	Orig. Est. FY 2010	ATB Reduction FY 2010	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
\$ 34,952,603 0	\$ 33,410,448 0	\$ 0 0	\$ 33,410,448 0	\$ -3,340,411 0	\$ 30,070,037 0	\$ 36,009,827 -5,939,790	\$ 5,939,790 -5,939,790	Standing HF2531	PG 2 LN 2
\$ 34,952,603	\$ 33,410,448	\$ 0	\$ 33,410,448	\$ -3,340,411	\$ 30,070,037	\$ 30,070,037	\$ 0		
\$ 0	\$ 3,369	\$ -337	\$ 3,032	\$ 0	\$ 3,032	\$ 3,032	\$ 0	Standing	
\$ 0	\$ 3,369	\$ -337	\$ 3,032	\$ 0	\$ 3,032	\$ 3,032	\$ 0		
\$ 219,192 0	\$ 182,044 0	\$ -20,684 0	\$ 161,360 0	\$ 20,684 0	\$ 182,044 0	\$ 232,500 -50,456	\$ 50,456 -50,456	Standing HF2531	PG 2 LN 25
\$ 219,192	\$ 182,044	\$ -20,684	\$ 161,360	\$ 20,684	\$ 182,044	\$ 182,044	\$ 0		
\$ 1,680 81 172,083	\$ 1,549 75 158,669	\$ -155 -8 -15,867	\$ 1,394 67 142,802	\$ 0 0 0	\$ 1,394 67 142,802	\$ 1,394 67 142,802	\$ 0 0 0	Standing Standing Standing	
\$ 94,901,000 0 94,901,000	\$ 81,555,457 0 81,555,457	\$ -8,155,546 0 -8,155,546	\$ 73,399,911 0 73,399,911	\$ 10,480,000 0 10,480,000	\$ 83,879,911 0 83,879,911	\$ 95,000,000 -13,800,089 81,199,911	\$ 11,120,089 -13,800,089 -2,680,000	Standing HF2531	PG 3 LN 9
219,192 0	217,772 0	-43,696 0	174,076 0	0 0	174,076 0	232,500 -14,728	58,424 -14,728	Standing HF2531	
\$ 219,192	\$ 217,772	\$ -43,696	\$ 174,076	\$ 0	\$ 174,076	\$ 217,772	\$ 43,696		
\$ 95,294,036	\$ 81,933,522	\$ -8,215,272	\$ 73,718,250	\$ 10,480,000	\$ 84,198,250	\$ 81,561,946	\$ -2,636,304		
\$ 50,000 24,625 5,630,880 0 43,734,000 0	\$ 50,000 0 3,984,786 45,327,400 101,395,597 0	\$ 0 0 -398,479 0 -10,139,560 0	\$ 50,000 0 3,586,307 45,327,400 91,256,037 0	\$ 0 0 0 0 0 0	\$ 50,000 0 3,586,307 45,327,400 91,256,037 0	\$ 50,000 0 3,586,307 0 91,256,037 -83,760,500	\$ 0 0 0 -45,327,400 0 -83,760,500	Standing Standing Standing Standing HF2531	PG 5 LN 9 PG 16 LN 6
\$ 49,439,505	\$ 150,757,783	\$ -10,538,039	\$ 140,219,744	\$ 0	\$ 140,219,744	\$ 11,131,844	\$ -129,087,900		

# Unassigned Standings

## General Fund

	Actual FY 2009 (1)	Orig. Est. FY 2010 (2)	ATB Reduction FY 2010 (3)	Estimated Net FY 2010 (4)	Supp-Final Act. FY 2010 (5)	Rev Est Net FY 2010 (6)	Final Action FY 2011 (7)	Final Action vs Rev Est Net (8)	Bill Number (9)	Page and Line # (10)
<b>Public Defense, Dept. of</b>										
Public Defense, Dept. of										
Compensation and Expense	\$ -5,797,022	\$ 382,938	\$ -38,294	\$ 344,644	\$ 0	\$ 344,644	\$ 344,644	\$ 0	Standing	
<b>Total Public Defense, Dept. of</b>	<b>\$ -5,797,022</b>	<b>\$ 382,938</b>	<b>\$ -38,294</b>	<b>\$ 344,644</b>	<b>\$ 0</b>	<b>\$ 344,644</b>	<b>\$ 344,644</b>	<b>\$ 0</b>		
<b>Public Safety, Department of</b>										
Public Safety, Dept. of										
Peace Officer Retirement	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 135,000	\$ 135,000	HF2518	
<b>Total Public Safety, Department of</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 135,000</b>	<b>\$ 135,000</b>		
<b>Revenue, Dept. of</b>										
Revenue, Dept. of										
Printing Cigarette Stamps	\$ 112,177	\$ 138,502	\$ -13,850	\$ 124,652	\$ 0	\$ 124,652	\$ 124,652	\$ 0	Standing	
Tobacco Reporting Requirements	24,625	21,768	-2,177	19,591	0	19,591	25,000	5,409	Standing	
Tbco Reporting Reduction	0	0	0	0	0	0	-5,409	-5,409	HF2531	PG 3 LN 13
<b>Subtotal</b>	<b>\$ 24,625</b>	<b>\$ 21,768</b>	<b>\$ -2,177</b>	<b>\$ 19,591</b>	<b>\$ 0</b>	<b>\$ 19,591</b>	<b>\$ 19,591</b>	<b>\$ 0</b>		
Homestead Property Tax Credit	0	0	0	0	0	0	136,200,000	136,200,000	Standing	
Homestead Property Tax Credit-PTCF	0	0	0	0	0	0	-136,200,000	-136,200,000	HF2531	PG 5 LN 29
AG Land/Family Farm Tax Credit	0	0	0	0	0	0	39,100,000	39,100,000	Standing	
Ag. Land/Family Farm Tax Credits-PTCF	0	0	0	0	0	0	-39,100,000	-39,100,000	HF2531	PG 5 LN 32
Military Service Tax Credit	0	0	0	0	0	0	2,400,000	2,400,000	Standing	
Military Service Tax Credit-PTCF	0	0	0	0	0	0	-2,400,000	-2,400,000	HF2531	PG 5 LN 35
Elderly & Disabled Tax Credit	0	0	0	0	0	0	23,400,000	23,400,000	Standing	
Elderly & Disabled Tax Credit-PTCF	0	0	0	0	0	0	-23,400,000	-23,400,000	HF2531	PG 6 LN 3
Elderly and Disabled Tax Credit	0	0	0	0	1,426,000	1,426,000	0	-1,426,000	SF2366	PG 1 LN 3
Livestock Producers Credit	1,970,000	0	0	0	0	0	0	0	Standing	
<b>Total Revenue, Dept. of</b>	<b>\$ 2,106,802</b>	<b>\$ 160,270</b>	<b>\$ -16,027</b>	<b>\$ 144,243</b>	<b>\$ 1,426,000</b>	<b>\$ 1,570,243</b>	<b>\$ 144,243</b>	<b>\$ -1,426,000</b>		
<b>Secretary of State</b>										
Secretary of State										
Constitutional Amendments	\$ 1,226	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	Standing	
<b>Total Secretary of State</b>	<b>\$ 1,226</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>		
<b>Treasurer of State</b>										
Treasurer of State										
Health Care Trust Fund Transfer	\$ 125,686,000	\$ 117,796,000	\$ -11,779,600	\$ 106,016,400	\$ 0	\$ 106,016,400	\$ 117,796,000	\$ 11,779,600	Standing	
Health Care Trust Fund Decrease	0	0	0	0	0	0	-11,779,600	-11,779,600	HF2526	PG 118 LN 11
<b>Total Treasurer of State</b>	<b>\$ 125,686,000</b>	<b>\$ 117,796,000</b>	<b>\$ -11,779,600</b>	<b>\$ 106,016,400</b>	<b>\$ 0</b>	<b>\$ 106,016,400</b>	<b>\$ 106,016,400</b>	<b>\$ 0</b>		
<b>Total Unassigned Standings</b>	<b>\$ 2,628,458,707</b>	<b>\$ 2,819,918,184</b>	<b>\$ -274,101,640</b>	<b>\$ 2,545,816,544</b>	<b>\$ 9,735,662</b>	<b>\$ 2,555,552,206</b>	<b>\$ 2,719,435,866</b>	<b>\$ 163,883,660</b>		

**Other Funds  
Appropriations to  
Departments for FY 2011**



## Summary Data

### Other Funds

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net
	(1)	(2)	(3)	(4)	(5)	(6)
Administration and Regulation	\$ 23,285,800	\$ 45,371,152	\$ 0	\$ 45,371,152	\$ 46,215,577	\$ 844,425
Agriculture and Natural Resources	88,089,502	85,154,502	0	85,154,502	77,004,502	-8,150,000
Economic Development	78,301,000	11,545,000	0	11,545,000	23,528,427	11,983,427
Education	2,658,250	105,880,000	0	105,880,000	14,097,000	-91,783,000
Health and Human Services	564,301,804	460,158,816	16,026,991	476,185,807	739,477,935	263,292,128
Justice System	30,652,137	18,068,888	0	18,068,888	21,986,650	3,917,762
Transportation, Infrastructure, and Capitals	850,688,977	907,298,598	-53,271,110	854,027,488	649,497,311	-204,530,177
Unassigned Standings	<u>208,461,010</u>	<u>397,574,511</u>	<u>0</u>	<u>397,574,511</u>	<u>224,959,559</u>	<u>-172,614,952</u>
<b>Grand Total</b>	<u><u>\$ 1,846,438,480</u></u>	<u><u>\$ 2,031,051,467</u></u>	<u><u>\$ -37,244,119</u></u>	<u><u>\$ 1,993,807,348</u></u>	<u><u>\$ 1,796,766,961</u></u>	<u><u>\$ -197,040,387</u></u>

Column Explanations:

- (1) Actual FY 2009 - The actual FY 2009 appropriations. Reversions are not deducted from the appropriations.
- (2) Estimated Net FY 2010 - The FY 2010 legislative action.
- (3) Supp-Final Act. FY 2010 - Additional appropriations and deappropriations enacted during the 2010 Legislative Session to supplement or reduce FY 2010 budgets.
- (4) Rev Est Net FY 2010 - This reflects the Revised Estimated Net appropriations and is the sum of columns 2 and 3.
- (5) Final Action FY 2011 - Final legislative action from the Regular Legislative Session.
- (6) Final Action vs. Rev Est Net - Column 7 minus column 6.

## Bill Totals

### Other Funds

	Supp-Final Act. FY 2010	Estimated Net FY 2011
	(1)	(2)
HF2519 Block Grant Act	\$ 0	\$ 47,947,887
HF2522 Economic Development Appropriations Act	0	11,633,427
HF2525 Agriculture and Natural Resources Appropriations Act	0	76,154,502
HF2526 Health and Human Services Appropriations Act	1,000,000	508,027,935
HF2531 FY 2010 Standing Appropriations Act	0	477,088,178
SF2151 FY 2010 Supplemental Appropriations Act	12,726,991	0
SF2366 FY 2010 Appropriations Adjustments Act	-21,521,110	0
SF2367 Administration and Regulation Appropriations Act	0	44,509,083
SF2376 Education Appropriations Act	0	9,000,000
SF2378 Justice System Appropriations Act	0	21,523,119
SF2381 Transportation Appropriations Act	0	350,731,566
SF2389 Infrastructure Appropriations Act	-29,450,000	303,960,745
Other Standing Appropriations/Adjustments		-53,809,481
<b>Grand Total</b>	<b>\$ -37,244,119</b>	<b>\$ 1,796,766,961</b>

# Administration and Regulation

## Other Funds

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<b><u>Administrative Services, Dept. of</u></b>								
Administrative Services								
DAS Operations-ARRA	\$ 0	\$ 100,000	\$ 0	\$ 100,000	\$ 0	\$ -100,000		
Autism Coverage-UST	0	0	0	0	140,000	140,000	HF2531	PG 34 LN 10
Medication Therapy Mgmt-UST	0	0	0	0	543,000	543,000	HF2531	PG 80 LN 18
Terrace Hill Operations - CRF	0	0	0	0	168,494	168,494	HF2531	PG 97 LN 9
<b>Total Administrative Services, Dept. of</b>	<b>\$ 0</b>	<b>\$ 100,000</b>	<b>\$ 0</b>	<b>\$ 100,000</b>	<b>\$ 851,494</b>	<b>\$ 751,494</b>		
<b><u>Commerce, Dept. of</u></b>								
Banking Division								
Banking Division-CMRF	\$ 0	\$ 8,662,670	\$ 0	\$ 8,662,670	\$ 8,851,670	\$ 189,000	SF2367	PG 6 LN 7
Credit Union Division								
Credit Union Division-CMRF	\$ 0	\$ 1,727,995	\$ 0	\$ 1,727,995	\$ 1,727,995	\$ 0	SF2367	PG 6 LN 13
Insurance Division								
Insurance Division-CMRF	\$ 0	\$ 4,881,216	\$ 0	\$ 4,881,216	\$ 4,928,244	\$ 47,028	SF2367	PG 6 LN 19
Insurance Info Exchange-UST	0	0	0	0	150,000	150,000	HF2531	PG 35 LN 20
Insurance Division (Standings)-CMRF	0	0	0	0	55,000	55,000	HF2531	PG 37 LN 33
<b>Total Insurance Division</b>	<b>\$ 0</b>	<b>\$ 4,881,216</b>	<b>\$ 0</b>	<b>\$ 4,881,216</b>	<b>\$ 5,133,244</b>	<b>\$ 252,028</b>		
Utilities Division								
Utilities Division-CMRF	\$ 0	\$ 8,256,654	\$ 0	\$ 8,256,654	\$ 8,173,069	\$ -83,585	SF2367	PG 7 LN 5
Professional Licensing and Reg.								
Housing Improvement Fund Field Auditor	\$ 62,317	\$ 62,317	\$ 0	\$ 62,317	\$ 62,317	\$ 0	SF2367	PG 8 LN 9
<b>Total Commerce, Dept. of</b>	<b>\$ 62,317</b>	<b>\$ 23,590,852</b>	<b>\$ 0</b>	<b>\$ 23,590,852</b>	<b>\$ 23,948,295</b>	<b>\$ 357,443</b>		
<b><u>Human Rights, Dept. of</u></b>								
Human Rights, Department of								
CJJP-Public Safety Advisory Bd-UST	\$ 0	\$ 0	\$ 0	\$ 0	\$ 140,000	\$ 140,000	HF2531	PG 69 LN 8
Division of Community Action Agencies	150,000	0	0	0	0	0		
<b>Total Human Rights, Dept. of</b>	<b>\$ 150,000</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 140,000</b>	<b>\$ 140,000</b>		

# Administration and Regulation

## Other Funds

	Actual FY 2009 (1)	Estimated Net FY 2010 (2)	Supp-Final Act. FY 2010 (3)	Rev Est Net FY 2010 (4)	Final Action FY 2011 (5)	Final Action vs Rev Est Net (6)	Bill Number (7)	Page and Line # (8)
<u>Inspections &amp; Appeals, Dept. of</u>								
Inspections and Appeals, Dept. of								
DIA Health Facility-ARRA	\$ 0	\$ 400,000	\$ 0	\$ 400,000	\$ 0	\$ -400,000		
DIA-RUTF	1,623,897	1,623,897	0	1,623,897	1,623,897	0	SF2367	PG 15 LN 27
Dependent Adult Abuse-MFA	0	0	0	0	250,000	250,000	HF2531	PG 37 LN 7
<b>Total Inspections &amp; Appeals, Dept. of</b>	<b>\$ 1,623,897</b>	<b>\$ 2,023,897</b>	<b>\$ 0</b>	<b>\$ 2,023,897</b>	<b>\$ 1,873,897</b>	<b>\$ -150,000</b>		
<u>Management, Dept. of</u>								
Management, Dept. of								
DOM Operations FRRF	\$ 0	\$ 200,000	\$ 0	\$ 200,000	\$ 0	\$ -200,000		
DOM Operations-RUTF	56,000	56,000	0	56,000	56,000	0	SF2367	PG 16 LN 16
DOM Operations - CRF	0	0	0	0	260,000	260,000	HF2531	PG 38 LN 17
<b>Total Management, Dept. of</b>	<b>\$ 56,000</b>	<b>\$ 256,000</b>	<b>\$ 0</b>	<b>\$ 256,000</b>	<b>\$ 316,000</b>	<b>\$ 60,000</b>		
<u>Rebuild Iowa Office</u>								
Rebuild Iowa								
Rebuild Iowa OOA1	\$ 1,150,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
Rebuild Iowa OOA2	1,000,000	0	0	0	0	0		
<b>Total Rebuild Iowa Office</b>	<b>\$ 2,150,000</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>		
<u>Revenue, Dept. of</u>								
Revenue, Dept. of								
Motor Fuel Tax Admin.-MVFT	\$ 1,305,775	\$ 1,305,775	\$ 0	\$ 1,305,775	\$ 1,305,775	\$ 0	SF2367	PG 17 LN 13
<b>Total Revenue, Dept. of</b>	<b>\$ 1,305,775</b>	<b>\$ 1,305,775</b>	<b>\$ 0</b>	<b>\$ 1,305,775</b>	<b>\$ 1,305,775</b>	<b>\$ 0</b>		
<u>Treasurer of State</u>								
Treasurer of State								
I-3 Expenses - RUTF	\$ 93,148	\$ 93,148	\$ 0	\$ 93,148	\$ 93,148	\$ 0	SF2367	PG 18 LN 25
<b>Total Treasurer of State</b>	<b>\$ 93,148</b>	<b>\$ 93,148</b>	<b>\$ 0</b>	<b>\$ 93,148</b>	<b>\$ 93,148</b>	<b>\$ 0</b>		
<u>IPERS Administration</u>								
IPERS Administration								
IPERS Administration	\$ 17,844,663	\$ 18,001,480	\$ 0	\$ 18,001,480	\$ 17,686,968	\$ -314,512	SF2367	PG 18 LN 34
<b>Total IPERS Administration</b>	<b>\$ 17,844,663</b>	<b>\$ 18,001,480</b>	<b>\$ 0</b>	<b>\$ 18,001,480</b>	<b>\$ 17,686,968</b>	<b>\$ -314,512</b>		
<b>Total Administration and Regulation</b>	<b>\$ 23,285,800</b>	<b>\$ 45,371,152</b>	<b>\$ 0</b>	<b>\$ 45,371,152</b>	<b>\$ 46,215,577</b>	<b>\$ 844,425</b>		

# Agriculture and Natural Resources

## Other Funds

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<b><u>Agriculture and Land Stewardship</u></b>								
<b>Agriculture and Land Stewardship</b>								
Native Horse and Dog Program	\$ 305,516	\$ 305,516	\$ 0	\$ 305,516	\$ 305,516	\$ 0	HF2525	PG 1 LN 29
Fuel Inspection-UST	0	0	0	0	250,000	250,000	HF2531	PG 86 LN 25
Motor Fuel Inspection-RFIF	300,000	300,000	0	300,000	300,000	0	HF2525	PG 2 LN 7
Conservation Reserve Enhance-EFF	1,500,000	1,500,000	0	1,500,000	1,500,000	0	HF2525	PG 9 LN 9
Watershed Protection Fund-EFF	2,550,000	2,550,000	0	2,550,000	1,500,000	-1,050,000	HF2525	PG 9 LN 25
Farm Management Demo.-EFF	850,000	800,000	0	800,000	750,000	-50,000	HF2525	PG 9 LN 33
Agricultural Drainage Wells-EFF	1,500,000	1,500,000	0	1,500,000	1,250,000	-250,000	HF2525	PG 10 LN 13
Cost Share-EFF	7,000,000	7,000,000	0	7,000,000	1,050,000	-5,950,000	HF2525	PG 10 LN 22
Conservation Reserve Prog.-EFF	1,500,000	1,500,000	0	1,500,000	1,300,000	-200,000	HF2525	PG 10 LN 26
So. Iowa Conservation & Dev.-EFF	300,000	300,000	0	300,000	250,000	-50,000	HF2525	PG 11 LN 16
Open Feedlots-Ag Remediation	50,000	0	0	0	0	0		
Soil & Water Conservation Needs Assessment	15,000	0	0	0	0	0		
Soil and Water Conservation Fund - EFF	0	0	0	0	1,751,600	1,751,600	HF2525	PG 11 LN 22
<b>Total Agriculture and Land Stewardship</b>	<b>\$ 15,870,516</b>	<b>\$ 15,755,516</b>	<b>\$ 0</b>	<b>\$ 15,755,516</b>	<b>\$ 10,207,116</b>	<b>\$ -5,548,400</b>		
<b>Loess Hills Dev. and Conservation</b>								
Loess Hills-EFF	\$ 600,000	\$ 600,000	\$ 0	\$ 600,000	\$ 500,000	\$ -100,000	HF2525	PG 10 LN 35
<b>Total Agriculture and Land Stewardship</b>	<b>\$ 16,470,516</b>	<b>\$ 16,355,516</b>	<b>\$ 0</b>	<b>\$ 16,355,516</b>	<b>\$ 10,707,116</b>	<b>\$ -5,648,400</b>		
<b><u>Natural Resources, Dept. of</u></b>								
<b>Natural Resources</b>								
ATV Fund Transfer	\$ 775,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
Snowmobile Fund Transfer	950,000	0	0	0	0	0		
Database Modification-UST	0	0	0	0	100,000	100,000	HF2531	PG 86 LN 18
Technical Tank Review-UST	0	0	0	0	200,000	200,000	HF2531	PG 86 LN 9
Fish & Game-DNR Admin Expenses	38,793,154	38,793,154	0	38,793,154	38,793,154	0	HF2525	PG 3 LN 29
Groundwater Protection Fund	0	0	0	0	3,455,832	3,455,832	HF2525	PG 5 LN 32
Snowmobile Registration Fees	100,000	100,000	0	100,000	100,000	0	HF2525	PG 6 LN 9
UST Administration Match	200,000	200,000	0	200,000	200,000	0	HF2525	PG 6 LN 19
NPDES Permit Application Processing	700,000	0	0	0	0	0		
GWF-Storage Tanks Study-DNR	100,303	100,303	0	100,303	0	-100,303		
GWF-Household Hazardous Waste-DNR	447,324	447,324	0	447,324	0	-447,324		
GWF-Well Testing Admin 2%-DNR	62,461	62,461	0	62,461	0	-62,461		
GWF-Groundwater Monitoring-DNR	1,686,751	1,686,751	0	1,686,751	0	-1,686,751		
GWF-Landfill Alternatives-DNR	618,993	618,993	0	618,993	0	-618,993		
GWF-Waste Reduction and Assistance	192,500	192,500	0	192,500	0	-192,500		
GWF-Solid Waste Authorization	50,000	50,000	0	50,000	0	-50,000		
GWF-Geographic Information System	297,500	297,500	0	297,500	0	-297,500		
DNR Facility Rent - CRF	0	0	0	0	300,000	300,000	HF2531	PG 38 LN 32
<b>Total Natural Resources, Dept. of</b>	<b>\$ 44,973,986</b>	<b>\$ 42,548,986</b>	<b>\$ 0</b>	<b>\$ 42,548,986</b>	<b>\$ 43,148,986</b>	<b>\$ 600,000</b>		

# Agriculture and Natural Resources

## Other Funds

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<b><u>Natural Resources Capital</u></b>								
Natural Resources Capital								
State Park Volunteer Activities - EFF	\$ 0	\$ 0	\$ 0	\$ 0	\$ 250,000	\$ 250,000	HF2525	PG 13 LN 18
REAP-EFF	18,000,000	18,000,000	0	18,000,000	15,000,000	-3,000,000	HF2525	PG 13 LN 35
Volunteers and Keepers of Land-EFF	100,000	100,000	0	100,000	100,000	0	HF2525	PG 12 LN 2
Park Operations & Maintenance-EFF	2,470,000	2,470,000	0	2,470,000	2,470,000	0	HF2525	PG 12 LN 6
GIS Information for Watershed-EFF	195,000	195,000	0	195,000	195,000	0	HF2525	PG 12 LN 10
Water Quality Monitoring-EFF	2,955,000	2,955,000	0	2,955,000	2,955,000	0	HF2525	PG 12 LN 15
Water Quality Protection-EFF	500,000	500,000	0	500,000	500,000	0	HF2525	PG 12 LN 19
Resource Conservation and Dev.-EFF	250,000	250,000	0	250,000	150,000	-100,000	HF2525	PG 13 LN 5
Air Quality Monitoring-EFF	325,000	425,000	0	425,000	425,000	0	HF2525	PG 12 LN 27
Animal Feeding Operations-EFF	360,000	360,000	0	360,000	608,400	248,400	HF2525	PG 12 LN 23
Water Quantity-EFF	495,000	495,000	0	495,000	495,000	0	HF2525	PG 12 LN 33
Ambient Air Quality-FES	195,000	0	0	0	0	0		
Global Climate Change-EFF	50,000	0	0	0	0	0		
Water Trails & Low Head Dam	250,000	0	0	0	0	0		
<b>Total Natural Resources Capital</b>	<b>\$ 26,145,000</b>	<b>\$ 25,750,000</b>	<b>\$ 0</b>	<b>\$ 25,750,000</b>	<b>\$ 23,148,400</b>	<b>\$ -2,601,600</b>		
<b><u>Economic Development, Dept. of</u></b>								
Economic Development, Dept. of								
Brownfields Redevelopment-EFF	\$ 500,000	\$ 500,000	\$ 0	\$ 500,000	\$ 0	\$ -500,000		
<b>Total Economic Development, Dept. of</b>	<b>\$ 500,000</b>	<b>\$ 500,000</b>	<b>\$ 0</b>	<b>\$ 500,000</b>	<b>\$ 0</b>	<b>\$ -500,000</b>		
<b>Total Agriculture and Natural Resources</b>	<b>\$ 88,089,502</b>	<b>\$ 85,154,502</b>	<b>\$ 0</b>	<b>\$ 85,154,502</b>	<b>\$ 77,004,502</b>	<b>\$ -8,150,000</b>		

# Economic Development

## Other Funds

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<b><u>Economic Development, Dept. of</u></b>								
Economic Development, Dept. of								
Council of Governments	\$ 0	\$ 144,000	\$ 0	\$ 144,000	\$ 0	\$ -144,000		
Taiwan Trade Office-UST	0	0	0	0	100,000	100,000	HF2531	PG 37 LN 18
Councils of Government (COGs - GIVF Int)	160,000	0	0	0	0	0		
DED - Workforce Development Fund	4,000,000	4,000,000	0	4,000,000	4,000,000	0	HF2522	PG 6 LN 33
Iowa Comm Volunteer Ser.-HITT	125,000	0	0	0	0	0		
Renewable Fuels Infrastructure-GIVF	1,600,000	0	0	0	0	0		
DED Programs-GIVF	24,000,000	0	0	0	0	0		
Regents Institutions-GIVF	4,000,000	0	0	0	0	0		
State Parks-GIVF	800,000	0	0	0	0	0		
Cultural Trust Fund-GIVF	800,000	0	0	0	0	0		
Workforce and Econ. Dev.-GIVF	5,600,000	0	0	0	0	0		
Regional Financial Assistance-GIVF	800,000	0	0	0	0	0		
Site Development Consultations-SIF	0	0	0	0	175,000	175,000	SF2389	PG 44 LN 32
Innovation & Commercialization-GIVF	2,400,000	0	0	0	0	0		
River Enhan. Comm. Attract. & Tourism-FES	2,000,000	0	0	0	0	0		
Comm. Microenterprise Dev. Grants-FES	475,000	0	0	0	0	0		
Sustainable Community Development-GIVF	500,000	0	0	0	0	0		
Save our Small Businesses Fund-SIF	0	0	0	0	5,000,000	5,000,000	SF2389	PG 52 LN 27
Small Business Assistance Website-SIF	0	0	0	0	20,000	20,000	SF2389	PG 46 LN 9
Endow Iowa Admin-County Endw. Fund	70,000	70,000	0	70,000	0	-70,000		
<b>Total Economic Development, Dept. of</b>	<b>\$ 47,330,000</b>	<b>\$ 4,214,000</b>	<b>\$ 0</b>	<b>\$ 4,214,000</b>	<b>\$ 9,295,000</b>	<b>\$ 5,081,000</b>		
<b><u>Iowa Finance Authority</u></b>								
Iowa Finance Authority								
Jumpstart Housing Assistance	\$ 24,000,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
CR Courthouse Flood Mit.-CRF	0	0	0	0	2,100,000	2,100,000	HF2531	PG 39 LN 15
Public Ser Ctr Flood Damage-CRF	0	0	0	0	4,500,000	4,500,000	HF2531	PG 39 LN 10
<b>Total Iowa Finance Authority</b>	<b>\$ 24,000,000</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 6,600,000</b>	<b>\$ 6,600,000</b>		
<b><u>Iowa Workforce Development</u></b>								
Iowa Workforce Development								
P & I Workforce Development Field Offices	\$ 0	\$ 360,000	\$ 0	\$ 360,000	\$ 662,427	\$ 302,427	HF2522	PG 13 LN 20
Workers' Comp. Div.-Sp. Cont. Fund	471,000	471,000	0	471,000	471,000	0	HF2522	PG 13 LN 8
IWD Field Offices (UI Reserve Interest)	6,500,000	6,500,000	0	6,500,000	6,500,000	0	HF2522	PG 13 LN 28
<b>Total Iowa Workforce Development</b>	<b>\$ 6,971,000</b>	<b>\$ 7,331,000</b>	<b>\$ 0</b>	<b>\$ 7,331,000</b>	<b>\$ 7,633,427</b>	<b>\$ 302,427</b>		
<b>Total Economic Development</b>	<b>\$ 78,301,000</b>	<b>\$ 11,545,000</b>	<b>\$ 0</b>	<b>\$ 11,545,000</b>	<b>\$ 23,528,427</b>	<b>\$ 11,983,427</b>		

## Education Other Funds

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<b><u>Education, Dept. of</u></b>								
Education, Dept. of								
Preschool Program-CRF	\$ 0	\$ 0	\$ 0	\$ 0	\$ 4,000,000	\$ 4,000,000	HF2531	PG 38 LN 21
Sac and Fox Education-UST	0	0	0	0	90,000	90,000	HF2531	PG 36 LN 21
Jobs for Amer Grads-CRF	0	0	0	0	540,000	540,000	HF2531	PG 38 LN 27
Before/After School Grants-HITT	505,000	0	0	0	0	0		
Community Empowerment-HITT	2,153,250	0	0	0	0	0		
Community Colleges - ARRA	0	25,600,000	0	25,600,000	0	-25,600,000		
<b>Total Education, Dept. of</b>	<b>\$ 2,658,250</b>	<b>\$ 25,600,000</b>	<b>\$ 0</b>	<b>\$ 25,600,000</b>	<b>\$ 4,630,000</b>	<b>\$ -20,970,000</b>		
<b>Vocational Rehabilitation</b>								
Farmers with Disabilities-UST	\$ 0	\$ 0	\$ 0	\$ 0	\$ 97,000	\$ 97,000	HF2531	PG 34 LN 20
<b>Total Education, Dept. of</b>	<b>\$ 2,658,250</b>	<b>\$ 25,600,000</b>	<b>\$ 0</b>	<b>\$ 25,600,000</b>	<b>\$ 4,727,000</b>	<b>\$ -20,873,000</b>		
<b><u>Regents, Board of</u></b>								
Regents, Board of								
BOR - ARRA	\$ 0	\$ 80,280,000	\$ 0	\$ 80,280,000	\$ 0	\$ -80,280,000		
University of Iowa - General-UST	0	0	0	0	4,086,492	4,086,492	SF2376	PG 19 LN 30
Iowa State University - General-UST	0	0	0	0	3,202,079	3,202,079	SF2376	PG 19 LN 35
University of Northern Iowa - General-UST	0	0	0	0	1,456,118	1,456,118	SF2376	PG 20 LN 5
Iowa School for the Deaf-UST	0	0	0	0	162,980	162,980	SF2376	PG 20 LN 10
Iowa Braille and Sight Saving-UST	0	0	0	0	92,331	92,331	SF2376	PG 20 LN 14
Braille & Sight Saving School-UST	0	0	0	0	137,000	137,000	HF2531	PG 34 LN 18
School for the Deaf-UST	0	0	0	0	233,000	233,000	HF2531	PG 34 LN 15
<b>Total Regents, Board of</b>	<b>\$ 0</b>	<b>\$ 80,280,000</b>	<b>\$ 0</b>	<b>\$ 80,280,000</b>	<b>\$ 9,370,000</b>	<b>\$ -70,910,000</b>		
<b>Total Education</b>	<b>\$ 2,658,250</b>	<b>\$ 105,880,000</b>	<b>\$ 0</b>	<b>\$ 105,880,000</b>	<b>\$ 14,097,000</b>	<b>\$ -91,783,000</b>		



# Health and Human Services

## Other Funds

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<b>Aging, Dept. on</b>								
<b>Aging, Dept. on</b>								
Seamless Computer System-HCTA	\$ 0	\$ 200,000	\$ 0	\$ 200,000	\$ 0	\$ -200,000		
Elder Affairs Operations-SLTF	8,486,698	8,486,698	0	8,486,698	8,486,698	0	HF2526	PG 65 LN 34
<b>Total Aging, Dept. on</b>	<u>\$ 8,486,698</u>	<u>\$ 8,686,698</u>	<u>\$ 0</u>	<u>\$ 8,686,698</u>	<u>\$ 8,486,698</u>	<u>\$ -200,000</u>		
<b>Public Health, Dept. of</b>								
<b>Public Health, Dept. of</b>								
Community Capacity-FRRF	\$ 0	\$ 500,000	\$ 0	\$ 500,000	\$ 0	\$ -500,000		
Healthy Aging-FRRF	0	700,000	0	700,000	0	-700,000		
Resource Management-FRRF	0	1,800,000	0	1,800,000	0	-1,800,000		
Addictive Disorders - UST	0	0	0	0	500,000	500,000	HF2526	PG 76 LN 4
Pharmaceutical Disposal-UST	0	0	0	0	150,000	150,000	HF2531	PG 34 LN 5
Chronic Conditions - UST	0	0	0	0	35,000	35,000	HF2526	PG 76 LN 7
Public Protection - UST	0	0	0	0	100,000	100,000	HF2526	PG 76 LN 14
Ad. Dis.-Substance Abuse Treatment-GTF	2,215,000	0	0	0	0	0		
Ad. Dis.-Gambling Treatment Prog.-GTF	5,068,101	0	0	0	0	0		
Ad. Dis.-Tobacco Use Prev.-HITT	6,928,265	0	0	0	0	0		
Ad. Dis.-Sub. Abuse Treatment-HITT	13,800,000	0	0	0	0	0		
Ad. Dis.-Sub. Abuse Prev. for Kids-HITT	1,050,000	0	0	0	0	0		
Chr. Con-PKU Assistance-HITT	100,000	0	0	0	0	0		
Chr. Con.-Iowa Stillbirth Eval.-HITT	26,000	0	0	0	0	0		
Chr. Con.-AIDS Drug Assist. Prog.-HITT	275,000	0	0	0	0	0		
Healthy Iowans 2010-HITT	2,509,960	0	0	0	0	0		
Epilepsy Education-HITT	100,000	0	0	0	0	0		
Addictive Disorders-HCTF	3,178,713	2,473,823	0	2,473,823	0	-2,473,823		
Healthy Children and Families-HCTF	664,262	444,217	0	444,217	0	-444,217		
Chronic Conditions-HCTF	1,158,187	899,297	0	899,297	0	-899,297		
Community Capacity-HCTF	2,775,635	2,448,456	0	2,448,456	0	-2,448,456		
<b>Total Public Health, Dept. of</b>	<u>\$ 39,849,123</u>	<u>\$ 9,265,793</u>	<u>\$ 0</u>	<u>\$ 9,265,793</u>	<u>\$ 785,000</u>	<u>\$ -8,480,793</u>		

# Health and Human Services

## Other Funds

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<b>Human Services, Dept. of</b>								
<b>General Administration</b>								
FIP-TANF	\$ 26,101,513	\$ 28,584,403	\$ 0	\$ 28,584,403	\$ 24,376,341	\$ -4,208,062	HF2526	PG 17 LN 12
Promise Jobs-TANF	13,334,528	13,026,796	0	13,026,796	12,411,528	-615,268	HF2526	PG 17 LN 16
FaDDS-TANF	2,998,675	2,448,980	0	2,448,980	2,898,980	450,000	HF2526	PG 17 LN 31
Field Operations-TANF	18,507,495	21,659,136	0	21,659,136	31,296,232	9,637,096	HF2526	PG 18 LN 7
General Administration-TANF	3,744,000	3,744,000	0	3,744,000	3,744,000	0	HF2526	PG 18 LN 9
Local Admin. Cost-TANF	2,189,830	1,094,915	0	1,094,915	0	-1,094,915		
State Day Care-TANF	18,986,177	18,986,177	0	18,986,177	16,382,687	-2,603,490	HF2526	PG 18 LN 11
MH/DD Comm. Services-TANF	4,894,052	4,894,052	0	4,894,052	4,894,052	0	HF2526	PG 18 LN 27
Child & Family Services-TANF	32,084,430	32,084,430	0	32,084,430	32,084,430	0	HF2526	PG 18 LN 30
Child Abuse Prevention-TANF	250,000	125,000	0	125,000	125,000	0	HF2526	PG 18 LN 32
Training & Technology-TANF	1,037,186	1,037,186	0	1,037,186	1,037,186	0	HF2526	PG 19 LN 16
HOPES - Transfer to DPH-TANF	200,000	0	0	0	0	0		
0-5 Children-TANF	7,350,000	6,850,000	0	6,850,000	6,350,000	-500,000	HF2526	PG 19 LN 20
Child Support Recovery-TANF	200,000	0	0	0	0	0		
General Administration-DHSRF	0	1,500,000	0	1,500,000	0	-1,500,000		
Child Care Direct Assistance-TANF	8,900,000	6,845,000	0	6,845,000	0	-6,845,000		
FIP Emergency ARRA- TANF	0	0	10,226,991	10,226,991	17,678,279	7,451,288	HF2526	PG 19 LN 31
<b>Total General Administration</b>	<b>\$ 140,777,886</b>	<b>\$ 142,880,075</b>	<b>\$ 10,226,991</b>	<b>\$ 153,107,066</b>	<b>\$ 153,278,715</b>	<b>\$ 171,649</b>		
<b>Field Operations</b>								
Field Operations-FRRF	\$ 0	\$ 680,596	\$ -680,596	\$ 0	\$ 0	\$ 0	SF2151	PG 6 LN 2
Field Operations-DHSRF	0	8,386,761	0	8,386,761	0	-8,386,761		
Field Operations - UST	0	0	0	0	2,340,000	2,340,000	HF2526	PG 78 LN 8
Child Support Recoveries - UST	0	0	0	0	250,000	250,000	HF2526	PG 77 LN 15
<b>Total Field Operations</b>	<b>\$ 0</b>	<b>\$ 9,067,357</b>	<b>\$ -680,596</b>	<b>\$ 8,386,761</b>	<b>\$ 2,590,000</b>	<b>\$ -5,796,761</b>		
<b>Toledo Juvenile Home</b>								
Toledo-DHSRF	\$ 0	\$ 836,515	\$ 0	\$ 836,515	\$ 0	\$ -836,515		
Toledo Juvenile Home - UST	0	0	0	0	200,000	200,000	HF2526	PG 77 LN 19
<b>Total Toledo Juvenile Home</b>	<b>\$ 0</b>	<b>\$ 836,515</b>	<b>\$ 0</b>	<b>\$ 836,515</b>	<b>\$ 200,000</b>	<b>\$ -636,515</b>		
<b>Eldora Training School</b>								
Eldora-DHSRF	\$ 0	\$ 1,327,300	\$ 0	\$ 1,327,300	\$ 0	\$ -1,327,300		
Eldora Training School - UST	0	0	0	0	400,000	400,000	HF2526	PG 77 LN 22
<b>Total Eldora Training School</b>	<b>\$ 0</b>	<b>\$ 1,327,300</b>	<b>\$ 0</b>	<b>\$ 1,327,300</b>	<b>\$ 400,000</b>	<b>\$ -927,300</b>		
<b>Cherokee CCUSO</b>								
CCUSO-DHSRF	\$ 0	\$ 503,554	\$ 0	\$ 503,554	\$ 0	\$ -503,554		
Civil Commit. Unit for Sex Offenders - UST	0	0	0	0	800,000	800,000	HF2526	PG 78 LN 6
<b>Total Cherokee CCUSO</b>	<b>\$ 0</b>	<b>\$ 503,554</b>	<b>\$ 0</b>	<b>\$ 503,554</b>	<b>\$ 800,000</b>	<b>\$ 296,446</b>		

# Health and Human Services

## Other Funds

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<b>Cherokee</b>								
Cherokee MHI-DHSRF	\$ 0	\$ 673,209	\$ 0	\$ 673,209	\$ 0	\$ -673,209	HF2526	PG 77 LN 27
Cherokee MHI - UST	0	0	0	0	100,000	100,000		
<b>Total Cherokee</b>	<b>\$ 0</b>	<b>\$ 673,209</b>	<b>\$ 0</b>	<b>\$ 673,209</b>	<b>\$ 100,000</b>	<b>\$ -573,209</b>		
<b>Clarinda</b>								
Clarinda MHI-DHSRF	\$ 0	\$ 804,256	\$ 0	\$ 804,256	\$ 0	\$ -804,256	HF2526	PG 77 LN 30
Clarinda MHI - UST	0	0	0	0	100,000	100,000		
<b>Total Clarinda</b>	<b>\$ 0</b>	<b>\$ 804,256</b>	<b>\$ 0</b>	<b>\$ 804,256</b>	<b>\$ 100,000</b>	<b>\$ -704,256</b>		
<b>Independence</b>								
Independence MHI-DHSRF	\$ 0	\$ 1,177,799	\$ 0	\$ 1,177,799	\$ 0	\$ -1,177,799	HF2526	PG 77 LN 33
Independence MHI - UST	0	0	0	0	100,000	100,000		
<b>Total Independence</b>	<b>\$ 0</b>	<b>\$ 1,177,799</b>	<b>\$ 0</b>	<b>\$ 1,177,799</b>	<b>\$ 100,000</b>	<b>\$ -1,077,799</b>		
<b>Mt Pleasant</b>								
Mt Pleasant MHI-DHSRF	\$ 0	\$ 222,694	\$ 0	\$ 222,694	\$ 0	\$ -222,694	HF2526	PG 78 LN 1
Mt Pleasant MHI - UST	0	0	0	0	50,000	50,000		
<b>Total Mt Pleasant</b>	<b>\$ 0</b>	<b>\$ 222,694</b>	<b>\$ 0</b>	<b>\$ 222,694</b>	<b>\$ 50,000</b>	<b>\$ -172,694</b>		
<b>Assistance</b>								
Medicaid - CRF	\$ 0	\$ 0	\$ 0	\$ 0	\$ 187,800,000	\$ 187,800,000	HF2531	PG 38 LN 14
Medicaid Supplemental-SLTF	111,753,195	17,686,827	0	17,686,827	39,080,435	21,393,608	HF2526	PG 67 LN 31
Medicaid - HHCATF	0	0	0	0	39,406,000	39,406,000	HF2531	PG 102 LN 1
Nonparticipating Provider - HHCATF	0	0	0	0	594,000	594,000	HF2531	PG 102 LN 14
Nursing Facility Medicaid Sup. - QATF	0	0	0	0	13,900,000	13,900,000	HF2526	PG 75 LN 1
Nonparticipating Provider - NPRF	0	0	0	0	2,000,000	2,000,000	HF2531	PG 102 LN 18
UIHC Physician Reimbursement - ICA	0	0	0	0	2,000,000	2,000,000	HF2531	PG 101 LN 15
Nonparticipating Provider - ICA	0	0	0	0	-2,000,000	-2,000,000	HF2531	PG 101 LN 25
Child & Family Services-UST	0	0	0	0	1,000,000	1,000,000	HF2531	PG 35 LN 7
Pregnancy Prevention-TANF	1,930,067	1,327,878	0	1,327,878	1,930,067	602,189	HF2526	PG 18 LN 34
Medical Contracts-Pharm. Settlement	1,323,833	1,323,833	0	1,323,833	4,027,613	2,703,780	HF2526	PG 68 LN 9
Broadlawns Hospital-ICA	46,000,000	46,000,000	1,000,000	47,000,000	51,000,000	4,000,000	HF2526	PG 70 LN 32
State Hospital-Cherokee-ICA	3,164,766	0	0	0	0	0		
State Hospital-Clarinda-ICA	687,779	0	0	0	0	0		
State Hospital-Independence-ICA	3,146,494	0	0	0	0	0		
State Hospital-Mt Pleasant-ICA	2,000,961	0	0	0	0	0		
Medical Examinations-HCTA	556,800	556,800	0	556,800	556,800	0	HF2526	PG 73 LN 18
Medical Information Hotline-HCTA	150,000	100,000	0	100,000	100,000	0	HF2526	PG 73 LN 21
Health Partnership Activities-HCTA	900,000	600,000	0	600,000	600,000	0	HF2526	PG 73 LN 24
Audits, Perf. Eval., Studies-HCTA	400,000	125,000	0	125,000	125,000	0	HF2526	PG 73 LN 27
IowaCare Admin. Costs-HCTA	1,132,412	1,132,412	0	1,132,412	1,132,412	0	HF2526	PG 73 LN 30
Dental Home for Children-HCTA	1,000,000	1,000,000	0	1,000,000	1,000,000	0	HF2526	PG 73 LN 32
Mental Health Trans. Pilot-HCTA	250,000	0	0	0	0	0		
MH/DD Workforce Development-HCTA	500,000	50,000	0	50,000	50,000	0	HF2526	PG 74 LN 1
Medical Assistance-HCTF	114,351,496	100,650,740	0	100,650,740	107,615,211	6,964,471	HF2526	PG 27 LN 26

# Health and Human Services

## Other Funds

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
MH/MR/DD Growth-HCTF	7,553,010	0	0	0	0	0		
General Administration-HITT	274,000	0	0	0	0	0		
POS Provider Increase-HITT	146,750	0	0	0	0	0		
Other Service Providers Inc.-HITT	182,381	0	0	0	0	0		
Child and Family Services-HITT	3,786,677	0	0	0	0	0		
Broadlawns Admin-HCTA	230,000	290,000	0	290,000	290,000	0	HF2526	PG 74 LN 8
Medical Contracts-HCTA	0	1,300,000	0	1,300,000	1,300,000	0	HF2526	PG 74 LN 6
Medical Assistance-FRRF	0	6,237,173	19,637,038	25,874,211	0	-25,874,211	SF2151	PG 5 LN 1
Covering All Kids-FRRF	0	6,263,231	-6,263,231	0	0	0	SF2151	PG 5 LN 12
MH Risk Pool-FRRF	0	10,000,000	0	10,000,000	0	-10,000,000		
Child and Family Services-FRRF	0	2,500,000	-2,500,000	0	0	0	SF2151	PG 6 LN 18
Volunteer Health Care-FRRF	0	20,000	0	20,000	0	-20,000		
Health Insurance Pilot-FRRF	0	400,000	0	400,000	0	-400,000		
MH Property Tax Replacement-FRRF	0	10,480,000	-10,480,000	0	0	0	SF2151	PG 5 LN 24
MH/MR State Cases-DHSRF	0	325,430	0	325,430	0	-325,430		
Iowa Unmet Needs Disaster Grant Program	7,850,000	0	0	0	0	0		
MH PTRF Medical Asst.	624,000	0	0	0	0	0		
Child Care Subsidy - ARRA	0	0	0	0	18,120,842	18,120,842		
Family Support Subsidy - UST	0	0	0	0	100,000	100,000	HF2526	PG 77 LN 10
IowaCare Supplemental - ICA	0	0	2,500,000	2,500,000	0	-2,500,000	SF2151	PG 4 LN 25
Medicaid NF - QATF	0	0	2,300,000	2,300,000	0	-2,300,000	SF2366	PG 17 LN 4
MH/MR State Cases - FRRF	0	0	286,789	286,789	0	-286,789	SF2151	PG 6 LN 23
Child and Family Services - UST	0	0	0	0	925,000	925,000	HF2526	PG 76 LN 17
Nonparticipating Provider Reimb.-ICA	0	0	0	0	2,000,000	2,000,000	HF2526	PG 73 LN 1
MI/MR/DD State Cases - UST	0	0	0	0	1,000,000	1,000,000	HF2526	PG 78 LN 4
FQHC - ICA	0	0	0	0	6,000,000	6,000,000	HF2526	PG 72 LN 17
Shelter Care - CRF	0	0	0	0	500,000	500,000	HF2531	PG 39 LN 2
<b>Total Assistance</b>	<b>\$ 309,894,621</b>	<b>\$ 208,369,324</b>	<b>\$ 6,480,596</b>	<b>\$ 214,849,920</b>	<b>\$ 482,153,380</b>	<b>\$ 267,303,460</b>		
<b>Total Human Services, Dept. of</b>	<b>\$ 450,672,507</b>	<b>\$ 365,862,083</b>	<b>\$ 16,026,991</b>	<b>\$ 381,889,074</b>	<b>\$ 639,772,095</b>	<b>\$ 257,883,021</b>		
<b><u>Veterans Affairs, Dept. of</u></b>								
<b>Veterans Affairs, Department of</b>								
County Veterans Grant - Merchant Marine	\$ 0	\$ 0	\$ 0	\$ 0	\$ 90,000	\$ 90,000	HF2526	PG 16 LN 22
<b>Total Veterans Affairs, Dept. of</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 90,000</b>	<b>\$ 90,000</b>		
<b><u>Inspections &amp; Appeals, Dept. of</u></b>								
<b>Inspections and Appeals, Dept. of</b>								
Assisted Living/Adult Day Care-SLTF	\$ 1,339,527	\$ 1,339,527	\$ 0	\$ 1,339,527	\$ 0	\$ -1,339,527		
Assisted Living/Adult Day Care- MFA	0	0	0	0	1,339,527	1,339,527	HF2526	PG 74 LN 25
<b>Total Inspections &amp; Appeals, Dept. of</b>	<b>\$ 1,339,527</b>	<b>\$ 1,339,527</b>	<b>\$ 0</b>	<b>\$ 1,339,527</b>	<b>\$ 1,339,527</b>	<b>\$ 0</b>		

# Health and Human Services

## Other Funds

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<u>Regents, Board of</u>								
Regents, Board of								
BOR UIHC - Expansion Population-ICA	\$ 35,969,365	\$ 47,020,131	\$ 0	\$ 47,020,131	\$ 49,020,031	\$ 1,999,900	HF2526	PG 69 LN 31
BOR UIHC - ICA	27,284,584	27,284,584	0	27,284,584	27,284,584	0	HF2526	PG 68 LN 19
UIHC IowaCare Physician - ICA	0	0	0	0	12,000,000	12,000,000	HF2526	PG 70 LN 12
<b>Total Regents, Board of</b>	<b>\$ 63,253,949</b>	<b>\$ 74,304,715</b>	<b>\$ 0</b>	<b>\$ 74,304,715</b>	<b>\$ 88,304,615</b>	<b>\$ 13,999,900</b>		
<u>Iowa Finance Authority</u>								
Iowa Finance Authority								
Rent Subsidy Program-SLTF	\$ 700,000	\$ 700,000	\$ 0	\$ 700,000	\$ 700,000	\$ 0	HF2526	PG 67 LN 14
<b>Total Iowa Finance Authority</b>	<b>\$ 700,000</b>	<b>\$ 700,000</b>	<b>\$ 0</b>	<b>\$ 700,000</b>	<b>\$ 700,000</b>	<b>\$ 0</b>		
<b>Total Health and Human Services</b>	<b>\$ 564,301,804</b>	<b>\$ 460,158,816</b>	<b>\$ 16,026,991</b>	<b>\$ 476,185,807</b>	<b>\$ 739,477,935</b>	<b>\$ 263,292,128</b>		

# Justice System

## Other Funds

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<u>Justice, Department of</u>								
Consumer Advocate								
Consumer Advocate-CMRF	\$ 0	\$ 3,138,888	\$ 0	\$ 3,138,888	\$ 3,336,344	\$ 197,456	SF2378	PG 2 LN 24
Justice, Dept. of								
General Office A.G.-PSEF	\$ 0	\$ 0	\$ 0	\$ 0	\$ 150,000	\$ 150,000	SF2378	PG 30 LN 18
<b>Total Justice, Department of</b>	<b>\$ 0</b>	<b>\$ 3,138,888</b>	<b>\$ 0</b>	<b>\$ 3,138,888</b>	<b>\$ 3,486,344</b>	<b>\$ 347,456</b>		
<u>Civil Rights Commission</u>								
Civil Rights Commission								
Civil Rights - PSEF	\$ 0	\$ 0	\$ 0	\$ 0	\$ 100,000	\$ 100,000	SF2378	PG 30 LN 18
<b>Total Civil Rights Commission</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 100,000</b>	<b>\$ 100,000</b>		
<u>Corrections, Dept. of</u>								
Central Office								
DOC Central Office-ARRA	\$ 0	\$ 210,000	\$ 0	\$ 210,000	\$ 0	\$ -210,000		
Transitional Housing -HITT Fund - Community Based	30,000	0	0	0	0	0		
<b>Total Central Office</b>	<b>\$ 30,000</b>	<b>\$ 210,000</b>	<b>\$ 0</b>	<b>\$ 210,000</b>	<b>\$ 0</b>	<b>\$ -210,000</b>		
Fort Madison								
DOC Fort Madison-ARRA	\$ 0	\$ 4,347,000	\$ 0	\$ 4,347,000	\$ 0	\$ -4,347,000		
Fort Madison Inst.- PSEF	0	0	0	0	1,451,000	1,451,000	SF2378	PG 30 LN 18
Ft. Madison CCU - HITT	1,497,285	0	0	0	0	0		
<b>Total Fort Madison</b>	<b>\$ 1,497,285</b>	<b>\$ 4,347,000</b>	<b>\$ 0</b>	<b>\$ 4,347,000</b>	<b>\$ 1,451,000</b>	<b>\$ -2,896,000</b>		
Anamosa								
DOC Anamosa-ARRA	\$ 0	\$ 931,000	\$ 0	\$ 931,000	\$ 0	\$ -931,000		
Anamosa Inst. - PSEF	0	0	0	0	1,046,190	1,046,190	SF2378	PG 30 LN 18
<b>Total Anamosa</b>	<b>\$ 0</b>	<b>\$ 931,000</b>	<b>\$ 0</b>	<b>\$ 931,000</b>	<b>\$ 1,046,190</b>	<b>\$ 115,190</b>		
Oakdale								
DOC Oakdale-ARRA	\$ 0	\$ 2,030,000	\$ 0	\$ 2,030,000	\$ 0	\$ -2,030,000		
Newton								
DOC Newton-ARRA	\$ 0	\$ 1,029,000	\$ 0	\$ 1,029,000	\$ 0	\$ -1,029,000		
Mt Pleasant								
DOC Mt. Pleasant-ARRA	\$ 0	\$ 903,000	\$ 0	\$ 903,000	\$ 0	\$ -903,000		
Rockwell City								
DOC Rockwell City-ARRA	\$ 0	\$ 301,000	\$ 0	\$ 301,000	\$ 0	\$ -301,000		
Clarinda								
DOC Clarinda-ARRA	\$ 0	\$ 2,506,000	\$ 0	\$ 2,506,000	\$ 0	\$ -2,506,000		

# Justice System

## Other Funds

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<b>Mitchellville</b>								
DOC Mitchellville-ARRA	\$ 0	\$ 679,000	\$ 0	\$ 679,000	\$ 0	\$ -679,000		
<b>Fort Dodge</b>								
DOC Fort Dodge-ARRA	\$ 0	\$ 1,064,000	\$ 0	\$ 1,064,000	\$ 0	\$ -1,064,000		
<b>CBC District 1</b>								
CBC District I - HITT	\$ 410,332	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	SF2378	PG 30 LN 18
CBC District 1 - PSEF	0	0	0	0	100,000	100,000		
<b>Total CBC District 1</b>	<u>\$ 410,332</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 100,000</u>	<u>\$ 100,000</u>		
<b>CBC District 2</b>								
CBC District II - HITT	\$ 441,215	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
<b>CBC District 3</b>								
CBC District III - HITT	\$ 220,856	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
<b>CBC District 4</b>								
CBC District IV - HITT	\$ 310,547	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
<b>CBC District 5</b>								
CBC District V - HITT	\$ 419,582	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	SF2378	PG 30 LN 18
CBC District 5 - PSEF	0	0	0	0	335,000	335,000		
<b>Total CBC District 5</b>	<u>\$ 419,582</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 335,000</u>	<u>\$ 335,000</u>		
<b>CBC District 6</b>								
CBC District VI - HITT	\$ 566,750	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	SF2378	PG 30 LN 18
CBC District 6 - PSEF	0	0	0	0	402,810	402,810		
<b>Total CBC District 6</b>	<u>\$ 566,750</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 402,810</u>	<u>\$ 402,810</u>		
<b>CBC District 7</b>								
CBC District VII - HITT	\$ 256,608	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
<b>CBC District 8</b>								
CBC District VIII - HITT	\$ 324,299	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
<b>Total Corrections, Dept. of</b>	<u>\$ 4,477,474</u>	<u>\$ 14,000,000</u>	<u>\$ 0</u>	<u>\$ 14,000,000</u>	<u>\$ 3,335,000</u>	<u>\$ -10,665,000</u>		
<b>Judicial Branch</b>								
<b>Judicial Branch</b>								
Court Tech. & Modernization Fund to Judicial Retirement Fund	\$ 1,674,663	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	SF2378	PG 30 LN 18
Judicial Branch - PSEF	0	0	0	0	5,300,000	5,300,000		
Jury and Witness Fund to Judicial Retirement Fund	2,500,000	0	0	0	0	0		
<b>Total Judicial Branch</b>	<u>\$ 4,174,663</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 5,300,000</u>	<u>\$ 5,300,000</u>		

# Justice System

## Other Funds

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<u>Public Defense, Dept. of</u>								
Public Defense, Dept. of								
DPD - ARRA	\$ 0	\$ 180,000	\$ 0	\$ 180,000	\$ 0	\$ -180,000		
Emergency Management Division								
HSEMD Community Disaster Grants	\$ 22,000,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
Total Public Defense, Dept. of	\$ 22,000,000	\$ 180,000	\$ 0	\$ 180,000	\$ 0	\$ -180,000		
<u>Public Safety, Department of</u>								
Public Safety, Dept. of								
DPS Department Wide-ARRA	\$ 0	\$ 750,000	\$ 0	\$ 750,000	\$ 0	\$ -750,000		
DCI Gaming Enforcement-GERF	0	0	0	0	463,531	463,531	HF2531	PG 65 LN 25
State Patrol - PSEF	0	0	0	0	300,000	300,000	SF2378	PG 30 LN 18
Gaming Enforcement-GERF	0	0	0	0	8,851,775	8,851,775	SF2378	PG 18 LN 30
Fire Fighter Training-PSEF	0	0	0	0	150,000	150,000	SF2378	PG 30 LN 18
Total Public Safety, Department of	\$ 0	\$ 750,000	\$ 0	\$ 750,000	\$ 9,765,306	\$ 9,015,306		
Total Justice System	\$ 30,652,137	\$ 18,068,888	\$ 0	\$ 18,068,888	\$ 21,986,650	\$ 3,917,762		



# Transportation, Infrastructure, and Capitals

## Other Funds

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<b><u>Administrative Services, Dept. of</u></b>								
<b>Administrative Services</b>								
DAS Distribution Account-RIIF	\$ 2,000,000	\$ 3,700,000	\$ 0	\$ 3,700,000	\$ 3,700,000	\$ 0	SF2389	PG 1 LN 8
D-Line Bus Service-RIIF	183,000	200,000	0	200,000	200,000	0	SF2389	PG 1 LN 32
I/3 Human Resources Module RFP-RIIF	200,000	0	-200,000	-200,000	0	200,000	SF2389	PG 18 LN 22
Mercy Capital Hospital Operations-RIIF	0	500,000	0	500,000	1,083,175	583,175	SF2389	PG 1 LN 28
<b>Total Administrative Services, Dept. of</b>	<b>\$ 2,383,000</b>	<b>\$ 4,400,000</b>	<b>\$ -200,000</b>	<b>\$ 4,200,000</b>	<b>\$ 4,983,175</b>	<b>\$ 783,175</b>		
<b><u>Administrative Services - Capitals</u></b>								
<b>Administrative Services - Capitals</b>								
Routine Maintenance-RIIF	\$ 3,000,000	\$ 3,000,000	\$ 0	\$ 3,000,000	\$ 0	\$ -3,000,000		
Wallace Building-RIIF	0	1,500,000	0	1,500,000	0	-1,500,000		
Cap Comp Elect Dist Upgrade-RIIF	0	850,000	0	850,000	0	-850,000		
Capitol Interior/Exterior-RIIF	1,900,000	5,000,000	0	5,000,000	0	-5,000,000		
Hoover Bldg HVAC Improve.-RIIF	0	1,500,000	0	1,500,000	0	-1,500,000		
Central Energy Plant/Facilities Mgmt Improve-RIIF	0	623,000	0	623,000	0	-623,000		
ITE Pooled Technology-TRF	3,980,255	2,037,184	0	2,037,184	3,793,654	1,756,470	SF2389	PG 8 LN 6
Major Renovation-RCF	0	195,484	0	195,484	0	-195,484		
DHS CCUSO Facility-RIIF	829,000	0	0	0	0	0		
Complex Utility Tunnels Imprpv-RIIF	1,000,000	0	0	0	0	0		
Cap. Complex Master Plan-RIIF	250,000	0	0	0	0	0		
Property Acquisition-RIIF	1,000,000	0	0	0	0	0		
Install Pre-Heat Piping-RC2	300,000	0	0	0	0	0		
Cap. Complex Alternative Energy Sys.-RC2	200,000	0	0	0	0	0		
Terrace Hill Maintenance-RIIF	0	769,543	0	769,543	0	-769,543		
New State Office Bldg-RC2	-36,923,898	0	0	0	0	0		
Vehicle Dispatch Fleet Relocation-RIIF	-349,161	0	0	0	0	0		
Statewide Major Maintenance-RIIF	2,000,000	0	0	0	0	0		
Hoover Security/Fire Walls-RIIF	165,000	0	0	0	0	0		
Project Manager IVH-RIIF	200,000	0	0	0	0	0		
Terrace Hill Renovation-RCF	186,457	0	0	0	0	0		
Mercy Capitol Purchase-RIIF	3,950,000	0	0	0	0	0		
Major Maintenance-RBC	14,624,923	0	0	0	3,000,000	3,000,000	SF2389	PG 9 LN 32
<b>Total Administrative Services - Capitals</b>	<b>\$ -3,687,424</b>	<b>\$ 15,475,211</b>	<b>\$ 0</b>	<b>\$ 15,475,211</b>	<b>\$ 6,793,654</b>	<b>\$ -8,681,557</b>		

# Transportation, Infrastructure, and Capitals

## Other Funds

	Actual FY 2009 (1)	Estimated Net FY 2010 (2)	Supp-Final Act. FY 2010 (3)	Rev Est Net FY 2010 (4)	Final Action FY 2011 (5)	Final Action vs Rev Est Net (6)	Bill Number (7)	Page and Line # (8)
<b><u>Agriculture and Land Stewardship</u></b>								
<b>Soil Conservation</b>								
Soil Conservation Cost Share - RBC	\$ 0	\$ 0	\$ 0	\$ 0	\$ 1,000,000	\$ 1,000,000	SF2389	PG 10 LN 4
<b>Agriculture and Land Stewardship</b>								
IA Jr. Gelbvieh Association-RIIF	\$ 10,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
Soil Conservation Watershed Grants-RBC	0	11,500,000	0	11,500,000	0	-11,500,000		
Conservation Reserve Enhance Prog RBC2	0	0	0	0	2,500,000	2,500,000	SF2389	PG 15 LN 14
WIRB Administration-RIIF	0	0	0	0	50,000	50,000	SF2389	PG 2 LN 13
<b>Total Agriculture and Land Stewardship</b>	<u>\$ 10,000</u>	<u>\$ 11,500,000</u>	<u>\$ 0</u>	<u>\$ 11,500,000</u>	<u>\$ 2,550,000</u>	<u>\$ -8,950,000</u>		
<b>Soil Conservation</b>								
Soil Conservation Cost Share - RBC2	\$ 0	\$ 0	\$ 0	\$ 0	\$ 5,950,000	\$ 5,950,000	SF2389	PG 14 LN 18
<b>Total Agriculture and Land Stewardship</b>	<u>\$ 10,000</u>	<u>\$ 11,500,000</u>	<u>\$ 0</u>	<u>\$ 11,500,000</u>	<u>\$ 9,500,000</u>	<u>\$ -2,000,000</u>		
<b><u>Blind, Dept. of the</u></b>								
<b>Blind, Dept. for the</b>								
Newsline Service-RIIF	\$ 0	\$ 0	\$ 0	\$ 0	\$ 20,000	\$ 20,000	SF2389	PG 2 LN 18
<b>Total Blind, Dept. of the</b>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 20,000</u>	<u>\$ 20,000</u>		
<b><u>Blind Capitals, Dept. for the</u></b>								
<b>Dept. for the Blind Capitals</b>								
Blind Building Renovation-RBC	\$ 869,748	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
<b>Total Blind Capitals, Dept. for the</b>	<u>\$ 869,748</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>		
<b><u>Corrections, Dept. of</u></b>								
<b>Central Office</b>								
Iowa Corrections Offender Network-TRF	\$ 500,000	\$ 500,000	\$ 0	\$ 500,000	\$ 500,000	\$ 0	SF2389	PG 8 LN 9
<b>Total Corrections, Dept. of</b>	<u>\$ 500,000</u>	<u>\$ 500,000</u>	<u>\$ 0</u>	<u>\$ 500,000</u>	<u>\$ 500,000</u>	<u>\$ 0</u>		

# Transportation, Infrastructure, and Capitals

## Other Funds

Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

### Corrections Capital

#### Corrections Capital

Davenport CBC Facility-RC2	\$ 3,458,217	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
DOC Capital Improvements-RC2	2,797,376	0	0	0	0	0		
CBC 1 Waterloo Bed Expansion-RBC	6,000,000	0	0	0	0	0		
CBC 3 Sioux City Bed Expansion-RBC	5,300,000	0	0	0	0	0		
CBC 5 Des Moines Expansion-RBC	13,100,000	0	0	0	-13,100,000	-13,100,000	SF2389	PG 62 LN 10
CBC 7 Davenport Expansion-RBC	2,100,000	0	0	0	0	0		
CBC 8 Ottumwa Bed Expansion-RBC	4,100,000	0	0	0	0	0		
ICIW Mitchellville Prison Expansion-RBC	47,500,000	0	0	0	0	0		
Mt.Pleasant/Rockwell City Kitchens-RBC	12,500,000	0	0	0	0	0		
DOC Project Management-RBC	0	0	0	0	2,200,000	2,200,000	SF2389	PG 11 LN 13
CBCs Opening Costs Equipment-RBC	0	0	0	0	1,519,048	1,519,048	SF2389	PG 11 LN 3
Security Barrier CBC Des Moines/City Park-RBC	0	0	0	0	1,000,000	1,000,000	SF2389	PG 11 LN 8
DOC A & E Funding-RIIF	1,000,000	0	0	0	0	0		
Project Manager-RIIF	500,000	1,750,000	0	1,750,000	0	-1,750,000		
Iowa State Penitentiary-PBF	130,677,500	0	0	0	0	0		
ISP Electrical Lease-RIIF	0	0	-27,764	-27,764	0	27,764	SF2366	PG 18 LN 7
Davenport CBC Facility-RIIF	-3,458,217	0	0	0	0	0		
DOC Capitals Request-RIIF	-2,797,376	0	0	0	0	0		
CBC Des Moines Expansion-RIIF	200,000	0	-103,346	-103,346	0	103,346	SF2366	PG 18 LN 31
Prison Construction Management-PBF	0	0	0	0	322,500	322,500	SF2389	PG 22 LN 23
<b>Total Corrections Capital</b>	<b>\$ 222,977,500</b>	<b>\$ 1,750,000</b>	<b>\$ -131,110</b>	<b>\$ 1,618,890</b>	<b>\$ -8,058,452</b>	<b>\$ -9,677,342</b>		

### Cultural Affairs, Dept. of

#### Cultural Affairs, Dept. of

Civil War Sesquicentennial-RIIF	\$ 0	\$ 350,000	\$ 0	\$ 350,000	\$ 0	\$ -350,000		
Community Cultural Grants-RIIF	0	200,000	0	200,000	0	-200,000		
Historic Site Maintenance RIIF	0	0	0	0	40,000	40,000	SF2389	PG 2 LN 30
Grout Museum Oral History Exhibit-TRF	500,000	486,250	0	486,250	0	-486,250		
Historic Preservation-RIIF	1,000,000	1,000,000	0	1,000,000	0	-1,000,000		
Kimball Organ Restoration-RIIF	80,000	0	-25,000	-25,000	0	25,000	SF2366	PG 19 LN 3
Great Places Capitals-RIIF	2,000,000	1,900,000	0	1,900,000	0	-1,900,000		
Battle Flags-RIIF	220,000	0	0	0	60,000	60,000	SF2389	PG 2 LN 24
<b>Total Cultural Affairs, Dept. of</b>	<b>\$ 3,800,000</b>	<b>\$ 3,936,250</b>	<b>\$ -25,000</b>	<b>\$ 3,911,250</b>	<b>\$ 100,000</b>	<b>\$ -3,811,250</b>		

### Cultural Affairs Capital

#### Cultural Affairs Capital

Great Places Grants - RBC	\$ 0	\$ 0	\$ 0	\$ 0	\$ 2,000,000	\$ 2,000,000	SF2389	PG 10 LN 35
<b>Total Cultural Affairs Capital</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 2,000,000</b>	<b>\$ 2,000,000</b>		

# Transportation, Infrastructure, and Capitals

## Other Funds

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<u>Economic Development, Dept. of</u>								
Economic Development, Dept. of								
RECAT-RIIF	\$ 10,000,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
NIACC/Mason City Small Business Ctr-RBC2	0	0	0	0	1,500,000	1,500,000	SF2389	PG 16 LN 16
Kirkwood CC/Cedar Rapids Small Bus Ctr-RBC2	0	0	0	0	1,200,000	1,200,000	SF2389	PG 16 LN 20
Regional Transit Hub Construction-RBC	0	0	0	0	4,000,000	4,000,000	SF2389	PG 11 LN 17
Innovation & Commercialization-RIIF	900,000	0	0	0	0	0		
Community & Tourism Grant-RIIF	12,000,000	0	0	0	0	0		
ACE Infrastructure-RIIF	-4,225,000	0	0	0	0	0		
ACE Infrastructure-RC2	9,725,000	0	0	0	0	0		
Workforce Training and Econ Dev Fund-RIIF	2,000,000	2,000,000	0	2,000,000	2,000,000	0	SF2389	PG 2 LN 33
Regional Sports Authorities-RIIF	500,000	500,000	0	500,000	500,000	0	SF2389	PG 3 LN 15
Grow Iowa Values Fund-RIIF	50,000,000	45,000,000	-22,000,000	23,000,000	38,000,000	15,000,000	SF2390	PG 41 LN 7
Des Moines Multiuse Comm. Ctr-RIIF	100,000	0	0	0	0	0		
City Seymour Asbestos Demolition Assist-RIIF	0	50,000	0	50,000	0	-50,000		
AAU Jr. Olympics Summer 2009-RIIF	0	200,000	0	200,000	0	-200,000		
Warren Co Econ Dev Bldg Renovation-RIIF	0	100,000	0	100,000	0	-100,000		
Muscatine Fire Station-RIIF	0	200,000	0	200,000	0	-200,000		
City of Stratford Community Ctr Improve-RIIF	0	10,000	0	10,000	0	-10,000		
Community Attraction and Tourism Grants-RBC	12,000,000	0	0	0	0	0		
River Enhancement CAT-RBC	10,000,000	0	0	0	0	0		
ACE Vertical Infrastructure-RBC	5,500,000	0	0	0	0	0		
Blank Park Zoo Expansion and Renovation-RIIF	0	0	0	0	500,000	500,000	2009 Session	
Community Attraction & Tourism Grants RBC2	0	0	0	0	12,000,000	12,000,000	SF2389	PG 15 LN 17
6th Avenue Corr Revitalization Main Streets-RIIF	0	0	0	0	100,000	100,000	SF2389	PG 3 LN 4
Main Street Projects-RBC	0	0	5,550,000	5,550,000	0	-5,550,000	SF2389	PG 65 LN 33
River Enhancement CAT - RBC2	0	0	0	0	4,000,000	4,000,000	SF2389	PG 15 LN 21
ACE Vertical Infrastructure Comm Colleges - RBC2	0	0	0	0	5,500,000	5,500,000	SF2389	PG 15 LN 28
Port Authority - Econ Dev Southeast Iowa-RIIF	0	0	0	0	50,000	50,000	SF2389	PG 3 LN 10
Main Street Projects-RBC2	0	0	0	0	8,450,000	8,450,000	SF2389	PG 15 LN 33
World Food Prize Borlaug/Ruan Scholar-RIIF	0	0	0	0	100,000	100,000	SF2389	PG 3 LN 20
<b>Total Economic Development, Dept. of</b>	<b>\$ 108,500,000</b>	<b>\$ 48,060,000</b>	<b>\$ -16,450,000</b>	<b>\$ 31,610,000</b>	<b>\$ 77,900,000</b>	<b>\$ 46,290,000</b>		

# Transportation, Infrastructure, and Capitals

## Other Funds

	Actual FY 2009 (1)	Estimated Net FY 2010 (2)	Supp-Final Act. FY 2010 (3)	Rev Est Net FY 2010 (4)	Final Action FY 2011 (5)	Final Action vs Rev Est Net (6)	Bill Number (7)	Page and Line # (8)
<b><u>Education, Dept. of</u></b>								
Education, Dept. of								
ICN Part III Leases & Maint.-TRF	\$ 2,727,000	\$ 2,727,000	\$ 0	\$ 2,727,000	\$ 2,727,000	\$ 0	SF2389	PG 8 LN 13
Iowa Learning Technologies-RIIF	250,000	0	0	0	0	0		
Education Data Warehouse-TRF	600,000	600,000	0	600,000	600,000	0	SF2389	PG 8 LN 17
Enrich Iowa-RIIF	1,000,000	1,000,000	0	1,000,000	500,000	-500,000	SF2389	PG 3 LN 24
Skills Iowa Technology Grant-TRF	500,000	0	0	0	0	0		
Ag. Learning Center(EICC)-RIIF	80,000	0	0	0	0	0		
Community Colleges Infrastructure - RBC	2,000,000	0	0	0	0	0		
Community College Infrastructure - RBC2	0	0	0	0	2,000,000	2,000,000	SF2389	PG 16 LN 24
<b>Total Education, Dept. of</b>	<b>\$ 7,157,000</b>	<b>\$ 4,327,000</b>	<b>\$ 0</b>	<b>\$ 4,327,000</b>	<b>\$ 5,827,000</b>	<b>\$ 1,500,000</b>		
Iowa Public Television								
Generators-TRF	\$ 1,602,437	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
Digital Translator-TRF	701,500	0	0	0	0	0		
<b>Total Iowa Public Television</b>	<b>\$ 2,303,937</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>		
<b>Total Education, Dept. of</b>	<b>\$ 9,460,937</b>	<b>\$ 4,327,000</b>	<b>\$ 0</b>	<b>\$ 4,327,000</b>	<b>\$ 5,827,000</b>	<b>\$ 1,500,000</b>		
<b><u>Ethics and Campaign Disclosure</u></b>								
Campaign Finance Disclosure								
Electronic Filing-TRF	\$ 0	\$ 15,000	\$ 0	\$ 15,000	\$ 0	\$ -15,000		
<b>Total Ethics and Campaign Disclosure</b>	<b>\$ 0</b>	<b>\$ 15,000</b>	<b>\$ 0</b>	<b>\$ 15,000</b>	<b>\$ 0</b>	<b>\$ -15,000</b>		
<b><u>Human Rights, Dept. of</u></b>								
Human Rights, Department of								
Criminal Justice Info. System-TRF	\$ 1,839,852	\$ 361,072	\$ 0	\$ 361,072	\$ 0	\$ -361,072		
<b>Total Human Rights, Dept. of</b>	<b>\$ 1,839,852</b>	<b>\$ 361,072</b>	<b>\$ 0</b>	<b>\$ 361,072</b>	<b>\$ 0</b>	<b>\$ -361,072</b>		
<b><u>Human Services, Dept. of</u></b>								
Assistance								
Nursing Facility Renov. & Const.-RIIF	\$ 600,000	\$ 0	\$ -1,400,000	\$ -1,400,000	\$ 0	\$ 1,400,000	SF2366	PG 18 LN 14
Child Dev. Health Ins Study-RIIF	50,000	0	-50,000	-50,000	0	50,000	SF2366	PG 19 LN 16
Child Care Workgroup-RIIF	30,000	0	0	0	0	0		
Comm. & Family Resource Ctr-RIIF	15,000	0	0	0	0	0		
<b>Total Human Services, Dept. of</b>	<b>\$ 695,000</b>	<b>\$ 0</b>	<b>\$ -1,450,000</b>	<b>\$ -1,450,000</b>	<b>\$ 0</b>	<b>\$ 1,450,000</b>		
<b><u>Human Services Capital</u></b>								
Human Services - Capital								
Independence MH Sys Comm Dev Bldg-RIIF	\$ 0	\$ 200,000	\$ 0	\$ 200,000	\$ 0	\$ -200,000		
<b>Total Human Services Capital</b>	<b>\$ 0</b>	<b>\$ 200,000</b>	<b>\$ 0</b>	<b>\$ 200,000</b>	<b>\$ 0</b>	<b>\$ -200,000</b>		

# Transportation, Infrastructure, and Capitals

## Other Funds

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<b><u>Iowa Finance Authority</u></b>								
<b>Iowa Finance Authority</b>								
IJOBS Administration-RIIF	\$ 0	\$ 200,000	\$ 0	\$ 200,000	\$ 200,000	\$ 0	2009 Session	
Public Service Shelter Grants-RBC	0	10,000,000	0	10,000,000	0	-10,000,000		
Disaster Damage Housing Assist Grants-RBC	0	5,000,000	0	5,000,000	0	-5,000,000		
Affordable Housing Assist Grants-RBC	0	20,000,000	0	20,000,000	0	-20,000,000		
Sewer Infrastructure-RBC	0	55,000,000	0	55,000,000	0	-55,000,000		
IFA Water Quality Grants-RIIF	3,000,000	0	0	0	0	0		
State Housing Trust Fund-RIIF	3,000,000	3,000,000	0	3,000,000	1,000,000	-2,000,000	SF2389	PG 75 LN 4
Housing Trust Fund Program Grants-RBC	0	0	0	0	2,000,000	2,000,000	SF2389	PG 12 LN 23
Targeted Rebuilding, Mitigation, Constr-RBC2	0	0	0	0	30,900,000	30,900,000	SF2389	PG 16 LN 30
Disaster Prevention Smart Planning Grants RBC2	0	0	0	0	30,000,000	30,000,000	SF2389	PG 19 LN 12
Facilities Severely Handicapped Constr-RIIF	0	0	0	0	250,000	250,000	SF2389	PG 5 LN 18
<b>Total Iowa Finance Authority</b>	<b>\$ 6,000,000</b>	<b>\$ 93,200,000</b>	<b>\$ 0</b>	<b>\$ 93,200,000</b>	<b>\$ 64,350,000</b>	<b>\$ -28,850,000</b>		
<b><u>Iowa Tele. &amp; Tech. Commission</u></b>								
<b>Iowa Communications Network</b>								
Broadband Deployment Grants-RBC	\$ 0	\$ 25,000,000	\$ -25,000,000	\$ 0	\$ 0	\$ 0	SF2389	PG 65 LN 18
ICN Equipment Replacement-TRF	2,190,123	2,211,863	0	2,211,863	2,244,956	33,093	SF2389	PG 8 LN 33
Generator Replacement - TRF	0	2,755,246	0	2,755,246	0	-2,755,246		
ICN Network Redundancy-TRF	0	2,320,000	0	2,320,000	0	-2,320,000		
ICN Fiber Redundancy-TRF	1,800,000	0	0	0	0	0		
<b>Total Iowa Tele. &amp; Tech. Commission</b>	<b>\$ 3,990,123</b>	<b>\$ 32,287,109</b>	<b>\$ -25,000,000</b>	<b>\$ 7,287,109</b>	<b>\$ 2,244,956</b>	<b>\$ -5,042,153</b>		
<b><u>Law Enforcement Academy</u></b>								
<b>Law Enforcement Academy</b>								
ILEA Technology Projects-TRF	\$ 0	\$ 185,000	\$ 0	\$ 185,000	\$ 0	\$ -185,000		
<b>Total Law Enforcement Academy</b>	<b>\$ 0</b>	<b>\$ 185,000</b>	<b>\$ 0</b>	<b>\$ 185,000</b>	<b>\$ 0</b>	<b>\$ -185,000</b>		
<b><u>Natural Resources, Dept. of</u></b>								
<b>Natural Resources</b>								
Floodplain Management Dam Safety-RIIF	\$ 0	\$ 2,000,000	\$ 0	\$ 2,000,000	\$ 2,000,000	\$ 0	SF2389	PG 3 LN 32
Lake Restoration and Dredging-RIIF	0	2,800,000	0	2,800,000	0	-2,800,000		
Water Trails Low Head Dam Prog-RIIF	0	800,000	0	800,000	0	-800,000		
Hungry Canyons Alliance-RIIF	0	100,000	0	100,000	0	-100,000		
Watershed Rebuilding-Water Quality-RBC	0	13,500,000	0	13,500,000	0	-13,500,000		
State Park Infrastructure - RBC2	0	0	0	0	5,000,000	5,000,000	SF2389	PG 19 LN 17
Lowhead Dam Program-RIIF	1,000,000	0	0	0	0	0		
Plasma Arc Technology-RIIF	150,000	0	-15,000	-15,000	0	15,000	SF2366	PG 19 LN 22
Honey Creek Asset Manager-RIIF	0	0	0	0	100,000	100,000	SF2389	PG 4 LN 9
<b>Total Natural Resources, Dept. of</b>	<b>\$ 1,150,000</b>	<b>\$ 19,200,000</b>	<b>\$ -15,000</b>	<b>\$ 19,185,000</b>	<b>\$ 7,100,000</b>	<b>\$ -12,085,000</b>		

# Transportation, Infrastructure, and Capitals

## Other Funds

	Actual FY 2009 (1)	Estimated Net FY 2010 (2)	Supp-Final Act. FY 2010 (3)	Rev Est Net FY 2010 (4)	Final Action FY 2011 (5)	Final Action vs Rev Est Net (6)	Bill Number (7)	Page and Line # (8)
<b><u>Natural Resources Capital</u></b>								
<b>Natural Resources Capital</b>								
Honey Creek Resort State Park-RC2	\$ 4,900,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
Volga River Rec Area Infrastructure-RBC	750,000	0	0	0	0	0		
Carter Lake Improvements-RBC	500,000	0	0	0	0	0		
Lake Restoration & Dredging-RBC	10,000,000	0	0	0	7,000,000	7,000,000	SF2389	PG 11 LN 24
Lake Delhi Improvements-RIIF	100,000	0	0	0	0	0		
DNR-Destination Park-RCF	3,100,000	0	0	0	0	0		
Lake Restoration and Dredging RBC2	0	0	0	0	3,000,000	3,000,000	SF2389	PG 19 LN 24
Rock Creek Lake Perm Shelter-RIIF	0	0	0	0	40,000	40,000	SF2389	PG 4 LN 5
<b>Total Natural Resources Capital</b>	<b>\$ 19,350,000</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 10,040,000</b>	<b>\$ 10,040,000</b>		
<b><u>Public Defense, Dept. of</u></b>								
<b>Emergency Management Division</b>								
2-1-1 Call System-TRF	\$ 0	\$ 250,000	\$ 0	\$ 250,000	\$ 0	\$ -250,000		
<b>Total Public Defense, Dept. of</b>	<b>\$ 0</b>	<b>\$ 250,000</b>	<b>\$ 0</b>	<b>\$ 250,000</b>	<b>\$ 0</b>	<b>\$ -250,000</b>		
<b><u>Public Defense Capital</u></b>								
<b>Public Defense Capital</b>								
Statewide Modernization Readiness Ctrs-RIIF	\$ 1,800,000	\$ 1,800,000	\$ 0	\$ 1,800,000	\$ 1,800,000	\$ 0	2009 Session	
Davenport Readiness Center-RIIF	0	2,000,000	0	2,000,000	0	-2,000,000		
Camp Dodge Water Project Phase 3-RIIF	410,000	0	0	0	0	0		
Facility/Armory Maintenance-RIIF	1,500,000	1,500,000	0	1,500,000	1,500,000	0	SF2389	PG 4 LN 31
Ottumwa Armory-RIIF	500,000	0	0	0	0	0		
Camp Dodge Electrical Distribution Sys-RIIF	526,000	0	0	0	0	0		
STARCOMM-RIIF	1,600,000	0	0	0	0	0		
Gold Star Museum-RIIF	2,000,000	1,000,000	0	1,000,000	0	-1,000,000		
Mount Pleasant Readiness Center-RIIF	0	1,000,000	0	1,000,000	0	-1,000,000		
Middletown AF Readiness Center-RIIF	0	0	0	0	100,000	100,000	SF2389	PG 5 LN 6
Iowa Falls Readiness Center-RIIF	0	0	0	0	500,000	500,000	SF2389	PG 4 LN 35
Cedar Rapids AF Readiness Center-RIIF	0	0	0	0	200,000	200,000	SF2389	PG 5 LN 3
<b>Total Public Defense Capital</b>	<b>\$ 8,336,000</b>	<b>\$ 7,300,000</b>	<b>\$ 0</b>	<b>\$ 7,300,000</b>	<b>\$ 4,100,000</b>	<b>\$ -3,200,000</b>		
<b><u>Public Health, Dept. of</u></b>								
<b>Public Health, Dept. of</b>								
Mental Health Services Database-TRF	\$ 0	\$ 0	\$ 0	\$ 0	\$ 250,000	\$ 250,000	SF2389	PG 8 LN 26
Vision Screening-RIIF	130,000	130,000	0	130,000	100,000	-30,000	SF2389	PG 5 LN 9
<b>Total Public Health, Dept. of</b>	<b>\$ 130,000</b>	<b>\$ 130,000</b>	<b>\$ 0</b>	<b>\$ 130,000</b>	<b>\$ 350,000</b>	<b>\$ 220,000</b>		

# Transportation, Infrastructure, and Capitals

## Other Funds

	Actual FY 2009 (1)	Estimated Net FY 2010 (2)	Supp-Final Act. FY 2010 (3)	Rev Est Net FY 2010 (4)	Final Action FY 2011 (5)	Final Action vs Rev Est Net (6)	Bill Number (7)	Page and Line # (8)
<b>Public Safety Capital</b>								
Public Safety Capital								
State Emergency Response Training Facility-RC2	\$ 2,000,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
AFIS Lease Purchase-TRF	560,000	350,000	0	350,000	0	-350,000		
Emergency Response Training Facility-RIIF	-2,000,000	0	0	0	0	0		
<b>Total Public Safety Capital</b>	<b>\$ 560,000</b>	<b>\$ 350,000</b>	<b>\$ 0</b>	<b>\$ 350,000</b>	<b>\$ 0</b>	<b>\$ -350,000</b>		
<b>Regents, Board of</b>								
Regents, Board of								
Regents Tuition Replacement-RIIF	\$ 24,305,412	\$ 24,305,412	\$ 0	\$ 24,305,412	\$ 24,305,412	\$ 0	SF2389	PG 5 LN 24
ISU - Midwest Grape & Wine Institute-RIIF	50,000	0	0	0	0	0		
SUI - Iowa Flood Center-RIIF	0	1,300,000	0	1,300,000	1,300,000	0	SF2389	PG 5 LN 35
ISU - Iowa Energy Center-RBC	0	5,000,000	0	5,000,000	0	-5,000,000		
ISU - Iowa Energy Center - RBC2	0	0	0	0	5,000,000	5,000,000	SF2389	PG 19 LN 34
ISU Vet Training Modernization-RIIF	0	0	0	0	400,000	400,000	SF2389	PG 6 LN 5
<b>Total Regents, Board of</b>	<b>\$ 24,355,412</b>	<b>\$ 30,605,412</b>	<b>\$ 0</b>	<b>\$ 30,605,412</b>	<b>\$ 31,005,412</b>	<b>\$ 400,000</b>		
<b>Regents Capital</b>								
Regents Capital								
SUI-Institute for Biomedical Discovery-RC2	\$ 10,550,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
ISU - Renewable Fuels Bldg Supp.-RC2	11,277,000	0	0	0	0	0		
IPR - Public Radio Infrs.-RBC	1,900,000	0	0	0	0	0		
ISU - Veterinary Facility Phase II-RBC	10,000,000	0	0	0	13,000,000	13,000,000	SF2389	PG 12 LN 11
ISU - Veterinary Laboratory-RIIF	1,800,000	0	0	0	0	0		
SUI-Inst. for Biomedical Discovery-RIIF	-550,000	0	0	0	0	0		
SUI - Hygienic Laboratory-RIIF	12,000,000	0	0	0	0	0		
ISU - Renewable Fuels Building-RIIF	3,479,000	11,597,000	0	11,597,000	0	-11,597,000		
SUI - Institute for Biomedical Discovery - RBC2	0	0	0	0	10,000,000	10,000,000	SF2389	PG 19 LN 29
<b>Total Regents Capital</b>	<b>\$ 50,456,000</b>	<b>\$ 11,597,000</b>	<b>\$ 0</b>	<b>\$ 11,597,000</b>	<b>\$ 23,000,000</b>	<b>\$ 11,403,000</b>		
<b>Revenue, Dept. of</b>								
Revenue, Dept. of								
SAVE Appropriation-RIIF	\$ 10,000,000	\$ 10,000,000	\$ 0	\$ 10,000,000	\$ 0	\$ -10,000,000		
<b>Total Revenue, Dept. of</b>	<b>\$ 10,000,000</b>	<b>\$ 10,000,000</b>	<b>\$ 0</b>	<b>\$ 10,000,000</b>	<b>\$ 0</b>	<b>\$ -10,000,000</b>		



# Transportation, Infrastructure, and Capitals

## Other Funds

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<b>State Fair Authority Capital</b>								
State Fair Authority Capital								
Agricultural Exhibition Center-RBC	\$ 0	\$ 0	\$ 0	\$ 0	\$ 2,500,000	\$ 2,500,000	SF2389	PG 12 LN 18
Agri. Exhibition Center-RIIF	0	5,500,000	0	5,500,000	0	-5,500,000		
<b>Total State Fair Authority Capital</b>	<b>\$ 0</b>	<b>\$ 5,500,000</b>	<b>\$ 0</b>	<b>\$ 5,500,000</b>	<b>\$ 2,500,000</b>	<b>\$ -3,000,000</b>		
<b>Transportation, Dept. of</b>								
Transportation, Dept. of								
Passenger Rail-RIIF	\$ 0	\$ 3,000,000	\$ 0	\$ 3,000,000	\$ 0	\$ -3,000,000		
Dubuque Depot Platform-RIIF	300,000	0	0	0	0	0		
RUTF-Muscatine Reimbursement	0	1,072	0	1,072	0	-1,072		
RUTF-Cedar Falls Assessment	0	317,906	0	317,906	0	-317,906		
Local Roads IJOBS-RIIF	0	14,750,000	0	14,750,000	24,700,000	9,950,000	2009 Session	
Bridge Safety Fund-RBC	0	50,000,000	-10,000,000	40,000,000	0	-40,000,000	SF2389	PG 65 LN 25
Counties/Cities-ARRA	0	5,550,000	0	5,550,000	0	-5,550,000		
Commercial Aviation Infrastructure-RBC	1,500,000	0	0	0	0	0		
Public Transit Infrastructure Grants-RBC	2,200,000	0	0	0	0	0		
PRF-Purchase of Salt	2,271,600	0	0	0	0	0		
Passenger Rail Service-UST	0	0	0	0	2,000,000	2,000,000	SF2389	PG 23 LN 13
RUTF-Driver's Licenses	3,047,000	3,714,000	0	3,714,000	3,876,000	162,000	SF2381	PG 1 LN 9
RUTF-Operations	6,524,336	6,654,962	0	6,654,962	6,654,962	0	SF2381	PG 1 LN 18
RUTF-Planning & Programming	501,515	506,127	0	506,127	506,127	0	SF2381	PG 1 LN 22
RUTF-Motor Vehicle	35,184,012	36,752,012	0	36,752,012	35,604,012	-1,148,000	SF2381	PG 1 LN 24
RUTF-DAS	183,000	225,000	0	225,000	225,000	0	SF2381	PG 1 LN 26
RUTF-Unemployment Compensation	17,000	7,000	0	7,000	7,000	0	SF2381	PG 1 LN 29
RUTF-Workers' Compensation	117,000	142,000	0	142,000	137,000	-5,000	SF2381	PG 1 LN 31
RUTF-Indirect Cost Recoveries	102,000	78,000	0	78,000	78,000	0	SF2381	PG 1 LN 35
RUTF-Auditor Reimbursement	64,082	67,319	0	67,319	67,319	0	SF2381	PG 2 LN 3
RUTF-County Treasurers Support	1,442,000	1,394,000	0	1,394,000	1,406,000	12,000	SF2381	PG 2 LN 6
RUTF-Road/Weather Conditions Info	100,000	100,000	0	100,000	100,000	0	SF2381	PG 2 LN 10
RUTF-Mississippi River Park. Comm.	61,000	40,000	0	40,000	40,000	0	SF2381	PG 2 LN 14
RUTF-N. America Super Corridor Coalition	50,000	50,000	0	50,000	50,000	0	SF2381	PG 2 LN 17
RUTF-Overdimension Permit System	1,000,000	0	0	0	0	0		
PRF-Operations	40,653,860	40,876,274	0	40,876,274	40,951,274	75,000	SF2381	PG 3 LN 3
PRF-Planning & Programming	9,616,696	9,610,960	0	9,610,960	9,610,960	0	SF2381	PG 3 LN 9
PRF-Highway	223,274,176	236,262,726	0	236,262,726	237,565,726	1,303,000	SF2381	PG 3 LN 12
PRF-Motor Vehicle	2,020,005	1,555,005	0	1,555,005	1,555,005	0	SF2381	PG 3 LN 15
PRF-DAS	1,121,000	1,382,000	0	1,382,000	1,382,000	0	SF2381	PG 3 LN 18
PRF-DOT Unemployment	328,000	138,000	0	138,000	138,000	0	SF2381	PG 3 LN 21
PRF-DOT Workers' Compensation	2,814,000	3,406,000	0	3,406,000	3,278,000	-128,000	SF2381	PG 3 LN 23
PRF-Garage Fuel & Waste Mgmt.	800,000	800,000	0	800,000	800,000	0	SF2381	PG 3 LN 28

# Transportation, Infrastructure, and Capitals

## Other Funds

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
PRF-Indirect Cost Recoveries	748,000	572,000	0	572,000	572,000	0	SF2381	PG 3 LN 31
PRF-Auditor Reimbursement	395,218	415,181	0	415,181	415,181	0	SF2381	PG 3 LN 34
PRF-Transportation Maps	242,000	242,000	0	242,000	242,000	0	SF2381	PG 4 LN 2
PRF-Inventory & Equip.	2,250,000	2,250,000	0	2,250,000	2,250,000	0	SF2381	PG 4 LN 4
PRF-Field Facility Deferred Maint.	500,000	1,000,000	0	1,000,000	1,000,000	0	SF2381	PG 4 LN 13
Recreational Trails-RIIF	3,000,000	3,500,000	0	3,500,000	0	-3,500,000		
Rail Revolving Loan & Grant Fund-RIIF	2,000,000	1,500,000	0	1,500,000	2,000,000	500,000	2009 Session	
General Aviation Grants-RIIF	750,000	750,000	0	750,000	750,000	0	SF2389	PG 6 LN 17
Public Transit Infrastructure-RIIF	0	1,250,000	0	1,250,000	0	-1,250,000		
Public Transit Infrastructure Grants - RBC2	0	0	0	0	2,000,000	2,000,000	SF2389	PG 21 LN 3
Commercial Aviation Infrastructure Grants - RBC2	0	0	0	0	1,500,000	1,500,000	SF2389	PG 21 LN 6
Rail Ports Improvements Economic Dev - RBC2	0	0	0	0	7,500,000	7,500,000	SF2389	PG 20 LN 13
Bridge Safety RBC2	0	0	0	0	10,000,000	10,000,000	SF2389	PG 21 LN 23
<b>Total Transportation, Dept. of</b>	<b>\$ 345,177,500</b>	<b>\$ 428,859,544</b>	<b>\$ -10,000,000</b>	<b>\$ 418,859,544</b>	<b>\$ 398,961,566</b>	<b>\$ -19,897,978</b>		
<b><u>Transportation Capitals</u></b>								
<b>Transportation Capital</b>								
PRF-Rockwell City Garage	\$ 0	\$ 3,000,000	\$ 0	\$ 3,000,000	\$ 0	\$ -3,000,000		
PRF-Waste Water Treatment	0	0	0	0	1,000,000	1,000,000	SF2381	PG 4 LN 21
RUTF-Scale/MVD Facilities Maint.	200,000	200,000	0	200,000	200,000	0	SF2381	PG 2 LN 20
PRF-Utility Improvements	400,000	400,000	0	400,000	400,000	0	SF2381	PG 4 LN 6
PRF-Garage Roofing Projects	200,000	200,000	0	200,000	200,000	0	SF2381	PG 4 LN 8
PRF-HVAC Improvements	100,000	100,000	0	100,000	200,000	100,000	SF2381	PG 4 LN 10
PRF-ADA Improvements	120,000	120,000	0	120,000	120,000	0	SF2381	PG 4 LN 16
PRF-Ames Elevator Upgrade	100,000	100,000	0	100,000	100,000	0	SF2381	PG 4 LN 19
PRF-Waukon Garage	2,500,000	0	0	0	0	0		
<b>Total Transportation Capitals</b>	<b>\$ 3,620,000</b>	<b>\$ 4,120,000</b>	<b>\$ 0</b>	<b>\$ 4,120,000</b>	<b>\$ 2,220,000</b>	<b>\$ -1,900,000</b>		
<b><u>Treasurer of State</u></b>								
<b>Treasurer of State</b>								
County Fair Improvements-RIIF	\$ 1,060,000	\$ 1,590,000	\$ 0	\$ 1,590,000	\$ 1,060,000	\$ -530,000	SF2389	PG 6 LN 12
Watershed Improvement Fund-RIIF	5,000,000	5,000,000	0	5,000,000	0	-5,000,000		
IJOBS Board- RBC	0	165,000,000	0	165,000,000	0	-165,000,000		
Watershed Improvement Review Board - RBC2	0	0	0	0	2,000,000	2,000,000	SF2389	PG 21 LN 26
<b>Total Treasurer of State</b>	<b>\$ 6,060,000</b>	<b>\$ 171,590,000</b>	<b>\$ 0</b>	<b>\$ 171,590,000</b>	<b>\$ 3,060,000</b>	<b>\$ -168,530,000</b>		

# Transportation, Infrastructure, and Capitals

## Other Funds

	Actual FY 2009 (1)	Estimated Net FY 2010 (2)	Supp-Final Act. FY 2010 (3)	Rev Est Net FY 2010 (4)	Final Action FY 2011 (5)	Final Action vs Rev Est Net (6)	Bill Number (7)	Page and Line # (8)
<b><u>Veterans Affairs Capitals</u></b>								
<b>Veterans Affairs Capital</b>								
Veterans Home Facilities Renov-RBC	\$ 22,555,329	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
<b>Total Veterans Affairs Capitals</b>	<u>\$ 22,555,329</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>		
<b><u>Veterans Affairs, Dept. of</u></b>								
<b>Veterans Affairs, Department of</b>								
Vet. Home Ownership Assistance-RIIF	\$ 1,600,000	\$ 1,600,000	\$ 0	\$ 1,600,000	\$ 1,000,000	\$ -600,000	SF2389	PG 6 LN 21
<b>Total Veterans Affairs, Dept. of</b>	<u>\$ 1,600,000</u>	<u>\$ 1,600,000</u>	<u>\$ 0</u>	<u>\$ 1,600,000</u>	<u>\$ 1,000,000</u>	<u>\$ -600,000</u>		
<b>Total Transportation, Infrastructure, and Capitals</b>	<u><u>\$ 850,688,977</u></u>	<u><u>\$ 907,298,598</u></u>	<u><u>\$ -53,271,110</u></u>	<u><u>\$ 854,027,488</u></u>	<u><u>\$ 649,497,311</u></u>	<u><u>\$ -204,530,177</u></u>		

# Unassigned Standings

## Other Funds

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<b><u>Education, Dept. of</u></b>								
Education, Dept. of								
State Foundation Aid - ARRA	\$ 40,000,000	\$ 202,546,705	\$ 0	\$ 202,546,705	\$ 25,343,090	\$ -177,203,615	HF2519	PG 17 LN 22
School Foundation Aid-UST	0	0	0	0	5,100,000	5,100,000	HF2531	PG 3 LN 28
Instructional Support-SIF	0	0	0	0	7,500,000	7,500,000	HF2531	PG 4 LN 18
School Aid Gov't Stabilization-FRRF	0	0	0	0	22,604,797	22,604,797	HF2519	PG 18 LN 7
Instructional Support - FRRF	0	13,103,950	0	13,103,950	0	-13,103,950		
Teacher Professional Development - FRRF	0	2,000,000	0	2,000,000	0	-2,000,000		
<b>Total Education, Dept. of</b>	<b>\$ 40,000,000</b>	<b>\$ 217,650,655</b>	<b>\$ 0</b>	<b>\$ 217,650,655</b>	<b>\$ 60,547,887</b>	<b>\$ -157,102,768</b>		
<b><u>Energy Independence</u></b>								
Office of Energy Independence								
Iowa Power Fund - CRF	\$ 0	\$ 0	\$ 0	\$ 0	\$ 2,000,000	\$ 2,000,000	HF2531	PG 39 LN 7
<b>Total Energy Independence</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 2,000,000</b>	<b>\$ 2,000,000</b>		
<b><u>Executive Council</u></b>								
Executive Council								
Performance of Duty-CRF	\$ 0	\$ 25,600,000	\$ 0	\$ 25,600,000	\$ 10,583,628	\$ -15,016,372	HF2531	PG 8 LN 12
<b>Total Executive Council</b>	<b>\$ 0</b>	<b>\$ 25,600,000</b>	<b>\$ 0</b>	<b>\$ 25,600,000</b>	<b>\$ 10,583,628</b>	<b>\$ -15,016,372</b>		
<b><u>Legislative Branch</u></b>								
Legislative Services Agency								
LSA - Health Care Coverage Commission	\$ 0	\$ 315,000	\$ 0	\$ 315,000	\$ 0	\$ -315,000		
LSA - Operations - FRRF	0	100,000	0	100,000	0	-100,000		
<b>Total Legislative Branch</b>	<b>\$ 0</b>	<b>\$ 415,000</b>	<b>\$ 0</b>	<b>\$ 415,000</b>	<b>\$ 0</b>	<b>\$ -415,000</b>		
<b><u>Human Services, Dept. of</u></b>								
Assistance								
MH Costs for Children-PTRF	\$ 6,501,000	\$ 3,271,911	\$ 0	\$ 3,271,911	\$ 0	\$ -3,271,911		
<b>Total Human Services, Dept. of</b>	<b>\$ 6,501,000</b>	<b>\$ 3,271,911</b>	<b>\$ 0</b>	<b>\$ 3,271,911</b>	<b>\$ 0</b>	<b>\$ -3,271,911</b>		

# Unassigned Standings

## Other Funds

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<b>Management, Dept. of</b>								
<b>Management, Dept. of</b>								
Appropriation Contingencies-CRF	\$ 0	\$ 0	\$ 0	\$ 0	\$ 5,000,000	\$ 5,000,000	HF2531	PG 17 LN 1
Environment First Fund-RIIF	42,000,000	42,000,000	0	42,000,000	33,000,000	-9,000,000	Standing	
Environment First Balance Adj	-42,000,000	-42,000,000	0	-42,000,000	-33,000,000	9,000,000		
Technology Reinvestment Fund-RIIF	17,500,000	14,525,000	0	14,525,000	10,000,000	-4,525,000	Standing	
Technology Reinvest. Fund - Bal. Adj.	-17,500,000	-14,525,000	0	-14,525,000	-10,000,000	4,525,000		
Appeal Board Claims-HITT	28,742	0	0	0	0	0		
Primary Road Salary Adjustment	565,608	0	0	0	0	0		
Road Use Tax Salary Adjustment	621,696	0	0	0	0	0		
Property Tax Credit Fund-CRF	0	54,684,481	0	54,684,481	54,684,481	0	HF2531	PG 5 LN 13
Cash Res. Funds to PTCF Bal. Adj.	0	-54,684,481	0	-54,684,481	-54,684,481	0		
<b>Total Management, Dept. of</b>	<b>\$ 1,216,046</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 5,000,000</b>	<b>\$ 5,000,000</b>		
<b>Revenue, Dept. of</b>								
<b>Revenue, Dept. of</b>								
Homestead Property Tax Credit-PTCF	\$ 99,254,781	\$ 94,216,619	\$ 0	\$ 94,216,619	\$ 87,757,913	\$ -6,458,706	HF2531	PG 5 LN 29
Ag. Land/Family Farm Tax Credits-PTCF	34,610,183	32,395,131	0	32,395,131	32,395,131	0	HF2531	PG 5 LN 32
Military Service Tax Credit-PTCF	2,800,000	2,370,995	0	2,370,995	2,400,000	29,005	HF2531	PG 5 LN 35
Elderly & Disabled Tax Credit-PTCF	23,204,000	20,779,200	0	20,779,200	23,400,000	2,620,800	HF2531	PG 6 LN 3
<b>Total Revenue, Dept. of</b>	<b>\$ 159,868,964</b>	<b>\$ 149,761,945</b>	<b>\$ 0</b>	<b>\$ 149,761,945</b>	<b>\$ 145,953,044</b>	<b>\$ -3,808,901</b>		
<b>Transportation, Dept. of</b>								
<b>Transportation, Dept. of</b>								
Personal Delivery of Services-RUTF	\$ 225,000	\$ 225,000	\$ 0	\$ 225,000	\$ 225,000	\$ 0	Standing	
County Treasurer Equipment-RUTF	650,000	650,000	0	650,000	650,000	0	Standing	
<b>Total Transportation, Dept. of</b>	<b>\$ 875,000</b>	<b>\$ 875,000</b>	<b>\$ 0</b>	<b>\$ 875,000</b>	<b>\$ 875,000</b>	<b>\$ 0</b>		
<b>Total Unassigned Standings</b>	<b>\$ 208,461,010</b>	<b>\$ 397,574,511</b>	<b>\$ 0</b>	<b>\$ 397,574,511</b>	<b>\$ 224,959,559</b>	<b>\$ -172,614,952</b>		

**Authorized Full-Time  
Equivalent Positions (FTE)  
for FY 2011**

## Summary Data

### FTE

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net
	(1)	(2)	(3)	(4)	(5)	(6)
Administration and Regulation	1,993.66	2,166.62	4.00	2,170.62	2,135.16	-35.46
Agriculture and Natural Resources	1,531.37	1,601.31	0.00	1,601.31	1,626.95	25.64
Economic Development	1,180.96	1,261.03	0.00	1,261.03	1,373.45	112.42
Education	21,137.25	21,094.26	0.00	21,094.26	21,003.25	-91.01
Health and Human Services	14,682.80	14,226.26	0.00	14,226.26	14,922.50	696.24
Justice System	8,091.21	8,500.04	0.00	8,500.04	7,976.40	-523.64
Transportation, Infrastructure, and Capitals	3,221.20	3,589.00	0.00	3,589.00	3,586.60	-2.40
Unassigned Standings	435.06	468.83	0.00	468.83	482.00	13.17
<b>Grand Total</b>	<b>52,273.51</b>	<b>52,907.35</b>	<b>4.00</b>	<b>52,911.35</b>	<b>53,106.31</b>	<b>194.96</b>

NOTE: The FTE positions included in this report are divided into two general categories: Authorized and Nonappropriated. Authorized FTEs are positions that are established by the General Assembly in annual appropriations bills. Nonappropriated FTE's are positions that are budgted by departments and are not limited through annual session law.

#### Column Explanations:

- (1) Actual FY 2009 - The actual FY 2009 FTE positions represents actual utilization of positions and reflects vacancies.
- (2) Estimated Net FY 2010 - Represents the FTE positions authorized and budgeted from the FY 2010 Legislative Session.
- (3) Supp-Final Act. FY 2010 - Represents the change in FTE positions enacted during the 2010 Legislative Session to supplement or reduce FY 2010 budgets.
- (4) Rev Est Net FY 2010 - This is the sum of columns 2 and 3.
- (5) Final Action FY 2011 - Final legislative action from the Regular Legislative Session.
- (6) Final Action vs. Rev Est Net - Column 5 minus column 4.

## Bill Totals

FTE

	Supp-Final Act. FY 2010	Estimated Net FY 2011
	(1)	(2)
HF2522 Economic Development Appropriations Act	0.00	507.51
HF2525 Agriculture and Natural Resources Appropriations Act	0.00	1,626.95
HF2526 Health and Human Services Appropriations Act	0.00	6,961.43
HF2531 FY 2010 Standing Appropriations Act	3.00	1.26
SF2088 Government Reorganization Act	0.00	23.00
SF2366 FY 2010 Appropriations Adjustments Act	1.00	0.00
SF2367 Administration and Regulation Appropriations Act	0.00	1,559.33
SF2376 Education Appropriations Act	0.00	12,318.95
SF2378 Justice System Appropriations Act	0.00	5,941.68
SF2381 Transportation Appropriations Act	0.00	3,373.00
SF2389 Infrastructure Appropriations Act	0.00	1.00
Nonappropriated FTEs	0.00	20,792.20
<b>Grand Total</b>	<b>4.00</b>	<b>53,106.31</b>



# Administration and Regulation

FTE

	Actual FY 2009 (1)	Estimated Net FY 2010 (2)	Supp-Final Act. FY 2010 (3)	Rev Est Net FY 2010 (4)	Final Action FY 2011 (5)	Final Action vs Rev Est Net (6)	Bill Number (7)	Page and Line # (8)
<b><u>Administrative Services, Dept. of</u></b>								
<b>Administrative Services</b>								
Administrative Services, Dept.	100.23	112.28	0.00	112.28	62.51	-49.77	SF2367	PG 1 LN 4
DAS Operations	0.00	0.00	0.00	0.00	34.40	34.40	HF2531	PG 39 LN 20
Utilities	2.45	1.00	0.00	1.00	1.00	0.00	SF2367	PG 1 LN 15
Terrace Hill Operations	0.00	0.00	0.00	0.00	6.38	6.38	HF2531	PG 97 LN 19
Personnel Development Seminars	4.56	4.85	0.00	4.85	3.85	-1.00	Nonapprop	
IT Operations Revolving Fund	109.22	144.00	0.00	144.00	118.00	-26.00	Nonapprop	
Centralized Purchasing - Administration	14.36	11.50	0.00	11.50	15.67	4.17	Nonapprop	
Vehicle Dispatcher Revolving Fund	8.71	10.05	0.00	10.05	10.55	0.50	Nonapprop	
Motor Pool Revolving Fund	2.11	1.60	0.00	1.60	2.60	1.00	Nonapprop	
Self Insurance/risk Management	2.21	2.20	0.00	2.20	1.70	-0.50	Nonapprop	
Mail Services Revolving Fund	10.86	11.15	0.00	11.15	12.15	1.00	Nonapprop	
Human Resources Revolving Fund	49.36	54.25	0.00	54.25	49.25	-5.00	Nonapprop	
Facility & Support Revolving Fund	94.79	88.15	0.00	88.15	109.91	21.76	Nonapprop	
Federal Surplus Property	0.00	0.00	0.00	0.00	0.64	0.64	Nonapprop	
Integrated Information (I-3)	14.95	16.50	0.00	16.50	20.00	3.50	Nonapprop	
<b>Total Administrative Services, Dept. of</b>	<b>413.80</b>	<b>457.53</b>	<b>0.00</b>	<b>457.53</b>	<b>448.61</b>	<b>-8.92</b>		
<b><u>Auditor of State</u></b>								
<b>Auditor Of State</b>								
Auditor of State - General Office	106.33	103.00	0.00	103.00	103.00	0.00	SF2367	PG 3 LN 9
<b>Total Auditor of State</b>	<b>106.33</b>	<b>103.00</b>	<b>0.00</b>	<b>103.00</b>	<b>103.00</b>	<b>0.00</b>		
<b><u>Ethics and Campaign Disclosure</u></b>								
<b>Campaign Finance Disclosure</b>								
Ethics & Campaign Disclosure Board	6.02	6.00	0.00	6.00	5.00	-1.00	SF2367	PG 5 LN 8
<b>Total Ethics and Campaign Disclosure</b>	<b>6.02</b>	<b>6.00</b>	<b>0.00</b>	<b>6.00</b>	<b>5.00</b>	<b>-1.00</b>		
<b><u>Commerce, Dept. of</u></b>								
<b>Alcoholic Beverages</b>								
Alcoholic Beverages Operations	26.53	37.00	0.00	37.00	31.00	-6.00	SF2367	PG 5 LN 25
Liquor Control Act Fund	35.57	39.00	0.00	39.00	40.00	1.00	Nonapprop	
<b>Total Alcoholic Beverages</b>	<b>62.10</b>	<b>76.00</b>	<b>0.00</b>	<b>76.00</b>	<b>71.00</b>	<b>-5.00</b>		

# Administration and Regulation

FTE

	Actual FY 2009 (1)	Estimated Net FY 2010 (2)	Supp-Final Act. FY 2010 (3)	Rev Est Net FY 2010 (4)	Final Action FY 2011 (5)	Final Action vs Rev Est Net (6)	Bill Number (7)	Page and Line # (8)
<b>Insurance Division</b>								
Senior Health Insurance Information Program	0.00	1.00	0.00	1.00	0.00	-1.00	Nonapprop	
<b>Professional Licensing and Reg.</b>								
Professional Licensing Bureau	13.30	16.00	0.00	16.00	14.00	-2.00	SF2367	PG 5 LN 31
Real Estate Education Fund	0.33	1.00	0.00	1.00	0.00	-1.00	Nonapprop	
<b>Total Professional Licensing and Reg.</b>	<u>13.63</u>	<u>17.00</u>	<u>0.00</u>	<u>17.00</u>	<u>14.00</u>	<u>-3.00</u>		
<b>Banking Division</b>								
Banking Division-CMRF	67.35	73.00	0.00	73.00	80.00	7.00	SF2367	PG 6 LN 7
<b>Credit Union Division</b>								
Credit Union Division-CMRF	14.98	19.00	0.00	19.00	19.00	0.00	SF2367	PG 6 LN 13
<b>Insurance Division</b>								
Insurance Division-CMRF	95.11	102.00	0.00	102.00	103.00	1.00	SF2367	PG 6 LN 19
Insurance Division (Standings)-CMRF	0.00	0.00	0.00	0.00	1.00	1.00	HF2531	PG 37 LN 33
<b>Total Insurance Division</b>	<u>95.11</u>	<u>102.00</u>	<u>0.00</u>	<u>102.00</u>	<u>104.00</u>	<u>2.00</u>		
<b>Utilities Division</b>								
Utilities Division-CMRF	68.15	79.00	0.00	79.00	79.00	0.00	SF2367	PG 7 LN 5
<b>Total Commerce, Dept. of</b>	<u>321.32</u>	<u>367.00</u>	<u>0.00</u>	<u>367.00</u>	<u>367.00</u>	<u>0.00</u>		
<b><u>Governor</u></b>								
<b>Governor's Office</b>								
Governor/Lt. Governor's Office	21.41	25.25	0.00	25.25	25.25	0.00	SF2367	PG 8 LN 26
Terrace Hill Quarters	9.81	10.00	0.00	10.00	10.00	0.00	SF2367	PG 8 LN 33
Terrace Hill Reduction	0.00	0.00	0.00	0.00	-8.12	-8.12	HF2531	PG 97 LN 30
Administrative Rules Coordinator	2.42	3.00	0.00	3.00	3.00	0.00	SF2367	PG 9 LN 4
State-Federal Relations	2.94	1.00	1.00	2.00	2.00	0.00	SF2367	PG 9 LN 15
Statewide Volunteer Program	2.01	2.00	0.00	2.00	2.00	0.00	Nonapprop	
<b>Total Governor</b>	<u>38.59</u>	<u>41.25</u>	<u>1.00</u>	<u>42.25</u>	<u>34.13</u>	<u>-8.12</u>		
<b><u>Governor's Office of Drug Control Policy</u></b>								
<b>Office of Drug Control Policy</b>								
Drug Policy Coordinator	5.76	8.00	0.00	8.00	8.00	0.00	SF2367	PG 9 LN 21
Drug Task Forces	2.27	0.00	0.00	0.00	0.00	0.00	Nonapprop	
<b>Total Governor's Office of Drug Control Policy</b>	<u>8.03</u>	<u>8.00</u>	<u>0.00</u>	<u>8.00</u>	<u>8.00</u>	<u>0.00</u>		

# Administration and Regulation

FTE

	Actual FY 2009 (1)	Estimated Net FY 2010 (2)	Supp-Final Act. FY 2010 (3)	Rev Est Net FY 2010 (4)	Final Action FY 2011 (5)	Final Action vs Rev Est Net (6)	Bill Number (7)	Page and Line # (8)
<u>Human Rights, Dept. of</u>								
Human Rights, Department of								
Human Rights Administration	6.91	7.00	0.00	7.00	7.00	0.00	SF2367	PG 10 LN 4
Community Advocacy and Services	0.00	0.00	0.00	0.00	18.20	18.20	SF2367	PG 10 LN 10
Criminal & Juvenile Justice	12.35	11.18	0.00	11.18	11.18	0.00	SF2367	PG 10 LN 16
CJJP-Public Safety Advisory Bd-UST	0.00	0.00	0.00	0.00	2.00	2.00	HF2531	PG 69 LN 8
Deaf Services	4.48	6.00	0.00	6.00	0.00	-6.00	SF2367	
Asian and Pacific Islanders	1.54	1.00	0.00	1.00	0.00	-1.00	SF2367	
Persons with Disabilities	2.99	3.20	0.00	3.20	0.00	-3.20	SF2367	
Latino Affairs	2.09	3.00	0.00	3.00	0.00	-3.00	SF2367	
Status of Women	3.00	4.00	0.00	4.00	0.00	-4.00	SF2367	
Status of African Americans	1.98	2.00	0.00	2.00	0.00	-2.00	SF2367	
Weatherization	5.80	5.70	0.00	5.70	7.99	2.29	Nonapprop	
Justice Assistance Grants	4.58	7.10	0.00	7.10	7.23	0.13	Nonapprop	
Juvenile Accountability	0.83	0.23	0.00	0.23	0.00	-0.23	Nonapprop	
Community Grant Fund	0.00	0.05	0.00	0.05	0.00	-0.05	Nonapprop	
Status of Women Federal Grants	1.00	1.00	0.00	1.00	1.00	0.00	Nonapprop	
Juvenile Justice Action Grants	0.00	0.31	0.00	0.31	0.00	-0.31	Nonapprop	
Low Income Energy Assistance	2.93	3.00	0.00	3.00	3.00	0.00	Nonapprop	
Weatherization-HHS (LEAP)	0.26	0.33	0.00	0.33	0.00	-0.33	Nonapprop	
Juvenile Accountability	0.69	0.63	0.00	0.63	2.59	1.96	Nonapprop	
Individual Dev. Account Prog.	0.00	0.00	0.00	0.00	0.50	0.50	Nonapprop	
CSGB-Community Action Agency	4.06	5.01	0.00	5.01	5.51	0.50	Nonapprop	
Disability Donations & Grants	1.02	0.80	0.00	0.80	1.00	0.20	Nonapprop	
<b>Total Human Rights, Dept. of</b>	<b>56.51</b>	<b>61.54</b>	<b>0.00</b>	<b>61.54</b>	<b>67.20</b>	<b>5.66</b>		
<u>Inspections &amp; Appeals, Dept. of</u>								
Inspections and Appeals, Dept. of								
Administration Division	38.60	39.25	0.00	39.25	37.25	-2.00	SF2367	PG 10 LN 32
Administrative Hearings Division	23.57	24.00	0.00	24.00	24.00	0.00	SF2367	PG 11 LN 3
Investigations Division	49.19	50.00	0.00	50.00	56.00	6.00	SF2367	PG 11 LN 9
Health Facilities Division	133.13	140.75	0.00	140.75	134.75	-6.00	SF2367	PG 11 LN 21
Employment Appeal Board	14.04	15.00	0.00	15.00	15.00	0.00	SF2367	PG 12 LN 16
Child Advocacy Board	40.21	45.12	0.00	45.12	45.04	-0.08	SF2367	PG 12 LN 31
<b>Total Inspections and Appeals, Dept. of</b>	<b>298.74</b>	<b>314.12</b>	<b>0.00</b>	<b>314.12</b>	<b>312.04</b>	<b>-2.08</b>		

# Administration and Regulation

FTE

	Actual FY 2009 (1)	Estimated Net FY 2010 (2)	Supp-Final Act. FY 2010 (3)	Rev Est Net FY 2010 (4)	Final Action FY 2011 (5)	Final Action vs Rev Est Net (6)	Bill Number (7)	Page and Line # (8)
<b>Racing Commission</b>								
Pari-Mutuel Regulation	26.00	28.53	0.00	28.53	28.53	0.00	SF2367	PG 14 LN 29
Riverboat Regulation	36.97	42.22	0.00	42.22	42.22	0.00	SF2367	PG 15 LN 6
<b>Total Racing Commission</b>	<u>62.97</u>	<u>70.75</u>	<u>0.00</u>	<u>70.75</u>	<u>70.75</u>	<u>0.00</u>		
<b>Total Inspections &amp; Appeals, Dept. of</b>	<u>361.70</u>	<u>384.87</u>	<u>0.00</u>	<u>384.87</u>	<u>382.79</u>	<u>-2.08</u>		
<b><u>Management, Dept. of</u></b>								
<b>Management, Dept. of</b>								
Department Operations	30.56	37.50	0.00	37.50	60.40	22.90	SF2367	PG 16 LN 2
DOM Reduction	0.00	0.00	0.00	0.00	-34.40	-34.40	HF2531	PG 39 LN 29
GEMS Program	0.00	0.00	0.00	0.00	1.00	1.00	SF2088	PG 116 LN 13
<b>Total Management, Dept. of</b>	<u>30.56</u>	<u>37.50</u>	<u>0.00</u>	<u>37.50</u>	<u>27.00</u>	<u>-10.50</u>		
<b><u>Revenue, Dept. of</u></b>								
<b>Revenue, Dept. of</b>								
Revenue, Department of	369.01	372.10	0.00	372.10	360.07	-12.03	SF2367	PG 16 LN 25
Revenue Examiners	0.00	0.00	0.00	0.00	5.00	5.00	SF2088	PG 115 LN 35
Tax Gap Collections	26.80	27.90	0.00	27.90	32.93	5.03	Nonapprop	
State Debt Coordinator	0.00	0.00	3.00	3.00	0.00	-3.00	HF2531	PG 35 LN 35
<b>Total Revenue, Dept. of</b>	<u>395.81</u>	<u>400.00</u>	<u>3.00</u>	<u>403.00</u>	<u>398.00</u>	<u>-5.00</u>		
<b><u>Iowa Lottery Authority</u></b>								
<b>Lottery Authority</b>								
Lottery Fund	110.05	115.00	0.00	115.00	115.50	0.50	Nonapprop	
<b>Total Iowa Lottery Authority</b>	<u>110.05</u>	<u>115.00</u>	<u>0.00</u>	<u>115.00</u>	<u>115.50</u>	<u>0.50</u>		
<b><u>Secretary of State</u></b>								
<b>Secretary of State</b>								
Admin/Elections/Voter Registration	13.78	0.00	0.00	0.00	0.00	0.00		
Secretary of State-Operations	23.39	44.00	0.00	44.00	43.00	-1.00	SF2367	PG 17 LN 23
<b>Total Secretary of State</b>	<u>37.16</u>	<u>44.00</u>	<u>0.00</u>	<u>44.00</u>	<u>43.00</u>	<u>-1.00</u>		

# Administration and Regulation

FTE

	Actual FY 2009 (1)	Estimated Net FY 2010 (2)	Supp-Final Act. FY 2010 (3)	Rev Est Net FY 2010 (4)	Final Action FY 2011 (5)	Final Action vs Rev Est Net (6)	Bill Number (7)	Page and Line # (8)
<u>Treasurer of State</u>								
Treasurer of State								
Treasurer - General Office	25.36	28.80	0.00	28.80	28.80	0.00	SF2367	PG 18 LN 13
<u>Agriculture - Development Authority</u>								
Agriculture Development Authority	3.68	5.00	0.00	5.00	5.00	0.00	Nonapprop	
<b>Total Treasurer of State</b>	<b>29.05</b>	<b>33.80</b>	<b>0.00</b>	<b>33.80</b>	<b>33.80</b>	<b>0.00</b>		
<u>IPERS Administration</u>								
IPERS Administration								
IPERS Administration	78.67	95.13	0.00	95.13	90.13	-5.00	SF2367	PG 18 LN 34
<b>Total IPERS Administration</b>	<b>78.67</b>	<b>95.13</b>	<b>0.00</b>	<b>95.13</b>	<b>90.13</b>	<b>-5.00</b>		
<u>Rebuild Iowa Office</u>								
Rebuild Iowa								
Rebuild Iowa	0.05	12.00	0.00	12.00	12.00	0.00	SF2367	PG 19 LN 11
<b>Total Rebuild Iowa Office</b>	<b>0.05</b>	<b>12.00</b>	<b>0.00</b>	<b>12.00</b>	<b>12.00</b>	<b>0.00</b>		
<b>Total Administration and Regulation</b>	<b>1,993.66</b>	<b>2,166.62</b>	<b>4.00</b>	<b>2,170.62</b>	<b>2,135.16</b>	<b>-35.46</b>		

# Agriculture and Natural Resources

FTE

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<u>Agriculture and Land Stewardship</u>								
Agriculture and Land Stewardship								
Administrative Division	356.45	408.00	0.00	408.00	408.00	0.00	HF2525	PG 1 LN 4
Grape & Wine Development Fund	1.00	0.00	0.00	0.00	0.00	0.00	Nonapprop	
Motor Fuel Inspection-RFIF	2.81	0.00	0.00	0.00	0.00	0.00	HF2525	
Gw-AG Drain Wells/Sinkholes	1.75	0.00	0.00	0.00	0.00	0.00	HF2525	
Water Protection Fund	17.26	0.00	0.00	0.00	0.00	0.00	HF2525	
EPA Non Point Source Pollution	11.40	0.00	0.00	0.00	0.00	0.00	HF2525	
Abandoned Mined Lands Grant	4.42	0.00	0.00	0.00	0.00	0.00	HF2525	
Pseudorabies	0.34	0.00	0.00	0.00	0.00	0.00	Nonapprop	
Brucellosis Eradication	0.05	0.00	0.00	0.00	0.00	0.00	Nonapprop	
Emergency Veterinarian Rapid Response	0.00	0.00	0.00	0.00	0.00	0.00	Nonapprop	
<b>Total Agriculture and Land Stewardship</b>	<b>395.49</b>	<b>408.00</b>	<b>0.00</b>	<b>408.00</b>	<b>408.00</b>	<b>0.00</b>		
<u>Natural Resources, Dept. of</u>								
Natural Resources								
Natural Resources Operations	1,105.94	1,168.95	0.00	1,168.95	1,168.95	0.00	HF2525	PG 2 LN 27
<b>Total Natural Resources, Dept. of</b>	<b>1,105.94</b>	<b>1,168.95</b>	<b>0.00</b>	<b>1,168.95</b>	<b>1,168.95</b>	<b>0.00</b>		
<u>Regents, Board of</u>								
Regents, Board of								
ISU - Veterinary Diagnostic Laboratory	29.95	24.36	0.00	24.36	50.00	25.64	HF2525	PG 7 LN 29
<b>Total Regents, Board of</b>	<b>29.95</b>	<b>24.36</b>	<b>0.00</b>	<b>24.36</b>	<b>50.00</b>	<b>25.64</b>		
<b>Total Agriculture and Natural Resources</b>	<b>1,531.37</b>	<b>1,601.31</b>	<b>0.00</b>	<b>1,601.31</b>	<b>1,626.95</b>	<b>25.64</b>		

# Economic Development FTE

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<b><u>Cultural Affairs, Dept. of</u></b>								
<b>Cultural Affairs, Dept. of</b>								
Administration Division	1.40	82.77	0.00	82.77	74.50	-8.27	HF2522	PG 1 LN 7
Historical Division	48.92	0.00	0.00	0.00	0.00	0.00	HF2522	PG 1 LN 24
Historic Sites	8.35	0.00	0.00	0.00	0.00	0.00	HF2522	PG 1 LN 27
Arts Division	9.98	0.00	0.00	0.00	0.00	0.00	HF2522	PG 1 LN 30
Great Places	3.91	0.00	0.00	0.00	0.00	0.00	HF2522	PG 1 LN 33
Archiving Former Governor's Papers	0.97	0.00	0.00	0.00	0.00	0.00	HF2522	PG 2 LN 1
Historical Resource Dev. Program	1.20	0.80	0.00	0.80	1.20	0.40	Nonapprop	
Miscellaneous Income	4.74	4.00	0.00	4.00	3.00	-1.00	Nonapprop	
Battle Flags FTEs	0.00	1.50	0.00	1.50	0.00	-1.50	Nonapprop	
Cultural Trust Grant	0.23	0.00	0.00	0.00	0.50	0.50	Nonapprop	
<b>Total Cultural Affairs, Dept. of</b>	<b>79.70</b>	<b>89.07</b>	<b>0.00</b>	<b>89.07</b>	<b>79.20</b>	<b>-9.87</b>		
<b><u>Economic Development, Dept. of</u></b>								
<b>Economic Development, Dept. of</b>								
Economic Dev. Administration	21.37	149.00	0.00	149.00	149.00	0.00	HF2522	PG 2 LN 28
Business Development	56.59	0.00	0.00	0.00	0.00	0.00	HF2522	PG 3 LN 17
Community Development Division	56.64	0.00	0.00	0.00	0.00	0.00	HF2522	PG 5 LN 2
Iowa Comm. Volunteer Ser.-Promise	1.00	1.00	0.00	1.00	1.00	0.00	HF2522	PG 6 LN 3
Vision Iowa Program	1.99	2.25	0.00	2.25	2.25	0.00	HF2522	PG 6 LN 14
DED - Workforce Development Fund	0.00	4.00	0.00	4.00	4.00	0.00	HF2522	PG 6 LN 33
DED - Workforce Development Admin	2.84	4.00	0.00	4.00	4.00	0.00	HF2522	PG 7 LN 7
Site Development Consultations-SIF	0.00	0.00	0.00	0.00	1.00	1.00	SF2389	PG 44 LN 32
TSB Marketing and Compliance	0.51	0.00	0.00	0.00	0.00	0.00	Nonapprop	
Community Dev. Block Grant	0.06	0.00	0.00	0.00	0.00	0.00	Nonapprop	
Iowa State Commission	3.38	5.00	0.00	5.00	5.00	0.00	Nonapprop	
Strategic Investment Fund	0.00	10.75	0.00	10.75	0.00	-10.75	Nonapprop	
Value Added Agriculture Products	3.38	2.50	0.00	2.50	0.00	-2.50	Nonapprop	
Comm. Microenterprise Dev. Grants-FES	0.03	0.00	0.00	0.00	0.00	0.00	Nonapprop	
Microenterprise Dev. Grants-FES	0.00	1.00	0.00	1.00	0.00	-1.00	Nonapprop	
Renewable Fuels Infr-UST	0.53	0.00	0.00	0.00	0.00	0.00	Nonapprop	
<b>Total Economic Development, Dept. of</b>	<b>148.32</b>	<b>179.50</b>	<b>0.00</b>	<b>179.50</b>	<b>166.25</b>	<b>-13.25</b>		
<b><u>Iowa Finance Authority</u></b>								
<b>Iowa Finance Authority</b>								
Title Guaranty Fund	15.12	19.00	0.00	19.00	16.00	-3.00	Nonapprop	
Finance Authority	70.07	69.00	0.00	69.00	81.00	12.00	Nonapprop	
<b>Total Iowa Finance Authority</b>	<b>85.19</b>	<b>88.00</b>	<b>0.00</b>	<b>88.00</b>	<b>97.00</b>	<b>9.00</b>		

# Economic Development

## FTE

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<b><u>Iowa Workforce Development</u></b>								
<b>Iowa Workforce Development</b>								
IWD - Labor Services Division	64.45	68.15	0.00	68.15	64.00	-4.15	HF2522	PG 11 LN 2
IWD - Workers' Comp Division	29.33	30.00	0.00	30.00	30.00	0.00	HF2522	PG 11 LN 12
IWD Operations - Field Offices	84.05	88.04	0.00	88.04	88.28	0.24	HF2522	PG 11 LN 27
Offender Reentry Program	1.21	2.00	0.00	2.00	3.00	1.00	HF2522	PG 12 LN 15
Employee Misclassification	0.00	0.00	0.00	0.00	8.10	8.10	HF2522	PG 14 LN 2
Special Contingency Fund	0.00	95.55	0.00	95.55	0.00	-95.55	Nonapprop	
IWD Major Federal Programs	297.88	335.87	0.00	335.87	428.74	92.87	Nonapprop	
Workforce Minor Programs	141.80	188.02	0.00	188.02	156.06	-31.96	Nonapprop	
Amateur Boxing Grants Fund	0.15	0.15	0.00	0.15	0.20	0.05	Nonapprop	
Boiler Safety Fund	8.08	6.80	0.00	6.80	8.85	2.05	Nonapprop	
Elevator Safety Fund	9.27	10.00	0.00	10.00	10.80	0.80	Nonapprop	
Contractor Regis. Rev. Fund	0.03	0.00	0.00	0.00	5.20	5.20	Nonapprop	
Field Office Operating Fund	181.09	0.00	0.00	0.00	146.27	146.27	Nonapprop	
Statewide Standard Skills Assessment	0.55	0.00	0.00	0.00	2.12	2.12	Nonapprop	
<b>Total Iowa Workforce Development</b>	<b>817.89</b>	<b>824.58</b>	<b>0.00</b>	<b>824.58</b>	<b>951.62</b>	<b>127.04</b>		
<b><u>Public Employment Relations Board</u></b>								
<b>Public Employment Relations</b>								
PER Board - General Office	10.49	10.00	0.00	10.00	10.00	0.00	HF2522	PG 14 LN 12
<b>Total Public Employment Relations Board</b>	<b>10.49</b>	<b>10.00</b>	<b>0.00</b>	<b>10.00</b>	<b>10.00</b>	<b>0.00</b>		
<b><u>Regents, Board of</u></b>								
<b>Regents, Board of</b>								
ISU - Economic Development	27.16	56.63	0.00	56.63	56.63	0.00	HF2522	PG 7 LN 24
SUI - Economic Development	5.46	6.00	0.00	6.00	6.00	0.00	HF2522	PG 9 LN 11
UNI - Economic Development	6.75	6.75	0.00	6.75	6.75	0.00	HF2522	PG 9 LN 34
<b>Total Regents, Board of</b>	<b>39.37</b>	<b>69.38</b>	<b>0.00</b>	<b>69.38</b>	<b>69.38</b>	<b>0.00</b>		
<b><u>Human Rights, Dept. of</u></b>								
<b>Human Rights, Department of</b>								
Individual Development Accounts-FES	0.00	0.50	0.00	0.50	0.00	-0.50	Nonapprop	
<b>Total Human Rights, Dept. of</b>	<b>0.00</b>	<b>0.50</b>	<b>0.00</b>	<b>0.50</b>	<b>0.00</b>	<b>-0.50</b>		
<b>Total Economic Development</b>	<b>1,180.96</b>	<b>1,261.03</b>	<b>0.00</b>	<b>1,261.03</b>	<b>1,373.45</b>	<b>112.42</b>		



# Education

## FTE

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<b><u>Blind, Dept. of the</u></b>								
Blind, Dept. for the								
Department for the Blind	88.99	90.00	0.00	90.00	90.00	0.00	SF2376	PG 1 LN 7
<b>Total Blind, Dept. of the</b>	<b>88.99</b>	<b>90.00</b>	<b>0.00</b>	<b>90.00</b>	<b>90.00</b>	<b>0.00</b>		
<b><u>College Aid Commission</u></b>								
College Student Aid Comm.								
College Aid Commission	4.06	4.30	0.00	4.30	4.30	0.00	SF2376	PG 1 LN 18
Public/Private Partnership	1.00	1.00	0.00	1.00	1.00	0.00	Nonapprop	
Stafford Loan Program	49.25	44.70	0.00	44.70	56.70	12.00	Nonapprop	
<b>Total College Aid Commission</b>	<b>54.31</b>	<b>50.00</b>	<b>0.00</b>	<b>50.00</b>	<b>62.00</b>	<b>12.00</b>		
<b><u>Education, Dept. of</u></b>								
Education, Dept. of								
Administration	77.56	91.37	0.00	91.37	83.67	-7.70	SF2376	PG 4 LN 4
Vocational Education Administration	11.04	13.50	0.00	13.50	13.50	0.00	SF2376	PG 4 LN 10
State Library	18.93	19.00	0.00	19.00	19.00	0.00	SF2376	PG 4 LN 34
Food Service	16.81	17.43	0.00	17.43	18.13	0.70	SF2376	PG 5 LN 34
Early Child - Voluntary Preschool	2.49	3.00	0.00	3.00	3.00	0.00	SF2376	PG 9 LN 17
Student Achievement/Teacher Quality	4.02	4.70	0.00	4.70	4.00	-0.70	SF2376	PG 10 LN 13
Board of Educational Examiners	16.14	14.00	0.00	14.00	18.00	4.00	Nonapprop	
AIDS Education	1.20	1.25	0.00	1.25	1.25	0.00	Nonapprop	
Adult Education	3.52	4.25	0.00	4.25	4.35	0.10	Nonapprop	
Advanced Placement Incentive	0.00	0.25	0.00	0.25	0.00	-0.25	Nonapprop	
Community Learning Centers	1.79	1.20	0.00	1.20	2.20	1.00	Nonapprop	
Dept. of Ed. Nonfederal Grants	4.81	3.27	0.00	3.27	7.01	3.74	Nonapprop	
Drinking Drivers Course	2.72	4.05	0.00	4.05	2.75	-1.30	Nonapprop	
Drug Free Schools/communities	0.99	0.75	0.00	0.75	1.00	0.25	Nonapprop	
Education Of Handicapped Act	50.56	54.95	0.00	54.95	60.70	5.75	Nonapprop	
English Language Acquisition	1.82	2.00	0.00	2.00	2.00	0.00	Nonapprop	
ESEA Title 1	8.58	8.95	0.00	8.95	8.95	0.00	Nonapprop	
ESEA Title 2	1.29	0.45	0.00	0.45	0.64	0.19	Nonapprop	
ESEA Title 6	0.00	1.00	0.00	1.00	0.00	-1.00	Nonapprop	
Even Start	0.13	0.10	0.00	0.10	0.08	-0.02	Nonapprop	
Gifted & Talented Students in Alternative Schools	0.19	0.25	0.00	0.25	0.00	-0.25	Nonapprop	
Headstart Collaborative Grant	0.87	0.90	0.00	0.90	0.92	0.02	Nonapprop	

# Education

## FTE

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
High School Equivalency	0.01	0.25	0.00	0.25	0.20	-0.05	Nonapprop	
Homeless Child And Adults	0.50	1.05	0.00	1.05	0.50	-0.55	Nonapprop	
IDEA Gen. Supervision Enhance	1.15	0.00	0.00	0.00	1.00	1.00	Nonapprop	
Improving Teacher Quality Grants	6.60	8.05	0.00	8.05	10.18	2.13	Nonapprop	
Library Services & Technology Act	9.12	11.00	0.00	11.00	10.00	-1.00	Nonapprop	
Miscellaneous Federal Grants	4.71	4.40	0.00	4.40	2.88	-1.52	Nonapprop	
Natl Center for Ed. Stats - NAEP Assessments	1.00	1.00	0.00	1.00	1.00	0.00	Nonapprop	
Reading First State Grants	2.40	2.90	0.00	2.90	3.11	0.21	Nonapprop	
School Bus Driver Permit	3.59	3.00	0.00	3.00	4.00	1.00	Nonapprop	
School Infrastructure	0.91	1.50	0.00	1.50	1.00	-0.50	Nonapprop	
State Assessment	6.36	8.05	0.00	8.05	11.61	3.56	Nonapprop	
Technology Literacy Challenge	0.62	1.25	0.00	1.25	0.25	-1.00	Nonapprop	
Veterans Education	3.01	3.00	0.00	3.00	3.00	0.00	Nonapprop	
Vocational Education Act	7.12	6.98	0.00	6.98	7.59	0.61	Nonapprop	
<b>Total Education, Dept. of</b>	<b>272.57</b>	<b>299.05</b>	<b>0.00</b>	<b>299.05</b>	<b>307.47</b>	<b>8.42</b>		
<b>Vocational Rehabilitation</b>								
Vocational Rehabilitation	250.66	281.50	0.00	281.50	281.50	0.00	SF2376	PG 4 LN 16
Independent Living	1.61	1.00	0.00	1.00	1.00	0.00	SF2376	PG 4 LN 22
Vocational Rehabilitation DDS	127.80	143.95	0.00	143.95	151.70	7.75	Nonapprop	
Entrepreneurs with Disabilities Program	1.87	0.00	0.00	0.00	0.00	0.00	Nonapprop	
<b>Total Vocational Rehabilitation</b>	<b>381.95</b>	<b>426.45</b>	<b>0.00</b>	<b>426.45</b>	<b>434.20</b>	<b>7.75</b>	Nonapprop	
<b>Iowa Public Television</b>								
Iowa Public Television	66.32	82.00	0.00	82.00	82.00	0.00	SF2376	PG 5 LN 11
Contributions Holding Account	1.25	1.50	0.00	1.50	1.50	0.00	Nonapprop	
CPB/CSG FY 90/91	22.11	19.49	0.00	19.49	21.04	1.55	Nonapprop	
CPB/CSG FY 91/93	4.37	3.45	0.00	3.45	3.72	0.27	Nonapprop	
Education Telecommunications	3.17	2.35	0.00	2.35	2.75	0.40	Nonapprop	
Friends Funded Programming	9.68	12.75	0.00	12.75	4.27	-8.48	Nonapprop	
IPTV Educational & Contractual	6.35	5.00	0.00	5.00	5.00	0.00	Nonapprop	
IPTV Marketing & Distribution	0.00	0.10	0.00	0.10	0.00	-0.10	Nonapprop	
Natl. Telecomm. Info. Admin. Equipment Grants	0.57	1.00	0.00	1.00	0.50	-0.50	Nonapprop	
<b>Total Iowa Public Television</b>	<b>113.83</b>	<b>127.64</b>	<b>0.00</b>	<b>127.64</b>	<b>120.78</b>	<b>-6.86</b>		
<b>Total Education, Dept. of</b>	<b>768.35</b>	<b>853.14</b>	<b>0.00</b>	<b>853.14</b>	<b>862.45</b>	<b>9.31</b>		

# Education

## FTE

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<b><u>Regents, Board of</u></b>								
Regents, Board of								
Regent Board Office	0.00	16.00	0.00	16.00	16.00	0.00	SF2376	PG 14 LN 8
University of Iowa - General	5,403.68	5,058.55	0.00	5,058.55	5,058.55	0.00	SF2376	PG 14 LN 30
SUI - Center for Disabilities & Development	88.35	130.37	0.00	130.37	83.76	-46.61	Nonapprop	
SUI - Oakdale Campus	38.25	38.25	0.00	38.25	38.25	0.00	SF2376	PG 15 LN 1
SUI - Hygienic Laboratory	101.57	102.50	0.00	102.50	102.50	0.00	SF2376	PG 15 LN 7
SUI - Family Practice Program	184.25	190.40	0.00	190.40	190.40	0.00	SF2376	PG 15 LN 13
SUI - Specialized Children Health Services (SCHS)	28.10	57.97	0.00	57.97	57.97	0.00	SF2376	PG 15 LN 21
SUI - Iowa Cancer Registry	1.54	2.10	0.00	2.10	2.10	0.00	SF2376	PG 15 LN 30
SUI - Substance Abuse Consortium	0.55	1.00	0.00	1.00	1.00	0.00	SF2376	PG 15 LN 35
SUI - Biocatalysis	9.03	6.28	0.00	6.28	6.28	0.00	SF2376	PG 16 LN 6
SUI - Primary Health Care	6.80	5.89	0.00	5.89	5.89	0.00	SF2376	PG 16 LN 11
SUI - Iowa Birth Defects Registry	0.95	1.00	0.00	1.00	1.00	0.00	SF2376	PG 16 LN 21
SUI - Iowa Nonprofit Resource Center	2.33	2.75	0.00	2.75	2.75	0.00	SF2376	PG 16 LN 26
Iowa State University - General	3,802.86	3,647.42	0.00	3,647.42	3,647.42	0.00	SF2376	PG 16 LN 33
ISU - Agricultural Experiment Station	404.91	546.98	0.00	546.98	546.98	0.00	SF2376	PG 17 LN 4
ISU - Cooperative Extension	311.71	383.34	0.00	383.34	383.34	0.00	SF2376	PG 17 LN 10
ISU - Leopold Center	6.04	11.25	0.00	11.25	11.25	0.00	SF2376	PG 17 LN 18
ISU - Livestock Disease Research	0.94	0.00	0.00	0.00	0.00	0.00	Nonapprop	
University of Northern Iowa - General	1,449.48	1,447.50	0.00	1,447.50	1,447.50	0.00	SF2376	PG 17 LN 29
UNI - Recycling and Reuse Center	2.15	3.00	0.00	3.00	3.00	0.00	SF2376	PG 17 LN 35
UNI - Math and Science Collaborative	3.75	6.20	0.00	6.20	6.20	0.00	SF2376	PG 18 LN 5
UNI - Real Estate Education Program	1.70	1.00	0.00	1.00	1.00	0.00	SF2376	PG 18 LN 26
Iowa School for the Deaf	126.60	126.60	0.00	126.60	126.60	0.00	SF2376	PG 18 LN 31
Iowa Braille and Sight Saving School	62.87	62.87	0.00	62.87	62.87	0.00	SF2376	PG 19 LN 2
SUI - Restricted	4,201.50	4,055.55	0.00	4,055.55	4,291.40	235.85	Nonapprop	
UNI - Restricted	531.37	524.07	0.00	524.07	531.94	7.87	Nonapprop	
ISD - Restricted	6.32	8.90	0.00	8.90	6.96	-1.94	Nonapprop	
IBSSS - Restricted	0.00	3.30	0.00	3.30	0.66	-2.64	Nonapprop	
ISU - Restricted	3,448.01	3,660.08	0.00	3,660.08	3,355.23	-304.85	Nonapprop	
<b>Total Regents, Board of</b>	<b>20,225.61</b>	<b>20,101.12</b>	<b>0.00</b>	<b>20,101.12</b>	<b>19,988.80</b>	<b>-112.32</b>		
<b>Total Education</b>	<b>21,137.25</b>	<b>21,094.26</b>	<b>0.00</b>	<b>21,094.26</b>	<b>21,003.25</b>	<b>-91.01</b>		

# Health and Human Services

FTE

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<u>Aging, Dept. on</u>								
Aging, Dept. on								
Aging Programs	38.11	37.50	0.00	37.50	36.00	-1.50	HF2526	PG 1 LN 8
Total Aging, Dept. on	38.11	37.50	0.00	37.50	36.00	-1.50		
<u>Public Health, Dept. of</u>								
Public Health, Dept. of								
Addictive Disorders	4.36	18.00	0.00	18.00	18.00	0.00	HF2526	PG 3 LN 24
Healthy Children and Families	11.00	14.00	0.00	14.00	14.00	0.00	HF2526	PG 6 LN 23
Chronic Conditions	1.00	3.00	0.00	3.00	4.10	1.10	HF2526	PG 7 LN 28
Community Capacity	10.19	21.00	0.00	21.00	21.00	0.00	HF2526	PG 8 LN 33
Environmental Hazards	1.01	4.50	0.00	4.50	4.50	0.00	HF2526	PG 13 LN 29
Infectious Diseases	4.52	5.00	0.00	5.00	5.00	0.00	HF2526	PG 14 LN 2
Public Protection	125.49	130.00	0.00	130.00	130.00	0.00	HF2526	PG 14 LN 8
Resource Management	9.06	10.00	0.00	10.00	10.00	0.00	HF2526	PG 14 LN 34
Ad. Dis.-Gambling Treatment Prog.-GTF	2.78	0.00	0.00	0.00	0.00	0.00	Nonapprop	
Ad. Dis.-Tobacco Use Prev.-HITT	2.96	0.00	0.00	0.00	0.00	0.00	Nonapprop	
Healthy Iowans 2010-HITT	2.69	0.00	0.00	0.00	0.00	0.00	Nonapprop	
Ad. Dis.-Sub. Abuse Prev. for Kids-HITT	0.27	0.00	0.00	0.00	0.00	0.00	Nonapprop	
Gifts & Grants Fund	242.06	242.00	0.00	242.00	253.50	11.50	Nonapprop	
Vital Records Modernization	30.74	32.20	0.00	32.20	36.60	4.40	Nonapprop	
Medical Home System	1.36	0.00	0.00	0.00	0.00	0.00	Nonapprop	
Healthy Communities Initiative	2.65	0.00	0.00	0.00	0.00	0.00	Nonapprop	
Iowa Health Information Technology System	0.24	0.00	0.00	0.00	0.00	0.00	Nonapprop	
Health Care Access	1.35	0.00	0.00	0.00	0.00	0.00	Nonapprop	
Addictive Disorders-HCTF	3.46	0.00	0.00	0.00	2.50	2.50	Nonapprop	
Healthy Children and Families-HCTF	0.77	0.00	0.00	0.00	0.25	0.25	Nonapprop	
Chronic Conditions-HCTF	0.72	0.00	0.00	0.00	0.40	0.40	Nonapprop	
Community Capacity-HCTF	0.61	0.00	0.00	0.00	1.85	1.85	Nonapprop	
Iowa Health IT	0.00	2.00	0.00	2.00	0.00	-2.00	Nonapprop	
Medical Home	0.00	4.00	0.00	4.00	0.00	-4.00	Nonapprop	
Health Care Access	0.00	3.00	0.00	3.00	0.00	-3.00	Nonapprop	
Healthy Communities	0.00	3.00	0.00	3.00	0.00	-3.00	Nonapprop	
Total Public Health, Dept. of	459.26	491.70	0.00	491.70	501.70	10.00		

# Health and Human Services

FTE

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<b>Human Services, Dept. of</b>								
<b>General Administration</b>								
General Administration	323.89	354.33	0.00	354.33	354.33	0.00	HF2526	PG 56 LN 2
FEMA Mental Health	1.32	0.00	0.00	0.00	0.00	0.00	Nonapprop	
Child Abuse Project	3.90	6.00	0.00	6.00	6.00	0.00	Nonapprop	
Community MH Block Grant	1.00	2.00	0.00	2.00	1.00	-1.00	Nonapprop	
IV-E Independent Living Grant	9.03	9.00	0.00	9.00	9.00	0.00	Nonapprop	
MH/MR Federal Grants	0.94	1.00	0.00	1.00	1.00	0.00	Nonapprop	
<b>Total General Administration</b>	<b>340.09</b>	<b>372.33</b>	<b>0.00</b>	<b>372.33</b>	<b>371.33</b>	<b>-1.00</b>		
<b>Field Operations</b>								
Child Support Recoveries	501.72	520.00	0.00	520.00	520.00	0.00	HF2526	PG 26 LN 20
Field Operations	2,007.13	2,000.13	0.00	2,000.13	2,000.13	0.00	HF2526	PG 55 LN 24
MI/MR/DD Case Management	203.73	198.00	0.00	198.00	210.97	12.97	Nonapprop	
Iowa Refugee Service Center	21.93	20.03	0.00	20.03	22.47	2.44	Nonapprop	
Refugee Resettlement	1.05	0.97	0.00	0.97	1.03	0.06	Nonapprop	
<b>Total Field Operations</b>	<b>2,735.56</b>	<b>2,739.13</b>	<b>0.00</b>	<b>2,739.13</b>	<b>2,754.60</b>	<b>15.47</b>		
<b>Toledo Juvenile Home</b>								
Toledo Juvenile Home	120.83	125.00	0.00	125.00	125.00	0.00	HF2526	PG 40 LN 1
<b>Eldora Training School</b>								
Eldora Training School	192.72	202.70	0.00	202.70	202.70	0.00	HF2526	PG 40 LN 6
<b>Cherokee CCUSO</b>								
Civil Commit. Unit for Sex Offenders	86.16	105.50	0.00	105.50	105.50	0.00	HF2526	PG 55 LN 1
<b>Cherokee</b>								
Cherokee MHI	198.95	205.00	0.00	205.00	205.06	0.06	HF2526	PG 49 LN 16
<b>Clarinda</b>								
Clarinda MHI	102.50	114.95	0.00	114.95	114.95	0.00	HF2526	PG 49 LN 21
<b>Independence</b>								
Independence MHI	279.47	287.85	0.00	287.85	287.85	0.00	HF2526	PG 49 LN 26
<b>Mt Pleasant</b>								
Mt Pleasant MHI	107.50	116.44	0.00	116.44	116.44	0.00	HF2526	PG 49 LN 31
Mt. Pleasant Canteen Fund	0.00	0.50	0.00	0.50	0.00	-0.50	Nonapprop	
<b>Total Mt Pleasant</b>	<b>107.50</b>	<b>116.94</b>	<b>0.00</b>	<b>116.94</b>	<b>116.44</b>	<b>-0.50</b>		

# Health and Human Services

FTE

	Actual FY 2009 (1)	Estimated Net FY 2010 (2)	Supp-Final Act. FY 2010 (3)	Rev Est Net FY 2010 (4)	Final Action FY 2011 (5)	Final Action vs Rev Est Net (6)	Bill Number (7)	Page and Line # (8)
<b>Glenwood</b>								
Glenwood Resource Center	921.07	947.24	0.00	947.24	947.24	0.00	HF2526	PG 50 LN 31
Glenwood Canteen Fund	1.00	1.00	0.00	1.00	1.00	0.00	Nonapprop	
<b>Total Glenwood</b>	<b>922.08</b>	<b>948.24</b>	<b>0.00</b>	<b>948.24</b>	<b>948.24</b>	<b>0.00</b>		
<b>Woodward</b>								
Woodward Resource Center	751.86	737.16	0.00	737.16	737.16	0.00	HF2526	PG 50 LN 34
Woodward Warehouse Revolving Fund	5.46	5.20	0.00	5.20	5.20	0.00	Nonapprop	
<b>Total Woodward</b>	<b>757.32</b>	<b>742.36</b>	<b>0.00</b>	<b>742.36</b>	<b>742.36</b>	<b>0.00</b>		
<b>Assistance</b>								
Family Investment Program/JOBS	14.99	16.50	0.00	16.50	12.00	-4.50	HF2526	PG 25 LN 7
Health Insurance Premium Payment	14.98	19.00	0.00	19.00	19.00	0.00	HF2526	PG 35 LN 14
Medical Contracts	2.01	6.00	0.00	6.00	6.00	0.00	HF2526	PG 35 LN 26
Child Care Assistance	2.01	0.00	0.00	0.00	1.00	1.00	HF2526	PG 37 LN 23
Child and Family Services	4.34	0.00	0.00	0.00	0.00	0.00	Nonapprop	
<b>Total Assistance</b>	<b>38.33</b>	<b>41.50</b>	<b>0.00</b>	<b>41.50</b>	<b>38.00</b>	<b>-3.50</b>		
<b>Total Human Services, Dept. of</b>	<b>5,881.51</b>	<b>6,001.50</b>	<b>0.00</b>	<b>6,001.50</b>	<b>6,012.03</b>	<b>10.53</b>		
<b><u>Veterans Affairs, Dept. of</u></b>								
<b>Veterans Affairs, Department of</b>								
General Administration	15.98	17.20	0.00	17.20	15.20	-2.00	HF2526	PG 15 LN 18
<b>Veterans Affairs, Dept. of</b>								
Iowa Veterans Home	917.77	972.71	0.00	972.71	949.27	-23.44	HF2526	PG 15 LN 25
Iowa Veterans Home Canteen	4.71	4.00	0.00	4.00	5.11	1.11	Nonapprop	
<b>Total Veterans Affairs, Dept. of</b>	<b>922.47</b>	<b>976.71</b>	<b>0.00</b>	<b>976.71</b>	<b>954.38</b>	<b>-22.33</b>		
<b>Total Veterans Affairs, Dept. of</b>	<b>938.45</b>	<b>993.91</b>	<b>0.00</b>	<b>993.91</b>	<b>969.58</b>	<b>-24.33</b>		
<b><u>Regents, Board of</u></b>								
<b>Regents, Board of</b>								
BOR UIHC - ICA	7,073.99	6,432.00	0.00	6,432.00	7,099.66	667.66	Nonapprop	
University of Iowa-Psychiatric Hospital	291.49	269.65	0.00	269.65	303.53	33.88	Nonapprop	
<b>Total Regents, Board of</b>	<b>7,365.48</b>	<b>6,701.65</b>	<b>0.00</b>	<b>6,701.65</b>	<b>7,403.19</b>	<b>701.54</b>		
<b>Total Health and Human Services</b>	<b>14,682.80</b>	<b>14,226.26</b>	<b>0.00</b>	<b>14,226.26</b>	<b>14,922.50</b>	<b>696.24</b>		

# Justice System

## FTE

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<u>Justice, Department of</u>								
Justice, Dept. of								
General Office A.G.	214.97	232.50	0.00	232.50	232.50	0.00	SF2378	PG 1 LN 9
Victim Compensation Fund	21.60	22.00	0.00	22.00	22.00	0.00	SF2378	PG 1 LN 28
False Claims Enforcement	0.00	0.00	0.00	0.00	1.00	1.00	SF2088	PG 194 LN 12
<b>Total Justice, Dept. of</b>	<b>236.57</b>	<b>254.50</b>	<b>0.00</b>	<b>254.50</b>	<b>255.50</b>	<b>1.00</b>		
Consumer Advocate								
Consumer Advocate-CMRF	20.35	27.00	0.00	27.00	27.00	0.00	SF2378	PG 2 LN 24
<b>Total Justice, Department of</b>	<b>256.92</b>	<b>281.50</b>	<b>0.00</b>	<b>281.50</b>	<b>282.50</b>	<b>1.00</b>		
<u>Civil Rights Commission</u>								
Civil Rights Commission								
Civil Rights Commission	31.81	29.50	0.00	29.50	29.50	0.00	SF2378	PG 19 LN 18
<b>Total Civil Rights Commission</b>	<b>31.81</b>	<b>29.50</b>	<b>0.00</b>	<b>29.50</b>	<b>29.50</b>	<b>0.00</b>		
<u>Corrections, Dept. of</u>								
CBC District 1								
CBC District I	187.75	201.50	0.00	201.50	189.51	-11.99	SF2378	PG 9 LN 13
CBC District 2								
CBC District II	159.94	157.94	0.00	157.94	156.89	-1.05	SF2378	PG 9 LN 20
CBC District 3								
CBC District III	77.89	81.99	0.00	81.99	78.99	-3.00	SF2378	PG 9 LN 23
CBC District 4								
CBC District IV	69.00	75.00	0.00	75.00	68.60	-6.40	SF2378	PG 9 LN 26
CBC District IV - HITT	4.00	0.00	0.00	0.00	0.00	0.00	Nonapprop	
<b>Total CBC District 4</b>	<b>73.00</b>	<b>75.00</b>	<b>0.00</b>	<b>75.00</b>	<b>68.60</b>	<b>-6.40</b>		
CBC District 5								
CBC District V	272.45	288.12	0.00	288.12	266.45	-21.67	SF2378	PG 9 LN 29
CBC District 6								
CBC District VI	203.13	216.06	0.00	216.06	191.63	-24.43	SF2378	PG 10 LN 6
CBC District 7								
CBC District VII	105.45	105.45	0.00	105.45	95.45	-10.00	SF2378	PG 10 LN 9
CBC District 8								
CBC District VIII	93.80	97.15	0.00	97.15	93.00	-4.15	SF2378	PG 10 LN 12
Central Office								
Corrections Administration	45.36	47.18	0.00	47.18	41.00	-6.18	SF2378	PG 5 LN 20

# Justice System

## FTE

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<b>Fort Madison</b>								
Ft. Madison Institution	516.83	556.50	0.00	556.50	489.00	-67.50	SF2378	PG 3 LN 10
Inmate Tele Rebate	0.02	0.00	0.00	0.00	3.00	3.00	Nonapprop	
<b>Total Fort Madison</b>	<u>516.85</u>	<u>556.50</u>	<u>0.00</u>	<u>556.50</u>	<u>492.00</u>	<u>-64.50</u>		
<b>Anamosa</b>								
Anamosa Institution	348.73	356.25	0.00	356.25	350.75	-5.50	SF2378	PG 3 LN 18
Anamosa Canteen Fund	0.00	2.00	0.00	2.00	0.00	-2.00	Nonapprop	
<b>Total Anamosa</b>	<u>348.73</u>	<u>358.25</u>	<u>0.00</u>	<u>358.25</u>	<u>350.75</u>	<u>-7.50</u>		
<b>Oakdale</b>								
Oakdale Institution	559.75	610.50	0.00	610.50	565.00	-45.50	SF2378	PG 4 LN 5
Oakdale Canteen Fund	0.00	1.00	0.00	1.00	0.00	-1.00	Nonapprop	
IMCC Inmate Tele Rebate	0.01	6.00	0.00	6.00	0.00	-6.00	Nonapprop	
<b>Total Oakdale</b>	<u>559.75</u>	<u>617.50</u>	<u>0.00</u>	<u>617.50</u>	<u>565.00</u>	<u>-52.50</u>		
<b>Newton</b>								
Newton Institution	321.19	351.00	0.00	351.00	307.00	-44.00	SF2378	PG 4 LN 9
<b>Mt Pleasant</b>								
Mt. Pleasant Inst.	301.79	319.56	0.00	319.56	298.16	-21.40	SF2378	PG 4 LN 13
Mt Pleasant Canteen	0.00	0.50	0.00	0.50	0.00	-0.50	Nonapprop	
<b>Total Mt Pleasant</b>	<u>301.79</u>	<u>320.06</u>	<u>0.00</u>	<u>320.06</u>	<u>298.16</u>	<u>-21.90</u>		
<b>Rockwell City</b>								
Rockwell City Institution	106.99	113.00	0.00	113.00	106.00	-7.00	SF2378	PG 4 LN 17
<b>Clarinda</b>								
Clarinda Institution	282.46	303.20	0.00	303.20	277.10	-26.10	SF2378	PG 4 LN 21
<b>Mitchellville</b>								
Mitchellville Institution	186.29	198.00	0.00	198.00	185.00	-13.00	SF2378	PG 4 LN 30
<b>Industries</b>								
Iowa State Industries	85.45	84.34	0.00	84.34	100.00	15.66	Nonapprop	
<b>Corrections - Farm Account</b>								
Consolidated Farm Operations	6.89	5.67	0.00	5.67	7.81	2.14	Nonapprop	
<b>Fort Dodge</b>								
Ft. Dodge Institution	334.54	366.00	0.00	366.00	319.00	-47.00	SF2378	PG 4 LN 34
<b>Total Corrections, Dept. of</b>	<u>4,269.70</u>	<u>4,543.91</u>	<u>0.00</u>	<u>4,543.91</u>	<u>4,189.34</u>	<u>-354.57</u>		
<b><u>Inspections &amp; Appeals, Dept. of</u></b>								
<b>Public Defender</b>								
Public Defender	200.97	203.00	0.00	203.00	203.00	0.00	SF2378	PG 12 LN 35
Public Defender Positions	0.00	0.00	0.00	0.00	16.00	16.00	SF2088	PG 233 LN 12
<b>Total Inspections &amp; Appeals, Dept. of</b>	<u>200.97</u>	<u>203.00</u>	<u>0.00</u>	<u>203.00</u>	<u>219.00</u>	<u>16.00</u>		



# Justice System

## FTE

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<b>Judicial Branch</b>								
Judicial Branch								
Judicial Branch	1,921.91	2,009.17	0.00	2,009.17	1,825.40	-183.77	Nonapprop	
<b>Total Judicial Branch</b>	<b>1,921.91</b>	<b>2,009.17</b>	<b>0.00</b>	<b>2,009.17</b>	<b>1,825.40</b>	<b>-183.77</b>		
<b>Law Enforcement Academy</b>								
Law Enforcement Academy								
Law Enforcement Academy	26.94	29.55	0.00	29.55	30.55	1.00	SF2378	PG 13 LN 9
<b>Total Law Enforcement Academy</b>	<b>26.94</b>	<b>29.55</b>	<b>0.00</b>	<b>29.55</b>	<b>30.55</b>	<b>1.00</b>		
<b>Parole, Board of</b>								
Parole Board								
Parole Board	11.97	18.50	0.00	18.50	13.50	-5.00	SF2378	PG 14 LN 8
<b>Total Parole, Board of</b>	<b>11.97</b>	<b>18.50</b>	<b>0.00</b>	<b>18.50</b>	<b>13.50</b>	<b>-5.00</b>		
<b>Public Defense, Dept. of</b>								
Public Defense, Dept. of								
Public Defense, Department of	301.38	313.30	0.00	313.30	324.00	10.70	SF2378	PG 14 LN 24
Military Operations Fund	0.47	0.00	0.00	0.00	0.50	0.50	Nonapprop	
National Guard Facilities Impr	7.69	7.00	0.00	7.00	11.00	4.00	Nonapprop	
<b>Total Public Defense, Dept. of</b>	<b>309.55</b>	<b>320.30</b>	<b>0.00</b>	<b>320.30</b>	<b>335.50</b>	<b>15.20</b>		
<b>Emergency Management Division</b>								
Homeland Security & Emer. Mgmt.	57.74	33.10	0.00	33.10	33.00	-0.10	SF2378	PG 15 LN 1
Hazard Mitigation	0.00	0.00	0.00	0.00	4.00	4.00	Nonapprop	
2004 Distribution #1518 Public	0.00	5.13	0.00	5.13	10.91	5.78	Nonapprop	
Wireless E911 Surcharge	2.01	2.00	0.00	2.00	2.00	0.00	Nonapprop	
FFY 2005 Homeland Security Grant	0.00	7.35	0.00	7.35	0.00	-7.35	Nonapprop	
Pre Disaster Mitigation - Comp	0.00	1.19	0.00	1.19	0.80	-0.39	Nonapprop	
Power Plant Funds	3.81	6.81	0.00	6.81	7.14	0.33	Nonapprop	
Flood Mitigation Assistance	0.00	0.10	0.00	0.10	0.00	-0.10	Nonapprop	
State & Local Assistance	0.00	2.44	0.00	2.44	1.94	-0.50	Nonapprop	
Emergency Response Fund	0.00	1.05	0.00	1.05	0.61	-0.44	Nonapprop	
Hazardous Material Transfer	0.00	0.00	0.00	0.00	0.09	0.09	Nonapprop	
2004 Dist. #1518/HAZMIT	0.00	0.10	0.00	0.10	0.00	-0.10	Nonapprop	
Homeland Security Grant Prog.	0.00	1.84	0.00	1.84	0.00	-1.84	Nonapprop	
Homeland Sec. Grant Prog.	0.00	0.00	0.00	0.00	8.52	8.52	Nonapprop	
Rebuild Iowa Office	0.04	0.00	0.00	0.00	0.00	0.00	Nonapprop	
<b>Total Emergency Management Division</b>	<b>63.59</b>	<b>61.11</b>	<b>0.00</b>	<b>61.11</b>	<b>69.01</b>	<b>7.90</b>		
<b>Total Public Defense, Dept. of</b>	<b>373.14</b>	<b>381.41</b>	<b>0.00</b>	<b>381.41</b>	<b>404.51</b>	<b>23.10</b>		

# Justice System

## FTE

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<b>Public Safety, Department of</b>								
Public Safety, Dept. of								
Public Safety Administration	39.17	39.00	0.00	39.00	36.00	-3.00	SF2378	PG 15 LN 24
Public Safety DCI	275.45	287.50	0.00	287.50	162.10	-125.40	SF2378	PG 15 LN 29
Gaming Enforcement-GERF	0.00	0.00	0.00	0.00	115.00	115.00	SF2378	PG 18 LN 30
Narcotics Enforcement	75.26	81.00	0.00	81.00	75.00	-6.00	SF2378	PG 17 LN 2
DPS Fire Marshal	56.10	59.00	0.00	59.00	57.00	-2.00	SF2378	PG 17 LN 15
Fire Service	0.28	0.00	0.00	0.00	0.00	0.00	Nonapprop	
Iowa State Patrol	535.35	536.00	0.00	536.00	503.00	-33.00	SF2378	PG 17 LN 26
Peace Officers Retirement Fund	1.00	1.00	0.00	1.00	1.00	0.00	Nonapprop	
Electrician & Installers Licensing Fund	15.25	0.00	0.00	0.00	33.00	33.00	Nonapprop	
<b>Total Public Safety, Department of</b>	<b>997.85</b>	<b>1,003.50</b>	<b>0.00</b>	<b>1,003.50</b>	<b>982.10</b>	<b>-21.40</b>		
<b>Total Justice System</b>	<b>8,091.21</b>	<b>8,500.04</b>	<b>0.00</b>	<b>8,500.04</b>	<b>7,976.40</b>	<b>-523.64</b>		

# Transportation, Infrastructure, and Capitals

FTE

	Actual FY 2009	Estimated Net FY 2010	Supp-Final Act. FY 2010	Rev Est Net FY 2010	Final Action FY 2011	Final Action vs Rev Est Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<u>Cultural Affairs, Dept. of</u>								
Cultural Affairs, Dept. of Battle Flags-RIIF	2.20	0.00	0.00	0.00	3.00	3.00	Nonapprop	
Total Cultural Affairs, Dept. of	2.20	0.00	0.00	0.00	3.00	3.00		
<u>Cultural Affairs Capital</u>								
Cultural Affairs Capital Battle Flags-RIIF	1.03	0.00	0.00	0.00	0.00	0.00	Nonapprop	
Total Cultural Affairs Capital	1.03	0.00	0.00	0.00	0.00	0.00		
<u>Iowa Tele. &amp; Tech. Commission</u>								
Iowa Communications Network ICN Operations	91.92	107.00	0.00	107.00	110.50	3.50	Nonapprop	
Total Iowa Tele. & Tech. Commission	91.92	107.00	0.00	107.00	110.50	3.50		
<u>Iowa Workforce Development</u>								
Iowa Workforce Development Outcome Tracking System-TRF	1.00	0.00	0.00	0.00	0.00	0.00	Nonapprop	
Total Iowa Workforce Development	1.00	0.00	0.00	0.00	0.00	0.00		
<u>Regents, Board of</u>								
Regents, Board of SUI - Iowa Flood Center-RIIF	0.00	0.00	0.00	0.00	11.10	11.10	Nonapprop	
Total Regents, Board of	0.00	0.00	0.00	0.00	11.10	11.10		
<u>Transportation, Dept. of</u>								
Transportation, Dept. of								
PRF-Operations	296.54	311.00	0.00	311.00	312.00	1.00	SF2381	PG 3 LN 3
PRF-Planning & Programming	105.38	131.00	0.00	131.00	131.00	0.00	SF2381	PG 3 LN 9
PRF-Highway	2,138.35	2,453.00	0.00	2,453.00	2,452.00	-1.00	SF2381	PG 3 LN 12
PRF-Motor Vehicle	477.97	498.00	0.00	498.00	478.00	-20.00	SF2381	PG 3 LN 15
State Aviation Approp	22.62	0.00	0.00	0.00	0.00	0.00	Nonapprop	
Highway Beautification Fund	7.77	8.00	0.00	8.00	8.00	0.00	Nonapprop	
Materials & Equipment Revolving Fund	76.41	81.00	0.00	81.00	81.00	0.00	Nonapprop	
Total Transportation, Dept. of	3,125.04	3,482.00	0.00	3,482.00	3,462.00	-20.00		
Total Transportation, Infrastructure, and Capitals	3,221.20	3,589.00	0.00	3,589.00	3,586.60	-2.40		

# Unassigned Standings

FTE

	Actual FY 2009 (1)	Estimated Net FY 2010 (2)	Supp-Final Act. FY 2010 (3)	Rev Est Net FY 2010 (4)	Final Action FY 2011 (5)	Final Action vs Rev Est Net (6)	Bill Number (7)	Page and Line # (8)
<u>Education, Dept. of</u>								
Education, Dept. of								
Teacher Excellence Program	2.53	2.38	0.00	2.38	0.00	-2.38	Nonappropri	
Preschool Foundation Aid Formula	0.00	3.00	0.00	3.00	0.00	-3.00	Nonappropri	
<b>Total Education, Dept. of</b>	<b>2.53</b>	<b>5.38</b>	<b>0.00</b>	<b>5.38</b>	<b>0.00</b>	<b>-5.38</b>		
<u>Energy Independence</u>								
Office of Energy Independence								
Iowa Power Fund	4.81	4.00	0.00	4.00	22.00	18.00	Nonappropri	
<b>Total Energy Independence</b>	<b>4.81</b>	<b>4.00</b>	<b>0.00</b>	<b>4.00</b>	<b>22.00</b>	<b>18.00</b>		
<u>Legislative Branch</u>								
Legislative Services Agency								
Legislative Branch	426.26	459.00	0.00	459.00	459.00	0.00	Nonappropri	
<b>Total Legislative Branch</b>	<b>426.26</b>	<b>459.00</b>	<b>0.00</b>	<b>459.00</b>	<b>459.00</b>	<b>0.00</b>		
<u>Management, Dept. of</u>								
Management, Dept. of								
Appeal Board Claims	1.00	0.00	0.00	0.00	1.00	1.00	Nonappropri	
<b>Total Management, Dept. of</b>	<b>1.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>1.00</b>	<b>1.00</b>		
<u>Public Defense, Dept. of</u>								
Public Defense, Dept. of								
Compensation and Expense	0.45	0.45	0.00	0.45	0.00	-0.45	Nonappropri	
<b>Total Public Defense, Dept. of</b>	<b>0.45</b>	<b>0.45</b>	<b>0.00</b>	<b>0.45</b>	<b>0.00</b>	<b>-0.45</b>		
<b>Total Unassigned Standings</b>	<b>435.06</b>	<b>468.83</b>	<b>0.00</b>	<b>468.83</b>	<b>482.00</b>	<b>13.17</b>		

# **Federal Funds Appropriations to Departments for FY 2011**

## Summary Data

### Federal Funds

	Estimated FY 2009	Estimated Net FY 2010	Final Action FY 2011	Final Action vs Estimated Net
	(1)	(2)	(3)	(4)
Administration and Regulation	\$ 100,128,741	\$ 132,720,314	\$ 106,679,089	\$ -26,041,225
Agriculture and Natural Resources	54,361,291	47,726,895	47,480,827	-246,068
Economic Development	985,066,047	613,115,798	556,612,354	-56,503,444
Education	978,626,976	1,068,622,714	1,092,239,640	23,616,926
Health and Human Services	2,954,722,158	3,450,543,487	3,467,366,901	16,823,414
Justice System	371,134,438	636,387,406	641,787,772	5,400,366
Transportation, Infrastructure, and Capitals	540,865,952	260,388,000	394,060,000	133,672,000
<b>Grand Total</b>	<b>\$ 5,984,905,603</b>	<b>\$ 6,209,504,614</b>	<b>\$ 6,306,226,583</b>	<b>\$ 96,721,969</b>

NOTE: This report shows the federal funds that are earmarked for State agencies and appropriated through the Federal Block Grant Bill by the General Assembly to State agencies. The appropriations included in this report represent point-in-time estimates. The actual dollars received by State agencies may vary significantly.

#### Column Explanations:

- (1) Estimated FY 2009 - Represents the estimated federal block grant appropriations for FY 2009.
- (2) Estimated Net FY 2010 - Represents the estimated federal block grant appropriations for FY 2010.
- (3) Final Action FY 2011 - Represents the federal funds appropriated in HF 2519 (FY 2011 Federal Block Grant Act) as well as estimated federal funds to be received by State agencies in FY 2011.
- (4) Final Action vs. Estimated Net - Column 3 minus column 2.

# Administration and Regulation

## Federal Funds

	Estimated FY 2009 (1)	Estimated Net FY 2010 (2)	Final Action FY 2011 (3)	Final Action vs Estimated Net (4)	Bill Number (5)	Page and Line # (6)
<u>Commerce, Dept. of</u>						
Administration						
Commerce - Federal Funds	\$ 1,199,025	\$ 796,922	\$ 1,199,862	\$ 402,940	HF2519	PG 15 LN 7
<b>Total Commerce, Dept. of</b>	<b>\$ 1,199,025</b>	<b>\$ 796,922</b>	<b>\$ 1,199,862</b>	<b>\$ 402,940</b>		
<u>Governor's Office of Drug Control Policy</u>						
Office of Drug Control Policy						
Byrne/Jag - Fed. Funds	\$ 1,052,157	\$ 1,052,157	\$ 3,000,000	\$ 1,947,843	HF2519	PG 6 LN 31
GODCP - Fed. Funds	937,657	15,987,655	1,462,946	-14,524,709		
Substance Abuse Treatment - Fed. Funds	77,360	77,360	250,000	172,640	HF2519	PG 6 LN 14
<b>Total Governor's Office of Drug Control Policy</b>	<b>\$ 2,067,174</b>	<b>\$ 17,117,172</b>	<b>\$ 4,712,946</b>	<b>\$ -12,404,226</b>		
<u>Human Rights, Dept. of</u>						
Human Rights, Department of						
Community Services - Fed. Funds	\$ 7,037,445	\$ 7,037,445	\$ 7,530,822	\$ 493,377	HF2519	PG 7 LN 17
Energy Assistance - Fed. Funds	67,802,538	36,762,408	67,802,538	31,040,130	HF2519	PG 9 LN 14
Human Rights - Federal Funds	15,215,394	64,493,389	19,918,522	-44,574,867		
<b>Total Human Rights, Dept. of</b>	<b>\$ 90,055,377</b>	<b>\$ 108,293,242</b>	<b>\$ 95,251,882</b>	<b>\$ -13,041,360</b>		
<u>Inspections &amp; Appeals, Dept. of</u>						
Inspections and Appeals, Dept. of						
DIA - Federal Funds	\$ 4,876,234	\$ 5,147,501	\$ 5,164,399	\$ 16,898	HF2519	PG 15 LN 7
<b>Total Inspections &amp; Appeals, Dept. of</b>	<b>\$ 4,876,234</b>	<b>\$ 5,147,501</b>	<b>\$ 5,164,399</b>	<b>\$ 16,898</b>		
<u>Secretary of State</u>						
Secretary of State						
Secretary of State - Fed. Funds	\$ 1,230,578	\$ 1,015,477	\$ 0	\$ -1,015,477	HF2519	
<b>Total Secretary of State</b>	<b>\$ 1,230,578</b>	<b>\$ 1,015,477</b>	<b>\$ 0</b>	<b>\$ -1,015,477</b>		
<u>Treasurer of State</u>						
Treasurer of State						
Treasurer - Federal Funds	\$ 539,361	\$ 350,000	\$ 350,000	\$ 0	HF2519	PG 15 LN 7
<b>Total Treasurer of State</b>	<b>\$ 539,361</b>	<b>\$ 350,000</b>	<b>\$ 350,000</b>	<b>\$ 0</b>		
<u>Iowa Tele. &amp; Tech. Commission</u>						
Iowa Communications Network						
ITTC - Federal Funds	\$ 160,992	\$ 0	\$ 0	\$ 0	HF2519	
<b>Total Iowa Tele. &amp; Tech. Commission</b>	<b>\$ 160,992</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>		
<b>Total Administration and Regulation</b>	<b>\$ 100,128,741</b>	<b>\$ 132,720,314</b>	<b>\$ 106,679,089</b>	<b>\$ -26,041,225</b>		

# Agriculture and Natural Resources

## Federal Funds

	Estimated FY 2009	Estimated Net FY 2010	Final Action FY 2011	Final Action vs Estimated Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)
<u>Agriculture and Land Stewardship</u>						
Agriculture and Land Stewardship						
Dept. of Agriculture - Federal Funds	\$ 8,887,432	\$ 8,877,161	\$ 8,335,199	\$ -541,962	HF2519	PG 15 LN 7
Total Agriculture and Land Stewardship	<u>\$ 8,887,432</u>	<u>\$ 8,877,161</u>	<u>\$ 8,335,199</u>	<u>\$ -541,962</u>		
<u>Natural Resources, Dept. of</u>						
Natural Resources						
DNR - Federal Funds	\$ 45,473,859	\$ 38,849,734	\$ 39,145,628	\$ 295,894	HF2519	PG 15 LN 7
Total Natural Resources, Dept. of	<u>\$ 45,473,859</u>	<u>\$ 38,849,734</u>	<u>\$ 39,145,628</u>	<u>\$ 295,894</u>		
Total Agriculture and Natural Resources	<u><u>\$ 54,361,291</u></u>	<u><u>\$ 47,726,895</u></u>	<u><u>\$ 47,480,827</u></u>	<u><u>\$ -246,068</u></u>		



## Economic Development Federal Funds

	Estimated FY 2009	Estimated Net FY 2010	Final Action FY 2011	Final Action vs Estimated Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)
<u>Cultural Affairs, Dept. of</u>						
Cultural Affairs, Dept. of						
Cultural Affairs - Fed. Funds	\$ 1,583,200	\$ 1,775,045	\$ 1,775,045	\$ 0	HF2519	PG 15 LN 7
Total Cultural Affairs, Dept. of	\$ 1,583,200	\$ 1,775,045	\$ 1,775,045	\$ 0		
<u>Economic Development, Dept. of</u>						
Economic Development, Dept. of						
DED - CDBG Fed. Funds	\$ 25,854,000	\$ 25,700,000	\$ 26,240,724	\$ 540,724	HF2519	PG 8 LN 20
DED - Federal Funds	36,530,383	72,257,542	69,794,730	-2,462,812	HF2519	PG 15 LN 7
Total Economic Development, Dept. of	\$ 62,384,383	\$ 97,957,542	\$ 96,035,454	\$ -1,922,088		
<u>Iowa Finance Authority</u>						
Iowa Finance Authority						
Iowa Finance Authority - Fed. Funds	\$ 1,633,808	\$ 1,521,097	\$ 0	\$ -1,521,097	HF2519	
Total Iowa Finance Authority	\$ 1,633,808	\$ 1,521,097	\$ 0	\$ -1,521,097		
<u>Iowa Workforce Development</u>						
Iowa Workforce Development						
Workforce - Federal Funds	\$ 915,111,070	\$ 497,830,781	\$ 457,413,104	\$ -40,417,677	HF2519	PG 15 LN 7
Total Iowa Workforce Development	\$ 915,111,070	\$ 497,830,781	\$ 457,413,104	\$ -40,417,677		
<u>Energy Independence</u>						
Office of Energy Independence						
OEI - Federal Funds	\$ 4,353,586	\$ 14,031,333	\$ 1,388,751	\$ -12,642,582	HF2519	PG 15 LN 7
Total Energy Independence	\$ 4,353,586	\$ 14,031,333	\$ 1,388,751	\$ -12,642,582		
Total Economic Development	\$ 985,066,047	\$ 613,115,798	\$ 556,612,354	\$ -56,503,444		

## Education Federal Funds

	Estimated FY 2009	Estimated Net FY 2010	Final Action FY 2011	Final Action vs Estimated Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)
<u>Blind, Dept. of the</u>						
Blind, Dept. for the						
Blind - Federal Funds	\$ 7,385,759	\$ 8,022,297	\$ 7,596,038	\$ -426,259	HF2519	PG 15 LN 7
Total Blind, Dept. of the	<u>\$ 7,385,759</u>	<u>\$ 8,022,297</u>	<u>\$ 7,596,038</u>	<u>\$ -426,259</u>		
<u>College Aid Commission</u>						
College Student Aid Comm.						
College Aid - Federal Funds	\$ 55,710,779	\$ 63,171,372	\$ 63,171,372	\$ 0	HF2519	PG 15 LN 7
Total College Aid Commission	<u>\$ 55,710,779</u>	<u>\$ 63,171,372</u>	<u>\$ 63,171,372</u>	<u>\$ 0</u>		
<u>Education, Dept. of</u>						
Education, Dept. of						
Education - Federal Funds	\$ 472,640,197	\$ 552,865,197	\$ 576,908,382	\$ 24,043,185	HF2519	PG 15 LN 7
Total Education, Dept. of	<u>\$ 472,640,197</u>	<u>\$ 552,865,197</u>	<u>\$ 576,908,382</u>	<u>\$ 24,043,185</u>		
<u>Regents, Board of</u>						
Regents, Board of						
Regents - Federal Funds	\$ 442,890,241	\$ 444,563,848	\$ 444,563,848	\$ 0	HF2519	PG 15 LN 7
Total Regents, Board of	<u>\$ 442,890,241</u>	<u>\$ 444,563,848</u>	<u>\$ 444,563,848</u>	<u>\$ 0</u>		
Total Education	<u><u>\$ 978,626,976</u></u>	<u><u>\$ 1,068,622,714</u></u>	<u><u>\$ 1,092,239,640</u></u>	<u><u>\$ 23,616,926</u></u>		

# Health and Human Services

## Federal Funds

	Estimated FY 2009	Estimated Net FY 2010	Final Action FY 2011	Final Action vs Estimated Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)
<u>Aging, Dept. on</u>						
Aging, Dept. on						
Elder Affairs - Federal Funds	\$ 18,383,227	\$ 18,891,295	\$ 16,988,558	\$ -1,902,737	HF2519	PG 15 LN 7
<b>Total Aging, Dept. on</b>	<b>\$ 18,383,227</b>	<b>\$ 18,891,295</b>	<b>\$ 16,988,558</b>	<b>\$ -1,902,737</b>		
<u>Public Health, Dept. of</u>						
Public Health, Dept. of						
Substance Abuse - Federal Funds	\$ 13,684,343	\$ 13,477,961	\$ 13,524,616	\$ 46,655	HF2519	PG 1 LN 5
Maternal/Child Health - Fed. Funds	6,515,545	6,512,104	6,529,540	17,436	HF2519	PG 3 LN 19
Preventive Health - Fed. Funds	1,077,731	1,064,859	1,114,623	49,764	HF2519	PG 4 LN 32
Dept of Health - Federal Funds	101,910,121	111,730,788	105,150,179	-6,580,609	HF2519	PG 15 LN 7
<b>Total Public Health, Dept. of</b>	<b>\$ 123,187,740</b>	<b>\$ 132,785,712</b>	<b>\$ 126,318,958</b>	<b>\$ -6,466,754</b>		
<u>Human Services, Dept. of</u>						
General Administration						
Comm. Mental Health-Fed Funds	\$ 3,500,167	\$ 3,500,167	\$ 3,368,868	\$ -131,299	HF2519	PG 2 LN 4
Social Services - Fed. Funds	16,832,721	16,680,041	16,747,274	67,233	HF2519	PG 10 LN 18
Childcare Dev. - Federal Funds	42,314,716	43,311,572	43,635,455	323,883	HF2519	PG 12 LN 35
DHS - Federal Funds	2,732,930,796	3,193,657,443	3,231,179,336	37,521,893	HF2519	PG 15 LN 7
<b>Total Human Services, Dept. of</b>	<b>\$ 2,795,578,400</b>	<b>\$ 3,257,149,223</b>	<b>\$ 3,294,930,933</b>	<b>\$ 37,781,710</b>		
<u>Veterans Affairs, Dept. of</u>						
Veterans Affairs, Dept. of						
Veterans Affairs-Federal Funds	\$ 17,572,791	\$ 41,717,257	\$ 29,128,452	\$ -12,588,805	HF2519	PG 15 LN 7
<b>Total Veterans Affairs, Dept. of</b>	<b>\$ 17,572,791</b>	<b>\$ 41,717,257</b>	<b>\$ 29,128,452</b>	<b>\$ -12,588,805</b>		
<b>Total Health and Human Services</b>	<b>\$ 2,954,722,158</b>	<b>\$ 3,450,543,487</b>	<b>\$ 3,467,366,901</b>	<b>\$ 16,823,414</b>		

# Justice System

## Federal Funds

	Estimated FY 2009	Estimated Net FY 2010	Final Action FY 2011	Final Action vs Estimated Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)
<u>Justice, Department of</u>						
Justice, Dept. of						
Justice - Federal Funds	\$ 5,002,099	\$ 12,850,203	\$ 7,353,937	\$ -5,496,266	HF2519	PG 15 LN 7
Stop Violence - Federal Funds	1,393,190	1,393,190	1,482,096	88,906	HF2519	PG 5 LN 30
<b>Total Justice, Department of</b>	<b>\$ 6,395,289</b>	<b>\$ 14,243,393</b>	<b>\$ 8,836,033</b>	<b>\$ -5,407,360</b>		
<u>Civil Rights Commission</u>						
Civil Rights Commission						
Civil Rights - Federal Funds	\$ 942,704	\$ 986,081	\$ 1,045,000	\$ 58,919	HF2519	PG 15 LN 7
<b>Total Civil Rights Commission</b>	<b>\$ 942,704</b>	<b>\$ 986,081</b>	<b>\$ 1,045,000</b>	<b>\$ 58,919</b>		
<u>Corrections, Dept. of</u>						
Central Office						
DOC - Federal Funds	\$ 1,168,894	\$ 583,438	\$ 421,708	\$ -161,730	HF2519	PG 15 LN 7
<b>Total Corrections, Dept. of</b>	<b>\$ 1,168,894</b>	<b>\$ 583,438</b>	<b>\$ 421,708</b>	<b>\$ -161,730</b>		
<u>Judicial Branch</u>						
Judicial Branch						
Judicial - Federal Funds	\$ 1,163,572	\$ 1,315,604	\$ 1,270,604	\$ -45,000	HF2519	PG 15 LN 7
<b>Total Judicial Branch</b>	<b>\$ 1,163,572</b>	<b>\$ 1,315,604</b>	<b>\$ 1,270,604</b>	<b>\$ -45,000</b>		
<u>Public Defense, Dept. of</u>						
Public Defense, Dept. of						
Public Defense - Federal Funds	\$ 347,488,133	\$ 603,734,454	\$ 615,328,824	\$ 11,594,370	HF2519	PG 15 LN 7
<b>Total Public Defense, Dept. of</b>	<b>\$ 347,488,133</b>	<b>\$ 603,734,454</b>	<b>\$ 615,328,824</b>	<b>\$ 11,594,370</b>		
<u>Public Safety, Department of</u>						
Public Safety, Dept. of						
Public Safety - Federal Funds	\$ 13,975,846	\$ 15,524,436	\$ 14,885,603	\$ -638,833	HF2519	PG 15 LN 7
<b>Total Public Safety, Department of</b>	<b>\$ 13,975,846</b>	<b>\$ 15,524,436</b>	<b>\$ 14,885,603</b>	<b>\$ -638,833</b>		
<b>Total Justice System</b>	<b>\$ 371,134,438</b>	<b>\$ 636,387,406</b>	<b>\$ 641,787,772</b>	<b>\$ 5,400,366</b>		

# **Transportation, Infrastructure, and Capitals** Federal Funds

	Estimated FY 2009	Estimated Net FY 2010	Final Action FY 2011	Final Action vs Estimated Net	Bill Number	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)
<u>Transportation, Dept. of</u>						
Transportation, Dept. of DOT - Federal Funds	\$ 540,865,952	\$ 260,388,000	\$ 394,060,000	\$ 133,672,000	HF2519	PG 15 LN 7
Total Transportation, Dept. of	<u>\$ 540,865,952</u>	<u>\$ 260,388,000</u>	<u>\$ 394,060,000</u>	<u>\$ 133,672,000</u>		
Total Transportation, Infrastructure, and Capitals	<u>\$ 540,865,952</u>	<u>\$ 260,388,000</u>	<u>\$ 394,060,000</u>	<u>\$ 133,672,000</u>		

# **Subcommittee Appropriations Acts**

# EXECUTIVE SUMMARY

## ADMINISTRATION AND REGULATION APPROPRIATIONS ACT

SENATE FILE 2367

### FUNDING SUMMARY

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

- Appropriates a total of \$63.8 million from the General Fund and authorizes 1,559.3 FTE positions for FY 2011. This is an increase of \$2.9 million and a decrease of 48.0 FTE positions compared to estimated net FY 2010. The Act also appropriates a total of \$44.5 million from other funds, a decrease of \$662,000 compared to estimated net FY 2010.
- ***Department of Administrative Services (DAS)***
  - A decrease of \$2.8 million and 49.8 FTE positions to the DAS operating budget for the transfer of the State accounting functions to the Department of Management to conform to the statutory changes in SF 2088 (Government Reorganization and Efficiency Act). (Page 1, Line 4)
  - **NOTE: House File 2531 (Standing Appropriations Act) appropriates the following from the General Fund to the Department of Administrative Services:**
    - \$2.8 million for the return of State accounting functions to the DAS.
    - \$2.3 million to the DAS for costs associated with technology procurement.
    - \$263,000 for costs associated with the sharing of maintenance of Terrace Hill with the Governor's Office.
- ***Auditor of State***
  - An increase of \$91,000 to restore the 10.0% across-the-board reduction to the Auditor's appropriation. (Page 3, Line 9)
- ***Ethics and Campaign Disclosure Board***
  - An increase of \$67,000 to restore the Board's appropriation to the FY 2009 level. (Page 5, Line 8)
- ***Department of Commerce***
  - Alcoholic Beverages Division: A decrease of \$20,000 for savings associated with closing the distribution warehouse on Fridays as proposed in SF 2088 (Government Reorganization and Efficiency Act). (Page 5, Line 25)
  - Banking Division: An increase of \$189,000 for new technology purchases. The Banking Division is funded from the Department of Commerce Revolving Fund. (Page 6, Line 7)
  - Insurance Division: An increase of \$47,000 for funding the Senior Health Insurance Program from the Department of Commerce Revolving Fund. (Page 6, Line 19)
  - Utilities Division: A net decrease of \$84,000 related to reduced carryforward funds available in FY 2011. The Utilities Division is funded from the Department of Commerce Revolving Fund. (Page 7, Line 5)

**EXECUTIVE SUMMARY**  
**ADMINISTRATION AND REGULATION APPROPRIATIONS ACT**

**SENATE FILE 2367**

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

• ***Governor's Office of Drug Control Policy***

- An increase of \$44,000 to restore funding to the FY 2009 level. (Page 9, Line 21)
- HF 2531 (Standings Appropriations Act) deappropriates \$263,000 from Terrace Hill Quarters for shared maintenance with the Department of Administrative Services.

***Department of Inspections and Appeals (DIA)***

- Administration Division: An increase of \$180,000 to restore a portion of the 10.0% across-the-board reduction. (Page 10, Line 32)
- Investigations Division: An increase of \$58,000 for the following: (Page 11, Line 9)
  - A decrease of \$292,000 for a general budget reduction.
  - An increase of \$350,000 and 6.0 FTE positions to increase recoveries of improperly-claimed Medicaid benefits and to prevent individuals from receiving these benefits.
- Health Facilities Division: An increase of \$2.0 million for the following: (Page 11, Line 21)
  - \$1.9 million to provide direct funding to the Department for inspections of health facilities. In previous years these costs were funded through the transfer of funds from the Department of Human Services to the DIA.
  - \$145,000 to restore a portion of the FY 2010 across-the-board reduction.
- Child Advocacy Board: An increase of \$292,000 to restore the FY 2010 across-the-board reduction. (Page 12, Line 31)

• ***Department of Management (DOM)***

- A net increase of \$2.4 million, including an increase of \$2.8 million and 34.4 FTE positions for the transfer of DAS accounting functions to DOM to conform to SF 2088 (Government Reorganization and Efficiency Act) and a decrease of 11.5 FTE positions for a general reduction to the Department's base budget. (Page 16, Line 2)
- HF 2531 (Standing Appropriations Act) deappropriates \$2.8 million from the DOM for the return of the State accounting functions to the DAS.

• ***Iowa Public Employees Retirement System (IPERS)***

- A decrease of \$315,000 and 5.0 FTE positions for a general budget reduction. The IPERS operating budget is funded from the IPERS Trust Fund. (Page 18, Line 34)

• ***Rebuild Iowa Office (RIO)***

- An increase of \$469,000 to the RIO to offset a reduction in federal funding. (Page 19, Line 11)

**STUDIES AND INTENT LANGUAGE**

- Specifies the intent of the General Assembly that the DAS reduce utility costs by 10.0% through energy conservation practices. (Page 1, Line 23)



# EXECUTIVE SUMMARY

## ADMINISTRATION AND REGULATION APPROPRIATIONS ACT

SENATE FILE 2367

### STUDIES AND INTENT LANGUAGE (CONTINUED)

- Specifies the intent of the General Assembly that the DAS reduce the size and cost of the motor vehicle fleet and submit a report to the General Assembly. (Page 1, Line 28)
- Permits the DAS to continue to charge \$2.00 per month for each health insurance contract administered by the Department to cover administrative costs of the State Health Insurance Program. (Page 3, Line 3)
- Permits the Auditor of State to add staff and expend additional funds to conduct reimbursable audits. (Page 3, Line 20)
- Prohibits the Auditor from increasing rates and fees for FY 2011 above the levels established as of January 1, 2009, or from receiving reimbursements from State agencies and governmental subdivisions that exceed the total amount reimbursed to the Auditor during FY 2009. (Page 3, Line 31)
- Permits the Auditor to charge State agencies and other governmental subdivisions for federal reimbursement of costs for conducting audits that are required by the federal government. (Page 4, Line 13)
- Prohibits the Auditor from billing State agencies for discretionary audits that are not statutorily required and that are initiated by the Auditor and requires the Auditor to perform all audits previously audited in the normal course of duties. Allows the Auditor to seek reimbursement for the cost of conducting a discretionary audit from moneys recovered from a criminal or civil action. (Page 4, Line 24)
- Permits the Insurance Division of the Department of Commerce to reallocate staff to meet accreditation standards and permits examination expenditures of the Division to exceed revenues if the expenditures are reimbursable. (Page 6, Line 25)
- Permits the Utilities Division of the Department of Commerce to expend additional funds for utility company examinations if the funds are reimbursable. (Page 7, Line 11)
- Requires the Department of Inspections and Appeals (DIA) to provide information to the public via the internet relating to inspections, operating costs, and FTE positions. (Page 11, Line 27) *This item was vetoed by the Governor.*
- Permits the Employment Appeal 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. (Page 12, Line 22)
- 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. (Page 13, Line 3)

# EXECUTIVE SUMMARY

## ADMINISTRATION AND REGULATION APPROPRIATIONS ACT

SENATE FILE 2367

### STUDIES AND INTENT LANGUAGE (CONTINUED)

- Permits the DIA to retain license fees for food inspections during FY 2011 due to four counties returning their food inspection duties to the DIA in FY 2010. (Page 13, Line 30)
- Provides appropriations from the Medicaid Fraud Account in FY 2011 to the DIA to add additional staff to conduct inspections and investigations of food assistance benefits, and boarding homes. (Page 14, Line 11 through Page 14, Line 27)
- Provides a contingent appropriation of up to \$166,000 and 2.0 FTE positions to the Racing and Gaming Commission in the event a new license for a gambling establishment is issued by the Commission during FY 2011. (Page 15, Line 19)
- Requires the Department of Revenue expend \$400,000 of the Department's General Fund appropriation to pay the costs related to Local Option Sales and Services Taxes. (Page 16, Line 35)
- Requires the Director of the Department of Revenue to prepare and issue a State Appraisal Manual at no cost to cities and counties. (Page 17, Line 4)
- Requires the Department of Revenue to submit a report by January 10, 2011, concerning the impact on State revenues of hiring additional examiners authorized by the General Assembly. (Page 17, Line 8)
- Specifies the intent of the General Assembly to repeal the Rebuild Iowa Office on June 30, 2011. (Page 19, Line 21)

### SIGNIFICANT CODE CHANGES

- Allows any unobligated funds appropriated to the DAS for utility costs to carry forward to FY 2011. (Page 1, Line 18)
- Requires the first \$1.0 million collected by the Department of Transportation from the sale of certified driver's records to be allocated to the IowaAccess Revolving Fund. (Page 2, Line 23)
- Requires any unobligated funds from the FY 2010 appropriation to the Utilities Division of the Department of Commerce to carry forward to FY 2011 and be used for the energy-efficient building project. (Page 7, Line 24)
- Permits the Child Advocacy Board to establish up to six pilot projects to examine alternative policies to guide the process and procedures used by local citizen foster care review boards. (Page 13, Line 15)
- Requires that state-licensed health care facilities that are not certified under federal Medicare and Medicaid programs, not be inspected every 30 months, but only be inspected upon complaint. (Page 14, Line 11)

# EXECUTIVE SUMMARY

## ADMINISTRATION AND REGULATION APPROPRIATIONS ACT

SENATE FILE 2367

### SIGNIFICANT CODE CHANGES (CONTINUED)

- Eliminates the requirement that the Auditor of State examine the financial condition and transactions of the Iowa Communications Network (ICN) at least once per year. (Page 19, Line 27)
- Permits the Auditor of State to seek reimbursement for the cost of auditing the Iowa Sheep and Wool Promotion Board, the Iowa Egg Council, the Iowa Turkey Marketing Council, and the Iowa Corn Promotion Board. (Page 19, Line 34 through Page 22, Line 1)
- Permits DAS to procure information technology by leveraging existing competitively procured contracts. (Page 22, Line 4)
- Permits the DAS to use chain-of-custody paper in lieu of recycled paper. (Page 22, Line 19)
- Removes the repeal date of the Health Insurance Administration Fund. (Page 23, Line 1)
- Allows departments otherwise required to pay depreciation expenses on State vehicles not to pay depreciation expenses in FY 2011. The DAS may encourage voluntary payments to maintain the State fleet. (Page 23, Line 3)
- Permits banks under the purview of the Division of Banking to pledge assets to hedge risks associated with interest rate exposure with approval of the Superintendent of Banking. (Page 23, Line 19)
- Clarifies that the sale of high alcohol content beer in Iowa is subject to the same control provisions as all other beer and makes this provision effective retroactively to March 10, 2010. (Page 23, Line 26)
- Increases the membership on the Human Rights Board from 14 to 16 members and the number of voting members from 9 to 11. Changes the commencement date for members of the Human Rights Board from July 1 to May 1. (Page 24, Line 1)
- Establishes a Financial Literacy Program to be implemented through the Office of the Treasurer of State. (Page 24, Line 23)

### EFFECTIVE DATES

- Section 38, removing the repeal date of the Health Insurance Administration Fund, is effective on enactment. (Page 23, Line 14)
- Section 42, making high proof beer subject to the same requirements as other beer, is effective retroactively beginning March 10, 2010. (Page 23, Line 30)

### GOVERNOR'S VETO

- The Governor vetoed language requiring the DIA to provide information to the public via the internet relating to inspections, operating costs, and FTE positions. (Page 11, Line 27)

### ENACTMENT DATE

- This Act was approved by the General Assembly on March 26, 2010, and item vetoed and signed by the Governor on April 29, 2010.

Senate File 2367 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
1	18	1.1(b)	Nwthstnd	Sec. 8.33	Nonreversion of DAS Utility Appropriation
2	7	1.3	Nwthstnd	Sec. 8.33	Nonreversion of Workers' Compensation Fund
2	23	3	Nwthstnd	Sec. 321A.3(1)	lowAccess Funding
4	13	5.2(d)	Nwthstnd	Sec. ALL	Audit of Federal Funds
7	24	8.2(b)(3)	Nwthstnd	Sec. 8.33 and 476.10	Nonreversion of Utilities Division Appropriation
13	15	13.6(d)	Nwthstnd	Sec. 237.18 and 237.20	Child Advocacy Board Pilot Projects
14	3	15	Nwthstnd	Sec. 135C.16	Health Care Facility Inspections
18	2	24	Nwthstnd	Sec. 490.122(1) (a & s) and 504.113 (1) (a,c,d,j,k,l & m)	Secretary of State Filing Fee Refunds
19	27	29	Repeals	Sec. 8D.13(13)	ICN Audit Report
19	29	30	Adds	Sec. 11.5B(16)	Audit Requirements
19	34	31	Amends	Sec. 182.18	Iowa Sheep and Wool Promotion Board Audit Costs
20	13	32	Amends	Sec. 184.14	Iowa Egg Council Audit Costs
20	29	33	Amends	Sec. 184A.6(2)	Iowa Turkey Marketing Council Audit Costs
21	4	34	Amends	Sec. 184A.9	Iowa Turkey Marketing Council Audit Costs
21	12	35	Amends	Sec. 185C.26	Iowa Corn Promotion Board Audit Costs
22	4	36	Amends	Sec. 8A.207(4)(c)	Information Technology Contracts
22	19	37	Adds	Sec. 8A.315A	Chain-of-Custody Paper
23	1	38	Repeals	Sec. 8A.454(4), Code Supplement 2009	Health Insurance Administration Fund
23	3	39	Nwthstnd	Sec. 8A.365	Vehicle Depreciation Payments
23	19	41	Adds	Sec. 524.814(1A)	Banking Division Provisions
23	26	42	Adds	Sec. 123.126	High Alcohol Content Beer
24	1	44	Amends	Sec. 216A.3(2)	Human Rights Board
24	7	45	Amends	Sec. 216A.12(2) Code Supplement 2009	Human Rights Board
24	23	46	Adds	Sec. 12G.1	Financial Literacy Program
24	34	47	Adds	Sec. 12G.2	Financial Literacy Program

1 1 DIVISION I

1 2 ADMINISTRATION AND REGULATION

1 3 APPROPRIATIONS

1 4 Section 1. DEPARTMENT OF ADMINISTRATIVE SERVICES.

1 5 1. There is appropriated from the general fund of the state

1 6 to the department of administrative services for the fiscal

1 7 year beginning July 1, 2010, and ending June 30, 2011, 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 salaries, support, maintenance, and miscellaneous

1 11 purposes, and for not more than the following full-time

1 12 equivalent positions:

1 13 ..... \$ 2,053,209

1 14 ..... FTEs 62.51

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

DETAIL: This is a decrease of \$2,761,100 and 49.77 FTE positions compared to estimated net FY 2010. The changes include:

- A reduction of \$2,761,100 and 34.40 FTE positions for the transfer of the State accounting functions to the Department of Management to conform to the statutory changes in SF 2088 (Government Reorganization and Efficiency Act).
- A decrease of 15.37 FTE positions due to FY 2010 budget reductions that are maintained in the FY 2011 appropriation.

NOTE: House File 2531 (Standing Appropriations Act) appropriates \$2,761,100 from the General Fund and provides an increase of 34.40 FTE positions to the DAS to maintain funding for the State accounting functions in the DAS.

1 15 b. For the payment of utility costs:

1 16 ..... \$ 3,127,085

1 17 ..... FTEs 1.00

General Fund appropriation to the DAS for utility costs.

DETAIL: Maintains the current level of funding and FTE positions. The funds are used to pay energy costs for the Capitol Complex and the State laboratory facility in Ankeny.

1 18 Notwithstanding section 8.33, any excess funds appropriated

1 19 for utility costs in this lettered paragraph shall not revert

1 20 to the general fund of the state at the end of the fiscal year

1 21 but shall remain available for expenditure for the purposes of

1 22 this lettered paragraph during the succeeding fiscal year.

CODE: Allows any unobligated funds appropriated for FY 2010 utility costs to carry forward to FY 2012.

1 23 It is the intent of the general assembly that the department  
1 24 shall reduce utility costs through energy conservation  
1 25 practices. The goal of the general assembly is to reduce  
1 26 energy use by 10 percent to save money, conserve energy  
1 27 resources, and reduce pollution.

Specifies the intent of the General Assembly that the Department reduce utility costs by 10.00% through energy conservation practices.

1 28 c. The department shall, with the goal of reducing costs,  
1 29 reduce the size of the state fleet, examine policies on  
1 30 when state vehicles are assigned and circumstances for when  
1 31 employees take state vehicles home, and consider guidelines  
1 32 for when to sell and purchase new vehicles. The department  
1 33 shall submit a report to the general assembly by January 1,  
1 34 2011, concerning the department's efforts to reduce state motor  
1 35 vehicle fleet costs, including data on the extent of savings  
2 1 realized.

Requires the DAS to take available steps to reduce the size and cost of the motor vehicle fleet. Requires the Department to submit a report to the General Assembly by January 1, 2011, concerning the motor vehicle fleet costs.

NOTE: This requirement was also included in Executive Order 20 issued by the Governor.

2 2 2. Members of the general assembly serving as members of  
2 3 the deferred compensation advisory board shall be entitled  
2 4 to receive per diem and necessary travel and actual expenses  
2 5 pursuant to section 2.10, subsection 5, while carrying out  
2 6 their official duties as members of the board.

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

2 7 3. Any funds and premiums collected by the department for  
2 8 workers' compensation shall be segregated into a separate  
2 9 workers' compensation fund in the state treasury to be used  
2 10 for payment of state employees' workers' compensation claims  
2 11 and administrative costs. Notwithstanding section 8.33,  
2 12 unencumbered or unobligated moneys remaining in this workers'  
2 13 compensation fund at the end of the fiscal year shall not  
2 14 revert but shall be available for expenditure for purposes of  
2 15 the fund for subsequent fiscal years.

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

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

2 16 Sec. 2. REVOLVING FUNDS. There is appropriated to the  
2 17 department of administrative services for the fiscal year  
2 18 beginning July 1, 2010, and ending June 30, 2011, from the  
2 19 revolving funds designated in chapter 8A and from internal  
2 20 service funds created by the department such amounts as the

Appropriates an amount necessary from the DAS revolving funds and internal service funds created by the Department for operational purposes.

2 21 department deems necessary for the operation of the department  
2 22 consistent with the requirements of chapter 8A.

2 23 Sec. 3. FUNDING FOR IOWACCESS.

2 24 1. Notwithstanding section 321A.3, subsection 1, for  
2 25 the fiscal year beginning July 1, 2010, and ending June 30,  
2 26 2011, the first \$1,000,000 collected and transferred by the  
2 27 department of transportation to the treasurer of state with  
2 28 respect to the fees for transactions involving the furnishing  
2 29 of a certified abstract of a vehicle operating record under  
2 30 section 321A.3, subsection 1, shall be transferred to the  
2 31 lowAccess revolving fund for the purposes of developing,  
2 32 implementing, maintaining, and expanding electronic access to  
2 33 government records as provided by law.

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.

2 34 2. All fees collected with respect to transactions  
2 35 involving lowAccess shall be deposited in the lowAccess  
3 1 revolving fund and shall be used only for the support of  
3 2 lowAccess projects.

Requires all fees related to transactions involving lowAccess to be deposited in the lowAccess Revolving Fund and used for lowAccess projects.

3 3 Sec. 4. STATE EMPLOYEE HEALTH INSURANCE ADMINISTRATION  
3 4 CHARGE. For the fiscal year beginning July 1, 2010, and ending  
3 5 June 30, 2011, the monthly per contract administrative charge  
3 6 which may be assessed by the department of administrative  
3 7 services shall be \$2 per contract on all health insurance plans  
3 8 administered by the department.

Permits the DAS to charge \$2.00 per month for each health insurance contract administered by the Department for FY 2011.

DETAIL: The funds are deposited in the Health Insurance Administration Fund and used by the Department for administrative costs of the health insurance program.

3 9 Sec. 5. AUDITOR OF STATE.

3 10 1. There is appropriated from the general fund of the state  
3 11 to the office of the auditor of state for the fiscal year  
3 12 beginning July 1, 2010, and ending June 30, 2011, the following  
3 13 amount, or so much thereof as is necessary, to be used for  
3 14 the purposes designated, and for not more than the following  
3 15 full-time equivalent positions:  
3 16 For salaries, support, maintenance, and miscellaneous  
3 17 purposes:

General Fund appropriation to the Auditor of State.

DETAIL: This is an increase of \$90,547 and no change in FTE positions compared to estimated net FY 2010. The appropriation increase restores the 10.00% across-the-board reduction implemented in FY 2010.

3 18 ..... \$ 905,468  
3 19 ..... FTEs 103.00

3 20 The auditor of state may retain additional full-time  
3 21 equivalent positions as is reasonable and necessary to  
3 22 perform governmental subdivision audits which are reimbursable  
3 23 pursuant to section 11.20 or 11.21, to perform audits which are  
3 24 requested by and reimbursable from the federal government, and  
3 25 to perform work requested by and reimbursable from departments  
3 26 or agencies pursuant to section 11.5A or 11.5B. The auditor  
3 27 of state shall notify the department of management, the  
3 28 legislative fiscal committee, and the legislative services  
3 29 agency of the additional full-time equivalent positions  
3 30 retained.

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

3 31 2. As a condition of receiving funding appropriated in  
3 32 this section, for the fiscal year beginning July 1, 2010, and  
3 33 ending June 30, 2011, the auditor shall comply with all of the  
3 34 following requirements:

Prohibits the Auditor from increasing rates and fees for FY 2011 above the levels established as of January 1, 2009. Prohibits the Auditor from receiving reimbursements from State agencies and governmental subdivisions that exceed the total amount reimbursed to the Auditor during FY 2009.

3 35 a. The rates and fees set by the auditor to conduct audits  
4 1 for the fiscal year shall not exceed the rates and fees set for  
4 2 conducting audits as of January 1, 2009.  
4 3 b. The auditor shall not seek reimbursement from  
4 4 departments and agencies specified in section 11.5B in an  
4 5 amount that exceeds the total amount reimbursed to the auditor  
4 6 by those departments and agencies for the fiscal year beginning  
4 7 July 1, 2008.  
4 8 c. The auditor shall not seek reimbursement from  
4 9 governmental subdivisions for audits which are reimbursable  
4 10 pursuant to section 11.20 or 11.21 in an amount that exceeds  
4 11 the total amount reimbursed to the auditor by governmental  
4 12 subdivisions for the fiscal year beginning July 1, 2008.

4 13 d. Notwithstanding any provision of this subsection to the  
4 14 contrary, the auditor may seek reimbursement from departments  
4 15 and agencies specified in section 11.5B, and governmental  
4 16 subdivisions, in an amount that exceeds the total amount

CODE: Permits the Auditor of State to charge State agencies and other governmental subdivisions for federal reimbursement of costs for conducting audits that are required by the federal government.



4 17 reimbursed to the auditor by those departments, agencies, or  
4 18 governmental subdivisions for the fiscal year beginning July  
4 19 1, 2008, for audits required by the federal government and  
4 20 reimbursable from federal funds.

4 21 e. For purposes of this subsection, "total amount  
4 22 reimbursed" does not include amounts reimbursed for audits  
4 23 required and reimbursed from federal funds.

4 24 Sec. 6. AUDITOR OF STATE == DISCRETIONARY AUDITS. For the  
4 25 fiscal year beginning July 1, 2010, and ending June 30, 2011,  
4 26 the auditor of state, in addition to any other requirements  
4 27 provided in this Act, shall not seek reimbursement from  
4 28 departments and agencies specified in section 11.5B for any  
4 29 discretionary audit that the auditor initiates or has initiated  
4 30 on the auditor's own authority and which is not specifically  
4 31 required by statute. Notwithstanding the prohibition contained  
4 32 in this section, the auditor shall perform all necessary audit  
4 33 duties related to any financial report required to be compiled  
4 34 by a department or agency that the auditor has previously  
4 35 audited in the normal course of the auditor's duties, whether  
5 1 or not such financial report is required by law. Any amounts  
5 2 reimbursed in association with such audit shall be limited to  
5 3 the amounts reimbursed for the audit of such report during the  
5 4 previous reporting period. However, the auditor of state may  
5 5 seek reimbursement for the cost of conducting a discretionary  
5 6 audit from any moneys recovered pursuant to any criminal or  
5 7 civil action arising out of the discretionary audit.

Prohibits the Auditor of State from billing State agencies for discretionary audits that are not statutorily required and that are initiated by the Auditor. Requires the Auditor to perform all audits that the Auditor has previously audited in the normal course of duties. Allows the Auditor to seek reimbursement for the cost of conducting a discretionary audit from moneys recovered from a criminal or civil action.

5 8 Sec. 7. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There  
5 9 is appropriated from the general fund of the state to the  
5 10 Iowa ethics and campaign disclosure board for the fiscal year  
5 11 beginning July 1, 2010, and ending June 30, 2011, the following  
5 12 amount, or so much thereof as is necessary, for the purposes  
5 13 designated:  
5 14 For salaries, support, maintenance, and miscellaneous  
5 15 purposes, and for not more than the following full-time  
5 16 equivalent positions:

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

DETAIL: This is an increase of \$66,556 and a decrease of 1.00 FTE position compared to estimated net FY 2010. The increase restores the Iowa Ethics and Campaign Disclosure Board's appropriation to the FY 2009 level.

PG LN	Senate File 2367	Explanation
5 17	..... \$ 537,256	
5 18	..... FTEs 5.00	
5 19	Sec. 8. DEPARTMENT OF COMMERCE.	
5 20	1. There is appropriated from the general fund of the	
5 21	state to the department of commerce for the fiscal year	
5 22	beginning July 1, 2010, and ending June 30, 2011, the following	
5 23	amounts, or so much thereof as is necessary, for the purposes	
5 24	designated:	
5 25	a. ALCOHOLIC BEVERAGES DIVISION	General Fund appropriation to the Alcoholic Beverages Division of the
5 26	For salaries, support, maintenance, and miscellaneous	Department of Commerce.
5 27	purposes, and for not more than the following full=time	
5 28	equivalent positions:	DETAIL: This is a decrease of \$20,000 and 6.00 FTE positions
5 29	..... \$ 1,786,444	compared to estimated net FY 2010. The changes include:
5 30	..... FTEs 31.00	<ul style="list-style-type: none"> <li>● A decrease of \$20,000 associated with the provision in SF 2088 (Government Reorganization and Efficiency Act) that requires the Alcoholic Beverages Division warehouse to close on Fridays.</li> <li>● The decrease of 6.00 FTE positions is due to maintaining FY 2010 budget reductions in the FY 2011 appropriation.</li> </ul>
5 31	b. PROFESSIONAL LICENSING AND REGULATION BUREAU	General Fund appropriation to the Professional Licensing and
5 32	For salaries, support, maintenance, and miscellaneous	Regulation Bureau of the Banking Division of the Department of
5 33	purposes, and for not more than the following full=time	Commerce.
5 34	equivalent positions:	
5 35	..... \$ 810,498	DETAIL: This represents no change in funding and a decrease of 2.00
6 1	..... FTEs 14.00	FTE positions compared to estimated net FY 2010. The decrease in
		FTE positions is due to maintaining FY 2010 budget reductions in the
		FY 2011 appropriation.
6 2	2. There is appropriated from the department of commerce	Provides appropriations from the Department of Commerce Revolving
6 3	revolving fund created in section 546.12 to the department of	Fund.
6 4	commerce for the fiscal year beginning July 1, 2010, and ending	
6 5	June 30, 2011, the following amounts, or so much thereof as is	
6 6	necessary, for the purposes designated:	

6 7 a. BANKING DIVISION  
 6 8 For salaries, support, maintenance, and miscellaneous  
 6 9 purposes, and for not more than the following full-time  
 6 10 equivalent positions:  
 6 11 ..... \$ 8,851,670  
 6 12 ..... FTEs 80.00

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

DETAIL: This is an increase of \$189,000 and 7.00 FTE positions compared to estimated net FY 2010. The changes include:

- An increase of \$189,000 for the purchase of laptop computers to comply with Federal Depository Insurance Corporation (FDIC) guidelines and Conference of State Bank Supervisors best practices.
- The increase of 7.00 FTE positions is for increased bank examinations of Iowa's State Chartered banks. The positions will be funded through the Department of Commerce Revolving Fund and reimbursed by the industry.

6 13 b. CREDIT UNION DIVISION  
 6 14 For salaries, support, maintenance, and miscellaneous  
 6 15 purposes, and for not more than the following full-time  
 6 16 equivalent positions:  
 6 17 ..... \$ 1,727,995  
 6 18 ..... FTEs 19.00

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

DETAIL: Maintains the current level of funding and FTE positions.

6 19 c. INSURANCE DIVISION  
 6 20 (1) For salaries, support, maintenance, and miscellaneous  
 6 21 purposes, and for not more than the following full-time  
 6 22 equivalent positions:  
 6 23 ..... \$ 4,928,244  
 6 24 ..... FTEs 103.00

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

DETAIL: This is an increase of \$47,028 and 1.00 FTE position compared to estimated net FY 2010 for funding the Senior Health Insurance Program from the Department of Commerce Revolving Fund. In prior years, this Program was funded from the General Fund.

NOTE: House File 2531 (Standing Appropriations Act) appropriates \$150,000 for costs associated with establishing an Insurance Information Exchange from the Commerce Revolving Fund. Appropriates \$55,000 and 1.00 FTE position to the Insurance Division from the Commerce Revolving Fund for operational costs in FY 2011.

6 25 (2) The insurance division may reallocate authorized

Permits the Insurance Division to reallocate FTE positions as

6 26 full=time equivalent positions as necessary to respond to  
 6 27 accreditation recommendations or requirements. The insurance  
 6 28 division expenditures for examination purposes may exceed the  
 6 29 projected receipts, refunds, and reimbursements, estimated  
 6 30 pursuant to section 505.7, subsection 7, including the  
 6 31 expenditures for retention of additional personnel, if the  
 6 32 expenditures are fully reimbursable and the division first does  
 6 33 both of the following:  
 6 34 (a) Notifies the department of management, the legislative  
 6 35 services agency, and the legislative fiscal committee of the  
 7 1 need for the expenditures.  
 7 2 (b) Files with each of the entities named in subparagraph  
 7 3 division (a) the legislative and regulatory justification for  
 7 4 the expenditures, along with an estimate of the expenditures.

7 5 d. UTILITIES DIVISION

7 6 (1) For salaries, support, maintenance, and miscellaneous  
 7 7 purposes, and for not more than the following full=time  
 7 8 equivalent positions:  
 7 9 ..... \$ 8,173,069  
 7 10 ..... FTEs 79.00

7 11 (2) The utilities division may expend additional funds,  
 7 12 including funds for additional personnel, if those additional  
 7 13 expenditures are actual expenses which exceed the funds  
 7 14 budgeted for utility regulation and the expenditures are fully  
 7 15 reimbursable. Before the division expends or encumbers an  
 7 16 amount in excess of the funds budgeted for regulation, the  
 7 17 division shall first do both of the following:  
 7 18 (a) Notify the department of management, the legislative

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 requires justification and an estimate of the excess expenditures.

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

DETAIL: This is a decrease of \$83,585 and no change in FTE positions compared to estimated net FY 2010. The changes include:

- A decrease of \$461,127 associated with carryforward funds that were available in FY 2010 and used for costs associated with the new Utilities Division building.
- An increase of \$377,542 for the first year debt service payment on the bonds for the new Utilities Division building and remaining rent costs. This is a one-time increase for these costs. All future debt service payments will be assessed to the industry.

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 of funds in excess of the amount budgeted for utility regulation, and provide justification and an estimate of the excess expenditures.

7 19 services agency, and the legislative fiscal committee of the  
7 20 need for the expenditures.  
7 21 (b) File with each of the entities named in subparagraph  
7 22 division (a) the legislative and regulatory justification for  
7 23 the expenditures, along with an estimate of the expenditures.

7 24 (3) Notwithstanding sections 8.33 and 476.10 or any other  
7 25 provision to the contrary, any balance of the appropriation  
7 26 made in this paragraph for the utilities division or any other  
7 27 operational appropriation made for the fiscal year beginning  
7 28 July 1, 2010, and ending June 30, 2011, that remains unused,  
7 29 unencumbered, or unobligated at the close of the fiscal year  
7 30 shall not revert but shall remain available to be used for  
7 31 purposes of the energy=efficient building project authorized  
7 32 under section 476.10B, or for relocation costs in succeeding  
7 33 fiscal years.

CODE: Allows any unobligated funds remaining from the FY 2011 appropriation to the Utilities Division to carry forward to FY 2012 and be used for the energy-efficient building project or relocation costs.

7 34 3. CHARGES. Each division and the office of consumer  
7 35 advocate shall include in its charges assessed or revenues  
8 1 generated an amount sufficient to cover the amount stated  
8 2 in its appropriation and any state=assessed indirect costs  
8 3 determined by the department of administrative services.

Requires all divisions of the Department of Commerce and the Office of Consumer Advocate to include in billings an amount sufficient to cover the Department of Commerce Revolving Fund appropriations and any State-assessed indirect costs.

8 4 4. TRAVEL. The director of the department of commerce shall  
8 5 review on a quarterly basis all out=of=state travel for the  
8 6 previous quarter for officers and employees of each division  
8 7 of the department if the travel is not already authorized by  
8 8 the executive council.

Requires the director of the Department of Commerce to review all out-of-state travel claims on a quarterly basis that are not otherwise authorized by the Executive Council.

8 9 Sec. 9. DEPARTMENT OF COMMERCE == PROFESSIONAL LICENSING  
8 10 AND REGULATION BUREAU. There is appropriated from the housing  
8 11 trust fund of the Iowa finance authority created in section  
8 12 16.181, to the bureau of professional licensing and regulation  
8 13 of the banking division of the department of commerce for the  
8 14 fiscal year beginning July 1, 2010, and ending June 30, 2011,  
8 15 the following amount, or so much thereof as is necessary, to be  
8 16 used for the purposes designated:

Housing Trust Fund appropriation to the Professional Licensing and Regulation Bureau.

DETAIL: Maintains the current level of funding. The funds are used by the Department to conduct audits of real estate broker trust funds.

8 17 For salaries, support, maintenance, and miscellaneous  
 8 18 purposes:  
 8 19 ..... \$ 62,317

8 20 Sec. 10. GOVERNOR AND LIEUTENANT GOVERNOR. There is  
 8 21 appropriated from the general fund of the state to the offices  
 8 22 of the governor and the lieutenant governor for the fiscal year  
 8 23 beginning July 1, 2010, and ending June 30, 2011, the following  
 8 24 amounts, or so much thereof as is necessary, to be used for the  
 8 25 purposes designated:

8 26 1. GENERAL OFFICE

8 27 For salaries, support, maintenance, and miscellaneous  
 8 28 purposes for the general office of the governor and the general  
 8 29 office of the lieutenant governor, and for not more than the  
 8 30 following full=time equivalent positions:  
 8 31 ..... \$ 2,064,471  
 8 32 ..... FTEs 25.25

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

DETAIL: Maintains the current level of funding and FTE positions.

8 33 2. TERRACE HILL QUARTERS

8 34 For salaries, support, maintenance, and miscellaneous  
 8 35 purposes for the governor's quarters at Terrace Hill, and for  
 9 1 not more than the following full=time equivalent positions:  
 9 2 ..... \$ 394,291  
 9 3 ..... FTEs 10.00

General Fund appropriation for support of the Terrace Hill Quarters.

DETAIL: Maintains the current level of funding and FTE positions.

NOTE: House File 2531 (Standing Appropriations Act) reduces this  
 appropriation by \$263,329 and 8.12 FTE positions and appropriates  
 \$263,329 and 6.38 FTE positions from the General Fund to DAS for  
 Terrace Hill operations.

9 4 3. ADMINISTRATIVE RULES COORDINATOR

9 5 For salaries, support, maintenance, and miscellaneous  
 9 6 purposes for the office of administrative rules coordinator,  
 9 7 and for not more than the following full=time equivalent  
 9 8 positions:  
 9 9 ..... \$ 127,167  
 9 10 ..... FTEs 3.00

General Fund appropriation for the Administrative Rules Coordinator.

DETAIL: Maintains the current level of funding and FTE positions.

PG LN	Senate File 2367	Explanation
9 11	4. NATIONAL GOVERNORS ASSOCIATION	General Fund appropriation for the payment of dues to the National Governors Association.
9 12	For payment of Iowa's membership in the national governors	
9 13	association:	
9 14	..... \$ 70,783	DETAIL: Maintains the current level of funding and FTE positions.
9 15	5. STATE=FEDERAL RELATIONS	General Fund appropriation to the State-Federal Relations Office.
9 16	For salaries, support, maintenance, and miscellaneous	
9 17	purposes for the office for state=federal relations, and for	DETAIL: This represents no change in funding and an increase of
9 18	not more than the following full=time equivalent positions:	1.00 FTE position compared to estimated net FY 2010. The additional
9 19	..... \$ 41,958	position will be funded with non-General Fund receipts.
9 20	..... FTEs 2.00	
9 21	Sec. 11. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY. There	General Fund appropriation to the Office of Drug Control Policy.
9 22	is appropriated from the general fund of the state to the	
9 23	governor's office of drug control policy for the fiscal year	DETAIL: This is an increase of \$44,335 and no change in FTE
9 24	beginning July 1, 2010, and ending June 30, 2011, the following	positions compared to estimated net FY 2010. The appropriation
9 25	amount, or so much thereof as is necessary, to be used for the	increase restores funding to the FY 2009 level.
9 26	purposes designated:	
9 27	For salaries, support, maintenance, and miscellaneous	
9 28	purposes, including statewide coordination of the drug abuse	
9 29	resistance education (D.A.R.E.) programs or similar programs,	
9 30	and for not more than the following full=time equivalent	
9 31	positions:	
9 32	..... \$ 357,866	
9 33	..... FTEs 8.00	
9 34	Sec. 12. DEPARTMENT OF HUMAN RIGHTS. There is appropriated	
9 35	from the general fund of the state to the department of human	
10 1	rights for the fiscal year beginning July 1, 2010, and ending	
10 2	June 30, 2011, the following amounts, or so much thereof as is	
10 3	necessary, to be used for the purposes designated:	
10 4	1. CENTRAL ADMINISTRATION DIVISION	General Fund appropriation to the Central Administration Division of
10 5	For salaries, support, maintenance, and miscellaneous	the Department of Human Rights.
10 6	purposes, and for not more than the following full=time	
10 7	equivalent positions:	DETAIL: Maintains the current level of funding and FTE positions.

PG LN	Senate File 2367	Explanation
10 8	..... \$ 274,773	
10 9	..... FTEs 7.00	
10 10	2. COMMUNITY ADVOCACY AND SERVICES DIVISION	General Fund appropriation to the Community Advocacy and Services Division.
10 11	For salaries, support, maintenance, and miscellaneous	
10 12	purposes, and for not more than the following full-time	
10 13	equivalent positions:	DETAIL: This is a new division established in SF 2088 (Government Reorganization and Efficiency Act) that combines Deaf Services, Asian and Pacific Islanders, Persons with Disabilities, Latino Affairs, Status of Women, and the Status of African-Americans into one division.
10 14	..... \$ 1,247,926	
10 15	..... FTEs 18.20	
		The appropriation maintains the funding at the FY 2010 level. The FTE positions represent a decrease of 1.00 compared to FY 2010 due to the reduction of a position in Latino Affairs related to FY 2010 budget reductions.
10 16	3. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION	General Fund appropriation to the Criminal and Juvenile Justice Planning Division of the Department of Human Rights.
10 17	For salaries, support, maintenance, and miscellaneous	
10 18	purposes, and for not more than the following full-time	
10 19	equivalent positions:	DETAIL: Maintains the current level of funding and FTE positions.
10 20	..... \$ 1,284,725	
10 21	..... FTEs 11.18	NOTE: House File 2531 (Standing Appropriations Act) appropriates \$140,000 and 2.00 FTE positions to the Division for costs associated with the Public Safety Advisory Board from the Underground Storage Tank Fund.
10 22	The criminal and juvenile justice planning advisory council	
10 23	and the juvenile justice advisory council shall coordinate	Requires the Criminal and Juvenile Justice Planning Advisory Council and the Juvenile Justice Advisory Council to coordinate efforts in performing juvenile justice duties.
10 24	their efforts in carrying out their respective duties relative	
10 25	to juvenile justice.	
10 26	Sec. 13. DEPARTMENT OF INSPECTIONS AND APPEALS. There	
10 27	is appropriated from the general fund of the state to the	
10 28	department of inspections and appeals for the fiscal year	
10 29	beginning July 1, 2010, and ending June 30, 2011, the following	



10 30 amounts, or so much thereof as is necessary, for the purposes  
10 31 designated:

10 32 1. ADMINISTRATION DIVISION

10 33 For salaries, support, maintenance, and miscellaneous  
10 34 purposes, and for not more than the following full-time  
10 35 equivalent positions:

11 1 ..... \$ 1,984,510  
11 2 ..... FTEs 37.25

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

DETAIL: This is an increase of \$180,000 and a decrease of 2.00 FTE positions compared to estimated net FY 2010. The increase restores a portion of the Division's FY 2010 across-the-board reduction. The decrease of 2.00 FTE positions is due to FY 2010 budget reductions and includes one position that was laid off and the elimination of one vacant position.

NOTE: House File 2531 (Standing Appropriations Act) appropriates \$250,000 from the Medicaid Fraud Account for costs related to changes in the Dependant Adult Abuse registry authorized in SF 2333 (Dependent Adult Abuse Act).

11 3 2. ADMINISTRATIVE HEARINGS DIVISION

11 4 For salaries, support, maintenance, and miscellaneous  
11 5 purposes, and for not more than the following full-time  
11 6 equivalent positions:

11 7 ..... \$ 609,585  
11 8 ..... FTEs 24.00

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

DETAIL: Maintains the current level of funding and FTE positions.

11 9 3. INVESTIGATIONS DIVISION

11 10 For salaries, support, maintenance, and miscellaneous  
11 11 purposes, and for not more than the following full-time  
11 12 equivalent positions:

11 13 ..... \$ 1,365,570  
11 14 ..... FTEs 56.00

General Fund appropriation to the Investigations Division of the DIA.

DETAIL: This is an increase of \$57,904 and 6.00 FTE positions compared to estimated net FY 2010. The change includes:

- A decrease of \$617,037 to maintain funding at a reduced level resulting from the transfer of funds in FY 2010 from the Investigations Division to other DIA divisions to partially restore budget reductions.
- An increase of \$324,941 to partially restore FY 2010 budget reductions to the Investigations Division.
- An increase of \$350,000 and 6.00 FTE positions to increase recoveries of improperly-claimed Medicaid benefits and to prevent

individuals from receiving these benefits (also referred to as divestiture). It is estimated that the additional positions will save the State Medicaid Program \$935,800 in FY 2011. In addition, the \$350,000 will be matched with a similar amount in federal funds. Senate File 2088 (Government Reorganization and Efficiency Act) strengthens the Medicaid laws related to divestiture.

11 15 The department, in coordination with the investigations  
11 16 division, shall provide a report to the general assembly by  
11 17 January 10, 2011, concerning the fiscal impact of additional  
11 18 full-time equivalent positions on the department's efforts  
11 19 relative to the Medicaid divestiture program under chapter  
11 20 249F.

Requires the Department to submit a report to the General Assembly by January 10, 2011, on the fiscal impact of adding six positions relating to the Medicaid Divestiture Program.

11 21 4. HEALTH FACILITIES DIVISION  
11 22 a. For salaries, support, maintenance, and miscellaneous  
11 23 purposes, and for not more than the following full-time  
11 24 equivalent positions:  
11 25 ..... \$ 4,030,108  
11 26 ..... FTEs 134.75

General Fund appropriation to the Health Facilities Division of the DIA.

DETAIL: This is an increase of \$2,018,263 and a decrease of 6.00 FTE positions compared to estimated net FY 2010. The changes include:

- An increase of \$1,873,263 to provide direct funding to the Department for performing surveys and certifications of health facilities. In prior years these costs were funded through the transfer of funds from the Department of Human Services (DHS) Medicaid Program. This increase will result in a similar decrease in the FY 2011 General Fund appropriation to DHS for Medical Contracts.
- A decrease of 6.00 FTE positions due to FY 2010 budget reductions being maintained in the FY 2011 appropriation.
- An increase of \$145,000 to restore funds transferred to the Division in FY 2010 from the Medicaid Fraud Account. The transferred funds were used to offset a portion of the FY 2010 across-the-board (ATB) reduction.

[11 27 b. The department shall, in coordination with the health  
 11 28 facilities division, make the following information available  
 11 29 to the public in a timely manner, to include providing the  
 11 30 information on the department's internet website, during the  
 11 31 fiscal year beginning July 1, 2010, and ending June 30, 2011:  
 11 32 (1) The number of inspections conducted by the division  
 11 33 annually by type of service provider and type of inspection.  
 11 34 (2) The total annual operations budget for the division,  
 11 35 including general fund appropriations and federal contract  
 12 1 dollars received by type of service provider inspected.  
 12 2 (3) The total number of full-time equivalent positions in  
 12 3 the division, to include the number of full-time equivalent  
 12 4 positions serving in a supervisory capacity, and serving as  
 12 5 surveyors, inspectors, or monitors in the field by type of  
 12 6 service provider inspected.  
 12 7 (4) Identification of state and federal survey trends,  
 12 8 cited regulations, the scope and severity of deficiencies  
 12 9 identified, and federal and state fines assessed and collected  
 12 10 concerning nursing and assisted living facilities and programs. ]

**VETOED**

Requires the Department to provide information to the public via the internet relating to inspections, operating costs, and FTE positions.

VETOED: The Governor vetoed this paragraph and stated that some of this data is collected during the survey and certification process and is maintained and controlled by the federal government. The Governor also stated that any additional information would add very little benefit to the public and would be expensive to assemble and maintain.

12 11 c. It is the intent of the general assembly that the  
 12 12 department and division continuously solicit input from  
 12 13 facilities regulated by the division to assess and improve  
 12 14 the division's level of collaboration and to identify new  
 12 15 opportunities for cooperation.

Specifies the intent of the General Assembly that the Department seek input from facilities regulated by the Health Facilities Division to assess and improve collaboration and cooperation.

12 16 5. EMPLOYMENT APPEAL BOARD  
 12 17 For salaries, support, maintenance, and miscellaneous  
 12 18 purposes, and for not more than the following full-time  
 12 19 equivalent positions:  
 12 20 ..... \$ 46,318  
 12 21 ..... FTEs 15.00

General Fund appropriation to the Employment Appeal Board.

DETAIL: Maintains the current level of funding and FTE positions.

12 22 The employment appeal board shall be reimbursed by the labor  
 12 23 services division of the department of workforce development  
 12 24 for all costs associated with hearings conducted under chapter  
 12 25 91C, related to contractor registration. The board may expend,

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.

12 26 in addition to the amount appropriated under this subsection,  
 12 27 additional amounts as are directly billable to the labor  
 12 28 services division under this subsection and to retain the  
 12 29 additional full-time equivalent positions as needed to conduct  
 12 30 hearings required pursuant to chapter 91C.

12 31 6. CHILD ADVOCACY BOARD

General Fund appropriation to the Child Advocacy Board.

12 32 For foster care review and the court appointed special  
 12 33 advocate program, including salaries, support, maintenance, and  
 12 34 miscellaneous purposes, and for not more than the following  
 12 35 full-time equivalent positions:

DETAIL: This is an increase of \$292,037 and a decrease of 0.08 FTE position compared to estimated net FY 2010. The increased funding will be used to restore the FY 2010 ATB reduction.

13 1 ..... \$ 2,920,367

13 2 ..... FTEs 45.04

13 3 a. The department of human services, in coordination with  
 13 4 the child advocacy board and the department of inspections and  
 13 5 appeals, shall submit an application for funding available  
 13 6 pursuant to Tit. IV=E of the federal Social Security Act for  
 13 7 claims for child advocacy board administrative review costs.

Requires the DHS, the Child Advocacy Board, and the DIA to cooperate in filing an application for federal funds for Child Advocacy Board administrative review costs.

13 8 b. The court appointed special advocate program shall  
 13 9 investigate and develop opportunities for expanding  
 13 10 fund-raising for the program.

Requires the Court-Appointed Special Advocate Program to seek additional donations and grants.

13 11 c. Administrative costs charged by the department of  
 13 12 inspections and appeals for items funded under this subsection  
 13 13 shall not exceed 4 percent of the amount appropriated in this  
 13 14 subsection.

Limits the administrative costs that the DIA can charge the Board to 4.00% of the funds appropriated (\$116,815).

13 15 d. Notwithstanding any provision of sections 237.18 and  
 13 16 237.20 to the contrary, the child advocacy board may establish  
 13 17 up to six pilot projects using alternative policies to guide  
 13 18 the selection of cases and the procedures used by local  
 13 19 citizen foster care review boards as they review cases of  
 13 20 children who received or are receiving foster care or other  
 13 21 out-of-home placement services while under the supervision of  
 13 22 the department of human services. Policies to guide the pilot

CODE: Permits the Child Advocacy Board to establish up to six pilot projects to examine alternative policies to guide the processes and procedures by local citizen foster care review boards. Requires a report of the Board's progress to be submitted to the Governor and the General Assembly by January 1, 2011.

13 23 project case selection and review time frames and reporting	
13 24 formats shall be approved by the department of human services,	
13 25 state court administrator, and the chief judge of any judicial	
13 26 district in which a pilot project is to be implemented. The	
13 27 child advocacy board shall report to the governor and general	
13 28 assembly by January 1, 2011, on the progress of any new	
13 29 approaches and their impact on efficiencies and case outcomes.	
13 30 Sec. 14. DEPARTMENT OF INSPECTIONS AND APPEALS ==	
MUNICIPAL	
13 31 CORPORATION FOOD INSPECTIONS. For the fiscal year beginning	
13 32 July 1, 2010, and ending June 30, 2011, the department of	
13 33 inspections and appeals shall retain any license fees generated	
13 34 during the fiscal year as a result of actions under section	
13 35 137F.3A occurring during the fiscal year beginning July 1,	
14 1 2009, and ending June 30, 2010, for the purpose of enforcing	
14 2 the provisions of chapters 137C, 137D, and 137F.	Permits the DIA to retain license fees for food inspections during FY 2011 due to four counties returning their food inspection duties over to DIA in FY 2010.
14 3 Sec. 15. DEPARTMENT OF INSPECTIONS AND APPEALS ==	
14 4 HEALTH CARE FACILITIES INSPECTIONS. Notwithstanding any	
14 5 provision of section 135C.16 to the contrary, inspections of	
14 6 health care facilities that are only state=licensed and not	
14 7 certified under the Medicare or Medicaid programs shall not be	
14 8 inspected by the department of inspections and appeals every	
14 9 thirty months, but only as provided pursuant to sections 135C.9	
14 10 and 135C.38.	CODE: Requires that state-licensed health care facilities that are not certified under federal Medicare and Medicaid programs, not be inspected every 30 months, but only be inspected upon a complaint.
14 11 Sec. 16. MEDICAID FRAUD ACCOUNT APPROPRIATION ==	
DEPARTMENT	
14 12 OF INSPECTIONS AND APPEALS. There is appropriated from	
14 13 the Medicaid fraud account created in section 249A.7 to the	
14 14 department of inspections and appeals for the fiscal year	
14 15 beginning July 1, 2010, and ending June 30, 2011, the amounts	
14 16 necessary for the purposes designated:	Provides appropriations from the Medicaid Fraud Account in FY 2011 to the DIA for certain purposes.
14 17 1. To cover the cost of any state match to draw down	
14 18 matching federal funds through the department of human services	DETAIL: The Medicaid Fraud Account receives proceeds from penalties assessed as a result of prosecutions for fraud and abuse of the Medical Assistance Program.
	Permits the DIA to use funds from the Medicaid Fraud Account to hire staff to conduct investigations of the Electronic Benefits Transfer

14 19 for additional full-time equivalent positions for conducting  
 14 20 investigations of alleged fraud and overpayments of food  
 14 21 assistance benefits through electronic benefits transfer.

Program.

14 22 2. For the state financial match requirement for meeting  
 14 23 the federal mandates connected with the department's Medicaid  
 14 24 fraud and abuse activities, and the amount necessary to cover  
 14 25 costs incurred by the department or other agencies in providing  
 14 26 regulation, responding to allegations, or other activity  
 14 27 involving chapter 135O.

Permits the DIA to use funds from the Medicaid Fraud Account to hire staff to conduct investigations of boarding homes.

14 28 Sec. 17. RACING AND GAMING COMMISSION.

14 29 1. RACETRACK REGULATION

14 30 There is appropriated from the general fund of the state  
 14 31 to the racing and gaming commission of the department of  
 14 32 inspections and appeals for the fiscal year beginning July  
 14 33 1, 2010, and ending June 30, 2011, the following amount, or  
 14 34 so much thereof as is necessary, to be used for the purposes  
 14 35 designated:

General Fund appropriation to the Racing and Gaming Commission for regulation of racetrack casinos.

DETAIL: Maintains the current level of funding and FTE positions.

15 1 For salaries, support, maintenance, and miscellaneous  
 15 2 purposes for the regulation of pari-mutuel racetracks, and for  
 15 3 not more than the following full-time equivalent positions:  
 15 4 ..... \$ 2,637,614  
 15 5 ..... FTEs 28.53

15 6 2. EXCURSION BOAT AND GAMBLING STRUCTURE REGULATION

15 7 There is appropriated from the general fund of the state  
 15 8 to the racing and gaming commission of the department of  
 15 9 inspections and appeals for the fiscal year beginning July  
 15 10 1, 2010, and ending June 30, 2011, the following amount, or  
 15 11 so much thereof as is necessary, to be used for the purposes  
 15 12 designated:

General Fund appropriation to the Racing and Gaming Commission for regulation of excursion gambling boats.

DETAIL: Maintains the current level of funding and FTE positions.

15 13 For salaries, support, maintenance, and miscellaneous  
 15 14 purposes for administration and enforcement of the excursion  
 15 15 boat gambling and gambling structure laws, and for not more  
 15 16 than the following full-time equivalent positions:

15 17 ..... \$ 3,034,862

15 18 ..... FTEs 42.22

15 19 However, if more than 14 licenses to operate gambling games  
 15 20 on a gambling structure or excursion gambling boat are issued  
 15 21 during the fiscal year beginning July 1, 2010, and ending June  
 15 22 30, 2011, there is appropriated from the general fund to the  
 15 23 department an additional amount of not more than \$166,116 for  
 15 24 not more than 2.00 full-time equivalent positions for each  
 15 25 licensed gambling structure or excursion gambling boat in  
 15 26 excess of 14.

Provides a contingent appropriation from the General Fund of up to \$166,116 and 2.00 FTE positions to the Racing and Gaming Commission in the event a new license for a gambling establishment is issued by the Commission during FY 2011. Specifies that the amount of the appropriation is equal to \$166,116 and 2.0 FTE positions for each new gaming establishment license issued.

DETAIL: The General Fund will be reimbursed for any funds appropriated for the purpose of hiring staff to regulate a new gambling establishment.

15 27 Sec. 18. ROAD USE TAX FUND APPROPRIATION == DEPARTMENT OF  
 15 28 INSPECTIONS AND APPEALS. There is appropriated from the road  
 15 29 use tax fund created in section 312.1 to the administrative  
 15 30 hearings division of the department of inspections and appeals  
 15 31 for the fiscal year beginning July 1, 2010, and ending June 30,  
 15 32 2011, the following amount, or so much thereof as is necessary,  
 15 33 for the purposes designated:  
 15 34 For salaries, support, maintenance, and miscellaneous  
 15 35 purposes:  
 16 1 ..... \$ 1,623,897

Road Use Tax Fund appropriation to the Administrative Hearings Division of the Department of Inspections and Appeals.

DETAIL: Maintains the current level of funding. The funds are used to cover costs associated with administrative hearings related to driver license revocations.

16 2 Sec. 19. DEPARTMENT OF MANAGEMENT. There is appropriated  
 16 3 from the general fund of the state to the department of  
 16 4 management for the fiscal year beginning July 1, 2010, and  
 16 5 ending June 30, 2011, the following amounts, or so much thereof  
 16 6 as is necessary, to be used for the purposes designated:  
 16 7 For salaries, support, maintenance, and miscellaneous  
 16 8 purposes, and for not more than the following full-time  
 16 9 equivalent positions:  
 16 10 ..... \$ 4,997,742  
 16 11 ..... FTEs 60.40

General Fund appropriation to the DOM.

DETAIL: This is an increase of \$2,467,382 and 22.90 FTE positions compared to estimated net FY 2010. The changes include:

- An increase of \$2,761,100 and 34.40 FTE positions for the transfer of DAS accounting functions to DOM to conform to SF 2088 (Government Reorganization and Efficiency Act).
- A decrease of 11.50 FTE positions due to FY 2010 budget reductions that are maintained in the FY 2011 appropriation.

NOTE: In addition to this appropriation, SF 2088 appropriates \$175,000 and 1.00 FTE position for the Grants Enterprise

Management Program (GEMS).

NOTE: House File 2531 (Standing Appropriations Act) reduces the General Fund appropriation to the DOM by \$2,761,100 and 34.40 FTE positions to maintain funding for the State accounting functions in the DAS. House File 2531 also appropriates \$260,000 from the Cash Reserve Fund to DOM to partially restore funding to the FY 2010 level.

16 12 Of the moneys appropriated in this section, the department  
16 13 shall use a portion for enterprise resource planning, providing  
16 14 for a salary model administrator, conducting performance  
16 15 audits, and for the department's LEAN process.

Requires the DOM to maintain positions for certain programs operated within the Department.

16 16 Sec. 20. ROAD USE TAX APPROPRIATION == DEPARTMENT OF  
16 17 MANAGEMENT. There is appropriated from the road use tax fund  
16 18 created in section 312.1 to the department of management for  
16 19 the fiscal year beginning July 1, 2010, and ending June 30,  
16 20 2011, the following amount, or so much thereof as is necessary,  
16 21 to be used for the purposes designated:  
16 22 For salaries, support, maintenance, and miscellaneous  
16 23 purposes:  
16 24 ..... \$ 56,000

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

DETAIL: Maintains the current level of funding.

16 25 Sec. 21. DEPARTMENT OF REVENUE. There is appropriated from  
16 26 the general fund of the state to the department of revenue  
16 27 for the fiscal year beginning July 1, 2010, and ending June  
16 28 30, 2011, the following amounts, or so much thereof as is  
16 29 necessary, to be used for the purposes designated:  
16 30 For salaries, support, maintenance, and miscellaneous  
16 31 purposes, and for not more than the following full-time  
16 32 equivalent positions:  
16 33 ..... \$ 22,729,219  
16 34 ..... FTEs 360.07

General Fund appropriation to the Department of Revenue.

DETAIL: This represents no change in funding and a decrease of 12.03 FTE positions compared to estimated net FY 2010. The decrease in FTE positions is the result of FY 2010 budget reductions being maintained in the FY 2011 appropriation.

NOTE: In addition to this appropriation, SF 2088 (Government Reorganization and Efficiency Act) appropriates \$325,000 and 6.00 FTE positions for the hiring of additional examiners by the Department of Revenue. The additional examiners are projected to generate \$2,700,000 in revenue to the General Fund in FY 2011.

NOTE: House File 2531 (Standing Appropriations Act) provides a



General Fund supplemental appropriation of \$300,000 to the Department of Revenue for costs associated with the establishment of a State Debt Collector created in SF 2383 (Debt Collection Act).

16 35 Of the funds appropriated pursuant to this section, \$400,000  
17 1 shall be used to pay the direct costs of compliance related to  
17 2 the collection and distribution of local sales and services  
17 3 taxes imposed pursuant to chapters 423B and 423E.

Requires \$400,000 of the Department's General Fund appropriation to be used to pay the costs related to Local Option Sales and Services Taxes.

17 4 The director of revenue shall prepare and issue a state  
17 5 appraisal manual and the revisions to the state appraisal  
17 6 manual as provided in section 421.17, subsection 17, without  
17 7 cost to a city or county.

Requires 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 8 The director of revenue shall provide a report to the general  
17 9 assembly by January 10, 2011, concerning the impact on revenues  
17 10 collected by the department relative to any increase in  
17 11 examiners authorized for the department in legislation enacted  
17 12 during the 2010 session of the general assembly.

Requires the Department of Revenue to submit a report by January 10, 2011, concerning the impact on State revenues of hiring additional examiners authorized by the General Assembly.

DETAIL: Senate File 2088 (Government Reorganization and Efficiency Act) appropriates \$325,000 and 5.00 FTE positions for the hiring of additional examiners. It is estimated that the additional examiners will generate \$2,700,000 in revenue to the General Fund in FY 2011.

17 13 Sec. 22. MOTOR VEHICLE FUEL TAX APPROPRIATION. There is  
17 14 appropriated from the motor fuel tax fund created by section  
17 15 452A.77 to the department of revenue for the fiscal year  
17 16 beginning July 1, 2010, and ending June 30, 2011, the following  
17 17 amount, or so much thereof as is necessary, to be used for the  
17 18 purposes designated:

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

DETAIL: Maintains the current level of funding.

17 19 For salaries, support, maintenance, and miscellaneous  
17 20 purposes for administration and enforcement of the provisions  
17 21 of chapter 452A and the motor vehicle use tax program:  
17 22 ..... \$ 1,305,775

17 23 Sec. 23. SECRETARY OF STATE. There is appropriated from  
 17 24 the general fund of the state to the office of the secretary of  
 17 25 state for the fiscal year beginning July 1, 2010, and ending  
 17 26 June 30, 2011, the following amounts, or so much thereof as is  
 17 27 necessary, to be used for the purposes designated:  
 17 28 For salaries, support, maintenance, and miscellaneous  
 17 29 purposes, and for not more than the following full-time  
 17 30 equivalent positions:  
 17 31 ..... \$ 2,895,585  
 17 32 ..... FTEs 43.00

General Fund appropriation to the Office of the Secretary of State.

DETAIL: This represents no change in funding and a decrease of 1.00 FTE position compared to estimated net FY 2010.

17 33 The state department or state agency which provides data  
 17 34 processing services to support voter registration file  
 17 35 maintenance and storage shall provide those services without  
 18 1 charge.

Specifies that the Office of the Secretary of State cannot be charged a fee by State agencies that provide data processing services for voter registration file maintenance.

18 2 Sec. 24. SECRETARY OF STATE FILING FEES REFUND.  
 18 3 Notwithstanding the obligation to collect fees pursuant to the  
 18 4 provisions of section 490.122, subsection 1, paragraphs "a" and  
 18 5 "s", and section 504.113, subsection 1, paragraphs "a", "c",  
 18 6 "d", "j", "k", "l", and "m", for the fiscal year beginning July  
 18 7 1, 2010, the secretary of state may refund these fees to the  
 18 8 filer pursuant to rules established by the secretary of state.  
 18 9 The decision of the secretary of state not to issue a refund  
 18 10 under rules established by the secretary of state is final and  
 18 11 not subject to review pursuant to the provisions of the Iowa  
 18 12 administrative procedure Act, chapter 17A.

CODE: Permits the Office of the Secretary of State to refund fees if a 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.

18 13 Sec. 25. TREASURER. There is appropriated from the general  
 18 14 fund of the state to the office of treasurer of state for the  
 18 15 fiscal year beginning July 1, 2010, and ending June 30, 2011,  
 18 16 the following amount, or so much thereof as is necessary, to be  
 18 17 used for the purposes designated:  
 18 18 For salaries, support, maintenance, and miscellaneous  
 18 19 purposes, and for not more than the following full-time  
 18 20 equivalent positions:  
 18 21 ..... \$ 854,289

General Fund appropriation to the Office of the Treasurer of State.

DETAIL: Maintains the current level of funding and FTE positions.

18 22 ..... FTEs 28.80

18 23 The office of treasurer of state shall supply clerical and  
18 24 secretarial support for the executive council.

Requires the Treasurer of State to provide clerical support and secretarial support to the Executive Council.

18 25 Sec. 26. ROAD USE TAX APPROPRIATION == OFFICE OF TREASURER  
18 26 OF STATE. There is appropriated from the road use tax fund  
18 27 created in section 312.1 to the office of treasurer of state  
18 28 for the fiscal year beginning July 1, 2010, and ending June 30,  
18 29 2011, the following amount, or so much thereof as is necessary,  
18 30 to be used for the purposes designated:  
18 31 For enterprise resource management costs related to the  
18 32 distribution of road use tax funds:  
18 33 ..... \$ 93,148

Road Use Tax Fund appropriation to the Office of the Treasurer.

DETAIL: Maintains the current level of funding. This appropriation is used to cover fees assessed by the DAS for I/3 Budget System costs related to the administration of the Road Use Tax Fund.

18 34 Sec. 27. IPERS == GENERAL OFFICE. There is appropriated  
18 35 from the Iowa public employees' retirement system fund to the  
19 1 Iowa public employees' retirement system for the fiscal year  
19 2 beginning July 1, 2010, and ending June 30, 2011, the following  
19 3 amount, or so much thereof as is necessary, to be used for the  
19 4 purposes designated:  
19 5 For salaries, support, maintenance, and other operational  
19 6 purposes to pay the costs of the Iowa public employees'  
19 7 retirement system, and for not more than the following  
19 8 full-time equivalent positions:  
19 9 ..... \$ 17,686,968  
19 10 ..... FTEs 90.13

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

DETAIL: This is a decrease of \$314,512 and 5.00 FTE positions compared to estimated net FY 2010 for general budget reductions.

19 11 Sec. 28. REBUILD IOWA OFFICE. There is appropriated from  
19 12 the general fund of the state to the rebuild Iowa office for  
19 13 the fiscal year beginning July 1, 2010, and ending June 30,  
19 14 2011, the following amount, or so much thereof as is necessary,  
19 15 to be used for the purposes designated:  
19 16 For salaries, support, maintenance, and miscellaneous  
19 17 purposes, and for not more than the following full-time  
19 18 equivalent positions:

General Fund appropriation to the Rebuild Iowa Office (RIO).

DETAIL: This is an increase of \$468,565 and no change in FTE positions compared to estimated net FY 2010. The increase replaces one-time federal funds received in FY 2009.

PG LN	Senate File 2367	Explanation
19 19	..... \$ 647,014	
19 20	..... FTEs 12.00	
19 21	It is the intent of the general assembly that the rebuild	Specifies the intent of the General Assembly to repeal the RIO on June 30, 2011.
19 22	Iowa office shall be repealed effective June 30, 2011, and	
19 23	shall not receive an appropriation from the general fund of the	
19 24	state after that date.	
19 25	DIVISION II	
19 26	AUDITS	
19 27	Sec. 29. Section 8D.13, subsection 13, Code 2009, is amended	CODE: Eliminates the requirement that the Auditor of State examine the financial condition and transactions of the Iowa Communications Network (ICN) at least once per year.
19 28	by striking the subsection.	
		DETAIL: The Auditor will continue to examine the financial records of the ICN through the audit process of the Comprehensive Annual Financial Report (CAFR). This is estimated to save to the Auditor's Office \$2,400 per year.
19 29	Sec. 30. Section 11.5B, Code 2009, is amended by adding the	CODE: Permits the Auditor of State to be reimbursed for auditing the State accounting functions within DOM that are being transferred from DAS through provisions in SF 2088 (Government Reorganization and Efficiency Act).
19 30	following new subsection:	
19 31	<u>NEW SUBSECTION</u> . 16. Financial administration duties of the	
19 32	department of management as provided in sections 8.71 through	
19 33	8.99.	NOTE: House File 2531 (Standing Appropriation Act) repeals this provision to conform with changes in HF 2531 that maintain the State accounting functions in the DAS.
19 34	Sec. 31. Section 182.18, unnumbered paragraph 1, Code 2009,	CODE: Permits the Auditor of State to seek reimbursement for the cost of auditing the Iowa Sheep and Wool Promotion Board.
19 35	is amended to read as follows:	
20 1	Moneys collected under this chapter are subject to audit by	DETAIL: Under current law, the Auditor is required to cover the cost of this audit from appropriated funds. This is estimated to save to the Auditor's Office \$5,500 per year.
20 2	the auditor of state and shall be used by the Iowa sheep and	
20 3	wool promotion board first for the payment of collection and	
20 4	refund expenses, second for payment of the costs and expenses	

20 5 arising in connection with conducting referendums, ~~and~~ third  
20 6 for the purposes identified in section 182.11 , and fourth for  
20 7 the cost of audits for the auditor of state . Moneys of the  
20 8 board remaining after a referendum is held at which a majority  
20 9 of the voters favor termination of the board and the assessment  
20 10 shall continue to be expended in accordance with this chapter  
20 11 until exhausted. The auditor of state may seek reimbursement  
20 12 for the cost of the audit.

20 13 Sec. 32. Section 184.14, unnumbered paragraph 2, Code 2009,  
20 14 is amended to read as follows:  
20 15 Moneys collected, deposited in the fund, and transferred  
20 16 to the council as provided in this chapter are subject to  
20 17 audit by the auditor of state. The auditor of state may  
20 18 seek reimbursement for the cost of the audit. The moneys  
20 19 transferred to the council shall be used by the council first  
20 20 for the payment of collection expenses, second for payment of  
20 21 the costs and expenses arising in connection with conducting  
20 22 referendums, ~~and~~ third to perform the functions and carry out  
20 23 the duties of the council as provided in this chapter , and  
20 24 fourth for the cost of audits by the auditor of state . Moneys  
20 25 remaining after the council is abolished and the imposition of  
20 26 an assessment is terminated pursuant to a referendum conducted  
20 27 pursuant to section 184.5 shall continue to be expended in  
20 28 accordance with this chapter until exhausted.

20 29 Sec. 33. Section 184A.6, subsection 2, Code 2009, is amended  
20 30 to read as follows:  
20 31 2. The council shall expend moneys from the account first  
20 32 for the payment of expenses for the collection of assessments,  
20 33 ~~and then~~ second for the payment of expenses related to  
20 34 conducting a referendum as provided in section 184A.12 ,  
20 35 and third for the cost of audits by the auditor of state as  
21 1 required in section 184A.9 . The council shall expend remaining  
21 2 moneys for market development, producer education, and the  
21 3 payment of refunds to producers as provided in this chapter.

CODE: Permits the Auditor of State to seek reimbursement for the cost of auditing the Iowa Egg Council.

DETAIL: Under current law, the Auditor is required to cover the cost of this audit from appropriated funds. This is estimated to save to the Auditor's Office \$8,500 per year.

CODE: Permits the Auditor of State to seek reimbursement for the cost of auditing the Iowa Turkey Marketing Council.

DETAIL: Under current law, the Auditor is required to cover the cost of this audit from appropriated funds. This is estimated to save to the Auditor's Office \$8,000 per year.

21 4 Sec. 34. Section 184A.9, Code 2009, is amended to read as  
21 5 follows:  
21 6 184A.9 Audit.  
21 7 Moneys required to be deposited in the turkey council  
21 8 account as provided in section 184A.4 shall be subject to  
21 9 audit by the auditor of state. The auditor of state may seek  
21 10 reimbursement for the cost of the audit from moneys deposited  
21 11 in the turkey council account.

CODE: Permits the Auditor of State to seek reimbursement for the cost of auditing the Iowa Turkey Marketing Council.

21 12 Sec. 35. Section 185C.26, Code 2009, is amended to read as  
21 13 follows:  
21 14 185C.26 Deposit of moneys == corn promotion fund.  
21 15 A state assessment collected by the board from a sale of corn  
21 16 shall be deposited in the office of the treasurer of state in  
21 17 a special fund known as the corn promotion fund. The fund may  
21 18 include any gifts, rents, royalties, interest, license fees,  
21 19 or a federal or state grant received by the board. Moneys  
21 20 collected, deposited in the fund, and transferred to the board  
21 21 as provided in this chapter shall be subject to audit by the  
21 22 auditor of state. The auditor of state may seek reimbursement  
21 23 for the cost of the audit from moneys deposited in the fund as  
21 24 provided in this chapter. The department of administrative  
21 25 services shall transfer moneys from the fund to the board  
21 26 for deposit into an account established by the board in a  
21 27 qualified financial institution. The department shall transfer  
21 28 the moneys as provided in a resolution adopted by the board.  
21 29 However, the department is only required to transfer moneys  
21 30 once during each day and only during hours when the offices of  
21 31 the state are open. From moneys collected, the board shall  
21 32 first pay all the direct and indirect costs incurred by the  
21 33 secretary and the costs of referendums, elections, and other  
21 34 expenses incurred in the administration of this chapter, before  
21 35 moneys may be expended for the purpose of carrying out the  
22 1 purposes of this chapter as provided in section 185C.11.

CODE: Permits the Auditor of State to seek reimbursement for the cost of auditing the Iowa Corn Promotion Board.

DETAIL: Under current law, the Auditor is required to cover the cost of this audit from appropriated funds. This is estimated to save to the Auditor's Office \$11,000 per year.

22 2 DIVISION III

22 3 DEPARTMENT OF ADMINISTRATIVE SERVICES PROVISIONS

22 4 Sec. 36. Section 8A.207, subsection 4, paragraph c, Code  
22 5 2009, is amended to read as follows:  
22 6 c. Contracts let by another governmental entity. The  
22 7 department, on its own behalf or on the behalf of another  
22 8 participating agency or governmental entity, may procure  
22 9 information technology under a an existing competitively  
22 10 procured contract let by another ~~agency or other~~ governmental  
22 11 entity, or may approve such procurement in the same manner by a  
22 12 participating agency or governmental entity. The department,  
22 13 on its own behalf or on the behalf of another participating  
22 14 agency or governmental entity, may also procure information  
22 15 technology by leveraging an existing competitively procured  
22 16 contract, or other than a contract associated with the state  
22 17 board of regents or an institution under the control of the  
22 18 state board of regents.

CODE: Permits the DAS to procure information technology by leveraging existing competitively procured contracts.

22 19 Sec. 37. NEW SECTION . 8A.315A Purchase of chain=of=custody  
22 20 paper.  
22 21 1. Notwithstanding any requirements under section 8A.315  
22 22 related to the purchase of recycled paper to the contrary, the  
22 23 department may use certified chain=of=custody paper as provided  
22 24 in this section in lieu of recycled paper. The department  
22 25 shall adopt rules related to the use of chain=of=custody paper.  
22 26 2. As used in this section, unless the context otherwise  
22 27 requires, "certified chain=of=custody paper" means paper that  
22 28 has been certified pursuant to a process that tracks and  
22 29 records the possession and transfer of wood and fiber used  
22 30 to make paper through the different states of production to  
22 31 the end user of the paper. The department shall adopt rules  
22 32 defining "certified chain=of=custody paper" consistent with the  
22 33 certification requirements established by independent entities  
22 34 such as the forest stewardship council, sustainable forest  
22 35 initiative, or other similar entity.

CODE: Permits the DAS to use chain-of-custody paper in lieu of recycled paper.

DETAIL: Chain-of-custody means paper that has been certified pursuant to a managed process that tracks and records the possession and transfer of wood and fiber used to make paper certified by an independent entity such as the Sustainable Forest Initiative.

FISCAL IMPACT: The cost to receive certification is estimated at \$2,000 to \$4,000 in FY 2011. An estimated savings of \$10,000 may be realized future fiscal years.

23 1 Sec. 38. Section 8A.454, subsection 4, Code Supplement  
23 2 2009, is amended by striking the subsection.

CODE: Removes the repeal date of the Health Insurance Administration Fund. This Section is effective on enactment.

DETAIL: The Fund is used to provide health insurance program administration costs through a monthly (per contract) administrative charge assessed by DAS on all health insurance plans administered by the Department. The amount of the administrative charge is established by the General Assembly. The Department collects the administrative fee from each department utilizing the centralized payroll system and deposits the proceeds in the Fund.

23 3 Sec. 39. VEHICLE DEPRECIATION FUNDS. Notwithstanding any  
23 4 provision of section 8A.365 to the contrary, a department  
23 5 or agency otherwise required to pay a depreciation expense  
23 6 pursuant to that section shall not be required to pay the  
23 7 depreciation expense during the fiscal year beginning July 1,  
23 8 2010, and ending June 30, 2011. However, the department of  
23 9 administrative services may encourage departments or agencies  
23 10 otherwise required to pay a depreciation expense to make  
23 11 voluntary payments in an effort to maintain the state fleet in  
23 12 the most cost-efficient manner possible, including the future  
23 13 replacement of vehicles, as necessary and appropriate.

CODE: Permits State agencies to disregard the requirement to pay into a vehicle depreciation account for FY 2011.

23 14 Sec. 40. EFFECTIVE UPON ENACTMENT. The section of this  
23 15 division of this Act amending section 8A.454, being deemed of  
23 16 immediate importance, takes effect upon enactment.

Section 38 is effective on enactment.

DETAIL: Section 38 removes the repeal date of the Health Insurance Administration Fund.

23 17 DIVISION IV  
23 18 BANKING DIVISION PROVISIONS

23 19 Sec. 41. Section 524.814, Code 2009, is amended by adding  
23 20 the following new subsection:  
23 21 NEW SUBSECTION . 1A. To secure transactions to hedge risks  
23 22 associated with interest rate exposure, subject to the approval  
23 23 of the superintendent.

CODE: Permits banks under the purview of the Division of Banking to pledge assets to hedge risks associated with interest rate exposure with approval of the Superintendent of Banking.

23 24 DIVISION V  
23 25 ALCOHOLIC BEVERAGES DIVISION == HIGH ALCOHOLIC CONTENT  
BEER



PG LN	Senate File 2367	Explanation
23 26 23 27 23 28 23 29	Sec. 42. <u>NEW SECTION</u> . 123.126 High alcoholic content beer. Unless otherwise provided by this chapter, the provisions of this chapter applicable to beer shall also apply to high alcoholic content beer.	CODE: Clarifies that the sale of high alcohol content beer in Iowa is subject to the same control provisions as all other beer and makes this provision effective retroactively to March 10, 2010.
23 30 23 31 23 32 23 33	Sec. 43. EFFECTIVE UPON ENACTMENT AND RETROACTIVE APPLICABILITY. This division of this Act, being deemed of immediate importance, takes effect upon enactment and applies retroactively to March 10, 2010.	Section 42 is effective on enactment.
23 34 23 35	DIVISION VI DEPARTMENT OF HUMAN RIGHTS PROVISIONS	
24 1 24 2 24 3 24 4 24 5 24 6	Sec. 44. Section 216A.3, subsection 2, unnumbered paragraph 1, Code 2009, as amended by 2010 Iowa Acts, Senate File 2088, section 103, is amended to read as follows: The board shall consist of <del>fourteen</del> <u>sixteen</u> members, including <del>nine</del> <u>eleven</u> voting members and five nonvoting members and determined as follows:	CODE: Increases the membership of the Human Rights Board from 14 to 16 members and the number of voting members from 9 to 11.
24 7 24 8 24 9 24 10 24 11 24 12 24 13 24 14 24 15 24 16 24 17 24 18 24 19 24 20	Sec. 45. Section 216A.12, subsection 2, Code Supplement 2009, as amended by 2010 Iowa Acts, Senate File 2088, section 108, is amended to read as follows: 2. The members of the commission shall be appointed during the month of June and shall serve for staggered four-year terms <del>commencing July 1 of the year of appointment which shall</del> <u>begin and end pursuant to section 69.19</u> . Members appointed shall continue to serve until their respective successors are appointed. Vacancies in the membership of the commission shall be filled by the original appointing authority and in the manner of the original appointments. Members shall receive actual expenses incurred while serving in their official capacity. Members may also be eligible to receive compensation as provided in section 7E.6.	CODE: Changes the commencement date for members of the Human Rights Board from July 1 to May 1. This is consistent with current law for all other board appointments.
24 21 24 22	DIVISION VII TREASURER OF STATE PROVISIONS	

24 23 Sec. 46. NEW SECTION . 12G.1 Iowa financial literacy program  
24 24 == legislative intent.  
24 25 The general assembly finds that the general welfare of this  
24 26 state and well-being of its citizens is directly related to  
24 27 the financial education of those citizens. While the state  
24 28 has limited resources to promote financial literacy, a vital  
24 29 and valid public purpose shall be served by the creation  
24 30 and implementation of programs which encourage and make  
24 31 possible the attainment of financial literacy by the largest  
24 32 possible number of citizens in this state, and particularly by  
24 33 low-income to moderate-income families.

CODE: Creates the Iowa Financial Literacy Program within the Office of the Treasurer of State to promote personal savings and responsible borrowing.

24 34 Sec. 47. NEW SECTION . 12G.2 Program created.  
24 35 An Iowa financial literacy program is created within the  
25 1 office of the treasurer of state. The treasurer of state shall  
25 2 have all powers necessary to carry out and effectuate the  
25 3 purposes, objectives, and provisions pertaining to the program,  
25 4 including the authority to do all of the following:  
25 5 1. Promote the advantages of personal savings and  
25 6 responsible borrowing and the viability and desirability  
25 7 of implementing a personal savings program and responsible  
25 8 borrowing practices regardless of an individual's or family's  
25 9 financial status.  
25 10 2. Create an incentive program and awards ceremony whereby  
25 11 individuals and families who have made significant progress  
25 12 toward achieving personal savings goals and engaging in  
25 13 responsible borrowing practices shall be officially recognized.  
25 14 3. Create strategies for coordination of the program with  
25 15 the Iowa educational savings plan trust established in chapter  
25 16 12D.  
25 17 4. Make presentations to groups including but not limited  
25 18 to schools, hospitals, civic organizations, and privately  
25 19 organized clubs and groups regarding the existence of the  
25 20 program.  
25 21 5. Coordinate conferences, meetings, and events which  
25 22 promote financial literacy and education.

CODE: Specifies the duties and goals of the Financial Literacy Program created in the Office of the Treasurer of State.

# EXECUTIVE SUMMARY

## AGRICULTURE AND NATURAL RESOURCES APPROPRIATIONS ACT

HOUSE FILE 2525

### FUNDING SUMMARY

### NEW PROGRAMS, SERVICES, OR ACTIVITIES

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

- Appropriates a total of \$35.9 million from the General Fund and 1,627.0 FTE positions for FY 2011. This is a decrease of \$341,000 and an increase of 25.6 FTE positions compared to estimated net FY 2010. The Act also appropriates \$76.2 million from other funds. This is a decrease of \$9.0 million compared to estimated FY 2010.
- Environment First Funding will be appropriated for the following Programs:
  - Appropriates \$1.8 million to the Department of Agriculture and Land Stewardship (DALS) for administration of soil and water conservation programs, to support soil and water conservation district expense reimbursement, and can be used for matching money in the Mississippi River Basin Healthy Watersheds Initiative Fund. (Page 11, Line 22)
  - Appropriates \$250,000 for the State Parks Volunteer Activities Program. The money will be used by State Parks to pay for food, services, and supplies for volunteers that donate their time to provide services at State Parks. (Page 13, Line 18)
- Creates the Mississippi River Basin Healthy Watersheds Initiative in the DALS. This is a voluntary program that was created by the federal Department of Agriculture to improve the water quality and wildlife habitat of the Mississippi River Water basin. (Page 14, Line 14)
- For FY 2011 through FY 2014, the Department of Natural Resources (DNR) will award a Beautification Grant to an organization that meets specific criteria with up to \$200,000 in funding from the Groundwater Protection Fund. Specifies the grant recipient will submit an annual report to the DNR detailing the expenditures of the grant money and the results achieved. (Page 15, Line 27)
- Creates a Commercial Establishment Fund in the DALS. The Fund will be used for administration of the Commercial Establishment Program as directed in HF 2280 (Commercial Animal Establishments Act). (Page 17, Line 2)
- Requires, to the extent feasible, the Leopold Center for Sustainable Agriculture to prepare a local food and farm plan to increase locally-grown food production and submit the plan to the General Assembly by January 10, 2011. This requirement is effective on enactment and repealed on January 10, 2011. (Page 17, Line 28)
- Appropriates \$16.9 million from the General Fund and 408.0 FTE positions to the DALS. This is an increase of \$18,000 and no change in FTE positions compared to estimated net FY 2010. The increase replaces funding that was previously reduced in the Avian Influenza Program. (Page 1, Line 4)
- Appropriates \$15.6 million from the General Fund and 1,168.0 FTE positions to the DNR. This is a decrease of \$359,000 and no change in FTE positions compared to estimated net FY 2010. (Page 2, Line 27)
- Appropriates \$3.5 million from the General Fund and 50.0 FTE positions to the Board of Regents for the Veterinary Diagnostic Laboratory at Iowa State University. This is no change in funding and an increase of 25.6 FTE positions compared to estimated net FY 2010 for operations. (Page 7, Line 29)

# EXECUTIVE SUMMARY

## AGRICULTURE AND NATURAL RESOURCES APPROPRIATIONS ACT

HOUSE FILE 2525

### MAJOR INCREASES, DECREASES, AND TRANSFERS OF EXISTING PROGRAMS (continued)

- Appropriates \$33.0 million from the Environment First Fund. This is a decrease of \$9.0 million compared to the estimated FY 2010 appropriation. Changes include:
  - A decrease of \$1.1 million for the Watershed Protection Program. (Page 9, Line 25)
  - A decrease of \$50,000 for the Farm Management Demonstration Program. (Page 9, Line 33)
  - A decrease of \$250,000 for the Agriculture Drainage Wells Program. (Page 10, Line 13)
  - A decrease of \$6.0 million for the Soil Conservation Cost Share Program. (Page 10, Line 22)
  - A decrease of \$200,000 for the Conservation Reserve Program. (Page 10, Line 26)
  - A decrease of \$100,000 for the Loess Hills Development and Conservation Fund. (Page 10, Line 35)
  - A decrease of \$50,000 for the Southern Iowa Development and Conservation Fund. (Page 11, Line 16)
  - An increase of \$1.8 million to the DALS for administration of soil and water conservation programs. (Page 11, Line 22)
  - An increase of \$248,000 for regulation of animal feeding operations. (Page 12 Line 23)
  - A decrease of \$100,000 for the Resource Conservation and Development Program. (Page 13, Line 5)
  - An increase of \$250,000 for the State Parks Volunteer Activities Program. (Page 13, Line 18)
  - A decrease of \$3.0 million for the Resource Enhancement and Protection (REAP) Fund. (Page 13, Line 35)
- A decrease of \$500,000 to eliminate funding to the Department of Economic Development (DED) for the Brownfields Program.

### STUDIES AND INTENT LANGUAGE

- Specifies the intent of the General Assembly that line item appropriations be provided for the Fish and Game Protection Fund for FY 2012. Directs the DNR to submit a report detailing revenues and expenditures of the Fund to the Governor and the General Assembly by November 15, 2010. (Page 4, Line 22 through Page 5, Line 31)
- Requires the DNR to complete an interim study on public lands under their control that is available for public hunting. Also requires the DNR to authorize public hunting areas and report the results to the Governor and the General Assembly by January 10, 2011. (Page 7, Line 9)
- Eliminates the Law Enforcement Bureau Chief and Assistant Bureau Chief positions in the DNR. (Page 7, Line 18) *This item was vetoed by the Governor.*
- Prohibits ISU from reducing other funding to the Veterinary Diagnostic Laboratory and requires any unallocated funds to the Laboratory to revert to the General Fund at the end of the fiscal year. Also specifies that the General Assembly intends to provide funding of \$4.0 million to the Veterinary Diagnostic Laboratory for FY 2011. (Page 8, Line 6 and Page 8, Line 21)

# EXECUTIVE SUMMARY

## AGRICULTURE AND NATURAL RESOURCES APPROPRIATIONS ACT

HOUSE FILE 2525

### SIGNIFICANT CODE CHANGES

- Permits the DNR to use Stormwater Discharge Permit fees to fund 2.0 FTE positions for the reduction of the floodplain permits backlog and to fund 2.0 FTE positions for the federal Total Maximum Daily Load (TMDL) Program. (Page 6, Line 29)
- Creates the Mississippi River Basin Healthy Watersheds Initiative in the Code. (Page 14, Line 14 through Page 15, Line 24)

### EFFECTIVE DATES

- The requirement to eliminate the Chief and Assistant Chief positions in the Law Enforcement Bureau of the DNR is effective on enactment. (Page 7, Line 22) *This item was vetoed by the Governor.*
- The creation of the Commercial Establishment Fund is effective on enactment and retroactive to March 9, 2010. (Page 17, Line 20)
- The Local Food and Farm Plan is effective on enactment and will be repealed on January 10, 2011. (Page 18, Line 8 through Page 18, Line 11)
- This Act is effective July 1, 2010.

### GOVERNOR'S VETOES

- The Governor vetoed Sections 13 and 14 of this Act related to the elimination of the Bureau Chief and Assistant Bureau Chief in the Law Enforcement Bureau of the DNR. The Governor stated that the positions are funded with money from the Fish and Wildlife Trust Fund and will not create any General Fund savings.

### ENACTMENT DATE

- This Act was approved by the General Assembly on March 30, 2010, and signed by the Governor on April 29, 2010.

House File 2525

House File 2525 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
4	6	7.1(b)	Nwthstnd	Sec. 455A.10	Payment of Fish and Wildlife Officer Retirement Benefits
6	29	11	Nwthstnd	Sec. ALL	Use of Stormwater Permit Fees for Floodplain Permit Backlog and Total Maximum Daily Load Program
9	18	17	Nwthstnd	Sec. ALL	Environment First Funds used as Cost Share Funds for Federal Wetlands Reserve Program
14	14	21	Adds	Sec. 161G.1	Definitions for the Mississippi River Basin Healthy Initiative
14	19	22	Adds	Sec. 161G.2	Definitions for the Mississippi River Basin Healthy Initiative Fund
14	35	23	Adds	Sec. 161G.3	Creates the Mississippi River Basin Healthy Initiative
15	27	24	Adds	Sec. 455E.11(2)(a)(1)	Beautification Grants Program
17	2	25	Adds	Sec. 162.2C	Creates Commerical Establishment Fund
17	15	25	Nwthstnd	Sec. 12C.7	Commerical Establishment Fund Interest Credited
17	17	25	Nwthstnd	Sec. 8.33	Commerical Establishment Fund Money Credited

1 1 DIVISION I  
 1 2 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP  
 1 3 GENERAL APPROPRIATIONS

1 4 Section 1. GENERAL FUND == DEPARTMENT.  
 1 5 1. There is appropriated from the general fund of the state  
 1 6 to the department of agriculture and land stewardship for the  
 1 7 fiscal year beginning July 1, 2010, and ending June 30, 2011,  
 1 8 the following amount, or so much thereof as is necessary, to be  
 1 9 used for the purposes designated:  
 1 10 For purposes of supporting the department, including its  
 1 11 divisions, for administration, regulation, and programs; for  
 1 12 salaries, support, maintenance, and miscellaneous purposes; and  
 1 13 for not more than the following full-time equivalent positions:  
 1 14 ..... \$ 16,872,308  
 1 15 ..... FTEs 408.00

1 16 2. The department shall submit a report each quarter of the  
 1 17 fiscal year to the legislative services agency, the department  
 1 18 of management, the members of the joint appropriations  
 1 19 subcommittee on agriculture and natural resources, and the  
 1 20 chairpersons and ranking members of the senate and house  
 1 21 committees on appropriations. The report shall describe in  
 1 22 detail the expenditure of moneys appropriated in this section  
 1 23 to support the department's administration, regulation, and  
 1 24 programs.

1 25 3. Of the amount appropriated in this section, \$238,000 is  
 1 26 transferred to Iowa state university of science and technology,  
 1 27 to be used for the university's midwest grape and wine industry  
 1 28 institute.

1 29 DESIGNATED APPROPRIATIONS == ANIMAL HUSBANDRY  
 1 30 Sec. 2. UNCLAIMED PARI=MUTUEL WAGERING WINNINGS ==  
 1 31 HORSE AND DOG RACING. There is appropriated from the moneys

General Fund appropriation to the Department of Agriculture and Land Stewardship (DALs).

DETAIL: This is an increase of \$18,077 and no change in FTE positions compared to estimated net FY 2010 to replace funding that was previously reduced in the Avian Influenza Program.

Requires the DALs to submit a quarterly report to the Legislative Services Agency (LSA), the Department of Management (DOM), the members of the Agriculture and Natural Resources Appropriations Subcommittee, and the Chairs and Ranking Members of the standing Appropriations Committees detailing the expenditures of the money appropriated.

Transfers \$238,000 from the General Fund appropriation to the DALs to the Midwest Grape and Wine Industry Institute at Iowa State University.

DETAIL: Maintains current level of funding.

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

1 32 available under section 99D.13 to the department of agriculture  
 1 33 and land stewardship for the fiscal year beginning July 1,  
 1 34 2010, and ending June 30, 2011, the following amount, or so  
 1 35 much thereof as is necessary, to be used for the purposes  
 2 1 designated:

2 2 For purposes of supporting the department's administration  
 2 3 and enforcement of horse and dog racing law pursuant to section  
 2 4 99D.22, including for salaries, support, maintenance, and  
 2 5 miscellaneous purposes:  
 2 6 ..... \$ 305,516

DETAIL: Maintains the current level of funding.

2 7 DESIGNATED APPROPRIATIONS == MOTOR FUEL  
 2 8 Sec. 3. RENEWABLE FUEL INFRASTRUCTURE FUND == MOTOR  
 2 9 FUEL INSPECTION. There is appropriated from the renewable  
 2 10 fuel infrastructure fund created in section 15G.205 to the  
 2 11 department of agriculture and land stewardship for the fiscal  
 2 12 year beginning July 1, 2010, and ending June 30, 2011, the  
 2 13 following amount, or so much thereof as is necessary, to be  
 2 14 used for the purposes designated:  
 2 15 For purposes of the inspection of motor fuel, including  
 2 16 salaries, support, maintenance, and miscellaneous purposes:  
 2 17 ..... \$ 300,000

Renewable Fuel Infrastructure Fund appropriation for the Motor Fuel  
 Inspection Fund.

DETAIL: Maintains the current level of funding.

2 18 The department shall establish and administer programs  
 2 19 for the auditing of motor fuel including biofuel processing  
 2 20 and production plants, for screening and testing motor fuel,  
 2 21 including renewable fuel, and for the inspection of motor fuel  
 2 22 sold by dealers including retail dealers who sell and dispense  
 2 23 motor fuel from motor fuel pumps.

Specifies the duties related to motor fuel to be completed by the  
 DALs.

2 24 DIVISION II  
 2 25 DEPARTMENT OF NATURAL RESOURCES  
 2 26 GENERAL APPROPRIATIONS

2 27 Sec. 4. GENERAL FUND == DEPARTMENT. There is appropriated  
 2 28 from the general fund of the state to the department of natural  
 2 29 resources for the fiscal year beginning July 1, 2010, and

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



2 30 ending June 30, 2011, the following amount, or so much thereof  
 2 31 as is necessary, to be used for the purposes designated:  
 2 32 1. For purposes of supporting the department, including its  
 2 33 divisions, for administration, regulation, and programs; for  
 2 34 salaries, support, maintenance, and miscellaneous purposes; and  
 2 35 for not more than the following full-time equivalent positions:  
 3 1 ..... \$ 15,600,710  
 3 2 ..... FTEs 1,168.95

DETAIL: This is a decrease of \$358,857 and no change in FTE positions compared to estimated net FY 2010 for the following:

- An increase of \$8,843 to replace funding that was previously reduced in the Redemption Center Grand Program.
- An increase of \$2,300 for the additional cost for training DNR peace officers to implement Executive Order 20.
- A decrease of \$300,000 for cost savings related to office rental expense to implement Executive Order 20.
- A decrease of \$70,000 for cost savings from volunteer time donated at State Parks to implement Executive Order 20.

FISCAL IMPACT: House File 2531 (FY 2011 Standings Appropriations Act) appropriated \$300,000 from the Cash Reserve Fund to the DNR for operations related to leasing private buildings.

3 3 2. The department shall submit a report each quarter of the  
 3 4 fiscal year to the legislative services agency, the department  
 3 5 of management, the members of the joint appropriations  
 3 6 subcommittee on agriculture and natural resources, and the  
 3 7 chairpersons and ranking members of the senate and house  
 3 8 committees on appropriations. The report shall describe in  
 3 9 detail the expenditure of moneys appropriated under this  
 3 10 section to support the department's administration, regulation,  
 3 11 and programs.

Requires the DNR to submit a quarterly report to the LSA, the DOM, the members of the Agriculture and Natural Resources Appropriations Subcommittee, and the Chairs and Ranking Members of the standing Appropriations Committees detailing the expenditures of the money appropriated.

3 12 Sec. 5. REALIZED COST SAVINGS == PRIVATE BUILDINGS. During  
 3 13 the fiscal year beginning July 1, 2010, the department of  
 3 14 natural resources shall realize cost savings to every extent  
 3 15 legally possible by complying with executive order number  
 3 16 20 issued December 16, 2009, and as described in the Iowa  
 3 17 efficiency review report submitted by the public works limited  
 3 18 liability corporation, by providing staff office space for the  
 3 19 department in the Wallace building, and relinquishing any space  
 3 20 in a private building subject to an expired lease.

Requires the DNR to achieve cost savings for reduced rental expenditure as outlined in Executive Order 20 issued on December 16, 2009, related to recommendations made in the Iowa Efficiency Review Report.

FISCAL IMPACT: House File 2531 (FY 2011 Standings Appropriations Act) appropriated \$300,000 from the Cash Reserve Fund to the DNR for operations related to leasing private buildings.

3 21 Sec. 6. REALIZED COST SAVINGS == VOLUNTEER AND INTERN  
 3 22 PROGRAMS AT STATE PARKS. During the fiscal year beginning July  
 3 23 1, 2010, the department of natural resources shall realize cost  
 3 24 savings to every extent possible by complying with executive  
 3 25 order number 20 issued December 16, 2009, and as described in  
 3 26 the Iowa efficiency review report submitted by the public works  
 3 27 limited liability corporation, by increasing the number of  
 3 28 volunteer and intern programs at state parks.

Requires the DNR to achieve cost savings from volunteer time donated at State Parks as outlined in Executive Order 20 issued on December 19, 2009, related to recommendations made in the Iowa Efficiency Review Report.

3 29 Sec. 7. STATE FISH AND GAME PROTECTION FUND == DIVISION OF  
 3 30 FISH AND WILDLIFE.

State Fish and Game Protection Fund appropriation to the Fisheries and Wildlife Division of the DNR.

3 31 1. a. There is appropriated from the state fish and game  
 3 32 protection fund to the department of natural resources for the  
 3 33 fiscal year beginning July 1, 2010, and ending June 30, 2011,  
 3 34 the following amount, or so much thereof as is necessary, to be  
 3 35 used for the purposes designated:

DETAIL: Maintains the current level of funding.

4 1 For purposes of supporting the division of fish and  
 4 2 wildlife, including for administration, regulation, and  
 4 3 programs; and for salaries, support, maintenance, equipment,  
 4 4 and miscellaneous purposes:

4 5 ..... \$ 38,793,154

4 6 b. Notwithstanding section 455A.10, the department may use  
 4 7 the unappropriated balance remaining in the state fish and game  
 4 8 protection fund to provide for the funding of health and life  
 4 9 insurance premium payments from unused sick leave balances of  
 4 10 conservation peace officers employed in a protection occupation  
 4 11 who retire, pursuant to section 97B.49B.

CODE: Permits 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: There were five conservation officer retirements in FY 2009 and eight retirements in FY 2010.

4 12 2. The department shall not expend more moneys from the  
 4 13 state fish and game protection fund than provided in this  
 4 14 section, unless the expenditure derives from contributions made  
 4 15 by a private entity, or a grant or moneys received from the  
 4 16 federal government, and is approved by the natural resource  
 4 17 commission. The department of natural resources shall promptly

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

4 18 notify the legislative services agency and the chairpersons and  
4 19 ranking members of the joint appropriations subcommittee on  
4 20 agriculture and natural resources concerning the commission's  
4 21 approval.

4 22 3. It is the intent of the general assembly that the  
4 23 appropriations bill for the fiscal year beginning July 1, 2011,  
4 24 and ending June 30, 2012, to be originally sponsored by the  
4 25 joint appropriations subcommittee on agriculture and natural  
4 26 resources during the 2011 session of the Eighty-fourth General  
4 27 Assembly include a line item provision for the state fish and  
4 28 game protection fund that accounts for full-time equivalent  
4 29 positions supported by the fund.

Specifies the intent of the General Assembly to have the Agriculture and Natural Resources Appropriations Subcommittee appropriate funds from the Fish and Game Protection Fund using line items for operating divisions and FTE positions for FY 2012.

4 30 4. The department of natural resources shall prepare a  
4 31 report to the governor and the general assembly providing a  
4 32 detailed accounting of revenue and expenditures involving the  
4 33 state fish and game protection fund. Prior to November 15,  
4 34 2010, the department shall submit the report to the governor  
4 35 and general assembly, including the chairpersons and ranking  
5 1 members of the standing committees of the senate and house of  
5 2 representatives having jurisdiction over natural resources  
5 3 and the joint appropriations subcommittee on agriculture  
5 4 and natural resources. The report shall include all of the  
5 5 following:  
5 6 a. Information regarding the following four operational  
5 7 units: management, the law enforcement bureau, the fisheries  
5 8 bureau, and the wildlife bureau. The information shall include  
5 9 all of the following:  
5 10 (1) The allocation of full-time equivalent positions in  
5 11 each operational unit.  
5 12 (2) The title and description of each position in each  
5 13 operational unit.  
5 14 (3) A line item accounting of expenditures for each  
5 15 operational unit.  
5 16 b. A line item accounting of the balance in the fund to be  
5 17 carried forward on June 30, 2010.

Requires the DNR to submit a report detailing revenue and expenditures for funds in the Fish and Game Protection Fund by November 15, 2010, to the Governor and the General Assembly. Further specifies the information required in the report.

5 18 c. A line item accounting for sources of income deposited  
 5 19 into the fund.  
 5 20 d. A line item accounting of capital projects, including  
 5 21 but not limited to land owned by the department, projected  
 5 22 land purchases by the department, revenue generated from land  
 5 23 owned by the department and its classified use, and income  
 5 24 or losses from land leased by the department. The line item  
 5 25 shall account for such land regardless of whether the land was  
 5 26 acquired in whole or in part from moneys originating from the  
 5 27 fund. The report shall also include a justification for each  
 5 28 capital project.  
 5 29 e. A description of all programs supported by the fund and  
 5 30 a justification for each of the programs as a constitutionally  
 5 31 allowable expenditure.

5 32 Sec. 8. GROUNDWATER PROTECTION FUND == WATER QUALITY.  
 There

5 33 is appropriated from the groundwater protection fund created  
 5 34 in section 455E.11 to the department of natural resources for  
 5 35 the fiscal year beginning July 1, 2010, and ending June 30,  
 6 1 2011, from those moneys which are not allocated pursuant to  
 6 2 that section, the following amount, or so much thereof as is  
 6 3 necessary, to be used for the purposes designated:  
 6 4 For purposes of supporting the department's protection  
 6 5 of the state's groundwater, including for administration,  
 6 6 regulation, and programs, and for salaries, support,  
 6 7 maintenance, equipment, and miscellaneous purposes:  
 6 8 ..... \$ 3,455,832

Groundwater Protection Fund appropriation to programs specified in  
 Code Section 455E.11. 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.
- \$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 the current level of funding.

6 9 DESIGNATED APPROPRIATIONS == MISCELLANEOUS  
 6 10 Sec. 9. SPECIAL SNOWMOBILE FUND == SNOWMOBILE  
 6 11 PROGRAM. There is appropriated from the special snowmobile  
 6 12 fund created under section 321G.7 to the department of natural  
 6 13 resources for the fiscal year beginning July 1, 2010, and  
 6 14 ending June 30, 2011, the following amount, or so much thereof  
 6 15 as is necessary, to be used for the purpose designated:

Snowmobile Fund appropriation to the DNR.

DETAIL: Maintains the current level of funding. The funds are used  
 for administration of the Snowmobile Program.

6 16 For purposes of administering and enforcing the state  
 6 17 snowmobile program:  
 6 18 ..... \$ 100,000

6 19 Sec. 10. UNASSIGNED REVENUE FUND == UNDERGROUND STORAGE  
 6 20 TANK SECTION EXPENSES. There is appropriated from the  
 6 21 unassigned revenue fund administered by the Iowa comprehensive  
 6 22 underground storage tank fund board to the department of  
 6 23 natural resources for the fiscal year beginning July 1, 2010,  
 6 24 and ending June 30, 2011, the following amount, or so much  
 6 25 thereof as is necessary, to be used for the purpose designated:  
 6 26 For purposes of paying for administration expenses of the  
 6 27 department's underground storage tank section:  
 6 28 ..... \$ 200,000

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

DETAIL: Maintains the current level of funding. The funds are used  
 for administration of the Underground Storage Tank Program.

6 29 Sec. 11. STORM WATER DISCHARGE PERMIT FEES == SUPPORT FOR  
 6 30 SPECIAL PURPOSES. Notwithstanding any contrary provision of  
 6 31 state law, for the fiscal year beginning July 1, 2010, and  
 6 32 ending June 30, 2011, the department of natural resources may  
 6 33 use additional moneys available to the department collected  
 6 34 from storm water discharge permit fees as provided in section  
 6 35 455B.103A or 455B.197 for the staffing of the following  
 7 1 additional full-time equivalent positions for the purposes  
 7 2 designated:  
 7 3 1. For purposes of reducing the department's floodplain  
 7 4 permit backlog:  
 7 5 ..... FTEs 2.00  
 7 6 2. For purposes of implementing the federal total maximum  
 7 7 daily load program:  
 7 8 ..... FTEs 2.00

CODE: Permits the DNR to use Stormwater Permit Fees to fund 4.00  
 FTE positions to address the floodplain permit backlog and for  
 implementing the federal Total Maximum Daily Load Program.

7 9 Sec. 12. INTERIM STUDY OF PUBLIC LAND UNDER THE CONTROL  
 7 10 OF THE DEPARTMENT OF NATURAL RESOURCES WHICH MAY BE USED  
 FOR  
 7 11 PUBLIC HUNTING. The department of natural resources shall  
 7 12 conduct an interim study of public land under its control which  
 7 13 may be used for public hunting. The department shall authorize

Requires the DNR to complete an interim study on public land under  
 their control that is available for public hunting. Also requires the DNR  
 to authorize public hunting areas and report the results to the  
 Governor and the General Assembly by January 10, 2011.

7 14 public hunting on public land for which the department  
 7 15 determines such activity is beneficial. The department shall  
 7 16 report the results of the interim study to the governor and  
 7 17 general assembly by January 10, 2011.

7 18 Sec. 13. ELIMINATION OF CHIEF AND ASSISTANT CHIEF OF THE LAW  
 7 19 ENFORCEMENT BUREAU OF THE DEPARTMENT OF NATURAL  
 RESOURCES. The

**VETOED**

Eliminates the Law Enforcement Division Bureau Chief and the Assistant Bureau Chief positions in the DNR.

7 20 positions of chief and assistant chief of the law enforcement  
 7 21 bureau of the department of natural resources are eliminated. ]

VETOED: The Governor vetoed this Section and stated the positions are funded with money from the Fish and Wildlife Trust Fund, therefore, this change does not provide any General Fund savings.

7 22 Sec. 14. EFFECTIVE UPON ENACTMENT. The section of this  
 7 23 division of this Act relating to the elimination of the  
 7 24 positions of chief and assistant chief of the law enforcement  
 7 25 bureau of the department of natural resources, being deemed of  
 7 26 immediate importance, takes effect upon enactment. ]

**VETOED**

The elimination of the positions in Section 13 is effective on enactment.

VETOED: The Governor vetoed this Section as it relates to the effective date of Section 13 that was vetoed.

7 27 DIVISION III  
 7 28 IOWA STATE UNIVERSITY

7 29 Sec. 15. GENERAL FUND == VETERINARY DIAGNOSTIC LABORATORY.

General Fund appropriation to Iowa State University (ISU) for operations at the Veterinary Diagnostic Laboratory.

7 30 1. There is appropriated from the general fund of the state  
 7 31 to Iowa state university of science and technology for the  
 7 32 fiscal year beginning July 1, 2010, and ending June 30, 2011,  
 7 33 the following amount, or so much thereof as is necessary, to be  
 7 34 used for the purposes designated:

DETAIL: Maintains current level of funding and provides an increase of 25.64 FTE positions for operations.

7 35 For purposes of supporting the college of veterinary  
 8 1 medicine for the operation of the veterinary diagnostic  
 8 2 laboratory and for not more than the following full-time  
 8 3 equivalent positions:

8 4 ..... \$ 3,444,294  
 8 5 ..... FTEs 50.00

8 6 2. a. Iowa state university of science and technology  
 8 7 shall not reduce the amount that it allocates to support the

Prohibits ISU from reducing other funding to the Veterinary Diagnostic Laboratory but does not apply to an across-the-board reduction.

8 8 college of veterinary medicine from any other source due to the  
8 9 appropriation made in this section.  
8 10 b. Paragraph "a" does not apply to a reduction made to  
8 11 support the college of veterinary medicine, if the same  
8 12 percentage of reduction imposed on the college of veterinary  
8 13 medicine is also imposed on all of Iowa state university's  
8 14 budget units.

8 15 3. If by the end of the fiscal year, Iowa state university  
8 16 of science and technology fails to allocate the moneys  
8 17 appropriated in this section to the college of veterinary  
8 18 medicine in accordance with this section, the moneys  
8 19 appropriated in this section for that fiscal year shall revert  
8 20 to the general fund of the state.

Requires unallocated funds to revert to the General Fund at the end of the fiscal year.

8 21 Sec. 16. VETERINARY DIAGNOSTIC LABORATORY == FUTURE  
8 22 YEAR. This section applies if appropriations made in this Act  
8 23 and all other Acts enacted by the Eighty=third General Assembly  
8 24 during the 2010 regular session and all extraordinary sessions,  
8 25 for the fiscal year beginning July 1, 2010, and ending June  
8 26 30, 2011, for purposes of supporting the operation of the  
8 27 veterinary diagnostic laboratory associated with the college  
8 28 of veterinary medicine at Iowa state university, total less  
8 29 than \$4,000,000. It is the intent of the general assembly  
8 30 that the amount of any deficit will be appropriated by the  
8 31 general assembly during its 2011 regular session for purposes  
8 32 of supporting the operation of the veterinary diagnostic  
8 33 laboratory for the fiscal year beginning July 1, 2011, and  
8 34 ending June 30, 2012.

Specifies it is the intent to fund the Veterinary Diagnostic Laboratory at \$4.0 million for FY 2011; however, if funding is not appropriated in FY 2011, it will be appropriated in FY 2012.

8 35 DIVISION IV  
9 1 ENVIRONMENT FIRST FUND == GENERAL APPROPRIATIONS

9 2 Sec. 17. DEPARTMENT OF AGRICULTURE AND LAND  
9 3 STEWARDSHIP. There is appropriated from the environment first  
9 4 fund created in section 8.57A to the department of agriculture  
9 5 and land stewardship for the fiscal year beginning July 1,

Environment First Fund appropriations to the DALs.

9 6 2010, and ending June 30, 2011, the following amounts, or so  
 9 7 much thereof as is necessary, to be used for the purposes  
 9 8 designated:

9 9 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)

9 10 a. For the conservation reserve enhancement program to  
 9 11 restore and construct wetlands for the purposes of intercepting  
 9 12 tile line runoff, reducing nutrient loss, improving water  
 9 13 quality, and enhancing agricultural production practices:  
 9 14 ..... \$ 1,500,000

Environment First Fund appropriation to the DALS for the  
 Conservation Reserve Enhancement Program (CREP).

DETAIL: Maintains the current level of funding. The Program is  
 designed to protect floodplains and improve water quality from the  
 agricultural drainage systems through the removal of nitrates from tile-  
 drained water.

9 15 b. Not more than 10 percent of the moneys appropriated  
 9 16 in paragraph "a" may be used for costs of administration and  
 9 17 implementation of soil and water conservation practices.

Prohibits the DALS from using more than 10.00% of the funds  
 appropriated from the Environment First Fund for administration and  
 implementation of soil and water conservation practices.

9 18 c. Notwithstanding any other provision in law, the  
 9 19 department may provide state resources from this appropriation,  
 9 20 in combination with appropriate environment first fund  
 9 21 appropriations, for cost sharing to match United States  
 9 22 department of agriculture, natural resources conservation  
 9 23 service, wetlands reserve enhancement program (WREP) funding  
 9 24 available to Iowa.

CODE: Allows the DALS to combine Environment First Fund  
 appropriations as cost share funds for the federal Natural Resources  
 Conservation Service Wetlands Reserve Enhancement Program.

9 25 2. WATERSHED PROTECTION

9 26 a. For continuation of a program that provides  
 9 27 multiobjective resource protections for flood control, water  
 9 28 quality, erosion control, and natural resource conservation:  
 9 29 ..... \$ 1,500,000

Environment First Fund appropriation to the DALS for the Watershed  
 Protection Fund.

DETAIL: This is a decrease of \$1,050,000 compared to FY 2010. The  
 Program provides grants to local communities for soil and water  
 conservation districts for development of water quality projects that  
 provide flood protection and erosion control.

9 30 b. Not more than 10 percent of the moneys appropriated  
 9 31 in paragraph "a" may be used for costs of administration and  
 9 32 implementation of soil and water conservation practices.

Prohibits the DALS from using more than 10.00% of the funds  
 appropriated from the Environment First Fund for administration and  
 implementation of soil and water conservation practices.



9 33	3. FARM MANAGEMENT DEMONSTRATION PROGRAM	Environment First Fund appropriation to the Farm Management Demonstration Program.
9 34	a. For continuation of a statewide voluntary farm	
9 35	management demonstration program to demonstrate the	
10 1	effectiveness and adaptability of emerging practices in	DETAIL: This is a decrease of \$50,000 compared to FY 2010. The
10 2	agronomy that protect water resources and provide other	Program provides grants to farmers to demonstrate the effectiveness
10 3	environmental benefits:	of new agricultural systems for nutrient and pesticide management air
10 4	..... \$ 750,000	quality and soil and water protection.
10 5	b. Not more than 10 percent of the moneys appropriated	Prohibits the DALS from using more than 10.00% of the funds
10 6	in paragraph "a" may be used for costs of administration and	appropriated from the Environment First Fund for administration and
10 7	implementation of soil and water conservation practices.	implementation of soil and water conservation practices.
10 8	c. Of the amount appropriated in paragraph "a", \$400,000	Allocates \$400,000 to the Iowa Soybean Association's Agriculture and
10 9	shall be allocated to an organization representing soybean	Environment Performance Program.
10 10	growers to provide for an agriculture and environment	
10 11	performance program in order to carry out the purposes of this	
10 12	subsection as specified in paragraph "a".	
10 13	4. AGRICULTURAL DRAINAGE WELL WATER QUALITY ASSISTANCE	Environment First Fund appropriation for the Agricultural Drainage
FUND		Well Program.
10 14	a. For deposit in the agricultural drainage well water	
10 15	quality assistance fund created in section 460.303 to be used	DETAIL: This is a decrease of \$250,000 compared to FY 2010. The
10 16	for purposes of supporting the agricultural drainage well water	funds are used to close agricultural drainage wells and construct
10 17	quality assistance program as provided in section 460.304:	alternative drainage systems on agricultural land.
10 18	..... \$ 1,250,000	
10 19	b. Not more than 10 percent of the moneys appropriated	Prohibits the DALS from using more than 10.00% of the appropriation
10 20	in paragraph "a" may be used for costs of administration and	from the Environment First Fund for administration.
10 21	implementation of soil and water conservation practices.	
10 22	5. SOIL AND WATER CONSERVATION == ADMINISTRATION	Environment First Fund appropriation to the Soil Conservation
10 23	For use by the department for costs of administration and	Administration Fund.
10 24	implementation of soil and water conservation practices:	

PG LN	House File 2525	Explanation
10 25	..... \$ 1,050,000	DETAIL: This is a decrease of \$5,950,000 compared to FY 2010. Historically, the funding for cost share practices has been appropriated from the Environment First Fund.
10 26	6. CONSERVATION RESERVE PROGRAM (CRP)	Environment First Fund appropriation to the Conservation Reserve Program.
10 27	a. To encourage and assist farmers in enrolling in and the	
10 28	implementation of the federal conservation program and to work	
10 29	with them to enhance their revegetation efforts to improve	DETAIL: This is a decrease of \$200,000 compared to FY 2010. The funds are used to establish vegetative buffer strips, field borders, and wetlands on private land to improve water quality and wildlife habitat.
10 30	water quality and habitat:	
10 31	..... \$ 1,300,000	
10 32	b. Not more than 10 percent of the moneys appropriated	Prohibits the DALS from using more than 10.00% of the funds
10 33	in paragraph "a" may be used for costs of administration and	appropriated from the Environment First Fund for administration.
10 34	implementation of soil and water conservation practices.	
10 35	7. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND	Environment First Fund appropriation to the Loess Hills Development and Conservation Fund.
11 1	a. For deposit in the loess hills development and	
11 2	conservation fund created in section 161D.2:	
11 3	..... \$ 500,000	DETAIL: This is a decrease of \$100,000 compared to estimated FY 2010.
11 4	b. (1) Of the amount appropriated in paragraph "a",	Allocates \$323,000 to the Hungry Canyons Program. Funds are used
11 5	\$323,000 shall be allocated to the fund's hungry canyons	for streambed stabilization projects.
11 6	account.	
11 7	(2) Not more than 10 percent of the moneys allocated to the	Prohibits the Hungry Canyons Program from using more than 10.00%
11 8	hungry canyons account as provided in subparagraph (1) may be	of the funds allocated for administrative costs.
11 9	used for administrative costs.	
11 10	c. (1) Of the amount appropriated in paragraph "a",	Allocates \$177,000 to the Loess Hills Alliance. The funds are used for
11 11	\$177,000 shall be allocated to the fund's loess hills alliance	projects that protect and preserve the Loess Hills.
11 12	account.	
11 13	(2) Not more than 10 percent of the moneys allocated to the	Prohibits the Loess Hills Alliance from using more than 10.00% of the

PG LN	House File 2525	Explanation
11 14	loess hills alliance account as provided in subparagraph (1)	funds allocated for administrative costs.
11 15	may be used for administrative costs.	
11 16	8. SOUTHERN IOWA DEVELOPMENT AND CONSERVATION FUND	Environment First Fund appropriation to the Southern Iowa
11 17	a. For deposit in the southern Iowa development and	Development and Conservation Fund.
11 18	conservation fund created in section 161D.12:	
11 19	..... \$ 250,000	DETAIL: This is a decrease of \$50,000 compared to FY 2010.
11 20	b. Not more than 10 percent of the moneys appropriated in	Prohibits the Southern Iowa Development and Conservation Authority
11 21	paragraph "a" may be used for administrative costs.	from using more than 10.00% of the funds appropriated for
		administrative costs.
11 22	9. SOIL AND WATER CONSERVATION	Appropriates funds to the DALS to use for administration of soil and
11 23	a. For use by the department in providing for soil and	water conservation programs and to support soil and water
11 24	water conservation administration, the conservation of soil and	conservation districts.
11 25	water resources, or the support of soil and water conservation	
11 26	district commissioners:	DETAIL: This is a new appropriation.
11 27	..... \$ 1,751,600	
11 28	b. The department may deposit any amount of the moneys into	Permits the DALS to deposit funds in the Mississippi River Basin
11 29	the Mississippi river basin healthy watersheds initiative fund	Healthy Watersheds Initiative Fund.
11 30	as created in this Act.	
11 31	Sec. 18. DEPARTMENT OF NATURAL RESOURCES. There is	Environment First Fund appropriations to the DNR.
11 32	appropriated from the environment first fund created in section	
11 33	8.57A to the department of natural resources for the fiscal	
11 34	year beginning July 1, 2010, and ending June 30, 2011, the	
11 35	following amounts, or so much thereof as is necessary, to be	
12 1	used for the purposes designated:	
12 2	1. KEEPERS OF THE LAND	Environment First Fund appropriation for the Keepers of the Land
12 3	For statewide coordination of volunteer efforts under the	Program.
12 4	water quality and keepers of the land programs:	
12 5	..... \$ 100,000	DETAIL: Maintains the current level of funding.

PG LN	House File 2525	Explanation
12 6	2. STATE PARKS MAINTENANCE AND OPERATIONS	Environment First Fund appropriation for maintenance and operations at Iowa State Parks.
12 7	For regular maintenance of state parks and staff time	
12 8	associated with these activities:	
12 9	..... \$ 2,470,000	DETAIL: Maintains the current level of funding.
12 10	3. GEOGRAPHIC INFORMATION SYSTEM (GIS)	Environment First Fund appropriation for collection of local watershed data.
12 11	To provide local watershed managers with geographic	
12 12	information system data for their use in developing,	
12 13	monitoring, and displaying results of their watershed work:	DETAIL: Maintains the current level of funding. The geographical information is available on the DNR website.
12 14	..... \$ 195,000	
12 15	4. WATER QUALITY MONITORING	Environment First Fund appropriation for the Water Quantity Monitoring Program.
12 16	For continuing the establishment and operation of water	
12 17	quality monitoring stations:	
12 18	..... \$ 2,955,000	DETAIL: Maintains the current level of funding.
12 19	5. PUBLIC WATER SUPPLY SYSTEM ACCOUNT	Environment First Fund appropriation to the Public Water System Account in the Water Quality Protection Fund.
12 20	For deposit in the public water supply system account of the	
12 21	water quality protection fund created in section 455B.183A:	
12 22	..... \$ 500,000	DETAIL: Maintains the current level of funding. The funds are used to implement federal regulations required by the Safe Drinking Water Act and technical assistance to public water supply systems.
12 23	6. REGULATION OF ANIMAL FEEDING OPERATIONS	Environment First Fund appropriation to the Animal Feeding Operations Program.
12 24	For the regulation of animal feeding operations, including	
12 25	as provided for in chapters 459 and 459A:	
12 26	..... \$ 608,400	DETAIL: This is an increase of \$248,400 compared to estimated FY 2010.
12 27	7. AMBIENT AIR QUALITY	Environment First Fund appropriation to the Ambient Air Quality Program.
12 28	For the abatement, control, and prevention of ambient	
12 29	air pollution in this state, including measures as necessary	
12 30	to assure attainment and maintenance of ambient air quality	DETAIL: Maintains the current level of funding.

PG LN	House File 2525	Explanation
12 31	standards from particulate matter:	
12 32	..... \$ 425,000	
12 33	8. WATER QUANTITY REGULATION	Environment First Fund appropriation to the Water Quantity Regulation Program.
12 34	For regulating water quantity from surface and subsurface	
12 35	sources by providing for the allocation and use of water	
13 1	resources, the protection and management of water resources,	DETAIL: Maintains the current level of funding.
13 2	and the preclusion of conflicts among users of water resources,	
13 3	including as provided in chapter 455B, division III, part 4:	
13 4	..... \$ 495,000	
13 5	9. RESOURCE CONSERVATION AND DEVELOPMENT (RCD)	Environment First Fund appropriation to the Resource Conservation and Development Program.
13 6	a. For resource conservation and development associated	
13 7	with the development of projects relating to natural	
13 8	resource-based business opportunities:	DETAIL: This is a decrease of \$100,000 compared to estimated FY 2010.
13 9	..... \$ 150,000	
13 10	b. Local resource conservation and development groups	Requires groups receiving funds to provide dollar for dollar matching funds.
13 11	sponsored by county governments or sponsored by soil and water	
13 12	conservation districts shall be eligible to receive moneys	
13 13	appropriated in paragraph "a" on the condition that such groups	
13 14	receive the moneys on a dollar-for-dollar matching basis.	
13 15	c. Not more than 5 percent of the moneys appropriated in	Permits the DNR to use up to 5.00% of the funds appropriated for administration of the Program.
13 16	paragraph "a" may be used for the costs of implementing and	
13 17	administering this subsection.	
13 18	10. STATE PARKS VOLUNTEER ACTIVITIES	Environment First Fund appropriation to the State Parks Volunteer Activities Program. Funds will be used by State Parks to pay for food, services, and supplies for volunteers that donate their time at State Parks.
13 19	For supporting volunteer activities at state parks,	
13 20	including by providing volunteers with food, services, and	
13 21	items required to accomplish tasks associated with state park	
13 22	operations:	
13 23	..... \$ 250,000	DETAIL: This is a new appropriation.
13 24	Sec. 19. REVERSION. Notwithstanding section 8.33, moneys	CODE: Requires nonreversion of funds appropriated from the

13 25 appropriated for the fiscal year beginning July 1, 2010,  
 13 26 in this division of this Act that remain unencumbered or  
 13 27 unobligated at the close of the fiscal year shall not revert  
 13 28 but shall remain available for the purposes designated until  
 13 29 the close of the fiscal year beginning July 1, 2011, or until  
 13 30 the project for which the appropriation was made is completed,  
 13 31 whichever is earlier.

Environment First Fund through the end of FY 2012.

13 32 DIVISION V  
 13 33 ENVIRONMENT FIRST FUND == RESOURCES ENHANCEMENT  
 13 34 AND PROTECTION (REAP)

13 35 Sec. 20. IOWA RESOURCES ENHANCEMENT AND PROTECTION  
 14 1 FUND. Notwithstanding the amount of the standing appropriation  
 14 2 from the general fund of the state to the Iowa resources  
 14 3 enhancement and protection fund as provided in section  
 14 4 455A.18, there is appropriated from the environment first fund  
 14 5 created in section 8.57A to the Iowa resources enhancement  
 14 6 and protection fund, in lieu of the appropriation made in  
 14 7 section 455A.18, for the fiscal year beginning July 1, 2010,  
 14 8 and ending June 30, 2011, the following amount, to be allocated  
 14 9 as provided in section 455A.19:  
 14 10 ..... \$ 15,000,000

Environment First Fund appropriation to the DNR for the Resource Enhancement and Protection (REAP) Fund.

DETAIL: This is a decrease of \$3,000,000 compared to estimated FY 2010.

14 11 DIVISION VI  
 14 12 MISSISSIPPI RIVER BASIN HEALTHY  
 14 13 WATERSHEDS INITIATIVE

14 14 Sec. 21. NEW SECTION . 161G.1 Definitions.  
 14 15 1. "Department" means the department of agriculture and land  
 14 16 stewardship.  
 14 17 2. "Fund" means the Mississippi river basin healthy  
 14 18 watersheds initiative fund created pursuant to section 161G.2.

CODE: Creates definitions related to the Mississippi River Basin Healthy Watersheds Initiative and Mississippi River Basin Healthy Watersheds Initiative Fund in the DALS.

14 19 Sec. 22. NEW SECTION . 161G.2 Mississippi river basin  
 14 20 healthy watersheds initiative fund.  
 14 21 1. A Mississippi river basin healthy watersheds initiative

CODE: Creates the Mississippi River Basin Healthy Watersheds Initiative Fund to receive appropriations, federal funds, or private sources to support the Initiative.

14 22 fund is created within the department.

14 23 2. The fund is composed of money appropriated by the general  
14 24 assembly to the fund, and moneys available to and obtained or  
14 25 accepted by the department from the United States, the state,  
14 26 or any other source for placement in the fund.

14 27 3. The fund shall be used by the department to support  
14 28 the Mississippi river basin healthy watersheds initiative as  
14 29 provided in section 161G.3.

14 30 4. The moneys in the fund are not subject to section 8.33  
14 31 and shall not be transferred, used, obligated, appropriated,  
14 32 or otherwise encumbered except as provided in this section.  
14 33 Notwithstanding section 12C.7, subsection 2, interest or  
14 34 earnings on moneys in the fund shall be credited to the fund.

14 35 Sec. 23. NEW SECTION . 161G.3 Mississippi river basin  
15 1 healthy watersheds initiative.

15 2 1. The department shall implement a voluntary program to  
15 3 assist in improving the health of the Mississippi river basin,  
15 4 including water quality and wildlife habitat.

15 5 2. The department shall implement the program consistent  
15 6 with requirements of the United States department of  
15 7 agriculture in its administration of the Mississippi river  
15 8 basin healthy watersheds initiative.

15 9 3. To the extent allowed by the United States department of  
15 10 agriculture, the department of agriculture and land stewardship  
15 11 may do all of the following:

15 12 a. Provide for conservation systems that manage and optimize  
15 13 nitrogen and phosphorous within fields to minimize runoff and  
15 14 reduce downstream nutrient loading.

15 15 b. Assist agricultural producers with a system of practices  
15 16 that will control soil erosion, improve soil quality, restore  
15 17 and enhance wildlife habitat, and manage runoff and drainage  
15 18 water for improved water quality.

15 19 c. Avoid, control, and trap nutrient runoff and maintain  
15 20 agricultural productivity.

15 21 d. Partner with landowners to implement a range of  
15 22 land stewardship practices, including but not limited to

CODE: Creates the Mississippi River Basin Healthy Watersheds Initiative and specifies activities of the Initiative.

DETAIL: This is a federal Department of Agriculture program.

15 23 conservation tillage, nutrient management, and other innovative  
15 24 practices.

15 25 DIVISION VII

15 26 BEAUTIFICATION GRANTS

15 27 Sec. 24. Section 455E.11, subsection 2, paragraph a,  
15 28 subparagraph (1), Code Supplement 2009, is amended by adding  
15 29 the following new subparagraph division:

15 30 NEW SUBPARAGRAPH DIVISION . (Oa) (i) Each fiscal year  
15 31 for the fiscal period beginning July 1, 2010, and ending June  
15 32 30, 2014, not more than two hundred thousand dollars to the  
15 33 department for purposes of awarding a beautification grant each  
15 34 year to one organization that does all of the following:

15 35 (A) Assists communities and organizations in cleanup and  
16 1 beautification projects.

16 2 (B) Conducts research to assist in the understanding of  
16 3 reasons for littering and illegal dumping.

16 4 (C) Administers antilittering and beautification education  
16 5 programs.

16 6 (D) Increases public awareness of the costs of littering.

16 7 (ii) The grant recipient shall do all of the following:

16 8 (A) Expend not more than fifty percent of the moneys for a  
16 9 public education and awareness initiative designed to reduce  
16 10 litter and illegal dumping.

16 11 (B) Expend not more than fifty percent of the moneys  
16 12 for a community partnership program designed to support  
16 13 community beautification projects including the deconstruction,  
16 14 renovation, or removal of derelict buildings. Eligible  
16 15 communities are limited to cities of five thousand or fewer in  
16 16 population. Eligible costs shall include but are not limited  
16 17 to asbestos abatement and removal, the recovery and processing  
16 18 of recyclable or reusable material from derelict buildings and  
16 19 reimbursement for purchased recycled content materials used  
16 20 in the renovation of buildings. Special consideration may be  
16 21 given to communities that hire the unemployed to deconstruct  
16 22 structures, clean up the properties and, if there is no

CODE: Allocates up to \$200,000 from the Groundwater Protection  
Fund to be used by the DNR for awarding Beautification Grants.  
Specifies the requirements for awarding a grant.



16 23 immediate buyer for the properties, turn the properties into  
16 24 green spaces. Any business entity or individual engaged in the  
16 25 removal or abatement of asbestos must have obtained a valid  
16 26 license or permit as required in chapter 88B.

16 27 (iii) As a condition of the grant award each year, the  
16 28 department shall require the grant recipient to submit a  
16 29 written report to the department by the end of the fiscal year  
16 30 for which the grant is awarded. In addition to any other  
16 31 information required by the department, the report shall  
16 32 include information detailing the expenditure of all moneys  
16 33 received by the organization and the results achieved through  
16 34 the expenditure of the money.

16 35 DIVISION VIII

17 1 COMMERCIAL ESTABLISHMENT FUND

17 2 Sec. 25. NEW SECTION . 162.2C Commercial establishment fund.

17 3 A commercial establishment fund is created in the state  
17 4 treasury under the management and control of the department.

17 5 1. The fund shall include moneys collected by the department  
17 6 in fees as provided in section 162.2B and moneys appropriated  
17 7 by the general assembly. The fund may include other moneys  
17 8 available to and obtained or accepted by the department,  
17 9 including moneys from public or private sources.

17 10 2. Moneys in the fund are appropriated to the department  
17 11 and shall be used exclusively to carry out the provisions of  
17 12 this chapter as determined and directed by the department, and  
17 13 shall not require further special authorization by the general  
17 14 assembly.

17 15 3. a. Notwithstanding section 12C.7, interest or earnings  
17 16 on moneys in the fund shall be credited to the fund.

17 17 b. Notwithstanding section 8.33, moneys credited to the fund  
17 18 that remain unexpended or unobligated at the end of a fiscal  
17 19 year shall not revert to any other fund.

CODE: Creates a Commercial Establishment Fund in the DALs and specifies funds credited will be used for administration of the Commercial Establishment Program created in HF 2280 (Commercial Establishment Act).

CODE: Requires interest credited to the Commercial Establishment Fund to remain in the Fund.

CODE: Requires nonreversion of money credited to the Commercial Establishment Fund.

17 20 Sec. 26. EFFECTIVE UPON ENACTMENT AND RETROACTIVE  
17 21 APPLICABILITY.

17 22 1. This division of this Act applies retroactively to March  
17 23 9, 2010.

17 24 2. This division of this Act, being deemed of immediate  
17 25 importance, takes effect upon enactment.

17 26 DIVISION IX

17 27 LOCAL FOOD AND FARM PLAN

17 28 Sec. 27. LOCAL FOOD AND FARM PLAN. To the extent feasible,  
17 29 the Leopold center for sustainable agriculture established  
17 30 pursuant to section 266.39, in consultation with the Iowa  
17 31 cooperative extension service in agriculture and home economics  
17 32 as provided in chapter 266, at Iowa state university of  
17 33 science and technology shall prepare a local food and farm plan  
17 34 containing policy and funding recommendations for supporting  
17 35 and expanding local food systems and for assessing and  
18 1 overcoming obstacles necessary to increase locally grown food  
18 2 production. The Leopold center for sustainable agriculture,  
18 3 in consultation with the Iowa cooperative extension service  
18 4 in agriculture and home economics, shall submit the plan to  
18 5 the general assembly by January 10, 2011. The plan shall  
18 6 include recommendations for short-term and long-term solutions,  
18 7 including but not limited to the enactment of legislation.

18 8 Sec. 28. REPEAL. This division of this Act is repealed on  
18 9 January 10, 2011.

18 10 Sec. 29. EFFECTIVE DATE. This division of this Act, being  
18 11 deemed of immediate importance, takes effect upon enactment.

Section 25, related to the creation of the Commercial Establishment Fund, is effective on enactment and retroactive to March 9, 2010.

To the extent feasible, instructs the Leopold Center for Sustainable Agriculture and the Iowa Cooperative Extension Service at ISU to prepare a local food and farm plan complete with policy and funding recommendations that support and expand local food systems and local food production.

Section 27, related to the local food and farm plan, is repealed on January 10, 2011.

Section 27, related to the local food and farm plan, is effective on enactment.

# EXECUTIVE SUMMARY ECONOMIC DEVELOPMENT APPROPRIATIONS ACT

HOUSE FILE 2522

## FUNDING SUMMARY

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

- Appropriates a total of \$41.8 million from the General Fund and 507.5 FTE positions to the Department of Cultural Affairs, the Department of Economic Development, Board of Regents economic development programs, the Iowa Department of Workforce Development, and the Public Employment Relations Board (PERB). This is an increase of \$1.0 million and a decrease of 3.1 FTE positions estimated net FY 2010. This Act increases support from other funds by \$158,000 to a total of \$11.6 million.

### *Department of Cultural Affairs:*

- Appropriates \$5.7 million and 74.5 FTE positions from the General Fund to the Department of Cultural Affairs. This is an increase of \$27,000 and a decrease of 8.3 FTE position estimated net FY 2010. The significant changes include:
  - A decrease of 8.3 FTE positions to adjust to the anticipated usage. (Page 1, Line 7)
  - An increase of \$27,000 for Records Center rent. (Page 2, Line 4)

### *Department of Economic Development:*

- Appropriates \$13.3 million and 160.3 FTE positions from the General Fund to the Department of Economic Development (DED). This is an increase of \$50,000 and no change in positions estimated net FY 2010. The significant changes include:
  - An increase of \$150,000 for the Administration Division to restore a portion of the FY 2010 across-the-board (ATB) reduction. (Page 2, Line 28)
  - A decrease of \$100,000 for the World Food Prize. (Page 5, Line 26)
- Eliminates an FY 2010 appropriation of \$144,000 from interest earnings on the Federal Economic Stimulus and Jobs Holding Account to support the Council of Governments.

### *Board of Regents:*

- Appropriates \$3.4 million and 69.4 FTE positions from the General Fund for economic development programs at Iowa State University (ISU), the University of Iowa (SUI), and the University of Northern Iowa (UNI). This is an increase of \$225,000 estimated net FY 2010. The significant changes include:
  - An increase of \$100,000 for ISU to support of Small Business Development Centers. (Page 7, Line 24)
  - An increase of \$125,000 for UNI for expanded support of entrepreneurs through the University's Regional Business Center. (Page 9, Line 34)

### *Iowa Department of Workforce Development:*

- Appropriates \$18.2 million and 193.4 FTE positions from the General Fund for the Iowa Department of Workforce Development (IWD). This is an increase of \$648,000 and 5.2 FTE position estimated net FY 2010. The significant changes include:
  - An increase of \$100,000 for the Labor Services Division to restore a portion of the FY 2010 ATB reduction. (Page 11, Line 2)
  - A decrease of 4.2 FTE positions for the Labor Services Division to adjust the positions to the anticipated usage. (Page 11, Line 2)

# EXECUTIVE SUMMARY ECONOMIC DEVELOPMENT APPROPRIATIONS ACT

HOUSE FILE 2522

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

- An increase of \$548,000 for Workforce Development Field Offices to restore a portion of the FY 2010 ATB reduction and a decrease of \$50,000 for the Workforce Development Board and the New Iowans Centers. (Page 11, Line 27).
- An increase of \$50,000 and 8.1 FTE positions for the Employee Misclassification Program to increase support and adjust the FTE positions to the current usage. (Page 14, Line 2)
- Appropriates \$662,000 from the Employment Security Contingency Fund for operation of the Field Offices. This is an increase of \$302,000 estimated net FY 2010. (Page 13, Line 20)

### ***Public Employment Relations Board:***

## STUDIES AND INTENT LANGUAGE

- Appropriates \$1.1 million and 10.0 FTE positions from the General Fund to the Public Employment Relations Board. This is an increase of \$50,000 and no change in FTE positions estimated net FY 2010 to restore a portion of the FY 2010 ATB reduction and reduce days off without pay. (Page 14, Line 12)
- 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 must be filled by individuals that are citizens of the United States, reside in the United States, or are 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 DED through the Business Development appropriation to adhere to these contract provisions and provide periodic assurances of compliance. Specifies businesses receiving financial assistance from the DED, from monies appropriated in this Act, are to employ only individuals legally authorized to work in the State. Permits the DED to recapture all or a portion of any financial assistance provided to a business that is found to have knowingly employed individuals not legally authorized to work in the State. (Page 3, Line 31)
- Permits the DED to provide grants to community economic development entities for local workforce recruitment efforts designed to recruit former citizens of the State and former students at State colleges and universities to meet the needs of local employers. (Page 4, Line 17)
- Permits the DED to provide financial assistance to early-stage industry companies established by women entrepreneurs. (Page 4, Line 23)
- Permits the DED to provide financial assistance for advanced research and commercialization projects involving value-added agriculture, advanced technology, or biotechnology. (Page 4, Line 26)
- Specifies it is the intent of the General Assembly that the Industrial Incentive Program at ISU 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 \$1.00 for each \$3.00 of State funds for small businesses or \$1.00 for each \$1.00 of State funds for larger businesses, industrial foundations, or trade organizations. (Page 8, Line 18)
- Requires ISU to report annually the total amount of private contributions to the Industrial Incentive Program, the proportion from small businesses and other businesses, and the proportion for directed and nondirected research. (Page 8, Line 33)

# EXECUTIVE SUMMARY

## ECONOMIC DEVELOPMENT APPROPRIATIONS ACT

HOUSE FILE 2522

### STUDIES AND INTENT LANGUAGE (CONTINUED)

- Requires the Board of Regents to submit a report to the General Assembly and the Legislative Services Agency by January 15, 2011, regarding the progress of the Regents institutions in meeting the Strategic Plan for Technology Transfer and Economic Development. (Page 10, Line 24)
- Requires the Division of Labor Services to reimburse the Employment Appeals Board in the Department of Inspections and Appeals for the costs associated with hearings related to contractor registration from contractor registration fees. (Page 11, Line 7)
- Requires the Workers' Compensation Division to continue to charge a \$100 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 IWD. (Page 11, Line 17)
- Requires the Department to make every effort to maintain New Iowans Centers. Requires the New Iowans Centers to offer one-stop services to workers, businesses, and communities. Requires seamless service delivery through government coordination and cooperation with public, private, and nonprofit entities. (Page 12, Line 2)
- Requires the IWD to partner with the Department of Corrections on the Offender Reentry Program. (Page 12, Line 22)
- Requires the Auditor of State to annually conduct an audit, including the accountability of the IWD programs, and submit results to the Economic Development Appropriations Subcommittee. Requires the IWD to pay for the cost of the audit. (Page 13, Line 1)
- Requests the Auditor of State to review the Iowa Finance Authority's annual audit. (Page 14, Line 26)
- Requires nonreversion of funds appropriated to the DED Administration Division. (Page 3, Line 11)
- Requires nonreversion of funds appropriated to the DED Business Development Division. (Page 4, Line 31)
- Requires nonreversion of funds appropriated to the DED Community Development Division. (Page 5, Line 21)
- Reduces the standing limited appropriation of \$1.0 million to \$650,000 for the World Food Prize. (Page 5, Line 26)
- Requires nonreversion of FY 2011 funds appropriated for matching funds for the United States Department of Housing and Urban Development's Main Street Challenge Grants for historic building preservation. (Page 5, Line 33)
- Requires nonreversion of funds appropriated to the DED Iowa Commission on Volunteer Services. (Page 6, Line 9)
- Requires nonreversion of funds appropriated to the Board of Regents institutions. (Page 9, Line 5; Page 9, Line 28; and Page 10, Line 19)
- Requires nonreversion of funds appropriated to the IWD for the Labor Services Division, Workers' Compensation Division, IWD Operations, and the Offender Reentry Program. (Page 12, Line 30)
- Appropriates funds from the Unemployment Compensation Reserve Fund. (Page 13, Line 28)

### SIGNIFICANT CODE CHANGES

# EXECUTIVE SUMMARY ECONOMIC DEVELOPMENT APPROPRIATIONS ACT

HOUSE FILE 2522

## SIGNIFICANT CODE CHANGES (CONTINUED)

- Permits the expenditure of funds from the Unemployment Compensation Trust Fund. (Page 14, Line 29)
- Amends Code Section 15E.117 to require \$100,000 of the Beer Gallonage Tax and the Wine Gallonage Tax appropriated to the DED to be allocated to the Midwest Grape and Wine Industry Institute at Iowa State University. (Page 15, Line 3)
- Amends Code Section 84C.2(8) that provides the definition of “part-time employee” as enacted in HF 681 (Iowa Worker Adjustment and Retraining Notification Act) to prevent the definition from superseding the definition in a collective bargaining agreement. House File 681 was enacted March 22, 2010. (Page 15, Line 24)
- Amends Code Section 84C.4 (as enacted in HF 681) by adding a new paragraph to reduce the required 30-day notice of a business closing or a mass layoff by the number of days that severance payments or wages in lieu of notice are paid by the employer. (Page 15, Line 33)
- Amends Code Section 91C.2 to add the requirement that an out-of-state contractor file a surety bond with the IWD Division of Labor Services in the amount of \$25,000 for a one-year period or provide a statement specified in Code Section 314.1 to the Division that the contractor has prequalified to bid on specified contracts. (Page 16, Line 9)
- Amends Code Section 91C.7 to replace the current surety bond requirements for out-of-state contractors with the requirements specified in Code Section 91C.2. (Page 16, Line 23)
- Amends Code Section 123.143(3) to appropriate the Beer Gallonage Tax directly to the DED for the promotion of Iowa wine and beer. (Page 17, Line 11)
- Extends the due date of the required annual report produced by the Iowa Studies Committee on the utilization of the Iowa Studies Professional Development Plan to June 30, 2012, and extends the final report due date to January 15, 2013. (Page 17, Line 22)
- Extends the repeal date of the Iowa Studies Committee to July 1, 2013. (Page 18, Line 1)
- Requires nonreversion of FY 2010 funds appropriated for matching funds for the United States Department of Housing and Urban Development's Main Street Challenge Grants for historic building preservation. (Page 18, Line 4)
- Specifies the Section regarding nonreversion of FY 2010 funds appropriated for matching funds for the United States Department of Housing and Urban Development's Main Street Challenge Grants for historic building preservation, and the Sections regarding the Iowa Studies Committee are effective on enactment. (Page 18, Line 15)
- This Act was approved by the General Assembly on March 25, 2010, and signed by the Governor on April 28, 2010.

## EFFECTIVE DATE

## ENACTMENT DATE

House File 2522 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
3	11	3.1(d)	Nwthstnd	Sec. 8.33	Administration Division Nonreversion
4	31	3.2(g)	Nwthstnd	Sec. 8.33	Business Development Division Nonreversion
5	21	3.3(d)	Nwthstnd	Sec. 8.33	Community Development Division Nonreversion
5	26	3.4	Nwthstnd	Sec. 15.368(1)	World Food Prize Standing Reduction
5	33	3.5	Nwthstnd	Sec. 8.33	Main Street Challenge Grants Matching Funds
6	9	3.6	Nwthstnd	Sec. 8.33	Iowa Commission on Volunteer Services Nonreversion
6	26	6	Nwthstnd	Sec. 15E.120(5)	Community Development Loan Fund
7	17	9	Nwthstnd	Sec. 15.251	Job Training Fund
9	5	10.5	Nwthstnd	Sec. 8.33	Iowa State University Nonreversion
9	28	11.3	Nwthstnd	Sec. 8.33	University of Iowa Nonreversion
10	19	12.3	Nwthstnd	Sec. 8.33	University of Northern Iowa Nonreversion
12	30	14.6	Nwthstnd	Sec. 8.33	Workforce Development Nonreversion
13	28	18	Nwthstnd	Sec. 96.9(8)(e)	Appropriation of Unemployment Compensation Reserve Fund Interest
15	3	23	Amends	Sec. 15E.117	Midwest Grape and Wine Allocation
15	24	24	Amends	Sec. 84C.2(8)	Part-Time Employee Definition
15	33	25	Amends	Sec. 84C.4	30-Day Business Closing Notice
16	9	26 and 27	Amends	Sec. 91C.2	Out-of-State Contractor Surety Bond
16	23	28	Amends	Sec. 91C.7	Out-of-State Contractor Surety Bond
17	11	29	Amends	Sec. 123.143(3)	Beer Gallonage Tax Appropriation
17	22	23	Amends	Sec. 303.17(4)(b) and (c)	Iowa Studies Committee Reports
18	1	24	Amends	Sec. 303.17(5)	Iowa Studies Committee Repeal
18	4	25	Amends	Sec. 3, Chapter 176, 2009 Iowa Acts	Nonreversion of FY 2010 Main Street Challenge Grants

1 1 Section 1. DEPARTMENT OF CULTURAL AFFAIRS. There is  
 1 2 appropriated from the general fund of the state to the  
 1 3 department of cultural affairs for the fiscal year beginning  
 1 4 July 1, 2010, and ending June 30, 2011, the following amounts,  
 1 5 or so much thereof as is necessary, to be used for the purposes  
 1 6 designated:

1 7 1. ADMINISTRATION

1 8 For salaries, support, maintenance, miscellaneous purposes,  
 1 9 and for not more than the following full-time equivalent  
 1 10 positions for the department:  
 1 11 ..... \$ 212,069  
 1 12 ..... FTEs 74.50

General Fund appropriation to the Department of Cultural Affairs for the Administration Division.

DETAIL: This is no change in funding and a decrease of 8.27 FTE positions compared to estimated net FY 2010 to adjust the FTE positions to the anticipated usage.

1 13 The department of cultural affairs shall coordinate  
 1 14 activities with the tourism office of the department of  
 1 15 economic development to promote attendance at the state  
 1 16 historical building and at this state's historic sites.

Requires the Department of Cultural Affairs to coordinate with the Department of Economic Development to promote attendance at the State Historical Building and State's Historic Sites.

1 17 Full-time equivalent positions authorized under this  
 1 18 subsection shall be funded, in full or in part, using moneys  
 1 19 appropriated under this subsection and subsections 3 through 7.

Specifies that the authorized FTE positions are to be funded with moneys appropriated for the following:

- Administration
- Historic Division
- Historic Sites
- Arts Division
- Great Places
- Archive Iowa Governors' Records

1 20 2. COMMUNITY CULTURAL GRANTS

1 21 For planning and programming for the community cultural  
 1 22 grants program established under section 303.3:  
 1 23 ..... \$ 273,500

General Fund appropriation to the Department of Cultural Affairs for the Community Cultural Grants Program.

DETAIL: This is no change compared to estimated net FY 2010.

1 24 3. HISTORICAL DIVISION

General Fund appropriation to the Department of Cultural Affairs for



PG LN	House File 2522	Explanation
1 25	For the support of the historical division:	the Historical Division.
1 26	..... \$ 3,195,107	DETAIL: This is no change compared to estimated net FY 2010.
1 27	4. HISTORIC SITES	General Fund appropriation to the Department of Cultural Affairs for Historic Sites.
1 28	For the administration and support of historic sites:	
1 29	..... \$ 493,060	DETAIL: This is no change compared to estimated net FY 2010.
1 30	5. ARTS DIVISION	General Fund appropriation to the Department of Cultural Affairs for the Arts Division.
1 31	For the support of the arts division:	
1 32	..... \$ 1,023,712	DETAIL: This is no change compared to estimated net FY 2010.
1 33	6. GREAT PLACES	General Fund appropriation to the Great Places Initiative of the Department of Cultural Affairs.
1 34	For the great places program:	
1 35	..... \$ 214,869	DETAIL: This is no change compared to estimated net FY 2010.
2 1	7. ARCHIVE IOWA GOVERNORS' RECORDS	General Fund appropriation to the Department of Cultural Affairs for archiving papers of former governors.
2 2	For archiving the records of Iowa governors:	
2 3	..... \$ 70,142	DETAIL: This is no change compared to estimated net FY 2010.
2 4	8. RECORDS CENTER RENT	General Fund appropriation to the Department of Cultural Affairs for rent of the Records Center.
2 5	For payment of rent for the state records center:	
2 6	..... \$ 227,243	DETAIL: This is an increase of \$27,427 compared to estimated net FY 2010 for the following:
		<ul style="list-style-type: none"> <li>• An increase of \$22,202 to restore the FY 2010 across-the-board (ATB) reduction.</li> <li>• An increase of \$5,225 to provide for additional rental costs.</li> </ul>
2 7	Sec. 2. GOALS AND ACCOUNTABILITY == ECONOMIC DEVELOPMENT.	Requires the goals for the Department of Economic Development

2 8 1. For the fiscal year beginning July 1, 2010, the goals for  
 2 9 the department of economic development shall be to expand and  
 2 10 stimulate the state economy, increase the wealth of Iowans, and  
 2 11 increase the population of the state.

2 12 2. To achieve the goals in subsection 1, the department  
 2 13 of economic development shall do all of the following for the  
 2 14 fiscal year beginning July 1, 2010:

2 15 a. Concentrate its efforts on programs and activities that  
 2 16 result in commercially viable products and services.

2 17 b. Adopt practices and services consistent with free  
 2 18 market, private sector philosophies.

2 19 c. Ensure economic growth and development throughout the  
 2 20 state.

(DED) to include:

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

To achieve the goals, the DED 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 Statewide economic growth and development.

2 21 Sec. 3. DEPARTMENT OF ECONOMIC DEVELOPMENT. There is  
 2 22 appropriated from the general fund of the state to the  
 2 23 department of economic development for the fiscal year  
 2 24 beginning July 1, 2010, and ending June 30, 2011, the following  
 2 25 amounts, or so much thereof as is necessary, to be used for the  
 2 26 purposes designated:

#### 2 27 1. ADMINISTRATION DIVISION

2 28 a. For salaries, support, maintenance, miscellaneous  
 2 29 purposes, and programs; for transfer to the Iowa state  
 2 30 commission grant program; and for not more than the following  
 2 31 full-time equivalent positions for the department's three  
 2 32 divisions:

2 33 ..... \$ 1,976,046  
 2 34 ..... FTEs 149.00

General Fund appropriation to the Administration Division of the DED.

DETAIL: This is an increase of \$150,000 and no change in FTE position compared to estimated net FY 2010 to restore a portion of the \$618,691 FY 2010 ATB reduction.

2 35 b. The department shall work with businesses and  
 3 1 communities to continually improve the economic development  
 3 2 climate along with the economic well-being and quality of life

Requires the Administration Division to work with businesses and communities to improve the economic development climate, the economic well-being, and the quality of life for Iowans. Requires the Division to coordinate with other State agencies to ensure State

3 3 for lowans. The administration division shall coordinate with  
 3 4 other state agencies to ensure that all state departments are  
 3 5 attentive to the needs of an entrepreneurial culture.

departments are attentive to the needs of an entrepreneurial culture.

3 6 c. Full-time equivalent positions authorized under this  
 3 7 subsection shall be funded, in full or in part, using moneys  
 3 8 appropriated under this subsection and subsections 2 and 3  
 3 9 and by certain federal moneys or other moneys received by the  
 3 10 department.

The authorized FTE positions are to be funded with moneys appropriated for the following, federal monies, or other monies received by the Department:

- Economic Development Administration
- Business Development
- Community Development

3 11 d. Notwithstanding section 8.33, moneys appropriated in  
 3 12 this subsection that remain unencumbered or unobligated at the  
 3 13 close of the fiscal year shall not revert but shall remain  
 3 14 available for expenditure for the purposes designated until the  
 3 15 close of the succeeding fiscal year.

CODE: Requires nonreversion of funds appropriated for the Administration Division.

## 3 16 2. BUSINESS DEVELOPMENT DIVISION

3 17 a. For business development operations and programs, the  
 3 18 film office, international trade, export assistance, workforce  
 3 19 recruitment, and the partner state program; for transfer to the  
 3 20 strategic investment fund; for transfer to the grow Iowa values  
 3 21 fund; and for the support of the business development division:  
 3 22 ..... \$ 5,346,536

General Fund appropriation to the Business Development Division of the DED.

DETAIL: This is no change compared to estimated net FY 2010.

3 23 b. The department shall establish a strong and aggressive  
 3 24 marketing image to showcase Iowa's workforce, existing  
 3 25 industry, and potential. A priority shall be placed on  
 3 26 recruiting new businesses, business expansion, and retaining  
 3 27 existing Iowa businesses. Emphasis shall also be placed on  
 3 28 entrepreneurial development through helping to secure capital  
 3 29 for entrepreneurs, and developing networks and a 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.

3 30 climate conducive to entrepreneurs and small business.

3 31 c. A business creating jobs with economic development  
3 32 assistance through moneys appropriated in this subsection shall  
3 33 be subject to contract provisions stating that new and retained  
3 34 jobs shall be filled by individuals who are citizens of the  
3 35 United States who reside within the United States or any person  
4 1 authorized to work in the United States pursuant to federal  
4 2 law, including legal resident aliens in the United States. Any  
4 3 vendor who receives such public moneys shall adhere to such  
4 4 contract provisions and provide periodic assurances as the  
4 5 state shall require that the jobs are filled solely by citizens  
4 6 of the United States who reside within the United States or  
4 7 any person authorized to work in the United States pursuant  
4 8 to federal law, including legal resident aliens in the United  
4 9 States. A business that receives financial assistance from  
4 10 the department from moneys appropriated in this bill shall  
4 11 only employ individuals legally authorized to work in this  
4 12 state. In addition to all other applicable penalties provided  
4 13 by current law, all or a portion of the assistance received  
4 14 by a business which is found to knowingly employ individuals  
4 15 not legally authorized to work in this state is subject to  
4 16 recapture by the department.

4 17 d. From the moneys appropriated in this subsection, the  
4 18 department may provide financial assistance in the form of a  
4 19 grant to a community economic development entity for conducting  
4 20 a local workforce recruitment effort designed to recruit former  
4 21 citizens of the state and former students at colleges and  
4 22 universities in the state to meet the needs of local employers.

4 23 e. From the moneys appropriated in this subsection, the  
4 24 department may provide financial assistance to early-stage  
4 25 industry companies being established by women entrepreneurs.

4 26 f. From the moneys appropriated in this subsection, the

Requires a business creating jobs with economic development assistance from the Business Development appropriation 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 that receives public moneys from the DED through the Business Development appropriation to adhere to these contract provisions and provide periodic assurances of compliance.

Specifies businesses receiving financial assistance from the DED, from monies appropriated in this Act, are to employ only individuals legally authorized to work in the State. Permits the DED to recapture all or a portion of any financial assistance provided to a business that is found to have knowingly employed individuals not legally authorized to work in the State.

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.

Permits the DED to provide financial assistance to early-stage industry companies being established by women entrepreneurs.

Permits the DED to provide financial assistance for advanced

4 27 department may provide financial assistance in the form of  
 4 28 grants, loans, or forgivable loans for advanced research and  
 4 29 commercialization projects involving value-added agriculture,  
 4 30 advanced technology, or biotechnology.

research and commercialization projects involving value-added agriculture, advanced technology, or biotechnology.

4 31 g. Notwithstanding section 8.33, moneys appropriated in  
 4 32 this subsection that remain unencumbered or unobligated at the  
 4 33 close of the fiscal year shall not revert but shall remain  
 4 34 available for expenditure for the purposes designated until the  
 4 35 close of the succeeding fiscal year.

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

### 5 1 3. COMMUNITY DEVELOPMENT DIVISION

5 2 a. For support, maintenance, miscellaneous purposes,  
 5 3 community economic development programs, tourism operations,  
 5 4 community assistance, plans for Iowa green corps and summer  
 5 5 youth programs, the mainstreet and rural mainstreet programs,  
 5 6 the school-to-career program, the community development block  
 5 7 grant, and housing and shelter-related programs:  
 5 8 ..... \$ 5,063,917

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

DETAIL: This is no change compared to estimated net FY 2010.

5 9 b. The department shall encourage development of  
 5 10 communities and quality of life to foster economic growth. The  
 5 11 department shall prepare communities for future growth and  
 5 12 development through development, expansion, and modernization  
 5 13 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.

5 14 c. The department shall develop public-private partnerships  
 5 15 with Iowa businesses in the tourism industry, Iowa tour groups,  
 5 16 Iowa tourism organizations, and political subdivisions in this  
 5 17 state to assist in the development of advertising efforts.  
 5 18 The department shall, to the fullest extent possible, develop  
 5 19 cooperative efforts for advertising with contributions from  
 5 20 other sources.

Requires the DED 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 DED is to maximize contributions from other sources for this purpose.

5 21 d. Notwithstanding section 8.33, moneys appropriated in  
 5 22 this subsection that remain unencumbered or unobligated at the  
 5 23 close of the fiscal year shall not revert to any fund but shall  
 5 24 remain available for expenditure for the designated purposes  
 5 25 during the succeeding fiscal year.

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

5 26 4. For allocating moneys for the world food prize and  
 5 27 notwithstanding section 15.368, subsection 1:  
 5 28 ..... \$ 650,000

General Fund appropriation to the World Food Prize.

DETAIL: This is a decrease of \$100,000 compared to estimated net FY 2010.

CODE: Reduces the standing limited appropriation of \$1,000,000 for the World Food Prize.

NOTE: An additional FY 2011 appropriation of \$100,000 from the Rebuild Iowa Infrastructure Fund (RIIF) was provided for in SF 2389 (Transportation, Infrastructure, and Capitals Act).

5 29 5. For use as matching funds for the United States  
 5 30 department of housing and urban development's main street  
 5 31 challenge grants for historic building preservation:  
 5 32 ..... \$ 165,775

General Fund appropriation to provide matching funds for the United States Department of Housing and Urban Development's Main Street Challenge Grants for historic building preservation.

DETAIL: This is no change compared to estimated net FY 2010.

5 33 Notwithstanding section 8.33, moneys appropriated in this  
 5 34 subsection that remain unencumbered or unobligated at the close  
 5 35 of the fiscal year shall not revert but shall remain available  
 6 1 for expenditure for the purposes designated until the close of  
 6 2 the succeeding fiscal year.

CODE: Requires nonreversion of FY 2011 funds appropriated for matching funds for the United States Department of Housing and Urban Development's Main Street Challenge Grants for historic building preservation.

6 3 6. For allocation to the Iowa commission on volunteer  
 6 4 service for the Iowa's promise and mentoring partnership  
 6 5 program and for not more than the following full-time  
 6 6 equivalent positions:  
 6 7 ..... \$ 112,500

General Fund appropriation to the Iowa Commission on Volunteer Services for the Iowa's Promise and Mentoring Partnership Program.

DETAIL: This is no change compared to estimated net FY 2010.

6 8 ..... FTEs 1.00

6 9 Notwithstanding section 8.33, moneys appropriated in this  
6 10 subsection that remain unencumbered or unobligated at the close  
6 11 of the fiscal year shall not revert but shall remain available  
6 12 for expenditure for the purposes designated until the close of  
6 13 the succeeding fiscal year.

CODE: Requires nonreversion of funds appropriated to the Iowa Commission on Volunteer Service.

6 14 Sec. 4. VISION IOWA PROGRAM == FTE AUTHORIZATION. For  
6 15 purposes of administrative duties associated with the vision  
6 16 Iowa program, the department of economic development is  
6 17 authorized an additional 2.25 FTEs above those otherwise  
6 18 authorized in this Act.

Authorizes 2.25 FTE positions for the Vision Iowa Program.

DETAIL: Maintains the current FTE level.

6 19 Sec. 5. INSURANCE ECONOMIC DEVELOPMENT. From the moneys  
6 20 collected by the division of insurance in excess of the  
6 21 anticipated gross revenues under section 505.7, subsection 3,  
6 22 during the fiscal year beginning July 1, 2010, \$100,000 shall  
6 23 be transferred to the department of economic development for  
6 24 insurance economic development and international insurance  
6 25 economic development.

Insurance receipts appropriation to the DED for insurance economic development.

DETAIL: Maintains the current level of support. 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.

6 26 Sec. 6. COMMUNITY DEVELOPMENT LOAN FUND. Notwithstanding  
6 27 section 15E.120, subsection 5, there is appropriated from the  
6 28 Iowa community development loan fund all the moneys available  
6 29 during the fiscal year beginning July 1, 2010, and ending June  
6 30 30, 2011, to the department of economic development for the  
6 31 community development program to be used by the department for  
6 32 the purposes of the program.

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

DETAIL: There are no funds available in the Fund and no receipts are anticipated for FY 2010 or FY 2011 as there will be no loan repayments.

6 33 Sec. 7. WORKFORCE DEVELOPMENT FUND. There is appropriated  
6 34 from the workforce development fund account created in section  
6 35 15.342A to the workforce development fund created in section  
7 1 15.343 for the fiscal year beginning July 1, 2010, and ending

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

DETAIL: This is no change compared to estimated net FY 2010.

7 2 June 30, 2011, the following amount, for the purposes of the  
 7 3 workforce development fund, and for not more than the following  
 7 4 full-time equivalent positions:  
 7 5 ..... \$ 4,000,000  
 7 6 ..... FTEs 4.00

7 7 Sec. 8. WORKFORCE DEVELOPMENT ADMINISTRATION. From moneys  
 7 8 appropriated or transferred to or receipts credited to the  
 7 9 workforce development fund created in section 15.343, up to  
 7 10 \$400,000 for the fiscal year beginning July 1, 2010, and ending  
 7 11 June 30, 2011, are appropriated to the department of economic  
 7 12 development for the administration of workforce development  
 7 13 activities including salaries, support, maintenance, and  
 7 14 miscellaneous purposes, and for not more than the following  
 7 15 full-time equivalent positions:  
 7 16 ..... FTEs 4.00

Permits 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: This is no change compared to estimated net FY 2010.

NOTE: The funding for the authorized expenditures is provided in the form of a transfer to the Workforce Development Fund as specified in the Section below.

7 17 Sec. 9. JOB TRAINING FUND. Notwithstanding section 15.251,  
 7 18 all moneys in the job training fund on July 1, 2010, and any  
 7 19 moneys appropriated or credited to the fund during the fiscal  
 7 20 year beginning July 1, 2010, shall be transferred to the  
 7 21 workforce development fund established pursuant to section  
 7 22 15.343.

CODE: Requires funds credited to the Jobs Training Fund from the 1.00% administration fee for FY 2010, to be transferred to the Workforce Development Fund and not the Workforce Development Account.

DETAIL: The transfer amount is estimated to be approximately \$400,000 annually for FY 2010 and FY 2011.

7 23 Sec. 10. IOWA STATE UNIVERSITY.

7 24 1. There is appropriated from the general fund of the state  
 7 25 to Iowa state university of science and technology for the  
 7 26 fiscal year beginning July 1, 2010, and ending June 30, 2011,  
 7 27 the following amount, or so much thereof as is necessary, to  
 7 28 be used for small business development centers, the science  
 7 29 and technology research park, and the institute for physical  
 7 30 research and technology, and for not more than the following  
 7 31 full-time equivalent positions:  
 7 32 ..... \$ 2,575,983

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: This is an increase of \$100,000 compared to estimated net FY 2010 for Small Business Development Centers.



7 33 ..... FTEs 56.63

7 34 2. Of the moneys appropriated in subsection 1, Iowa state  
 7 35 university of science and technology shall allocate at least  
 8 1 \$994,929 for purposes of funding small business development  
 8 2 centers. If moneys allocated pursuant to this subsection  
 8 3 exceed the amount allocated for small business centers in 2009  
 8 4 Iowa Acts, chapter 176, section 11, subsection 2, at least  
 8 5 \$100,000 of the moneys allocated pursuant to this subsection  
 8 6 shall be used to increase the assistance to small businesses  
 8 7 for providing one-on-one business planning and marketing  
 8 8 counseling. Iowa state university of science and technology  
 8 9 may allocate moneys appropriated in subsection 1 to the various  
 8 10 small business development centers in any manner necessary to  
 8 11 achieve the purposes of this subsection.

8 12 3. Iowa state university of science and technology shall do  
 8 13 all of the following:  
 8 14 a. Direct expenditures for research toward projects that  
 8 15 will provide economic stimulus for Iowa.  
 8 16 b. Provide emphasis to providing services to Iowa-based  
 8 17 companies.

8 18 4. It is the intent of the general assembly that the  
 8 19 industrial incentive program focus on Iowa industrial  
 8 20 sectors and seek contributions and in-kind donations from  
 8 21 businesses, industrial foundations, and trade associations,  
 8 22 and that moneys for the institute for physical research and  
 8 23 technology industrial incentive program shall be allocated  
 8 24 only for projects which are matched by private sector moneys  
 8 25 for directed contract research or for nondirected research.  
 8 26 The match required of small businesses as defined in section  
 8 27 15.102, subsection 6, for directed contract research or for  
 8 28 nondirected research shall be \$1 for each \$3 of state funds.  
 8 29 The match required for other businesses for directed contract  
 8 30 research or for nondirected research shall be \$1 for each \$1 of

Requires an allocation of \$994,929 for Small Business Development Centers and allows ISU to allocate the moneys to the Small Business Development Centers in any manner necessary to achieve this purpose.

DETAIL: This is an increase of \$116,318 compared to the estimated net FY 2010 allocation to support the Small Business Development Centers. The change includes the following:

- An increase of \$100,000 to increase assistance to small businesses for providing one-on-one business planning and marketing counseling.
- An increase of \$16,318 to reflect the actual allocation to the Centers by the ISU.

Requires the ISU economic development programs to direct resources and efforts to projects and activities that:

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

Specifies it is the intent of the General Assembly that the Industrial 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 \$1.00 for each \$3.00 of State funds for small businesses or \$1.00 for each \$1.00 of State funds for larger businesses, industrial foundations, or trade organizations.

8 31 state funds. The match required of industrial foundations or  
8 32 trade associations shall be \$1 for each \$1 of state funds.

8 33 Iowa state university of science and technology shall  
8 34 report annually to the joint appropriations subcommittee on  
8 35 economic development and the legislative services agency the  
9 1 total amount of private contributions, the proportion of  
9 2 contributions from small businesses and other businesses, and  
9 3 the proportion for directed contract research and nondirected  
9 4 research of benefit to Iowa businesses and industrial sectors.

Requires ISU 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 made to the Industrial Incentive Program, the proportion from small businesses and other businesses, and the proportion for directed and non-directed research.

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

CODE: Requires nonreversion of funds appropriated to ISU.

9 10 Sec. 11. UNIVERSITY OF IOWA.

9 11 1. There is appropriated from the general fund of the state  
9 12 to the state university of Iowa for the fiscal year beginning  
9 13 July 1, 2010, and ending June 30, 2011, the following amount,  
9 14 or so much thereof as is necessary, to be used for the state  
9 15 university of Iowa research park and for the advanced drug  
9 16 development program at the Oakdale research park, including  
9 17 salaries, support, maintenance, equipment, miscellaneous  
9 18 purposes, and for not more than the following full-time  
9 19 equivalent positions:  
9 20 ..... \$ 222,372  
9 21 ..... FTEs 6.00

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

DETAIL: This is no change compared to estimated net FY 2010.

9 22 2. The state university of Iowa shall do all of the  
9 23 following:  
9 24 a. Direct expenditures for research toward projects that

Requires the SUI economic development programs to direct resources and efforts to projects and activities that:

9 25 will provide economic stimulus for Iowa.  
 9 26 b. Provide emphasis to providing services to Iowa-based  
 9 27 companies.

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

9 28 3. Notwithstanding section 8.33, moneys appropriated in  
 9 29 this section that remain unencumbered or unobligated at the  
 9 30 close of the fiscal year shall not revert but shall remain  
 9 31 available for expenditure for the purposes designated until the  
 9 32 close of the succeeding fiscal year.

CODE: Requires nonreversion of funds appropriated to SUI.

9 33 Sec. 12. UNIVERSITY OF NORTHERN IOWA.

9 34 1. There is appropriated from the general fund of the  
 9 35 state to the university of northern Iowa for the fiscal year  
 10 1 beginning July 1, 2010, and ending June 30, 2011, the following  
 10 2 amount, or so much thereof as is necessary, to be used for the  
 10 3 metal casting institute, the MyEntreNet internet application,  
 10 4 and the institute of decision making, including salaries,  
 10 5 support, maintenance, miscellaneous purposes, and for not more  
 10 6 than the following full-time equivalent positions:  
 10 7 ..... \$ 610,674  
 10 8 ..... FTEs 6.75

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

DETAIL: This is an increase of \$125,000 compared to estimated net  
 FY 2010 for expanded support of entrepreneurs through the  
 University's Regional Business Center.

10 9 Of the moneys appropriated pursuant to this subsection,  
 10 10 the university of northern Iowa shall allocate not more than  
 10 11 \$125,000 for purposes of expanded support of entrepreneurs  
 10 12 through the university's regional business center.

Requires an allocation of \$125,000 for expanded support of  
 entrepreneurs through the University's Regional Business Center.

DETAIL: This is a new allocation.

10 13 2. The university of northern Iowa shall do all of the  
 10 14 following:  
 10 15 a. Direct expenditures for research toward projects that  
 10 16 will provide economic stimulus for Iowa.  
 10 17 b. Provide emphasis to providing services to Iowa-based  
 10 18 companies.

Requires the UNI economic development programs to direct  
 resources and efforts to projects and activities that:

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

10 19 3. Notwithstanding section 8.33, moneys appropriated in  
 10 20 this section that remain unencumbered or unobligated at the  
 10 21 close of the fiscal year shall not revert but shall remain  
 10 22 available for expenditure for the purposes designated until the  
 10 23 close of the succeeding fiscal year.

CODE: Requires nonreversion of funds appropriated to the UNI.

10 24 Sec. 13. BOARD OF REGENTS REPORT. The state board of  
 10 25 regents shall submit a report on the progress of regents  
 10 26 institutions in meeting the strategic plan for technology  
 10 27 transfer and economic development to the secretary of the  
 10 28 senate, the chief clerk of the house of representatives, and  
 10 29 the legislative services agency by January 15, 2011.

Requires the Board of Regents to submit a report to the General Assembly and the Legislative Services Agency by January 15, 2011, regarding the progress of the Regents institutions in meeting the Strategic Plan for Technology Transfer and Economic Development.

10 30 Sec. 14. DEPARTMENT OF WORKFORCE DEVELOPMENT. There  
 10 31 is appropriated from the general fund of the state to the  
 10 32 department of workforce development for the fiscal year  
 10 33 beginning July 1, 2010, and ending June 30, 2011, the following  
 10 34 amounts, or so much thereof as is necessary, for the purposes  
 10 35 designated:

#### 11 1 1. DIVISION OF LABOR SERVICES

11 2 For the division of labor services, including salaries,  
 11 3 support, maintenance, miscellaneous purposes, and for not more  
 11 4 than the following full-time equivalent positions:  
 11 5 ..... \$ 3,495,440  
 11 6 ..... FTEs 64.00

General Fund appropriation to the Division of Labor Services of the Iowa Department of Workforce Development (IWD).

DETAIL: This is an increase of \$100,000 and a decrease of 4.15 FTE positions compared to estimated net FY 2010. The changes include the following:

- An increase of \$100,000 to restore a portion of the \$456,203 FY 2010 ATB reduction.
- A decrease of 4.15 FTE positions to adjust the FTE positions to the anticipated usage.

11 7 From the contractor registration fees, the division of labor

Requires the Division of Labor Services to reimburse the Employment

11 8 services shall reimburse the department of inspections and  
 11 9 appeals for all costs associated with hearings under chapter  
 11 10 91C, relating to contractor registration.

Appeals Board in the Department of Inspections and Appeals for the costs associated with hearings related to contractor registration from contractor registration fees.

## 11 11 2. DIVISION OF WORKERS' COMPENSATION

11 12 For the division of workers' compensation, including  
 11 13 salaries, support, maintenance, miscellaneous purposes, and for  
 11 14 not more than the following full-time equivalent positions:  
 11 15 ..... \$ 2,595,768  
 11 16 ..... FTEs 30.00

General Fund appropriation to the Division of Workers' Compensation of the IWD.

DETAIL: This is no change compared to estimated net FY 2010.

11 17 The division of workers' compensation shall charge a \$100  
 11 18 filing fee for workers' compensation cases. The filing fee  
 11 19 shall be paid by the petitioner of a claim. However, the fee  
 11 20 can be taxed as a cost and paid by the losing party, except  
 11 21 in cases where it would impose an undue hardship or be unjust  
 11 22 under the circumstances. The moneys generated by the filing  
 11 23 fee allowed under this subsection are appropriated to the  
 11 24 department of workforce development to be used for purposes of  
 11 25 administering the division of workers' compensation.

Requires the Workers' Compensation Division to continue to charge a \$100 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 IWD.

DETAIL: It is estimated the Division will collect approximately \$420,000 in fees for FY 2011. This is no change compared to estimated FY 2010.

NOTE: The filing fee was increased to \$100 in SF 478 (FY 2010 Standing Appropriations Act).

## 11 26 3. WORKFORCE DEVELOPMENT OPERATIONS

11 27 For the operation of field offices, the workforce  
 11 28 development board, and new lowans centers, and for not more  
 11 29 than the following full-time equivalent positions:  
 11 30 ..... \$ 11,293,047  
 11 31 ..... FTEs 88.28

General Fund appropriation to the IWD for operation of Field Offices, the Workforce Development Board, and New lowans Centers.

DETAIL: This is an increase of \$497,573 and 0.24 FTE position compared to estimated net FY 2010. The changes include:

- An increase of \$547,573 to restore a portion of the \$1,214,693 FY 2010 ATB reduction.
- An increase of 0.24 FTE positions to adjust the FTE positions to

the anticipated usage.

- A decrease of \$50,000 for the Workforce Development Board and the New Iowans Centers.

NOTE: An appropriation of \$6,500,000 from the Unemployment Compensation Reserve Fund to the Department for Field Offices is also provided in Section 18 of this Act. An additional appropriation of \$662,427 is provided in Section 17 from the Special Employment Security Contingency Fund.

11 32 Of the moneys appropriated in this subsection, the  
11 33 department shall allocate \$11,110,137 for the operation of  
11 34 field offices. The department shall not reduce the number of  
11 35 field offices below the number of field offices being operated  
12 1 as of January 1, 2009.

Specifies that \$11,110,137 of the General Fund appropriation for IWD Operations is to be used for the operation of Field Offices. Prohibits the IWD from reducing the number of Field Offices below the number in operation on January 1, 2009.

DETAIL: This is an increase of \$473,921 compared to estimated net FY 2010.

NOTE: This Act makes a General Fund allocation of \$11,110,137, appropriates \$6,500,000 from the Unemployment Compensation Reserve Fund, and appropriates \$662,427 from the Special Employment Security Contingency Fund for the Workforce Development Field Offices. The result is total funding for the Field Offices from all funds of \$18,272,564. This is an increase of \$776,348 compared to estimated net FY 2010. There are currently 55 Field Offices, including one-stop offices and State offices.

12 2 The department of workforce development shall make every  
12 3 effort to maintain new Iowans centers that offer one-stop  
12 4 services to deal with the multiple issues related to  
12 5 immigration and employment. The centers shall be designed to  
12 6 support workers, businesses, and communities with information,  
12 7 referrals, job placement assistance, translation, language  
12 8 training, and resettlement, as well as technical and legal  
12 9 assistance on such issues as forms and documentation. Through

Requires the IWD to make every effort to maintain New Iowans Centers. Requires the New Iowans Centers to offer one-stop services to workers, businesses, and communities. Requires seamless service delivery through government coordination and cooperation with public, private, and nonprofit entities.

12 10 the coordination of local, state, and federal service  
 12 11 providers, and through the development of partnerships with  
 12 12 public, private, and nonprofit entities with established  
 12 13 records of international service, these centers shall seek to  
 12 14 provide a seamless service delivery system for new lowans.

12 15 4. OFFENDER REENTRY PROGRAM

12 16 For the development and administration of an offender  
 12 17 reentry program to provide offenders with employment skills,  
 12 18 and for not more than the following full-time equivalent  
 12 19 positions:

12 20 ..... \$ 322,261

12 21 ..... FTEs 3.00

General Fund appropriation to the IWD for the Offender Reentry Program.

DETAIL: This is no change in General Fund support and an increase of 1.00 FTE position compared to estimated net FY 2010 to adjust the FTE positions to the current usage.

12 22 The department shall partner with the department of  
 12 23 corrections to provide staff within the correctional facilities  
 12 24 to improve offenders' abilities to find and retain productive  
 12 25 employment.

Requires the IWD to partner with the Department of Corrections to improve offenders' abilities to find and retain employment.

12 26 5. SECURITY EMPLOYEE TRAINING PROGRAM

12 27 For purposes of administration of a security employee  
 12 28 training program:

12 29 ..... \$ 13,033

General Fund appropriation to the IWD for a Security Employee Training Program.

DETAIL: This is no change compared to estimated net FY 2010.

12 30 6. Notwithstanding section 8.33, moneys appropriated  
 12 31 in subsections 1 through 4 of this section that remain  
 12 32 unencumbered or unobligated at the close of the fiscal year  
 12 33 shall not revert but shall remain available for expenditure  
 12 34 for the purposes designated until the close of the succeeding  
 12 35 fiscal year.

CODE: Requires nonreversion of funds appropriated to the IWD for the following:

- Division of Labor Services.
- Division of Workers' Compensation.
- Workforce Development Operations for Field Offices, the Workforce Development Board, and the New lowans Centers.
- Offender Reentry Program.

13 1 Sec. 15. ACCOUNTABILITY == AUDIT. The auditor of state

Requires the Auditor of State to annually conduct an audit, including

13 2 shall annually conduct an audit of the department of workforce  
 13 3 development and shall report the findings of such annual  
 13 4 audit, including the accountability of programs of the  
 13 5 department, to the chairpersons and ranking members of the  
 13 6 joint appropriations subcommittee on economic development. The  
 13 7 department shall pay for the costs associated with the audit.

the accountability of the Department's programs, and submit findings in a report to the Economic Development Appropriations Subcommittee. Requires the IWD to pay the cost of the audit.

13 8 Sec. 16. EMPLOYMENT SECURITY CONTINGENCY FUND == DIVISION  
 13 9 OF WORKERS' COMPENSATION. There is appropriated from the  
 13 10 special employment security contingency fund to the department  
 13 11 of workforce development for the fiscal year beginning July 1,  
 13 12 2010, and ending June 30, 2011, the following amount, or so  
 13 13 much thereof as is necessary, for the purposes designated:  
 13 14 For the division of workers' compensation, salaries,  
 13 15 support, maintenance, and miscellaneous purposes:  
 13 16 ..... \$ 471,000

Special Employment Security Contingency Fund (also called the Penalty and Interest Fund) appropriation to the IWD for the Workers' Compensation Division.

DETAIL: This is no change compared to estimated net FY 2010.

13 17 Any remaining additional penalty and interest revenue is  
 13 18 appropriated to and may be allocated and used to accomplish the  
 13 19 mission of the department.

Allows any remaining additional penalty and interest revenues to be used as needed by the IWD.

13 20 Sec. 17. WORKFORCE DEVELOPMENT == FIELD OFFICES. There is  
 13 21 appropriated from the special employment security contingency  
 13 22 fund to the department of workforce development for the fiscal  
 13 23 year beginning July 1, 2010, and ending June 30, 2011, the  
 13 24 following amount, or so much thereof as is necessary, to be  
 13 25 used for the purposes designated:  
 13 26 For field offices:  
 13 27 ..... \$ 662,427

Special Employment Security Contingency Fund (also called the Penalty and Interest Fund) appropriation to the IWD for operation of the Field Offices.

DETAIL: This is an increase of \$302,427 compared to estimated net FY 2010.

NOTE: This Act makes a General Fund allocation of \$11,110,137, appropriates \$662,427 from the Special Employment Security Contingency Fund, and appropriates \$6,500,000 from the Unemployment Compensation Reserve Fund, for the Workforce Development Field Offices. The result is total funding for the Field Offices from all funds of \$18,272,564. This is an increase of \$776,348 compared to estimated net FY 2010.

13 28 Sec. 18. UNEMPLOYMENT COMPENSATION RESERVE FUND.

Unemployment Compensation Reserve Fund interest appropriation to



13 29 Notwithstanding section 96.9, subsection 8, paragraph "e",  
 13 30 there is appropriated from interest earned on the unemployment  
 13 31 compensation reserve fund to the department of workforce  
 13 32 development for the fiscal year beginning July 1, 2010, and  
 13 33 ending June 30, 2011, the following amount or so much thereof  
 13 34 as is necessary, for the purposes designated:  
 13 35 For the operation of field offices:  
 14 1 ..... \$ 6,500,000

the IWD for operation of the Field Offices.

DETAIL: This is no change compared to FY 2010.

CODE: Complies with the requirement that the funds may only be used if appropriated.

NOTE: This Act makes a General Fund allocation of \$11,110,137, appropriates \$662,427 from the Special Employment Security Contingency Fund, and appropriates \$6,500,000 from the Unemployment Compensation Reserve Fund, for the Workforce Development Field Offices. The result is total funding for the Field Offices from all funds of \$18,272,564. This is an increase of \$776,348 compared to estimated net FY 2010.

14 2 Sec. 19. EMPLOYEE MISCLASSIFICATION PROGRAM == GENERAL  
 14 3 FUND. There is appropriated from the general fund of the state  
 14 4 to the department of workforce development for the fiscal year  
 14 5 beginning July 1, 2010, and ending June 30, 2011, the following  
 14 6 amount, or so much thereof as is necessary, to be used for the  
 14 7 purposes designated:  
 14 8 For enhancing efforts to investigate employers that  
 14 9 misclassify workers:  
 14 10 ..... \$ 500,000  
 14 11 ..... FTEs 8.10

General Fund appropriation to the IWD for investigation of employers that misclassify workers.

DETAIL: This is an increase of \$50,000 in General Fund support and an increase of 8.10 FTE positions compared to estimated net FY 2010 to adjust the FTE positions to the current usage.

14 12 Sec. 20. PUBLIC EMPLOYMENT RELATIONS BOARD. There is  
 14 13 appropriated from the general fund of the state to the public  
 14 14 employment relations board for the fiscal year beginning July  
 14 15 1, 2010, and ending June 30, 2011, the following amount, or so  
 14 16 much thereof as is necessary, for the purposes designated:  
 14 17 For salaries, support, maintenance, miscellaneous purposes,  
 14 18 and for not more than the following full-time equivalent  
 14 19 positions:  
 14 20 ..... \$ 1,101,903  
 14 21 ..... FTEs 10.00

General Fund appropriation to the Public Employment Relations Board.

DETAIL: This is an increase of \$50,000 and no change in FTE positions compared to estimated net FY 2010 to restore a portion of the \$116,878 FY 2010 ATB reduction and to reduce days off without pay.

14 22 Of the moneys appropriated in this section, the board  
 14 23 shall allocate \$15,000 for maintaining a website that allows  
 14 24 searchable access to a database of collective bargaining  
 14 25 information.

Requires an allocation of \$15,000 for maintaining a searchable website database of collective bargaining information.

DETAIL: This is no change compared to the FY 2010 allocation.

14 26 Sec. 21. IOWA FINANCE AUTHORITY AUDIT. The auditor of state  
 14 27 is requested to review the audit of the Iowa finance authority  
 14 28 performed by the auditor hired by the authority.

Requests the Auditor of State to review the outside audit of the Iowa Finance Authority.

14 29 Sec. 22. UNEMPLOYMENT COMPENSATION PROGRAM. Notwithstanding  
 14 30 section 96.9, subsection 4, paragraph "a", moneys credited to  
 14 31 the state by the secretary of the treasury of the United  
 14 32 States pursuant to section 903 of the Social Security  
 14 33 Act are appropriated to the department of workforce  
 14 34 development and shall be used by the department for the  
 14 35 administration of the unemployment compensation program only.  
 15 1 This appropriation shall not apply to any fiscal year  
 15 2 beginning after December 31, 2009.

CODE: Permits expenditure of funds in the Unemployment Compensation Reserve Fund without specifying the amount for each purpose.

15 3 Sec. 23. Section 15E.117, Code 2009, is amended to read as  
 15 4 follows:

15 5 15E.117 Promotion of Iowa wine and beer.

15 6 1. The department of economic development shall consult  
 15 7 with the Iowa wine and beer promotion board on the best means  
 15 8 to promote wine and beer made in Iowa.

15 9 2. The department has the authority to contract with private  
 15 10 persons for the promotion of beer and wine made in Iowa. ~~At the~~  
 15 11 ~~direction of the department, the director of the department of~~  
 15 12 ~~administrative services shall issue warrants to the department~~  
 15 13 ~~of economic development on the barrel tax fund created in~~  
 15 14 ~~section 123.143 and the wine gallonage tax fund created in~~  
 15 15 ~~section 123.183, which moneys~~

15 16 3. a. Moneys appropriated to the department pursuant to  
 15 17 sections 123.143 and 123.183 may be used by the department for  
 15 18 the purpose purposes of this section, including administrative

CODE: Amends Code Section 15E.117 to require \$100,000 of the Beer Gallonage Tax and the Wine Gallonage Tax appropriated to the DED to be allocated to the Midwest Grape and Wine Industry Institute at Iowa State University

15 19 expenses incurred under this section.  
 15 20 b. Of the moneys appropriated to the department pursuant  
 15 21 to section 123.183, the department shall allocate one hundred  
 15 22 thousand dollars to the midwest grape and wine industry  
 15 23 institute at Iowa state university of science and technology.

15 24 Sec. 24. Section 84C.2, if enacted by 2010 Iowa Acts, House  
 15 25 File 681, section 2, subsection 8, is amended as follows:  
 15 26 8. "Part-time employee" means an employee who is employed  
 15 27 for an average of fewer than twenty hours per week or an  
 15 28 employee, including a full-time employee, who has been employed  
 15 29 for fewer than six of the twelve months preceding the date on  
 15 30 which notice is required. However, if an applicable collective  
 15 31 bargaining agreement defines a part-time employee, such  
 15 32 definition shall supersede the definition in this subsection.

CODE: Amends Code Section 84C.2(8) that provides the definition of "part-time employee" as enacted in HF 681 (Iowa Worker Adjustment and Retraining Notification Act) to prevent the definition from superseding the definition in a collective bargaining agreement. House File 681 was enacted March 22, 2010.

15 33 Sec. 25. Section 84C.4, if enacted by 2010 Iowa Acts, House  
 15 34 File 681, section 4, is amended by adding the following new  
 15 35 subsection:  
 16 1 NEW SUBSECTION . 7. Wages in lieu of notice. The thirty-day  
 16 2 notice requirement in section 84C.3 may be reduced by the  
 16 3 number of days for which severance payments or wages in lieu of  
 16 4 notice are paid by the employer to the employee for work days  
 16 5 occurring during the notice period. A severance payment or  
 16 6 wages in lieu of notice shall be at least an amount equivalent  
 16 7 to the regular pay the employee would earn for the work days  
 16 8 occurring during the notice period.

CODE: Amends Code Section 84C.4 (as enacted in HF 681) by adding a new paragraph to reduce the required 30-day notice of a business closing or a mass layoff by the number of days that severance payments or wages in lieu of notice are paid by the employer.

16 9 Sec. 26. Section 91C.2, unnumbered paragraph 1, Code 2009,  
 16 10 is amended to read as follows:  
 16 11 A contractor doing business in this state shall register  
 16 12 with the labor commissioner and shall meet ~~both~~ all of the  
 16 13 following requirements as a condition of registration:  
 16 14 Sec. 27. Section 91C.2, Code 2009, is amended by adding the  
 16 15 following new subsection:  
 16 16 NEW SUBSECTION . 3. An out-of-state contractor shall

CODE: Amends Code Section 91C.2 to add the requirement that an out-of-state contractor file a surety bond with the Department of Workforce Development Division of Labor Services in the amount of \$25,000 for a one-year period or provide a statement specified in Code Section 314.1 to the Division that the contractor has prequalified to bid on specified contracts.

16 17 either file a surety bond, as provided in section 91C.7, with  
16 18 the division of labor services in the amount of twenty-five  
16 19 thousand dollars for a one-year period or shall provide a  
16 20 statement to the division of labor services that the contractor  
16 21 is prequalified to bid on projects for the department of  
16 22 transportation pursuant to section 314.1.

16 23 Sec. 28. Section 91C.7, subsection 2, Code Supplement 2009,  
16 24 is amended to read as follows:  
16 25 2. ~~a. An out-of-state contractor, before commencing a~~  
16 26 ~~contract in excess of five thousand dollars in value in Iowa,~~  
16 27 ~~shall file a bond with the division of labor services of the~~  
16 28 ~~department of workforce development. The~~ A surety bond filed  
16 29 pursuant to section 91C.2 shall be executed by a surety company  
16 30 authorized to do business in this state, and the bond shall  
16 31 be continuous in nature until canceled by the surety with not  
16 32 less than thirty days' written notice to the contractor and to  
16 33 the division of labor services of the department of workforce  
16 34 development indicating the surety's desire to cancel the bond.  
16 35 The surety company shall not be liable under the bond for any  
17 1 contract commenced after the cancellation of the bond. ~~The~~  
17 2 ~~bond shall be in the sum of the greater of the following:~~  
17 3 ~~(1) One thousand dollars.~~  
17 4 ~~(2) Five percent of the contract price.~~  
17 5 b. An out-of-state contractor may file a blanket bond  
17 6 in an amount at least equal to fifty thousand dollars for a  
17 7 two-year period in lieu of filing an individual bond for each  
17 8 contract. The division of labor services of the department  
17 9 of workforce development may increase the bond amount after a  
17 10 hearing.

17 11 Sec. 29. Section 123.143, subsection 3, Code 2009, is  
17 12 amended to read as follows:  
17 13 3. Barrel tax revenues collected on beer manufactured in  
17 14 this state from a class "A" permittee which owns and operates  
17 15 a brewery located in Iowa shall be credited to the barrel tax

CODE: Amends Code Section 91C.7 to replace the current surety bond requirements for out-of-state contractors with the requirements specified in Code Section 91C.2.

CODE: Amends Code Section 123.143(3) to appropriate the Beer Gallonage Tax directly to the DED for the promotion of Iowa wine and beer.

17 16 fund hereby created in the office of the treasurer of state.  
 17 17 Moneys deposited in the barrel tax fund shall not revert to  
 17 18 the general fund of the state without a specific appropriation  
 17 19 by the general assembly. Moneys in the barrel tax fund are  
 17 20 appropriated to the department of economic development for  
 17 21 purposes of section 15E.117.

17 22 Sec. 30. Section 303.17, subsection 4, paragraphs b and c,  
 17 23 Code 2009, are amended to read as follows:  
 17 24 b. Submit, for school years ending on or before June 30,  
 17 25 ~~2009~~ 2012, an annual status report on the utilization of the  
 17 26 Iowa studies professional development plan in Iowa's school  
 17 27 districts and accredited nonpublic schools to the chairpersons  
 17 28 and ranking members of the senate and house committees on  
 17 29 education by January 15. The annual report shall include the  
 17 30 number of schools utilizing the plan.  
 17 31 c. Submit its findings and recommendations in a final  
 17 32 report based upon the evaluation data compiled in accordance  
 17 33 with subsection 3 to the chairpersons and ranking members of  
 17 34 the senate and house committees on education by January 15,  
 17 35 ~~2010~~ 2013.

CODE: Extends the due date of the required annual report produced by the Iowa Studies Committee on the utilization of the Iowa Studies Professional Development Plan to June 30, 2012, and extends the final report due date to January 15, 2013.

NOTE: The Department of Cultural Affairs develops the Iowa Studies Professional Development Plan that includes professional development materials and training measures to provide Iowa's teachers with effective ways to infuse Iowa studies into their classrooms. The Plan includes lesson plans covering Iowa history, civics, government, and heritage studies.

18 1 Sec. 31. Section 303.17, subsection 5, Code 2009, is amended  
 18 2 to read as follows:  
 18 3 5. This section is repealed effective July 1, ~~2010~~ 2013.

CODE: Extends the repeal date of the Iowa Studies Committee to July 1, 2013.

18 4 Sec. 32. 2009 Iowa Acts, chapter 176, section 3, subsection  
 18 5 5, is amended to read as follows:  
 18 6 5. For use as matching funds for the United States  
 18 7 department of housing and urban development's main street  
 18 8 challenge grants for historic building preservation:  
 18 9 ..... \$ 184,195  
 18 10 Notwithstanding section 8.33, moneys appropriated in this  
 18 11 subsection that remain unencumbered or unobligated at the close  
 18 12 of the fiscal year shall not revert but shall remain available  
 18 13 for expenditure for the purposes designated until the close of

CODE: Requires nonreversion of FY 2010 funds appropriated for matching funds for the United States Department of Housing and Urban Development's Main Street Challenge Grants for historic building preservation.

---

18 14 the succeeding fiscal year.

18 15 Sec. 33. EFFECTIVE UPON ENACTMENT. The section of this Act  
18 16 amending 2009 Iowa Acts, chapter 176, and the sections amending  
18 17 section 303.17, being deemed of immediate importance, take  
18 18 effect upon enactment.

Specifies that Section 32 regarding nonreversion of FY 2010 funds appropriated for matching funds for the United States Department of Housing and Urban Development's Main Street Challenge Grants for historic building preservation, and Sections 30 and 31 regarding the Iowa Studies Committee are effective on enactment.

# EXECUTIVE SUMMARY EDUCATION APPROPRIATIONS ACT

SENATE FILE 2376

## FUNDING SUMMARY

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

- Appropriates a total of \$844.4 million from the General Fund and 12,319.0 FTE positions to the Department for the Blind, the College Student Aid Commission, the Department of Education, and the Board of Regents. This is an increase of \$28.5 million and a decrease of 7.7 FTE positions compared to estimated net FY 2010.
- Appropriates \$9.0 million from other funds for these State agencies. This is a decrease of \$96.9 million compared to estimated net FY 2010.
- **Department for the Blind:** A decrease of \$80,000 (3.94%) for Administration. (Page 1, Line 7)
- **College Student Aid Commission:** An increase of \$1.9 million (3.4%). The changes included:
  - A decrease of \$3,600 (1.1%) for Administration due to elimination of the Advisory Committee on Post-Secondary Registration in SF 2088 (Government Reorganization and Efficiency Act). (Page 1, Line 18)
  - Decreases totaling \$187,000 for the Iowa Grant Program, the Osteopathic Forgivable Loan Program, the Des Moines University Physician Recruitment Program, the All Iowa Opportunity Foster Care Grant Program, and the Barber and Cosmetology Arts and Sciences Grant Program. The reductions range from -3.9% to -13.6% compared to estimated net FY 2010. (Page 1, Line 24 to Page 2, Line 5; Page 2, Line 14; and Page 3, Line 5)
  - Increases totaling \$414,000 for the National Guard Tuition Aid Program, the All Iowa Opportunity Scholarship Program, and the Vocational Technical Tuition Grant Program to partially maintain FY 2010 funding increases from funds transferred into these programs. The net impact compared to FY 2010 funding with the transfers is a 3.9% decrease. (Page 2, Line 6; Page 2, Line 18; and Page 25, Line 4)
  - Increases totaling \$1.7 million for the Teacher Shortage Loan Forgiveness Program, Nurse and Nurse Educator Loan Forgiveness Program, Iowa Tuition Grant Program, and For-Profit Iowa Tuition Grant Program with increases of 6.7% for the first two programs and 3.6% for the last two. (Page 2, Line 10; Page 2, Line 28; and Page 24, Line 12 to Page 24, Line 16)
- **Department of Education:** A decrease of 3.9% to all budget units, with the following exceptions:
  - A decrease of \$170,000 (2.3%) for Department of Education Administration to recognize savings resulting from the elimination of the Agriculture Education Advisory Council in SF 2088 (Government Reorganization and Efficiency Act). (Page 4, Line 4)
  - Provides increases of 6.7% to restore matching funds to draw down federal funding in the following budget units:
    - Vocational Education Administration – \$35,000 (Page 4, Line 10)
    - Vocational Education Secondary – \$163,000 (Page 5, Line 26)
    - Food Service – \$137,000 (Page 5, Line 34)

## EXECUTIVE SUMMARY EDUCATION APPROPRIATIONS ACT

SENATE FILE 2376

### MAJOR INCREASES, DECREASES, AND TRANSFERS OF EXISTING PROGRAMS (CONTINUED)

- An increase of \$500,000 (10.8%) for Vocational Rehabilitation to partially restore matching funds to draw down federal funding. (Page 4, Line 16)
- An increase of \$180,000 (11.1%) for the Enrich Iowa Program (local library funding). With the supplemental appropriation in SF 2366 (FY 2010 Appropriations Adjustments Act) to backfill the 10.0% across-the-board (ATB) reduction, the FY 2011 appropriation maintains the FY 2010 level of funding. (Page 5, Line 5)
- A decrease of \$300,000 (21.3%) for the Library Service Areas. (Page 5, Line 8)
- A decrease of \$1.0 million (14.9%) for Community Empowerment General Aid. In FY 2010, General Aid was partially funded by \$2.0 million in one-time transfers from FY 2009 carryforward funds. As a result, the FY 2011 appropriation is an effective decrease of \$3.0 million. (Page 6, Line 6)
- An increase of \$323,000 (23.1%) for Special Education Services Birth to Three to avoid the loss of federal funding for special education. (Page 9, Line 5)
- An additional \$12.2 million for the Four-Year-Old Preschool Program to fund additional preschool programs. This is an increase of \$1.9 million (18.4%) compared to estimated net FY 2010. With the supplemental appropriation in SF 2366 (FY 2010 Appropriations Adjustments Act) to backfill the 10.0% ATB reduction, the FY 2011 appropriation represents an increase of \$703,000 (6.1%). The Cash Reserve Fund appropriation in HF 2531 (FY 2011 Standing Appropriations Act) brings total funding for new preschool programs in FY 2011 to \$16.2 million. (Page 9, Line 17)
- An increase of \$38,000 (6.7%) for Nonpublic School Textbook Services. With the supplemental appropriation in SF 2366 (FY 2010 Appropriations Adjustments Act) to backfill the 10.0% ATB reduction, the FY 2011 appropriation represents a decrease of \$25,000 (3.9%). (Page 9, Line 29)
- An increase of \$120,000 (6.7%) for Core Curriculum. With the supplemental appropriation in SF 2366 (FY 2010 Appropriations Adjustments Act) to backfill the 10.0% ATB reduction, the FY 2011 appropriation represents a decrease of \$78,000 (3.9%). (Page 10, Line 7)
- An increase of \$592,000 (8.8%) for the Student Achievement and Teacher Quality Program. With the supplemental appropriation in SF 2366 (FY 2010 Appropriations Adjustments Act) to backfill the 10.0% ATB reduction, the FY 2011 appropriation represents a decrease of \$300,000 (3.9%). (Page 10, Line 13)
- An overall increase of \$15.9 million (11.2%) for community colleges, including:
  - \$9.2 million for general aid. (Page 10, Line 19 through Page 12, Line 23)
  - \$825,000 for community college salaries. The estimated net FY 2010 appropriation of \$825,000 became part of each college's base for FY 2010 general aid purposes. (Page 13, Line 15)



## EXECUTIVE SUMMARY EDUCATION APPROPRIATIONS ACT

SENATE FILE 2376

### MAJOR INCREASES, DECREASES, AND TRANSFERS OF EXISTING PROGRAMS (CONTINUED)

- With the supplemental appropriation in SF 2366 (FY 2010 Appropriations Adjustments Act) to partially backfill the 10.0% ATB reduction, the FY 2011 appropriation represents an increase of \$10.0 million (6.7%).
- The community colleges received \$25.6 million in one-time federal funding from the American Recovery and Reinvestment Act (ARRA) in FY 2010. When ARRA funds are included in the FY 2010 total funding, the FY 2011 appropriation represents a decrease of \$16.4 million (9.4%).
- **Board of Regents:** An increase of \$10.4 million (2.0%) for Regents institutions and programs compared to estimated net FY 2010. Considering the supplemental appropriations for the Regents institutions in SF 2366 (FY 2010 Appropriations Adjustment Act), there is a net decrease of \$21.0 million (3.7%) for the Regents institutions and programs compared to final FY 2010.  
All programs received the same funding level as net FY 2010 with the supplemental increases except for the following:
  - \$25.0 million decrease for the three universities' general operating budgets for projected efficiency savings.
  - \$5.0 million general increase for the three universities' general operating budgets.
  - \$922,000 decrease due to not carrying forward the General Fund supplemental increases for the two special schools.
  - Shifting of \$1.5 million from the Science, Technology, Engineering, and Mathematics (STEM) Program to the universities operating budgets.
  - \$32,000 decrease due to one-time funding for an FY 2010 infrastructure study for the Research and Development School at the University of Northern Iowa.  
(Page 14, Line 1 through Page 19, Line 21)
- Appropriates \$9,000,000 from the Iowa Comprehensive Petroleum Underground Storage Tank Fund to the Regents institutions to meet the FY 2011 American Recovery and Reinvestment Act (ARRA) maintenance of effort requirements for higher education. The funds are distributed as follows:
  - \$4.1 million to the University of Iowa.
  - \$3.2 million to Iowa State University.
  - \$1.5 million to the University of Northern Iowa.
  - \$163,000 to the Iowa School for the Deaf.
  - \$92,000 to the Iowa Braille and Sight Saving School. (Page 19, Line 30 through Page 20, Line 17)
- NOTE: The special schools received Underground Storage Tank Fund appropriations in HF 2531 (FY 2011 Standings Appropriations Act) totaling \$625,000.
- In FY 2010, the Regents institutions received \$80.3 million from the federal ARRA Funds. These federal funds are partially offset by \$9.4 million in appropriations from the Underground Storage Tank Fund in this Act and in HF 2531 (FY 2011 Standing Appropriations Act) yielding a total funding decrease of \$91.9 million (14.3%) for the Regents institutions and programs.

# EXECUTIVE SUMMARY EDUCATION APPROPRIATIONS ACT

SENATE FILE 2376

## SIGNIFICANT CODE CHANGES

- Specifies that for FY 2011, grants to school districts for Voluntary Preschool will be prorated as needed to accommodate all interested districts. (Page 21, Line 24)  
**FISCAL IMPACT:** This will result in the following increases compared to current law Legislative Services Agency (LSA) estimates: \$23.7 million for FY 2012 and \$5.8 million for FY 2013
- Specifies the uses of funds received by school districts through weighting of competent private instruction students. (Page 22, Line 30; Page 35, Line 16)
- Specifies that State school aid is reduced by an ATB reduction ordered by the Governor, the allocation for the teacher salary supplement, the professional development supplement, and the early intervention supplement to school districts and area education agencies (AEAs) will not be reduced. This Section is effective on enactment and applies to FY 2011 for all the categorical supplement funds. (Page 23, Line 18)
- Specifies that if the appropriation to supplement community college salaries is reduced by Executive Order of the Governor, community colleges cannot reduce the supplemented portion of instructor salaries as a result. The colleges will have to absorb the reduction in appropriations elsewhere in their budgets. (Page 24, Line 4)
- Increases the standing appropriations for the Tuition Grant Program (\$1.5 million), For-Profit Tuition Grant Program (\$161,000), and Vocational Technical Tuition Grant Program (\$152,000). (Page 24, Line 12 through Page 25, Line 8)
- Permits Waldorf College students who were eligible for the Iowa Tuition Grant to remain eligible after the college became a for-profit institution. (Page 25, Line 9)
- Requires the Board of Educational Examiners to provide copies of a complaint and supporting documents to the respondent prior to the commencement of a Board investigation. (Page 26, Line 20)
- Requires school boards to annually report to the local community and the Department of Education the amount of membership dues and fees paid to the Iowa Association of School Board (IASB) and other local, regional, and national organizations. Further requires reporting of revenue and dividend payments received from such organizations or affiliated for-profit entities, as well as the products and services received as part of membership. Requires IASB publish information regarding total revenue received from each school district. Requires IASB and the other organizations to provide the General Assembly with copies of all reports submitted to the United States Department of Education regarding federal grants administered for or distributed to school districts. Specifies that the governing boards of IASB and the other organizations are subject to the open meetings and public records laws. (Page 27, Line 20 and Page 28, Line 23)
- Specifies that the Beginning Administrator Mentoring Program applies only to those administrators serving as principal or superintendent for the first time. Requires school districts to allocate annual funding by giving first priority to fully funding stipends for those mentoring principals and second priority to stipends for those mentoring superintendents. (Page 32, Line 3 through Page 35, Line 15)
- Requires the Area Education Agency (AEA) task force established in HF 2295 (Area Education Agency Task Force Act) to review how AEAs are funded and the percentages of State, federal, and local funds used to pay for administrative services and salaries, the services provided by the AEAs, and the number of students served by each AEA. (Page 37, Line 2)

# EXECUTIVE SUMMARY EDUCATION APPROPRIATIONS ACT

SENATE FILE 2376

## INTENT LANGUAGE AND REQUIRED REPORTS

- Requires the fee paid by the College Student Aid Commission to the Des Moines University for administration of the Physician Recruitment Program to be capped at \$25,000. This administrative fee is subject to budget reductions by the Governor and the General Assembly. (Page 3, Line 10)
- Requires the Library Service Areas (LSAs) to merge at least two of their regions to reduce the number of LSAs from seven to six. Requires the LSAs to collaborate with the State Library to study ways to streamline library operations and services. Requires the LSAs to file annual financial reports with the State Library to be compiled and reported to the General Assembly, the chairpersons and ranking members of the Education Appropriations Subcommittee, and the Fiscal Services Division of the Legislative Services Agency by January 15. (Page 12, Line 24)
- Requires the community colleges to report to the Department of Education any initiatives implemented to create greater efficiency during FY 2010 and to provide detailed information on the methods used to implement the 10.0% ATB reduction. Requires the Department to compile and summarize the information in a report due to the State Board of Education and the General Assembly by December 15, 2010. (Page 13, Line 23)
- Requires the University of Northern Iowa to work with community colleges to develop professional development programs related to science, technology, engineering, and mathematics (STEM) for community college instructors and STEM curriculum development. (Page 18, Line 22)
- Requires the Board of Regents to report on any initiatives to improve efficiency at the Regents institutions in response to the FY 2010 10.00% ATB budget reduction. (Page 20, Line 18)
- Requests that the Legislative Council establish an interim study committee to study the inclusion of certain types of nonprofit organizations under the open meetings and public records laws. (Page 37, Line 17)

## EFFECTIVE AND RETROACTIVE APPLICABILITY DATES

- The Sections of this Act that exempt the teacher salary supplement, professional development supplement, and early intervention supplement from ATB reductions ordered by the Governor are effective on enactment and apply to FY 2011 for purposes of the teacher salary supplement. (Page 37, Line 30; Page 38, Line 16)
- The Section of this Act that exempts the community college salary supplement from ATB reductions ordered by the Governor is effective on enactment. (Page 38, Line 4)
- The Section of this Act pertaining to the Iowa Tuition Grant and students enrolled at Waldorf College is effective on enactment. (Page 38, Line 7)
- The Section of this Act pertaining to Board of Educational Examiners complaint investigations is effective on enactment. (Page 38, Line 10)

## ENACTMENT DATE

- The Section of this Act pertaining to combined salary is effective on enactment. (Page 38, Line 13)
- This Act was approved by the General Assembly on March 26, 2010, and signed by the Governor on April 22, 2010.

Senate File 2376 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
3	22	4	Nwthstnd	Sec. 261.72	Chiropractic Loan Revolving Fund
3	27	5	Nwthstnd	Sec. 261.85	Work Study Appropriation
20	34	14	Nwthstnd	Sec. 270.7	Student Prescription Drug Payments to Special Schools
21	6	15	Adds	Sec. 256.51(1)(k)	State Library to Submit Report on Library Service Areas Financial Data
21	16	16	Adds	Sec. 256.66(13A)	Library Service Areas Financial Reports
21	24	17	Adds	Sec. 256C.6(3A)	Voluntary Preschool Grant Funding Prorated
21	34	18	Amends	Sec. 284, SF 2088, 2010 Iowa Acts	Technical correction
22	13	19	Amends	Sec. 288, SF 2088, 2010 Iowa Acts	Technical correction
22	30	20	Amends	Sec 257.6(1)(a)(5), Code Supplement 2009	Uses of Weighting for Competent Private Instruction
23	18	21	Amends	Sec. 257.16 (3 and 4)	Teacher Salary, Professional Development, and Early Intervention Supplements Exempt from Across-the-Board Reductions
24	4	22	Adds	Sec. 260C.18D(6)	Community College Salary Supplement Exempt from Across-the-Board Reduction
24	12	23	Amends	Sec. 261.25(1), Code Supplement 2009	Nonprofit Iowa Tuition Grant Standing Appropriation
24	16	23	Amends	Sec. 261.25(2), Code Supplement 2009	For-Profit Iowa Tuition Grant Standing Appropriation
25	4	23	Amends	Sec. 261.25(3), Code Supplement 2009	Vocational Technical Tuition Grant Standing Appropriation
25	9	24	Adds	Sec. 261.25, Code Supplement 2009	Iowa Tuition Grant Eligibility for Waldorf College Students
25	20	25	Amends	Sec. 262.9(33)(i)	Annual Articulation Report by Regents Universities and Community Colleges

Page #	Line #	Bill Section	Action	Code Section	Description
25	28	26	Amends	Sec. 262.93	College Student Aid Commission Annual Programs Report
26	3	27	Amends	Sec. 263A.13	University of Iowa Hospitals and Clinics Financial Report
26	20	28	Amends	Sec. 272.13	Board of Educational Examiners Complaint Investigations
27	10	29	Amends	Sec. 272.31(2)(c), if enacted	Issuance of Initial School Business Manager Authorization
27	20	30	Amends	Sec. 279.38	School District Membership in Iowa Association of School Boards
28	23	31	Amends	Sec. 279.38A	School District Membership in Other Organizations
29	16	32	Amends	Sec. 284.3A(2), Code Supplement 2009	Combined Teacher Salary Schedule
30	10	33	Adds	Sec. 284.3A(4), Code Supplement 2009	Teacher Salary Supplement Exempt from Across-the-Board Reduction
30	19	34	Amends	Sec. 284.13(1)(a), Code Supplement 2009	FY 2011 Allocation for National Board Certification Awards
30	28	34	Amends	Sec. 284.13(1)(b), Code Supplement 2009	FY 2011 Allocation for Beginning Teacher Mentoring and Induction
31	18	34	Amends	Sec. 284.13(1)(c), Code Supplement 2009	FY 2011 Allocation for Career Development and Evaluator Training
31	30	34	Amends	Sec. 284.13(1)(d), Code Supplement 2009	FY 2011 Allocation for Teacher Development Academies
32	3	35	Amends	Sec. 284A.2(2)	Beginning Administrator - Principal or Superintendent Only
32	10	36	Amends	Sec. 284A.5(3 and 5)	Technical change
33	23	37	Amends	Sec. 284A.6(2)	Technical change
34	4	38	Amends	Sec. 284A.7	Technical change
34	22	39	Amends	Sec. 284A.8	Beginning Administrator Mentoring Stipends
35	16	40	Adds	Sec. 299A.12	Home School Assistance Program
37	2	41	Amends	Sec. 1(1), HF 2295, 2010 Iowa Acts	Area Education Agency Task Force to Review Funding Options

## 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, 2010, and ending June 30,  
 1 5 2011, the following amount, or so much thereof as is necessary,  
 1 6 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 ..... \$ 1,952,203  
 1 11 ..... FTEs 90.00

General Fund appropriation to the Department for the Blind.

DETAIL: This is a decrease of \$80,062 and no change in FTE positions compared to estimated net FY 2010 for a general reduction of 3.94%.

## 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 year  
 1 15 beginning July 1, 2010, and ending June 30, 2011, the following  
 1 16 amounts, or so much thereof as may be necessary, to be used for  
 1 17 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 ..... \$ 310,843  
 1 23 ..... FTEs 4.30

General Fund appropriation to the College Student Aid Commission for administration.

DETAIL: This is a decrease of \$3,600 (1.14%) and no change in FTE positions compared to estimated net FY 2010 as a result of eliminating the Advisory Committee on Post-Secondary Registration.

## 1 24 2. STUDENT AID PROGRAMS

1 25 For payments to students for the Iowa grant program  
 1 26 established in section 261.93:  
 1 27 ..... \$ 848,761

General Fund appropriation to the College Student Aid Commission for the Iowa Grant Program.

DETAIL: This is a decrease of \$132,982 compared to estimated net FY 2010 for a general reduction of 13.55%.

1 28	3. DES MOINES UNIVERSITY == OSTEOPATHIC MEDICAL CENTER	General Fund appropriation to the College Student Aid Commission for the Osteopathic Forgivable Loan Program.
1 29	a. For forgivable loans to Iowa students attending Des	
1 30	Moines university == osteopathic medical center under the	
1 31	forgivable loan program pursuant to section 261.19:	DETAIL: This is a decrease of \$12,417 compared to estimated net FY 2010 for a general reduction of 13.55%.
1 32	..... \$ 79,251	
1 33	To receive funds appropriated pursuant to this paragraph,	Requires Des Moines University to provide matching institutional funds equal to the General Fund appropriation for the Osteopathic Forgivable Loan Program.
1 34	Des Moines university == osteopathic medical center shall match	
1 35	the funds with institutional funds on a dollar=for=dollar	
2 1	basis.	
2 2	b. For Des Moines university == osteopathic medical center	General Fund appropriation for the Des Moines University Physician Recruitment Program.
2 3	for an initiative in primary health care to direct primary care	
2 4	physicians to shortage areas in the state:	
2 5	..... \$ 270,448	DETAIL: This is a decrease of \$11,091 compared to estimated net FY 2010 for a general reduction of 3.94%.
		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 \$50,000. The repayment assistance is matched by a community contribution.
2 6	4. NATIONAL GUARD EDUCATIONAL ASSISTANCE PROGRAM	General Fund appropriation to the College Student Aid Commission for the National Guard Tuition Aid Program.
2 7	For purposes of providing national guard educational	
2 8	assistance under the program established in section 261.86:	
2 9	..... \$ 3,186,233	DETAIL: This is a General Fund increase of \$110,450 compared to estimated net FY 2010. The Program received a transfer of \$241,120 in FY 2010 to partially offset the 10.00% across-the-board (ATB) reduction. Considering this additional FY 2010 funding, the Programs will have a decrease of \$130,670 (3.94%) in FY 2011.
2 10	5. TEACHER SHORTAGE LOAN FORGIVENESS PROGRAM	General Fund appropriation to the College Student Aid Commission

PG LN	Senate File 2376	Explanation
2 11	For the teacher shortage loan forgiveness program	for the Teacher Shortage Loan Forgiveness Program.
2 12	established in section 261.112:	
2 13	..... \$ 421,016	DETAIL: This is an increase of \$26,562 (6.73%) compared to estimated net FY 2010.
2 14	6. ALL IOWA OPPORTUNITY FOSTER CARE GRANT PROGRAM	General Fund appropriation to the College Student Aid Commission for the All Iowa Opportunity Foster Care Grant Program.
2 15	For purposes of the all Iowa opportunity foster care grant	
2 16	program established pursuant to section 261.6:	
2 17	..... \$ 594,383	DETAIL: This is a decrease of \$24,376 compared to estimated net FY 2010 for a general reduction of 3.94%.
2 18	7. ALL IOWA OPPORTUNITY SCHOLARSHIP PROGRAM	General Fund appropriation to the College Student Aid Commission for the All Iowa Opportunity Scholarship Program.
2 19	For purposes of the all Iowa opportunity scholarship program	
2 20	established pursuant to section 261.87:	
2 21	..... \$ 2,403,949	DETAIL: This is a General Fund increase of \$151,666 compared to estimated net FY 2010. The Program received a transfer of \$250,254 in FY 2010 to offset the 10.00% across-the-board reduction. Considering this additional FY 2010 funding, the Program will have a decrease of \$98,588 (3.94%) in FY 2011.
2 22	If the moneys appropriated by the general assembly to the	Permits private colleges and universities that are eligible for the Tuition Grant Program to be included in the All Iowa Opportunity Scholarship Program if the amount appropriated for FY 2011 exceeds \$500,000.
2 23	college student aid commission for fiscal year 2010=2011 for	
2 24	purposes of the all Iowa opportunity scholarship program exceed	
2 25	\$500,000, "eligible institution" as defined in section 261.87,	
2 26	shall, during fiscal year 2010=2011, include accredited private	DETAIL: Current funding will permit private college and university students to receive awards.
2 27	institutions as defined in section 261.9, subsection 1.	
2 28	8. REGISTERED NURSE AND NURSE EDUCATOR LOAN FORGIVENESS	General Fund appropriation to the College Student Aid Commission for the Registered Nurse and Nurse Educator Loan Forgiveness Program.
2 29	PROGRAM	
2 30	For purposes of the registered nurse and nurse educator loan	
2 31	forgiveness program established pursuant to section 261.23:	
2 32	..... \$ 86,736	DETAIL: This is an increase of \$5,472 (6.73%) compared to estimated net FY 2010.
2 33	It is the intent of the general assembly that the commission	Requires the College Student Aid Commission to consider the



2 34 continue to consider moneys allocated pursuant to this  
 2 35 subsection as funds that meet the state matching funds  
 3 1 requirements of the federal leveraging educational assistance  
 3 2 program and the federal supplemental leveraging educational  
 3 3 assistance program established under the Higher Education Act  
 3 4 of 1965, as amended.

appropriation to the Registered Nurse and Nurse Educator Loan Forgiveness Program for federal match requirements. This funding was used for federal match when it was allocated from the Tuition Grant Program prior to FY 2009.

3 5 9. BARBER AND COSMETOLOGY ARTS AND SCIENCES TUITION GRANT  
 3 6 PROGRAM

General Fund appropriation to the College Student Aid Commission for the Barber and Cosmetology Arts and Sciences Tuition Grant Program.

3 7 For purposes of the barber and cosmetology arts and sciences  
 3 8 tuition grant program established pursuant to section 261.18:  
 3 9 ..... \$ 39,626

DETAIL: This is a decrease of \$6,208 compared to estimated net FY 2010 for a general reduction of 13.54%.

3 10 Sec. 3. DES MOINES UNIVERSITY == OSTEOPATHIC MEDICAL  
 3 11 CENTER. For the fiscal year beginning July 1, 2010, and ending  
 3 12 June 30, 2011, the college student aid commission shall pay a  
 3 13 fee to Des Moines university == osteopathic medical center for  
 3 14 the administration of the initiative in primary health care  
 3 15 to direct primary care physicians to shortage areas in the  
 3 16 state. A portion of the fee paid shall be based upon the number  
 3 17 of physicians recruited in accordance with section 261.19,  
 3 18 subsection 4. However, the fee amount paid shall not exceed  
 3 19 \$25,000 for the fiscal year. Such amount shall be subject to  
 3 20 any budgetary reductions ordered by the governor or enacted by  
 3 21 the general assembly.

Requires the fee paid to Des Moines University for administration of the Physician Recruitment Program to be capped at \$25,000. This administrative fee is subject to budget reductions by the Governor and the General Assembly.

3 22 Sec. 4. CHIROPRACTIC LOAN FUNDS. Notwithstanding section  
 3 23 261.72, the moneys deposited in the chiropractic loan  
 3 24 revolving fund created pursuant to section 261.72, may be used  
 3 25 for purposes of the chiropractic loan forgiveness program  
 3 26 established in section 261.73.

CODE: Permits the funds in the Chiropractic Loan Revolving Fund to be used for the Chiropractic Loan Forgiveness Program.

DETAIL: At this time, the Commission anticipates there will not be any money in the Revolving Fund at the end of FY 2010. If funds do remain, the Commission may use those funds for the Loan Forgiveness Program.

3 27 Sec. 5. WORK=STUDY APPROPRIATION FOR FY 2010=2011.

CODE: Eliminates funding for the Work Study Program for FY 2011.

3 28 Notwithstanding section 261.85, for the fiscal year beginning  
 3 29 July 1, 2010, and ending June 30, 2011, the amount appropriated  
 3 30 from the general fund of the state to the college student aid  
 3 31 commission for the work=study program under section 261.85  
 3 32 shall be zero.

DETAIL: This is no change in funding compared to estimated net FY 2010. This standing limited appropriation has been eliminated for the last several years to reduce funding below the statutory amount.

### 3 33 DEPARTMENT OF EDUCATION

3 34 Sec. 6. There is appropriated from the general fund of  
 3 35 the state to the department of education for the fiscal year  
 4 1 beginning July 1, 2010, and ending June 30, 2011, the following  
 4 2 amounts, or so much thereof as may be necessary, to be used for  
 4 3 the purposes designated:

#### 4 4 1. GENERAL ADMINISTRATION

4 5 For salaries, support, maintenance, miscellaneous purposes,  
 4 6 and for not more than the following full=time equivalent  
 4 7 positions:  
 4 8 ..... \$ 7,096,482  
 4 9 ..... FTEs 83.67

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

DETAIL: This is a decrease of \$170,096 and 7.70 FTE positions compared to estimated net FY 2010 for a reduction of 2.34% to recognize savings resulting from the elimination of the Agriculture Education Advisory Council in SF 2088 (Government Reorganization and Efficiency Act). The reduction in FTE positions reflects staffing changes as a result of budget reductions.

#### 4 10 2. VOCATIONAL EDUCATION ADMINISTRATION

4 11 For salaries, support, maintenance, miscellaneous purposes,  
 4 12 and for not more than the following full=time equivalent  
 4 13 positions:  
 4 14 ..... \$ 559,797  
 4 15 ..... FTEs 13.50

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

DETAIL: This is an increase of \$35,318 and no change in FTE positions compared to estimated net FY 2010, a 6.73% increase to match federal funds.

#### 4 16 3. VOCATIONAL REHABILITATION SERVICES DIVISION

4 17 a. For salaries, support, maintenance, miscellaneous  
 4 18 purposes, and for not more than the following full=time  
 4 19 equivalent positions:

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

DETAIL: This is increase of \$500,000 and no change in FTE

4 20 .....	\$ 5,139,957	positions compared to estimated net FY 2010, a 10.78% increase to
4 21 .....	FTEs 281.50	match federal funds.
4 22 b. For matching funds for programs to enable persons		General Fund appropriation to the Independent Living Program.
4 23 with severe physical or mental disabilities to function more		
4 24 independently, including salaries and support, and for not more		DETAIL: This is a decrease of \$1,811 and no change in FTE
4 25 than the following full-time equivalent position:		positions compared to estimated net FY 2010 for a general reduction
4 26 .....	\$ 44,156	of 3.94%.
4 27 .....	FTEs 1.00	
4 28 c. For the entrepreneurs with disabilities program		General Fund appropriation to the Division of Vocational Rehabilitation
4 29 established pursuant to section 259.4, subsection 9:		for Entrepreneurs with Disabilities Program.
4 30 .....	\$ 156,128	
4 31 d. For costs associated with centers for independent		General Fund appropriation to the Division of Vocational Rehabilitation
4 32 living:		for Independent Living Center Grants.
4 33 .....	\$ 43,227	
4 34 4. STATE LIBRARY		General Fund appropriation to the Department of Education for the
4 35 a. For salaries, support, maintenance, miscellaneous		State Library.
5 1 purposes, and for not more than the following full-time		
5 2 equivalent positions:		DETAIL: This is a decrease of \$61,994 and no change in FTE
5 3 .....	\$ 1,511,656	positions compared to estimated net FY 2010 for a general reduction
5 4 .....	FTEs 19.00	of 3.94%.
5 5 b. For the enrich Iowa program established under section		General Fund appropriation to the Enrich Iowa Program.
5 6 256.57:		
5 7 .....	\$ 1,796,081	DETAIL: This is an increase of \$179,608 (11.11%) compared to
		estimated net FY 2010.

		Senate File 2366 (FY 2010 Appropriations Adjustments Act) makes a supplemental FY 2010 appropriation of \$179,608 to backfill the 10.00% across-the-board reduction. As a result of the supplemental appropriation, the FY 2011 appropriation maintains the FY 2010 level of General Fund support.
5 8	5. LIBRARY SERVICE AREA SYSTEM	
5 9	For state aid:	General Fund appropriation to the Department of Education for the Library Service Area System.
5 10	..... \$ 1,105,989	DETAIL: This is a decrease of \$300,000 compared to estimated net FY 2010 for a general reduction of 21.34%. Another provision of this Act requires the Library Service Areas (LSAs) to reduce the number of regions from seven to six by merging at least two LSAs. It is estimated that eliminating one LSA saves approximately \$200,000.
5 11	6. PUBLIC BROADCASTING DIVISION	
5 12	For salaries, support, maintenance, capital expenditures,	General Fund appropriation to the Department of Education for Iowa Public Television (IPTV).
5 13	miscellaneous purposes, and for not more than the following	
5 14	full-time equivalent positions:	DETAIL: This is a decrease of \$318,097 and no change in FTE positions compared to estimated net FY 2010 for a general reduction of 3.94%.
5 15	..... \$ 7,756,417	
5 16	..... FTEs 82.00	
5 17	7. REGIONAL TELECOMMUNICATIONS COUNCILS	
5 18	For state aid:	General Fund appropriation to the Department of Education for the Regional Telecommunications Councils.
5 19	..... \$ 1,065,180	DETAIL: This is a decrease of \$43,684 compared to estimated net FY 2010 for a general reduction of 3.94%.
5 20	The regional telecommunications councils established	Specifies use of funds by the Regional Telecommunications Councils.
5 21	in section 8D.5 shall use the moneys appropriated in this	
5 22	subsection to provide technical assistance for network	
5 23	classrooms, planning and troubleshooting for local area	
5 24	networks, scheduling of video sites, and other related support	
5 25	activities.	

5 26 8. VOCATIONAL EDUCATION TO SECONDARY SCHOOLS  
 5 27 For reimbursement for vocational education expenditures made  
 5 28 by secondary schools:  
 5 29 ..... \$ 2,590,675

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

DETAIL: This is an increase of \$163,446 compared to estimated net FY 2010, a 6.73% increase to match federal funds.

5 30 Moneys appropriated in this subsection shall be used  
 5 31 to reimburse school districts for vocational education  
 5 32 expenditures made by secondary schools to meet the standards  
 5 33 set in sections 256.11, 258.4, and 260C.14.

Requires the funds appropriated to be used for reimbursement of vocational expenditures made by secondary schools to implement the standards set in the Code.

5 34 9. SCHOOL FOOD SERVICE  
 5 35 For use as state matching funds for federal programs that  
 6 1 shall be disbursed according to federal regulations, including  
 6 2 salaries, support, maintenance, miscellaneous purposes, and for  
 6 3 not more than the following full-time equivalent positions:  
 6 4 ..... \$ 2,176,797  
 6 5 ..... FTEs 18.13

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

DETAIL: This is an increase of \$137,335 and 0.70 FTE position compared to estimated net FY 2010, a 6.73% increase to match federal funds.

6 6 10. IOWA EMPOWERMENT FUND == GENERAL AID  
 6 7 For deposit in the school ready children grants account of  
 6 8 the Iowa empowerment fund created in section 28.9:  
 6 9 ..... \$ 5,729,907

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

DETAIL: This is a decrease of \$1,000,000 compared to estimated net FY 2010 for a general reduction of \$14.86%.

The Community Empowerment Program was required to expend \$2,000,000 in one-time funds remaining from an FY 2009 allocation to the First Years First Initiative for FY 2010 School Ready Grants. As a result, the FY 2011 appropriation is an effective decrease of \$3,000,000 compared to FY 2010.

6 10 a. From the moneys deposited in the school ready children  
 6 11 grants account for the fiscal year beginning July 1, 2010,  
 6 12 and ending June 30, 2011, not more than \$265,950 is allocated  
 6 13 for the community empowerment office and other technical

Specifies, from the moneys deposited in the School Ready Children Grants Account for FY 2011, the following:

- Allocates a maximum of \$265,950 for the Community Empowerment Office and other technical assistance activities.

6 14 assistance activities, and of that amount not more than  
 6 15 \$44,325 shall be used to administer the early childhood  
 6 16 coordinator's position pursuant to section 28.3, subsection  
 6 17 7. It is the intent of the general assembly that regional  
 6 18 technical assistance teams will be established and will include  
 6 19 staff from various agencies, as appropriate, including the  
 6 20 area education agencies, community colleges, the university  
 6 21 of northern Iowa, and the Iowa state university of science  
 6 22 and technology cooperative extension service in agriculture  
 6 23 and home economics. The Iowa empowerment board shall direct  
 6 24 staff to work with the advisory council to inventory technical  
 6 25 assistance needs. Moneys allocated under this lettered  
 6 26 paragraph may be used by the Iowa empowerment board for the  
 6 27 purpose of skills development and support for ongoing training  
 6 28 of the regional technical assistance teams. However, except as  
 6 29 otherwise provided in this subsection, moneys shall not be used  
 6 30 for additional staff or for the reimbursement of staff.

- This is no change compared to estimated net FY 2010. Also specifies that not more than \$44,325 of the allocation can be used to administer the early childhood coordinator's position.
- Specifies that it is the intent of the General Assembly that regional technical assistance teams be established that include staff from various appropriate agencies, including area education agencies, community colleges, the University of Northern Iowa, and the Iowa State University Extension Service.
  - Requires the State Empowerment Board to direct staff to work with the Advisory Council to inventory technical assistance needs.
  - Permits funds allocated under this paragraph to be used by the State Empowerment Board for the purpose of skills development and support for ongoing training of the regional technical assistance teams.
  - Prohibits the use of funds for additional staff or for the reimbursement of staff.

6 31 b. As a condition of receiving moneys appropriated in  
 6 32 this subsection, each community empowerment area board shall  
 6 33 report to the Iowa empowerment board progress on each of the  
 6 34 state indicators approved by the state board, as well as  
 6 35 progress on local indicators. The community empowerment area  
 7 1 board must also submit a written plan amendment extending  
 7 2 by one year the area's comprehensive school ready children  
 7 3 grant plan developed for providing services for children from  
 7 4 birth through five years of age and provide other information  
 7 5 specified by the Iowa empowerment board. The amendment may  
 7 6 also provide for changes in the programs and services provided  
 7 7 under the plan. The Iowa empowerment board shall establish  
 7 8 a submission deadline for the plan amendment that allows a  
 7 9 reasonable period of time for preparation of the plan amendment  
 7 10 and for review and approval or request for modification of the  
 7 11 plan amendment by the Iowa empowerment board. In addition,  
 7 12 the community empowerment board must continue to comply with  
 7 13 reporting provisions and other requirements adopted by the Iowa  
 7 14 empowerment board in implementing section 28.8.

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

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 can 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.

7 15 c. Of the amount appropriated in this subsection for  
 7 16 deposit in the school ready children grants account of the  
 7 17 Iowa empowerment fund, \$2,318,018 shall be used for efforts  
 7 18 to improve the quality of early care, health, and education  
 7 19 programs. Moneys allocated pursuant to this paragraph may  
 7 20 be used for additional staff and for the reimbursement of  
 7 21 staff. The Iowa empowerment board may reserve a portion of the  
 7 22 allocation, not to exceed \$88,650 for the technical assistance  
 7 23 expenses of the Iowa empowerment office and shall distribute  
 7 24 the remainder to community empowerment areas for local quality  
 7 25 improvement efforts through a methodology identified by the  
 7 26 board to make the most productive use of the funding, which  
 7 27 may include use of the distribution formula, grants, or other  
 7 28 means.

Allocates \$2,318,018 to be used by local Community Empowerment areas to improve the quality of early care, health, and education programs. Specifies that up to \$88,650 of the allocation may be used for the technical assistance expenses of the Office of Empowerment.

DETAIL: This is no change compared to estimated net FY 2010.

7 29 d. Of the amount appropriated in this subsection for  
 7 30 deposit in the school ready children grants account of the  
 7 31 Iowa empowerment fund, \$825,030 shall be used for support of  
 7 32 professional development and training activities for persons  
 7 33 working in early care, health, and education by the Iowa  
 7 34 empowerment board in collaboration with representation from the  
 7 35 Iowa state university of science and technology cooperative  
 8 1 extension service in agriculture and home economics, the  
 8 2 university of northern Iowa, the department of education, area  
 8 3 education agencies, community colleges, child care resource  
 8 4 and referral services, and community empowerment area boards.  
 8 5 Expenditures shall be limited to professional development and  
 8 6 training activities agreed upon by the parties participating in  
 8 7 the collaboration.

Allocates \$825,030 to the Iowa Empowerment Board to provide child care and preschool providers with high-quality professional development in collaboration with Iowa State University, the University of Northern Iowa, the Department of Education, area education agencies, community colleges, Child Care Resource and Referral Services, and local area boards.

DETAIL: This is no change compared to estimated net FY 2010.

8 8 11. IOWA EMPOWERMENT FUND == PRESCHOOL TUITION ASSISTANCE  
 8 9 a. For deposit in the school ready children grants account  
 8 10 of the Iowa empowerment fund created in section 28.9:  
 8 11 ..... \$ 7,583,912

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

DETAIL: This is a decrease of \$311,023 compared to estimated net FY 2010 for a general reduction of 3.94%.

Senate File 2366 (FY 2010 Appropriations Adjustments Act) makes a supplemental appropriation of \$877,215 for FY 2010 to backfill the 10.00% across-the-board reduction. As a result of the supplemental appropriation, the FY 2011 appropriation represents a decrease of \$1,188,238 (13.55%) compared to FY 2010.

8 12 b. The amount appropriated in this subsection shall be  
 8 13 used for early care, health, and education programs to assist  
 8 14 low-income parents with tuition for preschool and other  
 8 15 supportive services for children ages three, four, and five  
 8 16 who are not attending kindergarten in order to increase the  
 8 17 basic family income eligibility requirement to not more than  
 8 18 200 percent of the federal poverty level. In addition, if  
 8 19 sufficient funding is available after addressing the needs of  
 8 20 those who meet the basic income eligibility requirement, a  
 8 21 community empowerment area board may provide for eligibility  
 8 22 for those with a family income in excess of the basic income  
 8 23 eligibility requirement through use of a sliding scale or other  
 8 24 copayment provisions.

Specifies that the funds appropriated for Preschool Tuition Assistance must be used to assist low-income parents with preschool tuition and other supportive services for children ages 3, 4, and 5 that are not attending kindergarten. Specifies that priority is to be given to families with incomes not more than 200.00% of the federal poverty level. Authorizes local boards to spend funds remaining after meeting the needs of families with incomes at or below 200.00% of federal poverty level to help additional families using a sliding scale or copayment provision.

8 25 12. IOWA EMPOWERMENT FUND == FAMILY SUPPORT AND PARENT  
 8 26 EDUCATION  
 8 27 a. For deposit in the school ready children grants account  
 8 28 of the Iowa empowerment fund created in section 28.9:  
 8 29 ..... \$ 13,153,653

General Fund appropriation for deposit in the School Ready Children Grants Account of the Iowa Empowerment Fund for Family Support and Parent Education.

DETAIL: This is a decrease of \$539,443 compared to estimated net FY 2010 for a general reduction of 3.94%.

8 30 b. The amount appropriated in this subsection shall be  
 8 31 used for family support services and parent education programs  
 8 32 targeted to families expecting a child or with newborn and  
 8 33 infant children through age five and shall be distributed using  
 8 34 the distribution formula approved by the Iowa empowerment board  
 8 35 and shall be used by a community empowerment area only for  
 9 1 family support services and parent education programs targeted

Requires funds appropriated for family support and parent education services to be targeted to families expecting a child or with children ages 0-5. Requires the funds to be distributed using the Iowa Empowerment Board's formula for School Ready Children Grants. Requires the programs funded by this appropriation to include a home visitation component.



9 2 to families expecting a child or with newborn and infant  
 9 3 children through age five. The programs funded under this  
 9 4 subsection shall have a home visitation component.

9 5 13. BIRTH TO AGE THREE SERVICES  
 9 6 For expansion of the federal Individuals With Disabilities  
 9 7 Education Improvement Act of 2004, Pub. L. No. 108=446, as  
 9 8 amended to January 1, 2010, birth through age three services  
 9 9 due to increased numbers of children qualifying for those  
 9 10 services:  
 9 11 ..... \$ 1,721,400

General Fund appropriation to the Department of Education to supplement federal funding for special education services to children from birth to three years of age.

DETAIL: This is an increase of \$322,526 compared to estimated net FY 2010, a 23.06% increase to avoid the loss of federal funding for special education.

9 12 From the moneys appropriated in this subsection, \$383,769  
 9 13 shall be allocated to the child health specialty clinic at the  
 9 14 state university of Iowa to provide additional support for  
 9 15 infants and toddlers who are born prematurely, drug=exposed, or  
 9 16 medically fragile.

Specifies that \$383,769 is allocated to the Child Health Specialty Clinic at the University of Iowa.

9 17 14. FOUR=YEAR=OLD PRESCHOOL PROGRAM  
 9 18 For allocation to eligible school districts for the  
 9 19 four=year=old preschool program under chapter 256C in lieu  
 9 20 of the appropriation made in section 256C.6, subsection 2,  
 9 21 paragraph a, subparagraph (3), and for not more than the  
 9 22 following full=time equivalent positions:  
 9 23 ..... \$ 12,242,230  
 9 24 ..... FTEs 3.00

General Fund appropriation to the Department of Education for a preschool program for four-year-olds.

DETAIL: This is an increase of \$1,897,936 and no change in FTE positions compared to estimated net FY 2010 for a general increase of 18.35% to fund additional preschool programs. This appropriation funds preschools entering the program for the first time in FY 2011. The preschools funded by the FY 2010 appropriation will be funded through the school aid formula in FY 2011.

Senate File 2366 (FY 2010 Appropriations Adjustments Act) makes a supplemental appropriation of \$1,194,569 for FY 2010 to backfill the 10.00% across-the-board reduction. As a result of the supplemental appropriation, the FY 2011 General Fund appropriation represents an increase of \$703,367 (6.10%) compared to FY 2010.

House File 2531 (FY 2011 Standing Appropriations Act) appropriates \$4,000,000 from the Cash Reserve Fund to the Department of Education for the preschool program. This brings total funding for

		new preschool programs in FY 2011 to \$16,242,230, an increase of \$4,703,367 compared to FY 2010 after the supplemental appropriation.
9 25	From the moneys appropriated pursuant to this subsection,	
9 26	not more than \$303,531 shall be used by the department	Specifies that not more than \$303,531 can be used by the Department
9 27	for administration of the four-year-old preschool program	of Education for administration of the four-year-old preschool
9 28	established pursuant to chapter 256C.	program.
9 29	15. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS	
9 30	To provide moneys for costs of providing textbooks to each	General Fund appropriation to the Department of Education for
9 31	resident pupil who attends a nonpublic school as authorized by	Textbooks for Nonpublic School Pupils.
9 32	section 301.1:	
9 33	..... \$ 600,987	DETAIL: This is an increase of \$37,916 compared to estimated net FY 2010, for a general increase of 6.73%
		Senate File 2366 (FY 2010 Appropriations Adjustments Act) makes a supplemental appropriation of \$62,563 for FY 2010 to backfill the 10.00% across-the-board reduction. As a result of the supplemental appropriation, the FY 2011 appropriation represents a decrease of \$24,647 (3.94%) compared to FY 2010.
9 34	Funding under this subsection is limited to \$20 per pupil and	
9 35	shall not exceed the comparable services offered to resident	Limits funding to \$20.00 per pupil. Specifies reimbursements are not
10 1	public school pupils.	to exceed comparable services offered to resident public school pupils.
10 2	16. BEGINNING ADMINISTRATOR MENTORING AND INDUCTION	
PROGRAM		General Fund appropriation to the Department of Education for the
10 3	For purposes of administering the beginning administrator	Beginning Administrator Mentoring and Induction Program.
10 4	mentoring and induction program established pursuant to chapter	
10 5	284A:	DETAIL: This is a decrease of \$8,003 compared to estimated net FY 2010 for a general reduction of 3.94%.
10 6	..... \$ 195,157	
10 7	17. CORE CURRICULUM AND CAREER INFORMATION AND	
10 8	DECISION-MAKING SYSTEM	General Fund appropriation to the Department of Education for implementation of the statewide core curriculum.

10 9 For purposes of implementing the statewide core curriculum  
 10 10 for school districts and accredited nonpublic schools and a  
 10 11 state=designated career information and decision=making system:  
 10 12 ..... \$ 1,901,556

DETAIL: This is an increase of \$119,970 compared to estimated net FY 2010, for a general increase of 6.73%

Senate File 2366 (FY 2010 Appropriations Adjustments Act) makes a supplemental appropriation of \$197,954 for FY 2010 to backfill the 10.00% across-the-board reduction. As a result of the supplemental appropriation, the FY 2011 appropriation represents a decrease of \$77,984 (3.94%) compared to FY 2010.

10 13 18. STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM  
 10 14 For purposes of the student achievement and teacher quality  
 10 15 program established pursuant to chapter 284, and for not more  
 10 16 than the following full=time equivalent positions:  
 10 17 ..... \$ 7,314,765  
 10 18 ..... FTEs 4.00

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

DETAIL: This is an increase of \$592,443 and a decrease of 0.70 FTE position compared to estimated net FY 2010, for a general increase of 8.81%

Senate File 2366 (FY 2010 Appropriations Adjustments Act) makes a supplemental appropriation of \$892,428 for FY 2010 to backfill the 10.00% across-the-board reduction. As a result of the supplemental appropriation, the FY 2011 appropriation represents a decrease of \$299,985 (3.94%) compared to FY 2010.

10 19 19. MERGED AREA I == NORTHEAST IOWA COMMUNITY COLLEGE  
 10 20 For general state financial aid as defined in section 260C.2  
 10 21 in accordance with chapters 258 and 260C, notwithstanding the  
 10 22 allocation formula in section 260C.18:  
 10 23 ..... \$ 7,883,981

General Fund appropriation to Northeast Iowa Community College for general financial aid.

DETAIL: This is an increase of \$417,550 (5.59%) compared to the net FY 2010 allocation that includes a salary supplement, a 10.00% across-the-board reduction, and a supplemental appropriation proposed in SF 2366 (FY 2010 Appropriations Adjustments Act).

NOTE: The net FY 2010 allocation does not include federal funding from the American Recovery and Reinvestment Act (ARRA). The College received \$1,274,189 in ARRA funds in FY 2010. When ARRA funds are included in the FY 2010 base, the FY 2011 appropriation represents a decrease of \$856,639 (9.80%).

10 24 20. MERGED AREA II == NORTH IOWA AREA COMMUNITY COLLEGE  
 10 25 For general state financial aid as defined in section 260C.2  
 10 26 in accordance with chapters 258 and 260C, notwithstanding the  
 10 27 allocation formula in section 260C.18:  
 10 28 ..... \$ 8,436,896

General Fund appropriation to North Iowa Area Community College for general financial aid.

DETAIL: This is an increase of \$416,026 (5.19%) compared to the net FY 2010 allocation that includes a salary supplement, a 10.00% across-the-board reduction, and a supplemental appropriation proposed in SF 2366 (FY 2010 Appropriations Adjustments Act).

NOTE: The net FY 2010 allocation does not include federal funding from the ARRA. The College received \$1,374,064 in ARRA funds in FY 2010. When ARRA funds are included in the FY 2010 base, the FY 2011 appropriation represents a decrease of \$958,038 (10.20%).

10 29 21. MERGED AREA III == IOWA LAKES COMMUNITY COLLEGE  
 10 30 For general state financial aid as defined in section 260C.2  
 10 31 in accordance with chapters 258 and 260C, notwithstanding the  
 10 32 allocation formula in section 260C.18:  
 10 33 ..... \$ 7,768,728

General Fund appropriation to Iowa Lakes Community College for general financial aid.

DETAIL: This is an increase of \$377,546 (5.11%) compared to the net FY 2010 allocation that includes a salary supplement, a 10.00% across-the-board reduction, and a supplemental appropriation proposed in SF 2366 (FY 2010 Appropriations Adjustments Act).

NOTE: The net FY 2010 allocation does not include federal funding from the ARRA. The College received \$1,265,038 in ARRA funds in FY 2010. When ARRA funds are included in the FY 2010 base, the FY 2011 appropriation represents a decrease of \$887,492 (10.25%).

10 34 22. MERGED AREA IV == NORTHWEST COMMUNITY COLLEGE  
 10 35 For general state financial aid as defined in section 260C.2  
 11 1 in accordance with chapters 258 and 260C, notwithstanding the  
 11 2 allocation formula in section 260C.18:  
 11 3 ..... \$ 3,815,063

General Fund appropriation to Northwest Iowa Community College for general financial aid.

DETAIL: This is an increase of \$187,154 (5.16%) compared to the net FY 2010 allocation that includes a salary supplement, a 10.00% across-the-board reduction, and a supplemental appropriation proposed in SF 2366 (FY 2010 Appropriations Adjustments Act).

NOTE: The net FY 2010 allocation does not include federal funding from the ARRA. The College received \$621,382 in ARRA funds in FY 2010. When ARRA funds are included in the FY 2010 base, the FY 2011 appropriation represents a decrease of \$434,228 (10.22%).

11 4 23. MERGED AREA V == IOWA CENTRAL COMMUNITY COLLEGE  
 11 5 For general state financial aid as defined in section 260C.2  
 11 6 in accordance with chapters 258 and 260C, notwithstanding the  
 11 7 allocation formula in section 260C.18:  
 11 8 ..... \$ 8,716,704

General Fund appropriation to Iowa Central Community College for general financial aid.

DETAIL: This is an increase of \$581,719 (7.15%) compared to the net FY 2010 allocation that includes a salary supplement, a 10.00% across-the-board reduction, and a supplemental appropriation proposed in SF 2366 (FY 2010 Appropriations Adjustments Act).

NOTE: The net FY 2010 allocation does not include federal funding from the ARRA. The College received \$1,394,136 in ARRA funds in FY 2010. When ARRA funds are included in the FY 2010 base, the FY 2011 appropriation represents a decrease of \$812,417 (8.53%).

11 9 24. MERGED AREA VI == IOWA VALLEY COMMUNITY COLLEGE DISTRICT  
 11 10 For general state financial aid as defined in section 260C.2  
 11 11 in accordance with chapters 258 and 260C, notwithstanding the  
 11 12 allocation formula in section 260C.18:  
 11 13 ..... \$ 7,429,793

General Fund appropriation to Iowa Valley Community College for general financial aid.

DETAIL: This is an increase of \$365,996 (5.18%) compared to the net FY 2010 allocation that includes a salary supplement, a 10.00% across-the-board reduction, and a supplemental appropriation proposed in SF 2366 (FY 2010 Appropriations Adjustments Act).

NOTE: The net FY 2010 allocation does not include federal funding from the ARRA. The College received \$1,209,684 in ARRA funds in FY 2010. When ARRA funds are included in the FY 2010 base, the FY 2011 appropriation represents a decrease of \$843,688 (10.20%).

11 14 25. MERGED AREA VII == HAWKEYE COMMUNITY COLLEGE  
 11 15 For general state financial aid as defined in section 260C.2  
 11 16 in accordance with chapters 258 and 260C, notwithstanding the  
 11 17 allocation formula in section 260C.18:  
 11 18 ..... \$ 11,063,319

General Fund appropriation to Hawkeye Community College for general financial aid.

DETAIL: This is an increase of \$569,175 (5.42%) compared to the net FY 2010 allocation that includes a salary supplement, a 10.00% across-the-board reduction, and a supplemental appropriation proposed in SF 2366 (FY 2010 Appropriations Adjustments Act).

NOTE: The net FY 2010 allocation does not include federal funding from the ARRA. The College received \$1,795,043 in ARRA funds in FY 2010. When ARRA funds are included in the FY 2010 base, the FY 2011 appropriation represents a decrease of \$1,225,868 (9.98%).

11 19 26. MERGED AREA IX == EASTERN IOWA COMMUNITY COLLEGE  
11 20 For general state financial aid as defined in section 260C.2  
11 21 in accordance with chapters 258 and 260C, notwithstanding the  
11 22 allocation formula in section 260C.18:  
11 23 ..... \$ 13,761,226

General Fund appropriation to Eastern Iowa Community College for general financial aid.

DETAIL: This is an increase of \$717,042 (5.50%) compared to the net FY 2010 allocation that includes a salary supplement, a 10.00% across-the-board reduction, and a supplemental appropriation proposed in SF 2366 (FY 2010 Appropriations Adjustments Act).

NOTE: The net FY 2010 allocation does not include federal funding from the ARRA. The College received \$2,233,465 in ARRA funds in FY 2010. When ARRA funds are included in the FY 2010 base, the FY 2011 appropriation represents a decrease of \$1,516,423 (9.93%).

11 24 27. MERGED AREA X == KIRKWOOD COMMUNITY COLLEGE  
11 25 For general state financial aid as defined in section 260C.2  
11 26 in accordance with chapters 258 and 260C, notwithstanding the  
11 27 allocation formula in section 260C.18:  
11 28 ..... \$ 24,208,455

General Fund appropriation to Kirkwood Community College for general financial aid.

DETAIL: This is an increase of \$1,621,482 (7.18%) compared to the net FY 2010 allocation that includes a salary supplement, a 10.00% across-the-board reduction, and a supplemental appropriation proposed in SF 2366 (FY 2010 Appropriations Adjustments Act).

NOTE: The net FY 2010 allocation does not include federal funding from the ARRA. The College received \$3,866,611 in ARRA funds in FY 2010. When ARRA funds are included in the FY 2010 base, the FY 2011 appropriation represents a decrease of \$2,245,129 (8.49%).

11 29 28. MERGED AREA XI == DES MOINES AREA COMMUNITY COLLEGE  
11 30 For general state financial aid as defined in section 260C.2  
11 31 in accordance with chapters 258 and 260C, notwithstanding the  
11 32 allocation formula in section 260C.18:  
11 33 ..... \$ 24,375,295

General Fund appropriation to Des Moines Area Community College for general financial aid.

DETAIL: This is an increase of \$1,769,928 (7.83%) compared to the net FY 2010 allocation that includes a salary supplement, a 10.00% across-the-board reduction, and a supplemental appropriation proposed in SF 2366 (FY 2010 Appropriations Adjustments Act).

NOTE: The net FY 2010 allocation does not include federal funding from the ARRA. The College received \$3,864,863 in ARRA funds in FY 2010. When ARRA funds are included in the FY 2010 base, the FY 2011 appropriation represents a decrease of \$2,094,935 (7.91%).

11 34 29. MERGED AREA XII == WESTERN IOWA TECH COMMUNITY COLLEGE  
 11 35 For general state financial aid as defined in section 260C.2  
 12 1 in accordance with chapters 258 and 260C, notwithstanding the  
 12 2 allocation formula in section 260C.18:  
 12 3 ..... \$ 9,034,857

General Fund appropriation to Western Iowa Tech Community College for general financial aid.

DETAIL: This is an increase of \$465,457 (5.43%) compared to the net FY 2010 allocation that includes a salary supplement, a 10.00% across-the-board reduction, and a supplemental appropriation proposed in SF 2366 (FY 2010 Appropriations Adjustments Act).

NOTE: The net FY 2010 allocation does not include federal funding from the ARRA. The College received \$1,468,753 in ARRA funds in FY 2010. When ARRA funds are included in the FY 2010 base, the FY 2011 appropriation represents a decrease of \$1,003,296 (9.99%).

12 4 30. MERGED AREA XIII == IOWA WESTERN COMMUNITY COLLEGE  
 12 5 For general state financial aid as defined in section 260C.2  
 12 6 in accordance with chapters 258 and 260C, notwithstanding the  
 12 7 allocation formula in section 260C.18:  
 12 8 ..... \$ 9,285,726

General Fund appropriation to Iowa Western Community College for general financial aid.

DETAIL: This is an increase of \$544,057 (6.22%) compared to the net FY 2010 allocation that includes a salary supplement, a 10.00% across-the-board reduction, and a supplemental appropriation proposed in SF 2366 (FY 2010 Appropriations Adjustments Act).

NOTE: The net FY 2010 allocation does not include federal funding from the ARRA. The College received \$1,495,282 in ARRA funds in FY 2010. When ARRA funds are included in the FY 2010 base, the FY 2011 appropriation represents a decrease of \$951,225 (9.29%).

12 9 31. MERGED AREA XIV == SOUTHWESTERN COMMUNITY COLLEGE  
 12 10 For general state financial aid as defined in section 260C.2  
 12 11 in accordance with chapters 258 and 260C, notwithstanding the  
 12 12 allocation formula in section 260C.18:  
 12 13 ..... \$ 3,872,747

General Fund appropriation to Southwestern Community College for general financial aid.

DETAIL: This is an increase of \$191,658 (5.21%) compared to the net FY 2010 allocation that includes a salary supplement, a 10.00% across-the-board reduction, and a supplemental appropriation proposed in SF 2366 (FY 2010 Appropriations Adjustments Act).

NOTE: The net FY 2010 allocation does not include federal funding from the ARRA. The College received \$630,027 in ARRA funds in FY 2010. When ARRA funds are included in the FY 2010 base, the FY 2011 appropriation represents a decrease of \$438,369 (10.17%).

12 14 32. MERGED AREA XV == INDIAN HILLS COMMUNITY COLLEGE  
 12 15 For general state financial aid as defined in section 260C.2  
 12 16 in accordance with chapters 258 and 260C, notwithstanding the  
 12 17 allocation formula in section 260C.18:  
 12 18 ..... \$ 12,139,931

General Fund appropriation to Indian Hills Community College for general financial aid.

DETAIL: This is an increase of \$596,134 (5.16%) compared to the net FY 2010 allocation that includes a salary supplement, a 10.00% across-the-board reduction, and a supplemental appropriation proposed in SF 2366 (FY 2010 Appropriations Adjustments Act).

NOTE: The net FY 2010 allocation does not include federal funding from the ARRA. The College received \$1,976,581 in ARRA funds in FY 2010. When ARRA funds are included in the FY 2010 base, the FY 2011 appropriation represents a decrease of \$1,380,447 (10.21%).

12 19 33. MERGED AREA XVI == SOUTHEASTERN COMMUNITY COLLEGE  
 12 20 For general state financial aid as defined in section 260C.2  
 12 21 in accordance with chapters 258 and 260C, notwithstanding the  
 12 22 allocation formula in section 260C.18:  
 12 23 ..... \$ 6,961,511

General Fund appropriation to Southeastern Community College for general financial aid.

DETAIL: This is an increase of \$354,064 (5.36%) compared to the net FY 2010 allocation that includes a salary supplement, a 10.00% across-the-board reduction, and a supplemental appropriation proposed in SF 2366 (FY 2010 Appropriations Adjustments Act).

NOTE: The net FY 2010 allocation does not include federal funding from the ARRA. The College received \$1,130,882 in ARRA funds in FY 2010. When ARRA funds are included in the FY 2010 base, the FY 2011 appropriation represents a decrease of \$776,818 (10.04%).

12 24 Sec. 7. LIBRARY SERVICE AREA GEOGRAPHIC REGIONS FOR FY  
 12 25 2010=2011 == OPERATIONS STUDY.  
 12 26 1. Notwithstanding section 256.61, for the fiscal year  
 12 27 beginning July 1, 2010, and ending June 30, 2011, the library  
 12 28 service areas shall serve and represent six geographic regions  
 12 29 by combining at least two of seven library service areas  
 12 30 existing in fiscal year 2009=2010, including their staff and  
 12 31 boards of trustees.  
 12 32 2. Moneys appropriated to the department of education for  
 12 33 state aid for the library service area system pursuant to  
 12 34 section 6, subsection 5, of this Act shall be equally divided

Requires the Library Service Areas (LSAs) to merge at least two regions in FY 2011 and reduce the number of LSAs from seven to six. Specifies that the annual General Fund appropriation to the Department of Education for the LSAs shall be divided equally between the six regions. Requires the LSAs to collaborate with the State Library to study ways to streamline state-funded library operations and services and to submit a report of findings and recommendations to the General Assembly on or before November 1, 2010.



12 35 and allocated to the six library services areas.  
 13 1 3. a. The library services areas and the state library  
 13 2 shall work collaboratively to conduct a study of ways to  
 13 3 streamline state-funded library operations and services. The  
 13 4 study shall, at a minimum, address the following:  
 13 5 (1) Library service area service delivery strengths.  
 13 6 (2) Best practices for delivering continuing education.  
 13 7 (3) The use of social networking tools to provide consulting  
 13 8 services.  
 13 9 (4) Consolidation of bookkeeping and auditing functions.  
 13 10 (5) Locally based creative collaborations among all types  
 13 11 of libraries.  
 13 12 b. The library service areas shall collaboratively submit  
 13 13 their findings and recommendations in a report to the general  
 13 14 assembly on or before November 1, 2010.

13 15 Sec. 8. COMMUNITY COLLEGE SALARIES. There is appropriated  
 13 16 from the general fund of the state to the department of  
 13 17 education for the fiscal year beginning July 1, 2010, and  
 13 18 ending June 30, 2011, the following amount, or so much thereof  
 13 19 as is necessary, to be used for the purpose designated:  
 13 20 For distribution to community colleges to supplement faculty  
 13 21 salaries:  
 13 22 ..... \$ 825,012

General Fund appropriation to community colleges to supplement faculty salaries.

DETAIL: In FY 2010, the colleges received an appropriation to supplement faculty salaries of \$825,012. That funding has been added to each college's base funding for purposes of calculating the allocation of general aid. The FY 2011 appropriation represents an additional \$825,012 that will be allocated to colleges as provided in Code Section 280C.18D. The allocated salary funding will then be added to each college's base funding for purposes of calculating the allocation of FY 2012 general aid.

13 23 Sec. 9. COMMUNITY COLLEGE EFFICIENCIES INITIATIVES AND  
 13 24 FUNDING REDUCTION REPORT. The board of directors of each  
 13 25 community college shall submit to the department of education  
 13 26 on or before October 1, 2010, a report which provides details  
 13 27 on any initiatives implemented by the community college to  
 13 28 create greater efficiency within the community college during  
 13 29 the 2009=2010 fiscal year, and details on the methods by which  
 13 30 the community college implemented budget reductions ordered  
 13 31 by the governor pursuant to executive order number 19 issued

Requires the community colleges to report to the Department of Education any initiatives implemented to create greater efficiency during FY 2010 and to provide detailed information on the methods used to implement the 10.00% across-the-board reduction. Requires the Department of Education to compile and summarize the information in a report due to the State Board of Education and the General Assembly by December 15, 2010.

13 32 October 8, 2009. The department shall compile and summarize  
 13 33 the reports in a report that shall be submitted to the state  
 13 34 board of education and the general assembly on or before  
 13 35 December 15, 2010.

#### 14 1 STATE BOARD OF REGENTS

14 2 Sec. 10. There is appropriated from the general fund of  
 14 3 the state to the state board of regents for the fiscal year  
 14 4 beginning July 1, 2010, and ending June 30, 2011, the following  
 14 5 amounts, or so much thereof as may be necessary, to be used for  
 14 6 the purposes designated:

This Section makes General Fund appropriations to the Board of Regents totaling \$542,035,206 for FY 2011 for the Regents institutions and programs under the purview of the Education Appropriations Subcommittee.

DETAIL: This is an increase of \$10,407,306 (1.94%) compared to estimated net FY 2010. The five Regents institutions receive supplemental General Fund appropriations in SF 2366 (FY 2010 Appropriations Adjustment Act) totaling \$31,360,500. With these supplementals, the funding resulted in a General Fund decrease of \$20,953,194 (3.72%) for the Regents institutions and programs.

In FY 2010, the Regents institutions received \$80,280,000 from the federal ARRA Funds. These federal funds are partially offset with \$9,370,000 in FY 2011 by appropriations from the Underground Storage Tank Fund in this Act and in HF 2531 (FY 2011 Standing Appropriations Act) yielding a total funding decrease of \$91,863,194 (14.28%) for the Regents institutions and programs.

#### 14 7 1. OFFICE OF STATE BOARD OF REGENTS

14 8 a. For salaries, support, maintenance, miscellaneous  
 14 9 purposes, and for not more than the following full-time  
 14 10 equivalent positions:

14 11 ..... \$ 1,105,123  
 14 12 ..... FTEs 16.00

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

DETAIL: Maintains current level of funding and FTE positions.

14 13 The state board of regents shall submit a monthly financial  
 14 14 report in a format agreed upon by the state board of regents

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

14 15 office and the legislative services agency.

14 16 b. For moneys to be allocated to the southwest iowa graduate  
14 17 studies center:  
14 18 ..... \$ 90,766

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 funding.

14 19 c. For moneys to be allocated to the siouxland interstate  
14 20 metropolitan planning council for the tristate graduate center  
14 21 under section 262.9, subsection 22:  
14 22 ..... \$ 69,110

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

DETAIL: Maintains current level of funding.

14 23 d. For moneys to be allocated to the quad=cities graduate  
14 24 studies center:  
14 25 ..... \$ 134,665

General Fund appropriation to the Board of Regents for the Quad-Cities Graduate Studies Center located at Rock Island, Illinois.

DETAIL: Maintains current level of funding.

14 26 e. For moneys to be distributed to iowa public radio for  
14 27 public radio operations:  
14 28 ..... \$ 406,318

General Fund appropriation to the Board of Regents for Public Radio operations.

DETAIL: Maintains current level of funding.

## 14 29 2. STATE UNIVERSITY OF IOWA

14 30 a. General university, including lakeside laboratory  
14 31 For salaries, support, maintenance, equipment, miscellaneous  
14 32 purposes, and for not more than the following full=time  
14 33 equivalent positions:  
14 34 ..... \$217,638,034  
14 35 ..... FTEs 5,058.55

General Fund appropriation to the University of Iowa (SUI) general operating budget.

DETAIL: This is an increase of \$5,703,252 (2.69%) and no change in FTE positions compared to estimated net FY 2010. The University received an FY 2010 General Fund supplemental appropriation of \$14,371,621 in SF 2366 (FY 2010 Appropriations Adjustments Act) bringing the FY 2010 funding to \$226,306,403. With the supplemental funding, the FY 2011 appropriation is a decrease of \$8,668,369 (3.83%). This decrease includes:

- A decrease of \$11,682,784 in projected efficiency savings.
- A general increase of \$2,336,557.
- A shift of \$677,858 from the Science, Technology, Engineering, and Mathematics (STEM) Collaborative Initiative to the SUI general operating budget.

NOTE: The net FY 2010 funding with the supplemental funding does not include federal funding from the ARRA. The University received \$35,393,382 in ARRA funds in FY 2010 which were partially offset by an FY 2011 Underground Storage Tank appropriation of \$4,086,492. When these funds are considered, the FY 2011 appropriation represents a decrease of \$39,975,259 (15.28%).

15 1 b. Oakdale campus  
 15 2 For salaries, support, maintenance, miscellaneous purposes,  
 15 3 and for not more than the following full=time equivalent  
 15 4 positions:  
 15 5 ..... \$ 2,268,925  
 15 6 ..... FTEs 38.25

General Fund appropriation to the SUI for the Oakdale Campus.

DETAIL: Maintains current level of funding and FTE positions.

15 7 c. State hygienic laboratory  
 15 8 For salaries, support, maintenance, miscellaneous purposes,  
 15 9 and for not more than the following full=time equivalent  
 15 10 positions:  
 15 11 ..... \$ 3,669,943  
 15 12 ..... FTEs 102.50

General Fund appropriation to the SUI for the State Hygienic Laboratory.

DETAIL: Maintains current level of funding and FTE positions.

15 13 d. Family practice program  
 15 14 For allocation by the dean of the college of medicine, with  
 15 15 approval of the advisory board, to qualified participants  
 15 16 to carry out the provisions of chapter 148D for the family  
 15 17 practice program, including salaries and support, and for not  
 15 18 more than the following full=time equivalent positions:  
 15 19 ..... \$ 1,855,628

General Fund appropriation to the SUI for the Family Practice Program.

DETAIL: Maintains current level of funding and FTE positions.

15 20 ..... FTEs 190.40

15 21 e. Child health care services

General Fund appropriation to the SUI for Specialized Child Health Care Services.

15 22 For specialized child health care services, including  
15 23 childhood cancer diagnostic and treatment network programs,  
15 24 rural comprehensive care for hemophilia patients, and the  
15 25 Iowa high-risk infant follow-up program, including salaries  
15 26 and support, and for not more than the following full-time  
15 27 equivalent positions:

DETAIL: Maintains current level of funding and FTE positions.

15 28 ..... \$ 684,297

15 29 ..... FTEs 57.97

15 30 f. Statewide cancer registry

General Fund appropriation to the SUI for the Statewide Cancer Registry.

15 31 For the statewide cancer registry, and for not more than the  
15 32 following full-time equivalent positions:

DETAIL: Maintains current level of funding and FTE positions.

15 33 ..... \$ 154,666

15 34 ..... FTEs 2.10

15 35 g. Substance abuse consortium

General Fund appropriation to the SUI for the Substance Abuse Consortium.

16 1 For moneys to be allocated to the Iowa consortium for  
16 2 substance abuse research and evaluation, and for not more than  
16 3 the following full-time equivalent position:

DETAIL: Maintains current level of funding and FTE positions.

16 4 ..... \$ 57,621

16 5 ..... FTEs 1.00

16 6 h. Center for biocatalysis

General Fund appropriation to the SUI for the Center for Biocatalysis.

16 7 For the center for biocatalysis, and for not more than the  
16 8 following full-time equivalent positions:

DETAIL: Maintains current level of funding and FTE positions.

16 9 ..... \$ 750,990

16 10 ..... FTEs 6.28

16 11 i. Primary health care initiative

General Fund appropriation to the SUI Primary Health Care Initiative.

16 12 For the primary health care initiative in the college  
16 13 of medicine, and for not more than the following full-time

DETAIL: Maintains current level of funding and FTE positions.

16 14 equivalent positions:

16 15 ..... \$ 673,375

16 16 ..... FTEs 5.89

16 17 From the moneys appropriated in this lettered paragraph,  
16 18 \$271,159 shall be allocated to the department of family  
16 19 practice at the state university of Iowa college of medicine  
16 20 for family practice faculty and support staff.

Requires \$271,159 of the Primary Health Care Initiative appropriation to be allocated to the Department of Family Practice at the College of Medicine. This amount includes the FY 2010 across-the-board reduction.

16 21 j. Birth defects registry

16 22 For the birth defects registry, and for not more than the  
16 23 following full-time equivalent position:

16 24 ..... \$ 39,730

16 25 ..... FTEs 1.00

General Fund appropriation to the SUI for the Birth Defects Registry.

DETAIL: Maintains current level of funding and FTE positions.

16 26 k. Larned A. Waterman Iowa nonprofit resource center

16 27 For the Larned A. Waterman Iowa nonprofit resource center,  
16 28 and for not more than the following full-time equivalent  
16 29 positions:

16 30 ..... \$ 168,662

16 31 ..... FTEs 2.75

General Fund appropriation to the Larned A. Waterman Iowa Nonprofit Resource Center at the SUI.

DETAIL: Maintains current level of funding and FTE positions.

### 16 32 3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

16 33 a. General university

16 34 For salaries, support, maintenance, equipment, miscellaneous  
16 35 purposes, and for not more than the following full-time  
17 1 equivalent positions:

17 2 ..... \$170,536,017

17 3 ..... FTEs 3,647.42

General Fund appropriation to Iowa State University (ISU) for the general operating budget.

DETAIL: This is an increase of \$4,047,192 (2.43%) and no change in FTE positions compared to estimated net FY 2010. The University received an FY 2010 General Fund supplemental appropriation of \$10,839,521 in SF 2366 (FY 2010 Appropriations Adjustment Act). With the supplemental funding, the FY 2010 funding will total \$177,328,346. Compared to the FY 2010 funding with the supplemental funding, the FY 2011 appropriation is a decrease of \$6,792,329 (3.83%). This decrease includes:

- A decrease of \$9,154,353 in projected efficiency savings.
- A general increase of \$1,830,871.
- A shift of \$531,153 from the STEM Collaborative Initiative to the ISU general operating budget.

NOTE: The net FY 2010 funding with the supplemental funding does not include federal funding from the ARRA. The University received \$31,595,952 in ARRA funds in FY 2010 which was partially offset by an FY 2011 Underground Storage Tank Fund appropriation of \$3,202,079. When these funds are considered, the FY 2011 appropriation represents a decrease of \$35,186,202 (16.84%).

17 4 b. Agricultural experiment station  
 17 5 For the agricultural experiment station salaries, support,  
 17 6 maintenance, miscellaneous purposes, and for not more than the  
 17 7 following full-time equivalent positions:  
 17 8 ..... \$ 29,170,840  
 17 9 ..... FTEs 546.98

General Fund appropriation to ISU for the Agricultural Experiment Station.

DETAIL: Maintains current level of funding and FTE positions.

17 10 c. Cooperative extension service in agriculture and home  
 17 11 economics  
 17 12 For the cooperative extension service in agriculture and  
 17 13 home economics salaries, support, maintenance, miscellaneous  
 17 14 purposes, and for not more than the following full-time  
 17 15 equivalent positions:  
 17 16 ..... \$ 18,612,391  
 17 17 ..... FTEs 383.34

General Fund appropriation to ISU for the Cooperative Extension Service.

DETAIL: Maintains current level of funding and FTE positions.

17 18 d. Leopold center  
 17 19 For agricultural research grants at Iowa state university of  
 17 20 science and technology under section 266.39B, and for not more  
 17 21 than the following full-time equivalent positions:  
 17 22 ..... \$ 412,388  
 17 23 ..... FTEs 11.25

General Fund appropriation to ISU for the Leopold Center.

DETAIL: Maintains current level of funding and FTE positions.

The Leopold Center is a research and education center with statewide programs to develop sustainable agricultural practices that are profitable and conserve natural resources. It was established under

		the Groundwater Protection Act of 1987 to:
		<ul style="list-style-type: none"> <li>• Conduct research regarding the negative impacts of agricultural practices.</li> <li>• Assist in developing alternative practices.</li> <li>• Work with the ISU Extension to inform the public of Leopold Center findings.</li> </ul>
17 24	e. Livestock disease research	General Fund appropriation to ISU for Livestock Disease Research.
17 25	For deposit in and the use of the livestock disease research	
17 26	fund under section 267.8:	DETAIL: Maintains current level of funding.
17 27	..... \$ 179,356	
17 28	4. UNIVERSITY OF NORTHERN IOWA	
17 29	a. General university	General Fund appropriation to the University of Northern Iowa (UNI)
17 30	For salaries, support, maintenance, equipment, miscellaneous	for the general operating budget.
17 31	purposes, and for not more than the following full-time	
17 32	equivalent positions:	DETAIL: This is an increase of \$2,138,911 (2.84%) and no change in
17 33	..... \$ 77,549,809	FTE positions compared to estimated net FY 2010. The University
17 34	..... FTEs 1,447.50	received an FY 2010 General Fund supplemental appropriation of
		\$5,227,665 in SF 2366 (FY 2010 Appropriations Adjustments Act).
		With the supplemental funding, the FY 2010 funding totals
		\$80,638,563. Compared to the FY 2010 funding with the
		supplemental funding, the FY 2011 appropriation is a decrease of
		\$3,088,754 (3.83%). This decrease includes:
		<ul style="list-style-type: none"> <li>• A decrease of \$4,162,864 in projected efficiency savings.</li> <li>• A general increase of \$832,573.</li> <li>• A shift of \$241,538 from the STEM Collaborative Initiative to the UNI general operating budget.</li> </ul>
		NOTE: The net FY 2010 funding with the supplemental funding does
		not include federal funding from the ARRA. The University received
		\$12,376,464 in ARRA funds in FY 2010 which was partially offset in
		FY 2011 with an Underground Storage Tank appropriation of



\$1,456,118. When these funds are considered, the FY 2011 appropriation represents a decrease of \$14,009,100 (15.06%).

17 35 b. Recycling and reuse center

18 1 For purposes of the recycling and reuse center, and for not

18 2 more than the following full-time equivalent positions:

18 3 ..... \$ 181,858

18 4 ..... FTEs 3.00

General Fund appropriation to UNI for the Recycling and Reuse Center.

DETAIL: Maintains current level of funding and FTE positions.

18 5 c. Science, technology, engineering, and mathematics (STEM)

18 6 collaborative initiative

18 7 For purposes of establishing a science, technology,

18 8 engineering, and mathematics (STEM) collaborative initiative,

18 9 and for not more than the following full-time equivalent

18 10 positions:

18 11 ..... \$ 1,800,000

18 12 ..... FTEs 6.20

General Fund appropriation to UNI for the STEM Collaborative Initiative.

DETAIL: This is a decrease of \$1,450,549 and no change in FTE positions compared to estimated net FY 2010. This reduction was made to offset increases to the general operating budgets of the three universities.

18 13 (1) From the moneys appropriated in this lettered

18 14 paragraph, up to \$300,000 shall be allocated for salaries,

18 15 staffing, and institutional support. The remainder of the

18 16 moneys appropriated in this lettered paragraph shall be

18 17 expended only to support activities directly related to

18 18 recruitment of kindergarten through grade 12 mathematics and

18 19 science teachers and for ongoing mathematics and science

18 20 programming for students enrolled in kindergarten through grade

18 21 12.

Permits UNI to spend:

- \$300,000 for salaries, staffing, and institutional support of the STEM Program.
- \$1,500,000 for core programs that directly recruit and prepare K-12 mathematics and science teachers or otherwise improve the quality of K-12 mathematics and science instruction.

18 22 (2) The university of northern Iowa shall work with the

18 23 community colleges to develop STEM professional development

18 24 programs for community college instructors and STEM curriculum

18 25 development.

Requires the UNI to work with the community colleges to develop programs for community college instructors and to develop STEM curriculum.

18 26 d. Real estate education program

General Fund appropriation to UNI for the Real Estate Education

18 27 For purposes of the real estate education program, and for  
 18 28 not more than the following full-time equivalent position:  
 18 29 ..... \$ 130,022  
 18 30 ..... FTEs 1.00

Program.

DETAIL: Maintains current level of funding and FTE positions.

18 31 5. STATE SCHOOL FOR THE DEAF  
 18 32 For salaries, support, maintenance, miscellaneous purposes,  
 18 33 and for not more than the following full-time equivalent  
 18 34 positions:  
 18 35 ..... \$ 8,679,964  
 19 1 ..... FTEs 126.60

General Fund appropriation to the Iowa School for the Deaf.

DETAIL: Maintains the net FY 2010 level of funding and FTE positions from the General Fund. The School received an Underground Storage Tank Fund appropriation of \$162,980 later in this Act and \$233,000 in HF 2531 (FY 2011 Standings Appropriation Act) for an FY 2011 total of \$9,075,944.

NOTE: The School received an FY 2010 General Fund supplemental appropriation of \$583,902 in SF 2366 and \$583,987 in FY 2010 ARRA funds. When these funds are considered, the FY 2011 appropriations represent a decrease of \$771,909 (7.84%).

19 2 6. IOWA BRAILLE AND SIGHT SAVING SCHOOL  
 19 3 For salaries, support, maintenance, miscellaneous purposes,  
 19 4 and for not more than the following full-time equivalent  
 19 5 positions:  
 19 6 ..... \$ 4,917,362  
 19 7 ..... FTEs 62.87

General Fund appropriation to the Iowa Braille and Sight Saving School.

DETAIL: Maintains the net FY 2010 level of funding and FTE positions from the General Fund. The School received an Underground Storage Tank Fund appropriation of \$92,331 later in this Act and \$137,000 in HF 2531 (FY 2011 Standings Appropriation Act) for an FY 2011 total of \$5,146,693.

NOTE: The School received an FY 2010 General Fund supplemental appropriation of \$337,791 in SF 2366 and \$330,215 in FY 2010 ARRA funds. When these funds are considered, the FY 2011 appropriations represent a decrease of \$438,675 (7.85%).

19 8 7. TUITION AND TRANSPORTATION COSTS  
 19 9 For payment to local school boards for the tuition and  
 19 10 transportation costs of students residing in the Iowa braille  
 19 11 and sight saving school and the state school for the deaf  
 19 12 pursuant to section 262.43 and for payment of certain clothing,

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 funding.

19 13 prescription, and transportation costs for students at these  
 19 14 schools pursuant to section 270.5:  
 19 15 ..... \$ 12,206

19 16 8. LICENSED CLASSROOM TEACHERS  
 19 17 For distribution at the Iowa braille and sight saving school  
 19 18 and the Iowa school for the deaf based upon the average yearly  
 19 19 enrollment at each school as determined by the state board of  
 19 20 regents:  
 19 21 ..... \$ 85,140

General Fund appropriation to the State School for the Deaf and the Iowa Braille and Sight Saving School to offset the funding for teachers that was discontinued when the standing appropriation for the Education Excellence Program was eliminated during the 2009 Legislative Session.

DETAIL: Maintains current level of funding.

19 22 Sec. 11. IOWA COMPREHENSIVE PETROLEUM UNDERGROUND  
 STORAGE  
 19 23 TANK FUND APPROPRIATIONS == STATE BOARD OF REGENTS.

19 24 There is appropriated from the Iowa comprehensive petroleum  
 19 25 underground storage tank fund created in section 455G.3 to the  
 19 26 state board of regents for the fiscal year beginning July 1,  
 19 27 2010, and ending June 30, 2011, the following amounts, or so  
 19 28 much thereof as may be necessary, to be used for the purposes  
 19 29 designated, notwithstanding section 455G.3, subsection 1:

19 30 1. STATE UNIVERSITY OF IOWA  
 19 31 General university  
 19 32 For salaries, support, maintenance, equipment, and  
 19 33 miscellaneous purposes:  
 19 34 ..... \$ 4,086,492

Underground Storage Tank Fund appropriation for the University of Iowa general operating budget.

DETAIL: The impact of this appropriation is discussed above.

19 35 2. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY  
 20 1 General university  
 20 2 For salaries, support, maintenance, equipment, and  
 20 3 miscellaneous purposes:  
 20 4 ..... \$ 3,202,079

Underground Storage Tank Fund appropriation for the Iowa State University general operating budget.

DETAIL: The impact of this appropriation is discussed above.

20 5	3. UNIVERSITY OF NORTHERN IOWA	Underground Storage Tank Fund appropriation for the University of Northern Iowa general operating budget.
20 6	General university	
20 7	For salaries, support, maintenance, equipment, and	
20 8	miscellaneous purposes:	DETAIL: The impact of this appropriation is discussed above.
20 9	..... \$ 1,456,118	
20 10	4. STATE SCHOOL FOR THE DEAF	Underground Storage Tank Fund appropriation for the Iowa School for the Deaf.
20 11	For salaries, support, maintenance, equipment, and	
20 12	miscellaneous purposes:	DETAIL: The impact of this appropriation is discussed above.
20 13	..... \$ 162,980	
20 14	5. IOWA BRAILLE AND SIGHT SAVING SCHOOL	Underground Storage Tank Fund appropriation for the Iowa Braille and Sight Saving School.
20 15	For salaries, support, maintenance, equipment, and	
20 16	miscellaneous purposes:	DETAIL: The impact of this appropriation is discussed above.
20 17	..... \$ 92,331	
20 18	Sec. 12. STATE BOARD OF REGENTS EFFICIENCIES INITIATIVES	Requires the Board of Regents to report on any initiatives to improve efficiency at the Regents institutions in response to the FY 2010 10.00% across-the-board budget reduction.
20 19	AND FUNDING REDUCTION REPORT. The state board of regents shall	
20 20	submit to the general assembly on or before December 15, 2010,	
20 21	a report which provides details on any initiatives implemented	
20 22	by a regents institution to create greater efficiency within	
20 23	the regents institution during the 2009=2010 fiscal year,	
20 24	and details on the methods by which the regents institutions	
20 25	implemented budget reductions ordered by the governor pursuant	
20 26	to executive order number 19 issued October 8, 2009.	
20 27	Sec. 13. ENERGY COST=SAVINGS PROJECTS == FINANCING. For	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.
20 28	the fiscal year beginning July 1, 2010, and ending June 30,	
20 29	2011, the state board of regents may use notes, bonds, or	
20 30	other evidences of indebtedness issued under section 262.48 to	
20 31	finance projects that will result in energy cost savings in an	
20 32	amount that will cause the state board to recover the cost of	
20 33	the projects within an average of six years.	

20 34 Sec. 14. PRESCRIPTION DRUG COSTS. Notwithstanding section  
20 35 270.7, the department of administrative services shall pay  
21 1 the state school for the deaf and the Iowa braille and sight  
21 2 saving school the moneys collected from the counties during the  
21 3 fiscal year beginning July 1, 2010, for expenses relating to  
21 4 prescription drug costs for students attending the state school  
21 5 for the deaf and the 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.

21 6 Sec. 15. Section 256.51, subsection 1, Code 2009, is amended  
21 7 by adding the following new paragraph:  
21 8 NEW PARAGRAPH . k. Compile and evaluate the information  
21 9 contained in the reports submitted to the division pursuant  
21 10 to section 256.66, subsection 13A. The division shall submit  
21 11 electronically the summary and its findings and recommendations  
21 12 in an annual report to the commission, the general assembly,  
21 13 chairpersons and ranking members of the joint appropriations  
21 14 subcommittee on education, and the fiscal services division of  
21 15 the legislative services agency by January 15.

CODE: Requires the State Library to compile and evaluate annually financial data supplied by the LSAs and submit findings and recommendations to the Library Commission, the General Assembly, the chairpersons and ranking members of the Education Appropriations Subcommittee, and the Fiscal Services Division of the Legislative Services Agency by January 15.

21 16 Sec. 16. Section 256.66, Code 2009, is amended by adding the  
21 17 following new subsection:  
21 18 NEW SUBSECTION . 13A. Shall submit electronically by  
21 19 December 1 annually a report to the division of libraries  
21 20 and information services that provides details regarding the  
21 21 revenues the library service area receives from all sources,  
21 22 its expenditures, and its full-time equivalent positions by job  
21 23 title for the preceding fiscal year.

CODE: Requires the LSAs to submit a financial report annually to the State Library, including revenues, expenditures, and full-time equivalent positions, by December 1 for the previous fiscal year.

21 24 Sec. 17. Section 256C.6, Code 2009, is amended by adding the  
21 25 following new subsection:  
21 26 NEW SUBSECTION . 3A. For the fiscal year beginning July  
21 27 1, 2010, if the number of requests from school districts for  
21 28 initial participation in the preschool program exceeds the  
21 29 funding made available for the preschool program, in lieu of  
21 30 applying the provisions of subsection 3, the department shall

CODE: Specifies that for FY 2011, if the number of requests for initial participation in the Statewide Voluntary Preschool Program exceeds the funding available, the Department of Education will implement a method to provide grants to all school districts that are interested and qualify on a prorated basis.

DETAIL: Based on data from the October 2009 Department of Education certified enrollment file, 174 school districts have weighted

21 31 implement a method for prorating grant awards to ensure that  
 21 32 all interested and qualified school districts have access to  
 21 33 the funding.

preschool enrollments totaling 8,199.6, generating total preschool formula funding of \$48,250,000 for FY 2011. The remaining districts would be eligible, upon approval of the Department of Education, to participate in the Program beginning in FY 2011 and would receive a prorated portion of the \$12.2 million for the Statewide Voluntary Preschool Program appropriation provided in this Act and the \$4.0 million Cash Reserve Fund appropriation in HF 2531 (FY 2011 Standing Appropriations Act). Additionally, these districts will begin receiving preschool formula funds beginning in FY 2012.

FISCAL IMPACT: Based on current Legislative Services Agency (LSA) estimates, the estimated preschool formula aid totals \$67.2 million for FY 2012 and \$86.9 million for FY 2013 (assuming a 2.00% allowable growth rate for each year and an increase of 5,000 students each year). The estimate for preschool formula funding based on the proposal totals \$90.9 million in FY 2012 and \$92.7 million in FY 2013. The estimated fiscal impact is:

- An increase of preschool formula funding of \$23.7 million in FY 2012 compared to current law LSA estimates for FY 2012.
- An increase of preschool formula funding of \$5.8 million in FY 2013 compared to current law LSA estimates for FY 2013.

This estimate assumes that 90.00% of four-year-olds will be receiving preschool services.

21 34 Sec. 18. Section 256I.7, subsection 1, paragraph a, as  
 21 35 enacted by 2010 Iowa Acts, Senate File 2088, section 284, is  
 22 1 amended to read as follows:  
 22 2 a. The early childhood Iowa functions for an area shall be  
 22 3 performed under the authority of an early childhood Iowa area  
 22 4 board. The members of an area board shall be elected officials  
 22 5 or members of the public who are not employed by a provider of  
 22 6 services to or for the area board. In addition, the membership  
 22 7 of an area board shall include representation from early  
 22 8 care, education, health, human services, business, and faith  
 22 9 interests, and at least one parent, grandparent, or guardian  
 22 10 of a child from zero through age five. ~~The education, health,~~

CODE: Technical correction.

22 11 ~~and human services agencies represented on an area board may~~  
22 12 ~~receive funding from the area board.~~

22 13 Sec. 19. Section 256I.11, subsection 4, paragraph d, as  
22 14 enacted by 2010 Iowa Acts, Senate File 2088, section 288, is  
22 15 amended to read as follows:  
22 16 d. The moneys distributed from the early childhood programs  
22 17 grant account shall be used by early childhood Iowa areas  
22 18 for the purposes of enhancing quality child care capacity in  
22 19 support of parent capability to obtain or retain employment.  
22 20 The moneys shall be used with a primary emphasis on low-income  
22 21 families and children from zero to age five. Moneys shall be  
22 22 provided in a flexible manner and shall be used to implement  
22 23 strategies identified by the early childhood Iowa area to  
22 24 achieve such purposes. The department of ~~management~~ human  
22 25 services may use a portion of the funding appropriated to the  
22 26 department under this subsection for provision of technical  
22 27 assistance and other support to the early childhood Iowa areas  
22 28 developing and implementing strategies with grant moneys  
22 29 distributed from the account.

CODE: Technical correction.

22 30 Sec. 20. Section 257.6, subsection 1, paragraph a,  
22 31 subparagraph (5), Code Supplement 2009, is amended to read as  
22 32 follows:  
22 33 (5) Resident pupils receiving competent private instruction  
22 34 from a licensed practitioner provided through a public  
22 35 school district pursuant to chapter 299A shall be counted as  
23 1 three-tenths of one pupil. Revenues received by a school  
23 2 district attributed to a school district's weighted enrollment  
23 3 pursuant to this paragraph shall be expended for the purpose  
23 4 for which the weighting was assigned under this paragraph. If  
23 5 the school district determines that the expenditures associated  
23 6 with providing competent private instruction pursuant to  
23 7 chapter 299A are in excess of the revenue attributed to the  
23 8 school district's weighted enrollment for such instruction  
23 9 in accordance with this subparagraph, the school district

CODE: Specifies that funds received by a school district through weighting of home-schooled pupils must be used according to provisions in statute.

23 10 may submit a request to the school budget review committee  
 23 11 for modified allowable growth in accordance with section  
 23 12 257.31, subsection 5, paragraph "n". A home school assistance  
 23 13 program shall not provide moneys received pursuant to this  
 23 14 subparagraph, nor resources paid for with moneys received  
 23 15 pursuant to this subparagraph, to parents or students utilizing  
 23 16 the program. Moneys received by a school district pursuant to  
 23 17 this subparagraph shall be used as provided in section 299A.12.

23 18 Sec. 21. Section 257.16, subsections 3 and 4, Code 2009, are  
 23 19 amended to read as follows:

23 20 3. All moneys received by a school district from the state  
 23 21 under this chapter shall be deposited in the general fund of  
 23 22 the school district, and may be used for any school general  
 23 23 fund purpose unless otherwise provided by law .

23 24 4. Notwithstanding any provision to the contrary, if  
 23 25 the governor orders budget reductions in accordance with  
 23 26 section 8.31, the teacher salary supplement district cost,  
 23 27 the professional development supplement district cost, and  
 23 28 the early intervention supplement district cost as calculated  
 23 29 under section 257.10, subsections 9, 10, and 11, and the area  
 23 30 education agency teacher salary supplement district cost and  
 23 31 the area education agency professional development supplement  
 23 32 district cost as calculated under section 257.37A, subsections  
 23 33 1 and 2, shall be paid in full as calculated and the reductions  
 23 34 in the appropriations provided in accordance with this section  
 23 35 shall be reduced from the remaining moneys appropriated  
 24 1 pursuant to this section and shall be distributed on a per  
 24 2 pupil basis calculated with the weighted enrollment determined  
 24 3 in accordance with section 257.6, subsection 5.

24 4 Sec. 22. Section 260C.18D, Code Supplement 2009, is amended  
 24 5 by adding the following new subsection:

24 6 NEW SUBSECTION . 6. Reductions. Moneys appropriated by  
 24 7 the general assembly to the department for community college  
 24 8 instructor salaries are not subject to a uniform reduction in

CODE: Specifies that if the Governor orders a General Fund across-the-board reduction, the State school aid allocations for the teacher salary supplement, the professional development supplement, and the early intervention supplement to school districts and AEAs will not be reduced. Additionally, specifies that the remaining State school aid funds will be reduced and applied to school districts and AEAs on a per-pupil weighted enrollment basis.

DETAIL: Section 27 of the Act specifies that this Section is effective on enactment and applies to FY 2011 for all the categorical supplement funds.

CODE: Specifies that funds appropriated to supplement instructor salaries at the community colleges are not subject to across-the-board reductions ordered by the Governor.

DETAIL: This will exempt the annual General Fund appropriation for community college salaries from across-the-board reductions.



24 9 accordance with section 8.31.

24 10 Sec. 23. Section 261.25, subsections 1, 2, and 3, Code  
24 11 Supplement 2009, are amended to read as follows:

24 12 1. There is appropriated from the general fund of the  
24 13 state to the commission for each fiscal year the sum of  
24 14 ~~forty-five~~ forty-four million ~~two hundred~~ thirteen thousand  
24 15 ~~sixty-nine~~ four hundred forty-eight dollars for tuition grants.

CODE: Sets the General Fund standing appropriation for the Iowa Tuition Grant Program at \$44,013,448.

DETAIL: This is an increase of \$1,521,686 (3.58%) compared to estimated net FY 2010.

24 16 2. There is appropriated from the general fund of the state  
24 17 to the commission for each fiscal year the sum of four million  
24 18 ~~nine~~ six hundred ~~eighty-eight~~ fifty thousand ~~five~~ four hundred  
24 19 ~~sixty-one~~ eighty-seven dollars for tuition grants for students  
24 20 attending for-profit accredited private institutions located in  
24 21 Iowa. A for-profit institution which, effective March 9, 2005,  
24 22 purchased an accredited private institution that was exempt  
24 23 from taxation under section 501(c) of the Internal Revenue  
24 24 Code, shall be an eligible institution under the tuition grant  
24 25 program. ~~In the case of a qualified student who was enrolled~~  
24 26 ~~in such accredited private institution that was purchased~~  
24 27 ~~by the for-profit institution effective March 9, 2005, and~~  
24 28 ~~who continues to be enrolled in the eligible institution in~~  
24 29 ~~succeeding years, the amount the student qualifies for under~~  
24 30 ~~this subsection shall be not less than the amount the student~~  
24 31 ~~qualified for in the fiscal year beginning July 1, 2004. For~~  
24 32 ~~purposes of the tuition grant program, "for-profit accredited~~  
24 33 ~~private institution" means an accredited private institution~~  
24 34 ~~which is not exempt from taxation under section 501(c)(3)~~  
24 35 ~~of the Internal Revenue Code but which otherwise meets the~~  
25 1 requirements of section 261.9, subsection 1, paragraph "b", and  
25 2 whose students were eligible to receive tuition grants in the  
25 3 fiscal year beginning July 1, 2003.

CODE: Sets the General Fund standing appropriation for the For-Profit Iowa Tuition Grant Program at \$4,650,487.

DETAIL: This is an increase of \$160,782 (3.58%) compared to estimated net FY 2010.

25 4 3. There is appropriated from the general fund of the

CODE: Sets the General Fund standing appropriation for the

25 5 state to the commission for each fiscal year the sum of two  
 25 6 million ~~five~~ four hundred ~~twelve~~ thirteen thousand nine hundred  
 25 7 ~~fifty-eight~~ fifty-nine dollars for vocational=technical tuition  
 25 8 grants.

Vocational Technical Tuition Grant Program at \$2,413,959.

DETAIL: This is an increase of \$152,297 (6.73%) compared to estimated net FY 2010.

25 9 Sec. 24. Section 261.25, Code Supplement 2009, is amended by  
 25 10 adding the following new subsection:  
 25 11 NEW SUBSECTION . 6. In the case of a qualified student  
 25 12 who was enrolled in an accredited private institution that  
 25 13 was exempt from taxation under section 501(c) of the Internal  
 25 14 Revenue Code and that was purchased by a for=profit institution  
 25 15 effective January 8, 2010, and such qualified student continues  
 25 16 to be enrolled in the eligible institution in succeeding  
 25 17 years, the student shall continue to be eligible to receive  
 25 18 funds under subsection 1 without a change in the student's  
 25 19 qualification status.

CODE: Permits Waldorf College students who were eligible for the Iowa Tuition Grant to remain eligible after the college became a for-profit institution.

25 20 Sec. 25. Section 262.9, subsection 33, paragraph i, Code  
 25 21 Supplement 2009, is amended to read as follows:  
 25 22 i. Prepare, jointly with the department of education and  
 25 23 the liaison advisory committee on transfer students, and submit  
 25 24 by January 4 15 annually to the general assembly, an update  
 25 25 on the articulation efforts and activities implemented by the  
 25 26 community colleges and the institutions of higher education  
 25 27 governed by the board.

CODE: Delays the due date of the annual report on articulation activities and efforts by the community colleges and Regents universities from January 1 to January 15.

25 28 Sec. 26. Section 262.93, Code 2009, is amended to read as  
 25 29 follows:  
 25 30 262.93 Reports to general assembly.  
 25 31 The college student aid commission and the state board of  
 25 32 regents each shall submit, by January 4 15 of each year, a  
 25 33 report on the progress and implementation of the programs which  
 25 34 they administer under sections 261.102 through 261.105, 262.82,  
 25 35 and 262.92. The reports shall include, but are not limited  
 26 1 to, the numbers of students participating in the programs and

CODE: Delays the due date of the College Student Aid Commission annual report on progress and implementation of the programs administered by the Commission from January 1 to January 15.

26 2 allocation of funds appropriated for the programs.

26 3 Sec. 27. Section 263A.13, Code 2009, is amended to read as  
26 4 follows:

26 5 263A.13 Hospital reports to general assembly.

26 6 The university of Iowa hospitals and clinics shall

26 7 ~~compile and~~ transmit to the general assembly the following

26 8 ~~information~~ its independently audited financial statement by

26 9 ~~December~~ January 15 of each fiscal year : .

26 10 1. ~~Revenue from all income sources, by source, including but~~  
26 11 ~~not limited to state appropriations, other state funds, tuition~~  
26 12 ~~income, patient charges, payments from political subdivisions,~~  
26 13 ~~interest income, and gifts, and grants from public and private~~  
26 14 ~~sources.~~

26 15 2. ~~Expenditures by program and revenue source.~~

26 16 3. ~~Net revenue over spending from hospital operations,~~  
26 17 ~~including the method used to calculate the results.~~

26 18 ~~The legislative services agency shall develop forms for~~  
26 19 ~~collecting the information required in this subparagraph.~~

CODE: Changes the reporting requirements for the University of Iowa Hospitals and Clinics to substitute its independently audited financial statement for the current report of revenues, expenditures, and fund balances.

26 20 Sec. 28. Section 272.13, unnumbered paragraph 3, Code 2009,  
26 21 is amended to read as follows:

26 22 All complaint files, investigation files, other  
26 23 investigation reports, and other investigative information in  
26 24 the possession of the board or its employees or agents, which  
26 25 relate to licensee discipline, are privileged and confidential,  
26 26 and are not subject to discovery, subpoena, or other means  
26 27 of legal compulsion for their release to a person other than  
26 28 the respondent and the board and its employees and agents  
26 29 involved in licensee discipline, and are not admissible in  
26 30 evidence in a judicial or administrative proceeding other  
26 31 than the proceeding involving licensee discipline. ~~However,~~  
26 32 ~~investigative~~ A complaint, any amendment to a complaint and  
26 33 any supporting documents shall be provided to the respondent  
26 34 immediately upon the board's determination that jurisdictional  
26 35 requirements have been met and prior to the commencement of

CODE: Requires the Board of Educational Examiners to provide copies of a complaint and supporting documents to the respondent prior to the commencement of a Board investigation.

27 1 the board's investigation. Investigative information in the  
27 2 possession of the board or its employees or agents which  
27 3 relates to licensee discipline may be disclosed to appropriate  
27 4 licensing authorities within this state, the appropriate  
27 5 licensing authority in another state, the District of Columbia,  
27 6 or a territory or country in which the licensee is licensed  
27 7 or has applied for a license. A final written decision and  
27 8 finding of fact of the board in a disciplinary proceeding is a  
27 9 public record.

27 10 Sec. 29. Section 272.31, subsection 2, paragraph c, Code  
27 11 2009, if enacted by 2010 Iowa Acts, House File 2461, section 2,  
27 12 is amended to read as follows:

27 13 c. An individual employed as a school business official  
27 14 prior to July 1, 2012, who meets the requirements of the board,  
27 15 other than the training program requirements of paragraph "a",  
27 16 shall be issued, ~~at no charge~~ with no fee for issuance, an  
27 17 initial authorization by the board, but shall meet renewal  
27 18 requirements for an authorization within the time period  
27 19 specified by the board.

CODE: Prohibits charging a fee for issuance of initial authorization for school business officials employed prior to July 1, 2012.

27 20 Sec. 30. Section 279.38, Code 2009, is amended to read as  
27 21 follows:

27 22 279.38 Membership in association of school boards.  
27 23 1. Boards of directors of school corporations may pay,  
27 24 out of funds available to them, reasonable annual dues to  
27 25 the Iowa association of school boards. Each board that pays  
27 26 membership dues to the Iowa association of school boards shall  
27 27 annually report to the local community and to the department of  
27 28 education the amount the board pays in annual dues to the Iowa  
27 29 association of school boards, the amount of any fees paid and  
27 30 revenue or dividend payments received for services the board  
27 31 receives from the association or from any of the association's  
27 32 affiliated for-profit entities, and the products or services  
27 33 the school district received inclusive with membership in the  
27 34 association.

CODE: Requires school boards to annually report to the local community and the Department of Education the amount paid in annual dues to the Iowa Association of School Boards (IASB), the amount of any fees paid, the amount of revenue or dividend payments received from IASB or its affiliated for-profit entities, and the products and services the district received as part of membership in IASB.

Further requires that the IASB annually publish the total revenue received from each school district resulting from membership fees and the sale of products and services by the Association or its affiliated for-profit entities. Requires the IASB to provide the General Assembly with copies of all reports the Association provides to the U.S. Department of Education related to federal grants that the Association or its affiliated for-profit entities administer or distribute to school districts. Specifies that the IASB is subject to open meetings and public records laws.

27 35     2. The financial condition and transactions of the Iowa  
 28 1 association of school boards shall be audited in the same  
 28 2 manner as school corporations as provided in section 11.6.  
 28 3 In addition, annually the Iowa association of school boards  
 28 4 shall publish a listing of the school districts and the  
 28 5 annual dues paid by each, the total revenue the association  
 28 6 receives from each school district resulting from the payment  
 28 7 of membership fees and the sale of products and services to  
 28 8 the school district by the association or its affiliated  
 28 9 for-profit entities, and shall publish an accounting of all  
 28 10 moneys expended for expenses incurred by and salaries paid to  
 28 11 legislative representatives and lobbyists of the association.  
 28 12 In addition, the association shall submit to the general  
 28 13 assembly copies of all reports the association provides to  
 28 14 the United States department of education relating to federal  
 28 15 grants and grant amounts that the association or its affiliated  
 28 16 for-profit entities administer or distribute to school  
 28 17 districts. The Iowa association of school boards is subject  
 28 18 to chapters 21 and 22 relating to open meetings and public  
 28 19 records.  
 28 20     3. Membership in such an Iowa association of school boards  
 28 21 shall be limited to those duly elected members of the boards of  
 28 22 directors of local school corporations.

28 23     Sec. 31. Section 279.38A, Code 2009, is amended to read as  
 28 24 follows:  
 28 25     279.38A Membership in other organizations == reporting  
 28 26 requirements .  
 28 27     1. Duly elected members of boards of directors and  
 28 28 designated administrators of school corporations may join,  
 28 29 including the payment of dues, and participate in local,  
 28 30 regional, and national organizations which directly relate to  
 28 31 the functions of the board of directors.  
 28 32     2. Each board that pays membership dues to an organization  
 28 33 in accordance with this section shall annually report to the  
 28 34 local community and to the department of education the amount  
 28 35 the board pays in annual dues to the organization, the amount

CODE: Requires school boards to annually report to the local community and the Department of Education the amount of dues and fees paid as part of membership in local, regional, and national organizations directly related to the functions of the school board. Further requires reporting of revenue and dividend payments received from the organizations and products and services received inclusive with membership. Requires the organizations to submit to the General Assembly copies of all reports provided to the U.S. Department of Education regarding federal grants that the organization administers or distributes to local school districts. Specifies that the governing board of the organization is subject to open meetings and public records laws.

29 1 of any fees paid and revenue or dividend payments received for  
 29 2 services the board receives from the organization, and the  
 29 3 products or services the school district received inclusive  
 29 4 with membership in the organization. If the organization  
 29 5 administers federal education grants on behalf of school  
 29 6 districts or distributes federal education grant funds to  
 29 7 school districts, the organization shall submit to the general  
 29 8 assembly copies of all reports the organization provides to the  
 29 9 United States department of education, on the date on which  
 29 10 each such report is provided to the United States department  
 29 11 of education, relating to federal grants and grant amounts  
 29 12 that the organization administers for or distributes to school  
 29 13 districts. The governing board of the organization is subject  
 29 14 to chapters 21 and 22 relating to open meetings and public  
 29 15 records.

29 16 Sec. 32. Section 284.3A, subsection 2, Code Supplement  
 29 17 2009, is amended to read as follows:  
 29 18 2. a. For the school budget year beginning July 1,  
 29 19 2010, and each succeeding school year, school districts  
 29 20 and area education agencies shall combine payments made to  
 29 21 teachers under sections 257.10 and 257.37A with regular wages  
 29 22 ~~and to create one a combined salary system~~. The teacher  
 29 23 contract issued under section 279.13 must include the combined  
 29 24 salary. If a school district or area education agency uses  
 29 25 a salary schedule, ~~one a combined~~ salary schedule shall be  
 29 26 used for regular wages and for distribution of payments under  
 29 27 sections 257.10 and 257.37A, incorporating the salary minimums  
 29 28 required in section 284.7. The combined salary schedule must  
 29 29 use only the combined salary and cannot differentiate regular  
 29 30 salaries and distribution of payments under sections 257.10 and  
 29 31 257.37A.  
 29 32 b. If the licensed employees of a school district or area  
 29 33 education agency are organized under chapter 20 for collective  
 29 34 bargaining purposes, the creation of the new combined salary  
 29 35 ~~system~~ shall be subject to the scope of negotiations specified  
 30 1 in section 20.9. A reduction in the teacher salary supplement

CODE: Eliminates references to a "one salary system" and replaces it  
 with "combined salary system" when referencing the teacher salary  
 supplement and regular wages. Additionally, specifies that a  
 combined salary schedule only use the combined salary and not  
 differentiate between regular salaries and payments of teacher salary  
 supplement allocations.

30 2 per pupil amount shall also be subject to the scope of  
 30 3 negotiations specified in section 20.9.  
 30 4 c. If the licensed employees of a school district or area  
 30 5 education agency are not organized for collective bargaining  
 30 6 purposes, the board of directors shall create the new  
 30 7 combined salary ~~system~~. The board of directors shall determine  
 30 8 adjustments in salaries resulting from a reduction in the  
 30 9 teacher salary supplement per pupil amount.

30 10 Sec. 33. Section 284.3A, Code Supplement 2009, is amended by  
 30 11 adding the following new subsection:  
 30 12 NEW SUBSECTION . 4. The teacher salary supplement district  
 30 13 cost as calculated under section 257.10, subsection 9, and the  
 30 14 area education agency teacher salary supplement district cost  
 30 15 as calculated under section 257.37A, subsection 1, are not  
 30 16 subject to a uniform reduction in accordance with section 8.31.

CODE: Specifies that State school aid General Fund allocations for teacher salary supplement and AEA teacher salary supplement are not subject to a General Fund across-the-board reduction.

30 17 Sec. 34. Section 284.13, subsection 1, paragraphs a, b, c,  
 30 18 and d, Code Supplement 2009, are amended to read as follows:

30 19 a. For the fiscal year beginning July 1, ~~2009~~ 2010 ,  
 30 20 and ending June 30, ~~2010~~ 2011 , to the department of  
 30 21 education, the amount of ~~one million one~~ nine hundred  
 30 22 ~~twenty-five~~ sixty-four thousand dollars for the issuance of  
 30 23 national board certification awards in accordance with section  
 30 24 256.44. Of the amount allocated under this paragraph, not less  
 30 25 than ~~eighty-five~~ seventy-six thousand five hundred dollars  
 30 26 shall be used to administer the ambassador to education  
 30 27 position in accordance with section 256.45.

CODE: Allocates \$964,000 from the \$7,314,765 General Fund appropriation for the Student Achievement and Teacher Quality Program to be used for National Board Certification Awards for FY 2011. Requires \$76,500 of the allocation to be used to administer the Ambassador to Education (Teacher of the Year) position.

DETAIL: This is a decrease of \$48,500 (4.79%) compared to FY 2010. This level is sufficient to fulfill existing commitments. No new awards are funded.

30 28 b. For the fiscal year beginning July 1, ~~2009~~ 2010 , and  
 30 29 succeeding fiscal years, an amount up to ~~three~~ four million  
 30 30 ~~nine one hundred forty-nine~~ seven thousand ~~seven~~ two hundred  
 30 31 ~~fifty~~ forty dollars for first-year and second-year beginning

CODE: Allocates \$4,107,240 from the \$7,314,765 General Fund appropriation for the Student Achievement and Teacher Quality Program to be used for Beginning Teacher Mentoring and Induction for FY 2011 and succeeding years.

30 32 teachers, to the department of education for distribution to  
 30 33 school districts and area education agencies for purposes  
 30 34 of the beginning teacher mentoring and induction programs.  
 30 35 A school district or area education agency shall receive  
 31 1 one thousand three hundred dollars per beginning teacher  
 31 2 participating in the program. If the funds appropriated for  
 31 3 the program are insufficient to pay mentors, school districts,  
 31 4 and area education agencies as provided in this paragraph,  
 31 5 the department shall prorate the amount distributed to  
 31 6 school districts and area education agencies based upon the  
 31 7 amount appropriated. Moneys received by a school district  
 31 8 or area education agency pursuant to this paragraph shall be  
 31 9 expended to provide each mentor with an award of five hundred  
 31 10 dollars per semester, at a minimum, for participation in  
 31 11 the school district's or area education agency's beginning  
 31 12 teacher mentoring and induction program; to implement the  
 31 13 plan; and to pay any applicable costs of the employer's share  
 31 14 of contributions to federal social security and the Iowa  
 31 15 public employees' retirement system or a pension and annuity  
 31 16 retirement system established under chapter 294, for such  
 31 17 amounts paid by the district or area education agency.

DETAIL: This is a decrease of \$77,760 (1.86%) compared to the FY 2010 allocation that included funds transferred from the FY 2009 carryforward.

31 18 c. For ~~each the fiscal year of the fiscal period beginning~~  
 31 19 ~~July 1, 2007 2010~~, and ending June 30, ~~2010 2011~~, up to  
 31 20 ~~six hundred ninety-five~~ thirteen thousand eight hundred  
 31 21 ~~seventy-eight~~ dollars to the department for purposes of  
 31 22 implementing the professional development program requirements  
 31 23 of section 284.6, assistance in developing model evidence for  
 31 24 teacher quality committees established pursuant to section  
 31 25 284.4, subsection 1, paragraph "c", and the evaluator training  
 31 26 program in section 284.10. A portion of the funds allocated  
 31 27 to the department for purposes of this paragraph may be used  
 31 28 by the department for administrative purposes and for not more  
 31 29 than four full-time equivalent positions.

CODE: Allocates \$613,878 from the \$7,314,765 General Fund appropriation for the Student Achievement and Teacher Quality Program to be used for Career Development and Evaluator Training for FY 2011 and succeeding years.

DETAIL: This is a decrease of \$11,622 (1.86%) compared to FY 2010.

31 30 d. For each fiscal year in which funds are appropriated

CODE: Allocates \$1,629,647 from the \$7,314,765 General Fund



31 31 for purposes of this chapter, an amount up to one million  
 31 32 ~~eight~~ six hundred ~~forty-five~~ twenty-nine thousand six hundred  
 31 33 ~~forty-seven~~ dollars to the department for the establishment  
 31 34 of teacher development academies in accordance with section  
 31 35 284.6, subsection 10. A portion of the funds allocated to  
 32 1 the department for purposes of this paragraph may be used for  
 32 2 administrative purposes.

appropriation for the Student Achievement and Teacher Quality Program to be used for Teacher Development Academies for FY 2011 and succeeding years.

DETAIL: This is a decrease of \$30,853 (1.86%) compared to FY 2010.

32 3 Sec. 35. Section 284A.2, subsection 2, Code Supplement  
 32 4 2009, is amended to read as follows:  
 32 5 2. "Beginning administrator" means an individual serving  
 32 6 under an ~~initial~~ administrator license, issued by the board  
 32 7 of educational examiners under chapter 272, who is assuming  
 32 8 a position as a school district ~~administrator~~ principal or  
 32 9 superintendent for the first time.

CODE: Specifies that the term "beginning administrator," for purposes of the Beginning Administrator Mentoring and Induction Program, includes only those assuming the role of principal or superintendent for the first time.

32 10 Sec. 36. Section 284A.5, subsections 3 and 5, Code 2009, are  
 32 11 amended to read as follows:  
 32 12 3. Each school board shall establish an administrator  
 32 13 mentoring program for all beginning administrators. The  
 32 14 school board may adopt the model program developed by the  
 32 15 department pursuant to subsection 2. Each school board's  
 32 16 beginning administrator mentoring and induction program  
 32 17 shall, at a minimum, provide for one year of programming to  
 32 18 support the Iowa standards for school administrators adopted  
 32 19 pursuant to section 256.7, subsection 27, and beginning  
 32 20 administrators' professional and personal needs. Each school  
 32 21 board shall develop ~~an initial~~ and implement a beginning  
 32 22 administrator mentoring and induction plan. The plan shall  
 32 23 describe the mentor selection process, describe supports for  
 32 24 beginning administrators, describe program organizational  
 32 25 and collaborative structures, provide a budget, provide  
 32 26 for sustainability of the program, and provide for program  
 32 27 evaluation. The school board employing an administrator shall  
 32 28 determine the conditions and requirements of an administrator  
 32 29 participating in a program established pursuant to this

CODE: Technical change.

32 30 section. A school board shall include its plan in the school  
32 31 district's comprehensive school improvement plan submitted  
32 32 pursuant to section 256.7, subsection 21.  
32 33 5. By the end of a beginning administrator's first year of  
32 34 employment, the beginning administrator may be comprehensively  
32 35 evaluated to determine if the administrator meets expectations  
33 1 to move to a ~~standard~~ professional administrator license .  
33 2 where appropriate . The school district or area education  
33 3 agency that employs a beginning administrator shall recommend  
33 4 the beginning administrator for a ~~standard~~ professional  
33 5 administrator license , where appropriate, if the beginning  
33 6 administrator is determined through a comprehensive evaluation  
33 7 to demonstrate competence in the Iowa standards for school  
33 8 administrators adopted pursuant to section 256.7, subsection  
33 9 27. A school district or area education agency may allow a  
33 10 beginning administrator a second year to demonstrate competence  
33 11 in the Iowa standards for school administrators if, after  
33 12 conducting a comprehensive evaluation, the school district  
33 13 or area education agency determines that the administrator  
33 14 is likely to successfully demonstrate competence in the Iowa  
33 15 standards for school administrators by the end of the second  
33 16 year. Upon notification by the school district or area  
33 17 education agency, the board of educational examiners shall  
33 18 grant a beginning administrator who has been allowed a second  
33 19 year to demonstrate competence a one-year extension of the  
33 20 beginning administrator's initial license. An administrator  
33 21 granted a second year to demonstrate competence shall undergo a  
33 22 comprehensive evaluation at the end of the second year.

33 23 Sec. 37. Section 284A.6, subsection 2, Code 2009, is amended  
33 24 to read as follows:

33 25 2. In cooperation with the administrator's evaluator, the  
33 26 administrator who has a ~~standard administrator's~~ professional  
33 27 administrator license issued by the board of educational  
33 28 examiners pursuant to chapter 272 and is employed by a  
33 29 school district or area education agency in a school  
33 30 district administrative position, shall develop an individual

CODE: Technical change.

33 31 administrator professional development plan. The purpose  
33 32 of the plan is to promote individual and group professional  
33 33 development. The individual plan shall be based, at a minimum,  
33 34 on the needs of the administrator, the Iowa standards for  
33 35 school administrators adopted pursuant to section 256.7,  
34 1 subsection 27, and the student achievement goals of the  
34 2 attendance center and the school district as outlined in the  
34 3 comprehensive school improvement plan.

34 4 Sec. 38. Section 284A.7, Code 2009, is amended to read as  
34 5 follows:

34 6 284A.7 Evaluation requirements for administrators.  
34 7 A school district shall conduct an evaluation of  
34 8 an administrator who holds a ~~standard~~ professional  
34 9 administrator license issued under chapter 272 at least once  
34 10 every three years for purposes of assisting the administrator  
34 11 in making continuous improvement, documenting continued  
34 12 competence in the Iowa standards for school administrators  
34 13 adopted pursuant to section 256.7, subsection 27, or to  
34 14 determine whether the administrator's practice meets school  
34 15 district expectations. The review shall include, at a minimum,  
34 16 an assessment of the administrator's competence in meeting  
34 17 the Iowa standards for school administrators and the goals of  
34 18 the administrator's individual professional development plan,  
34 19 including supporting documentation or artifacts aligned to the  
34 20 Iowa standards for school administrators and the individual  
34 21 administrator's professional development plan.

CODE: Technical change.

34 22 Sec. 39. Section 284A.8, Code Supplement 2009, is amended  
34 23 to read as follows:

34 24 284A.8 Beginning administrator mentoring and induction  
34 25 program == program funds.

34 26 1. To the extent moneys are available, a school district  
34 27 shall receive one thousand five hundred dollars per beginning  
34 28 administrator participating in the program. ~~If the funds~~  
34 29 ~~appropriated for the program are insufficient to pay mentors~~

CODE: Requires school districts to give priority to fully funding  
Beginning Administrator Mentoring and Induction Program stipends  
for those mentoring principals and secondary priority to stipends for  
those mentoring superintendents.

34 30 ~~and school districts as provided in this section, the~~  
 34 31 ~~department shall prorate the amount distributed to school~~  
 34 32 ~~districts based upon the amount appropriated.~~ Moneys received  
 34 33 by a school district pursuant to this section shall be expended  
 34 34 to provide each mentor with an award of five hundred dollars  
 34 35 per semester, at a minimum, for participation in the school  
 35 1 district's beginning administrator mentoring and induction  
 35 2 program; to implement the plan; and to pay any applicable costs  
 35 3 of the employer's share of contributions to federal social  
 35 4 security and the Iowa public employees' retirement system or a  
 35 5 pension and annuity retirement system established under chapter  
 35 6 294, for such amounts paid by the district.  
 35 7 2. If the funds appropriated for the program are  
 35 8 insufficient to pay mentors and school districts as provided  
 35 9 in this section, the department shall prorate the amount  
 35 10 distributed to school districts based upon the amount  
 35 11 appropriated. A school district shall give priority to fully  
 35 12 funding the obligation to principal mentors. Remaining moneys,  
 35 13 if any, shall first be used to fund superintendent mentors and  
 35 14 then to fund other program costs and applicable costs described  
 35 15 in subsection 1.

35 16 Sec. 40. NEW SECTION . 299A.12 Home school assistance  
 35 17 program.

35 18 1. The board of directors of a school district may expend  
 35 19 moneys received pursuant to section 257.6, subsection 1,  
 35 20 paragraph "a", subparagraph (5), for purposes of providing a  
 35 21 home school assistance program.

35 22 2. Purposes for which a school district may expend funds  
 35 23 received pursuant to section 257.6, subsection 1, paragraph  
 35 24 "a", subparagraph (5), shall include but not be limited to the  
 35 25 following:

35 26 a. Assisting parents with instruction.

35 27 b. Student and teaching=parent support services and staff  
35 28 support services.

35 29 c. Salary and benefits for the supervising teacher of  
 35 30 the home school assistance program students. If the teacher

CODE: Specifies the authorized uses for monies allotted to school  
 districts through weighting of competent private instruction pupils.

35 31 is a part-time home school assistance program teacher and a  
35 32 part-time regular classroom teacher, funds received pursuant to  
35 33 section 257.6, subsection 1, paragraph "a", subparagraph (5),  
35 34 may be used only for the portion of time in which the teacher is  
35 35 a home school assistance program teacher.

36 1 d. Salary and benefits for clerical and office staff of  
36 2 the home school assistance program. If the staff members are  
36 3 shared with other programs or functions within the district,  
36 4 funds received pursuant to section 257.6, subsection 1,  
36 5 paragraph "a", subparagraph (5), shall only be expended for  
36 6 the portion of time spent providing the home school assistance  
36 7 program services.

36 8 e. Staff development for the home school assistance program  
36 9 teacher.

36 10 f. Travel for the home school assistance program teacher.

36 11 g. Resources, materials, computer software and hardware,  
36 12 and supplies, and purchased services that meet the following  
36 13 criteria:

36 14 (1) Are necessary to provide the services of home school  
36 15 assistance.

36 16 (2) Are retained as the possessions of the school district  
36 17 for its prekindergarten through grade twelve home school  
36 18 assistance program.

36 19 3. Purposes for which a school district shall not expend  
36 20 funds received pursuant to section 257.6, subsection 1,  
36 21 paragraph "a", subparagraph (5), include but are not limited to  
36 22 the following:

36 23 a. Indirect costs or use charges.

36 24 b. Operational or maintenance costs in addition to the cost  
36 25 of maintaining school district facilities.

36 26 c. Capital expenditures.

36 27 d. Student transportation except in cases of home school  
36 28 assistance program=approved field trips or other educational  
36 29 activities.

36 30 e. Administrative costs.

36 31 f. Concurrent enrollment program costs and postsecondary  
36 32 enrollment options program costs.

36 33 g. Any other expenditures not directly related to providing

36 34 the home school assistance program. A home school assistance  
36 35 program shall not provide moneys to parents or students  
37 1 utilizing the program.

37 2 Sec. 41. 2010 Iowa Acts, House File 2295, section 1,  
37 3 subsection 1, if enacted, is amended to read as follows:  
37 4 1. The department of education shall convene a task force  
37 5 to review the present mission, structure, governance, and  
37 6 funding of the area education agency system to determine if the  
37 7 current model is applicable to the challenges and requirements  
37 8 of twenty-first century learning. The task force shall review  
37 9 how area education agency administrative services are funded  
37 10 and the percentages of state, federal, and local moneys used  
37 11 to pay for administrative services and salaries, the services  
37 12 provided by area education agencies, the number of students  
37 13 served by each area education agency, and the funding options  
37 14 for area education agencies subject to uniform reductions in  
37 15 appropriations ordered by the governor pursuant to section  
37 16 8.31.

CODE: Amends HF 2295 (AEA Task Force Act), if enacted, to require the Department of Education AEA Task Force to review how administrative services are funded, the services provided by AEAs, the number of students served by each AEA, and funding options for AEAs subject to across-the-board reductions.

37 17 Sec. 42. NONPROFIT ORGANIZATIONS == OPEN MEETINGS AND OPEN  
37 18 RECORDS INTERIM STUDY COMMITTEE. The legislative council is  
37 19 requested to establish an interim study committee to study the  
37 20 inclusion under the open meetings and open records laws of  
37 21 nonprofit organizations that are supported in whole or in part  
37 22 with public funds or revenues derived from public fees, that  
37 23 were established by, or are operated by, governing boards whose  
37 24 memberships were or are substantially comprised of state or  
37 25 local elected officials or appointees of governmental bodies.  
37 26 The interim study committee shall report its findings and  
37 27 recommendations to the general assembly not later than December  
37 28 15, 2010.

Requests that the Legislative Council establish an interim study committee to study the inclusion of certain types of nonprofit organizations under the open meetings and open records laws. Specifies the study is to include nonprofit organizations supported in whole or in part with public funds or revenues derived from public fees and that are established by or operated by governing boards substantially comprised of state or elected officials or governmental appointees. Requires the interim study committee to report findings and recommendations to the General Assembly by December 15, 2010.

37 29 Sec. 43. EFFECTIVE UPON ENACTMENT.

37 30 1. The section of this Act amending section 257.16,

The Section of this Act that exempts the teacher salary supplement,

37 31 subsection 4, being deemed of immediate importance, takes	the professional development supplement, the early intervention
37 32 effect upon enactment and applies to the calculation of	supplement, the AEA teacher salary supplement, and the AEA
37 33 the teacher salary supplement district cost, professional	professional development supplement from across-the-board
37 34 development supplement district cost, early intervention	reductions ordered by the Governor is effective on enactment.
37 35 supplement district cost, area education agency teacher	Further specifies that the exemption applies to the calculation of the
38 1 salary supplement district cost, and area education agency	district cost for each of the supplements for FY 2011.
38 2 professional development supplement district cost for the	
38 3 school budget year beginning July 1, 2010.	
38 4 2. The section of this Act enacting section 260C.18D,	The Section of this Act that exempts the community college salary
38 5 subsection 6, being deemed of immediate importance, takes	supplement from ATB reductions ordered by the Governor is effective
38 6 effect upon enactment.	on enactment.
38 7 3. The section of this Act enacting section 261.25,	The Section of this Act pertaining to the Iowa Tuition Grant Program
38 8 subsection 6, being deemed of immediate importance, takes	and students enrolled at Waldorf College is effective on enactment.
38 9 effect upon enactment.	
38 10 4. The section of this Act amending section 272.13,	The Section of this Act pertaining to the Board of Educational
38 11 unnumbered paragraph 3, being deemed of immediate importance,	Examiners complaint investigations is effective on enactment.
38 12 takes effect upon enactment.	
38 13 5. The section of this Act amending section 284.3A,	The Section of this Act pertaining to combined salary is effective on
38 14 subsection 2, being deemed of immediate importance, takes	enactment.
38 15 effect upon enactment.	
38 16 6. The section of this Act enacting section 284.3A,	The Section of this Act that exempts the teacher salary supplement
38 17 subsection 4, being deemed of immediate importance, takes	district cost and the AEA teacher salary supplement district cost from
38 18 effect upon enactment and applies to the calculation of the	across-the-board reductions ordered by the Governor is effective on
38 19 teacher salary supplement district cost for the school budget	enactment. Further specifies that the exemption applies to the
38 20 year beginning July 1, 2010.	calculation of the teacher salary supplement district cost for FY 2011.

# EXECUTIVE SUMMARY

## HEALTH AND HUMAN SERVICES APPROPRIATIONS ACT

HOUSE FILE 2526

### FUNDING SUMMARY

- Appropriates a total of \$942.6 million from the General Fund and 6,961.4 FTE positions to the Department on Aging, Departments of Public Health, Human Services, and Veterans Affairs, and the Iowa Veterans Home. This is a decrease of \$180.1 million and a decrease of 29.3 FTE positions compared to estimated net FY 2010.
- Appropriates a total of \$508.0 million from other funds. This is an increase of \$47.9 million compared to estimated net FY 2010. This includes:
  - \$90,000 from the Merchant Marine Bonus Fund to supplement the Veteran County Grant Program. This is a new appropriation for FY 2011. (Page 16, Line 22)
  - \$155.2 million from the Temporary Assistance to Needy Families (TANF) Fund to the Department of Human Services. This is an increase of \$11.0 million compared to estimated net FY 2010. (Page 16, Line 33 through Page 22, Line 22)
  - \$107.6 million from the Health Care Trust Fund to the DHS. This is an increase of \$7.0 million compared to estimated net FY 2010. The entire FY 2011 appropriation from the Health Care Trust Fund goes to Medicaid. Other FY 2010 appropriations are transferred to the General Fund for FY 2011. (Page 27, Line 26)
  - \$48.3 million from the Senior Living Trust Fund (SLTF) to the Department on Aging, the Departments of Human Services, and the Iowa Finance Authority. This is an increase of \$20.1 million compared to estimated net FY 2010. (Page 65, Line 34 through Page 68, Line 8)
  - \$4.0 million from the Pharmaceutical Settlement Account to Medical Contracts. This is an increase of \$2.7 million compared to estimated net FY 2010. (Page 68, Line 9)
  - \$147.3 million from the IowaCare Account to the University of Iowa Hospitals and Clinics and its physicians, Polk County Broadlawns Medical Center, federally qualified health centers, and certain IowaCare nonparticipating providers. This is an increase of \$27.0 million compared to estimated net FY 2010. (Page 68, Line 19 through Page 73, Line 9)
  - \$5.2 million from the Health Care Transformation Account (HCTA) to the DHS. This is a decrease of \$200,000 compared to estimated net FY 2010. (Page 73, Line 10 through Page 74, Line 24)
  - \$1.3 million from the Medicare Fraud Account of the Department of Inspections and Appeals (DIA). This is a new appropriation for FY 2011. (Page 74, Line 25)
  - \$13.9 million from the Quality Assurance Trust Fund. This is a new appropriation for FY 2011. (Page 75, Line 1)
  - \$7.0 million from the Iowa Comprehensive Petroleum Underground Storage Tank Fund. These are new appropriations for FY 2011. (Page 75, Line 29 through Page 78, Line 21)
  - \$18.1 million from the federal American Recovery and Reinvestment Act (ARRA) funding for the child care subsidy. (Page 93, Line 22)
- Increases the funds available for the FY 2010 IowaCare appropriation to Broadlawns Medical Center by \$1.0 million. (Page 90, Line 2)



# EXECUTIVE SUMMARY

## HEALTH AND HUMAN SERVICES APPROPRIATIONS ACT

HOUSE FILE 2526

### FY 2010 SUPPLEMENTAL FUNDING

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

- The DHS received \$100,163 and the DPH received \$4.4 million in FY 2010 supplemental funding in SF 2366 (FY 2010 Appropriations Adjustments Act) that are not included in the calculations in this Act. Makes the following General Fund or other fund changes for FY 2011:
- **Department on Aging:** An increase of \$201,000 and a decrease of 1.5 FTE positions compared to estimated net FY 2010 with a change in funding source from the Health Care Trust Fund to the General Fund for that amount. (Page 1, Line 8)
- **Department of Public Health:** An increase of \$7.4 million and 1.1 FTE positions compared to estimated net FY 2010. There are additional funds appropriated from the Underground Storage Tank Fund. The significant changes result from a change in funding source from the Health Care Trust Fund to the General Fund and include:
  - An increase of \$3.2 million and no change in FTE position for Addictive Disorders. (Page 3, Line 24)
  - An increase of \$711,000 and no change in FTE positions for Healthy Children and Families. (Page 6, Line 23)
  - An increase of \$1.1 million and 1.1 FTE positions for Chronic Conditions. (Page 7, Line 28)
  - An increase of \$1.8 million and no change in FTE positions for Community Capacity. (Page 8, Line 33)
  - An increase of \$535,000 for Healthy Aging. (Page 13, Line 19)
- **Department of Human Services:** A decrease of \$175.9 million and a decrease of 3.4 FTE positions compared to estimated net FY 2010. There are additional funds appropriated from the Underground Storage Tank Fund for general operations. The General Fund changes include:
  - An increase of \$602,000 for the Family Investment Program. (Page 25, Line 7)
  - A decrease of \$201,000 for the Child Support Recovery Unit. (Page 26, Line 20)
  - A decrease of \$197.5 million for the Medical Assistance Program. (Page 27, Line 34)
  - A decrease of \$2.6 million for Medical Contracts. (Page 35, Line 26)
  - An increase of \$1.8 million for State Supplementary Assistance. (Page 36, Line 6)
  - An increase of \$10.5 million for the State Children's Health Insurance Program. (Page 37, Line 2)
  - A decrease of \$222,000 for the Child Care Assistance Program. (Page 37, Line 23)
  - An increase of \$3.1 million and no change in FTE positions for the two juvenile institutions. (Page 40, Lines 1 and 6)
  - A decrease of \$1.9 million for Child and Family Services. (Page 40, Line 29)
  - An increase of \$462,000 for the Adoption Subsidy Program. (Page 47, Line 5)
  - A decrease of \$355,000 for the Family Support Subsidy Program. (Page 48, Line 14)
  - An increase of \$1.9 million and no change in FTE positions for the four Mental Health Institutes. (Page 49, Line 16 through Page 50, Line 24)

# EXECUTIVE SUMMARY

## HEALTH AND HUMAN SERVICES APPROPRIATIONS ACT

HOUSE FILE 2526

### MAJOR INCREASES, DECREASES, AND TRANSFERS OF EXISTING PROGRAMS (CONTINUED)

- A decrease of \$1.3 million and no change in FTE positions for the two State Resource Centers. (Page 50, Line 31 and Line 34)
- An increase of \$1.0 million for the State Cases Program. (Page 51, Line 35)
- An increase of \$458,000 and no change in FTE positions for the Sexual Predator Commitment Program. (Page 55, Line 1)
- An increase of \$2.4 million and no change in FTE positions for Field Operations and General Administration. (Page 55, Line 24 and Page 56, Line 2)
- ***Veterans Affairs:*** A decrease of \$90,000 and a decrease of 25.4 FTE positions from the General Fund for the Department of Veterans Affairs compared to estimated net FY 2010. This includes:
  - A decrease of \$90,000 for the County Veterans Grant Program. This same amount is provided by an appropriation from the Merchant Marine Bonus Fund for FY 2011. (Page 15, Line 18 and Page 16, Line 22)
  - Transfers \$1.0 million from the Veterans Home to the DHS Field Operations budget unit to supplement that appropriation. (Page 88, Line 5)
- ***University of Iowa and additional providers within the IowaCare Program:***
  - Provides a new contingent appropriation of \$12.0 million for the physicians associated with the University of Iowa Hospitals and Clinics. (Page 70, Line 12)
  - Provides a new contingent appropriation of \$6.0 million for the federally qualified health centers that are part of the IowaCare regional provider network. (Page 72 Line 17)
  - Provides a new contingent appropriation of \$2.0 million for nonparticipating providers of the IowaCare Program. (Page 73, Line 1)
- ***Nursing Facilities:***
  - Appropriates \$13.9 million from the Quality Assurance Trust Fund to the DHS with an allocation of \$7.5 million to supplement nursing facility reimbursements. (Page 75, Line 1)
- ***Appropriations from the Iowa Comprehensive Petroleum Underground Storage Tank Fund:***
  - \$635,000 to the Department of Public Health, including:
    - \$500,000 for substance abuse treatment and prevention. (Page 76, Line 4)
    - \$20,000 for food costs for those with phenylketonuria (PKU). (Page 76, Line 9)
    - \$15,000 for the University of Iowa Child Health Specialty Clinics. (Page 76, Line 12)
    - \$100,000 for the State Poison Control Center. (Page 76, Line 14)
  - \$6.4 million to the DHS, including:
    - \$600,000 for juvenile delinquent graduated sanction services. (Page 76, Line 20)
    - \$200,000 for the Exceptional Children Center in Polk County. (Page 76, Line 23)
    - \$25,000 for the Four Oaks Aspergers Syndrome Program in Linn County. (Page 76, Line 29)
    - \$100,000 for a child protection center in Black Hawk County. (Page 77, Line 4)
    - \$100,000 for the Children-at-Home Program. (Page 77, Line 10)
    - \$250,000 for child support recovery. (Page 77, Line 15)
    - \$200,000 for the Juvenile Home at Toledo and \$400,000 for the State Training School at Eldora. (Page 77, Lines 17 through 24)

# EXECUTIVE SUMMARY

## HEALTH AND HUMAN SERVICES APPROPRIATIONS ACT

HOUSE FILE 2526

### MAJOR INCREASES, DECREASES, AND TRANSFERS OF EXISTING PROGRAMS (CONTINUED)

### STUDIES AND INTENT LANGUAGE

- \$100,000 for the Mental Health Institute (MHI) at Cherokee, \$100,000 for the MHI at Clarinda, \$100,000 for the MHI at Independence, and \$50,000 for the MHI at Mount Pleasant. (Page 77, Line 25 through Page 78, Line 3)
- \$1.0 million for the State Cases Program. (Page 78, Line 4)
- \$800,000 for the Sexual Predator Commitment Program. (Page 78, Line 6)
- \$2.3 million for Field Operations. (Page 78, Line 8)
- **Department on Aging:** Requires the Department to enforce State and federal requirements for area agencies on aging. (Page 2, Line 25)
- **Department of Public Health:** Specifies intent that a board of direct care workers be established within the DPH by July 1, 2014. Requires the Direct Care Worker Advisory Council to include various items in a report due January 15, 2011. (Page 11, Line 20 through Page 12, Line 27)
- **Department of Veterans Affairs:** Permits the Iowa Veterans Home to use existing resources and federal and State regulations for the community reentry program. (Page 16, Line 2)
- **Department of Human Services (DHS):**
  - Requires the DHS and the Department of Workforce Development to provide summer youth employment and training programs. (Page 20, Line 21 through Page 22, Line 11)
  - Requires the DHS to maximize allowable federal matching funds for food stamp employment and training. Requires the DHS to expand usage of the food assistance program and complying with federal requirements regarding incarcerated or other ineligible applicants. (Page 23, Line 35 and Page 24, Line 8)
  - Permits the DHS to transfer Executive Order 20 savings from Medicaid to supplement the medical contracts appropriation. (Page 33, Line 26)
  - Requires the DHS to request and implement if approved a federal waiver to add assisted living services to the home and community-based services for the elderly under the Medicaid Program. (Page 33, Line 33)
  - Requires the DHS to convene a workgroup related to mental health and disability services regulatory requirements. (Page 34, Line 8)
  - Requires the DIA to provide the State matching funds for the survey and certification costs performed by the DIA. (Page 36, Line 1)
  - Requires the DHS to prioritize full coverage of children's health insurance before supplemental dental services. (Page 37, Line 18)
  - Requires the DHS to prioritize the child care assistance payments before other expenditures from the child care appropriation. (Page 39, Line 7)
  - Specifies legislative intent regarding avoidance of a waiting list in FY 2011 with expectation of sufficient funding for child care subsidy assistance in FY 2011. (Page 39, Line 7)
  - Requires the Child Welfare Advisory Committee to issue recommendations relating to child welfare emergency services. (Page 42, Line 35)

# EXECUTIVE SUMMARY

## HEALTH AND HUMAN SERVICES APPROPRIATIONS ACT

HOUSE FILE 2526

### STUDIES AND INTENT LANGUAGE (CONTINUED)

- Requires the DHS to use \$17,000 of the child and family services funding to support the Interstate Compact for Juveniles. (Page 45, Line 6)
- Requires the DHS to review various mental health services, including those offered at mental health institutes, subacute care, future care at 16-bed facilities, medical student and clinical practitioner participation, and communication with the Judicial Branch. (Page 50, Line 2)
- Requests the Governor's Developmental Disabilities Council to facilitate a workgroup to study residential care facilities. (Page 54, Line 15)
- Requires the DHS to develop a plan for transitioning administration of the remedial services program from a fee-for-service to the Iowa Plan by December 31, 2010, and implementation by June 30, 2011. (Page 56, Line 29 and Page 57, Line 9)
- Requires the DHS to submit proposed rules that have a fiscal impact that were not included in the FY 2011 budget to the Chairpersons and Ranking Members of the Health and Human Services Appropriations Subcommittee and the Appropriations Committees prior to the submittal for the administrative rules process. (Page 64, Line 34)
- Limits the number of the Medicaid home and community-based services intellectual disabilities waiver openings. Requires the DHS to implement a statewide allocation method and convene a working group for criteria prioritization. (Page 93, Line 8)
- ***Department of Inspections and Appeals:*** Requires the Department to enter into a food establishment inspection agreement with a county to continue the inspections that were previously part of a multicounty area inspection agreement. (Page 94, Line 5) *This item was vetoed by the Governor.*
- ***Department on Aging:***
  - Defers implementation of the certified retirement communities program until the Department on Aging has the resources for implementation, as determined by the Director. (Page 84, Line 2)
  - Eliminates the annual training requirements for the Area Agencies on Aging board of directors. (Page 84, Line 13)
  - Delays implementation of dementia training and education programs until the Director determines funding is available. (Page 84, Line 16)
- ***Department of Public Health (DPH):***
  - Requires the DPH to use the lead certification fee revenue for related FTE positions and costs. (Page 83, Line 22)
  - Extends the reporting deadline for the advisory council for the Health Care Continuum Pilot Project until January 1, 2012. (Page 87, Line 14)
  - Changes the DPH Office of Multicultural Health to the Office of Minority and Multicultural Health and reflects changes in duties of the Office. (Page 116, Line 17)

### SIGNIFICANT CODE CHANGES

# EXECUTIVE SUMMARY

## HEALTH AND HUMAN SERVICES APPROPRIATIONS ACT

HOUSE FILE 2526

### SIGNIFICANT CODE CHANGES (CONTINUED)

- Modifies the reinstatement of the Hemophilia Advisory Committee to coordinate with the Center for Congenital and Inherited Disorders Advisory Committee. (Page 117, Lines 7 through 22; and Page 119, Line 18)
- **Department of Human Services (DHS):**
  - Reduces the FY 2011 appropriation in SF 478 (FY 2011 Standing Appropriations Act) for mental health allowed growth and provides for the FY 2011 distribution of the funds. (Page 78, Line 26 through Page 83, Line 16)
  - Extends the period of time until the end of FY 2011 for the mental health regional service network pilot project. (Page 85, Line 15)
  - Provides an interstate compact for juveniles and makes Code changes to reflect the updated compact. (Page 94, Line 28 through Page 116, Line 14)
  - Requires that funding from remaining child welfare funding be available for local decategorization (decat) projects for two years in lieu of one year beginning with the allocation from FY 2010 funds. (Page 117, Line 23) *This item was vetoed by the Governor.*
  - Permits the DHS to adopt specific rules for substitute hours for child care licensure under certain circumstances. (Page 118, Line 2)
  - Reduces the amount of funding transferred from the General Fund to the Health Care Trust Fund. (Page 118, Line 11)
  - Exempts certain residents of certain health care facilities, persons eligible for the home and community-based services waiver program, and participants in a Medicaid employment service program from the sex offender facility employee limitation. (Page 118, Line 25)
- **Department of Management (DOM):** Replaces the Department of Education with the DOM for responsibility to submit proposed corrective legislation to the 2011 General Assembly if an Early Childhood Iowa State Board is created. (Page 119, Line 6)
- **Department of Public Health (DPH):**
  - Requires up to \$500,000 remaining from the General Fund and Health Care Trust Fund appropriations for tobacco use prevention and control to carry forward to FY 2011. (Page 87, Line 31; Page 90, Line 29; and Page 91, Line 3)
- **Department of Veterans Affairs:**
  - Requires funds remaining from the Vietnam Veteran Bonus Fund to carry forward to FY 2011. (Page 85, Line 26)
  - Requires funds remaining from the Injured Veteran Grant Program to carry forward to FY 2011. (Page 85, Line 35)
  - Requires the Iowa Veterans Home to transfer up to \$1.0 million of the FY 2010 carryforward to the DHS field operations appropriation for FY 2011. (Page 88, Line 5)

### CARRYFORWARDS, REDUCTIONS, OR SUPPLEMENTALS

# EXECUTIVE SUMMARY

## HEALTH AND HUMAN SERVICES APPROPRIATIONS ACT

HOUSE FILE 2526

### CARRYFORWARDS, REDUCTIONS, OR SUPPLEMENTALS (CONTINUED)

#### • *Department of Human Services:*

- Carries forward the FY 2009 child welfare decat allocation, with \$1.9 million being used for the Medicaid waiver waiting lists in FY 2011 and the remaining used for the decat programs in FY 2011. (Page 84, Line 29)
- Decreases the previously enacted FY 2011 appropriation for the Medicaid, Healthy and Well Kids in Iowa (hawk-i), and hawk-i Expansion Programs. (Page 86, Line 10)
- Eliminates the requirement that DHS adopt rules to extend the period for annual renewal by medical assistance members by mailing the renewal form to the member on the first day of the month prior to the month of renewal. (Page 87, Line 27)
- Requires nonreversion of the FY 2010 TANF Family Investment Program appropriation through FY 2011. (Page 88, Line 20)
- Requires nonreversion of funds remaining from the FY 2009 appropriations from the behavioral health services account to FY 2011 for the emergency and children mental health funding and child welfare training. The remaining funds are appropriated to Medicaid. (Page 88, Line 30)
- Requires nonreversion of the remainder of the FY 2010 State Supplementary Assistance appropriation. (Page 89, Line 19)
- Requires nonreversion of funds remaining from the FY 2010 appropriation for child development programming in the Oakridge neighborhood in the city of Des Moines in Polk County. (Page 89, Line 29)
- Increases the funds available for the FY 2010 IowaCare appropriation to Broadlawns Medical Center by \$1.0 million. (Page 90, Line 2)
- Adds a FFY 2010 appropriation of \$18.1 million from the federal ARRA funding for the child care subsidy. (Page 93, Line 22)
- Requirement that the DHS and juvenile court services develop an FY 2011 funding distribution plan. (Page 65, Line 20)
- Division VII is effective on enactment. (Page 94, Line 19)  
This includes the following provisions:
  - Deferral of implementation of the certified retirement communities program until the Department on Aging has the resources for implementation.
  - Elimination of the annual training requirements for the area agencies on aging board of directors.
  - Delay of implementation of dementia training and education programs.
  - Carryforward and expenditure of FY 2009 decategorization allocation funds.
  - Extension until the end of FY 2011 for the mental health regional service network pilot project.
  - Nonreversion of the Vietnam Veteran Bonus Program funding.
  - Nonreversion of the Injured Veteran Grant Program.
  - Decrease of the previously enacted FY 2011 appropriation for the Medicaid, hawk-i, and hawk-i Expansion Programs.
  - Extension of the health care continuum pilot project until June 30, 2012.

### EFFECTIVE DATES

# EXECUTIVE SUMMARY

## HEALTH AND HUMAN SERVICES APPROPRIATIONS ACT

HOUSE FILE 2526

### EFFECTIVE DATES (CONTINUED)

- Striking the requirement that DHS adopt rules to extend the period for annual renewal by medical assistance members as specified.
- Capping nonreversion of the DHS FY 2010 multiple appropriations for tobacco use prevention and control.
- Requiring the Iowa Veterans Home to transfer up to \$1.0 million of the FY 2010 carryforward to the DHS field operations appropriation for FY 2011.
- Nonreversion of the FY 2010 TANF Family Investment Program appropriation.
- Extension and nonreversion of funds for the emergency and children's mental health projects.
- Nonreversion of the remainder of the FY 2010 State Supplementary Assistance appropriation.
- Nonreversion of funds remaining from the FY 2010 appropriation for child development programming in the Oakridge neighborhood in the city of Des Moines in Polk County.
- Increase in the funds available for the FY 2010 IowaCare appropriation to Broadlawns Medical Center by \$1.0 million.
- Changes to the FY 2010 emergency contingent TANF funding for the summer youth employment training programs.
- Limiting the number of the Medicaid home and community-based services intellectual disabilities waiver openings.
- Federal FY 2010 ARRA child development block grant appropriation.
- Requiring the DIA to enter into a food establishment inspection agreement with certain counties.
- The requirement that the DPH use lead certification fee revenue for FTE positions and related costs is retroactive to July 1, 2009. (Page 94, Line 22)
- The Governor vetoed Section 72 that allows a county to turn over food inspections from a multicounty area back to the DIA when applicable. The Governor stated that it takes away the DIA's discretion to maximize staff and resources and to enter into contracts based upon efficient government. (Page 94, Line 5)
- The Governor vetoed Section 80 that permits unexpended decategorization funding to carry forward for two succeeding fiscal years instead of the current one-year maximum limit. The Governor stated that the additional time to expend these funds is not prudent in difficult economic times. (Page 117, Line 23)
- This Act was approved by the General Assembly on March 27, 2010, and item vetoed and signed by the Governor on April 29, 2010.

### RETROACTIVE APPLICABILITY

### GOVERNOR'S VETOES

### ENACTMENT DATE

House File 2526 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
6	3	2.1(d)(2)(a)	Nwthstnd	Sec. ALL	Substance Abuse System
17	21	6.2	Nwthstnd	Sec. 8.33	Nonreversion of Contract Services Funds
17	35	6.3	Nwthstnd	Sec. 8.33	FY 2008 FaDSS Carryforward
19	31	6.13(a)	Nwthstnd	Sec. ALL	TANF Emergency Appropriation
25	22	8.3	Nwthstnd	Sec. 8.39	DHS Authority to Transfer TANF Funds
33	13	11.2O	Nwthstnd	Sec. 8.33	Medicare Clawback Carryforward
39	24	16.8	Nwthstnd	Sec. 8.33	Child Care Assistance Carryforward
42	21	19.7(a)	Nwthstnd	Sec. 234.35	Shelter Care Target
43	11	19.8	Nwthstnd	Sec. 8.33	CFS Carryforward
44	8	19.10(c)	Nwthstnd	Sec. 232.141	JCS Funding Distribution
44	17	19.10(d)	Nwthstnd	Sec. ALL	JCO Limitations
44	33	19.10(e)	Nwthstnd	Sec. ALL	JCO Limitations
47	17	20.3	Nwthstnd	Sec. 8.33	Adoption Carryforward
47	30	21	Nwthstnd	Sec. 232.142(3)	Juvenile Detention Fund
52	22	25.3	Nwthstnd	Sec. 8.33	State Cases Program Carryforward
60	16	33.1(k)	Nwthstnd	Sec. ALL	Anesthesiologist Reimbursement Rate
60	20	33.1(l)	Nwthstnd	Sec. 249A.20	Provider Rates
61	35	33.4	Nwthstnd	Sec. 234.38	Foster Care Rates
63	19	33.9(b)	Nwthstnd	Sec. 232.141(8)	Shelter Care Reimbursement
66	31	37.2	Nwthstnd	Sec. 249H.7	Senior Living Programs
68	9	40	Nwthstnd	Sec. ALL	Pharmaceutical Settlement Account
69	22	41.1(b)	Nwthstnd	Sec. ALL	IowaCare Distribution of Funds
70	8	41.2	Nwthstnd	Sec. ALL	IowaCare Payment
70	25	41.3	Nwthstnd	Sec. ALL	IowaCare Payment
72	29	41.5	Nwthstnd	Sec. ALL	IowaCare Payment
74	17	42.9	Nwthstnd	Sec. 8.39(1)	Funds Transfer
75	1	44	Nwthstnd	Sec. ALL	Nursing Facility Appropriation
78	10	46	Nwthstnd	Sec. 8.33	Carryforward of Medicaid Funds
78	26	47	Amends	Sec. 1, Chapter 179, 2009 Iowa Acts	Mental Health Allowed Growth



Page #	Line #	Bill Section	Action	Code Section	Description
79	12	48.1	Adds	Sec. 1, Chapter 179, 2009 Iowa Acts	Mental Health Allowed Growth
80	12	48.2	Adds	Sec. 1, Chapter 179, 2009 Iowa Acts	Mental Health Allowed Growth
80	19	48.3-5	Adds	Sec. 1, Chapter 179, 2009 Iowa Acts	Mental Health Allowed Growth
83	22	49	Amends	Sec. 135.105A(5), 2009 Code Supplement	Lead Training and Certification Program
84	2	50	Amends	Sec. 231.24(9)	Certified Retirement Communities
84	13	51	Amends	Sec. 231.33(19)	AAA Board Training
84	16	52	Amends	Sec. 3, Chapter 1140, 2008 Iowa Acts	Dementia Training
84	29	53	Amends	Sec. 16.5, Chapter 1187, 2008 Iowa Acts	FY 2009 Decat Carryforward
85	15	54	Amends	Sec. 59.9(a), Chapter 1187, 2008 Iowa Acts	Regional Mental Health Pilot Project
85	26	55	Amends	Sec. 82, Chapter 182, 2009 Iowa Acts	Vietnam Veteran Bonus Funding Carryforward
85	35	56	Amends	Sec. 83, Chapter 182, 2009 Iowa Acts	Injured Veteran Grant Program Carryforward
86	10	57	Amends	Sec. 16, Chapter 1188, 2008 Iowa Acts, as amended	Medicaid, hawk-i Appropriation
86	28	58.1	Amends	Sec. 36.1, Chapter 1188, 2008 Iowa Acts	Patient Decision Making Pilot Project
87	14	58.2	Amends	Sec. 36.2, Chapter 1188, 2008 Iowa Acts	Patient Autonomy Advisory Council Reporting
87	27	59	Amends	Sec. 38.3, Chapter 118, 2009 Iowa Acts	Medicaid Paperwork Requirements
87	31	60	Amends	Sec. 2.1(a), Chapter 182, 2009 Iowa Acts	Nonreversion of Tobacco General Fund
88	5	61	Amends	Sec. 3.2, Chapter 182, 2009 Iowa Acts	Use of Iowa Veterans Home FY 2010 Carryforward
88	20	62	Amends	Sec. 5, Chapter 182, 2009 Iowa Acts	TANF Carryforward

Page #	Line #	Bill Section	Action	Code Section	Description
88	30	63	Amends	Sec. 9.16(b), Chapter 182, 2009 Iowa Acts	Behavioral Health Account
89	19	64	Adds	Sec. 12.4, Chapter 182, 2009 Iowa Acts	Nonreversion of State Supplementary Assistance
89	29	65	Amends	Sec. 14.9, Chapter 182, 2009 Iowa Acts	Nonreversion of Child Development Programming Funds
90	2	66	Amends	Sec. 48.3, Chapter 182, 2009 Iowa Acts	FY 2010 IowaCare Broadlawns Appropriation
90	29	67	Amends	Sec. 60.1(b), Chapter 182, 2009 Iowa Acts	Nonreversion of Tobacco HCTF
91	17	69	Amends	Sec. 5A, Chap 182, 2009 Iowa Acts, as enacted by SF 2151	TANF Emergency Appropriation
94	5	72	Nwthstnd	Sec. ALL	County Food Inspections
94	28	74	Amends	Sec. 232.2(29), 2009 Code Supplement	Interstate Compact for Juveniles
116	17	77	Amends	Sec. 135.12, Code 2009	Office of Minority and Multicultural Health
117	7	78	Amends	Sec. 135N.3(2)	Hemophilia Advisory Committee Recommendations
117	14	79	Amends	Sec. 135N.5(1)	Hemophilia Advisory Committee
117	23	80	Amends	Sec. 232.188(5)(b)	Decategorization carryforward allowance
118	2	81	Adds	Sec. 237A.3A(3)(e), 2009 Code Supplement	Substitute Child Care Hours
118	11	82	Amends	Sec. 435A.35(1)	Health Care Trust Fund Transfer
118	25	83	Amends	Sec. 692A.115	Sex Offender Employment
119	6	84	Amends	Sec. 361.2, SF 2088, 2010 Iowa Acts	Empowerment Lead Agency Technical Correction
119	18	85	Repeals	Sec. 399, SF 2088, 2010 Iowa Acts	Hemophilia Advisory Committee

1 1 DIVISION I

1 2 DEPARTMENT ON AGING

1 3 Section 1. DEPARTMENT ON AGING. There is appropriated from  
1 4 the general fund of the state to the department on aging for  
1 5 the fiscal year beginning July 1, 2010, and ending June 30,  
1 6 2011, the following amount, or so much thereof as is necessary,  
1 7 to be used for the purposes designated:

1 8 For aging programs for the department on aging and area  
1 9 agencies on aging to provide citizens of Iowa who are 60 years  
1 10 of age and older with case management for the frail elderly,  
1 11 resident advocate committee coordination, employment, and other  
1 12 services which may include but are not limited to adult day  
1 13 services, respite care, chore services, telephone reassurance,  
1 14 information and assistance, and home repair services, and  
1 15 for the construction of entrance ramps which make residences  
1 16 accessible to the physically handicapped, and for salaries,  
1 17 support, administration, maintenance, and miscellaneous  
1 18 purposes, and for not more than the following full-time  
1 19 equivalent positions:

1 20 ..... \$ 4,662,988

1 21 ..... FTEs 36.00

1 22 1. Funds appropriated in this section may be used to  
1 23 supplement federal funds under federal regulations. To  
1 24 receive funds appropriated in this section, a local area  
1 25 agency on aging shall match the funds with moneys from other  
1 26 sources according to rules adopted by the department. Funds  
1 27 appropriated in this section may be used for elderly services  
1 28 not specifically enumerated in this section only if approved  
1 29 by an area agency on aging for provision of the service within  
1 30 the area.

1 31 2. a. Of the funds appropriated in this section, \$1,246,514  
1 32 shall be transferred to the department of human services in  
1 33 equal amounts on a quarterly basis for reimbursement of case

General Fund appropriation to the Department on Aging for FY 2011.

DETAIL: This is a net increase of \$200,581 and a decrease of 1.50 FTE positions compared to estimated net FY 2010. The increase in funding is due to additional funding for unmet needs for seniors that was previously funded through the Health Care Trust Fund (HCTF). The decrease in FTE positions is to match actual utilization.

Permits the use of funds appropriated in this Section to supplement federal funds for elderly services if those services are approved by an Area Agency on Aging. Requires local Area Agencies on Aging to match the funds for aging programs and services.

Requires \$1,246,514 to be transferred to the Department of Human Services (DHS) in equal amounts on a quarterly basis for Case Management reimbursement under the Medicaid Elderly Waiver for

1 34 management services provided under the medical assistance  
1 35 elderly waiver. The department of human services shall adopt  
2 1 rules for case management services provided under the medical  
2 2 assistance elderly waiver in consultation with the department  
2 3 on aging.

the Case Management Program for the Frail Elderly.

DETAIL: This is a decrease of \$138,501 compared to the original FY 2010 transfer amount. The amount was reduced by 10.00% when the Governor issued the across-the-board (ATB) reduction.

2 4 b. The department of human services shall review  
2 5 projections for state funding expenditures for reimbursement  
2 6 of case management services under the medical assistance  
2 7 elderly waiver on a quarterly basis and shall determine if an  
2 8 adjustment to the medical assistance reimbursement rates are  
2 9 necessary to provide reimbursement within the state funding  
2 10 amounts budgeted under the appropriations made for the fiscal  
2 11 year for the medical assistance program. Any temporary  
2 12 enhanced federal financial participation that may become  
2 13 available for the medical assistance program during the fiscal  
2 14 year shall not be used in projecting the medical assistance  
2 15 elderly waiver case management budget. The department of human  
2 16 services shall revise such reimbursement rates as necessary to  
2 17 maintain expenditures for medical assistance elderly waiver  
2 18 case management services within the state funding amounts  
2 19 budgeted under the appropriations made for the fiscal year for  
2 20 the medical assistance program.

Requires the DHS to review expenditure for reimbursement of case management services under the Medicaid Elderly Waiver on a quarterly basis and adjust to provide reimbursements within the appropriation.

2 21 3. Of the funds appropriated in this section, \$179,964 shall  
2 22 be transferred to the department of economic development for  
2 23 the Iowa commission on volunteer services to be used for the  
2 24 retired and senior volunteer program.

Requires a transfer of \$179,964 to the Iowa Commission on Volunteer Services in the Department of Economic Development for the Retired Senior Volunteer Program (RSVP).

DETAIL: This is no change compared to the FY 2010 allocation.

2 25 4. a. The department on aging shall establish and enforce  
2 26 procedures relating to expenditure of state and federal funds  
2 27 by area agencies on aging that require compliance with both  
2 28 state and federal laws, rules, and regulations, including but  
2 29 not limited to all of the following:  
2 30 (1) Requiring that expenditures are incurred only for goods  
2 31 or services received or performed prior to the end of the

Requires the Department on Aging to establish and enforce procedures related to expenditures of State and federal funds, complying with both State and federal law. An Area Agency on Aging is liable for any expended funds found not in compliance with the law.

2 32 fiscal period designated for use of the funds.  
 2 33 (2) Prohibiting prepayment for goods or services not  
 2 34 received or performed prior to the end of the fiscal period  
 2 35 designated for use of the funds.  
 3 1 (3) Prohibiting the prepayment for goods or services  
 3 2 not defined specifically by good or service, time period, or  
 3 3 recipient.  
 3 4 (4) Prohibiting the establishment of accounts from which  
 3 5 future goods or services which are not defined specifically by  
 3 6 good or service, time period, or recipient, may be purchased.  
 3 7 b. The procedures shall provide that if any funds are  
 3 8 expended in a manner that is not in compliance with the  
 3 9 procedures and applicable federal and state laws, rules, and  
 3 10 regulations, and are subsequently subject to repayment, the  
 3 11 area agency on aging expending such funds in contravention of  
 3 12 such procedures, laws, rules and regulations, not the state,  
 3 13 shall be liable for such repayment.

3 14 DIVISION II

3 15 DEPARTMENT OF PUBLIC HEALTH

3 16 Sec. 2. DEPARTMENT OF PUBLIC HEALTH. The allocations  
 3 17 made in this section may include amounts carried forward from  
 3 18 appropriations and allocations made for the same purposes in  
 3 19 the previous fiscal year. There is appropriated from the  
 3 20 general fund of the state to the department of public health  
 3 21 for the fiscal year beginning July 1, 2010, and ending June  
 3 22 30, 2011, the following amounts, or so much thereof as is  
 3 23 necessary, to be used for the purposes designated:

3 24 1. ADDICTIVE DISORDERS

3 25 For reducing the prevalence of use of tobacco, alcohol, and  
 3 26 other drugs, and treating individuals affected by addictive  
 3 27 behaviors, including gambling, and for not more than the  
 3 28 following full-time equivalent positions:

3 29 ..... \$ 28,974,840

3 30 ..... FTEs 18.00

General Fund appropriation to addictive disorders programs.

DETAIL: This is a net increase of \$3,187,590 and no change in FTE positions compared to estimated net FY 2010. The General Fund changes include:

- A decrease of \$500,000 for tobacco use, prevention, cessation,

- and treatment to reflect available carryforward.
- A decrease of \$100,000 for savings relating to administrative efficiencies reported by the Department in the reports required in HF 811 (FY 2010 Health and Human Services Appropriations Act).
  - The following increases reflect partial restorations of funding from the FY 2010 ATB reductions:
    - \$719,710 for substance abuse treatment and prevention.
    - \$175,000 for tobacco use, prevention, and control.
    - \$361,505 for gambling treatment.
    - \$57,552 for culturally competent substance abuse treatment pilot projects.
  - The following increases were formerly funded by the HCTF but have been moved to the General Fund:
    - \$793,166 for substance abuse treatment and prevention.
    - \$242,768 for three culturally competent substance abuse treatment pilot projects.
    - \$1,437,889 for tobacco use, prevention and control.

3 31 a. Of the funds appropriated in this subsection, \$7,438,282  
 3 32 shall be used for the tobacco use prevention and control  
 3 33 initiative, including efforts at the state and local levels, as  
 3 34 provided in chapter 142A.

Requires an allocation of \$7,438,282 to be used for tobacco use, prevention, cessation, and treatment.

DETAIL: This is a net decrease of \$589,932 compared to the FY 2010 allocation. This includes \$1,437,889 of funding from the HCTF that will now be funded from the General Fund.

3 35 (1) The director of public health shall dedicate sufficient  
 4 1 resources to promote and ensure retailer compliance with  
 4 2 tobacco laws and ordinances relating to persons under 18  
 4 3 years of age, and shall prioritize the state's compliance in  
 4 4 the allocation of available funds to comply with 42 U.S.C.  
 4 5 300x=26 and section 453A.2.

Requires the Director of the Department of Public Health (DPH) to promote and ensure retailer compliance with tobacco laws.

4 6 (2) Of the full-time equivalent positions authorized in  
 4 7 this subsection, 2.00 full-time equivalent positions shall  
 4 8 be utilized to provide for enforcement of tobacco laws,  
 4 9 regulations, and ordinances.

Requires 2.00 FTE positions to be used by the DPH for enforcement of tobacco laws.

4 10 (3) Of the funds allocated in this lettered paragraph,  
4 11 \$1,796,508 shall be used for youth programs designed to  
4 12 achieve the goals of the initiative, that are directed by youth  
4 13 participants for youth pursuant to section 142A.9.

Requires an allocation of \$1,796,508 to be used for the youth component of tobacco use, prevention, and control.

DETAIL: This is a new allocation for FY 2011. In estimated net FY 2010, the Division of Tobacco Use, Prevention, and Control budgeted \$1,627,251 for Just Eliminate Lies (JEL).

4 14 b. Of the funds appropriated in this subsection,  
4 15 \$17,920,028 shall be used for substance abuse treatment and  
4 16 prevention.

Requires an allocation of \$17,920,028 for substance abuse treatment and prevention.

DETAIL: This is a net increase of \$373,776 compared to the FY 2010 allocation. This includes \$1,035,934 of funding from the HCTF that will now be funded from the General Fund.

NOTE: There is an additional appropriation of \$500,000 from the Underground Storage Tank (UST) Fund to addictive disorders for substance abuse treatment and prevention in Section 45 of this Act.

4 17 (1) Of the funds allocated in this lettered paragraph,  
4 18 \$943,813 shall be used for the public purpose of a grant  
4 19 program to provide substance abuse prevention programming for  
4 20 children.

Allocates \$943,813 for substance abuse prevention programs for children.

DETAIL: This is a decrease of \$49,674 compared to the FY 2010 allocation.

4 21 (a) Of the funds allocated in this subparagraph, \$449,445  
4 22 shall be utilized for the public purpose of providing grant  
4 23 funding for organizations that provide programming for children  
4 24 by utilizing mentors. Programs approved for such grants  
4 25 shall be certified or will be certified within six months of  
4 26 receiving the grant award by the Iowa commission on volunteer  
4 27 services as utilizing the standards for effective practice for  
4 28 mentoring programs.

Allocates \$449,445 for substance abuse prevention programs for children to be used for programs that utilize mentors. Requires the programs that receive funding to be verified within six months of receiving grants by the Iowa Commission on Volunteer Services as using effective standards for mentoring programs.

DETAIL: This is a decrease of \$23,655 compared to the FY 2010 allocation.

4 29 (b) Of the funds allocated in this subparagraph, \$449,445  
4 30 shall be utilized for the public purpose of providing grant  
4 31 funding for organizations that provide programming that  
4 32 includes youth development and leadership. The programs shall  
4 33 also be recognized as being programs that are scientifically

Allocates \$449,445 for substance abuse prevention programs for children to be used to provide programs that include youth and character development and leadership. Requires the programs to be recognized as scientifically-based with evidence of effectiveness in reducing substance abuse in children.

4 34 based with evidence of their effectiveness in reducing  
4 35 substance abuse in children.

5 1 (c) The Iowa department of public health shall utilize a  
5 2 request for proposals process to implement the grant program.

Requires the DPH to issue a Request for Proposals (RFP) to determine grant recipients for the funds allocated for substance abuse prevention programs for children.

5 3 (d) All grant recipients shall participate in a program  
5 4 evaluation as a requirement for receiving grant funds.

Requires substance abuse prevention programs for children grant recipients to participate in program evaluations.

5 5 (e) Of the funds allocated for the grant program, \$44,923  
5 6 shall be used to administer substance abuse prevention grants  
5 7 and for program evaluations.

Requires \$44,923 of the amount allocated for substance abuse prevention programs for children to be used to administer prevention program grants and evaluations.

5 8 (2) It is the intent of the general assembly that from the  
5 9 moneys allocated in this lettered paragraph persons with a dual  
5 10 diagnosis of substance abuse and gambling addictions shall be  
5 11 given priority in treatment services.

Specifies it is 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 Section.

5 12 c. Of the funds appropriated in this subsection, \$300,320  
5 13 shall be used for culturally competent substance abuse  
5 14 treatment pilot projects.

Requires an allocation of \$300,320 for three culturally competent substance abuse treatment pilot projects.

5 15 (1) The department shall utilize the amount allocated  
5 16 in this lettered paragraph for at least three pilot projects  
5 17 to provide culturally competent substance abuse treatment in  
5 18 various areas of the state. Each pilot project shall target  
5 19 a particular ethnic minority population. The populations  
5 20 targeted shall include but are not limited to African-American,  
5 21 Asian, and Latino.

DETAIL: This is a decrease of \$57,550 compared to the FY 2010 allocation. This allocation was previously funded by the HCTF. The pilot projects are located in Woodbury County, Scott County, and Polk County.

5 22 (2) The pilot project requirements shall provide for  
5 23 documentation or other means to ensure access to the cultural  
5 24 competence approach used by a pilot project so that such  
5 25 approach can be replicated and improved upon in successor  
5 26 programs.

5 27 d. (1) Of the funds appropriated in this subsection,  
5 28 \$3,716,530 shall be used for funding of gambling treatment,

Allocates \$3,716,530 for gambling addiction treatment.



5 29 including administrative costs and to provide programs  
5 30 which may include but are not limited to outpatient and  
5 31 follow-up treatment for persons affected by problem gambling,  
5 32 rehabilitation and residential treatment programs, information  
5 33 and referral services, education and preventive services, and  
5 34 financial management services. Of the amount allocated in  
5 35 this lettered paragraph, up to \$100,000 may be used for the  
6 1 licensing of gambling treatment programs as provided in section  
6 2 135.150.

DETAIL: This is a decrease of \$361,505 compared to the FY 2010 allocation. The Department is permitted to use a maximum of \$100,000 for licensing of gambling treatment programs.

6 3 (2) (a) Notwithstanding any provision to the contrary,  
6 4 to standardize the availability, delivery, cost of  
6 5 delivery, and accountability of gambling and substance abuse  
6 6 treatment services statewide, the department shall continue  
6 7 implementation of a process to create a system for delivery  
6 8 of the treatment services in accordance with the requirements  
6 9 specified in 2008 Iowa Acts, chapter 1187, section 3,  
6 10 subsection 4. To ensure the system provides a continuum of  
6 11 treatment services that best meets the needs of Iowans, the  
6 12 gambling and substance abuse treatment services in an area may  
6 13 be provided either by a single agency or by separate agencies  
6 14 submitting a joint proposal.

CODE: Requires the DPH to implement a process to create a system for delivery of treatment services. Requires the process to include the establishment of joint licensure for gambling and substance abuse treatment programs. Requires the process to be completed by July 1, 2010.

6 15 (b) From the amounts designated for gambling and substance  
6 16 abuse treatment, the department may use up to \$100,000 for  
6 17 administrative costs to continue developing and implementing  
6 18 the process in accordance with subparagraph division (a).

Permits the DPH to allocate up to \$100,000 for administrative costs to develop and implement the process in accordance with this Subsection.

6 19 (3) The requirement of section 123.53, subsection 3, is  
6 20 met by the appropriations and allocations made in this Act for  
6 21 purposes of substance abuse treatment and addictive disorders  
6 22 for the fiscal year beginning July 1, 2010.

The requirements of Code Section 123.53(3) are met by the appropriations made in this Act.

## 6 23 2. HEALTHY CHILDREN AND FAMILIES

General Fund appropriation to healthy children and families programs.

6 24 For promoting the optimum health status for children,  
6 25 adolescents from birth through 21 years of age, and families,  
6 26 and for not more than the following full-time equivalent

DETAIL: This is an increase of \$710,812 and no change in FTE positions compared to estimated net FY 2010. The General Fund

6 27 positions:  
 6 28 ..... \$ 2,735,062  
 6 29 ..... FTEs 14.00

changes include:

- The following increases reflect restorations of funding due to the FY 2010 ATB reductions:
  - \$225,000 for the Healthy Opportunities for Parents to Experience Success (HOPES) Program.
  - \$25,000 for childhood obesity prevention programming.
  - \$16,595 for the Audiological Services for Kids Program.
- The following increases were programs formerly funded by the HCTF but have been moved to the General Fund:
  - \$171,295 for the Audiological Services for Kids Program.
  - \$143,643 for the Assuring Better Child Development (ABCD II) mental health program.
  - \$129,279 for childhood obesity prevention programs.

6 30 a. Of the funds appropriated in this subsection, not more  
 6 31 than \$738,203 shall be used for the healthy opportunities to  
 6 32 experience success (HOPES)=healthy families Iowa (HFI) program  
 6 33 established pursuant to section 135.106. The funding shall  
 6 34 be distributed to renew the grants that were provided to the  
 6 35 grantees that operated the program during the fiscal year  
 7 1 ending June 30, 2010.

Limits the General Fund amount used to fund the HOPES Program to \$738,203. The funds are required to be distributed to the grantees that received funding in FY 2010.

DETAIL: This is an increase of \$167,977 compared to the FY 2010 allocation. The Temporary Assistance for Needy Families (TANF) appropriation to the DHS for HOPES has been eliminated for FY 2011.

7 2 b. Of the funds appropriated in this subsection, \$329,885  
 7 3 shall be used to continue to address the healthy mental  
 7 4 development of children from birth through five years of age  
 7 5 through local evidence-based strategies that engage both the  
 7 6 public and private sectors in promoting healthy development,  
 7 7 prevention, and treatment for children.

Allocates \$329,885 for the ABCD II Program.

DETAIL: This is a decrease of \$122,509 compared to the total FY 2010 allocations and includes \$143,643 of funding from the HCTF that will now be funded from the General Fund.

7 8 c. Of the funds appropriated in this subsection, \$31,597  
 7 9 shall be distributed to a statewide dental carrier to provide  
 7 10 funds to continue the donated dental services program patterned  
 7 11 after the projects developed by the national foundation of  
 7 12 dentistry for the handicapped to provide dental services to  
 7 13 indigent elderly and disabled individuals.

Allocates \$31,597 for dental services for indigent elderly and disabled individuals.

DETAIL: This is a decrease of \$3,511 compared to the FY 2010 allocation for a general reduction.

7 14 d. Of the funds appropriated in this subsection, \$129,279  
 7 15 shall be used for childhood obesity prevention.

Allocates \$129,279 for childhood obesity programs.

DETAIL: This is a decrease of \$14,364 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.

7 16 e. Of the funds appropriated in this subsection, \$187,890  
 7 17 shall be used to provide audiological services and hearing  
 7 18 aids for children. The department may enter into a contract  
 7 19 to administer this paragraph.

Allocates \$187,890 for the Audiological Services for Kids Program.

DETAIL: This is a decrease of \$2,438 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.

7 20 f. It is the intent of the general assembly that the  
 7 21 department of public health shall implement the recommendations  
 7 22 of the postnatal tissue and fluid bank task force created in  
 7 23 2007 Iowa Acts, chapter 147, based upon the report submitted  
 7 24 to the general assembly in November 2007, as funding becomes  
 7 25 available. The department shall notify the Iowa Code editor  
 7 26 and the persons specified in this Act to receive reports when  
 7 27 such funding becomes available.

Specifies legislative intent that the DPH continue to implement the recommendations of the Postnatal Tissue and Fluid Bank Task Force.

7 28 3. CHRONIC CONDITIONS  
 7 29 For serving individuals identified as having chronic  
 7 30 conditions or special health care needs, and for not more than  
 7 31 the following full-time equivalent positions:  
 7 32 ..... \$ 3,597,313  
 7 33 ..... FTEs 4.10

General Fund appropriation to chronic conditions programs.

DETAIL: This is an increase of \$1,116,701 and 1.10 FTE positions to reflect actual utilization compared to estimated net FY 2010. The funding from the General Fund is expended as follows:

- \$788,303 for Child Health Specialty Clinics. Of this amount, \$344,944 was formerly funded by the HCTF.
- \$85,678 for muscular dystrophy programs.
- \$528,834 for programming related to birth defects.
- \$539,868 for the Aids Drug Assistance Program (ADAP).
- \$160,582 for phenylketonuria (PKU) assistance.
- \$149,612 for the Prescription Drug Donation Program.
- \$57,013 for epilepsy education programming.
- \$27,338 for the Brain Injury Council.
- \$441,682 for Brain Injury Services.
- \$408,802 for the Comprehensive Cancer Control Program. This

- allocation was formerly funded by the HCTF.
- \$145,550 for cervical and colon cancer screenings. This allocation was formerly funded by the HCTF.
- \$138,502 for the Prevention and Chronic Care Advisory Council.
- \$125,549 for the Medical Home Advisory Council.

Allocates \$160,582 for PKU assistance.

DETAIL: This is a decrease of \$15,960 compared to the FY 2010 allocation for a general reduction.

NOTE: There is an additional appropriation of \$20,000 from the UST Fund to chronic conditions for PKU assistance in Section 45 of this Act.

Allocates \$441,682 for continuation of the two contracts from FY 2010 in the DPH Brain Injury Services Program.

DETAIL: This is an increase of \$3,664 compared to the FY 2010 allocation. The contracts from FY 2010 were with the Brain Injury Association of Iowa and the Iowa Association of Community Providers.

Allocates \$539,868 to the ADAP.

DETAIL: This is an increase of \$50,000 compared to the FY 2010 funding level.

Allocates \$57,013 for epilepsy education and support.

DETAIL: This is a decrease of \$31,885 compared to the FY 2010 allocation for a general reduction.

Allocates \$788,303 for child health specialty clinics.

DETAIL: This is no change compared to the FY 2010 allocation. This includes \$344,944 that was previously funded by the HCTF.

7 34 a. Of the funds appropriated in this subsection, \$160,582  
7 35 shall be used for grants to individual patients who have  
8 1 phenylketonuria (PKU) to assist with the costs of necessary  
8 2 special foods.

8 3 b. Of the funds appropriated in this subsection, \$441,682  
8 4 is allocated for continuation of the contracts for resource  
8 5 facilitator services in accordance with section 135.22B,  
8 6 subsection 9, and for brain injury training services and  
8 7 recruiting of service providers to increase the capacity within  
8 8 this state to address the needs of individuals with brain  
8 9 injuries and such individuals' families.

8 10 c. Of the funds appropriated in this subsection, \$539,868  
8 11 shall be used as additional funding to leverage federal funding  
8 12 through the federal Ryan White Care Act, Tit. II, AIDS drug  
8 13 assistance program supplemental drug treatment grants.

8 14 d. Of the funds appropriated in this subsection, \$57,013  
8 15 shall be used for the public purpose of providing a grant to an  
8 16 existing national=affiliated organization to provide education,  
8 17 client=centered programs, and client and family support for  
8 18 people living with epilepsy and their families.

8 19 e. Of the funds appropriated in this subsection, \$788,303  
8 20 shall be used for child health specialty clinics.

NOTE: There is an additional appropriation of \$15,000 from the UST Fund to chronic conditions for child health specialty clinics in Section 45 of this Act.

8 21 f. Of the funds appropriated in this subsection, \$408,802  
8 22 shall be used for the comprehensive cancer control program to  
8 23 reduce the burden of cancer in Iowa through prevention, early  
8 24 detection, effective treatment, and ensuring quality of life.

Allocates \$408,802 for the Iowa Comprehensive Cancer Control Program.

DETAIL: This is a decrease of \$45,422 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.

8 25 g. Of the funds appropriated in this subsection, \$145,550  
8 26 shall be used for cervical and colon cancer screening.

Allocates \$145,550 for cervical and colon cancer screening.

DETAIL: This is a decrease of \$16,174 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.

8 27 h. Of the funds appropriated in this subsection, \$528,834  
8 28 shall be used for the center for congenital and inherited  
8 29 disorders.

Allocates \$528,834 for the Center for Congenital and Inherited Disorders Central Registry.

DETAIL: This is a new allocation for FY 2011.

8 30 i. Of the funds appropriated in this subsection, \$149,612  
8 31 shall be used for the prescription drug donation repository  
8 32 program created in chapter 135M.

Allocates \$149,612 for the Prescription Drug Donation Program.

DETAIL: This is a new allocation for FY 2011.

#### 8 33 4. COMMUNITY CAPACITY

8 34 For strengthening the health care delivery system at the  
8 35 local level, and for not more than the following full-time  
9 1 equivalent positions:

9 2 ..... \$ 5,503,037  
9 3 ..... FTEs 21.00

General Fund appropriation to the community capacity programs.

DETAIL: This is an increase of \$1,797,875 and no change in FTE positions compared to estimated net FY 2010. The changes include the following increases that are programs formerly funded by the HCTF but have been moved to the General Fund:

- \$55,214 for local public health modernization and redesign.
- \$135,000 for the Direct Care Worker Association.
- \$180,000 for the Direct Care Worker Task Force.
- \$63,000 for conference scholarships for direct care workers.
- \$184,050 for mental health professional shortage programs.

- \$73,620 for the Iowa Collaborative Safety Net Provider Network coordination.
- \$74,517 for family planning network agencies.
- \$74,517 for local board of health medical home pilot programs.
- \$74,517 for child and maternal health center pilot programs.
- \$184,050 for free clinics.
- \$110,430 for rural health clinics.
- \$294,480 for the safety net provider patient access to specialty care initiative.
- \$294,480 for the pharmaceutical infrastructure for safety net providers.

9 4 a. Of the funds appropriated in this subsection, \$63,592  
9 5 is allocated for a child vision screening program implemented  
9 6 through the university of Iowa hospitals and clinics in  
9 7 collaboration with community empowerment areas.

Requires an allocation of \$63,592 for a child vision screening program through the University of Iowa Hospitals and Clinics in collaboration with community empowerment areas.

DETAIL: This is a decrease of \$26,408 compared to the FY 2010 allocation for a general reduction.

9 8 b. Of the funds appropriated in this subsection, \$129,741 is  
9 9 allocated for continuation of an initiative implemented at the  
9 10 university of Iowa and \$117,142 is allocated for continuation  
9 11 of an initiative at the state mental health institute at  
9 12 Cherokee to expand and improve the workforce engaged in  
9 13 mental health treatment and services. The initiatives shall  
9 14 receive input from the university of Iowa, the department  
9 15 of human services, the department of public health, and the  
9 16 mental health, mental retardation, developmental disabilities,  
9 17 and brain injury commission to address the focus of the  
9 18 initiatives.

Requires an allocation of \$129,741 for a University of Iowa initiative to expand and improve the mental health treatment and services workforce. Requires an allocation of \$117,142 for a similar initiative at the Mental Health Institute at Cherokee.

DETAIL: Compared to the FY 2010 allocations, these are decreases of \$13,513 for the University of Iowa initiative and \$8,660 for a similar initiative at the Mental Health Institute at Cherokee for general reductions.

9 19 c. Of the funds appropriated in this subsection, \$1,264,812  
9 20 shall be used for essential public health services that promote  
9 21 healthy aging throughout the lifespan, contracted through a  
9 22 formula for local boards of health, to enhance health promotion  
9 23 and disease prevention services.

Requires the DPH to use \$1,264,812 for core public health functions, including home health care and public health nursing services.

DETAIL: This is an increase of \$210,752 compared to the FY 2010 allocation.

9 24 d. Of the funds appropriated in this section, \$130,214 shall

Allocates \$130,214 to the Governmental Public Health System Fund.

9 25 be deposited in the governmental public health system fund  
 9 26 created in section 135A.8 to be used for the purposes of the  
 9 27 fund.

DETAIL: This is a decrease of \$31,135 compared to the total FY 2010 allocation for a general reduction and includes \$55,214 of funding from the HCTF that will now be funded from the General Fund. The Fund is used for activities relating to the Department's Public Health Modernization initiative.

9 28 e. Of the funds appropriated in this subsection, \$143,150  
 9 29 shall be used for the mental health professional shortage area  
 9 30 program implemented pursuant to section 135.80.

Allocates \$143,150 for the Mental Health Professional Shortage Area Program.

DETAIL: This is a decrease of \$20,450 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.

9 31 f. Of the funds appropriated in this subsection,  
 9 32 \$40,900 shall be used for a grant to a statewide association  
 9 33 of psychologists that is affiliated with the American  
 9 34 psychological association to be used for continuation of a  
 9 35 program to rotate intern psychologists in placements in urban  
 10 1 and rural mental health professional shortage areas, as defined  
 10 2 in section 135.80.

Allocates \$40,900 for a rotation program for intern psychologists in urban and rural mental health professional shortage areas.

DETAIL: This is no change compared to the FY 2010 allocation. This allocation was previously funded by the HCTF.

10 3 g. Of the funds appropriated in this subsection, the  
 10 4 following amounts shall be allocated to the Iowa collaborative  
 10 5 safety net provider network established pursuant to section  
 10 6 135.153 to be used for the purposes designated:

Provides for allocations to the Iowa Collaborative Safety Net Provider Network.

10 7 (1) For distribution to the Iowa=Nebraska primary  
 10 8 care association for statewide coordination of the Iowa  
 10 9 collaborative safety net provider network:  
 10 10 ..... \$ 73,620

Allocates \$73,620 for the Iowa Collaborative Safety Net Provider Network.

DETAIL: This is a decrease of \$8,180 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.

10 11 (2) For distribution to the Iowa family planning network  
 10 12 agencies for necessary infrastructure, statewide coordination,

Allocates \$74,517 for family planning network agencies to assist patients in finding an appropriate medical home.

10 13 provider recruitment, service delivery, and provision of  
 10 14 assistance to patients in determining an appropriate medical  
 10 15 home:  
 10 16 ..... \$ 74,517

DETAIL: This is a decrease of \$8,279 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.

10 17 (3) For distribution to the local boards of health that  
 10 18 provide direct services for pilot programs in three counties to  
 10 19 assist patients in determining an appropriate medical home:  
 10 20 ..... \$ 74,517

Allocates \$74,517 for local board of health pilot programs in three counties to assist patients in finding an appropriate medical home.

DETAIL: This is a decrease of \$8,279 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.

10 21 (4) For distribution to maternal and child health centers  
 10 22 for pilot programs in three counties to assist patients in  
 10 23 determining an appropriate medical home:  
 10 24 ..... \$ 74,517

Allocates \$74,517 for three child and maternal health center pilot programs to assist patients in finding an appropriate medical home.

DETAIL: This is a decrease of \$8,279 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.

10 25 (5) For distribution to free clinics for necessary  
 10 26 infrastructure, statewide coordination, provider recruitment,  
 10 27 service delivery, and provision of assistance to patients in  
 10 28 determining an appropriate medical home:  
 10 29 ..... \$ 184,050

Allocates \$184,050 for free clinics to assist patients in finding an appropriate medical home.

DETAIL: This is a decrease of \$20,450 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.

10 30 (6) For distribution to rural health clinics for necessary  
 10 31 infrastructure, statewide coordination, provider recruitment,  
 10 32 service delivery, and provision of assistance to patients in  
 10 33 determining an appropriate medical home:  
 10 34 ..... \$ 110,430

Allocates \$110,430 for rural health clinics to assist patients in finding an appropriate medical home.

DETAIL: This is a decrease of \$12,270 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.

10 35 (7) For continuation of the safety net provider patient  
 11 1 access to specialty health care initiative as described in 2007  
 11 2 Iowa Acts, chapter 218, section 109:  
 11 3 ..... \$ 294,480

Allocates \$294,480 for the safety net provider patient access to specialty care initiative.

DETAIL: This is a decrease of \$32,720 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.



11 4 (8) For continuation of the pharmaceutical infrastructure  
 11 5 for safety net providers as described in 2007 Iowa Acts,  
 11 6 chapter 218, section 108:  
 11 7 ..... \$ 294,480

Allocates \$294,480 for the pharmaceutical infrastructure for safety net providers.

DETAIL: This is a decrease of \$32,720 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.

11 8 The Iowa collaborative safety net provider network may  
 11 9 continue to distribute funds allocated pursuant to this  
 11 10 lettered paragraph through existing contracts or renewal of  
 11 11 existing contracts.

Permits the Iowa Collaborative Safety Net Provider Network to continue existing contracts to distribute the funding.

11 12 h. (1) Of the funds appropriated in this subsection,  
 11 13 \$180,000 shall be used for continued implementation of  
 11 14 the recommendations of the direct care worker task force  
 11 15 established pursuant to 2005 Iowa Acts, chapter 88, based upon  
 11 16 the report submitted to the governor and the general assembly  
 11 17 in December 2006. The department may use a portion of the  
 11 18 funds allocated in this paragraph for an additional position to  
 11 19 assist in the continued implementation.

Allocates \$180,000 for continued implementation of the recommendations of the Direct Care Worker Task Force.

DETAIL: This is a decrease of \$20,000 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.

11 20 (2) It is the intent of the general assembly that a  
 11 21 board of direct care workers shall be established within the  
 11 22 department of public health by July 1, 2014, contingent upon  
 11 23 the availability of funds to establish and maintain the board.

Requires the DPH to establish a Board of Direct Care Workers by July 1, 2014, if funds are available to establish and maintain it.

11 24 (3) The direct care worker advisory council shall submit  
 11 25 an interim progress report no later than March 1, 2011, and a  
 11 26 final report no later than March 1, 2012, to the governor and  
 11 27 the general assembly, that includes but is not limited to all  
 11 28 of the following:  
 11 29 (a) Documenting the size of the direct care workforce. The  
 11 30 report shall provide the best estimates of the size of the  
 11 31 direct care workforce in Iowa by identifying what workforce  
 11 32 data is currently being collected, who is currently collecting  
 11 33 the data, the gaps in existing data, and the collection methods  
 11 34 necessary to address such gaps.

Requires the Direct Care Worker Advisory Council to submit an interim progress report by March 1, 2011, and a final report by March 1, 2012, to the Governor and General Assembly and specifies the required contents of the reports.

11 35 (b) Identifying the information management system required  
12 1 to facilitate credentialing of direct care workers and  
12 2 estimating the costs of development and maintenance of the  
12 3 system.

12 4 (c) Reporting the results of any pilot relating to and  
12 5 evaluating the recommendations of the advisory council that  
12 6 address direct care worker training and curricula.

12 7 (d) Describing activities relating to developing and  
12 8 delivering an education and outreach campaign to direct care  
12 9 workers and other stakeholders regarding strategies to increase  
12 10 the professionalism of the direct care workforce. The goals  
12 11 of such education and outreach campaign are to bring greater  
12 12 stability to the workforce and meet the needs of direct care  
12 13 workers that exist due to the growth in Iowa's aging and  
12 14 persons with disabilities populations.

12 15 (e) Making recommendations regarding the functions  
12 16 and composition of the board of direct care workers, the  
12 17 definitions of and categories for credentialing direct care  
12 18 workers, for deeming the experience level of members of the  
12 19 existing workforce to be the equivalent of other credentials,  
12 20 the form of credentialing to be used, the timeframe for  
12 21 credentialing of direct care workers, and the estimated costs  
12 22 of establishing and maintaining board operations and the  
12 23 methods to be used to fund and sustain such operations.

12 24 (4) The department of public health shall report to the  
12 25 persons designated in this Act for submission of reports  
12 26 regarding use of the funds allocated in this lettered  
12 27 paragraph, on or before January 15, 2011.

Requires the DPH to submit a report to the Chairpersons and Ranking Members of the Health and Human Services Appropriations Subcommittee, Legislative Caucus Staff, and the Legislative Services Agency (LSA) by January 15, 2011.

12 28 i. (1) Of the funds appropriated in this subsection,  
12 29 \$135,000 shall be used for allocation to an independent  
12 30 statewide direct care worker association for education,  
12 31 outreach, leadership development, mentoring, and other  
12 32 initiatives intended to enhance the recruitment and retention  
12 33 of direct care workers in health and long-term care.

Allocates \$135,000 to enhance the recruitment and retention of direct care workers in health and long-term care.

DETAIL: This is a decrease of \$15,000 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.

12 34 (2) Of the funds appropriated in this subsection, \$63,000  
 12 35 shall be used to provide scholarships or other forms of  
 13 1 subsidized direct care worker educational conferences,  
 13 2 training, or outreach activities.

Allocated \$63,000 for scholarships for conferences, trainings, and other outreach activities for direct care workers.

DETAIL: This is a decrease of \$7,000 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.

13 3 (3) The association specified in this lettered paragraph  
 13 4 shall report to the persons designated in this Act for  
 13 5 submission of reports on or before January 1, 2011, the use of  
 13 6 the funds allocated in this lettered paragraph, any progress  
 13 7 made regarding the initiatives specified and in expanding the  
 13 8 association statewide, and the number of scholarships provided,  
 13 9 and shall include in the report a copy of the association's  
 13 10 internal revenue service form 990.

Requires the Statewide Direct Care Worker Association to submit a report and a completed copy of the Association's federal tax Form 990 to the Chairpersons and Ranking Members of the Health and Human Services Appropriations Subcommittee, Legislative Caucus Staff, and the LSA by January 1, 2011.

13 11 j. The department may utilize one of the full-time  
 13 12 equivalent positions authorized in this subsection for  
 13 13 administration of the activities related to the Iowa  
 13 14 collaborative safety net provider network.

Permits the Department to utilize up to 1.00 FTE position for administration of activities related to the Iowa Collaborative Safety Net Provider Network.

13 15 k. The department may utilize one of the full-time  
 13 16 equivalent positions authorized in this subsection for  
 13 17 administration of the volunteer health care provider program  
 13 18 pursuant to section 135.24.

Permits the Department to utilize up to 1.00 FTE position for administration of the Voluntary Health Care Provider Program.

13 19 5. HEALTHY AGING  
 13 20 To provide public health services that reduce risks and  
 13 21 invest in promoting and protecting good health over the  
 13 22 course of a lifetime with a priority given to older Iowans and  
 13 23 vulnerable populations:  
 13 24 ..... \$ 8,045,779

General Fund appropriation to healthy aging programs (formerly referred to as elderly wellness).

DETAIL: This is a net increase of \$534,578 compared to estimated net FY 2010. The General Fund changes include:

- A decrease of \$300,000 to reduce funds directed to non-elderly wellness initiatives.
- The following increases reflect restorations of funding due to the FY 2010 ATB reductions:
  - \$229,208 for the Local Public Health Nursing Program.
  - \$605,370 for the Home Care Aide Services Program.

PG LN	House File 2526	Explanation
13 25	a. Of the funds appropriated in this subsection, \$2,209,696	Allocates \$2,209,696 for the Local Public Health Nursing Program.
13 26	shall be used for local public health nursing services.	DETAIL: This is a decrease of \$82,380 compared to the FY 2010 allocation.
13 27	b. Of the funds appropriated in this subsection, \$5,836,083	Allocates \$5,836,083 for the Home Care Aide Services Program.
13 28	shall be used for home care aide services.	DETAIL: This is a decrease of \$217,620 compared to the FY 2010 allocation.
13 29	6. ENVIRONMENTAL HAZARDS	General Fund appropriation to the environmental hazards programs.
13 30	For reducing the public's exposure to hazards in the	DETAIL: This is no change compared to estimated net FY 2010.
13 31	environment, primarily chemical hazards, and for not more than	
13 32	the following full=time equivalent positions:	
13 33	..... \$ 900,352	
13 34	..... FTEs 4.50	
13 35	Of the funds appropriated in this subsection, \$590,380 shall	Requires an allocation of \$590,380 for childhood lead poisoning testing.
14 1	be used for childhood lead poisoning provisions.	DETAIL: This is a decrease of \$11,251 compared to the FY 2010 allocation for a general reduction.
14 2	7. INFECTIOUS DISEASES	General Fund appropriation to the infectious diseases programs.
14 3	For reducing the incidence and prevalence of communicable	DETAIL: This is an increase of \$7,500 and no change in FTE positions compared to estimated net FY 2010 for a general increase to infectious diseases programs.
14 4	diseases, and for not more than the following full=time	
14 5	equivalent positions:	
14 6	..... \$ 1,475,095	
14 7	..... FTEs 5.00	
14 8	8. PUBLIC PROTECTION	General Fund appropriation to the public protection programs.
14 9	For protecting the health and safety of the public through	DETAIL: This is an increase of \$75,000 and no change in FTE positions compared to estimated net FY 2010. The General Fund changes include:
14 10	establishing standards and enforcing regulations, and for not	
14 11	more than the following full=time equivalent positions:	
14 12	..... \$ 3,287,987	
14 13	..... FTEs 130.00	<ul style="list-style-type: none"> <li>\$25,000 to sex violence prevention programming to restore funding due to the FY 2010 ATB reductions.</li> </ul>

	<ul style="list-style-type: none"> <li>\$50,000 for the certification of emergency medical care providers relating to SF 2311 (2010 Emergency Medical Services Certification).</li> </ul>
14 14 a. Of the funds appropriated in this subsection, not more	
14 15 than \$471,690 shall be credited to the emergency medical	Requires \$471,690 to be allocated to the Emergency Medical Services (EMS) Fund.
14 16 services fund created in section 135.25. Moneys in the	
14 17 emergency medical services fund are appropriated to the	DETAIL: This is a decrease of \$77,550 compared to the FY 2010 allocation for a general reduction. The funds are used for training and equipment provided through the EMS Program.
14 18 department to be used for the purposes of the fund.	
14 19 b. Of the funds appropriated in this subsection, \$234,229	
14 20 shall be used for sexual violence prevention programming	Allocates \$234,229 to provide program funding for sexual violence prevention.
14 21 through a statewide organization representing programs serving	
14 22 victims of sexual violence through the department's sexual	DETAIL: This is an increase of \$1,752 compared to the FY 2010 allocation to restore the FY 2010 ATB reduction.
14 23 violence prevention program. The amount allocated in this	
14 24 lettered paragraph shall not be used to supplant funding	
14 25 administered for other sexual violence prevention or victims	
14 26 assistance programs.	
14 27 c. Of the funds appropriated in this subsection, not more	
14 28 than \$485,520 shall be used for the state poison control	Requires an allocation up to a maximum of \$485,520 for the State Poison Control Center.
14 29 center.	
	DETAIL: This is a decrease of \$53,947 compared to the FY 2010 allocation for a general reduction.
	NOTE: There is an additional appropriation of \$100,000 from the UST Fund to public protection for the State Poison Control Center in Section 45 of this Act.
14 30 d. Of the funds appropriated in this subsection, \$50,000	
14 31 shall be used for education, testing, training, and other costs	Allocates \$50,000 for certification of emergency care providers.
14 32 to conform the requirements for certification of emergency	
14 33 medical care providers with national standards.	DETAIL: This is a one-time allocation to implement provisions of SF 2311 (2010 Emergency Medical Services Certification).
14 34 9. RESOURCE MANAGEMENT	
14 35 For establishing and sustaining the overall ability of the	General Fund appropriation to the Department's resource management activities.
15 1 department to deliver services to the public, and for not more	

PG LN	House File 2526	Explanation
15 2	than the following full=time equivalent positions:	DETAIL: This is no change in funding or FTE positions compared to estimated net FY 2010.
15 3	..... \$ 956,265	
15 4	..... FTEs 10.00	
15 5	The university of Iowa hospitals and clinics under the	Prohibits the UIHC from receiving indirect cost reimbursement from General Fund appropriations to the DPH. Requires the UIHC to submit billings on a quarterly basis for FY 2011.
15 6	control of the state board of regents shall not receive	
15 7	indirect costs from the funds appropriated in this section.	
15 8	The university of Iowa hospitals and clinics billings to the	
15 9	department shall be on at least a quarterly basis.	
15 10	DIVISION III	
15 11	DEPARTMENT OF VETERANS AFFAIRS	
15 12	Sec. 3. DEPARTMENT OF VETERANS AFFAIRS. There is	
15 13	appropriated from the general fund of the state to the	
15 14	department of veterans affairs for the fiscal year beginning	
15 15	July 1, 2010, and ending June 30, 2011, the following amounts,	
15 16	or so much thereof as is necessary, to be used for the purposes	
15 17	designated:	
15 18	1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION	General Fund appropriation to the Department of Veteran Affairs.
15 19	For salaries, support, maintenance, and miscellaneous	DETAIL: This is no change in funding or FTE positions compared to estimated net FY 2010.
15 20	purposes, including the war orphans educational assistance fund	
15 21	created in section 35.8, and for not more than the following	
15 22	full=time equivalent positions:	
15 23	..... \$ 960,453	
15 24	..... FTEs 15.20	
15 25	2. IOWA VETERANS HOME	General Fund appropriation to the Iowa Veterans Home.
15 26	For salaries, support, maintenance, and miscellaneous	DETAIL: This is no change compared to estimated net FY 2010.
15 27	purposes:	
15 28	..... \$ 9,630,846	
		This Act does not cap FTE positions. The tracking document indicates that there is a decrease of 23.44 FTE positions compared to the estimated net FY 2010 FTE positions.

15 29 a. The Iowa veterans home billings involving the department	Requires the Iowa Veterans Home to submit monthly claims relating to
15 30 of human services shall be submitted to the department on at	Medicaid to the DHS.
15 31 least a monthly basis.	
15 32 b. If there is a change in the employer of employees	Requires a new employer to honor an existing collective bargaining
15 33 providing services at the Iowa veterans home under a collective	agreement at the Iowa Veterans Home.
15 34 bargaining agreement, such employees and the agreement shall	
15 35 be continued by the successor employer as though there had not	
16 1 been a change in employer.	
16 2 c. Within available resources and in conformance with	Permits the Iowa Veterans Home to provide financial assistance to
16 3 associated state and federal program eligibility requirements,	provide participation in the community reentry program within State
16 4 the Iowa veterans home may implement measures to provide	and federal eligibility requirements.
16 5 financial assistance to or on behalf of veterans or their	
16 6 spouses participating in the community reentry program.	
16 7 3. STATE EDUCATIONAL ASSISTANCE == CHILDREN OF DECEASED	General Fund appropriation for the State Educational Assistance for
16 8 VETERANS	Children of Deceased Veterans Program.
16 9 For provision of educational assistance pursuant to section	DETAIL: This is no change compared to estimated net FY 2010. This
16 10 35.9:	appropriation was impacted by the FY 2010 ATB reduction by
16 11 ..... \$ 12,731	decreasing the carryforward by 10.00%. Historically the appropriation
	has been \$27,000.
16 12 Sec. 4. LIMITATION OF COUNTY COMMISSION OF VETERANS	General Fund appropriation for the County Commissions of Veterans
16 13 AFFAIRS	Affairs Fund.
16 14 FUND STANDING APPROPRIATIONS. Notwithstanding the standing	DETAIL: This is a decrease of \$90,000 compared to estimated net FY
16 15 appropriation in the following designated section for the	2010. This is supplemented by Section 5, with an appropriation of
16 16 fiscal year beginning July 1, 2010, and ending June 30, 2011,	\$90,000. Each of the 99 counties receives a \$10,000 grant for
16 17 the amounts appropriated from the general fund of the state	veteran-related expenditures.
16 18 pursuant to that section for the following designated purposes	
16 19 shall not exceed the following amount:	
16 20 For the county commissions of veterans affairs fund under	
16 21 section 35A.16:	
16 22 ..... \$ 900,000	

PG LN	House File 2526	Explanation
16 22	Sec. 5. MERCHANT MARINE BONUS FUND == COUNTY GRANTS. There	Merchant Marine Bonus Fund appropriation.
16 23	is appropriated from the merchant marine bonus fund created in	
16 24	section 35A.8 to the department of veterans affairs for the	DETAIL: This is a new appropriation for FY 2011. The Fund has
16 25	fiscal year beginning July 1, 2010, and ending June 30, 2011,	\$134,000 remaining from bonuses paid to merchant marines. The
16 26	the following amount, or so much thereof as is necessary, to be	funds supplement the \$900,000 General Fund appropriation for the
16 27	used for the purposes designated:	veterans county grants in Section 4.
16 28	For the county commissions of veterans affairs fund under	
16 29	section 35A.16:	
16 30	..... \$ 90,000	
16 31	DIVISION IV	
16 32	DEPARTMENT OF HUMAN SERVICES	
16 33	Sec. 6. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK	TANF Block Grant Fund appropriations for FY 2011.
16 34	GRANT. There is appropriated from the fund created in section	
16 35	8.41 to the department of human services for the fiscal year	DETAIL: The federal government implemented Federal Welfare
17 1	beginning July 1, 2010, and ending June 30, 2011, from moneys	Reform on August 22, 1996. Federal Welfare Reform changed the
17 2	received under the federal temporary assistance for needy	funding for the Family Investment Program (FIP) from a matching
17 3	families (TANF) block grant pursuant to the federal Personal	program to a block grant of federal funds. The TANF Program was
17 4	Responsibility and Work Opportunity Reconciliation Act of 1996,	reauthorized on February 8, 2006, with work participation rates
17 5	Pub. L. No. 104=193, and successor legislation, and from moneys	extended to separate State programs and the elimination of high
17 6	received under the emergency contingency fund for temporary	performance bonuses; however, Iowa's grant remains the same at
17 7	assistance for needy families state program established	\$131,524,959 per year.
17 8	pursuant to the federal American Recovery and Reinvestment Act	
17 9	of 2009, Pub. L. No. 111=5 2101, and successor legislation,	
17 10	the following amounts, or so much thereof as is necessary, to	
17 11	be used for the purposes designated:	
17 12	1. To be credited to the family investment program account	TANF FY 2011 Block Grant appropriation for the FIP Account.
17 13	and used for assistance under the family investment program	
17 14	under chapter 239B:	DETAIL: This is a decrease of \$4,208,062 compared to estimated net
17 15	..... \$ 24,376,341	FY 2010. The decrease is due to additional emergency TANF funding.
17 16	2. To be credited to the family investment program account	TANF FY 2011 Block Grant appropriation for the PROMISE JOBS
17 17	and used for the job opportunities and basic skills (JOBS)	Program.
17 18	program and implementing family investment agreements in	
17 19	accordance with chapter 239B:	DETAIL: This is a decrease of \$615,268 compared to estimated FY



PG LN	House File 2526	Explanation
17 20	..... \$ 12,411,528	2010 due to a reduction in the mileage rate from \$0.34 to \$0.30.
17 21	Notwithstanding section 8.33, not more than 5 percent of	CODE: Requires nonreversion of not more than 5.00% of funds allocated for contract services.
17 22	the moneys designated in this subsection that are allocated	
17 23	by the department for contracted services, other than	
17 24	family self=sufficiency grant services allocated under this	
17 25	subsection, that remain unencumbered or unobligated at the	
17 26	close of the fiscal year shall not revert but shall remain	
17 27	available for expenditure for the purposes designated until	
17 28	the close of the succeeding fiscal year. However, unless such	
17 29	moneys are encumbered or obligated on or before September 30,	
17 30	2011, the moneys shall revert.	
17 31	3. To be used for the family development and	TANF FY 2011 Block Grant appropriation for the Family Development and Self Sufficiency (FaDSS) Program.
17 32	self=sufficiency grant program in accordance with section	
17 33	216A.107:	
17 34	..... \$ 2,898,980	DETAIL: This is an increase of \$450,000 compared to estimated FY 2010.
17 35	Notwithstanding section 8.33, moneys appropriated in this	CODE: Requires nonreversion of funds allocated for the FaDSS Grant Program.
18 1	subsection that remain unencumbered or unobligated at the close	
18 2	of the fiscal year shall not revert but shall remain available	
18 3	for expenditure for the purposes designated until the close of	
18 4	the succeeding fiscal year. However, unless such moneys are	
18 5	encumbered or obligated on or before September 30, 2011, the	
18 6	moneys shall revert.	
18 7	4. For field operations:	TANF FY 2011 Block Grant appropriation for Field Operations.
18 8	..... \$ 31,296,232	
		DETAIL: This is an increase of \$9,637,096 compared to estimated FY 2010.
18 9	5. For general administration:	TANF FY 2011 Block Grant appropriation for General Administration.
18 10	..... \$ 3,744,000	
		DETAIL: Maintains the current level of TANF support.

18 11	6. For state child care assistance:	TANF FY 2011 Block Grant appropriation for Child Care Assistance.
18 12	..... \$ 16,382,687	DETAIL: This is a decrease of \$2,603,490 compared to estimated FY 2010.
18 13	The funds appropriated in this subsection shall be	Requires the DHS to transfer \$16,382,687 to the Child Care and
18 14	transferred to the child care and development block grant	Development Block Grant and to use \$200,000 for training of
18 15	appropriation made by the Eighty-third General Assembly, 2010	registered child care home providers. Permits the DHS to contract
18 16	Session, for the federal fiscal year beginning October 1,	with colleges or child care resource centers and specifies
18 17	2010, and ending September 30, 2011. Of this amount, \$200,000	requirements for funding the grants and the application form for the
18 18	shall be used for provision of educational opportunities to	grant.
18 19	registered child care home providers in order to improve	
18 20	services and programs offered by this category of providers	
18 21	and to increase the number of providers. The department may	
18 22	contract with institutions of higher education or child care	
18 23	resource and referral centers to provide the educational	
18 24	opportunities. Allowable administrative costs under the	
18 25	contracts shall not exceed 5 percent. The application for a	
18 26	grant shall not exceed two pages in length.	
18 27	7. For mental health and developmental disabilities	TANF FY 2011 Block Grant appropriation for Mental Health and
18 28	community services:	Developmental Disabilities Community Services.
18 29	..... \$ 4,894,052	DETAIL: Maintains the current level of TANF support.
18 30	8. For child and family services:	TANF FY 2011 Block Grant appropriation for Child and Family
18 31	..... \$ 32,084,430	Services.
		DETAIL: Maintains the current level of TANF support.
18 32	9. For child abuse prevention grants:	TANF FY 2011 Block Grant appropriation for Child Abuse Prevention
18 33	..... \$ 125,000	Grants.
		DETAIL: This no change compared to estimated FY 2010.
18 34	10. For pregnancy prevention grants on the condition that	TANF FY 2011 Block Grant appropriation for pregnancy prevention
18 35	family planning services are funded:	grants if family planning services are funded.
19 1	..... \$ 1,930,067	

DETAIL: This is an increase of \$602,189 compared to estimated net FY 2010.

19 2 Pregnancy prevention grants shall be awarded to programs  
 19 3 in existence on or before July 1, 2010, if the programs are  
 19 4 comprehensive in scope and have demonstrated positive outcomes.  
 19 5 Grants shall be awarded to pregnancy prevention programs  
 19 6 which are developed after July 1, 2010, if the programs are  
 19 7 comprehensive in scope and are based on existing models that  
 19 8 have demonstrated positive outcomes. Grants shall comply with  
 19 9 the requirements provided in 1997 Iowa Acts, chapter 208,  
 19 10 section 14, subsections 1 and 2, including the requirement that  
 19 11 grant programs must emphasize sexual abstinence. Priority in  
 19 12 the awarding of grants shall be given to programs that serve  
 19 13 areas of the state which demonstrate the highest percentage of  
 19 14 unplanned pregnancies of females of childbearing age within the  
 19 15 geographic area to be served by the grant.

Requires the recipients of pregnancy prevention grants to meet certain requirements of comprehensiveness and demonstration of positive outcomes. Requires pregnancy prevention grants from the TANF to 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.

19 16 11. For technology needs and other resources necessary  
 19 17 to meet federal welfare reform reporting, tracking, and case  
 19 18 management requirements:  
 19 19 ..... \$ 1,037,186

TANF FY 2011 Block Grant appropriation for federal welfare reform reporting, tracking, and case management technology and resource needs.

DETAIL: Maintains the current level of TANF support.

19 20 12. To be credited to the state child care assistance  
 19 21 appropriation made in this section to be used for funding of  
 19 22 community-based early childhood programs targeted to children  
 19 23 from birth through five years of age developed by community  
 19 24 empowerment areas as provided in section 28.9:  
 19 25 ..... \$ 6,350,000

TANF FY 2011 Block Grant appropriation to fund community-based programs for children from birth to age five as developed by community empowerment areas.

DETAIL: This is a decrease of \$500,000 compared to estimated FY 2010.

19 26 The department shall transfer TANF block grant funding  
 19 27 appropriated and allocated in this subsection to the child care  
 19 28 and development block grant appropriation in accordance with  
 19 29 federal law as necessary to comply with the provisions of this  
 19 30 subsection.

Requires the DHS to transfer TANF funds to the Child Care and Development Block Grant.

19 31 13. a. Notwithstanding any provision to the contrary,  
19 32 including but not limited to requirements in section 8.41 or  
19 33 provisions in 2009 or 2010 Iowa Acts regarding the receipt  
19 34 and appropriation of federal block grants, federal funds  
19 35 from the emergency contingency fund for temporary assistance  
20 1 for needy families state program established pursuant to the  
20 2 federal American Recovery and Reinvestment Act of 2009, Pub.  
20 3 L. No. 111=5 2101, received by the state during the fiscal  
20 4 year beginning July 1, 2009, and ending June 30, 2010, not  
20 5 otherwise appropriated in this section and remaining available  
20 6 as of July 1, 2010, and received by the state during the fiscal  
20 7 year beginning July 1, 2010, and ending June 30, 2011, are  
20 8 appropriated to the extent as may be necessary to be used in  
20 9 the following priority order: the family investment program  
20 10 for the fiscal year and for state child care assistance program  
20 11 payments for individuals enrolled in the family investment  
20 12 program who are employed. The federal funds appropriated in  
20 13 this paragraph "a" shall be expended only after all other  
20 14 funds appropriated in subsection 1 for the assistance under  
20 15 the family investment program under chapter 239B have been  
20 16 expended.

20 17 b. The department shall, on a quarterly basis, advise the  
20 18 legislative services agency and department of management of  
20 19 the amount of funds appropriated in this subsection that was  
20 20 expended in the prior quarter.

20 21 c. For the purposes of this lettered paragraph, "employment  
20 22 and training=related programs" means summer youth programs and  
20 23 other employment and training=related programs, as allowed  
20 24 by federal law, that are administered by the department of  
20 25 workforce development.

20 26 (1) To the extent other federal funding is not available  
20 27 for employment and training=related programs administered by  
20 28 the department of workforce development and provided the match  
20 29 requirement is met through the employment programs, in addition

CODE: Appropriates sufficient funding from the emergency TANF funds received under the American Recovery and Reinvestment Act of 2009 (ARRA) to the DHS for the following:

- To fully fund the FIP for FY 2011. It is estimated the DHS will receive \$17,678,279 for this purpose.
- For the Child Care Assistance Program for individuals enrolled in FIP.

Requires the DHS to submit quarterly reports to the LSA and the Department of Management (DOM) regarding expenditures in this Section.

Defines the employment and training-related programs as the Summer Youth Employment Program and other employment and training-related programs.

Specifies that the paragraph relating to the Summer Youth Employment Program is only applicable if no other federal funding has been received.

20 30 to the amount appropriated in paragraph "a", funding is  
20 31 appropriated from the same source and for the same fiscal year  
20 32 addressed in paragraph "a", to the department of human services  
20 33 to be used for employment and training=related programs  
20 34 administered by the department of workforce development for  
20 35 the fiscal year beginning July 1, 2010, in accordance with the  
21 1 requirements of this lettered paragraph.

21 2 (2) The department of human services shall collaborate  
21 3 with the department of workforce development to secure  
21 4 additional federal funds from the emergency contingency fund  
21 5 for the temporary assistance for needy families state program  
21 6 established pursuant to the federal American Recovery and  
21 7 Reinvestment Act of 2009, Pub. L. No. 111=5 2101. This  
21 8 collaboration shall be for the purpose of securing emergency  
21 9 contingency funds to subsidize the administrative costs and  
21 10 wages paid on behalf of individuals participating in the  
21 11 employment and training=related programs administered by  
21 12 the department of workforce development. Subsidized wages,  
21 13 administrative costs, and other costs of the employment and  
21 14 training=related programs shall be eligible for reimbursement  
21 15 under the terms of the federal American Recovery and  
21 16 Reinvestment Act of 2009, Pub. L. No. 111=5 2101, or  
21 17 successor legislation, which may extend the availability of  
21 18 emergency contingency funds. The collaboration between the two  
21 19 agencies shall be formalized through a memorandum of agreement.

Requires the DHS to collaborate with the Iowa Department of Workforce Development (IWD) to draw additional federal funds from the Emergency Contingency TANF Fund. The funds are to be used to subsidize administrative costs and wages paid on behalf of individuals participating in the Summer Youth Employment Program.

21 20 (3) Federal funds received as the result of this  
21 21 collaboration shall be transferred to the department of  
21 22 workforce development to be used for the purpose of covering  
21 23 administrative costs and the costs of wages and other costs  
21 24 relating to the employment and training=related programs  
21 25 administered by the department of workforce development. The  
21 26 department of workforce development shall ensure that all  
21 27 expenditures comply with applicable federal requirements and  
21 28 shall be responsible for the repayment of any funds spent  
21 29 in error and any corresponding penalty as well as taking

Requires funds received for the Summer Youth Employment Program to be transferred to IWD to subsidize administrative costs and wages paid on behalf of individuals participating in the Program.

21 30 corrective action to address the error. Funds received in  
21 31 excess of the amount of administrative costs and the costs  
21 32 of wages and other federally allowed costs relating to the  
21 33 employment and training-related programs that are eligible for  
21 34 reimbursement under the terms of the federal American Recovery  
21 35 and Reinvestment Act of 2009, Pub. L. No. 111-5 2101, or  
22 1 successor legislation, which may extend the availability  
22 2 of emergency contingency funds, shall be returned by the  
22 3 department of workforce development to the federal government  
22 4 following procedures developed by the federal temporary  
22 5 assistance for needy families agency for that purpose.

22 6 (4) The department of workforce development shall provide  
22 7 the department of human services with the necessary information  
22 8 to support the request for emergency contingency funds and to  
22 9 report the expenditure of these funds once received pursuant to  
22 10 federal reporting requirements. The responsibilities of both  
22 11 agencies shall be specified in the memorandum of agreement.

Requires the IWD to provide the DHS with any necessary information to support the request for emergency TANF funds.

22 12 14. Of the amounts appropriated in this section,  
22 13 \$12,962,008 for the fiscal year beginning July 1, 2010, shall  
22 14 be transferred to the appropriation of the federal social  
22 15 services block grant made for that fiscal year.

Requires \$12,962,008 of the federal TANF funds appropriated in this Section to be transferred to the federal Social Services Block Grant appropriation.

DETAIL: Maintains the current level of TANF support.

22 16 15. The department may transfer funds allocated in this  
22 17 section to the appropriations made in this Act for general  
22 18 administration and field operations for resources necessary to  
22 19 implement and operate the services referred to in this section  
22 20 and those funded in the appropriation made in this division of  
22 21 this Act for the family investment program from the general  
22 22 fund of the state.

Permits the DHS to transfer funds to General Administration and Field Operations for costs associated with TANF-funded programs and the FIP.

22 23 Sec. 7. FAMILY INVESTMENT PROGRAM ACCOUNT.  
22 24 1. Moneys credited to the family investment program (FIP)  
22 25 account for the fiscal year beginning July 1, 2010, and  
22 26 ending June 30, 2011, shall be used to provide assistance in

Requires funds credited to the FIP Account for FY 2011 to be used as specified.

22 27 accordance with chapter 239B.

22 28 2. The department may use a portion of the moneys credited  
22 29 to the FIP account under this section as necessary for  
22 30 salaries, support, maintenance, and miscellaneous purposes.

Permits the DHS to use FIP funds for various administrative purposes.

22 31 3. The department may transfer funds allocated in  
22 32 this section to the appropriations in this Act for general  
22 33 administration and field operations for resources necessary to  
22 34 implement and operate the services referred to in this section  
22 35 and those funded in the appropriation made in this division of  
23 1 this Act for the family investment program from the general  
23 2 fund of the state.

Permits the DHS to transfer funds to General Administration and Field Operations for costs associated with this Section.

23 3 4. Moneys appropriated in this division of this Act and  
23 4 credited to the FIP account for the fiscal year beginning July  
23 5 1, 2010, and ending June 30, 2011, are allocated as follows:

Requires the TANF Block Grant funds appropriated to the FIP Account to be allocated as specified.

23 6 a. To be retained by the department of human services to  
23 7 be used for coordinating with the department of human rights  
23 8 to more effectively serve participants in the FIP program and  
23 9 other shared clients and to meet federal reporting requirements  
23 10 under the federal temporary assistance for needy families block  
23 11 grant:

Allocates \$20,000 to the DHS to be used for administrative services.

DETAIL: Maintains the current level of support.

23 12 ..... \$ 20,000

23 13 b. To the department of human rights for staffing,  
23 14 administration, and implementation of the family development  
23 15 and self-sufficiency grant program in accordance with section  
23 16 216A.107:

Allocates \$5,397,251 of the FY 2011 General Fund appropriation and TANF funds to the Department of Human Rights for the FaDSS Grant Program.

23 17 ..... \$ 5,397,251

DETAIL: This is a decrease of \$99,695 compared to the FY 2010 allocation.

23 18 (1) Of the funds allocated for the family development and  
23 19 self-sufficiency grant program in this lettered paragraph,  
23 20 not more than 5 percent of the funds shall be used for the  
23 21 administration of the grant program.

Specifies that a maximum of 5.00% of the allocation be spent on administration of FaDSS Program grants.

PG LN	House File 2526	Explanation
23 22	(2) The department of human rights may continue to implement	Permits the Department of Human Rights to continue to implement the FaDSS Grant Program in FY 2010.
23 23	the family development and self=sufficiency grant program	
23 24	statewide during fiscal year 2010=2011.	
23 25	c. For the diversion subaccount of the FIP account:	Allocates \$1,698,400 of FY 2011 TANF funds for the FIP Diversion Subaccount.
23 26	..... \$ 1,698,400	
		DETAIL: This is a decrease of \$115,600 compared to the FY 2010 allocation.
23 27	A portion of the moneys allocated for the subaccount may	Allows a portion of the FIP Diversion funds to be used to administer the FIP Diversion Program.
23 28	be used for field operations salaries, data management system	
23 29	development, and implementation costs and support deemed	
23 30	necessary by the director of human services in order to	
23 31	administer the FIP diversion program.	
23 32	d. For the food stamp employment and training program:	Allocates \$68,059 of FY 2011 FIP funds to the Food Stamp Employment and Training Program.
23 33	..... \$ 68,059	
		DETAIL: Maintains the current level of support.
23 34	(1) The department shall amend the food stamp employment and	Requires the Department to amend the Food Stamp Employment and Training State Plan to maximize federal matching funds received.
23 35	training state plan in order to maximize to the fullest extent	
24 1	permitted by federal law the use of the 50=50 match provisions	
24 2	for the claiming of allowable federal matching funds from the	
24 3	United States department of agriculture pursuant to the federal	
24 4	food stamp employment and training program for providing	
24 5	education, employment, and training services for eligible food	
24 6	assistance program participants, including but not limited to	Requires the DHS to expand the food assistance program eligibility to persons with income up to 160.00% of the Federal Poverty Level (FPL) and eliminate the asset test. The DHS is to conform to all federal requirements including requirements addressing individuals that are incarcerated.
24 7	related dependent care and transportation expenses.	
24 8	(2) The department shall utilize additional funding	
24 9	available through Pub. L. No. 111=118, 1001 for related	
24 10	administrative costs as necessary to expand categorical	
24 11	federal food assistance program eligibility provisions to	
24 12	160 percent of the federal poverty level and eliminate the	



24 13 asset test from eligibility requirements, consistent with  
 24 14 federal food assistance program requirements. The department  
 24 15 shall design the expanded eligibility provisions to include  
 24 16 as many food assistance households as is allowed by federal  
 24 17 law. The eligibility provisions shall conform to all federal  
 24 18 requirements including requirements addressing individuals who  
 24 19 are incarcerated or otherwise ineligible.

24 20 e. For the JOBS program:

24 21 ..... \$ 20,652,993

Permits the DHS to allocate \$20,652,993 of the FY 2011 General Fund appropriation and TANF funds for the PROMISE JOBS Program.

DETAIL: This is a decrease of \$985,270 compared to the FY 2010 allocation.

24 22 5. Of the child support collections assigned under FIP,  
 24 23 an amount equal to the federal share of support collections  
 24 24 shall be credited to the child support recovery appropriation  
 24 25 made in this division of this Act. Of the remainder of the  
 24 26 assigned child support collections received by the child  
 24 27 support recovery unit, a portion shall be credited to the FIP  
 24 28 account, a portion may be used to increase recoveries, and a  
 24 29 portion may be used to sustain cash flow in the child support  
 24 30 payments account. If as a consequence of the appropriations  
 24 31 and allocations made in this section the resulting amounts  
 24 32 are insufficient to sustain cash assistance payments and meet  
 24 33 federal maintenance of effort requirements, the department  
 24 34 shall seek supplemental funding. If child support collections  
 24 35 assigned under FIP are greater than estimated or are otherwise  
 25 1 determined not to be required for maintenance of effort, the  
 25 2 state share of either amount may be transferred to or retained  
 25 3 in the child support payment account.

Requires the federal share of child support collections recovered by the State to 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 and to sustain cash flow in the child support payments account.

25 4 6. The department may adopt emergency rules for the family  
 25 5 investment, JOBS, food stamp, and medical assistance programs  
 25 6 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.

25 7 Sec. 8. FAMILY INVESTMENT PROGRAM GENERAL FUND. There

General Fund appropriation to the DHS for the FIP, to be credited to

25 8 is appropriated from the general fund of the state to the  
 25 9 department of human services for the fiscal year beginning July  
 25 10 1, 2010, and ending June 30, 2011, the following amount, or  
 25 11 so much thereof as is necessary, to be used for the purpose  
 25 12 designated:  
 25 13 To be credited to the family investment program (FIP)  
 25 14 account and used for family investment program assistance under  
 25 15 chapter 239B:  
 25 16 ..... \$ 31,735,539

the FIP Account.

DETAIL: This is a net increase of \$602,109 and a decrease of 4.50 FTE positions compared to estimated net FY 2010. The changes include:

- A decrease of \$4,119,206 due to a net increase in emergency TANF funding through ARRA.
- An increase of \$10,794,158 due to caseload growth.
- An increase of \$8,215,882 due to a loss of carryforward from FY 2009 to FY 2010.
- A decrease of \$13,448,490 due to additional funds from the elimination of a transfer to child care.
- An increase of \$77,907 for increased PROMISE JOBA participation.
- A decrease of \$853,933 from a reduction in the electronic benefits transfer (EBT) vendor contract.
- A decrease of \$64,209 due to increased use of electronic funds transfers.

The appropriation for the FIP Account also contains funding for the PROMISE JOBS and FaDSS Programs. The appropriation maintains the current FIP payment levels (maximum grants of \$361 per month for a family with two persons and \$426 for a family with three persons).

25 17 1. Of the funds appropriated in this section, \$8,241,465 is  
 25 18 allocated for the JOBS program.

General Fund allocation of \$8,241,465 for the PROMISE JOBS Program.

DETAIL: This is a decrease of \$312,270 compared to the FY 2010 allocation.

25 19 2. Of the funds appropriated in this section, \$2,518,271 is  
 25 20 allocated for the family development and self-sufficiency grant  
 25 21 program.

General Fund allocation of \$2,518,271 for the FaDSS Program.

DETAIL: Maintains current level of support.

25 22 3. Notwithstanding section 8.39, for the fiscal year  
 25 23 beginning July 1, 2010, if necessary to meet federal  
 25 24 maintenance of effort requirements or to transfer federal  
 25 25 temporary assistance for needy families block grant funding

CODE: Specifies that the DHS has the authority to transfer TANF funds to the Social Services Block Grant as necessary to meet Maintenance of Effort requirements.

25 26 to be used for purposes of the federal social services block  
25 27 grant or to meet cash flow needs resulting from delays in  
25 28 receiving federal funding or to implement, in accordance with  
25 29 this division of this Act, activities currently funded with  
25 30 juvenile court services, county, or community moneys and state  
25 31 moneys used in combination with such moneys, the department  
25 32 of human services may transfer funds within or between any  
25 33 of the appropriations made in this division of this Act and  
25 34 appropriations in law for the federal social services block  
25 35 grant to the department for the following purposes, provided  
26 1 that the combined amount of state and federal temporary  
26 2 assistance for needy families block grant funding for each  
26 3 appropriation remains the same before and after the transfer:  
26 4 a. For the family investment program.  
26 5 b. For child care assistance.  
26 6 c. For child and family services.  
26 7 d. For field operations.  
26 8 e. For general administration.  
26 9 f. MH/MR/DD/BI community services (local purchase).  
26 10 This subsection shall not be construed to prohibit the use  
26 11 of existing state transfer authority for other purposes. The  
26 12 department shall report any transfers made pursuant to this  
26 13 subsection to the legislative services agency.

26 14 4. Of the funds appropriated in this section, \$200,000 shall  
26 15 be used for continuation of a grant to an Iowa-based nonprofit  
26 16 organization with a history of providing tax preparation  
26 17 assistance to low-income Iowans in order to expand the usage of  
26 18 the earned income tax credit. The purpose of the grant is to  
26 19 supply this assistance to underserved areas of the state.

26 20 Sec. 9. CHILD SUPPORT RECOVERY. There is appropriated  
26 21 from the general fund of the state to the department of human  
26 22 services for the fiscal year beginning July 1, 2010, and ending  
26 23 June 30, 2011, the following amount, or so much thereof as is  
26 24 necessary, to be used for the purposes designated:  
26 25 For child support recovery, including salaries, support,

General Fund allocation of \$200,000 to provide tax preparation assistance for low-income Iowans.

DETAIL: This is a decrease of \$19,423 compared to the FY 2010 allocation.

General Fund appropriation to the DHS for the Child Support Recovery Unit.

DETAIL: This is a decrease of \$201,000 and no change in FTE positions compared to estimated net FY 2010. The changes include:

26 26 maintenance, and miscellaneous purposes, and for not more than  
 26 27 the following full-time equivalent positions:  
 26 28 ..... \$ 11,877,414  
 26 29 ..... FTEs 520.00

- A decrease of \$23,000 due to efficiencies from electronic payments from businesses.
- A decrease of \$228,000 to reflect a modification of handling funding from the Child Support Recovery Unit Fund.
- An increase of \$50,000 to offset loss of federal ARRA dollars.

26 30 1. The department shall expend up to \$24,329, including  
 26 31 federal financial participation, for the fiscal year beginning  
 26 32 July 1, 2010, for a child support public awareness campaign.  
 26 33 The department and the office of the attorney general shall  
 26 34 cooperate in continuation of the campaign. The public  
 26 35 awareness campaign shall emphasize, through a variety of  
 27 1 media activities, the importance of maximum involvement of  
 27 2 both parents in the lives of their children as well as the  
 27 3 importance of payment of child support obligations.

Requires the DHS to expend up to \$24,329 during FY 2011 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.

DETAIL: This is a decrease of \$2,703 compared to the FY 2010 allocation.

27 4 2. Federal access and visitation grant moneys shall be  
 27 5 issued directly to private not-for-profit agencies that provide  
 27 6 services designed to increase compliance with the child access  
 27 7 provisions of court orders, including but not limited to  
 27 8 neutral visitation sites and mediation services.

Specifies the process for utilization of receipts from federal Access and Visitation Grants.

27 9 3. The appropriation made to the department for child  
 27 10 support recovery may be used throughout the fiscal year in the  
 27 11 manner necessary for purposes of cash flow management, and for  
 27 12 cash flow management purposes the department may temporarily  
 27 13 draw more than the amount appropriated, provided the amount  
 27 14 appropriated is not exceeded at the close of the fiscal year.

Permits the DHS to use the appropriation as necessary and draw more than appropriated if needed to solve any cash flow problems, provided the amount appropriated is not exceeded at the end of the fiscal year.

27 15 4. With the exception of the funding amount specified,  
 27 16 the requirements established under 2001 Iowa Acts, chapter  
 27 17 191, section 3, subsection 5, paragraph "c", subparagraph (3),  
 27 18 shall be applicable to parental obligation pilot projects for  
 27 19 the fiscal year beginning July 1, 2010, and ending June 30,  
 27 20 2011. Notwithstanding 441 IAC 100.8, as in effect on June 30,  
 27 21 2009, providing for termination of rules relating to the pilot  
 27 22 projects the earlier of October 1, 2006, or when legislative

Specifies that the Department is to continue to operate the Child Support Recovery Unit under the guidelines established in the 2001 Iowa Acts.

27 23 authority is discontinued, the rules relating to the pilot  
 27 24 projects, as in effect on June 30, 2009, shall remain in effect  
 27 25 until June 30, 2011.

27 26 Sec. 10. HEALTH CARE TRUST FUND == MEDICAL ASSISTANCE. Any  
 27 27 funds remaining in the health care trust fund created in  
 27 28 section 453A.35A for the fiscal year beginning July 1, 2010,  
 27 29 and ending June 30, 2011, are appropriated to the department  
 27 30 of human services to supplement the medical assistance program  
 27 31 appropriations made in this Act, for medical assistance  
 27 32 reimbursement and associated costs, including program  
 27 33 administration and costs associated with implementation.

Appropriates the balance of the HCTF to the Medicaid Program for FY 2010 after all other appropriations from the Fund are made.

DETAIL: It is estimated that there will be \$107,615,211 available. This is an increase of \$6,964,471 compared to estimated net FY 2010.

27 34 Sec. 11. MEDICAL ASSISTANCE. There is appropriated from the  
 27 35 general fund of the state to the department of human services  
 28 1 for the fiscal year beginning July 1, 2010, and ending June 30,  
 28 2 2011, the following amount, or so much thereof as is necessary,  
 28 3 to be used for the purpose designated:  
 28 4 For medical assistance reimbursement and associated costs  
 28 5 as specifically provided in the reimbursement methodologies  
 28 6 in effect on June 30, 2010, except as otherwise expressly  
 28 7 authorized by law, including reimbursement for abortion  
 28 8 services which shall be available under the medical assistance  
 28 9 program only for those abortions which are medically necessary:  
 28 10 ..... \$412,546,344

General Fund appropriation to the DHS for the Medical Assistance (Medicaid) Program.

DETAIL: This is a net decrease of \$197,549,790 compared to estimated net FY 2010. The changes include:

- An increase of \$49,085,225 for increases in utilization and enrollment.
- An increase of \$1,833,333 to replace a one-time transfer for hospital rebase from the Veterans Home.
- A decrease of \$3,829,725 for the annual adjustment to the Federal Medical Assistance Percentage (FMAP) match rate.
- A decrease of \$10,719,202 to annualize the ATB reduction.
- A decrease of \$21,393,608 due to additional funds available from the Senior Living Trust Fund.
- A decrease of \$1,801,402 to transfer funds to State Supplementary Assistance.
- A decrease of \$14,957,400 from savings related to SF 2088 (Government Reorganization and Efficiency Act).
- A decrease of \$7,964,338 due to additional funds available from the HCTF.
- A decrease of \$187,800,000 due to additional funds from the Cash Reserve Fund.
- A decrease of \$10,806,990 from a net decrease in ARRA funding.
- An increase of \$40,281,386 to match revisions to estimates by

the Medicaid forecasting workgroup.

- A decrease of \$23,102,069 due to a general reduction to Medicaid.
- A decrease of \$6,400,000 due to additional fund available from the Quality Assurance Trust Fund.
- An increase of \$25,000 for administrative cost to implement an expansion of the Family Planning Program up to 300.0% of the FPL and to under the age of 55.

NOTE: House File 2531 (FY 2011 Standing Appropriations Act) reduces the Medicaid General Fund appropriation by \$18,863,117 for a new General Fund total of \$393,683,227. The reduction is due to additional funding available from the Hospital Health Care Access Trust Fund.

Specifies conditions that permit the Medical Assistance Program to reimburse providers for abortion services.

DETAIL: This is the same language that has been included for several years.

28 11 1. Medically necessary abortions are those performed under  
28 12 any of the following conditions:

28 13 a. The attending physician certifies that continuing the  
28 14 pregnancy would endanger the life of the pregnant woman.

28 15 b. The attending physician certifies that the fetus is  
28 16 physically deformed, mentally deficient, or afflicted with a  
28 17 congenital illness.

28 18 c. The pregnancy is the result of a rape which is reported  
28 19 within 45 days of the incident to a law enforcement agency or  
28 20 public or private health agency which may include a family  
28 21 physician.

28 22 d. The pregnancy is the result of incest which is reported  
28 23 within 150 days of the incident to a law enforcement agency  
28 24 or public or private health agency which may include a family  
28 25 physician.

28 26 e. Any spontaneous abortion, commonly known as a  
28 27 miscarriage, if not all of the products of conception are  
28 28 expelled.

28 29 2. The department shall utilize not more than \$60,000 of  
28 30 the funds appropriated in this section to continue the AIDS/HIV  
28 31 health insurance premium payment program as established in 1992  
28 32 Iowa Acts, Second Extraordinary Session, chapter 1001, section

Requires the DHS to use a maximum of \$60,000 of the funds appropriated for Medical Assistance to continue the AIDS/HIV Health Insurance Premium Payment as established during the Second Extraordinary Session in 1992.

28 33 409, subsection 6. Of the funds allocated in this subsection,  
28 34 not more than \$5,000 may be expended for administrative  
28 35 purposes.

DETAIL: Maintains the current level of General Fund support.

29 1 3. Of the funds appropriated in this Act to the department  
29 2 of public health for addictive disorders, \$950,000 for the  
29 3 fiscal year beginning July 1, 2010, shall be transferred to  
29 4 the department of human services for an integrated substance  
29 5 abuse managed care system. The department shall not assume  
29 6 management of the substance abuse system in place of the  
29 7 managed care contractor unless such a change in approach is  
29 8 specifically authorized in law. The departments of human  
29 9 services and public health shall work together to maintain  
29 10 the level of mental health and substance abuse services  
29 11 provided by the managed care contractor through the Iowa plan  
29 12 for behavioral health. Each department shall take the steps  
29 13 necessary to continue the federal waivers as necessary to  
29 14 maintain the level of services.

Requires \$950,000 of the Substance Abuse Grants appropriation to DPH to be transferred to the Medical Assistance Program in the DHS for continuation of the Managed Substance Abuse Treatment Program. Also, requires the DHS to assume management of the Program.

DETAIL: Maintains the current level of General Fund support. The Managed Substance Abuse Treatment Program was funded for the first time in FY 1996.

29 15 4. a. The department shall aggressively pursue options for  
29 16 providing medical assistance or other assistance to individuals  
29 17 with special needs who become ineligible to continue receiving  
29 18 services under the early and periodic screening, diagnostic,  
29 19 and treatment program under the medical assistance program  
29 20 due to becoming 21 years of age who have been approved for  
29 21 additional assistance through the department's exception to  
29 22 policy provisions, but who have health care needs in excess  
29 23 of the funding available through the exception to policy  
29 24 provisions.

Requires the DHS to aggressively pursue options for assisting special needs individuals that become ineligible for continued services under the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) Program as a result of 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. This Section requires the Department to allocate \$100,000 to fund one or more pilot projects focused on providing care in the community.

DETAIL: Maintains the current level of General Fund support.

29 25 b. Of the funds appropriated in this section, \$100,000  
29 26 shall be used for participation in one or more pilot projects  
29 27 operated by a private provider to allow the individual or  
29 28 individuals to receive service in the community in accordance  
29 29 with principles established in *Olmstead v. L.C.*, 527 U.S. 581  
29 30 (1999), for the purpose of providing medical assistance or  
29 31 other assistance to individuals with special needs who become  
29 32 ineligible to continue receiving services under the early and

29 33 periodic screening, diagnosis, and treatment program under  
29 34 the medical assistance program due to becoming 21 years of  
29 35 age who have been approved for additional assistance through  
30 1 the department's exception to policy provisions, but who have  
30 2 health care needs in excess of the funding available through  
30 3 the exception to the policy provisions.

30 4 5. Of the funds appropriated in this section, up to  
30 5 \$3,050,082 may be transferred to the field operations  
30 6 or general administration appropriations in this Act for  
30 7 operational costs associated with Part D of the federal  
30 8 Medicare Prescription Drug Improvement and Modernization Act  
30 9 of 2003, Pub. L. No. 108=173.

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.

30 10 6. Of the funds appropriated in this section, not more  
30 11 than \$166,600 shall be used to enhance outreach efforts. The  
30 12 department may transfer funds allocated in this subsection to  
30 13 the appropriations in this division of this Act for general  
30 14 administration, the children's health insurance program, or  
30 15 medical contracts, as necessary, to implement the outreach  
30 16 efforts.

Prohibits the DHS from expending more than \$166,600 for outreach for the Medicaid and Healthy and Well Kids in Iowa (hawk-i) Programs.

30 17 7. Of the funds appropriated in this section, up to \$442,100  
30 18 may be transferred to the appropriation in this Act for medical  
30 19 contracts to be used for clinical assessment services related  
30 20 to remedial services in accordance with federal law.

Permits a maximum of \$442,100 of Medicaid funds to be transferred to Clinical Assessment Services.

DETAIL: Maintains the current allocation level.

30 21 8. A portion of the funds appropriated in this section  
30 22 may be transferred to the appropriations in this division of  
30 23 this Act for general administration, medical contracts, the  
30 24 children's health insurance program, or field operations to be  
30 25 used for the state match cost to comply with the payment error  
30 26 rate measurement (PERM) program for both the medical assistance  
30 27 and children's health insurance programs as developed by the  
30 28 centers for Medicare and Medicaid services of the United States  
30 29 department of health and human services to comply with the  
30 30 federal Improper Payments Information Act of 2002, Pub. L. No.

Permits the DHS to use a portion of the funds appropriated to carry out the Payment Error Rate Measurement (PERM) Program. This brings the DHS into compliance with the federal Improper Payments Information Act of 2002.



30 31 107=300.

30 32 9. It is the intent of the general assembly that the  
30 33 department continue to implement the recommendations of  
30 34 the assuring better child health and development initiative  
30 35 II (ABCDII) clinical panel to the Iowa early and periodic  
31 1 screening, diagnostic, and treatment services healthy mental  
31 2 development collaborative board regarding changes to billing  
31 3 procedures, codes, and eligible service providers.

Specifies legislative intent that the DHS continue to implement the recommendations of the ABCD II Clinical Panel for changes to billing procedures, codes, and eligible service providers.

31 4 10. Of the funds appropriated in this section, a sufficient  
31 5 amount is allocated to supplement the incomes of residents of  
31 6 nursing facilities, intermediate care facilities for persons  
31 7 with mental illness, and intermediate care facilities for  
31 8 persons with mental retardation, with incomes of less than \$50  
31 9 in the amount necessary for the residents to receive a personal  
31 10 needs allowance of \$50 per month pursuant to section 249A.30A.

Requires the DHS to provide residents in nursing facilities, ICF/MRs, and ICF/MIs with a personal needs allowance of \$50 per month.

DETAIL: There are no changes in this provision from FY 2010.

31 11 11. Of the funds appropriated in this section, the following  
31 12 amounts shall be transferred to the appropriations made in this  
31 13 division of this Act for the state mental health institutes:  
31 14 a. Cherokee mental health institute ..... \$ 9,098,425  
31 15 b. Clarinda mental health institute ..... \$ 1,977,305  
31 16 c. Independence mental health institute ..... \$ 9,045,894  
31 17 d. Mount Pleasant mental health institute .... \$ 5,752,587

Transfers Medicaid funds to the four Mental Health Institutes.

DETAIL: Maintains the current level of General Fund support.

31 18 12. a. Of the funds appropriated in this section,  
31 19 \$7,108,069 is allocated for the state match for a  
31 20 disproportionate share hospital payment of \$19,133,430 to  
31 21 hospitals that meet both of the conditions specified in  
31 22 subparagraphs (1) and (2). In addition, the hospitals that  
31 23 meet the conditions specified shall either certify public  
31 24 expenditures or transfer to the medical assistance program  
31 25 an amount equal to provide the nonfederal share for a  
31 26 disproportionate share hospital payment of \$7,500,000. The  
31 27 hospitals that meet the conditions specified shall receive and  
31 28 retain 100 percent of the total disproportionate share hospital

Allocates \$7,108,069 of Medicaid funds for the State match for the Disproportionate Share Hospital (DSH) payment of \$19,133,430. In addition, the UIHC is to either use Certified Public Expenditures or transfer \$7,500,000 to the Medicaid Program to provide the nonfederal share of the DSH payment. The UIHC will retain 100.00% of the DSH payment of \$26,633,430.

31 29 payment of \$26,633,430.

31 30 (1) The hospital qualifies for disproportionate share and  
31 31 graduate medical education payments.

31 32 (2) The hospital is an Iowa state-owned hospital with more  
31 33 than 500 beds and eight or more distinct residency specialty  
31 34 or subspecialty programs recognized by the American college of  
31 35 graduate medical education.

32 1 b. Distribution of the disproportionate share payments  
32 2 shall be made on a monthly basis. The total amount of  
32 3 disproportionate share payments including graduate medical  
32 4 education, enhanced disproportionate share, and Iowa  
32 5 state-owned teaching hospital payments shall not exceed the  
32 6 amount of the state's allotment under Pub. L. No. 102=234.  
32 7 In addition, the total amount of all disproportionate  
32 8 share payments shall not exceed the hospital-specific  
32 9 disproportionate share limits under Pub. L. No. 103=66.

Specifies that DSH payments are to be distributed on a monthly basis and the DSH payments are not to exceed the federal limit.

32 10 13. The university of Iowa hospitals and clinics shall  
32 11 either certify public expenditures or transfer to the medical  
32 12 assistance appropriation an amount equal to provide the  
32 13 nonfederal share for increased medical assistance payments for  
32 14 inpatient and outpatient hospital services of \$7,500,000. The  
32 15 university of Iowa hospitals and clinics shall receive and  
32 16 retain 100 percent of the total increase in medical assistance  
32 17 payments.

Requires the UIHC to use Certified Public Expenditures or transfer funds to the Medicaid Program to fund the nonfederal share for increased Medicaid payments for inpatient and outpatient services of \$7,500,000. The UIHC will retain 100.00% of the increased Medicaid payments.

32 18 14. Of the funds appropriated in this section, up to  
32 19 \$4,601,848 may be transferred to the IowaCare account created  
32 20 in section 249J.24.

Transfers up to \$4,601,848 of Medicaid funds to the IowaCare Program.

32 21 15. Of the funds appropriated in this section, \$200,000  
32 22 shall be used for the Iowa chronic care consortium pursuant to  
32 23 2003 Iowa Acts, chapter 112, section 12, as amended by 2003  
32 24 Iowa Acts, chapter 179, sections 166 and 167.

Allocates \$200,000 of Medicaid funds to the Iowa Chronic Care Consortium.

DETAIL: This is a decrease of \$50,000 compared to the FY 2009 allocation.

32 25 16. One hundred percent of the nonfederal share of payments  
32 26 to area education agencies that are medical assistance  
32 27 providers for medical assistance=covered services provided to  
32 28 medical assistance=covered children, shall be made from the  
32 29 appropriation made in this section.

Allocates Medicaid funds to Area Education Agencies.

32 30 17. Any new or renewed contract entered into by the  
32 31 department with a third party to administer behavioral health  
32 32 services under the medical assistance program shall provide  
32 33 that any interest earned on payments from the state during  
32 34 the state fiscal year shall be remitted to the department  
32 35 and treated as recoveries to offset the costs of the medical  
33 1 assistance program.

Specifies that any new or renewed contract with a third party behavioral health administrator requires interest earned to be remitted to the DHS to offset costs of the Medicaid Program.

33 2 18. The department shall continue to implement the  
33 3 provisions in 2007 Iowa Acts, chapter 218, section 124 and  
33 4 section 126, as amended by 2008 Iowa Acts, chapter 1188,  
33 5 section 55, relating to eligibility for certain persons with  
33 6 disabilities under the medical assistance program in accordance  
33 7 with the federal family opportunity Act.

Requires the DHS to continue the implementation of the federal Family Opportunity Act.

DETAIL: The Family Opportunity Act is a Medicaid buy-in Program for children with family income of up to 300.00% of the FPL and that also meet Supplementary Security Income (SSI) eligibility requirements.

33 8 19. A portion of the funds appropriated in this section  
33 9 may be transferred to the appropriation in this division of  
33 10 this Act for medical contracts to be used for administrative  
33 11 activities associated with the money follows the person  
33 12 demonstration project.

Specifies that a portion of the Medicaid funding may be transferred to Medical Contracts for administrative activities related to the Money Follows the Person Demonstration Project.

33 13 20. Notwithstanding section 8.33, the portion of the  
33 14 funds appropriated in this section that is the result of the  
33 15 application of the increased federal medical assistance match  
33 16 percentage under the federal American Recovery and Reinvestment  
33 17 Act of 2009, to the amount the state pays the federal  
33 18 government as required under the federal Medicare Prescription  
33 19 Drug Improvement and Modernization Act of 2003, known as  
33 20 clawback payments, for the period October 1, 2008, through  
33 21 December 31, 2010, that remains unobligated or unencumbered at  
33 22 the close of the fiscal year, shall not revert to any fund but

CODE: Requires nonreversion of any funds received as part of the increased Medicare Clawback payment from the federal government through FY 2011.

33 23 shall remain available for expenditure for the purposes of the  
33 24 medical assistance program until the close of the succeeding  
33 25 fiscal year.

33 26 21. The department may transfer any savings generated  
33 27 due to medical assistance program cost containment efforts  
33 28 initiated pursuant to 2010 Iowa Acts, Senate File 2088, if  
33 29 enacted, or executive order 20, issued December 16, 2009, to  
33 30 the medical contracts appropriation made in this division of  
33 31 this Act to defray the increased contract costs associated with  
33 32 implementing such efforts.

Specifies the DHS may transfer savings associated with government reorganization to Medical Contracts to offset the costs of implementing the efforts.

33 33 22. The department shall request a waiver from the centers  
33 34 for Medicare and Medicaid services of the United States  
33 35 department of health and human services to add assisted living  
34 1 services to the home and community-based services waiver  
34 2 for the elderly under the medical assistance program. Upon  
34 3 receipt of federal approval of the waiver, the department shall  
34 4 implement assisted living as a service within the home and  
34 5 community-based services elderly waiver. The department shall  
34 6 adopt rules to implement the approved elderly waiver assisted  
34 7 living service.

Requires the DHS to request a waiver from the Center for Medicare and Medicaid Services to add assisted living services to the Home and Community-Based Services (HCBS) Elderly Waiver. The DHS is to adopt rules to implement this provision.

34 8 23. The department of human services shall convene a  
34 9 workgroup with the department of inspections and appeals,  
34 10 county central point of coordination administrators, affected  
34 11 service providers, and other appropriate interests in reviewing  
34 12 the various regulatory requirements applicable to providers of  
34 13 mental health and disability services paid under this and other  
34 14 appropriations. The review shall encompass federal, state,  
34 15 and professional requirements applicable to the providers.  
34 16 The workgroup shall identify opportunities for streamlining  
34 17 regulatory requirements, increasing public access to cost,  
34 18 quality, and outcomes information within the system, and  
34 19 increasing compliance with applicable federal health, safety,  
34 20 and accountability provisions. The workgroup shall hold two  
34 21 meetings and submit a report on or before December 15, 2010, to

Requires the DHS to convene a workgroup to review various regulatory requirements for providers of mental health and disability services paid by Medicaid. The workgroup is to look for opportunities to streamline requirements and increase access to information. The workgroup is to submit a report of findings by December 15, 2010.

34 22 the persons designated by this Act for submission of reports.

34 23 24. a. The department of human services shall amend  
34 24 the medical assistance waiver for the Iowa family planning  
34 25 network to continue the current waiver with the following  
34 26 modifications, to be effective July 1, 2011, which provide for  
34 27 all of the following:  
34 28 (1) Coverage for women who meet all of the following  
34 29 criteria:  
34 30 (a) Are uninsured or have health insurance coverage that  
34 31 does not include coverage for benefits provided under the Iowa  
34 32 family planning network.  
34 33 (b) Have income of up to 300 percent of the federal poverty  
34 34 level.  
34 35 (c) Are under 55 years of age.  
35 1 (2) Coverage of pregnancy prevention services for men who  
35 2 meet the income, age, and insurance coverage specifications  
35 3 described in subparagraph (1).

35 4 b. Implementation of this subsection is contingent upon  
35 5 approval of the medical assistance waiver for the Iowa family  
35 6 planning network by the centers for Medicare and Medicaid  
35 7 services of the United States department of health and human  
35 8 services and upon availability of funding as determined by the  
35 9 director of the department of human services.

35 10 c. Of the funds appropriated in this section, \$25,000 shall  
35 11 be used for administrative costs for renewal and modification  
35 12 of the Iowa family planning network waivers as provided in this  
35 13 subsection.

35 14 Sec. 12. HEALTH INSURANCE PREMIUM PAYMENT PROGRAM. There  
35 15 is appropriated from the general fund of the state to the  
35 16 department of human services for the fiscal year beginning July  
35 17 1, 2010, and ending June 30, 2011, the following amount, or  
35 18 so much thereof as is necessary, to be used for the purpose

Requires DHS to amend the Family Planning Waiver to expand coverage to 300.00% of the FPL and 54 years of age. The expansion is also to provide vasectomies to men that meet the same age and income criteria. The expansion is to go into effect at the beginning of FY 2012.

Specifies that implementation of the Family Planning expansion is contingent upon approval by the federal Centers for Medicare and Medicaid Services and requires funding be available as determined by the Director of the DHS.

NOTE: House File 2531 strikes the language that funding be available to implement the expansion.

General Fund allocation of \$25,000 for administrative cost related to the renewal and modification of the Family Planning Waiver.

General Fund appropriation to the DHS for the Health Insurance Premium Payment (HIPP) Program.

DETAIL: This is no change in funding and no change in FTE positions compared to estimated net FY 2010.

35 19 designated:

35 20 For administration of the health insurance premium payment  
35 21 program, including salaries, support, maintenance, and  
35 22 miscellaneous purposes, and for not more than the following  
35 23 full-time equivalent positions:

35 24 ..... \$ 457,210

35 25 ..... FTEs 19.00

35 26 Sec. 13. MEDICAL CONTRACTS. There is appropriated from the  
35 27 general fund of the state to the department of human services  
35 28 for the fiscal year beginning July 1, 2010, and ending June 30,  
35 29 2011, the following amount, or so much thereof as is necessary,  
35 30 to be used for the purpose designated:

35 31 For medical contracts, including salaries, support,  
35 32 maintenance, and miscellaneous purposes, and for not more than  
35 33 the following full-time equivalent positions:

35 34 ..... \$ 9,683,668

35 35 ..... FTEs 6.00

36 1 The department of inspections and appeals shall provide all  
36 2 state matching funds for survey and certification activities  
36 3 performed by the department of inspections and appeals.  
36 4 The department of human services is solely responsible for  
36 5 distributing the federal matching funds for such activities.

36 6 Sec. 14. STATE SUPPLEMENTARY ASSISTANCE.

36 7 1. There is appropriated from the general fund of the  
36 8 state to the department of human services for the fiscal year  
36 9 beginning July 1, 2010, and ending June 30, 2011, the following  
36 10 amount, or so much thereof as is necessary, to be used for the  
36 11 purpose designated:

General Fund appropriation to the DHS for Medical Contracts.

DETAIL: This is a net decrease of \$2,602,685 and no change in FTE positions compared to estimated net FY 2010. The changes include:

- An increase of \$915,415 due to contract inflation and information technology cost increases.
- A decrease \$150,000 to eliminate one-time Iowa Medicaid Enterprise procurement costs.
- An increase of \$34,348 to upgrade to HIPAA version 5010.
- A decrease of \$190,555 due to a savings from moving to paperless methods.
- A decrease of \$1,338,630 due to additional funds available from the Pharmaceutical Settlement Account.
- A decrease of \$1,873,263 due to a transfer of State matching funds to Department of Inspections and Appeals (DIA) for inspections.

Requires the DIA to provide all State matching funds for survey and certification activities.

General Fund appropriation to the DHS for State Supplementary Assistance.

DETAIL: This is an increase of \$1,801,402 compared to estimated net FY 2010 due to a transfer in funds from Medicaid.

36 12 For the state supplementary assistance program:

36 13 ..... \$ 18,259,235

36 14 2. The department shall increase the personal needs  
36 15 allowance for residents of residential care facilities by the  
36 16 same percentage and at the same time as federal supplemental  
36 17 security income and federal social security benefits are  
36 18 increased due to a recognized increase in the cost of living.  
36 19 The department may adopt emergency rules to implement this  
36 20 subsection.

Requires the DHS to increase the personal needs allowance of residential care facilities residents at the same rate and time as federal SSI and Social Security benefits are increased. Permits the DHS to adopt emergency rules for implementation.

36 21 3. If during the fiscal year beginning July 1, 2010,  
36 22 the department projects that state supplementary assistance  
36 23 expenditures for a calendar year will not meet the federal  
36 24 pass-through requirement specified in Tit. XVI of the federal  
36 25 Social Security Act, section 1618, as codified in 42 U.S.C.  
36 26 1382g, the department may take actions including but not  
36 27 limited to increasing the personal needs allowance for  
36 28 residential care facility residents and making programmatic  
36 29 adjustments or upward adjustments of the residential care  
36 30 facility or in-home health-related care reimbursement rates  
36 31 prescribed in this division of this Act to ensure that federal  
36 32 requirements are met. In addition, the department may make  
36 33 other programmatic and rate adjustments necessary to remain  
36 34 within the amount appropriated in this section while ensuring  
36 35 compliance with federal requirements. The department may adopt  
37 1 emergency rules to implement the provisions of this 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.

37 2 Sec. 15. CHILDREN'S HEALTH INSURANCE PROGRAM.

37 3 1. There is appropriated from the general fund of the  
37 4 state to the department of human services for the fiscal year  
37 5 beginning July 1, 2010, and ending June 30, 2011, the following  
37 6 amount, or so much thereof as is necessary, to be used for the  
37 7 purpose designated:  
37 8 For maintenance of the healthy and well kids in Iowa (hawk=i)  
37 9 program pursuant to chapter 514I, including supplemental dental  
37 10 services, for receipt of federal financial participation under

General Fund appropriation to the DHS for the Children's Health Insurance Program, also known as the hawk-i Program.

DETAIL: This is a net increase of \$10,470,193 compared to estimated net FY 2010. The changes include:

- An increase of \$4,600,000 to replace one-time hawk-i Trust Fund carryforward from FY 2009 to FY 2010.
- An increase of \$4,910,265 due to enrollment growth in both health and dental coverage.

37 11 Tit. XXI of the federal Social Security Act, which creates the  
 37 12 children's health insurance program:  
 37 13 ..... \$ 23,637,040

- An increase of \$959,928 to match workgroup forecasting estimates.

37 14 2. Of the funds appropriated in this section, \$128,950 is  
 37 15 allocated for continuation of the contract for advertising and  
 37 16 outreach with the department of public health and \$90,050 is  
 37 17 allocated for other advertising and outreach.

Allocates \$128,950 to continue an outreach contract with the DPH and allocates up to \$90,050 for additional advertising and outreach.

37 18 3. If the funds appropriated in this section are  
 37 19 insufficient to cover the costs of both full coverage services  
 37 20 and supplemental dental services, priority in expenditure of  
 37 21 funds shall be given to covering the costs of full coverage  
 37 22 services.

Requires the health insurance portion of the hawk-i Program to be fully funded before money is spent on the supplemental dental coverage.

37 23 Sec. 16. CHILD CARE ASSISTANCE. There is appropriated  
 37 24 from the general fund of the state to the department of human  
 37 25 services for the fiscal year beginning July 1, 2010, and ending  
 37 26 June 30, 2011, the following amount, or so much thereof as is  
 37 27 necessary, to be used for the purpose designated:

General Fund appropriation to the DHS for the Child Care Assistance Programs.

37 28 For child care programs:

37 29 ..... \$ 32,325,964

DETAIL: This is a net decrease of \$221,500 compared to estimated net FY 2010. The General Fund changes include:

- A decrease of \$1,768,941 due to caseload growth that is lower than projected for FY 2011.
- An increase of \$12,959,715 to replace one-time FY 2009 carryforward that was used in FY 2010.
- A decrease of \$8,881,827 due to the availability of one-time carryforward from FY 2010 that can be used for FY 2011.
- An increase of \$13,448,490 due to the elimination of direct TANF funding to child care assistance.
- A decrease of \$15,755,256 due to the availability of federal ARRA funding.
- An increase of \$589,819 due to the increase in child care caseloads in the PROMISE JOBS Program.
- A decrease of \$592,000 for child care wraparound grants to maintain the FY 2010 service level and redirects funding to child care assistance.
- An increase of \$221,500 to partially restore the ATB reduction from FY 2010.



- A decrease of \$350,000 to eliminate funding for the Polk County grant to child care center services for children with various special needs.
- A decrease of \$93,000 to eliminate funding for the Polk County grant for children residing in the Oakridge Neighborhood in the city of Des Moines.

37 30 1. Of the funds appropriated in this section, \$30,956,537  
 37 31 shall be used for state child care assistance in accordance  
 37 32 with section 237A.13. It is the intent of the general assembly  
 37 33 to appropriate sufficient funding for the state child care  
 37 34 assistance program for the fiscal year beginning July 1, 2010,  
 37 35 in order to avoid establishment of waiting list requirements  
 38 1 by the department in the preceding fiscal year in anticipation  
 38 2 that enhanced funding under the federal American Recovery and  
 38 3 Reinvestment Act of 2009 will not be replaced for the fiscal  
 38 4 year beginning July 1, 2010.

Allocates \$30,956,537 to provide child care assistance for low-income employed Iowans. Specifies it is the intent of the General Assembly to appropriate sufficient funding to the Program in FY 2011 to avoid the DHS beginning a waiting list for services.

DETAIL: This is a decrease of \$3,461,217 compared to the FY 2010 allocation to continue the ATB reduction from FY 2010 in FY 2011.

38 5 2. Nothing in this section shall be construed or is  
 38 6 intended as or shall imply a grant of entitlement for services  
 38 7 to persons who are eligible for assistance due to an income  
 38 8 level consistent with the waiting list requirements of section  
 38 9 237A.13. Any state obligation to provide services pursuant to  
 38 10 this section is limited to the extent of the funds appropriated  
 38 11 in this section.

Specifies that assistance from the Child Care Assistance Program is not an entitlement and the State's obligation to provide services is limited to the funds available.

38 12 3. Of the funds appropriated in this section, \$432,453 is  
 38 13 allocated for the statewide program for child care resource  
 38 14 and referral services under section 237A.26. A list of the  
 38 15 registered and licensed child care facilities operating in the  
 38 16 area served by a child care resource and referral service shall  
 38 17 be made available to the families receiving state child care  
 38 18 assistance in that area.

Allocates \$432,453 for the Statewide Child Care Resource and Referral Program. Requires a list of the registered and licensed child care facilities to be made available by Child Care Resource and Referral Programs to families receiving assistance under the Child Care Assistance Program.

DETAIL: This is a decrease of \$48,000 compared to the FY 2010 allocation to continue the ATB reduction from FY 2010 in FY 2011.

38 19 4. Of the funds appropriated in this section, \$936,974  
 38 20 is allocated for child care quality improvement initiatives  
 38 21 including but not limited to the voluntary quality rating

Allocates \$936,974 for the Quality Rating System (QRS).

DETAIL: This is a decrease of \$599,207 compared to the FY 2010

38 22 system in accordance with section 237A.30.

allocation to continue the ATB reduction from FY 2010 in FY 2011.

38 23 5. The department may use any of the funds appropriated  
38 24 in this section as a match to obtain federal funds for use in  
38 25 expanding child care assistance and related programs. For  
38 26 the purpose of expenditures of state and federal child care  
38 27 funding, funds shall be considered obligated at the time  
38 28 expenditures are projected or are allocated to the department's  
38 29 service areas. Projections shall be based on current and  
38 30 projected caseload growth, current and projected provider  
38 31 rates, staffing requirements for eligibility determination  
38 32 and management of program requirements including data systems  
38 33 management, staffing requirements for administration of the  
38 34 program, contractual and grant obligations and any transfers  
38 35 to other state agencies, and obligations for decategorization  
39 1 or innovation projects.

Permits funds appropriated for child care to be used as matching funds for federal grants. Specifies that funds are obligated when expenditures are projected or allocated to the DHS regions.

DETAIL: This provision was also in effect for FY 2010.

39 2 6. A portion of the state match for the federal child care  
39 3 and development block grant shall be provided as necessary to  
39 4 meet federal matching funds requirements through the state  
39 5 general fund appropriation made for child development grants  
39 6 and other programs for at-risk children in section 279.51.

Requires a portion of the State match for the federal Child Care and Development Block Grant to be provided from the State appropriation for child development grants and other programs for at-risk children.

39 7 7. If a uniform reduction ordered by the governor under  
39 8 section 8.31 or other operation of law, transfer, or federal  
39 9 funding reduction reduces the appropriation made in this  
39 10 section for the fiscal year, the percentage reduction in the  
39 11 amount paid out to or on behalf of the families participating  
39 12 in the state child care assistance program shall be equal to or  
39 13 less than the percentage reduction made for any other purpose  
39 14 payable from the appropriation made in this section and the  
39 15 federal funding relating to it. If there is an unanticipated  
39 16 increase in federal funding provided for state child care  
39 17 assistance, the entire amount of the increase shall be used for  
39 18 state child care assistance payments. If the appropriations  
39 19 made for purposes of the state child care assistance program  
39 20 for the fiscal year are determined to be insufficient, it is

Requires the DHS to apply any reductions to the child care assistance appropriation, either State or federal, that result in a reduction to subsidy payments to families, in amounts equal to or less than the percentage of the reduction. Also requires any unanticipated increase in federal funding to be used only for the Child Care Assistance Subsidy Program. Specifies that it is the intent of the General Assembly to provide sufficient funding for the Program for FY 2011 to avoid the establishment of a waiting list.

39 21 the intent of the general assembly to appropriate sufficient  
 39 22 funding for the fiscal year in order to avoid establishment of  
 39 23 waiting list requirements.

39 24 8. Notwithstanding section 8.33, moneys appropriated in  
 39 25 this section or received from the federal appropriations made  
 39 26 for the purposes of this section that remain unencumbered or  
 39 27 unobligated at the close of the fiscal year shall not revert  
 39 28 to any fund but shall remain available for expenditure for the  
 39 29 purposes designated until the close of the succeeding fiscal  
 39 30 year.

39 31 Sec. 17. JUVENILE INSTITUTIONS. There is appropriated  
 39 32 from the general fund of the state to the department of human  
 39 33 services for the fiscal year beginning July 1, 2010, and ending  
 39 34 June 30, 2011, the following amounts, or so much thereof as is  
 39 35 necessary, to be used for the purposes designated:

40 1 1. For operation of the Iowa juvenile home at Toledo and for  
 40 2 salaries, support, maintenance, and miscellaneous purposes, and  
 40 3 for not more than the following full-time equivalent positions:  
 40 4 ..... \$ 7,777,599  
 40 5 ..... FTEs 125.00

CODE: Requires nonreversion of FY 2010 Child Care Assistance Program funds.

General Fund appropriation to the DHS for the Iowa Juvenile Home at Toledo.

DETAIL: This is a net increase of \$1,698,316 and no change in FTE positions compared to estimated net FY 2010. The General Fund changes include:

- An increase of \$110,000 due to a transfer from the State Training School at Eldora.
- A decrease of \$51,684 due to savings identified by the Public Works Efficiency Report for consolidating administrative functions for State institutions.
- An increase of \$840,000 to offset the loss of ARRA funding.
- An increase of \$800,000 for increased costs and to partially maintain staffing levels.

NOTE: There is an additional appropriation of \$200,000 from the UST Fund to the Iowa Juvenile Home in Section 45 of this Act.

40 6 2. For operation of the state training school at Eldora and  
 40 7 for salaries, support, maintenance, and miscellaneous purposes,  
 40 8 and for not more than the following full-time equivalent  
 40 9 positions:  
 40 10 ..... \$ 11,001,062  
 40 11 ..... FTEs 202.70

General Fund appropriation to the DHS for the State Training School at Eldora.

DETAIL: This is an increase of \$1,355,054 and no change in FTE positions compared to estimated net FY 2010. The General Fund changes include:

- A decrease of \$110,000 due to a transfer to the Iowa Juvenile Home at Toledo.
- A decrease of \$84,946 due to savings identified by the Public Works Efficiency Report for consolidating administrative functions for State institutions.
- An increase of \$1,400,000 to offset the loss of ARRA funding.
- An increase of \$150,000 for increased costs and to partially maintain staffing levels.

NOTE: There is an additional appropriation of \$400,000 from the UST Fund to the State Training School in Section 45 of this Act.

40 12 3. A portion of the moneys appropriated in this section  
 40 13 shall be used by the state training school and by the Iowa  
 40 14 juvenile home for grants for adolescent pregnancy prevention  
 40 15 activities at the institutions in the fiscal year beginning  
 40 16 July 1, 2010.

Requires a portion of the funds appropriated for the two juvenile institutions to be used for pregnancy prevention in FY 2011.

DETAIL: This provision was also in effect for FY 2010.

40 17 Sec. 18. EDUCATIONAL EXPENSES AT INSTITUTIONS. There  
 40 18 is appropriated from the general fund of the state to the  
 40 19 department of human services for the fiscal year beginning July  
 40 20 1, 2010, and ending June 30, 2011, the following amount, or  
 40 21 so much thereof as is necessary, to be used for the purposes  
 40 22 designated:  
 40 23 For distribution to licensed classroom teachers at  
 40 24 institutions under the control of the department of human  
 40 25 services based upon the average student yearly enrollment at  
 40 26 each institution as determined by the department of human  
 40 27 services:  
 40 28 ..... \$ 103,950

General Fund appropriation to the DHS for licensed classroom teachers in State institutions.

DETAIL: Maintains the current level of funding.

40 29 Sec. 19. CHILD AND FAMILY SERVICES.

40 30 1. There is appropriated from the general fund of the  
40 31 state to the department of human services for the fiscal year  
40 32 beginning July 1, 2010, and ending June 30, 2011, the following  
40 33 amount, or so much thereof as is necessary, to be used for the  
40 34 purpose designated:

40 35 For child and family services:

41 1 ..... \$ 79,593,023

General Fund appropriation to the DHS for Child and Family Services.

DETAIL: This is a net decrease of \$1,939,283 compared to estimated net FY 2010. The General Fund changes include:

- An increase of \$1,283,699 to restore federal ARRA funding.
- A decrease of \$46,512 to reflect updated estimates to federal Title IV-E funding based on current eligibility rates and the projected FY 2011 FMAP rate.
- A decrease of \$1,387,581 due to available ARRA funding from the enhanced FMAP for foster care that is scheduled to expire in December of 2010.
- An increase of \$1,700,606 for restoration of the ATB reductions in FY 2010.
- A decrease of \$2,656,995 due to annualized savings realized by continuing certain ATB reductions from FY 2010 in FY 2011.
- A decrease of \$240,000 due to savings identified by the Public Works Efficiency Report to increase federal Title IV-E claims for reimbursement for Juvenile Court Services.
- A decrease of \$30,000 due to savings identified by the Public Works Efficiency Report to increase federal Title IV-E funds relating to case management services for children moving to a licensed foster family home or group care from an unlicensed facility.
- A decrease of \$500,000 to reduce State funding for unused guaranteed shelter care beds.
- A decrease of \$62,500 to eliminate funding for a multi-dimensional foster care treatment level pilot program in Polk County.

41 2 2. In order to address a reduction of \$5,200,000 from the  
41 3 amount allocated under the appropriation made for the purposes  
41 4 of this section in prior years for purposes of juvenile  
41 5 delinquent graduated sanction services, up to \$5,200,000 of the  
41 6 amount of federal temporary assistance for needy families block  
41 7 grant funding appropriated in this division of this Act for  
41 8 child and family services shall be made available for purposes  
41 9 of juvenile delinquent graduated sanction services.

Allocates \$5,200,000 of TANF funds for delinquency programs.

DETAIL: Maintains the current allocation level.

41 10 3. The department may transfer funds appropriated in this

Permits the DHS to transfer funds appropriated for Child and Family

41 11 section as necessary to pay the nonfederal costs of services  
41 12 reimbursed under the medical assistance program, state child  
41 13 care assistance program, or the family investment program which  
41 14 are provided to children who would otherwise receive services  
41 15 paid under the appropriation in this section. The department  
41 16 may transfer funds appropriated in this section to the  
41 17 appropriations made in this division of this Act for general  
41 18 administration and for field operations for resources necessary  
41 19 to implement and operate the services funded in this section.

Services to Medicaid, the FIP, General Administration, or Field Operations to pay for costs associated with child welfare services in these areas.

41 20 4. a. Of the funds appropriated in this section, up to  
41 21 \$29,233,006 is allocated as the statewide expenditure target  
41 22 under section 232.143 for group foster care maintenance and  
41 23 services. If the department projects that such expenditures  
41 24 for the fiscal year will be less than the target amount  
41 25 allocated in this lettered paragraph, the department may  
41 26 reallocate the excess to provide additional funding for shelter  
41 27 care or the child welfare emergency services addressed with the  
41 28 allocation for shelter care.

Allocates up to \$29,233,006 for group care services and maintenance costs.

DETAIL: This is a decrease of \$3,579,813 compared to the FY 2010 allocation set in HF 820 (FY 2010 Federal Funds Appropriations Act).

41 29 b. If at any time after September 30, 2010, annualization  
41 30 of a service area's current expenditures indicates a service  
41 31 area is at risk of exceeding its group foster care expenditure  
41 32 target under section 232.143 by more than 5 percent, the  
41 33 department and juvenile court services shall examine all  
41 34 group foster care placements in that service area in order to  
41 35 identify those which might be appropriate for termination.  
42 1 In addition, any aftercare services believed to be needed  
42 2 for the children whose placements may be terminated shall be  
42 3 identified. The department and juvenile court services shall  
42 4 initiate action to set dispositional review hearings for the  
42 5 placements identified. In such a dispositional review hearing,  
42 6 the juvenile court shall determine whether needed aftercare  
42 7 services are available and whether termination of the placement  
42 8 is in the best interest of the child and the community.

Requires the group foster care expenditure target to be reviewed under certain conditions and requires review hearings when appropriate.

42 9 5. In accordance with the provisions of section 232.188,

Allocates \$1,717,753 for decategorization services.

42 10 the department shall continue the child welfare and juvenile  
42 11 justice funding initiative during fiscal year 2010=2011. Of  
42 12 the funds appropriated in this section, \$1,717,753 is allocated  
42 13 specifically for expenditure for fiscal year 2010=2011 through  
42 14 the decategorization service funding pools and governance  
42 15 boards established pursuant to section 232.188.

DETAIL: Maintains the current level of General Fund support.

42 16 6. A portion of the funds appropriated in this section  
42 17 may be used for emergency family assistance to provide other  
42 18 resources required for a family participating in a family  
42 19 preservation or reunification project or successor project to  
42 20 stay together or to be reunified.

Permits a portion of the Child and Family Services appropriation to be used for emergency family assistance under specified conditions.

42 21 7. a. Notwithstanding section 234.35 or any other provision  
42 22 of law to the contrary, state funding for shelter care shall be  
42 23 limited to \$7,894,147. The department may continue or amend  
42 24 shelter care provider contracts to include the child welfare  
42 25 emergency services for children that were implemented pursuant  
42 26 to 2008 Iowa Acts, chapter 1187, section 16, subsection 7. An  
42 27 appropriate amount of the funds allocated in this subsection  
42 28 may be used for wraparound and emergency services to prevent  
42 29 the need for shelter care services, including such services for  
42 30 children who have an immediate need for shelter care services  
42 31 but are ineligible due to income, status, or other requirement.  
42 32 The funding shall be expended by providers in a manner that  
42 33 does not impinge upon the availability of beds for eligible  
42 34 children.

CODE: Limits State funding for shelter care to \$7,894,147. Permits the DHS to continue or amend provider contracts to include child welfare emergency services.

DETAIL: This is an increase of \$207,687 compared to the FY 2010 allocation.

NOTE: There is an additional appropriation of \$500,000 from the Cash Reserve Fund to shelter care in HF 2531 (FY 2011 Standing Appropriations Act).

42 35 b. The child welfare advisory committee created by the  
43 1 council on human services pursuant to section 217.3A, if  
43 2 enacted by 2010 Iowa Acts, Senate File 2088, section 391, or  
43 3 other appropriate existing body, shall develop recommendations  
43 4 to identify the appropriate capacity for child welfare  
43 5 emergency services for implementation during the fiscal year  
43 6 beginning July 1, 2011. The data being collected regarding  
43 7 child welfare emergency services shall be utilized in  
43 8 developing the recommendations. The recommendations shall be

Requires the Child Welfare Advisory Committee to develop recommendations relating to implementation of child welfare emergency services. Requires the recommendations to be submitted to the Chairpersons and Ranking Members of the Health and Human Services Appropriations Subcommittee, Legislative Caucus Staff, and the LSA by December 15, 2010.

43 9 submitted on or before December 15, 2010, to the department and  
43 10 the persons designated by this Act to receive reports.

43 11 8. Except for federal funds provided by the federal American  
43 12 Recovery and Reinvestment Act of 2009, federal funds received  
43 13 by the state during the fiscal year beginning July 1, 2010,  
43 14 as the result of the expenditure of state funds appropriated  
43 15 during a previous state fiscal year for a service or activity  
43 16 funded under this section are appropriated to the department  
43 17 to be used as additional funding for services and purposes  
43 18 provided for under this section. Notwithstanding section 8.33,  
43 19 moneys received in accordance with this subsection that remain  
43 20 unencumbered or unobligated at the close of the fiscal year  
43 21 shall not revert to any fund but shall remain available for the  
43 22 purposes designated until the close of the succeeding fiscal  
43 23 year.

CODE: Requires federal funds received in FY 2011 for the expenditure of State funds in a previous fiscal year to be used for child welfare services. Requires nonreversion of funds through FY 2012.

43 24 9. Of the funds appropriated in this section, at least  
43 25 \$3,696,285 shall be used for protective child care assistance.

Requires \$3,696,285 to be used for protective child care assistance.

DETAIL: This is an increase of \$231,429 compared to the FY 2010 allocation.

43 26 10. a. Of the funds appropriated in this section, up to  
43 27 \$2,062,488 is allocated for the payment of the expenses of  
43 28 court=ordered services provided to juveniles who are under the  
43 29 supervision of juvenile court services, which expenses are a  
43 30 charge upon the state pursuant to section 232.141, subsection  
43 31 4. Of the amount allocated in this lettered paragraph, up to  
43 32 \$1,556,287 shall be made available to provide school=based  
43 33 supervision of children adjudicated under chapter 232, of which  
43 34 not more than \$15,000 may be used for the purpose of training.  
43 35 A portion of the cost of each school=based liaison officer  
44 1 shall be paid by the school district or other funding source as  
44 2 approved by the chief juvenile court officer.  
44 3 b. Of the funds appropriated in this section, up to \$748,985  
44 4 is allocated for the payment of the expenses of court=ordered

Provides the following allocations related to court-ordered services for juveniles:

- Allocates up to \$2,062,488 for court-ordered services provided to children that are under the supervision of juvenile court services. This is a decrease of \$194,789 compared to the FY 2010 allocation.
- Allocates \$1,556,287 for school-based supervision of delinquent children, limits training funds to \$15,000, and requires a portion of the cost for school-based liaisons to be paid by school districts. Maintains the current level of General Fund support.
- Allocates \$748,985 for court-ordered services provided to children that are under the supervision of the DHS. This is a decrease of \$70,737 compared to the FY 2010 allocation.



44 5 services provided to children who are under the supervision  
44 6 of the department, which expenses are a charge upon the state  
44 7 pursuant to section 232.141, subsection 4.

44 8 c. Notwithstanding section 232.141 or any other provision  
44 9 of law to the contrary, the amounts allocated in this  
44 10 subsection shall be distributed to the judicial districts  
44 11 as determined by the state court administrator and to the  
44 12 department's service areas as determined by the administrator  
44 13 of the department's division of child and family services. The  
44 14 state court administrator and the division administrator shall  
44 15 make the determination of the distribution amounts on or before  
44 16 June 15, 2010.

CODE: Requires allocations to the DHS districts to be made according to a formula determined by the State Court Administrator by June 15, 2010.

44 17 d. Notwithstanding chapter 232 or any other provision of  
44 18 law to the contrary, a district or juvenile court shall not  
44 19 order any service which is a charge upon the state pursuant  
44 20 to section 232.141 if there are insufficient court-ordered  
44 21 services funds available in the district court or departmental  
44 22 service area distribution amounts to pay for the service. The  
44 23 chief juvenile court officer and the departmental service area  
44 24 manager shall encourage use of the funds allocated in this  
44 25 subsection such that there are sufficient funds to pay for  
44 26 all court-related services during the entire year. The chief  
44 27 juvenile court officers and departmental service area managers  
44 28 shall attempt to anticipate potential surpluses and shortfalls  
44 29 in the distribution amounts and shall cooperatively request the  
44 30 state court administrator or division administrator to transfer  
44 31 funds between the judicial districts' or departmental service  
44 32 areas' distribution amounts as 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.

44 33 e. Notwithstanding any provision of law to the contrary,  
44 34 a district or juvenile court shall not order a county to pay  
44 35 for any service provided to a juvenile pursuant to an order  
45 1 entered under chapter 232 which is a charge upon the state  
45 2 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.

45 3 f. Of the funds allocated in this subsection, not more than  
45 4 \$83,000 may be used by the judicial branch for administration  
45 5 of the requirements under this subsection.

Prohibits expenditure of more than \$83,000 by the Judicial Branch for administration related to court-ordered services.

DETAIL: This is a decrease of \$17,000 compared to the FY 2010 maximum allowance.

45 6 g. Of the funds allocated in this subsection, \$17,000  
45 7 shall be used by the department of human services to support  
45 8 the interstate commission for juveniles in accordance with  
45 9 the interstate compact for juveniles as provided in section  
45 10 232.173, as enacted by this Act.

Allocates \$17,000 for the DHS to support the Interstate Commission for Juveniles in accordance with the Interstate Compact for Juveniles as provided for in Division VIII of this Act.

DETAIL: This is a new allocation for FY 2011.

45 11 11. Of the funds appropriated in this section, \$4,522,602 is  
45 12 allocated for juvenile delinquent graduated sanctions services.  
45 13 Any state funds saved as a result of efforts by juvenile court  
45 14 services to earn federal Tit. IV=E match for juvenile court  
45 15 services administration may be used for the juvenile delinquent  
45 16 graduated sanctions services.

Allocates \$4,522,602 for juvenile delinquent graduated sanctions services. Permits any State funds saved as a result of increasing federal Title IV-E claims for Juvenile Court Services, as indicated by the Public Works Efficiency Report, to be used for graduated sanctions services.

DETAIL: This is a new allocation for FY 2011.

NOTE: There is an additional appropriation of \$600,000 from the UST Fund to juvenile delinquent graduated sanctions services in Section 45 of this Act.

45 17 12. Of the funds appropriated in this section, \$988,285  
45 18 shall be transferred to the department of public health to  
45 19 be used for the child protection center grant program in  
45 20 accordance with section 135.118.

Requires an allocation of \$988,285 to be transferred to the DPH for a Child Protection Center Grant Program.

DETAIL: This is a decrease of \$16,881 compared to the FY 2010 allocation.

45 21 13. If the department receives federal approval to  
45 22 implement a waiver under Tit. IV=E of the federal Social  
45 23 Security Act to enable providers to serve children who remain  
45 24 in the children's families and communities, for purposes of  
45 25 eligibility under the medical assistance program, children who  
45 26 participate in the waiver shall be considered to be placed in  
45 27 foster care.

Requires children that receive in-home or community-based services under a federal Title IV-E waiver to be considered as placed in foster care in order to remain eligible for Medicaid, if the DHS receives federal approval to implement the waiver.

45 28 14. Of the funds appropriated in this section, \$2,875,281 is  
 45 29 allocated for the preparation for adult living program pursuant  
 45 30 to section 234.46.

Allocates \$2,875,281 for the Preparation for Adult Living Services (PALS) Program.

DETAIL: This is an increase of \$180,025 compared to the FY 2010 allocation.

45 31 15. Of the funds appropriated in this section, \$520,150  
 45 32 shall be used for juvenile drug courts. The amount allocated  
 45 33 in this subsection shall be distributed as follows:

Allocates a total of \$520,150 for Judicial Branch staff costs relating to juvenile drug courts.

45 34 To the judicial branch for salaries to assist with the  
 45 35 operation of juvenile drug court programs operated in the  
 46 1 following jurisdictions:

DETAIL: This is an increase of \$34,825 for staffing costs compared to the FY 2010 allocation.

46 2 a. Marshall county:

46 3 ..... \$ 62,708

46 4 b. Woodbury county:

46 5 ..... \$ 125,682

46 6 c. Polk county:

46 7 ..... \$ 195,892

46 8 d. The third judicial district:

46 9 ..... \$ 67,934

46 10 e. The eighth judicial district:

46 11 ..... \$ 67,934

46 12 16. Of the funds appropriated in this section, \$227,306  
 46 13 shall be used for the public purpose of providing a grant to  
 46 14 a nonprofit human services organization providing services to  
 46 15 individuals and families in multiple locations in southwest  
 46 16 Iowa and Nebraska for support of a project providing immediate,  
 46 17 sensitive support and forensic interviews, medical exams, needs  
 46 18 assessments, and referrals for victims of child abuse and their  
 46 19 nonoffending family members.

Allocates \$227,306 for Project Harmony for support of victims of child abuse and the nonoffending family members.

DETAIL: This is an increase of \$3,018 compared to the FY 2010 allocation.

46 20 17. Of the funds appropriated in this section, \$125,590  
 46 21 is allocated for the elevate approach of providing a support  
 46 22 network to children placed in foster care.

Requires an allocation of \$125,590 to provide support for chapters for the ELEVATE support group for foster care children.

DETAIL: This is an increase of \$1,667 compared to the FY 2010 allocation.

PG LN	House File 2526	Explanation
46 23	18. Of the funds appropriated in this section, \$202,000 is	Allocates \$202,000 for an initiative to address child sexual abuse.
46 24	allocated for use pursuant to section 235A.1 for continuation	
46 25	of the initiative to address child sexual abuse implemented	DETAIL: This is a decrease of \$25,987 compared to the FY 2010
46 26	pursuant to 2007 Iowa Acts, chapter 218, section 18, subsection	allocation for a general reduction.
46 27	21.	
46 28	19. Of the funds appropriated in this section, \$630,240 is	Allocates \$630,240 for the child welfare Community Partnership for
46 29	allocated for the community partnership for child protection	Child Protection sites.
46 30	sites.	
		DETAIL: This is an increase of \$39,460 compared to the FY 2010
		allocation.
46 31	20. Of the funds appropriated in this section, \$371,250	Allocates \$371,250 for minority youth and family projects included in
46 32	is allocated for the department's minority youth and family	child welfare redesign.
46 33	projects under the redesign of the child welfare system.	
		DETAIL: This is an increase of \$16,214 compared to the FY 2010
		allocation.
46 34	21. Of the funds appropriated in this section, \$925,306	Allocates \$925,306 for the State match for the federal Substance
46 35	is allocated for funding of the state match for the federal	Abuse and Mental Health Services Administration system of care
47 1	substance abuse and mental health services administration	grant.
47 2	(SAMHSA) system of care grant.	
		DETAIL: This is an increase of \$644,089 compared to the FY 2010
		allocation.
47 3	22. Of the funds appropriated in this section, at least	Allocates \$47,158 for the child welfare provider online training
47 4	\$47,158 shall be used for the child welfare training academy.	academy.
		DETAIL: This is a new allocation for FY 2011.
47 5	Sec. 20. ADOPTION SUBSIDY.	General Fund appropriation to the DHS for the Adoption Subsidy
47 6	1. There is appropriated from the general fund of the	Program.
47 7	state to the department of human services for the fiscal year	
47 8	beginning July 1, 2010, and ending June 30, 2011, the following	DETAIL: This is a net increase of \$461,589 compared to estimated
47 9	amount, or so much thereof as is necessary, to be used for the	net FY 2010. The General Fund changes include:
47 10	purpose designated:	
47 11	For adoption subsidy payments and services:	• An increase of \$1,566,628 to restore federal ARRA funding.
47 12	..... \$ 31,856,896	• A decrease of \$122,070 to reflect updated estimates to federal
		Title IV-E funding based on current eligibility rates and the

47 13 2. The department may transfer funds appropriated in this  
47 14 section to the appropriation made in this Act for general  
47 15 administration for costs paid from the appropriation relating  
47 16 to adoption subsidy.

47 17 3. Except for federal funds provided by the federal American  
47 18 Recovery and Reinvestment Act of 2009, federal funds received  
47 19 by the state during the fiscal year beginning July 1, 2010, as  
47 20 the result of the expenditure of state funds during a previous  
47 21 state fiscal year for a service or activity funded under this  
47 22 section are appropriated to the department to be used as  
47 23 additional funding for the services and activities funded under  
47 24 this section. Notwithstanding section 8.33, moneys received  
47 25 in accordance with this subsection that remain unencumbered or  
47 26 unobligated at the close of the fiscal year shall not revert  
47 27 to any fund but shall remain available for expenditure for the  
47 28 purposes designated until the close of the succeeding fiscal  
47 29 year.

47 30 Sec. 21. JUVENILE DETENTION HOME FUND. Moneys deposited  
47 31 in the juvenile detention home fund created in section 232.142  
47 32 during the fiscal year beginning July 1, 2010, and ending June  
47 33 30, 2011, are appropriated to the department of human services

projected FY 2011 FMAP rate.

- A decrease of \$313,627 due to caseload growth that is less than projected for FY 2011.
- A decrease of \$1,130,931 to continue the ATB provider rate reduction from FY 2010 to FY 2011.
- An increase of \$2,807,389 due to a transfer of funding from Child and Family Services.
- A decrease of \$145,800 due to savings from capping legal fee reimbursements at \$500 for expenses related to finalizing adoptions.
- A decrease of \$1,800,000 due to available carryforward from FY 2010 that can be used in FY 2011.
- A decrease of \$400,000 due to available ARRA enhanced FMAP funding.

Permits the DHS to transfer funds for adoption recruitment and services.

CODE: Requires federal funds received in FY 2011 for the expenditure of State funds in a previous fiscal year to be used for Adoption Subsidy. Requires nonreversion of funds in this Subsection until the close of FY 2012.

CODE: Requires funds deposited in the Juvenile Detention Fund to be distributed to the Juvenile Detention Centers.

DETAIL: The fines deposited in the Fund will be approximately

47 34 for the fiscal year beginning July 1, 2010, and ending June 30,  
 47 35 2011, for distribution of an amount equal to a percentage of  
 48 1 the costs of the establishment, improvement, operation, and  
 48 2 maintenance of county or multicounty juvenile detention homes  
 48 3 in the fiscal year beginning July 1, 2009. Moneys appropriated  
 48 4 for distribution in accordance with this section shall be  
 48 5 allocated among eligible detention homes, prorated on the basis  
 48 6 of an eligible detention home's proportion of the costs of all  
 48 7 eligible detention homes in the fiscal year beginning July  
 48 8 1, 2009. The percentage figure shall be determined by the  
 48 9 department based on the amount available for distribution for  
 48 10 the fund. Notwithstanding section 232.142, subsection 3, the  
 48 11 financial aid payable by the state under that provision for the  
 48 12 fiscal year beginning July 1, 2010, shall be limited to the  
 48 13 amount appropriated for the purposes of this section.

\$3,700,000 in FY 2010. Fines in the Fund will be allocated to the detention centers based the on FY 2011 projected budgets to be used for operations.

48 14 Sec. 22. FAMILY SUPPORT SUBSIDY PROGRAM.  
 48 15 1. There is appropriated from the general fund of the  
 48 16 state to the department of human services for the fiscal year  
 48 17 beginning July 1, 2010, and ending June 30, 2011, the following  
 48 18 amount, or so much thereof as is necessary, to be used for the  
 48 19 purpose designated:  
 48 20 For the family support subsidy program:  
 48 21 ..... \$ 1,167,998

General Fund appropriation for the Family Support Program.

DETAIL: This is a decrease of \$355,000 compared to estimated net FY 2010 due to estimated savings realized from SF 2088 (Government Reorganization and Efficiency Act) that prohibits the DHS from accepting any new enrollments into the Program beginning in FY 2011.

48 22 2. The department shall use at least \$289,444 of the moneys  
 48 23 appropriated in this section for the family support center  
 48 24 component of the comprehensive family support program under  
 48 25 section 225C.47. Not more than \$25,000 of the amount allocated  
 48 26 in this subsection shall be used for administrative costs.

Requires an allocation of \$289,444 from the Family Support Subsidy appropriation to continue the Children-at-Home Program in current counties. Also, permits the DHS to expand the Program to additional counties if funds are available, and limits administrative funding to \$25,000.

DETAIL: This is a decrease of \$96,031 compared to the FY 2010 allocation.

NOTE: There is an additional appropriation of \$100,000 from the UST Fund to the Children at Home Program in Section 45 of this Act.

48 27 3. If at any time during the fiscal year, the amount of

Requires the Department to revise funding available to participants in

48 28 funding available for the family support subsidy program  
 48 29 is reduced from the amount initially used to establish the  
 48 30 figure for the number of family members for whom a subsidy  
 48 31 is to be provided at any one time during the fiscal year,  
 48 32 notwithstanding section 225C.38, subsection 2, the department  
 48 33 shall revise the figure as necessary to conform to the amount  
 48 34 of funding available.

the Family Support Subsidy Program if available funds are less than anticipated.

48 35 Sec. 23. CONNER DECREE. There is appropriated from the  
 49 1 general fund of the state to the department of human services  
 49 2 for the fiscal year beginning July 1, 2010, and ending June 30,  
 49 3 2011, the following amount, or so much thereof as is necessary,  
 49 4 to be used for the purpose designated:  
 49 5 For building community capacity through the coordination  
 49 6 and provision of training opportunities in accordance with the  
 49 7 consent decree of Conner v. Branstad, No. 4=86=CV=30871(S.D.  
 49 8 Iowa, July 14, 1994):  
 49 9 ..... \$ 33,622

General Fund appropriation to the DHS for Conner Decree training requirements.

DETAIL: This is no change compared to estimated net FY 2010. The funds are used for training purposes to comply with the Conner v. Branstad court decision mandating placement of persons in the least restrictive setting.

49 10 Sec. 24. MENTAL HEALTH INSTITUTES.  
 49 11 1. There is appropriated from the general fund of the  
 49 12 state to the department of human services for the fiscal year  
 49 13 beginning July 1, 2010, and ending June 30, 2011, the following  
 49 14 amounts, or so much thereof as is necessary, to be used for the  
 49 15 purposes designated:

49 16 a. For the state mental health institute at Cherokee for  
 49 17 salaries, support, maintenance, and miscellaneous purposes, and  
 49 18 for not more than the following full=time equivalent positions:  
 49 19 ..... \$ 5,221,979  
 49 20 ..... FTEs 205.06

General Fund appropriation to the Mental Health Institute at Cherokee.

DETAIL: This is a net increase of \$329,511 and 0.06 FTE position compared to estimated net FY 2010. The changes include:

- A decrease of \$95,489 due to a savings from consolidating administrative functions of all DHS institutions.
- An increase of \$425,000 to offset ARRA funding losses.

49 21 b. For the state mental health institute at Clarinda for  
 49 22 salaries, support, maintenance, and miscellaneous purposes, and

General Fund appropriation to the Mental Health Institute at Clarinda.

49 23 for not more than the following full-time equivalent positions:

49 24 ..... \$ 6,139,698

49 25 ..... FTEs 114.95

DETAIL: This is a net increase of \$535,097 and no change in FTE positions compared to estimated net FY 2010. The changes include:

- A decrease of \$49,903 due to a savings from consolidating administrative functions of all DHS institutions.
- An increase of \$585,000 to offset ARRA funding losses.

49 26 c. For the state mental health institute at Independence for  
49 27 salaries, support, maintenance, and miscellaneous purposes, and  
49 28 for not more than the following full-time equivalent positions:

49 29 ..... \$ 9,590,653

49 30 ..... FTEs 287.85

General Fund appropriation to the Mental Health Institute at Independence.

DETAIL: This is a net increase of \$1,037,443 and no change in FTE positions compared to estimated net FY 2010. The changes include:

- A decrease of \$127,557 due to a savings from consolidating administrative functions of all DHS institutions.
- An increase of \$1,165,000 to offset ARRA funding losses.

49 31 d. For the state mental health institute at Mount Pleasant  
49 32 for salaries, support, maintenance, and miscellaneous purposes,  
49 33 and for not more than the following full-time equivalent  
49 34 positions:

49 35 ..... \$ 1,613,175

50 1 ..... FTEs 116.44

General Fund appropriation to the Mental Health Institute at Mount Pleasant.

DETAIL: This is a net decrease of \$1,488 and no change in FTE positions compared to estimated net FY 2010. The changes include:

- A decrease of \$51,488 due to a savings from consolidating administrative functions of all DHS institutions.
- An increase of \$50,000 to offset ARRA funding losses.

50 2 2. The department, as part of efforts to develop and  
50 3 implement the comprehensive mental health and disability  
50 4 services plan as provided in section 225C.6B, shall review  
50 5 services provided by or offered at the state mental health  
50 6 institutes and may modify such services to further the plan  
50 7 and provide cost-effective and necessary services. As part  
50 8 of the review, the department shall consult with stakeholders  
50 9 concerning developing subacute mental health care options at  
50 10 the institutes. In addition, the department shall consider the  
50 11 feasibility of developing treatment facilities of sixteen beds  
50 12 or fewer that would be eligible for federal Medicaid program

Requires the Department to review services provided by the State MHIs and modify services to provide cost-effective and necessary services. As part of the review, requires the DHS to look at subacute mental health care options and 16-bed units that meet Medicaid requirements. The DHS is also to increase student participation in the Institutions.



50 13 match; identify provisions to increase the participation of  
 50 14 students of medical, dental, psychiatry, psychology, social  
 50 15 work, and other health care and behavioral health professions  
 50 16 in clinical practice training at the institutions administered  
 50 17 by the department; and develop methods for the department  
 50 18 and the judicial branch to facilitate regular meetings and  
 50 19 other communication between representatives of the criminal  
 50 20 justice system, service providers, county central point of  
 50 21 coordination administrators, other pertinent state agencies,  
 50 22 and other stakeholders to improve the processes for involuntary  
 50 23 commitment for chronic substance abuse under chapter 125 and  
 50 24 serious mental illness under chapter 229.

50 25 Sec. 25. STATE RESOURCE CENTERS.

50 26 1. There is appropriated from the general fund of the  
 50 27 state to the department of human services for the fiscal year  
 50 28 beginning July 1, 2010, and ending June 30, 2011, the following  
 50 29 amounts, or so much thereof as is necessary, to be used for the  
 50 30 purposes designated:

50 31 a. For the state resource center at Glenwood for salaries,  
 50 32 support, maintenance, and miscellaneous purposes:  
 50 33 ..... \$ 14,982,839

General Fund appropriation to the State Resource Center at  
 Glenwood.

DETAIL: This is a decrease of \$825,599 and no change in FTE  
 positions compared to estimated net FY 2010. The changes include:

- A decrease of \$506,224 due to a savings from consolidating  
 administrative functions of all DHS institutions.
- A decrease of \$114,849 due to an annual FMAP adjustment.
- A decrease of \$204,526 due to available ARRA dollars.

The FTE positions are not capped in the Act.

50 34 b. For the state resource center at Woodward for salaries,  
 50 35 support, maintenance, and miscellaneous purposes:  
 51 1 ..... \$ 9,312,271

General Fund appropriation to the State Resource Center at  
 Woodward.

DETAIL: This is a decrease of \$474,009 and an increase of 60.31  
 FTE positions compared to estimated net FY 2010. The changes

include:

- A decrease of \$391,185 due to a savings from consolidating administrative functions of all DHS institutions.
- A decrease of \$82,824 due to an annual FMAP adjustment.

The FTE positions are not capped in the Act.

Permits the DHS to continue billing practices that do not include cost shifting.

51 2 2. The department may continue to bill for state resource  
51 3 center services utilizing a scope of services approach used for  
51 4 private providers of ICFMR services, in a manner which does not  
51 5 shift costs between the medical assistance program, counties,  
51 6 or other sources of funding for the state resource centers.

51 7 3. The state resource centers may expand the time=limited  
51 8 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.

51 9 4. If the department's administration and the department  
51 10 of management concur with a finding by a state resource  
51 11 center's superintendent that projected revenues can reasonably  
51 12 be expected to pay the salary and support costs for a new  
51 13 employee position, or that such costs for adding a particular  
51 14 number of new positions for the fiscal year would be less  
51 15 than the overtime costs if new positions would not be added,  
51 16 the superintendent may add the new position or positions. If  
51 17 the vacant positions available to a resource center do not  
51 18 include the position classification desired to be filled, the  
51 19 state resource center's superintendent may reclassify any  
51 20 vacant position as necessary to fill the desired position. The  
51 21 superintendents of the state resource centers may, by mutual  
51 22 agreement, pool vacant positions and position classifications

Specifies that FTE positions may be added at the two State Resource Centers if projected revenues are sufficient to pay the salary and support costs of the additional positions.

51 23 during the course of the fiscal year in order to assist one  
51 24 another in filling necessary positions.

51 25 5. If existing capacity limitations are reached in  
51 26 operating units, a waiting list is in effect for a service or  
51 27 a special need for which a payment source or other funding  
51 28 is available for the service or to address the special need,  
51 29 and facilities for the service or to address the special need  
51 30 can be provided within the available payment source or other  
51 31 funding, the superintendent of a state resource center may  
51 32 authorize opening not more than two units or other facilities  
51 33 and begin implementing the service or addressing the special  
51 34 need during fiscal year 2010=2011.

Permits a State Resource Center to open certain facilities if a service waiting list exists and funding is available.

51 35 Sec. 26. MI/MR/DD STATE CASES.

General Fund appropriation to the DHS for State Cases.

52 1 1. There is appropriated from the general fund of the  
52 2 state to the department of human services for the fiscal year  
52 3 beginning July 1, 2010, and ending June 30, 2011, the following  
52 4 amount, or so much thereof as is necessary, to be used for the  
52 5 purpose designated:  
52 6 For distribution to counties for state case services  
52 7 for persons with mental illness, mental retardation, and  
52 8 developmental disabilities in accordance with section 331.440:  
52 9 ..... \$ 11,295,207

DETAIL: This is an increase of \$1,000,000 compared to estimated net FY 2010.

52 10 2. For the fiscal year beginning July 1, 2010, and ending  
52 11 June 30, 2011, \$200,000 is allocated for state case services  
52 12 from the amounts appropriated from the fund created in section  
52 13 8.41 to the department of human services from the funds  
52 14 received from the federal government under 42 U.S.C. ch. 6A,  
52 15 subch. XVII, relating to the community mental health center  
52 16 block grant, for the federal fiscal years beginning October  
52 17 1, 2008, and ending September 30, 2009, beginning October 1,  
52 18 2009, and ending September 30, 2010, and beginning October 1,  
52 19 2010, and ending September 30, 2011. The allocation made in  
52 20 this subsection shall be made prior to any other distribution  
52 21 allocation of the appropriated federal funds.

Requires \$200,000 of the Community Mental Health Services Block Grant funds from FFY 2009, FFY 2010, or FFY 2011 to be used for the State Cases costs.

52 22 3. Notwithstanding section 8.33, moneys appropriated in  
 52 23 this section that remain unencumbered or unobligated at the  
 52 24 close of the fiscal year shall not revert but shall remain  
 52 25 available for expenditure for the purposes designated until the  
 52 26 close of the succeeding fiscal year.

CODE: Requires nonreversion of funds appropriated for State Cases.

52 27 Sec. 27. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES ==  
 52 28 COMMUNITY SERVICES FUND. There is appropriated from  
 52 29 the general fund of the state to the mental health and  
 52 30 developmental disabilities community services fund created in  
 52 31 section 225C.7 for the fiscal year beginning July 1, 2010, and  
 52 32 ending June 30, 2011, the following amount, or so much thereof  
 52 33 as is necessary, to be used for the purpose designated:  
 52 34 For mental health and developmental disabilities community  
 52 35 services in accordance with this division of this Act:  
 53 1 ..... \$ 14,211,100

General Fund appropriation for the Mental Health Community Services Fund.

DETAIL: This is no change compared to estimated net FY 2010.

53 2 1. Of the funds appropriated in this section, \$14,187,556  
 53 3 shall be allocated to counties for funding of community-based  
 53 4 mental health and developmental disabilities services. The  
 53 5 moneys shall be allocated to a county as follows:

Allocates \$14,187,556 from the Community Services appropriation to counties based on a formula considering the county's population and federal poverty guidelines.

53 6 a. Fifty percent based upon the county's proportion of the  
 53 7 state's population of persons with an annual income which is  
 53 8 equal to or less than the poverty guideline established by the  
 53 9 federal office of management and budget.

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.

53 10 b. Fifty percent based upon the county's proportion of the  
 53 11 state's general population.

53 12 2. a. A county shall utilize the funding the county  
 53 13 receives pursuant to subsection 1 for services provided to  
 53 14 persons with a disability, as defined in section 225C.2.  
 53 15 However, no more than 50 percent of the funding shall be used  
 53 16 for services provided to any one of the service populations.

53 17 b. A county shall use at least 50 percent of the funding the  
 53 18 county receives under subsection 1 for contemporary services  
 53 19 provided to persons with a disability, as described in rules  
 53 20 adopted by the department.

53 21 3. Of the funds appropriated in this section, \$23,544  
53 22 shall be used to support the Iowa compass program providing  
53 23 computerized information and referral services for lowans with  
53 24 disabilities and their families.

Allocates \$23,544 to support the Iowa Compass Program. The Program provides computerized information and referral services for lowans with developmental disabilities and their families.

DETAIL: This is a decrease of \$2,616 compared to the FY 2010 allocation.

53 25 4. a. Funding appropriated for purposes of the federal  
53 26 social services block grant is allocated for distribution  
53 27 to counties for local purchase of services for persons with  
53 28 mental illness or mental retardation or other developmental  
53 29 disability.

Allocates federal funds appropriated 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.

53 30 b. The funds allocated in this subsection shall be expended  
53 31 by counties in accordance with the county's county management  
53 32 plan approved by the board of supervisors. A county without  
53 33 an approved county management plan shall not receive allocated  
53 34 funds until the county's management plan is approved.

Requires counties to 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.

53 35 c. The funds provided by this subsection shall be allocated  
54 1 to each county as follows:

Requires the funds provided in this Subsection to be allocated to each county according to a specified formula.

54 2 (1) Fifty percent based upon the county's proportion of the  
54 3 state's population of persons with an annual income which is  
54 4 equal to or less than the poverty guideline established by the  
54 5 federal office of management and budget.

DETAIL: The formula remains unchanged from the FY 1997 formula.

54 6 (2) Fifty percent based upon the amount provided to the  
54 7 county for local purchase of services in the preceding fiscal  
54 8 year.

54 9 5. A county is eligible for funds under this section if the  
54 10 county qualifies for a state payment as described in section  
54 11 331.439.

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.

54 12 6. The most recent population estimates issued by the United  
54 13 States bureau of the census shall be applied for the population  
54 14 factors utilized in this section.

Requires the Department to utilize the most recent population estimates for the distribution of these funds.

54 15 7. The governor's developmental disabilities council is  
 54 16 requested to facilitate a workgroup of stakeholders to review  
 54 17 the status of residential care facilities in the state and  
 54 18 the services provided. The membership of the workgroup may  
 54 19 include but is not limited to representatives of county central  
 54 20 point of coordination administrators, the departments of aging,  
 54 21 human services, and inspections and appeals, the office of  
 54 22 the citizens' aide and other legislative agencies, and the  
 54 23 judicial branch. The issues considered by the workgroup may  
 54 24 include identifying the characteristics of clients served such  
 54 25 as age, disability, reason for admission and level of care  
 54 26 provided; the reasons why such facilities have been closing  
 54 27 or downsizing and where clients were placed; the types and  
 54 28 usage of alternatives to the facilities; the types of services  
 54 29 provided to clients such as Medicaid waiver, rehabilitation,  
 54 30 mental health, and aging services; workforce employed by the  
 54 31 facilities; client access to health care; financing; and  
 54 32 practices used for court-ordered placements. The workgroup  
 54 33 shall report, providing findings and recommendations, to the  
 54 34 governor and persons designated by this Act for submission of  
 54 35 reports on or before December 15, 2010.

Requests the Governor's Developmental Disabilities Council to facilitate a stakeholders workgroup to review Residential Care Facilities in the State and the services provided. The workgroup is required to submit a report to the Governor and persons designated in this Act by December 15, 2010.

55 1 Sec. 28. SEXUALLY VIOLENT PREDATORS.

55 2 1. There is appropriated from the general fund of the  
 55 3 state to the department of human services for the fiscal year  
 55 4 beginning July 1, 2010, and ending June 30, 2011, the following  
 55 5 amount, or so much thereof as is necessary, to be used for the  
 55 6 purpose designated:  
 55 7 For costs associated with the commitment and treatment of  
 55 8 sexually violent predators in the unit located at the state  
 55 9 mental health institute at Cherokee, including costs of legal  
 55 10 services and other associated costs, including salaries,  
 55 11 support, maintenance, and miscellaneous purposes, and for not  
 55 12 more than the following full-time equivalent positions:  
 55 13 ..... \$ 6,632,660  
 55 14 ..... FTEs 105.50

General Fund appropriation to the DHS for the Sexual Predator Commitment Program.

DETAIL: This is a net increase of \$458,476 and no change in FTE positions compared to estimated net FY 2010. The changes include:

- A decrease of \$41,524 due to a savings from consolidating administrative functions of all DHS institutions.
- An increase of \$500,000 to offset the loss of ARRA funding.

55 15 2. Unless specifically prohibited by law, if the amount  
 55 16 charged provides for recoupment of at least the entire amount  
 55 17 of direct and indirect costs, the department of human services  
 55 18 may contract with other states to provide care and treatment  
 55 19 of persons placed by the other states at the unit for sexually  
 55 20 violent predators at Cherokee. The moneys received under  
 55 21 such a contract shall be considered to be repayment receipts  
 55 22 and used for the purposes of the appropriation made in this  
 55 23 section.

Permits the Unit for Commitment of Sexually Violent Predators to accept out-of-state clients when the entire cost is reimbursed.

55 24 Sec. 29. FIELD OPERATIONS. There is appropriated from the  
 55 25 general fund of the state to the department of human services  
 55 26 for the fiscal year beginning July 1, 2010, and ending June 30,  
 55 27 2011, the following amount, or so much thereof as is necessary,  
 55 28 to be used for the purposes designated:  
 55 29 For field operations, including salaries, support,  
 55 30 maintenance, and miscellaneous purposes, and for not more than  
 55 31 the following full-time equivalent positions:  
 55 32 ..... \$ 56,207,624  
 55 33 ..... FTEs 2,000.13

General Fund appropriation to the DHS for Field Operations staff and support.

DETAIL: This is a net decrease of \$521,924 and no change in FTE positions compared to estimated net FY 2010. The changes include:

- A decrease of \$7,100,000 to shift additional funding to TANF.
- An increase of \$6,578,076 to offset the loss of ARRA funding.

In addition to the General Fund appropriation, Field Operations is receiving an increase of \$9,637,096 from TANF and \$2,340,000 from the UST Fund.

55 34 Priority in filling full-time equivalent positions shall be  
 55 35 given to those positions related to child protection services  
 56 1 and eligibility determination for low-income families.

Requires priority to be given to child protection services and eligibility determinations when filling FTE positions.

DETAIL: This requirement was in place for FY 2010 for child protection services. The eligibility determination requirement was new for FY 2009.

56 2 Sec. 30. GENERAL ADMINISTRATION. There is appropriated  
 56 3 from the general fund of the state to the department of human  
 56 4 services for the fiscal year beginning July 1, 2010, and ending  
 56 5 June 30, 2011, the following amount, or so much thereof as is  
 56 6 necessary, to be used for the purpose designated:  
 56 7 For general administration, including salaries, support,  
 56 8 maintenance, and miscellaneous purposes, and for not more than  
 56 9 the following full-time equivalent positions:

General Fund appropriation to the DHS for General Administration.

DETAIL: This is an increase of \$2,875,000 and no change in FTE positions compared to estimated net FY 2010 to offset the loss of ARRA funding and for the two new allocations listed below.

PG LN	House File 2526	Explanation
56 10	..... \$ 16,602,271	
56 11	..... FTEs 354.33	
56 12	1. Of the funds appropriated in this section, \$43,700	Allocates \$43,700 to the Prevention of Disabilities Policy Council.
56 13	allocated for the prevention of disabilities policy council	
56 14	established in section 225B.3.	DETAIL: This is a decrease of \$4,856 compared to the FY 2010 allocation.
56 15	2. The department shall report at least monthly to the	
56 16	legislative services agency concerning the department's	Requires the DHS to submit monthly expenditure reports to the LSA.
56 17	operational and program expenditures.	
56 18	3. Of the funds appropriated in this section, \$150,000 shall	Allocates \$150,000 for technical assistance for providers of habilitation
56 19	be used to implement a program to provide technical assistance,	services under the HCBS Waiver Program.
56 20	support, and consultation to providers of habilitation services	
56 21	and home and community-based waiver services for adults with	DETAIL: This is a new allocation for FY 2011.
56 22	disabilities under the medical assistance program.	
56 23	4. Of the funds appropriated in this section, \$200,000 shall	Allocates \$200,000 for nationally accredited internet-based training for
56 24	be used to expand the provision of nationally accredited and	mental health and disability services providers.
56 25	recognized internet-based training to include mental health and	
56 26	disability services providers.	DETAIL: This is a new allocation for FY 2011.
56 27	Sec. 31. CHILDREN'S MENTAL HEALTH AND CHILD WELFARE	
56 28	SERVICES.	
56 29	1. It is the intent of the general assembly to improve	Requires the DHS to develop a plan to transition the Remedial
56 30	coordination and integration of mental health services and	Services Program from fee-for-service to the Iowa Plan managed
56 31	outcomes for children, as well as alignment of the services	health plan.
56 32	and outcomes with the child welfare system. The department	
56 33	of human services, in collaboration with providers, shall	
56 34	develop a plan for transitioning administration of the remedial	
56 35	services program from fee-for-service approach to the Iowa	
57 1	plan, behavioral health managed care plan. The transition	
57 2	plan shall address specific strategies for improving service	
57 3	coordination for children and adults; establish vendor	
57 4	performance standards; provide a process for ongoing monitoring	



57 5 of quality of care, performance, and quality improvement  
57 6 technical assistance for providers; identify methods and  
57 7 standards for credentialing remedial providers; and provide  
57 8 implementation timeframes.

57 9 2. The department shall establish a transition committee  
57 10 that includes representatives from departmental staff for  
57 11 Medicaid, child welfare, field, and mental health services,  
57 12 the director of the Iowa plan, a representative of an  
57 13 organization providing remedial services that is also licensed  
57 14 as a community mental health center for children and as a  
57 15 psychiatric medical institution for children, the executive  
57 16 director of the coalition of family and children's services  
57 17 in Iowa, three remedial services providers designated by the  
57 18 executive director of the coalition, and a remedial services  
57 19 provider who is not a member of the provider organization. The  
57 20 committee shall develop the plan and manage the transition,  
57 21 if the plan is implemented. The plan shall be developed  
57 22 by December 31, 2010. The department may proceed with  
57 23 implementing the plan over the six month period following  
57 24 December 31, 2010, if the department determines that the plan  
57 25 meets the legislative intent identified in subsection 1.

Requires the DHS to establish a transition committee of stakeholders to complete a plan by December 31, 2010, and to implement a plan by June 31, 2011, to transition remedial care from fee-for-service to a managed care plan.

57 26 Sec. 32. VOLUNTEERS. There is appropriated from the general  
57 27 fund of the state to the department of human services for the  
57 28 fiscal year beginning July 1, 2010, and ending June 30, 2011,  
57 29 the following amount, or so much thereof as is necessary, to be  
57 30 used for the purpose designated:  
57 31 For development and coordination of volunteer services:  
57 32 ..... \$ 84,660

General Fund appropriation to the DHS for the development and coordination of the Volunteer Services Program.

DETAIL: This is no change compared to estimated net FY 2010.

57 33 Sec. 33. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY  
57 34 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER  
THE  
57 35 DEPARTMENT OF HUMAN SERVICES.

58 1 1. a. (1) For the fiscal year beginning July 1, 2010,

Caps nursing facility reimbursements at \$153,126,081 and requires

58 2 the total state funding amount for the nursing facility budget  
58 3 shall not exceed \$153,126,081.  
58 4 (2) The department, in cooperation with nursing facility  
58 5 representatives, shall review projections for state funding  
58 6 expenditures for reimbursement of nursing facilities on a  
58 7 quarterly basis and the department shall determine if an  
58 8 adjustment to the medical assistance reimbursement rate is  
58 9 necessary in order to provide reimbursement within the state  
58 10 funding amount. Any temporary enhanced federal financial  
58 11 participation that may become available to the Iowa medical  
58 12 assistance program during the fiscal year shall not be used  
58 13 in projecting the nursing facility budget. Notwithstanding  
58 14 2001 Iowa Acts, chapter 192, section 4, subsection 2, paragraph  
58 15 "c", and subsection 3, paragraph "a", subparagraph (2),  
58 16 if the state funding expenditures for the nursing facility  
58 17 budget for the fiscal year beginning July 1, 2010, are  
58 18 projected to exceed the amount specified in subparagraph (1),  
58 19 the department shall adjust the reimbursement for nursing  
58 20 facilities reimbursed under the case=mix reimbursement system  
58 21 to maintain expenditures of the nursing facility budget  
58 22 within the specified amount. The department shall revise such  
58 23 reimbursement as necessary to adjust the annual accountability  
58 24 measures payment in accordance with 2001 Iowa Acts, chapter  
58 25 192, section 4, subsection 4, as amended by 2008 Iowa Acts,  
58 26 chapter 1187, section 33, and as amended by 2009 Iowa Acts,  
58 27 chapter 182, section 33, to implement a pay=for=performance  
58 28 payment.

the DHS to adjust the inflation factor in the case-mix reimbursement rate if expenditures exceed the cap.

58 29 (3) For the fiscal year beginning July 1, 2010, special  
58 30 population nursing facilities shall be reimbursed in accordance  
58 31 with the methodology in effect on November 30, 2009.

Requires methodology for calculating reimbursement for special population nursing facilities to remain the same as the methodology in effect November 30, 2009.

58 32 b. For the fiscal year beginning July 1, 2010, the  
58 33 department shall reimburse pharmacy dispensing fees using a  
58 34 single rate of \$4.34 per prescription or the pharmacy's usual  
58 35 and customary fee, whichever is lower.

Requires a reimbursement rate of \$4.34 per prescription for pharmacist services using a single dispensing fee or the usual and customary fee, whichever is lower.

	DETAIL: This is a decrease of \$0.23 compared to the FY 2010 reimbursement rate.
59 1 c. (1) For the fiscal year beginning July 1, 2010, 59 2 reimbursement rates for outpatient hospital services shall 59 3 remain at the rates in effect on June 30, 2010.	Requires the rate of reimbursement for outpatient services to remain the same as the FY 2010 reimbursement rate.
59 4 (2) For the fiscal year beginning July 1, 2010, 59 5 reimbursement rates for inpatient hospital services shall 59 6 remain at the rates in effect on June 30, 2010.	Requires the rate of reimbursement for inpatient services to remain the same as the FY 2010 reimbursement rate.
59 7 (3) For the fiscal year beginning July 1, 2010, the graduate 59 8 medical education and disproportionate share hospital fund 59 9 shall remain at the amount in effect on June 30, 2010.	Requires the rate of reimbursement for graduate medical education and disproportionate share hospital fund to remain the same as the FY 2010 reimbursement rate.
59 10 (4) In order to ensure the efficient use of limited state 59 11 funds in procuring health care services for low-income lowans, 59 12 funds appropriated in this Act for hospital services shall 59 13 not be used for activities which would be excluded from a 59 14 determination of reasonable costs under the federal Medicare 59 15 program pursuant to 42 U.S.C. 1395X(v)(1)(N).	Requires funds appropriated for hospital activities to be used for activities pursuant to the federal Medicare program.
59 16 d. For the fiscal year beginning July 1, 2010, reimbursement 59 17 rates for rural health clinics, hospices, and acute mental 59 18 hospitals shall be increased in accordance with increases under 59 19 the federal Medicare program or as supported by their Medicare 59 20 audited 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 2011.
59 21 e. For the fiscal year beginning July 1, 2010, independent 59 22 laboratories and rehabilitation agencies shall be reimbursed 59 23 using the same methodology in effect on June 30, 2010.	Requires reimbursement methodology for independent laboratories and rehabilitation agencies to remain the same as the methodology in effect June 30, 2010.
59 24 f. For the fiscal year beginning July 1, 2010, reimbursement 59 25 rates for home health agencies shall remain at the rates in 59 26 effect on June 30, 2010, not to exceed a home health agency's 59 27 actual allowable cost.	Requires rates to home health agencies to remain at the rate in effect June 30, 2010.

59 28 g. For the fiscal year beginning July 1, 2010, federally  
59 29 qualified health centers shall receive cost-based reimbursement  
59 30 for 100 percent of the reasonable costs for the provision of  
59 31 services to recipients of medical assistance.

Requires the DHS to reimburse federally qualified health centers for 100.00% of the reasonable costs for provision of services to Medical Assistance Program recipients.

59 32 h. For the fiscal year beginning July 1, 2010, the  
59 33 reimbursement rates for dental services shall remain at the  
59 34 rates in effect on June 30, 2010.

Requires the FY 2010 reimbursement rates for dental services to remain at the rate in effect June 30, 2010.

59 35 i. For the fiscal year beginning July 1, 2010, state-owned  
60 1 psychiatric medical institutions for children shall receive  
60 2 cost-based reimbursement for 100 percent of the actual and  
60 3 allowable costs for the provision of services to recipients of  
60 4 medical assistance. For nonstate-owned psychiatric medical  
60 5 institutions for children, reimbursement shall be determined in  
60 6 accordance with section 249A.31 subject to the rate limitations  
60 7 specified in executive order number 19 issued October 8, 2009.

Reimburses State-owned PMIC's at 100.00% of allowable cost and reimburses nonState-owned PMIC's in accordance with Code Section 249A.31, subject to rate limitations specified by the ATB reduction.

DETAIL: The reduction by the Governor's Executive Order still applies.

60 8 j. For the fiscal year beginning July 1, 2010, unless  
60 9 otherwise specified in this Act, all noninstitutional medical  
60 10 assistance provider reimbursement rates shall remain at the  
60 11 rates in effect on June 30, 2010, except for area education  
60 12 agencies, local education agencies, infant and toddler services  
60 13 providers, targeted case management, and those providers  
60 14 whose rates are required to be determined pursuant to section  
60 15 249A.20.

Requires the FY 2011 reimbursement rates for all noninstitutional Medical Assistance providers, with specified exceptions, to remain at FY 2010 rates.

60 16 k. Notwithstanding any provision to the contrary, for the  
60 17 fiscal year beginning July 1, 2010, the reimbursement rate for  
60 18 anesthesiologists shall remain at the rate in effect on June  
60 19 30, 2010.

CODE: Requires the FY 2011 reimbursement rates for anesthesiologists to remain at the rate in effect June 30, 2010.

60 20 l. Notwithstanding section 249A.20, for the fiscal year  
60 21 beginning July 1, 2010, the average reimbursement rate for  
60 22 health care providers eligible for use of the federal Medicare  
60 23 resource-based relative value scale reimbursement methodology  
60 24 under that section shall remain at the rate in effect on June

CODE: Requires the FY 2011 rates for health care providers eligible for the average rate reimbursement to remain at the rate in effect June 30, 2010.

60 25 30, 2010; however, this rate shall not exceed the maximum level  
60 26 authorized by the federal government.

60 27 m. For the fiscal year beginning July 1, 2010, the  
60 28 reimbursement rate for residential care facilities shall not  
60 29 be less than the minimum payment level as established by the  
60 30 federal government to meet the federally mandated maintenance  
60 31 of effort requirement. The flat reimbursement rate for  
60 32 facilities electing not to file annual cost reports shall not  
60 33 be less than the minimum payment level as established by the  
60 34 federal government to meet the federally mandated maintenance  
60 35 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.

61 1 n. For the fiscal year beginning July 1, 2010, inpatient  
61 2 mental health services provided at hospitals shall remain at  
61 3 the rates in effect on June 30, 2010, subject to Medicaid  
61 4 program upper payment limit rules; community mental health  
61 5 centers and providers of mental health services to county  
61 6 residents pursuant to a waiver approved under section 225C.7,  
61 7 subsection 3, shall be reimbursed at 100 percent of the  
61 8 reasonable costs for the provision of services to recipients of  
61 9 medical assistance; and psychiatrists shall be reimbursed at  
61 10 the medical assistance program fee for service rate.

Requires the FY 2011 reimbursement rate for inpatient mental health services to remain at the same rate in effect on June 30, 2010, and community mental health centers to be reimbursed at 100.00% of costs.

61 11 o. For the fiscal year beginning July 1, 2010, the  
61 12 reimbursement rate for consumer-directed attendant care shall  
61 13 remain at the rates in effect on June 30, 2010.

Requires the FY 2011 reimbursement rates for Consumer-Directed Attendant Care to remain at the rate in effect June 30, 2010.

61 14 p. For the fiscal year beginning July 1, 2010, the  
61 15 reimbursement rate for providers of family planning services  
61 16 that are eligible to receive a 90 percent federal match shall  
61 17 remain at the rates in effect on January 31, 2010.

Requires the FY 2011 reimbursement rates for Family Planning Services to remain at the rate in effect January 31, 2010.

61 18 q. Unless otherwise provided in this section, the  
61 19 department shall continue the reduction in payments to medical  
61 20 assistance program providers for the fiscal year beginning  
61 21 July 1, 2010, and ending June 30, 2011, in the percentage

Specifies that unless otherwise provided, the reduction of payments due to the FY 2010 ATB reduction will continue to apply in FY 2011.

61 22 amount applicable to the respective provider as specified under  
61 23 Executive Order 19.

61 24 2. For the fiscal year beginning July 1, 2010, the  
61 25 reimbursement rate for providers reimbursed under the  
61 26 in-home-related care program shall not be less than the minimum  
61 27 payment level as established by the federal government to meet  
61 28 the federally mandated maintenance of effort requirement.

Establishes the maximum FY 2011 reimbursement rate for in-home health-related care providers at the minimum payment level established by the federal government.

61 29 3. Unless otherwise directed in this section, when the  
61 30 department's reimbursement methodology for any provider  
61 31 reimbursed in accordance with this section includes an  
61 32 inflation factor, this factor shall not exceed the amount  
61 33 by which the consumer price index for all urban consumers  
61 34 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.

61 35 4. For the fiscal year beginning July 1, 2010,  
62 1 notwithstanding section 234.38, the foster family basic daily  
62 2 maintenance rate and the maximum adoption subsidy rate for  
62 3 children ages 0 through 5 years shall be \$15.54, the rate for  
62 4 children ages 6 through 11 years shall be \$16.16, the rate for  
62 5 children ages 12 through 15 years shall be \$17.69, and the  
62 6 rate for children and young adults ages 16 and older shall be  
62 7 \$17.93. The maximum supervised apartment living foster care  
62 8 rate and the preparation for adult living program maintenance  
62 9 rate for children and young adults ages 16 and older shall be  
62 10 \$18.87.

CODE: Provides the daily family foster care rates and the maximum adoption subsidy rates for children by age range for FY 2011.

DETAIL: The FY 2011 rates are decreased by approximately 5.00% compared to the FY 2010 rates to continue the ATB reductions from FY 2010 to FY 2011. Permits the reimbursement to be less than the statutory requirement of 65.00% of the United States Department of Agriculture cost to raise a child. The provision is for FY 2011 only.

NOTE: There is an additional appropriation in HF 2531 (FY 2011 Standings Appropriations Act) from the UST Fund to partially restore the 5.00% provider rate reduction to adoption subsidy, family foster care, group care, and supervised apartment living providers equally up to \$1,000,000 for FY 2011. It is estimated that each provider rate will be restored by a minimum of 1.00%.

62 11 5. For the fiscal year beginning July 1, 2010, the maximum  
62 12 reimbursement rates for social services providers reimbursed  
62 13 under a purchase of social services contract shall remain at  
62 14 the rates in effect on June 30, 2010, or the provider's actual  
62 15 and allowable cost plus inflation for each service, whichever

Requires the maximum reimbursement rates for social service providers, including the Resource Family Recruitment and Retention Contractor, to be the same rate as provided in FY 2010, and provides for circumstances when the rates may be adjusted.

62 16 is less. However, the rates may be adjusted under any of the  
62 17 following circumstances:

62 18 a. If a new service was added after June 30, 2010, the  
62 19 initial reimbursement rate for the service shall be based upon  
62 20 actual and allowable costs.

62 21 b. If a social service provider loses a source of income  
62 22 used to determine the reimbursement rate for the provider,  
62 23 the provider's reimbursement rate may be adjusted to reflect  
62 24 the loss of income, provided that the lost income was used to  
62 25 support actual and allowable costs of a service purchased under  
62 26 a purchase of service contract.

62 27 6. For the fiscal year beginning July 1, 2010, the  
62 28 reimbursement rates for family=centered service providers,  
62 29 family foster care service providers, group foster care service  
62 30 providers, and the resource family recruitment and retention  
62 31 contractor shall remain at the rates in effect on June 30,  
62 32 2010.

Maintains foster care reimbursement rates for specified providers in  
FY 2011 at the same level as FY 2010.

NOTE: There is an additional appropriation in HF 2531 (FY 2011  
Standings Appropriations Act) from the UST Fund to partially restore  
the 5.00% provider rate reduction to adoption subsidy, family foster  
care, group care, and supervised apartment living providers equally up  
to \$1,000,000 for FY 2011. It is estimated that each provider rate will  
be restored by a minimum of 1.00%.

62 33 7. The group foster care reimbursement rates paid for  
62 34 placement of children out of state shall be calculated  
62 35 according to the same rate=setting principles as those used for  
63 1 in=state providers, unless the director of human services or  
63 2 the director's designee determines that appropriate care cannot  
63 3 be provided within the state. The payment of the daily rate  
63 4 shall be based on the number of days in the calendar month in  
63 5 which service is provided.

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 in the State. Also, requires payment of the daily  
rate to be based on the number of days in the calendar month this  
service is provided.

63 6 8. For the fiscal year beginning July 1, 2010, remedial  
63 7 service providers shall receive the same level of reimbursement  
63 8 under the same methodology in effect on June 30, 2010.

Requires the FY 2011 child welfare remedial service providers to be  
reimbursed under the FY 2010 methodology.

63 9 9. a. For the fiscal year beginning July 1, 2010,  
63 10 the combined service and maintenance components of the

Requires the FY 2011 combined service and maintenance  
components of the reimbursement rate paid to shelter care providers  
to be based on the cost report submitted to the DHS. Also, requires a

63 11 reimbursement rate paid for shelter care services and  
63 12 alternative child welfare emergency services purchased under  
63 13 a contract shall be based on the financial and statistical  
63 14 report submitted to the department. The maximum reimbursement  
63 15 rate shall be \$92.36 per day. The department shall reimburse  
63 16 a shelter care provider at the provider's actual and  
63 17 allowable unit cost, plus inflation, not to exceed the maximum  
63 18 reimbursement rate.

maximum reimbursement rate of \$92.36 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 maintains the rate received in FY 2010.

63 19 b. Notwithstanding section 232.141, subsection 8, for the  
63 20 fiscal year beginning July 1, 2010, the amount of the statewide  
63 21 average of the actual and allowable rates for reimbursement of  
63 22 juvenile shelter care homes that is utilized for the limitation  
63 23 on recovery of unpaid costs shall remain at the amount in  
63 24 effect for this purpose in the preceding fiscal year.

CODE: Maintains the limit of the statewide average reimbursement rates paid to shelter care providers that was received in FY 2010. This impacts the amount of charges that are reimbursed.

63 25 10. For the fiscal year beginning July 1, 2010, the  
63 26 department shall calculate reimbursement rates for intermediate  
63 27 care facilities for persons with mental retardation at the  
63 28 80th percentile. Beginning July 1, 2010, the rate calculation  
63 29 methodology shall utilize the consumer price index inflation  
63 30 factor applicable to the fiscal year beginning July 1, 2010.

Requires the DHS to calculate reimbursement rates for intermediate care facilities for persons with mental retardation (ICF/MRs) at the 80th percentile for FY 2011.

63 31 11. For the fiscal year beginning July 1, 2010, for child  
63 32 care providers reimbursed under the state child care assistance  
63 33 program, the department shall set provider reimbursement  
63 34 rates based on the rate reimbursement survey completed in  
63 35 December 2004. Effective July 1, 2010, the child care provider  
64 1 reimbursement rates shall remain at the rates in effect on June  
64 2 30, 2010. The department shall set rates in a manner so as  
64 3 to provide incentives for a nonregistered provider to become  
64 4 registered by applying the increase only to registered and  
64 5 licensed providers.

Requires the DHS to set FY 2011 provider reimbursement rates for child care providers based on the rate reimbursement survey completed in December 2004. Requires rates to be set in a manner that will provide incentives for nonregistered providers to become registered.

64 6 12. For the fiscal year beginning July 1, 2010,  
64 7 reimbursements for providers reimbursed by the department of  
64 8 human services may be modified if appropriated funding is

Specifies that FY 2011 reimbursements for providers reimbursed by the DHS may be modified if appropriated funding is allocated for that purpose from the Senior Living Trust Fund.



64 9 allocated for that purpose from the senior living trust fund  
64 10 created in section 249H.4.

64 11 13. The department may adopt emergency rules to implement  
64 12 this section.

Permits the DHS to adopt emergency rules to implement these reimbursements.

64 13 Sec. 34. EMERGENCY RULES.

64 14 1. If specifically authorized by a provision of this  
64 15 division of this Act, the department of human services or the  
64 16 mental health, mental retardation, developmental disabilities,  
64 17 and brain injury commission may adopt administrative rules  
64 18 under section 17A.4, subsection 3, and section 17A.5,  
64 19 subsection 2, paragraph "b", to implement the provisions and  
64 20 the rules shall become effective immediately upon filing or  
64 21 on a later effective date specified in the rules, unless the  
64 22 effective date is delayed by the administrative rules review  
64 23 committee. Any rules adopted in accordance with this section  
64 24 shall not take effect before the rules are reviewed by the  
64 25 administrative rules review committee. The delay authority  
64 26 provided to the administrative rules review committee under  
64 27 section 17A.4, subsection 7, and section 17A.8, subsection 9,  
64 28 shall be applicable to a delay imposed under this section,  
64 29 notwithstanding a provision in those sections making them  
64 30 inapplicable to section 17A.5, subsection 2, paragraph "b".  
64 31 Any rules adopted in accordance with the provisions of this  
64 32 section shall also be published as notice of intended action  
64 33 as provided in section 17A.4.

Permits the DHS and the Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission to adopt emergency rules when authorized.

64 34 2. If during the fiscal year beginning July 1, 2010, the  
64 35 department of human services is adopting rules in accordance  
65 1 with this section or as otherwise directed or authorized by  
65 2 state law, and the rules will result in an expenditure increase  
65 3 beyond the amount anticipated in the budget process or if the  
65 4 expenditure was not addressed in the budget process for the  
65 5 fiscal year, the department shall notify the persons designated  
65 6 by this division of this Act for submission of reports,

Requires the DHS to report to the Chairpersons and Ranking Members of the Appropriation Committees, the LSA, and the DOM at least 30 days prior to submitting rules that will have a fiscal impact that was not addressed in the budget process.

65 7 the chairpersons and ranking members of the committees on  
65 8 appropriations, and the department of management concerning the  
65 9 rules and the expenditure increase. The notification shall be  
65 10 provided at least 30 calendar days prior to the date notice of  
65 11 the rules is submitted to the administrative rules coordinator  
65 12 and the administrative code editor.

65 13 Sec. 35. REPORTS. Any reports or information required to be  
65 14 compiled and submitted under this Act shall be submitted to the  
65 15 chairpersons and ranking members of the joint appropriations  
65 16 subcommittee on health and human services, the legislative  
65 17 services agency, and the legislative caucus staffs on or  
65 18 before the dates specified for submission of the reports or  
65 19 information.

Requires any reports required by this Act to be submitted to the Chairpersons and Ranking Members of the Health and Human Services Appropriations Subcommittee, Legislative Caucus Staffs, and the LSA.

65 20 Sec. 36. EFFECTIVE DATE. The following provisions of this  
65 21 division of this Act, being deemed of immediate importance,  
65 22 take effect upon enactment:

The provision requiring representatives of the DHS and juvenile court services to collaborate regarding group foster care expenditures is effective on enactment.

65 23 The provision under the appropriation for child and family  
65 24 services, relating to requirements of section 232.143 for  
65 25 representatives of the department of human services and  
65 26 juvenile court services to establish a plan for continuing  
65 27 group foster care expenditures for fiscal year 2010=2011.

65 28 DIVISION V  
65 29 SENIOR LIVING TRUST FUND,  
65 30 PHARMACEUTICAL SETTLEMENT ACCOUNT,  
65 31 IOWACARE ACCOUNT, HEALTH CARE  
65 32 TRANSFORMATION ACCOUNT, MEDICAID FRAUD ACCOUNT, QUALITY  
65 33 ASSURANCE TRUST FUND, AND UNDERGROUND STORAGE TANK  
FUND

65 34 Sec. 37. DEPARTMENT ON AGING. There is appropriated from  
65 35 the senior living trust fund created in section 249H.4 to the  
66 1 department on aging for the fiscal year beginning July 1, 2010,  
66 2 and ending June 30, 2011, the following amount, or so much  
66 3 thereof as is necessary, to be used for the purpose designated:

Senior Living Trust Fund appropriation to the Department on Aging.

DETAIL: Maintains the current level of funding.

66 4 For the development and implementation of a comprehensive  
66 5 senior living program, including case management and  
66 6 including program administration and costs associated with  
66 7 implementation:  
66 8 ..... \$ 8,486,698

66 9 1. a. Of the funds appropriated in this section, \$1,010,000  
66 10 shall be transferred to the department of human services in  
66 11 equal amounts on a quarterly basis for reimbursement of case  
66 12 management services provided under the medical assistance  
66 13 elderly waiver.

Requires \$1,010,000 to be transferred to the DHS, in equal amounts on a quarterly basis, for reimbursement under the Medicaid Elderly Waiver.

DETAIL: Maintains the current allocation and transfer levels.

66 14 b. The department of human services shall review  
66 15 projections for state funding expenditures for reimbursement  
66 16 of case management services under the medical assistance  
66 17 elderly waiver on a quarterly basis and shall determine if an  
66 18 adjustment to the medical assistance reimbursement rates are  
66 19 necessary to provide reimbursement within the state funding  
66 20 amounts budgeted under the appropriations made for the fiscal  
66 21 year for the medical assistance program. Any temporary  
66 22 enhanced federal financial participation that may become  
66 23 available for the medical assistance program during the fiscal  
66 24 year shall not be used in projecting the medical assistance  
66 25 elderly waiver case management budget. The department of human  
66 26 services shall revise such reimbursement rates as necessary to  
66 27 maintain expenditures for medical assistance elderly waiver  
66 28 case management services within the state funding amounts  
66 29 budgeted under the appropriations made for the fiscal year for  
66 30 the medical assistance program.

Requires the DHS to review expenditures for reimbursement of case management services under the Medicaid Elderly Waiver on a quarterly basis and adjust to provide reimbursements within the appropriation.

66 31 2. Notwithstanding section 249H.7, the department on aging  
66 32 shall distribute funds appropriated in this section in a  
66 33 manner that will supplement and maximize federal funds under  
66 34 the federal Older Americans Act and shall not use the amount  
66 35 distributed for any administrative purposes of either the  
67 1 department on aging or the area agencies on aging.

CODE: Requires the Department on Aging to maximize federal funds under the federal Older Americans Act, and prohibits these funds from being used for administration.

PG LN	House File 2526	Explanation
67 2	3. Of the funds appropriated in this section, \$60,000	Allocates \$60,000 for dementia-specific education for direct care
67 3	shall be used to provide dementia-specific education to	workers.
67 4	direct care workers and other providers of long-term care	
67 5	to enhance existing or scheduled efforts through the Iowa	DETAIL: Maintains the current allocation level.
67 6	caregivers association, the Alzheimer's association, and other	
67 7	organizations identified as appropriate by the department.	
67 8	4. Of the funds appropriated in this section, \$51,000 shall	Allocates \$51,000 to the Department on Aging to be used for a legal
67 9	be used to provide funding for the legal hotline for older	hotline for older Iowans.
67 10	Iowans.	
		DETAIL: This is a new allocation for FY 2011.
67 11	5. Of the funds appropriated in this section, up to \$193,000	Allocates up to \$193,000 to the Department on Aging to be used for
67 12	shall be used to provide state matching funds for the senior	the Senior Community Services Employment Program.
67 13	community services employment program.	
		DETAIL: This is a new allocation for FY 2011.
67 14	Sec. 38. IOWA FINANCE AUTHORITY. There is appropriated	Senior Living Trust Fund appropriation to the Iowa Finance Authority
67 15	from the senior living trust fund created in section 249H.4 to	(IFA) for the Rent Subsidy Program.
67 16	the Iowa finance authority for the fiscal year beginning July	
67 17	1, 2010, and ending June 30, 2011, the following amount, or	DETAIL: Maintains the current level of Senior Living Trust Fund
67 18	so much thereof as is necessary, to be used for the purposes	support.
67 19	designated:	
67 20	For the rent subsidy program, to provide reimbursement for	
67 21	rent expenses to eligible persons:	
67 22	..... \$ 700,000	
67 23	Participation in the rent subsidy program shall be limited	Requires participation in the Rent Subsidy Program to be limited to
67 24	to only those persons who meet the requirements for the nursing	individuals at risk of nursing home placement and those eligible under
67 25	facility level of care for home and community-based services	the federal Money Follows the Person Grant Program. Permits the
67 26	waiver services as in effect on July 1, 2010, and to those	IFA to use up to \$35,000 for administrative costs.
67 27	individuals who are eligible for the federal money follows the	
67 28	person grant program under the medical assistance program. Of	
67 29	the funds appropriated in this section, not more than \$35,000	
67 30	may be used for administrative costs.	
67 31	Sec. 39. DEPARTMENT OF HUMAN SERVICES. Any funds remaining	Appropriates the balance of the SLTF to the Medicaid Program for FY

67 32 in the senior living trust fund created in section 249H.4  
 67 33 following the appropriations from the senior living trust  
 67 34 fund made in this division of this Act to the department on  
 67 35 aging, the department of inspections and appeals, and the Iowa  
 68 1 finance authority, for the fiscal year beginning July 1, 2010,  
 68 2 and ending June 30, 2011, are appropriated to the department  
 68 3 of human services to supplement the medical assistance  
 68 4 program appropriations made in this Act, including program  
 68 5 administration and costs associated with implementation. In  
 68 6 order to carry out the purposes of this section, the department  
 68 7 may transfer funds appropriated in this section to supplement  
 68 8 other appropriations made to the department of human services.

2011 after all other appropriations from the Fund are made.

DETAIL: It is estimated that there will be \$39,080,435 available. This is an increase of \$21,393,608 compared to estimated net FY 2010.

68 9 Sec. 40. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is  
 68 10 appropriated from the pharmaceutical settlement account created  
 68 11 in section 249A.33 to the department of human services for the  
 68 12 fiscal year beginning July 1, 2010, and ending June 30, 2011,  
 68 13 the following amount, or so much thereof as is necessary, to be  
 68 14 used for the purpose designated:  
 68 15 Notwithstanding any provision of law to the contrary, to  
 68 16 supplement the appropriations made for medical contracts under  
 68 17 the medical assistance program:  
 68 18 ..... \$ 4,027,613

CODE: Pharmaceutical Settlement Account appropriation to the DHS for medical contracts in Medicaid.

DETAIL: This is an increase of \$2,703,780 compared to estimated net FY 2010.

68 19 Sec. 41. APPROPRIATIONS FROM IOWACARE ACCOUNT.  
 68 20 1. There is appropriated from the IowaCare account  
 68 21 created in section 249J.24 to the state board of regents for  
 68 22 distribution to the university of Iowa hospitals and clinics  
 68 23 for the fiscal year beginning July 1, 2010, and ending June 30,  
 68 24 2011, the following amount, or so much thereof as is necessary,  
 68 25 to be used for the purposes designated:  
 68 26 For salaries, support, maintenance, equipment, and  
 68 27 miscellaneous purposes, for the provision of medical and  
 68 28 surgical treatment of indigent patients, for provision of  
 68 29 services to members of the expansion population pursuant to  
 68 30 chapter 249J, and for medical education:  
 68 31 ..... \$ 27,284,584

IowaCare Account appropriation to the University of Iowa Hospitals and Clinics (UIHC).

DETAIL: Maintains the current level of IowaCare Account support. IowaCare is an indigent care program for uninsured adults with incomes up to 200.00% of the Federal Poverty Level. It was created during the 2005 Legislative Session in response to the elimination of federal Intergovernmental Transfers (IGTs). The appropriation was first funded in FY 2006. A portion of the funds are to be used for graduate medical education.

68 32 a. Funds appropriated in this subsection shall not be used  
68 33 to perform abortions except medically necessary abortions, and  
68 34 shall not be used to operate the early termination of pregnancy  
68 35 clinic except for the performance of medically necessary  
69 1 abortions. For the purpose of this subsection, an abortion is  
69 2 the purposeful interruption of pregnancy with the intention  
69 3 other than to produce a live-born infant or to remove a dead  
69 4 fetus, and a medically necessary abortion is one performed  
69 5 under one of the following conditions:  
69 6 (1) The attending physician certifies that continuing the  
69 7 pregnancy would endanger the life of the pregnant woman.  
69 8 (2) The attending physician certifies that the fetus is  
69 9 physically deformed, mentally deficient, or afflicted with a  
69 10 congenital illness.  
69 11 (3) The pregnancy is the result of a rape which is reported  
69 12 within 45 days of the incident to a law enforcement agency or  
69 13 public or private health agency which may include a family  
69 14 physician.  
69 15 (4) The pregnancy is the result of incest which is reported  
69 16 within 150 days of the incident to a law enforcement agency  
69 17 or public or private health agency which may include a family  
69 18 physician.  
69 19 (5) The abortion is a spontaneous abortion, commonly known  
69 20 as a miscarriage, wherein not all of the products of conception  
69 21 are expelled.

69 22 b. Notwithstanding any provision of law to the contrary,  
69 23 the amount appropriated in this subsection shall be distributed  
69 24 based on claims submitted, adjudicated, and paid by the Iowa  
69 25 Medicaid enterprise.

69 26 c. Contingent upon implementation of 2010 Iowa Acts, Senate  
69 27 File 2356, the university of Iowa hospitals and clinics shall  
69 28 certify public expenditures in an amount equal to provide  
69 29 the nonfederal share on total expenditures not to exceed  
69 30 \$20,000,000.

Specifies the conditions that permit the Medical Assistance Program to reimburse providers for abortion services.

DETAIL: The rules regarding abortion that apply to the Medical Assistance Program also apply to IowaCare.

CODE: Specifies the amount appropriated is to be distributed based on claims submitted, adjudicated, and paid by the Iowa Medicaid Enterprise.

Specifies the UIHC is to use Certified Public Expenditures as the nonfederal share to match for a total amount of \$20,000,000.

69 31 2. There is appropriated from the IowaCare account  
 69 32 created in section 249J.24 to the state board of regents for  
 69 33 distribution to the university of Iowa hospitals and clinics  
 69 34 for the fiscal year beginning July 1, 2010, and ending June 30,  
 69 35 2011, the following amount, or so much thereof as is necessary,  
 70 1 to be used for the purposes designated:  
 70 2 For salaries, support, maintenance, equipment, and  
 70 3 miscellaneous purposes, for the provision of medical and  
 70 4 surgical treatment of indigent patients, for provision of  
 70 5 services to members of the expansion population pursuant to  
 70 6 chapter 249J, and for medical education:  
 70 7 ..... \$ 49,020,031

70 8 Notwithstanding any provision of law to the contrary, the  
 70 9 amount appropriated in this subsection shall be distributed  
 70 10 based on claims submitted, adjudicated, and paid by the Iowa  
 70 11 Medicaid enterprise.

70 12 3. Contingent upon enactment of 2010 Iowa Acts, Senate  
 70 13 File 2356, there is appropriated from the IowaCare account  
 70 14 created in section 249J.24, to the state board of regents for  
 70 15 distribution to university of Iowa physicians for the fiscal  
 70 16 year beginning July 1, 2010, and ending June 30, 2011, the  
 70 17 following amount, or so much thereof as is necessary to be used  
 70 18 for the purposes designated:  
 70 19 For salaries, support, maintenance, equipment, and  
 70 20 miscellaneous purposes for the provision of medical and  
 70 21 surgical treatment of indigent patients, for provision of  
 70 22 services to members of the expansion population pursuant to  
 70 23 chapter 249J, and for medical education:  
 70 24 ..... \$ 12,000,000

70 25 Notwithstanding any provision of law to the contrary, the  
 70 26 amount appropriated in this subsection shall be distributed  
 70 27 based on claims submitted, adjudicated, and paid by the Iowa  
 70 28 Medicaid enterprise. Once the entire amount appropriated in  
 70 29 this subsection has been distributed, claims shall continue to

IowaCare Account appropriation of an additional \$49,020,031 to the State Board of Regents to be distributed to the UIHC.

DETAIL: This is an increase of \$1,999,900 compared to estimated net FY 2010. The increase is for increased enrollment and utilization of the IowaCare Program.

CODE: Specifies the amount appropriated is to be distributed based on claims submitted, adjudicated, and paid by the Iowa Medicaid Enterprise.

Contingent appropriation to the UIHC from the IowaCare Account for salaries and support of the IowaCare Program for FY 2011. This appropriation is contingent on enactment of SF 2356 (FY 2011 Health Care Reform Act).

DETAIL: This is a new appropriation for FY 2011.

NOTE: This is amended by HF 2531 and increased by \$2,000,000.

CODE: Requires all appropriations in this Subsection to be distributed based on claims adjudicated and paid by the Iowa Medicaid Enterprise (IME). Funds distributed in this subsection are limited to the appropriation provided.

70 30 be submitted and adjudicated by the Iowa Medicaid enterprise;  
70 31 however, no payment shall be made based upon such claims.

70 32 4. There is appropriated from the IowaCare account created  
70 33 in section 249J.24 to the department of human services for the  
70 34 fiscal year beginning July 1, 2010, and ending June 30, 2011,  
70 35 the following amount, or so much thereof as is necessary, to be  
71 1 used for the purposes designated:

71 2 For distribution to a publicly owned acute care teaching  
71 3 hospital located in a county with a population over 350,000 for  
71 4 the provision of medical and surgical treatment of indigent  
71 5 patients, for provision of services to members of the expansion  
71 6 population pursuant to chapter 249J, and for medical education:  
71 7 ..... \$ 51,000,000

71 8 a. Notwithstanding any provision of law to the contrary,  
71 9 the amount appropriated in this subsection shall be distributed  
71 10 based on claims submitted, adjudicated, and paid by the Iowa  
71 11 Medicaid enterprise plus a monthly disproportionate share  
71 12 hospital payment. Any amount appropriated in this subsection  
71 13 in excess of \$48,000,000 shall be distributed only if the sum  
71 14 of the expansion population claims adjudicated and paid by the  
71 15 Iowa Medicaid enterprise plus the estimated disproportionate  
71 16 share hospital payments exceeds \$48,000,000. The amount paid  
71 17 in excess of \$48,000,000 shall not adjust the original monthly  
71 18 payment amount but shall be distributed monthly based on actual  
71 19 claims adjudicated and paid by the Iowa Medicaid enterprise  
71 20 plus the estimated disproportionate share hospital amount. Any  
71 21 amount appropriated in this subsection in excess of \$48,000,000  
71 22 shall be allocated only if federal funds are available to match  
71 23 the amount allocated.

71 24 b. Notwithstanding the total amount of proceeds distributed  
71 25 pursuant to section 249J.24, subsection 6, paragraph "a",  
71 26 unnumbered paragraph 1, for the fiscal year beginning July  
71 27 1, 2010, and ending June 30, 2011, the county treasurer of a  
71 28 county with a population of over 350,000 in which a publicly  
71 29 owned acute care teaching hospital is located shall distribute  
71 30 the proceeds collected pursuant to section 347.7 in a total

IowaCare Account appropriation to Polk County Broadlawns Medical Center.

DETAIL: This is an increase of \$5,000,000 compared to estimated net FY 2010. Broadlawns transfers \$38,000,000 of Polk County property tax proceeds to the State to draw down the federal match that funds the IowaCare Program.



71 31 amount of \$38,000,000, which would otherwise be distributed to  
 71 32 the county hospital, to the treasurer of state for deposit in  
 71 33 the IowaCare account.

71 34 c. (1) Notwithstanding the amount collected and  
 71 35 distributed for deposit in the IowaCare account pursuant to  
 72 1 section 249J.24, subsection 6, paragraph "a", subparagraph  
 72 2 (1), the first \$19,000,000 in proceeds collected pursuant to  
 72 3 section 347.7 between July 1, 2010, and December 31, 2010,  
 72 4 shall be distributed to the treasurer of state for deposit in  
 72 5 the IowaCare account and collections during this time period in  
 72 6 excess of \$19,000,000 shall be distributed to the acute care  
 72 7 teaching hospital identified in this subsection.

72 8 (2) Notwithstanding the amount collected and distributed  
 72 9 for deposit in the IowaCare account pursuant to section  
 72 10 249J.24, subsection 6, paragraph "a", subparagraph (2),  
 72 11 the first \$19,000,000 in collections pursuant to section  
 72 12 347.7 between January 1, 2011, and June 30, 2011, shall be  
 72 13 distributed to the treasurer of state for deposit in the  
 72 14 IowaCare account and collections during this time period in  
 72 15 excess of \$19,000,000 shall be distributed to the acute care  
 72 16 teaching hospital identified in this subsection.

72 17 5. Contingent upon enactment of 2010 Iowa Acts, Senate File  
 72 18 2356, there is appropriated from the IowaCare account created  
 72 19 in section 249J.24 to the department of human services for the  
 72 20 fiscal year beginning July 1, 2010, and ending June 30, 2011,  
 72 21 the following amount, or so much thereof as is necessary to be  
 72 22 used for the purpose designated:

72 23 For payment to the regional provider network specified by  
 72 24 the department pursuant to 2010 Iowa Acts, Senate File 2356,  
 72 25 section 2, amending section 249J.7, if enacted, for provision  
 72 26 of covered services to members of the expansion population  
 72 27 pursuant to chapter 249J:  
 72 28 ..... \$ 6,000,000

72 29 Notwithstanding any provision of law to the contrary, the  
 72 30 amount appropriated in this subsection shall be distributed

Contingent appropriation for a regional provider network from the IowaCare Account for FY 2011. This appropriation is contingent on enactment of SF 2356 (FY 2011 Health Care Reform Act).

DETAIL: This is a new appropriation for FY 2011.

CODE: Specifies the amount appropriated is to be distributed based on claims submitted, adjudicated, and paid by the IME. Claims are to

72 31 based on claims submitted, adjudicated, and paid by the Iowa  
 72 32 Medicaid enterprise. Once the entire amount appropriated in  
 72 33 this subsection has been distributed, claims shall continue to  
 72 34 be submitted and adjudicated by the Iowa Medicaid enterprise;  
 72 35 however, no payment shall be made based upon such claims.

be submitted even after all funds have been distributed so the DHS may collect data on the demand and types of services provided.

73 1 6. Contingent upon enactment of 2010 Iowa Acts, Senate File  
 73 2 2356, there is appropriated from the IowaCare account created  
 73 3 in section 249J.24 to the department of human services for the  
 73 4 fiscal year beginning July 1, 2010, and ending June 30, 2011,  
 73 5 the following amount, or so much thereof as is necessary to be  
 73 6 used for the purposes designated:  
 73 7 For payment to nonparticipating providers for covered  
 73 8 services provided in accordance with section 249J.24A:  
 73 9 ..... \$ 2,000,000

Contingent appropriation for reimbursement of nonparticipating providers from the IowaCare Account for FY 2011. This appropriation is contingent on enactment of SF 2356 (FY 2011 Health Care Reform Act).

DETAIL: This is a new appropriation for FY 2011.

NOTE: This allocation is eliminated by HF 2531 and is now funded at the same level from the Hospital Health Care Access Trust Fund.

73 10 Sec. 42. APPROPRIATIONS FROM ACCOUNT FOR HEALTH CARE  
 73 11 TRANSFORMATION == DEPARTMENT OF HUMAN SERVICES.  
 73 12 Notwithstanding any provision to the contrary, there is  
 73 13 appropriated from the account for health care transformation  
 73 14 created in section 249J.23 to the department of human services  
 73 15 for the fiscal year beginning July 1, 2010, and ending June  
 73 16 30, 2011, the following amounts, or so much thereof as is  
 73 17 necessary, to be used for the purposes designated:

Appropriations from the HCTA.

DETAIL: The HCTA was created as part of the agreement with the federal Centers for Medicare and Medicaid Services (CMS) to discontinue Iowa's IGTs during the 2005 Legislative Session. It is intended to fund the reforms specified in HF 841 (IowaCare and Medicaid Reform Act) enacted during the 2005 Legislative Session.

73 18 1. For the costs of medical examinations for the expansion  
 73 19 population pursuant to section 249J.6:  
 73 20 ..... \$ 556,800

Appropriation from the HCTA for medical examinations and personal improvement plans for IowaCare enrollees.

DETAIL: Maintains the current level of HCTA support.

73 21 2. For the provision of an IowaCare nurse helpline for the  
 73 22 expansion population as provided in section 249J.6:  
 73 23 ..... \$ 100,000

Appropriation from the HCTA for a medical information hotline for IowaCare enrollees.

DETAIL: Maintains the current level of HCTA support.

73 24 3. For other health promotion partnership activities

Appropriation from the HCTA for other health partnership activities

PG LN	House File 2526	Explanation
73 25	pursuant to section 249J.14:	related to IowaCare.
73 26	..... \$ 600,000	DETAIL: Maintains the current level of HCTA support.
73 27	4. For the costs related to audits, performance	Appropriation from the HCTA for costs related to audits, performance
73 28	evaluations, and studies required pursuant to chapter 249J:	evaluations, and studies related to IowaCare.
73 29	..... \$ 125,000	DETAIL: Maintains the current level of HCTA support.
73 30	5. For administrative costs associated with chapter 249J:	Appropriation from the HCTA for IowaCare administrative costs.
73 31	..... \$ 1,132,412	DETAIL: Maintains the current level of HCTA support.
73 32	6. For planning and development, in cooperation with the	Appropriation from the HCTA to the DHS and the DPH to provide a
73 33	department of public health, of a phased-in program to provide	dental home for children program.
73 34	a dental home for children in accordance with section 249J.14:	DETAIL: Maintains the current level of HCTA support.
73 35	..... \$ 1,000,000	
74 1	7. For continuation of the establishment of the tuition	Appropriation from the HCTA for tuition assistance for individuals
74 2	assistance for individuals serving individuals with	serving individuals with disabilities pilot program.
74 3	disabilities pilot program, as enacted in 2008 Iowa Acts,	DETAIL: Maintains the current level of HCTA support.
74 4	chapter 1187, section 130:	
74 5	..... \$ 50,000	
74 6	8. For medical contracts:	Appropriation from the HCTA for Medical Contracts.
74 7	..... \$ 1,300,000	DETAIL: Maintains the current level of HCTA support.
74 8	9. For payment to the publicly owned acute care teaching	Appropriation from the HCTA for the Polk County Broadlawns Medical
74 9	hospital located in a county with a population of over 350,000	Center for the IowaCare Program. Requires distribution of the funds
74 10	that is a participating provider pursuant to chapter 249J:	on a monthly basis.
74 11	..... \$ 290,000	DETAIL: Maintains the current level of HCTA support.
74 12	Disbursements under this subsection shall be made monthly.	Requires the DHS to make 12 monthly payments to Polk County
74 13	The hospital shall submit a report following the close of the	Broadlawns Medical Center for the appropriation. Requires an FY
74 14	fiscal year regarding use of the funds appropriated in this	2011 report from the Medical Center.
74 15	subsection to the persons specified in this Act to receive	

74 16 reports.

74 17 Notwithstanding section 8.39, subsection 1, without the  
 74 18 prior written consent and approval of the governor and the  
 74 19 director of the department of management, the director of human  
 74 20 services may transfer funds among the appropriations made in  
 74 21 this section as necessary to carry out the purposes of the  
 74 22 account for health care transformation. The department shall  
 74 23 report any transfers made pursuant to this section to the  
 74 24 legislative services agency.

CODE: Permits the DHS to transfer funds to provide activities in this Section without the approval of the Governor or the Director of the DOM, but requires the DHS to report any transfers to the LSA.

74 25 Sec. 43. MEDICAID FRAUD ACCOUNT == DEPARTMENT OF  
 74 26 INSPECTIONS AND APPEALS. There is appropriated from the  
 74 27 Medicaid fraud account created in section 249A.7 to the  
 74 28 department of inspections and appeals for the fiscal year  
 74 29 beginning July 1, 2010, and ending June 30, 2011, the following  
 74 30 amount or so much thereof as is necessary, to be used for the  
 74 31 purposes designated:  
 74 32 For the inspection and certification of assisted living  
 74 33 programs and adult day care services, including program  
 74 34 administration and costs associated with implementation:  
 74 35 ..... \$ 1,339,527

Medicaid Fraud Account appropriation to the DIA for inspections and certification of assisted living facilities and adult day care services.

DETAIL: This is a new appropriation for FY 2011. This appropriation was previously funded by the SLTF at the same funding level.

75 1 Sec. 44. QUALITY ASSURANCE TRUST FUND == DEPARTMENT OF  
 HUMAN  
 75 2 SERVICES. Notwithstanding any provision to the contrary and  
 75 3 subject to the availability of funds, there is appropriated  
 75 4 from the quality assurance trust fund created in section  
 75 5 249L.4 to the department of human services for the fiscal year  
 75 6 beginning July 1, 2010, and ending June 30, 2011, the following  
 75 7 amounts, or so much thereof as is necessary for the purposes  
 75 8 designated:  
 75 9 To supplement the appropriation made in this Act from the  
 75 10 general fund of the state to the department of human services  
 75 11 for medical assistance:  
 75 12 ..... \$ 13,900,000

Appropriation from the Quality Assurance Trust Fund to supplement Nursing Facilities under the Medicaid Program.

DETAIL: This is a new appropriation for FY 2011.

75 13 1. Of the funds appropriated in this section, \$7,500,000  
 75 14 shall be used for nursing facility reimbursement under the  
 75 15 medical assistance program in accordance with the nursing  
 75 16 facility reimbursement provisions of division IV of this  
 75 17 Act, to continue application of the administrative rules  
 75 18 changes relating to nursing facility reimbursement and payment  
 75 19 procedures made pursuant to 2010 Iowa Acts, Senate File 2366,  
 75 20 if enacted, for the fiscal year beginning July 1, 2010, and  
 75 21 ending June 30, 2011, and to restore the 5 percent reduction  
 75 22 made in nursing facility reimbursement in accordance with  
 75 23 executive order number 19 issued October 8, 2009.

Specifies that funds in this Section are to be used in accordance with nursing facility provisions in Division IV of this Act. The funds are to be used to restore the 5.00% ATB rate reduction and restore changes made to bed hold and occupancy rates. All provisions in Division IV enhanced federal financial participation apply to this Section.

75 24 2. The costs associated with the implementation of this  
 75 25 section shall be funded exclusively through moneys appropriated  
 75 26 from the quality assurance trust fund, and shall result in  
 75 27 budget neutrality to the general fund of the state for the  
 75 28 fiscal year beginning July 1, 2010, and ending June 30, 2011.

Specifies that the cost associated with implementing this Section is to be funded exclusively by the Quality Assurance Trust Fund and must be budget neutral to the General Fund.

75 29 Sec. 45. IOWA COMPREHENSIVE PETROLEUM UNDERGROUND  
 STORAGE

75 30 TANK FUND. There is appropriated from the Iowa comprehensive  
 75 31 petroleum underground storage tank fund created in section  
 75 32 455G.3 to the following designated departments for the fiscal  
 75 33 year beginning July 1, 2010, and ending June 30, 2011, the  
 75 34 following amounts, or so much thereof as is necessary, to be  
 75 35 used for the purposes designated, notwithstanding section  
 76 1 455G.3, subsection 1:

76 2 1. To the department of public health:  
 76 3 ..... \$ 635,000

Appropriation from the UST Fund for the DPH.

DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriation.

76 4 a. Of the funds appropriated in this subsection, \$500,000  
 76 5 is allocated for addictive disorders to be used for substance  
 76 6 abuse treatment and prevention.

Appropriation from the UST Fund for addictive disorders in DPH for substance abuse treatment and prevention.

DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriation.

76 7 b. Of the funds appropriated in this subsection, \$35,000 is  
76 8 allocated for chronic conditions to be used as follows:

76 9 (1) \$20,000 shall be used for grants to individual patients  
76 10 who have phenylketonuria (PKU) to assist with the costs of  
76 11 necessary special foods.

76 12 (2) \$15,000 shall be used for child health specialty  
76 13 clinics.

Appropriation from the UST Fund for chronic conditions programs in DPH including \$20,000 for PKU assistance and \$15,000 for child health specialty clinics.

DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriations.

76 14 c. Of the funds appropriated in this subsection, \$100,000 is  
76 15 allocated for public protection to be used for the state poison  
76 16 control center.

Appropriation from the UST Fund for the State Poison Control Center.

DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriation under public protection in DPH.

76 17 2. To the department of human services for:

76 18 a. Child and family services:

76 19 ..... \$ 925,000

Appropriation from the UST Fund for Child and Family Service to be distributed to the amounts listed below.

DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriation.

76 20 (1) Of the funds appropriated in this paragraph, \$600,000  
76 21 shall be used for the purposes of juvenile delinquent graduated  
76 22 sanction services.

Allocates \$600,000 to juvenile delinquent graduated sanction services.

DETAIL: This is a new allocation for FY 2011 to supplement the General Fund appropriation.

76 23 (2) Of the funds appropriated in this paragraph, \$200,000  
76 24 shall be allocated to a county with a population of more than  
76 25 300,000 to be used for continuation of a grant to support  
76 26 child care center services provided to children with mental,  
76 27 physical, or emotional challenges in order for the children to  
76 28 remain in a home or family setting.

Allocation to be transferred to Polk County for child care center services for children with various special needs

DETAIL: This is a new allocation for FY 2011.

76 29 (3) Of the funds appropriated in this paragraph, \$25,000  
76 30 shall be used for the public purpose of providing a grant to  
76 31 a child welfare services provider headquartered in a county  
76 32 with a population between 189,000 and 196,000 in the latest  
76 33 preceding certified federal census that provides multiple  
76 34 services including but not limited to a psychiatric medical  
76 35 institution for children, shelter, residential treatment, after

Allocation to Four Oaks for various autism spectrum disorders services.

DETAIL: This is a new allocation for FY 2011 to supplement the General Fund appropriation.

77 1 school programs, school-based programming, and an Asperger's  
 77 2 syndrome program, to be used for support services for children  
 77 3 with autism spectrum disorder and their families.

77 4 (4) Of the funds appropriated in this section, \$100,000  
 77 5 shall be used for a one-time grant to support startup costs for  
 77 6 a child protection center to be operated in a hospital in a  
 77 7 county in northeast Iowa with a population between 120,000 and  
 77 8 135,000. Population numbers used in this subsection are from  
 77 9 the latest preceding certified federal census.

77 10 b. Family support subsidy:  
 77 11 ..... \$ 100,000  
 77 12 The funds appropriated in this paragraph shall be used for  
 77 13 the family support center component of the comprehensive family  
 77 14 support program under section 225C.47.

77 15 c. Child support recovery:  
 77 16 ..... \$ 250,000

77 17 d. Juvenile institutions:  
 77 18 ..... \$ 600,000

77 19 (1) Of the funds appropriated in this paragraph, \$200,000  
 77 20 shall be used for operation of the Iowa juvenile home at  
 77 21 Toledo.

77 22 (2) Of the funds appropriated in this paragraph, \$400,000  
 77 23 shall be used for operation of the state training school at  
 77 24 Eldora.

Allocation for the Child Protection Center in Waterloo.

DETAIL: This is a new allocation for FY 2011.

Appropriation from the UST Fund for the Children-at-Home Program.

DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriation

Appropriation from the UST Fund for the Child Support Recovery Unit.

DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriation.

Appropriation from the UST Fund to State Juvenile Institutions to be distributed in the amounts listed below.

DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriation.

Allocates \$200,000 to the Iowa Juvenile Homes at Toledo.

DETAIL: This is a new allocation for FY 2011 to supplement the General Fund appropriation.

Allocates \$400,000 to the State Training School at Eldora.

DETAIL: This is a new allocation for FY 2011 to supplement the General Fund appropriation.

PG LN	House File 2526	Explanation
77 25	e. Mental health institutes:	Appropriation from the UST Fund to the State Mental Health Institutes to be distributed in the amounts listed below.
77 26	..... \$ 350,000	DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriation.
77 27	(1) Of the funds appropriated in this paragraph, \$100,000	Allocation for the Cherokee MHI.
77 28	shall be used for the state mental health institute at	DETAIL: This is a new allocation for FY 2011 to supplement the General Fund appropriation.
77 29	Cherokee.	
77 30	(2) Of the funds appropriated in this paragraph, \$100,000	Allocation for the Clarinda MHI.
77 31	shall be used for the state mental health institute at	DETAIL: This is a new allocation for FY 2011 to supplement the General Fund appropriation.
77 32	Clarinda.	
77 33	(3) Of the funds appropriated in this paragraph, \$100,000	Allocation for the Independence MHI.
77 34	shall be used for the state mental health institute at	DETAIL: This is a new allocation for FY 2011 to supplement the General Fund appropriation.
77 35	Independence.	
78 1	(4) Of the funds appropriated in this paragraph, \$50,000	Allocation for the Mount Pleasant MHI.
78 2	shall be used for the state mental health institute at Mount	DETAIL: This is a new allocation for FY 2011 to supplement the General Fund appropriation.
78 3	Pleasant.	
78 4	f. MI/MR/DD state cases:	Appropriation from the UST Fund for MI/MR/DD State Cases Program.
78 5	..... \$ 1,000,000	DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriation.
78 6	g. Sexually violent predators:	Appropriation from the UST Fund for the Civil Commitment Unit of Sex Offenders at Cherokee.
78 7	..... \$ 800,000	DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriation.
78 8	h. Field operations:	Appropriation from the UST Fund for Field Operations.
78 9	..... \$ 2,340,000	



DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriation.

78 10 Sec. 46. MEDICAL ASSISTANCE PROGRAM == NONREVERSION FOR  
78 11 FY 2011=2012. Notwithstanding any section 8.33, if moneys  
78 12 appropriated for purposes of the medical assistance program  
78 13 for the fiscal year beginning July 1, 2010, and ending June  
78 14 30, 2011, from the general fund of the state, the senior  
78 15 living trust fund, the health care trust fund, and the quality  
78 16 assurance trust fund, are in excess of actual expenditures  
78 17 for the medical assistance program and remain unencumbered or  
78 18 unobligated at the close of the fiscal year, the excess moneys  
78 19 shall not revert but shall remain available for expenditure for  
78 20 the purposes of the medical assistance program until the close  
78 21 of the succeeding fiscal year.

CODE: Requires nonreversion of funds from the Medicaid Program to the Senior Living Trust Fund. Instead the funds would remain within the appropriation to be used in the succeeding fiscal year.

DETAIL: The federal ARRA has a provision prohibiting the transfer of Medicaid stimulus dollars to a reserve or rainy day fund. This language complies with those regulations.

78 22 DIVISION VI  
78 23 MH/MR/DD SERVICES  
78 24 ALLOWED GROWTH FUNDING  
78 25 FY 2010=2011

78 26 Sec. 47. 2009 Iowa Acts, chapter 179, section 1, is amended  
78 27 to read as follows:  
78 28 SECTION 1. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND  
78 29 DEVELOPMENTAL DISABILITIES ALLOWED GROWTH APPROPRIATION  
AND

CODE: Amends the FY 2011 original Mental Health Allowed Growth appropriation to reflect continued funding at the FY 2010 estimated net appropriation level.

78 30 ALLOCATIONS == FISCAL YEAR 2010=2011.  
78 31 4-. There is appropriated from the general fund of the  
78 32 state to the department of human services for the fiscal year  
78 33 beginning July 1, 2010, and ending June 30, 2011, the following  
78 34 amount, or so much thereof as is necessary, to be used for the  
78 35 purpose designated:  
79 1 For distribution to counties of the county mental health,  
79 2 mental retardation, and developmental disabilities allowed  
79 3 growth factor adjustment for fiscal year 2010=2011 as provided  
79 4 in this section in lieu of the allowed growth factor provisions  
79 5 of section 331.438, subsection 2, and section 331.439,

79 6 subsection 3, and chapter 426B :  
 79 7 ..... \$ ~~62,157,494~~  
 79 8 48,697,893  
 79 9 ~~2. The amount appropriated in this section shall be~~  
 79 10 ~~allocated as provided in a later enactment of the general~~  
 79 11 ~~assembly.~~

79 12 Sec. 48. 2009 Iowa Acts, chapter 179, section 1, as  
 79 13 amended by this division of this Act, is amended by adding the  
 79 14 following new subsections:  
 79 15 NEW SUBSECTION . 1. Of the amount appropriated in this  
 79 16 section, \$12,000,000 shall be distributed as provided in this  
 79 17 subsection.  
 79 18 a. To be eligible to receive a distribution under this  
 79 19 subsection, a county must meet the following requirements:  
 79 20 (1) The county is levying for the maximum amount allowed  
 79 21 for the county's mental health, mental retardation, and  
 79 22 developmental disabilities services fund under section 331.424A  
 79 23 for taxes due and payable in the fiscal year beginning July 1,  
 79 24 2010, or the county is levying for at least 90 percent of the  
 79 25 maximum amount allowed for the county's services fund and that  
 79 26 levy rate is more than \$2 per \$1,000 of the assessed value of  
 79 27 all taxable property in the county.  
 79 28 (2) In the fiscal year beginning July 1, 2008, the  
 79 29 county's mental health, mental retardation, and developmental  
 79 30 disabilities services fund ending balance under generally  
 79 31 accepted accounting principles was equal to or less than 15  
 79 32 percent of the county's actual gross expenditures for that  
 79 33 fiscal year.  
 79 34 b. A county's allocation of the amount appropriated in  
 79 35 this subsection shall be determined based upon the county's  
 80 1 proportion of the general population of the counties eligible  
 80 2 to receive an allocation under this subsection. The most  
 80 3 recent population estimates issued by the United States bureau  
 80 4 of the census shall be applied in determining population for  
 80 5 the purposes of this paragraph.  
 80 6 c. The allocations made pursuant to this subsection

CODE: Requires distribution of \$12,000,000 of the Mental Health Allowed Growth funding to eligible counties that comply with the following:

- Levy at least 90.00% of the maximum levy.
- Levy at least \$2.00 per \$1,000 of the taxable assessed property value.
- Maintain a Mental Health Services Fund balance for FY 2009 of 15.00% or less.

80 7 are subject to the distribution provisions and withholding  
80 8 requirements established in this section for the county mental  
80 9 health, mental retardation, and developmental disabilities  
80 10 allowed growth factor adjustment for the fiscal year beginning  
80 11 July 1, 2010.

80 12 NEW SUBSECTION . 2. The following amount of the funding  
80 13 appropriated in this section is the allowed growth factor  
80 14 adjustment for fiscal year 2010=2011, and shall be credited to  
80 15 the allowed growth funding pool created in the property tax  
80 16 relief fund and for distribution in accordance with section  
80 17 426B.5, subsection 1:  
80 18 ..... \$ 36,551,143

CODE: Sets the expenditure target allocation for the Allowed Growth funding pool for FY 2011.

80 19 NEW SUBSECTION . 3. The following formula amounts shall be  
80 20 utilized only to calculate preliminary distribution amounts for  
80 21 the allowed growth factor adjustment for fiscal year 2010=2011  
80 22 under this section by applying the indicated formula provisions  
80 23 to the formula amounts and producing a preliminary distribution  
80 24 total for each county:  
80 25 a. For calculation of a distribution amount for eligible  
80 26 counties from the allowed growth funding pool created in the  
80 27 property tax relief fund in accordance with the requirements in  
80 28 section 426B.5, subsection 1:  
80 29 ..... \$ 49,626,596  
80 30 b. For calculation of a distribution amount for counties  
80 31 from the mental health and developmental disabilities (MH/DD)  
80 32 community services fund in accordance with the formula provided  
80 33 in the appropriation made for the MH/DD community services fund  
80 34 for the fiscal year beginning July 1, 2010:  
80 35 ..... \$ 14,187,556

CODE: Provides the annual distribution of the FY 2011 Mental Health Allowed Growth appropriation. Reflects appropriations from multiple sources with a single distribution. Requires \$49,626,596 to be distributed to counties that levy at least 70.00% for the MH/MR/DD Services Fund and have limited Fund balances. Fund balances for the distribution formula are those from FY 2009. Those counties that have an ending Fund balance of between 10.00% and 25.00% will experience a reduction of \$13,075,453 as a withholding target. Counties may also return a portion of their funds to the State in order to be eligible for Growth dollars and those dollars would be put back into the Growth Formula the following fiscal year. Funding received as part of ARRA in this Section is to be disregarded when calculating the distribution of funding.

81 1 NEW SUBSECTION . 4. a. After applying the applicable  
81 2 statutory distribution formulas to the amounts indicated in  
81 3 subsection 3 for purposes of producing preliminary distribution  
81 4 totals, the department of human services shall apply a  
81 5 withholding factor to adjust an eligible individual county's  
81 6 preliminary distribution total. In order to be eligible for

81 7 a distribution under this section, a county must be levying  
81 8 90 percent or more of the maximum amount allowed for the  
81 9 county's mental health, mental retardation, and developmental  
81 10 disabilities services fund under section 331.424A for taxes due  
81 11 and payable in the fiscal year for which the distribution is  
81 12 payable.

81 13 b. An ending balance percentage for each county shall  
81 14 be determined by expressing the county's ending balance on a  
81 15 modified accrual basis under generally accepted accounting  
81 16 principles for the fiscal year beginning July 1, 2008, in the  
81 17 county's mental health, mental retardation, and developmental  
81 18 disabilities services fund created under section 331.424A, as a  
81 19 percentage of the county's gross expenditures from that fund  
81 20 for that fiscal year. If a county borrowed moneys for purposes  
81 21 of providing services from the county's services fund on or  
81 22 before July 1, 2008, and the county's services fund ending  
81 23 balance for that fiscal year includes the loan proceeds or an  
81 24 amount designated in the county budget to service the loan for  
81 25 the borrowed moneys, those amounts shall not be considered  
81 26 to be part of the county's ending balance for purposes of  
81 27 calculating an ending balance percentage under this subsection.

81 28 c. For purposes of calculating withholding factors and for  
81 29 ending balance amounts used for other purposes under law, the  
81 30 county ending balances shall be adjusted, using forms developed  
81 31 for this purpose by the county finance committee, to disregard  
81 32 the temporary funding increase provided to the counties for  
81 33 the fiscal year through the federal American Recovery and  
81 34 Reinvestment Act of 2009, Pub. L. No. 111=5. In addition,  
81 35 a county may adjust the ending balance amount by rebating to  
82 1 the department all or a portion of the allowed growth and  
82 2 MH/DD services fund moneys the county received for the fiscal  
82 3 year beginning July 1, 2009, in accordance with 2008 Iowa  
82 4 Acts, chapter 1191, as amended by 2009 Iowa Acts, chapter 182,  
82 5 section 55, or from any other services fund moneys available  
82 6 to the county. The rebate must be remitted to the department  
82 7 on or before June 1, 2010, in order to be counted. The amount  
82 8 rebated by a county shall be subtracted dollar=for=dollar

82 9 from the county's ending balance amount for the fiscal year  
82 10 beginning July 1, 2008, for purposes of calculating the  
82 11 withholding factor and for other ending balance purposes for  
82 12 the fiscal year beginning July 1, 2010. The rebates received  
82 13 by the department shall be credited to the property tax relief  
82 14 fund and distributed as additional funding for the fiscal  
82 15 year beginning July 1, 2010, in accordance with the formula  
82 16 provisions in this section.

82 17 d. The withholding factor for a county shall be the  
82 18 following applicable percent:

82 19 (1) For an ending balance percentage of less than 5  
82 20 percent, a withholding factor of 0 percent. In addition,  
82 21 a county that is subject to this lettered paragraph shall  
82 22 receive an inflation adjustment equal to 3 percent of the gross  
82 23 expenditures reported for the county's services fund for the  
82 24 fiscal year.

82 25 (2) For an ending balance percentage of 5 percent or more  
82 26 but less than 10 percent, a withholding factor of 0 percent.  
82 27 In addition, a county that is subject to this lettered  
82 28 paragraph shall receive an inflation adjustment equal to 2  
82 29 percent of the gross expenditures reported for the county's  
82 30 services fund for the fiscal year.

82 31 (3) For an ending balance percentage of 10 percent or more  
82 32 but less than 25 percent, a withholding factor of 25 percent.  
82 33 However, for a county that is subject to this subparagraph, the  
82 34 amount withheld shall be limited to the amount by which the  
82 35 county's ending balance was in excess of the ending balance  
83 1 percentage of 10 percent.

83 2 (4) For an ending balance percentage of 25 percent or more,  
83 3 a withholding percentage of 100 percent.

83 4 NEW SUBSECTION . 5. The total withholding amounts applied  
83 5 pursuant to subsection 4 shall be equal to a withholding target  
83 6 amount of \$13,075,453. If the department of human services  
83 7 determines that the amount to be withheld in accordance with  
83 8 subsection 4 is not equal to the target withholding amount,  
83 9 the department shall adjust the withholding factors listed in  
83 10 subsection 4 as necessary to achieve the target withholding

83 11 amount. However, in making such adjustments to the withholding  
83 12 factors, the department shall strive to minimize changes to  
83 13 the withholding factors for those ending balance percentage  
83 14 ranges that are lower than others and shall not adjust the  
83 15 zero withholding factor or the inflation adjustment percentage  
83 16 specified in subsection 4, paragraph "d".

83 17 DIVISION VII  
83 18 PRIOR APPROPRIATIONS AND  
83 19 RELATED CHANGES  
83 20 LEAD TRAINING AND  
83 21 CERTIFICATION PROGRAMS

83 22 Sec. 49. Section 135.105A, subsection 5, Code Supplement  
83 23 2009, is amended to read as follows:

CODE: Permits the DPH to utilize fees retained from the Lead Training and Certification Program for FTE positions.

83 24 5. The department shall adopt rules regarding minimum  
83 25 requirements for lead inspector, lead abater, and lead=safe  
83 26 renovator training programs, certification, work practice  
83 27 standards, and suspension and revocation requirements, and  
83 28 shall implement the training and certification programs. The  
83 29 department shall seek federal funding and shall establish fees  
83 30 in amounts sufficient to defray the cost of the programs.  
83 31 The fees shall be used for any of the department's duties  
83 32 under this division, including but not limited to the costs  
83 33 of full-time equivalent positions for program services and  
83 34 investigations. Fees received shall be considered repayment  
83 35 receipts as defined in section 8.2.

84 1 CERTIFIED RETIREMENT COMMUNITIES

84 2 Sec. 50. Section 231.24, subsection 9, Code Supplement  
84 3 2009, is amended to read as follows:

CODE: Permits the Department on Aging to implement the Certified Retirement Communities Program when resources are available as determined by the Director.

84 4 9. Program administration deferral. ~~If in the fiscal~~  
84 5 ~~year beginning July 1, 2009, the department on aging's~~  
84 6 ~~appropriations or authorized full-time equivalent positions are~~  
84 7 ~~reduced, the~~ The department may defer the implementation of  
84 8 the certified retirement communities program until such time

84 9 as the department has the resources to administer the program .  
84 10 as determined by the director .

84 11 AREA AGENCY ON AGING  
84 12 BOARD TRAINING

84 13 Sec. 51. Section 231.33, subsection 19, Code Supplement  
84 14 2009, is amended by striking the subsection.

CODE: Eliminates the requirement for the State to train Area Agency on Aging Boards. The funding for this was eliminated in FY 2010.

84 15 DEMENTIA TRAINING

84 16 Sec. 52. 2008 Iowa Acts, chapter 1140, section 3, is amended  
84 17 to read as follows:  
84 18 SEC. 3. IMPLEMENTATION == CONTINGENCY . The department  
84 19 ~~of elder affairs~~ on aging shall implement ~~on or before July~~  
84 20 ~~4, 2010~~, the initial provisions for expanding and improving  
84 21 training and education of those who regularly deal with persons  
84 22 with Alzheimer's disease and similar forms of irreversible  
84 23 dementia and for providing funding for public awareness efforts  
84 24 and educational efforts in accordance with section 231.62,  
84 25 as enacted by this Act , contingent upon the availability of  
84 26 funding as determined by the director .

CODE: Allows the Department on Aging to implement the Dementia Training Program when resources are available as determined by the Director.

84 27 CHILD WELFARE DECATEGORIZATION  
84 28 FY 2008=2009 NONREVERSION

84 29 Sec. 53. 2008 Iowa Acts, chapter 1187, section 16,  
84 30 subsection 5, is amended by adding the following new unnumbered  
84 31 paragraph:  
84 32 NEW UNNUMBERED PARAGRAPH Notwithstanding section  
84 33 232.188, subsection 5, moneys from the allocations made  
84 34 in this subsection or made from any other source for the  
84 35 decategorization of child welfare and juvenile justice funding  
85 1 initiative under section 232.188, that are designated as  
85 2 carryover funding that remain unencumbered or unobligated at  
85 3 the close of the fiscal year beginning July 1, 2009, following  
85 4 the transfer made pursuant to 2010 Iowa Acts, Senate File

CODE: Requires the DHS to divert unexpended funds from FY 2009 carryforward from local decategorization projects to reduce waiting lists for the Medicaid Home and Community-Based Services Waivers equally up to \$1,925,000 for FY 2011.

Delineates the priorities of the unexpended carryforward funds from the FY 2009 carryforward to be spent first on the \$1.0 million allocation to the Juvenile Detention Home Fund pursuant to SF 2366 (FY 2010 Supplemental Adjustments Act) and next on the Medicaid waivers waiting lists. Any amount of funding that is left is permitted to carryforward to be used for decategorization projects for FY 2011.

85 5 2366, section 19, if enacted, shall not revert but shall be  
85 6 used until the close of the fiscal year beginning July 1,  
85 7 2010, as follows: the first \$1,925,000 shall be transferred  
85 8 to the appropriation for medical assistance to be used to  
85 9 reduce the waiting lists for the medical assistance home and  
85 10 community-based services waivers, and the remainder shall be  
85 11 used for the purposes of continuing the initiative in the  
85 12 fiscal year.

85 13 REGIONAL SERVICE NETWORK  
85 14 PILOT PROJECT

85 15 Sec. 54. 2008 Iowa Acts, chapter 1187, section 59,  
85 16 subsection 9, paragraph a, is amended to read as follows:  
85 17 a. The department of human services may implement a pilot  
85 18 project for a regional service network established for mental  
85 19 health, mental retardation, and developmental disabilities  
85 20 services paid from the services funds under section 331.424A.  
85 21 The initial term of the pilot project is limited to the  
85 22 ~~two-year~~ period beginning July 1, 2008, and ending June 30,  
85 23 ~~2010~~ 2011 .

CODE: Extends the multiple county pilot projects in north central Iowa.

DETAIL: This will be the third year for the Pilot Projects.

85 24 VIETNAM CONFLICT VETERANS  
85 25 BONUS FUND

85 26 Sec. 55. 2008 Iowa Acts, chapter 1187, section 68, as  
85 27 amended by 2009 Iowa Acts, chapter 182, section 82, is amended  
85 28 to read as follows:  
85 29 Notwithstanding section 8.33, moneys appropriated in this  
85 30 section that remain unencumbered or unobligated at the close of  
85 31 the fiscal year shall not revert but shall remain available for  
85 32 expenditure for the purposes designated until the close of the  
85 33 fiscal year beginning July 1, ~~2009~~ 2010 .

CODE: Requires nonreversion of remaining funds from the previous appropriation for the Vietnam Veteran Bonus Fund through FY 2011.

85 34 INJURED VETERANS GRANT PROGRAM

85 35 Sec. 56. 2008 Iowa Acts, chapter 1187, section 69, as

CODE: Requires nonreversion of remaining funds from the previous



86 1 amended by 2009 Iowa Acts, chapter 182, section 83, is amended  
 86 2 to read as follows:  
 86 3 Notwithstanding section 8.33, moneys appropriated in this  
 86 4 subsection that remain unencumbered or unobligated at the close  
 86 5 of the fiscal year shall not revert but shall remain available  
 86 6 for expenditure for the purposes designated until the close of  
 86 7 the fiscal year beginning July 1, ~~2009~~ 2010 .

appropriation for the Injured Veteran Grant Program through FY 2011.

86 8 HEALTH CARE COVERAGE  
 86 9 EXPANSION

86 10 Sec. 57. 2008 Iowa Acts, chapter 1188, section 16, as  
 86 11 amended by 2009 Iowa Acts, chapter 182, section 84, is amended  
 86 12 to read as follows:  
 86 13 SEC. 16. MEDICAL ASSISTANCE, HAWK=I, AND HAWK=I EXPANSION  
 86 14 PROGRAMS == COVERING CHILDREN == APPROPRIATION. There  
 86 15 is appropriated from the general fund of the state to the  
 86 16 department of human services for the designated fiscal years,  
 86 17 the following amounts, or so much thereof as is necessary, for  
 86 18 the purpose designated:  
 86 19 To cover children as provided in this Act under the medical  
 86 20 assistance, hawk=i, and hawk=i expansion programs and outreach  
 86 21 under the current structure of the programs:  
 86 22 FY 2008=2009 ..... \$ 4,800,000  
 86 23 FY 2009=2010 ..... \$ 4,207,001  
 86 24 FY 2010=2011 ..... \$ ~~24,800,000~~  
 86 25 10,049,532

CODE: Decreases the enacted FY 2011 appropriation to cover children under the Medical Assistance and hawk-i Programs by \$14,750,468.

DETAIL: This is a decrease of \$6,263,231 compared to estimated net FY 2010.

86 26 PATIENT DECISION  
 86 27 MAKING == PILOT PROJECT

86 28 Sec. 58. 2008 Iowa Acts, chapter 1188, section 36,  
 86 29 subsections 1 and 2, are amended to read as follows:  
 86 30 1. The department of public health shall establish a  
 86 31 ~~two-year~~ community coalition for patient treatment wishes  
 86 32 across the health care continuum pilot project, beginning July  
 86 33 1, 2008, and ending June 30, ~~2010~~ 2012 , in a county with a

CODE: Amends the requirement in HF 2539 (Health Care Omnibus Act of 2008) that the DPH establish a two-year community coalition for patient treatment wishes across the health care continuum pilot project in Cedar Rapids by extending the project for two additional years through FY 2012.

86 34 population of between ~~five~~ one hundred seventy=five thousand  
86 35 and ~~one~~ two hundred twenty=five thousand and in one contiguous  
87 1 rural county . The pilot project shall utilize the process  
87 2 based upon the national physicians orders for life sustaining  
87 3 treatment program initiative, including use of a standardized  
87 4 physician order for scope of treatment form. The process  
87 5 shall require validation of the physician order for scope of  
87 6 treatment form by the signature of an individual other than  
87 7 the patient or the patient's legal representative who is not  
87 8 an employee of the patient's physician. The pilot project may  
87 9 include applicability to chronically ill, frail, and elderly or  
87 10 terminally ill individuals in hospitals licensed pursuant to  
87 11 chapter 135B, nursing facilities or residential care facilities  
87 12 licensed pursuant to chapter 135C, or hospice programs as  
87 13 defined in section 135J.1.

87 14 2. The department of public health shall convene an  
87 15 advisory council, consisting of representatives of entities  
87 16 with interest in the pilot project, including but not  
87 17 limited to the Iowa hospital association, the Iowa medical  
87 18 society, organizations representing health care facilities,  
87 19 representatives of health care providers, and the Iowa trial  
87 20 lawyers association, to develop recommendations for expanding  
87 21 the pilot project statewide. The advisory council shall report  
87 22 its findings and recommendations, including recommendations  
87 23 for legislation, to the governor and the general assembly by  
87 24 January 1, ~~2010~~ 2012 .

87 25 MEDICAID PROGRAMS == PROCESS  
87 26 REQUIREMENTS

87 27 Sec. 59. 2009 Iowa Acts, chapter 118, section 38, subsection  
87 28 3, is amended by striking the subsection.

CODE: Amends the reporting requirement in HF 2539 (Health Care Omnibus Act of 2008) for the advisory council for the health care continuum pilot project in Cedar Rapids by extending the deadline for two additional years to January 1, 2012.

CODE: Eliminates certain mailing requirements for the Iowa Medicaid Program.

DETAIL: The language required to extend the period for annual renewal by medical assistance members by mailing the renewal form to the member on the first day of the month prior to the month of

renewal. The change would have cost the program an additional \$2.0 million for FY 2011.

87 29 GENERAL FUND ADDICTIVE DISORDERS == TOBACCO USE  
PREVENTION AND

87 30 CONTROL INITIATIVE

87 31 Sec. 60. 2009 Iowa Acts, chapter 182, section 2, subsection  
87 32 1, paragraph a, is amended by adding the following new  
87 33 subparagraph:  
87 34 NEW SUBPARAGRAPH . (3) Notwithstanding section 8.33, moneys  
87 35 allocated in this paragraph "a" that remain unencumbered or  
88 1 unobligated at the close of the fiscal year shall not revert  
88 2 but shall remain available for expenditure for the purposes  
88 3 designated until the close of the succeeding fiscal year.

CODE: Requires nonreversion of the FY 2010 General Fund addictive disorders allocation to the tobacco use, prevention and control initiative through FY 2011. The Act caps the amount of total carryforward from multiple sources to \$500,000.

DETAIL: This Section is effective on enactment.

88 4 IOWA VETERANS HOME

88 5 Sec. 61. 2009 Iowa Acts, chapter 182, section 3, subsection  
88 6 2, is amended by adding the following new paragraph:  
88 7 NEW PARAGRAPH . d. The funds appropriated in this subsection  
88 8 to the Iowa veterans home that remain available for expenditure  
88 9 for the succeeding fiscal year pursuant to section 35D.18,  
88 10 subsection 5, shall be distributed to be used in the succeeding  
88 11 fiscal year in accordance with this lettered paragraph. The  
88 12 first \$500,000 shall remain available to be used for the  
88 13 purposes of the Iowa veterans home. On or before October 15,  
88 14 2010, the department of management shall transfer not more than  
88 15 \$1,000,000 to the appropriation to the department of human  
88 16 services for field operations. Any remaining funding shall be  
88 17 used for purposes of the Iowa veterans home.

CODE: Permits the Veterans Home to retain the first \$500,000 of FY 2010 carryforward funds. Requires the DOM to transfer \$1,000,000 of the FY 2010 carryforward funds to the DHS for field operations for FY 2011. Requires the Veterans Home to retain remaining carryforward funding.

88 18 TEMPORARY ASSISTANCE FOR NEEDY  
88 19 FAMILIES BLOCK GRANT

88 20 Sec. 62. 2009 Iowa Acts, chapter 182, section 5, is amended  
88 21 by adding the following new subsection:

CODE: Requires nonreversion of any FY 2010 TANF appropriations through FY 2011.

88 22 NEW SUBSECTION . 15. Notwithstanding section 8.33, moneys  
88 23 appropriated in this section that remain unencumbered or  
88 24 unobligated at the close of the fiscal year shall not revert  
88 25 but shall remain available for expenditure for the family  
88 26 investment program until the close of the succeeding fiscal  
88 27 year.

88 28 BEHAVIORAL HEALTH SERVICES  
88 29 ACCOUNT == MEDICAL ASSISTANCE

88 30 Sec. 63. 2009 Iowa Acts, chapter 182, section 9, subsection  
88 31 16, paragraph b, is amended to read as follows:  
88 32 b. The department shall continue to maintain a separate  
88 33 account within the medical assistance budget for the deposit  
88 34 of all funds remitted pursuant to a contract with a third  
88 35 party to administer behavioral health services under the  
89 1 medical assistance program established pursuant to 2008 Iowa  
89 2 Acts, chapter 1187, section 9, subsection 20. Notwithstanding  
89 3 section 8.33, other than funds remaining from the appropriation  
89 4 allocations made for implementation of the emergency mental  
89 5 health crisis services and system, for implementation of the  
89 6 mental health services system for children and youth, and  
89 7 for training of child welfare services providers in 2008  
89 8 Iowa Acts, chapter 1187, section 9, subsection 20, paragraph  
89 9 "c", subparagraphs (1), (2), and (6), as authorized in 2009  
89 10 Iowa Acts, chapter 182, section 72, funds remaining in the  
89 11 account that remain unencumbered or unobligated at the end of  
89 12 ~~any~~ the fiscal year shall not revert but shall remain available  
89 13 in succeeding fiscal years and ~~shall be used only in accordance~~  
89 14 ~~with appropriations from the account for health and human~~  
89 15 ~~services-related purposes~~ are appropriated to the department to  
89 16 be used for the medical assistance program .

89 17 STATE SUPPLEMENTARY  
89 18 ASSISTANCE PROGRAM

89 19 Sec. 64. 2009 Iowa Acts, chapter 182, section 12, is amended

CODE: Requires nonreversion of funding for the Children's Mental Health and Adult Mental Health Emergency Pilot Projects from the Behavioral Health Services Account. Any additional funds from the Account are to be used for the Medicaid Program.

CODE: Requires nonreversion of FY 2010 State Supplementary

89 20 by adding the following new subsection:  
89 21 NEW SUBSECTION . 4. Notwithstanding section 8.33, moneys  
89 22 appropriated in this section that remain unencumbered or  
89 23 unobligated at the close of the fiscal year shall remain  
89 24 available for expenditure for the purposes designated until the  
89 25 close of the succeeding fiscal year.

Assistance appropriations through FY 2011.

89 26 NEIGHBORHOOD AFFORDABLE  
89 27 HOUSING == CHILD DEVELOPMENT  
89 28 PROGRAM

89 29 Sec. 65. 2009 Iowa Acts, chapter 182, section 14, subsection  
89 30 9, is amended by adding the following new unnumbered paragraph:  
89 31 NEW UNNUMBERED PARAGRAPH Notwithstanding section 8.33,  
89 32 moneys allocated in this subsection that remain unencumbered or  
89 33 unobligated at the close of the fiscal year shall not revert  
89 34 but shall remain available for expenditure for the purposes  
89 35 designated until expended.

CODE: Requires nonreversion of unexpended one-time funding from FY 2010 for child development programming for children in the Oakridge Neighborhood in the city of Des Moines in Polk County through FY 2011.

90 1 IOWACARE

90 2 Sec. 66. 2009 Iowa Acts, chapter 182, section 48, subsection  
90 3 3, unnumbered paragraph 2 and paragraph "a", are amended to  
90 4 read as follows:  
90 5 For distribution to a publicly owned acute care teaching  
90 6 hospital located in a county with a population over 350,000 for  
90 7 the provision of medical and surgical treatment of indigent  
90 8 patients, for provision of services to members of the expansion  
90 9 population pursuant to chapter 249J, and for medical education:  
90 10 ..... \$ ~~46,000,000~~

90 11 47,000,000

90 12 a. Notwithstanding any provision of law to the contrary, the  
90 13 amount appropriated in this subsection shall be allocated in  
90 14 twelve equal monthly payments as provided in section 249J.24.  
90 15 Any amount appropriated in this subsection in excess of  
90 16 ~~\$41,000,000~~ \$45,000,000 shall be distributed only if the sum  
90 17 of the expansion population claims adjudicated and paid by the

CODE: Increases the FY 2010 IowaCare Account appropriation by \$1,000,000 for a total of \$47,000,000 to Broadlawns Medical Center. In addition, Broadlawns is guaranteed at least \$45,000,000 as part of an agreement that provides \$38,000,000 in Polk County property tax dollars to draw down federal financial participation. Any payment in excess of \$45,000,000 is to be distributed based on actual claims.

90 18 Iowa Medicaid enterprise plus the estimated disproportionate  
90 19 share hospital payments exceeds \$45,000,000. The amount paid  
90 20 in excess of \$45,000,000 shall not adjust the original monthly  
90 21 payment amount but shall be distributed monthly based on actual  
90 22 claims adjudicated and paid by the Iowa Medicaid enterprise  
90 23 plus the estimated disproportionate share hospital amount. Any  
90 24 amount appropriated in this subsection in excess of \$45,000,000  
90 25 shall be allocated only if federal funds are available to match  
90 26 the amount allocated.

90 27 HEALTH CARE TRUST FUND ADDICTIVE DISORDERS == TOBACCO USE  
90 28 PREVENTION AND CONTROL INITIATIVE

90 29 Sec. 67. 2009 Iowa Acts, chapter 182, section 60, subsection  
90 30 1, paragraph b, is amended by adding the following new  
90 31 unnumbered paragraph:  
90 32 NEW UNNUMBERED PARAGRAPH Notwithstanding section 8.33,  
90 33 moneys allocated in this paragraph "b" that remain unencumbered  
90 34 or unobligated at the close of the fiscal year shall not revert  
90 35 but shall remain available for expenditure for the purposes  
91 1 designated until the close of the succeeding fiscal year.

CODE: Requires nonreversion of the FY 2010 HCTF addictive disorders allocation to the tobacco use, prevention and control initiative through FY 2011. The Act caps the amount of total carryforward from multiple sources to \$500,000.

DETAIL: This Section is effective on enactment.

91 2 ADDICTIVE DISORDERS == NONREVERSION

91 3 Sec. 68. ADDICTIVE DISORDERS NONREVERSION DIRECTIVE. The  
91 4 authority provided in this division of this Act for  
91 5 nonreversion of the appropriations for addictive disorders  
91 6 allocated for the tobacco use prevention and control  
91 7 initiative, as referenced in this section, is limited to  
91 8 \$500,000 and shall be realized by applying the authority to  
91 9 such appropriations in the following order until the limitation  
91 10 amount is reached:  
91 11 1. The allocation made from the general fund of the state  
91 12 in 2009 Iowa Acts, chapter 182, section 60, subsection 1,  
91 13 paragraph "b".  
91 14 2. The allocation made from the health care trust fund in  
91 15 2009 Iowa Acts, chapter 182, section 2, subsection 1, paragraph

Specifies the order of priority for carrying forward the remaining FY 2010 Addictive Disorders funds to the tobacco use, prevention, and control initiative to FY 2011 totaling \$500,000. This includes first from the General Fund and second from the HCTF.

DETAIL: This Section is effective on enactment.

91 16 "a".

91 17 Sec. 69. 2009 Iowa Acts, chapter 182, section 5A, as enacted  
91 18 by 2010 Iowa Acts, Senate File 2151, section 2, is amended by  
91 19 adding the following new subsection:  
91 20 4. a. For the purposes of this subsection, "employment  
91 21 and training=related programs" means summer youth programs and  
91 22 other employment and training=related programs, as allowed  
91 23 by federal law, that are administered by the department of  
91 24 workforce development. To the extent other federal funding  
91 25 is not available for employment and training=related programs  
91 26 administered by the department of workforce development and  
91 27 provided the match requirement is met through the employment  
91 28 programs, in addition to the amount appropriated in subsection  
91 29 1, funding is appropriated from the same source and for  
91 30 the same fiscal year addressed in subsection 1, to the  
91 31 department of human services to be used for employment and  
91 32 training=related programs administered by the department of  
91 33 workforce development for the fiscal year beginning July 1,  
91 34 2009, in accordance with the requirements of this subsection.  
91 35 b. The department of human services shall collaborate  
92 1 with the department of workforce development to secure  
92 2 additional federal funds from the emergency contingency fund  
92 3 for the temporary assistance for needy families state program  
92 4 established pursuant to the federal American Recovery and  
92 5 Reinvestment Act of 2009, Pub. L. No. 111=5 2101. This  
92 6 collaboration shall be for the purpose of securing emergency  
92 7 contingency funds to subsidize the administrative costs and  
92 8 wages paid on behalf of individuals participating in the  
92 9 employment and training=related programs and administered by  
92 10 the department of workforce development. Such costs shall  
92 11 be eligible for reimbursement under the terms of the federal  
92 12 American Recovery and Reinvestment Act of 2009, Pub. L. No.  
92 13 111=5 2101, or successor legislation, which may extend the  
92 14 availability of emergency contingency funds. The collaboration  
92 15 between the two agencies shall be formalized through a  
92 16 memorandum of agreement.

CODE: Conforms language relating to TANF emergency appropriations and the Summer Youth Program under the Iowa Department of Workforce Development in SF 2151 (FY 2010 Supplemental Appropriations Act) to this Act.

92 17 c. Federal funds received as the result of this  
92 18 collaboration shall be transferred to the department of  
92 19 workforce development for the purpose of covering the  
92 20 administrative costs and wages paid on behalf of individuals  
92 21 participating in the employment and training-related programs  
92 22 administered by the department of workforce development. The  
92 23 department of workforce development shall ensure that all  
92 24 expenditures comply with applicable federal requirements and  
92 25 shall be responsible for the repayment of any funds spent  
92 26 in error and any corresponding penalty as well as taking  
92 27 corrective action to address the error. Funds received  
92 28 in excess of the amount of subsidized wages eligible for  
92 29 reimbursement under the terms of the federal American Recovery  
92 30 and Reinvestment Act of 2009, Pub. L. No. 111-5 2101, or  
92 31 successor legislation, which may extend the availability  
92 32 of emergency contingency funds, shall be returned by the  
92 33 department of workforce development to the federal government  
92 34 following procedures developed by the federal temporary  
92 35 assistance for needy families agency for that purpose.  
93 1 d. The department of workforce development shall provide  
93 2 the department of human services with the necessary information  
93 3 to support the request for emergency contingency funds and to  
93 4 report the expenditure of these funds once received pursuant to  
93 5 federal reporting requirements. The responsibilities of both  
93 6 agencies shall be specified in the memorandum of agreement.

93 7 INTELLECTUAL DISABILITIES WAIVER

93 8 Sec. 70. INTELLECTUAL DISABILITIES WAIVER == STATEWIDE  
93 9 METHODOLOGY. In administering the medical assistance home  
93 10 and community-based services intellectual disability waiver,  
93 11 the total number of openings at any one time shall be limited  
93 12 to the number approved for the waiver by the secretary of the  
93 13 United States department of health and human services and  
93 14 available funding. Beginning July 1, 2010, the department  
93 15 shall implement a statewide method of allocating waiver slots  
93 16 and shall design a methodology for prioritizing the allocation

Requires the waiver waiting list for the Medicaid Intellectual Disabilities Waiver to be statewide beginning in FY 2011. The Department is to develop a methodology to prioritize the allocation of slots and is to convene a workgroup to develop criteria.



93 17 of slots, subject to federal approval. The department  
 93 18 shall convene a workgroup to develop criteria to prioritize  
 93 19 individuals on the waiting list, subject to federal approval.

93 20 FEDERAL CHILD CARE AND DEVELOPMENT BLOCK GRANT  
 93 21 FEDERAL FISCAL YEAR 2009=2010

93 22 Sec. 71. CHILD CARE AND DEVELOPMENT APPROPRIATION. There  
 93 23 is appropriated from the fund created by section 8.41 to the  
 93 24 department of human services for the federal fiscal year  
 93 25 beginning October 1, 2009, and ending September 30, 2010, the  
 93 26 following amount:

93 27 ..... \$ 18,120,842

93 28 Funds appropriated in this section are the additional  
 93 29 funding anticipated to be received from the federal government  
 93 30 under the federal American Recovery and Reinvestment Act of  
 93 31 2009 for the federal child care and development block grant,  
 93 32 and include the allocation made from the funds for infant  
 93 33 and toddler care quality in 2009 Iowa Acts, chapter 183,  
 93 34 section 62. The department shall expend the remainder of the  
 93 35 funds appropriated in this section for the state child care  
 94 1 assistance program under section 237A.13, as provided in the  
 94 2 federal law making the funds available and in conformance with  
 94 3 chapter 17A.

94 4 FOOD ESTABLISHMENT INSPECTIONS

[94 5 Sec. 72. FOOD ESTABLISHMENT INSPECTIONS. Notwithstanding  
 94 6 any contrary provisions of section 137F.3A or other applicable  
 94 7 law, if within ninety calendar days of the effective date  
 94 8 of this division of this Act a county operating pursuant to  
 94 9 a chapter 28E agreement with the department of inspections  
 94 10 and appeals to enforce chapters 137C, 137D, and 137F, in a  
 94 11 multicounty area consisting of fifteen or more counties elects  
 94 12 not to renew the agreement for the multicounty area, and the  
 94 13 department has determined that the quality of service provided  
 94 14 by the county has been acceptable or better, the department

Appropriates the ARRA funding received by the DHS for the Child Care Development Block Grant to be used for the continuation of the infant and toddler quality program implemented in HF 820 (FY 2010 Federal Funds Appropriations Act) and to supplement funding for the Child Care Assistance Program for FY 2011.

CODE: Allows a county to turn over food inspections from a multicounty area back to the DIA but continue inspections for their own county if the quality of the counties inspections are acceptable.

VETOED

VETOED: The Governor vetoed this Section and stated that the language takes away from the Department's discretion to maximize staff and resources and to enter into contracts based upon efficient government.

94 15 shall enter into an agreement with the county for the county to  
94 16 continue such enforcement activity for the food establishments,  
94 17 home food establishments, food processing plants, and hotels  
94 18 located within the county. ]

94 19 Sec. 73. EFFECTIVE UPON ENACTMENT AND APPLICABILITY.  
94 20 1. This division of this Act, being deemed of immediate  
94 21 importance, takes effect upon enactment.

This Division is effective on enactment.

94 22 2. The section of this division of this Act amending section  
94 23 135.105A applies to any fees collected pursuant to section  
94 24 135.105A during or after the fiscal year beginning July 1,  
94 25 2009.

The Section relating to the DPH Lead Training and Certification Program is retroactively effective to July 1, 2009.

94 26 DIVISION VIII  
94 27 INTERSTATE COMPACT FOR JUVENILES

94 28 Sec. 74. Section 232.2, subsection 29, Code Supplement  
94 29 2009, is amended to read as follows:  
94 30 29. "Juvenile" means the same as "child". However, in  
94 31 the interstate compact ~~on~~ for juveniles, ~~sections 232.171 and~~  
94 32 ~~232.172~~ section 232.173, "juvenile" means a person defined as a  
94 33 juvenile in ~~the law of a state which is a party to the compact.~~  
94 34 Sec. 75. Section 232.172, Code 2009, is amended to read as  
94 35 follows:

95 1 232.172 Confinement of delinquent juvenile.  
95 2 1. For a juvenile under the jurisdiction of this state  
95 3 who is subject to the interstate compact for juveniles  
95 4 under section 232.173, the confinement of the juvenile in an  
95 5 institution located within another compacting state shall be  
95 6 as provided under the compact.

95 7 2. This subsection applies to the confinement of a  
95 8 delinquent juvenile under the jurisdiction of this state in an  
95 9 institution located within a noncompacting state, as defined  
95 10 in section 232.173, that entered into the interstate compact  
95 11 on juveniles under section 232.171, Code 2009. In addition  
95 12 to any institution in which the authorities of this state may

CODE: Provides for ratification of the updated national Interstate Compact for Juveniles. The Compact provides for the legal framework and procedural means to regulate the movement across state lines of juveniles under court supervision. The Compact provides for monitoring and return of any juvenile that is placed on probation or parole and wishes to reside in another state. The Compact also outlines procedures for the return of runaway juveniles or juveniles that have absconded from probation or parole. The new regulations and procedures went into effect in December of 2009. Iowa was granted an extension until December of 2010. This compact pertains only to juvenile delinquents and the Juvenile Courts.

95 13 otherwise confine or order the confinement of ~~a~~ the delinquent  
95 14 juvenile, such authorities may, pursuant to the out=~~of~~=state  
95 15 confinement amendment to the interstate compact on juveniles in  
95 16 section 232.171, Code 2009 , confine or order the confinement  
95 17 of ~~a~~ the delinquent juvenile in a compact institution within  
95 18 another party state.

95 19 Sec. 76. NEW SECTION . 232.173 Interstate compact for  
95 20 juveniles.

95 21 1. Article I == Purpose.

95 22 a. The compacting states to this interstate compact  
95 23 recognize that each state is responsible for the proper  
95 24 supervision or return of juveniles, delinquents, and status  
95 25 offenders who are on probation or parole and who have  
95 26 absconded, escaped, or run away from supervision and control  
95 27 and in so doing have endangered their own safety and the safety  
95 28 of others. The compacting states also recognize that each  
95 29 state is responsible for the safe return of juveniles who have  
95 30 run away from home and in doing so have left their state of  
95 31 residence. The compacting states also recognize that Congress,  
95 32 by enacting the Crime Control Act, 4 U.S.C. 112 (1965), has  
95 33 authorized and encouraged compacts for cooperative efforts and  
95 34 mutual assistance in the prevention of crime.

95 35 b. It is the purpose of this compact, through means of joint  
96 1 and cooperative action among the compacting states to:

96 2 (1) Ensure that the adjudicated juveniles and status  
96 3 offenders subject to this compact are provided adequate  
96 4 supervision and services in the receiving state as ordered  
96 5 by the adjudicating judge or parole authority in the sending  
96 6 state.

96 7 (2) Ensure that the public safety interests of the citizens,  
96 8 including the victims of juvenile offenders, in both the  
96 9 sending and receiving states are adequately protected.

96 10 (3) Return juveniles who have run away, absconded, or  
96 11 escaped from supervision or control or have been accused of an  
96 12 offense to the state requesting their return.

96 13 (4) Make contracts for the cooperative institutionalization  
96 14 in public facilities in member states for delinquent youth

96 15 needing special services.

96 16 (5) Provide for the effective tracking and supervision of  
96 17 juveniles.

96 18 (6) Equitably allocate the costs, benefits, and obligations  
96 19 of the compacting states.

96 20 (7) Establish procedures to manage the movement between  
96 21 states of juvenile offenders released to the community under  
96 22 the jurisdiction of courts, juvenile departments, or any other  
96 23 criminal or juvenile justice agency which has jurisdiction over  
96 24 juvenile offenders.

96 25 (8) Insure immediate notice to jurisdictions where defined  
96 26 offenders are authorized to travel or to relocate across state  
96 27 lines.

96 28 (9) Establish procedures to resolve pending charges  
96 29 (detainers) against juvenile offenders prior to transfer or  
96 30 release to the community under the terms of this compact.

96 31 (10) Establish a system of uniform data collection on  
96 32 information pertaining to juveniles subject to this compact  
96 33 that allows access by authorized juvenile justice and criminal  
96 34 justice officials, and regular reporting of compact activities  
96 35 to heads of state executive, judicial, and legislative branches  
97 1 and juvenile and criminal justice administrators.

97 2 (11) Monitor compliance with rules governing interstate  
97 3 movement of juveniles and initiate interventions to address and  
97 4 correct noncompliance.

97 5 (12) Coordinate training and education regarding the  
97 6 regulation of interstate movement of juveniles for officials  
97 7 involved in such activity.

97 8 (13) Coordinate the implementation and operation of  
97 9 the compact with the interstate compact for the placement  
97 10 of children, the interstate compact for adult offender  
97 11 supervision, and other compacts affecting juveniles  
97 12 particularly in those cases where concurrent or overlapping  
97 13 supervision issues arise.

97 14 c. It is the policy of the compacting states that the  
97 15 activities conducted by the interstate commission created in  
97 16 this compact are the formation of public policies and therefore

97 17 are public business. Furthermore, the compacting states shall  
97 18 cooperate and observe their individual and collective duties  
97 19 and responsibilities for the prompt return and acceptance of  
97 20 juveniles subject to the provisions of this compact. The  
97 21 provisions of this compact shall be reasonably and liberally  
97 22 construed to accomplish the purposes and policies of the  
97 23 compact.

97 24 2. Article II == Definitions. As used in this compact,  
97 25 unless the context clearly requires a different construction:

97 26 a. "Bylaws" means those bylaws established by the interstate  
97 27 commission for its governance, or for directing or controlling  
97 28 its actions or conduct.

97 29 b. "Compact administrator" means the individual in each  
97 30 compacting state appointed pursuant to the terms of this  
97 31 compact, responsible for the administration and management of  
97 32 the state's supervision and transfer of juveniles subject to  
97 33 the terms of this compact, the rules adopted by the interstate  
97 34 commission, and policies adopted by the state council under  
97 35 this compact.

98 1 c. "Compacting state" means any state which has enacted the  
98 2 enabling legislation for this compact.

98 3 d. "Commissioner" means the voting representative of each  
98 4 compacting state appointed pursuant to article III of this  
98 5 compact.

98 6 e. "Court" means any court having jurisdiction over  
98 7 delinquent, neglected, or dependent children.

98 8 f. "Deputy compact administrator" means the individual,  
98 9 if any, in each compacting state appointed to act on behalf  
98 10 of a compact administrator pursuant to the terms of this  
98 11 compact responsible for the administration and management of  
98 12 the state's supervision and transfer of juveniles subject to  
98 13 the terms of this compact, the rules adopted by the interstate  
98 14 commission, and policies adopted by the state council under  
98 15 this compact.

98 16 g. "Interstate commission" means the interstate commission  
98 17 for juveniles created by article III of this compact.

98 18 h. "Juvenile" means any person defined as a juvenile in

98 19 any member state or by the rules of the interstate commission,  
98 20 including persons who are any of the following:

98 21 (1) An accused delinquent, meaning a person charged with  
98 22 an offense that, if committed by an adult, would be a criminal  
98 23 offense.

98 24 (2) An adjudicated delinquent, meaning a person found to  
98 25 have committed an offense that, if committed by an adult, would  
98 26 be a criminal offense.

98 27 (3) An accused status offender, meaning a person charged  
98 28 with an offense that would not be a criminal offense if  
98 29 committed by an adult.

98 30 (4) An adjudicated status offender, meaning a person found  
98 31 to have committed an offense that would not be a criminal  
98 32 offense if committed by an adult.

98 33 (5) A nonoffender, meaning a person in need of supervision  
98 34 who has not been accused or adjudicated a status offender or  
98 35 delinquent.

99 1 i. "Noncompacting state" means any state which has not  
99 2 enacted the enabling legislation for this compact.

99 3 j. "Probation or parole" means any kind of supervision or  
99 4 conditional release of juveniles authorized under the laws of  
99 5 the compacting states.

99 6 k. "Rule" means a written statement by the interstate  
99 7 commission promulgated pursuant to article VI of this compact  
99 8 that is of general applicability, implements, interprets  
99 9 or prescribes a policy or provision of the compact, or an  
99 10 organizational, procedural, or practice requirement of the  
99 11 commission, and has the force and effect of statutory law in  
99 12 a compacting state, and includes the amendment, repeal, or  
99 13 suspension of an existing rule.

99 14 l. "State" means a state of the United States, the District  
99 15 of Columbia or its designee, the Commonwealth of Puerto Rico,  
99 16 the United States Virgin Islands, Guam, American Samoa, and the  
99 17 Northern Marianas Islands.

99 18 3. Article III == Interstate commission for juveniles.

99 19 a. The compacting states hereby create the interstate  
99 20 commission for juveniles. The commission shall be a body

99 21 corporate and joint agency of the compacting states. The  
99 22 commission shall have all the responsibilities, powers, and  
99 23 duties set forth in this compact, and such additional powers as  
99 24 may be conferred upon it by subsequent action of the respective  
99 25 legislatures of the compacting states in accordance with the  
99 26 terms of this compact.

99 27     b. The interstate commission shall consist of commissioners  
99 28 appointed by the appropriate appointing authority in  
99 29 each state pursuant to the rules and requirements of each  
99 30 compacting state and in consultation with the state council for  
99 31 interstate juvenile supervision created in this compact. The  
99 32 commissioner shall be the compact administrator, deputy compact  
99 33 administrator, or designee from that state who shall serve on  
99 34 the interstate commission in such capacity under or pursuant to  
99 35 the applicable law of the compacting state.

100 1     c. In addition to the commissioners who are the voting  
100 2 representatives of each state, the interstate commission shall  
100 3 include individuals who are not commissioners, but who are  
100 4 members of interested organizations. Such noncommissioner  
100 5 members must include a member of the national organizations  
100 6 of governors, legislators, state chief justices, attorneys  
100 7 general, interstate compact for adult offender supervision,  
100 8 interstate compact for the placement of children, juvenile  
100 9 justice and juvenile corrections officials, and crime victims.  
100 10 All noncommissioner members of the interstate commission  
100 11 shall be ex officio, nonvoting members. The interstate  
100 12 commission may provide in its bylaws for such additional ex  
100 13 officio, nonvoting members, including members of other national  
100 14 organizations, in such numbers as shall be determined by the  
100 15 commission.

100 16     d. Each compacting state represented at any meeting of  
100 17 the commission is entitled to one vote. A majority of the  
100 18 compacting states shall constitute a quorum for the transaction  
100 19 of business, unless a larger quorum is required by the bylaws  
100 20 of the interstate commission.

100 21     e. The commission shall meet at least once each calendar  
100 22 year. The chairperson may call additional meetings and, upon

100 23 the request of a simple majority of the compacting states,  
100 24 shall call additional meetings. Public notice shall be given  
100 25 of all meetings and meetings shall be open to the public.  
100 26 f. The interstate commission shall establish an executive  
100 27 committee, which shall include commission officers, members,  
100 28 and others as determined by the bylaws. The executive  
100 29 committee shall have the power to act on behalf of the  
100 30 interstate commission during periods when the interstate  
100 31 commission is not in session, with the exception of rulemaking  
100 32 or amendment to the compact. The executive committee shall  
100 33 oversee the day-to-day activities of the administration of  
100 34 the compact managed by an executive director and interstate  
100 35 commission staff; administer enforcement and compliance  
101 1 with the provisions of the compact, its bylaws, and rules;  
101 2 and perform such other duties as directed by the interstate  
101 3 commission or set forth in the bylaws.  
101 4 g. Each member of the interstate commission shall have  
101 5 the right and power to cast a vote to which that compacting  
101 6 state is entitled and to participate in the business and  
101 7 affairs of the interstate commission. A member shall vote in  
101 8 person and shall not delegate a vote to another compacting  
101 9 state. However, a commissioner, in consultation with the state  
101 10 council, shall appoint another authorized representative, in  
101 11 the absence of the commissioner from that state, to cast a vote  
101 12 on behalf of the compacting state at a specified meeting. The  
101 13 bylaws may provide for members' participation in meetings by  
101 14 telephone or other means of telecommunication or electronic  
101 15 communication.  
101 16 h. The interstate commission's bylaws shall establish  
101 17 conditions and procedures under which the interstate commission  
101 18 shall make its information and official records available  
101 19 to the public for inspection or copying. The interstate  
101 20 commission may exempt from disclosure any information or  
101 21 official records to the extent they would adversely affect  
101 22 personal privacy rights or proprietary interests.  
101 23 i. Public notice shall be given of all meetings and all  
101 24 meetings shall be open to the public, except as set forth



101 25 in the rules or as otherwise provided in the compact. The  
101 26 interstate commission and any of its committees may close a  
101 27 meeting to the public where it determines by two-thirds vote  
101 28 that an open meeting would be likely to:  
101 29 (1) Relate solely to the interstate commission's internal  
101 30 personnel practices and procedures.  
101 31 (2) Disclose matters specifically exempted from disclosure  
101 32 by statute.  
101 33 (3) Disclose trade secrets or commercial or financial  
101 34 information which is privileged or confidential.  
101 35 (4) Involve accusing any person of a crime, or formally  
102 1 censuring any person.  
102 2 (5) Disclose information of a personal nature where  
102 3 disclosure would constitute a clearly unwarranted invasion of  
102 4 personal privacy.  
102 5 (6) Disclose investigative records compiled for law  
102 6 enforcement purposes.  
102 7 (7) Disclose information contained in or related to an  
102 8 examination or operating or condition reports prepared by, or  
102 9 on behalf of or for the use of, the interstate commission with  
102 10 respect to a regulated person or entity for the purpose of  
102 11 regulation or supervision of such person or entity.  
102 12 (8) Disclose information, the premature disclosure of which  
102 13 would significantly endanger the stability of a regulated  
102 14 person or entity.  
102 15 (9) Specifically relate to the interstate commission's  
102 16 issuance of a subpoena, or its participation in a civil action  
102 17 or other legal proceeding.  
102 18 j. For every meeting closed pursuant to this provision, the  
102 19 interstate commission's legal counsel shall publicly certify  
102 20 that, in the legal counsel's opinion, the meeting may be closed  
102 21 to the public, and shall reference each relevant exemptive  
102 22 provision. The interstate commission shall keep minutes  
102 23 which shall fully and clearly describe all matters discussed  
102 24 in any meeting and shall provide a full and accurate summary  
102 25 of any actions taken, and the reasons therefore, including a  
102 26 description of each of the views expressed on any item and the

102 27 record of any roll call vote, reflected in the vote of each  
102 28 member on the question. All documents considered in connection  
102 29 with any action shall be identified in such minutes.  
102 30 k. The interstate commission shall collect standardized data  
102 31 concerning the interstate movement of juveniles as directed  
102 32 through its rules which shall specify the data to be collected,  
102 33 the means of collection, and data exchange and reporting  
102 34 requirements. Such methods of data collection, exchange, and  
102 35 reporting shall insofar as is reasonably possible conform to  
103 1 up-to-date technology and coordinate its information functions  
103 2 with the appropriate repository of records.  
103 3 4. Article IV == Powers and duties of the interstate  
103 4 commission. The commission shall have the following powers and  
103 5 duties:  
103 6 a. To provide for dispute resolution among compacting  
103 7 states.  
103 8 b. To promulgate rules to effect the purposes and  
103 9 obligations as enumerated in this compact, which shall have the  
103 10 force and effect of statutory law and shall be binding in the  
103 11 compacting states to the extent and in the manner provided in  
103 12 this compact.  
103 13 c. To oversee, supervise, and coordinate the interstate  
103 14 movement of juveniles subject to the terms of this compact and  
103 15 any bylaws adopted and rules promulgated by the interstate  
103 16 commission.  
103 17 d. To enforce compliance with the compact provisions, the  
103 18 rules promulgated by the interstate commission, and the bylaws,  
103 19 using all necessary and proper means, including but not limited  
103 20 to the use of judicial process.  
103 21 e. To establish and maintain offices which shall be located  
103 22 within one or more of the compacting states.  
103 23 f. To purchase and maintain insurance and bonds.  
103 24 g. To borrow, accept, hire, or contract for services of  
103 25 personnel.  
103 26 h. To establish and appoint committees and hire staff  
103 27 which it deems necessary for the carrying out of its functions  
103 28 including but not limited to an executive committee as required

103 29 by article III which shall have the power to act on behalf of  
103 30 the interstate commission in carrying out its powers and duties  
103 31 hereunder.

103 32 i. To elect or appoint such officers, attorneys, employees,  
103 33 agents, or consultants, and to fix their compensation, define  
103 34 their duties and determine their qualifications; and to  
103 35 establish the interstate commission's personnel policies and  
104 1 programs relating to, inter alia, conflicts of interest, rates  
104 2 of compensation, and qualifications of personnel.

104 3 j. To accept any and all donations and grants of money,  
104 4 equipment, supplies, materials, and services, and to receive,  
104 5 utilize, and dispose of it.

104 6 k. To lease, purchase, accept contributions or donations of,  
104 7 or otherwise to own, hold, improve, or use any property, real,  
104 8 personal, or mixed.

104 9 l. To sell, convey, mortgage, pledge, lease, exchange,  
104 10 abandon, or otherwise dispose of any property, real, personal,  
104 11 or mixed.

104 12 m. To establish a budget and make expenditures and levy dues  
104 13 as provided in article VIII of this compact.

104 14 n. To sue and be sued.

104 15 o. To adopt a seal and bylaws governing the management and  
104 16 operation of the interstate commission.

104 17 p. To perform such functions as may be necessary or  
104 18 appropriate to achieve the purposes of this compact.

104 19 q. To report annually to the legislatures, governors,  
104 20 judiciary, and state councils of the compacting states  
104 21 concerning the activities of the interstate commission during  
104 22 the preceding year. Such reports shall also include any  
104 23 recommendations that may have been adopted by the interstate  
104 24 commission.

104 25 r. To coordinate education, training, and public awareness  
104 26 regarding the interstate movement of juveniles for officials  
104 27 involved in such activity.

104 28 s. To establish uniform standards of the reporting,  
104 29 collecting, and exchanging of data.

104 30 t. The interstate commission shall maintain its corporate

104 31 books and records in accordance with the bylaws.  
104 32 5. Article V == Organization and operation of the interstate  
104 33 commission.  
104 34 a. Bylaws. The interstate commission shall, by a majority  
104 35 of the members present and voting, within twelve months after  
105 1 the first interstate commission meeting, adopt bylaws to govern  
105 2 its conduct as may be necessary or appropriate to carry out the  
105 3 purposes of the compact, including but not limited to all of  
105 4 the following:  
105 5 (1) Establishing the fiscal year of the interstate  
105 6 commission.  
105 7 (2) Establishing an executive committee and such other  
105 8 committees as may be necessary.  
105 9 (3) Provide for the establishment of committees governing  
105 10 any general or specific delegation of any authority or function  
105 11 of the interstate commission.  
105 12 (4) Providing reasonable procedures for calling and  
105 13 conducting meetings of the interstate commission and ensuring  
105 14 reasonable notice of each such meeting.  
105 15 (5) Establishing the titles and responsibilities of the  
105 16 officers of the interstate commission.  
105 17 (6) Providing a mechanism for concluding the operations of  
105 18 the interstate commission and the return of any surplus funds  
105 19 that may exist upon the termination of the compact after the  
105 20 payment or reserving of all of its debts and obligations.  
105 21 (7) Providing "start=up" rules for initial administration  
105 22 of the compact.  
105 23 (8) Establishing standards and procedures for compliance  
105 24 and technical assistance in carrying out the compact.  
105 25 b. Officers and staff.  
105 26 (1) The interstate commission shall, by a majority of the  
105 27 members, elect annually from among its members a chairperson  
105 28 and a vice chairperson, each of whom shall have such authority  
105 29 and duties as may be specified in the bylaws. The chairperson  
105 30 or, in the chairperson's absence or disability, the vice  
105 31 chairperson shall preside at all meetings of the interstate  
105 32 commission. The officers so elected shall serve without

105 33 compensation or remuneration from the interstate commission;  
105 34 provided that, subject to the availability of budgeted funds,  
105 35 the officers shall be reimbursed for any ordinary and necessary  
106 1 costs and expenses incurred by them in the performance of their  
106 2 duties and responsibilities as officers of the interstate  
106 3 commission.  
106 4 (2) The interstate commission shall, through its executive  
106 5 committee, appoint or retain an executive director for  
106 6 such period, upon such terms and conditions and for such  
106 7 compensation as the interstate commission may deem appropriate.  
106 8 The executive director shall serve as secretary to the  
106 9 interstate commission, but shall not be a member and shall hire  
106 10 and supervise such other staff as may be authorized by the  
106 11 interstate commission.  
106 12 c. Immunity, defense, and indemnification.  
106 13 (1) The commission's executive director and employees shall  
106 14 be immune from suit and liability, either personally or in  
106 15 their official capacity, for any claim for damage to or loss  
106 16 of property or personal injury or other civil liability caused  
106 17 or arising out of or relating to any actual or alleged act,  
106 18 error, or omission that occurred, or that such person had a  
106 19 reasonable basis for believing occurred within the scope of  
106 20 commission employment, duties, or responsibilities; provided,  
106 21 that any such person shall not be protected from suit or  
106 22 liability for any damage, loss, injury, or liability caused by  
106 23 the intentional or willful and wanton misconduct of any such  
106 24 person.  
106 25 (2) The liability of any commissioner, or the employee  
106 26 or agent of a commissioner, acting within the scope of such  
106 27 person's employment or duties for acts, errors, or omissions  
106 28 occurring within such person's state may not exceed the limits  
106 29 of liability set forth under the constitution and laws of that  
106 30 state for state officials, employees, and agents. Nothing  
106 31 in this subparagraph shall be construed to protect any such  
106 32 person from suit or liability for any damage, loss, injury,  
106 33 or liability caused by the intentional or willful and wanton  
106 34 misconduct of any such person.

106 35 (3) The interstate commission shall defend the executive  
107 1 director or the employees or representatives of the interstate  
107 2 commission and, subject to the approval of the attorney general  
107 3 of the state represented by any commissioner of a compacting  
107 4 state, shall defend such commissioner or the commissioner's  
107 5 representatives or employees in any civil action seeking to  
107 6 impose liability arising out of any actual or alleged act,  
107 7 error, or omission that occurred within the scope of interstate  
107 8 commission employment, duties, or responsibilities, or that  
107 9 the defendant had a reasonable basis for believing occurred  
107 10 within the scope of interstate commission employment, duties,  
107 11 or responsibilities, provided that the actual or alleged act,  
107 12 error, or omission did not result from intentional or willful  
107 13 and wanton misconduct on the part of such person.  
107 14 (4) The interstate commission shall indemnify and hold  
107 15 the commissioner of a compacting state, or the commissioner's  
107 16 representatives or employees, or the interstate commission's  
107 17 representatives or employees, harmless in the amount of any  
107 18 settlement or judgment obtained against such persons arising  
107 19 out of any actual or alleged act, error, or omission that  
107 20 occurred within the scope of interstate commission employment,  
107 21 duties, or responsibilities, or that such persons had a  
107 22 reasonable basis for believing occurred within the scope of  
107 23 interstate commission employment, duties, or responsibilities,  
107 24 provided that the actual or alleged act, error, or omission did  
107 25 not result from intentional or willful and wanton misconduct on  
107 26 the part of such persons.  
107 27 6. Article VI == Rulemaking functions of the interstate  
107 28 commission.  
107 29 a. The interstate commission shall promulgate and publish  
107 30 rules in order to effectively and efficiently achieve the  
107 31 purposes of the compact.  
107 32 b. Rulemaking shall occur pursuant to the criteria set  
107 33 forth in this article and the bylaws and rules adopted pursuant  
107 34 thereto. Such rulemaking shall substantially conform to the  
107 35 principles of the model state administrative procedures Act,  
108 1 1981 Act, Uniform Laws Annotated, Vol. 15, p.1 (2000), or

108 2 such other administrative procedures act, as the interstate  
108 3 commission deems appropriate consistent with due process  
108 4 requirements under the Constitution of the United States as now  
108 5 or hereafter interpreted by the United States supreme court.  
108 6 All rules and amendments shall become binding as of the date  
108 7 specified, as published with the final version of the rule as  
108 8 approved by the commission.

108 9 c. When promulgating a rule, the interstate commission  
108 10 shall, at a minimum, do all of the following:

108 11 (1) Publish the proposed rule's entire text stating the  
108 12 reasons for that proposed rule.

108 13 (2) Allow and invite any and all persons to submit written  
108 14 data, facts, opinions, and arguments, which information shall  
108 15 be added to the record, and be made publicly available.

108 16 (3) Provide an opportunity for an informal hearing if  
108 17 petitioned by ten or more persons.

108 18 (4) Promulgate a final rule and its effective date, if  
108 19 appropriate, based on input from state or local officials, or  
108 20 interested parties.

108 21 d. Allow, not later than sixty days after a rule is  
108 22 promulgated, any interested person to file a petition in the  
108 23 United States district court for the District of Columbia or in  
108 24 the federal district court where the interstate commission's  
108 25 principal office is located for judicial review of such rule.  
108 26 If the court finds that the interstate commission's action is  
108 27 not supported by substantial evidence in the rulemaking record,  
108 28 the court shall hold the rule unlawful and set it aside. For  
108 29 purposes of this lettered paragraph, evidence is substantial  
108 30 if it would be considered substantial evidence under the model  
108 31 state administrative procedures Act.

108 32 e. If a majority of the legislatures of the compacting  
108 33 states rejects a rule, those states may, by enactment of a  
108 34 statute or resolution in the same manner used to adopt the  
108 35 compact, cause that such rule shall have no further force and  
109 1 effect in any compacting state.

109 2 f. The existing rules governing the operation of the  
109 3 interstate compact on juveniles superseded by this compact

109 4 shall be null and void twelve months after the first meeting of  
109 5 the interstate commission created hereunder.

109 6 g. Upon determination by the interstate commission that  
109 7 a state of emergency exists, it may promulgate an emergency  
109 8 rule which shall become effective immediately upon adoption,  
109 9 provided that the usual rulemaking procedures provided  
109 10 hereunder shall be retroactively applied to said rule as soon  
109 11 as reasonably possible, but no later than ninety days after the  
109 12 effective date of the emergency rule.

109 13 7. Article VII == Oversight, enforcement, and dispute  
109 14 resolution by the interstate commission.

109 15 a. Oversight.

109 16 (1) The interstate commission shall oversee the  
109 17 administration and operations of the interstate movement of  
109 18 juveniles subject to this compact in the compacting states  
109 19 and shall monitor such activities being administered in  
109 20 noncompacting states which may significantly affect compacting  
109 21 states.

109 22 (2) The courts and executive agencies in each compacting  
109 23 state shall enforce this compact and shall take all actions  
109 24 necessary and appropriate to effectuate the compact's  
109 25 purposes and intent. The provisions of this compact and the  
109 26 rules promulgated hereunder shall be received by all the  
109 27 judges, public officers, commissions, and departments of  
109 28 the state government as evidence of the authorized statute  
109 29 and administrative rules. All courts shall take judicial  
109 30 notice of the compact and the rules. In any judicial or  
109 31 administrative proceeding in a compacting state pertaining to  
109 32 the subject matter of this compact which may affect the powers,  
109 33 responsibilities, or actions of the interstate commission, it  
109 34 shall be entitled to receive all service of process in any  
109 35 such proceeding, and shall have standing to intervene in the  
110 1 proceeding for all purposes.

110 2 b. Dispute resolution.

110 3 (1) The compacting states shall report to the interstate  
110 4 commission on all issues and activities necessary for the  
110 5 administration of the compact as well as issues and activities



110 6 pertaining to compliance with the provisions of the compact and  
110 7 its bylaws and rules.

110 8 (2) The interstate commission shall attempt, upon the  
110 9 request of a compacting state, to resolve any disputes or  
110 10 other issues which are subject to the compact and which may  
110 11 arise among compacting states and between compacting and  
110 12 noncompacting states. The commission shall promulgate a rule  
110 13 providing for both mediation and binding dispute resolution for  
110 14 disputes among the compacting states.

110 15 (3) The interstate commission, in the reasonable exercise  
110 16 of its discretion, shall enforce the provisions and rules of  
110 17 this compact using any or all means set forth in article XI of  
110 18 this compact.

110 19 8. Article VIII == Finance.

110 20 a. The interstate commission shall pay or provide for  
110 21 the payment of the reasonable expenses of its establishment,  
110 22 organization, and ongoing activities.

110 23 b. The interstate commission shall levy on and collect an  
110 24 annual assessment from each compacting state to cover the cost  
110 25 of the internal operations and activities of the interstate  
110 26 commission and its staff which must be in a total amount  
110 27 sufficient to cover the interstate commission's annual budget  
110 28 as approved each year. The aggregate annual assessment amount  
110 29 shall be allocated based upon a formula to be determined by the  
110 30 interstate commission, taking into consideration the population  
110 31 of each compacting state and the volume of interstate movement  
110 32 of juveniles in each compacting state and shall promulgate a  
110 33 rule binding upon all compacting states which governs said  
110 34 assessment.

110 35 c. The interstate commission shall not incur any obligations  
111 1 of any kind prior to securing the funds adequate to meet the  
111 2 same; nor shall the interstate commission pledge the credit of  
111 3 any of the compacting states, except by and with the authority  
111 4 of the compacting state.

111 5 d. The interstate commission shall keep accurate accounts of  
111 6 all receipts and disbursements. The receipts and disbursements  
111 7 of the interstate commission shall be subject to the audit

111 8 and accounting procedures established under its bylaws.  
111 9 However, all receipts and disbursements of funds handled by the  
111 10 interstate commission shall be audited yearly by a certified or  
111 11 licensed public accountant and the report of the audit shall  
111 12 be included in and become part of the annual report of the  
111 13 interstate commission.

111 14 9. Article IX == The state council. Each member state shall  
111 15 create a state council for interstate juvenile supervision.  
111 16 While each state may determine the membership of its own  
111 17 state council, its membership must include at least one  
111 18 representative from the legislative, judicial, and executive  
111 19 branches of government, victims groups, and the compact  
111 20 administrator, deputy compact administrator, or designee.  
111 21 Each compacting state retains the right to determine the  
111 22 qualifications of the compact administrator or deputy compact  
111 23 administrator. Each state council will advise and may exercise  
111 24 oversight and advocacy concerning that state's participation  
111 25 in interstate commission activities and other duties as may  
111 26 be determined by that state, including but not limited to  
111 27 development of policy concerning operations and procedures of  
111 28 the compact within that state.

111 29 10. Article X == Compacting states, effective date, and  
111 30 amendment.

111 31 a. Any state, the District of Columbia, or its designee, the  
111 32 Commonwealth of Puerto Rico, the United States Virgin Islands,  
111 33 Guam, American Samoa, and the Northern Marianas Islands as  
111 34 defined in article II of this compact is eligible to become a  
111 35 compacting state.

112 1 b. The compact shall become effective and binding upon  
112 2 legislative enactment of the compact into law by no less than  
112 3 thirty-five of the states. The initial effective date shall  
112 4 be the later of July 1, 2004, or upon enactment into law by  
112 5 the thirty-fifth jurisdiction. Thereafter it shall become  
112 6 effective and binding as to any other compacting state upon  
112 7 enactment of the compact into law by that state. The governors  
112 8 of nonmember states or their designees shall be invited to  
112 9 participate in the activities of the interstate commission on a

112 10 nonvoting basis prior to adoption of the compact by all states  
112 11 and territories of the United States.

112 12 c. The interstate commission may propose amendments to the  
112 13 compact for enactment by the compacting states. No amendment  
112 14 shall become effective and binding upon the interstate  
112 15 commission and the compacting states unless and until it is  
112 16 enacted into law by unanimous consent of the compacting states.

112 17 11. Article XI == Withdrawal, default, termination, and  
112 18 judicial enforcement.

112 19 a. Withdrawal.

112 20 (1) Once effective, the compact shall continue in force and  
112 21 remain binding upon each and every compacting state; provided  
112 22 that a compacting state may withdraw from the compact by  
112 23 specifically repealing the statute which enacted the compact  
112 24 into law.

112 25 (2) The effective date of withdrawal is the effective date  
112 26 of the repeal.

112 27 (3) The withdrawing state shall immediately notify the  
112 28 chairperson of the interstate commission in writing upon the  
112 29 introduction of legislation repealing this compact in the  
112 30 withdrawing state. The interstate commission shall notify the  
112 31 other compacting states of the withdrawing state's intent to  
112 32 withdraw within sixty days of its receipt thereof.

112 33 (4) The withdrawing state is responsible for all  
112 34 assessments, obligations, and liabilities incurred through  
112 35 the effective date of withdrawal, including any obligations,  
113 1 the performance of which extend beyond the effective date of  
113 2 withdrawal.

113 3 (5) Reinstatement following withdrawal of any compacting  
113 4 state shall occur upon the withdrawing state reenacting the  
113 5 compact or upon such later date as determined by the interstate  
113 6 commission.

113 7 b. Technical assistance, fines, suspension, termination, and  
113 8 default.

113 9 (1) If the interstate commission determines that any  
113 10 compacting state has at any time defaulted in the performance  
113 11 of any of its obligations or responsibilities under this

113 12 compact, or the bylaws or duly promulgated rules, the  
113 13 interstate commission may impose any or all of the following  
113 14 penalties:

113 15 (a) Remedial training and technical assistance as directed  
113 16 by the interstate commission.

113 17 (b) Alternative dispute resolution.

113 18 (c) Fines, fees, and costs in such amounts as are deemed to  
113 19 be reasonable as fixed by the interstate commission.

113 20 (d) Suspension or termination of membership in the compact,  
113 21 which shall be imposed only after all other reasonable  
113 22 means of securing compliance under the bylaws and rules have  
113 23 been exhausted and the interstate commission has therefore  
113 24 determined that the offending state is in default. Immediate  
113 25 notice of suspension shall be given by the interstate  
113 26 commission to the governor, the chief justice or the chief  
113 27 judicial officer of the state, the majority and minority  
113 28 leaders of the defaulting state's legislature, and the state  
113 29 council.

113 30 (2) The grounds for default include, but are not limited to,  
113 31 failure of a compacting state to perform such obligations or  
113 32 responsibilities imposed upon it by this compact, the bylaws  
113 33 or duly promulgated rules, and any other grounds designated in  
113 34 commission bylaws and rules.

113 35 (3) The interstate commission shall immediately notify  
114 1 the defaulting state in writing of the penalty imposed by the  
114 2 interstate commission and of the default pending a cure of  
114 3 the default. The commission shall stipulate the conditions  
114 4 and the time period within which the defaulting state must  
114 5 cure its default. If the defaulting state fails to cure the  
114 6 default within the time period specified by the commission,  
114 7 the defaulting state shall be terminated from the compact upon  
114 8 an affirmative vote of a majority of the compacting states and  
114 9 all rights, privileges, and benefits conferred by this compact  
114 10 shall be terminated from the effective date of termination.

114 11 (4) Within sixty days of the effective date of termination  
114 12 of a defaulting state, the commission shall notify the  
114 13 governor, the chief justice or chief judicial officer, the

114 14 majority and minority leaders of the defaulting state's  
114 15 legislature, and the state council of such termination.  
114 16 (5) The defaulting state is responsible for all  
114 17 assessments, obligations, and liabilities incurred through  
114 18 the effective date of termination including any obligations,  
114 19 the performance of which extends beyond the effective date of  
114 20 termination.  
114 21 (6) The interstate commission shall not bear any costs  
114 22 relating to the defaulting state unless otherwise mutually  
114 23 agreed upon in writing between the interstate commission and  
114 24 the defaulting state.  
114 25 (7) Reinstatement following termination of any compacting  
114 26 state requires both a reenactment of the compact by the  
114 27 defaulting state and the approval of the interstate commission  
114 28 pursuant to the rules.  
114 29 c. Judicial enforcement. The interstate commission may,  
114 30 by majority vote of the members, initiate legal action in the  
114 31 United States district court for the District of Columbia or,  
114 32 at the discretion of the interstate commission, in the federal  
114 33 district where the interstate commission has its offices, to  
114 34 enforce compliance with the provisions of the compact, its duly  
114 35 promulgated rules and bylaws, against any compacting state in  
115 1 default. In the event judicial enforcement is necessary the  
115 2 prevailing party shall be awarded all costs of such litigation  
115 3 including reasonable attorney fees.  
115 4 d. Dissolution of compact.  
115 5 (1) The compact dissolves effective upon the date of the  
115 6 withdrawal or default of the compacting state, which reduces  
115 7 membership in the compact to one compacting state.  
115 8 (2) Upon the dissolution of this compact, the compact  
115 9 becomes null and void and shall be of no further force  
115 10 or effect, and the business and affairs of the interstate  
115 11 commission shall be concluded and any surplus funds shall be  
115 12 distributed in accordance with the bylaws.  
115 13 12. Article XII == Severability and construction.  
115 14 a. The provisions of this compact shall be severable,  
115 15 and if any phrase, clause, sentence, or provision is deemed

115 16 unenforceable, the remaining provisions of the compact shall  
115 17 be enforceable.  
115 18 b. The provisions of this compact shall be liberally  
115 19 construed to effectuate its purposes.  
115 20 13. Article XIII == Binding effect of compact and other laws.  
115 21 a. Other laws.  
115 22 (1) Nothing in this compact prevents the enforcement of any  
115 23 other law of a compacting state that is not inconsistent with  
115 24 this compact.  
115 25 (2) All compacting states' laws other than state  
115 26 constitutions and other interstate compacts conflicting with  
115 27 this compact are superseded to the extent of the conflict.  
115 28 b. Binding effect of the compact.  
115 29 (1) All lawful actions of the interstate commission,  
115 30 including all rules and bylaws promulgated by the interstate  
115 31 commission, are binding upon the compacting states.  
115 32 (2) All agreements between the interstate commission and  
115 33 the compacting states are binding in accordance with their  
115 34 terms.  
115 35 (3) Upon the request of a party to a conflict over meaning  
116 1 or interpretation of interstate commission actions, and upon  
116 2 a majority vote of the compacting states, the interstate  
116 3 commission may issue advisory opinions regarding such meaning  
116 4 or interpretation.  
116 5 (4) In the event any provision of this compact exceeds  
116 6 the constitutional limits imposed on the legislature of  
116 7 any compacting state, the obligations, duties, powers, or  
116 8 jurisdiction sought to be conferred by such provision upon  
116 9 the interstate commission shall be ineffective and such  
116 10 obligations, duties, powers, or jurisdiction shall remain in  
116 11 the compacting state and shall be exercised by the agency  
116 12 thereof to which such obligations, duties, powers, or  
116 13 jurisdiction are delegated by law in effect at the time this  
116 14 compact becomes effective.

116 15 DIVISION IX

116 16 MISCELLANEOUS

116 17 Sec. 77. Section 135.12, Code 2009, is amended by striking  
116 18 the section and inserting in lieu thereof the following:  
116 19 135.12 Office of minority and multicultural health ==  
116 20 established == duties.

116 21 1. The office of minority and multicultural health is  
116 22 established in the department. The purpose of the office  
116 23 is to improve the health of racial and ethnic minorities by  
116 24 bridging communication, delivery, and service requirements,  
116 25 and by providing customized services and practical approaches  
116 26 to problems and issues encountered by organizations and  
116 27 communities working to address the needs of these populations.

116 28 2. The office of minority and multicultural health shall be  
116 29 responsible for all of the following:

116 30 a. Serving as the liaison and advocate for the department on  
116 31 minority and multicultural health matters.

116 32 b. Assisting academic institutions, state agencies,  
116 33 community groups, and other entities in institutionalizing  
116 34 cultural competency within the health care workforce and  
116 35 delivery system through education, training, and practice to  
117 1 effectively address cross-cultural disparity and achieve health  
117 2 equity.

117 3 c. Promoting community strategic planning.

117 4 d. Reviewing the impact of programs, regulations, and  
117 5 health care resource policies on the delivery of and access to  
117 6 minority and multicultural health services.

117 7 Sec. 78. Section 135N.3, subsection 2, Code 2009, is amended  
117 8 to read as follows:

117 9 2. The committee shall review and make recommendations to  
117 10 the ~~director~~ center for congenital and inherited disorders  
117 11 advisory committee established by rule of the department  
117 12 pursuant to chapter 136A concerning but not limited to the  
117 13 following:

117 14 Sec. 79. Section 135N.5, subsection 1, Code 2009, is amended  
117 15 to read as follows:

117 16 1. The committee shall meet ~~no less than four times per~~

CODE: Changes the duties of the Office of Minority and Multicultural Health in the DPH.

CODE: Requires the Hemophilia Advisory Committee to review and make recommendations to the Center for Congenital and Inherited Disorders Advisory Committee that is currently established in the DPH.

CODE: Permits the DPH to convene the Hemophilia Advisory Committee as often as deemed necessary but to coordinate meetings and staffing with the Center for Congenital and Inherited Disorders

117 17 ~~year~~ as often as deemed necessary and is subject to chapters  
 117 18 21 and 22 relating to open meetings and public records. To  
 117 19 the maximum extent possible, the committee shall coordinate  
 117 20 meeting schedules and staffing with the center for congenital  
 117 21 and inherited disorders advisory committee established by rule  
 117 22 of the department pursuant to chapter 136A.

Advisory Committee to the maximum extent possible.

[117 23 Sec. 80. Section 232.188, subsection 5, paragraph b,  
 117 24 unnumbered paragraph 1, Code 2009, is amended to read as  
 117 25 follows:

VETOED

CODE: Permits unexpended decategorization funding to carryforward for two succeeding fiscal years instead of the current one-year maximum limit beginning in FY 2011 with FY 2010 carryforward funding that will be permitted to carryforward through FY 2012.

117 26 Notwithstanding section 8.33, moneys designated for a  
 117 27 project's decategorization services funding pool that remain  
 117 28 unencumbered or unobligated at the close of the fiscal year  
 117 29 shall not revert but shall remain available for expenditure  
 117 30 as directed by the project's governance board for child  
 117 31 welfare and juvenile justice systems enhancements and other  
 117 32 purposes of the project ~~until the close of the succeeding~~  
 117 33 ~~fiscal year and~~ for the next two succeeding fiscal years.  
 117 34 Such moneys shall be known as "carryover funding". Moneys may  
 117 35 be made available to a funding pool from one or more of the  
 118 1 following sources: ]

VETOED: The Governor vetoed this Section and stated that due to the difficult economic times, it is not prudent to permit the additional time to expend these funds. It does not conform to reasonable government accounting practices and other than capital expenditures, a two-year carryforward is not commonly allowed in Iowa law.

118 2 Sec. 81. Section 237A.3A, subsection 3, Code Supplement  
 118 3 2009, is amended by adding the following new paragraph:  
 118 4 NEW PARAGRAPH . e. If the department adopts rules  
 118 5 establishing a limitation on the number of hours for which  
 118 6 substitute care may be utilized by the provider, such a  
 118 7 limitation shall not apply to or incorporate substitute care  
 118 8 utilized when the provider is engaged in jury duty or in  
 118 9 official duties connected with the provider's membership on a  
 118 10 state board, committee, or other policy-related body.

CODE: Requires the DHS to exempt jury duty or official duties relating to membership on a State board, committee, or other policy-related body from the limitation of the number of hours permitted for providers to use substitute child care.

118 11 Sec. 82. Section 453A.35, subsection 1, Code Supplement  
 118 12 2009, is amended to read as follows:  
 118 13 1. The proceeds derived from the sale of stamps and the  
 118 14 payment of taxes, fees, and penalties provided for under this

CODE: Reduces the transfer from the General Fund to the HCTF from \$117,796,000 to \$106,016,400.

DETAIL: This is a decrease of \$11,779,600 compared to the FY 2010



118 15 chapter, and the permit fees received from all permits issued  
118 16 by the department, shall be credited to the general fund of  
118 17 the state. However, of the revenues generated from the tax on  
118 18 cigarettes pursuant to section 453A.6, subsection 1, and from  
118 19 the tax on tobacco products as specified in section 453A.43,  
118 20 subsections 1, 2, 3, and 4, and credited to the general fund  
118 21 of the state under this subsection, there is appropriated,  
118 22 annually, to the health care trust fund created in section  
118 23 453A.35A, the first one hundred ~~seventeen~~ six million ~~seven~~  
118 24 ~~hundred ninety-six~~ sixteen thousand four hundred dollars.

transfer.

118 25 Sec. 83. Section 692A.115, Code Supplement 2009, is amended  
118 26 to read as follows:

118 27 692A.115 Employment where dependent adults reside.  
118 28 1. A Unless authorized as provided in subsection 2, a sex  
118 29 offender shall not be an employee of a facility providing  
118 30 services for dependent adults or at events where dependent  
118 31 adults participate in programming and shall not loiter on the  
118 32 premises or grounds of a facility or at an event providing such  
118 33 services or programming.

118 34 2. An adult sex offender who is a patient or resident  
118 35 of a health care facility as defined in section 135C.1,  
119 1 a participant in a medical assistance program home and  
119 2 community-based services waiver program, or a participant in a  
119 3 medical assistance state plan employment services as part of  
119 4 the participant's habilitation plan shall not be considered to  
119 5 be in violation of subsection 1.

CODE: Exempts certain residents of certain health care facilities, persons eligible for the home and community-based services waiver program, and participants in a Medicaid employment service program from the sex offender facility employee limitation.

119 6 Sec. 84. 2010 Iowa Acts, Senate File 2088, section 361,  
119 7 subsection 2, if enacted, is amended to read as follows:  
119 8 2. If a provision of this Act or another enactment of  
119 9 the Eighty-third General Assembly repeals section 135.173  
119 10 and creates the early childhood Iowa state board in new  
119 11 Code chapter 256I, the early childhood Iowa state board  
119 12 shall fulfill the responsibilities assigned to the early  
119 13 childhood Iowa council in subsection 1 and the department of  
119 14 ~~education~~ management shall propose corrective legislation for

CODE: Changes the statutory reference in SF 2088 (Government Reorganization and Efficiency Act) to specify the DOM as the lead agency for Empowerment and not the Department of Education.

119 15 the provisions of this division of this Act in accordance with  
119 16 section 2.16 for consideration by the Eighty-fourth General  
119 17 Assembly, 2011 Regular Session.

119 18 Sec. 85. 2010 Iowa Acts, Senate File 2088, section 399, as  
119 19 enacted, is amended to read as follows:  
119 20 SEC. 399. REPEAL. Sections 135.28 , ~~135N.1, 135N.2, 135N.3,~~  
119 21 ~~135N.4, 135N.5~~ , 135N.6, and 142C.16, Code 2009, are repealed.

CODE: Repeals the provision in SF 2088 (Government Reorganization and Efficiency Act of 2010) that eliminates the Hemophilia Advisory Committee. This Act reinstates the Committee and directs it to collaborate and coordinate meetings and staffing with the Center for Congenital and Inherited Disorders Advisory Committee in DPH.

# EXECUTIVE SUMMARY JUSTICE SYSTEM APPROPRIATIONS ACT

SENATE FILE 2378

## FUNDING SUMMARY

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

- **GENERAL FUND:** Appropriates a total of \$484.1 million from the General Fund and 1,836.2 FTE positions to the Departments of Justice, Corrections, Inspections and Appeals, Public Defense, and Public Safety, the Iowa Law Enforcement Academy, Board of Parole, and the Civil Rights Commission. This is an increase of \$18.5 million and a decrease of 47.8 FTE positions compared to estimated net FY 2010. The Department of Corrections has 4,078.5 FTE positions in estimated FY 2010 that are not limited in this Act. These FTE positions are included in the State budget system and are estimated to decrease by 365.9 FTE positions compared to estimated net FY 2010.
- **OTHER FUNDS:**
  - Appropriates \$3.3 million and 27.0 FTE positions from the Department of Commerce Revolving Fund to the Office of the Consumer Advocate. This is an increase of \$197,000 for debt service. (Page 2, Line 24)
  - Establishes a Gaming Enforcement Revolving Fund and appropriates \$9.3 million from the Fund to the Department of Public Safety for gaming enforcement. Receipts to the Fund are generated by billings to the gaming industry. (Page 18, Line 30; and Page 32, Line 10 through Page 34, Line 15)
  - Establishes a Public Safety Enforcement Fund and requires the Treasurer of State to allocate \$9.3 million from the Fund to the Department of Corrections (\$3.3 million), Department of Public Safety (\$450,000), Civil Rights Commission (\$100,000), the Judicial Branch (\$5.3 million), and the Department of Justice (\$150,000). This Act directs \$9.1 million in court receipts and \$235,000 in Crime Victim Compensation Fund receipts to the Fund. The increase in fines is anticipated to generate an additional \$9.1 million in court receipts, \$1.0 million for local governments, and \$441,000 for the Crime Victim Compensation Fund. Of the Crime Victim Compensation Fund amount, \$235,000 is transferred to the Public Safety Enforcement Fund for FY 2011. (Page 29, Line 34 through Page 31, Line 15)
- Makes the following significant General Fund changes for FY 2010:
  - **Department of Justice - Legal Services Poverty Grants:** An increase of \$172,000 for a general increase. (Page 1, Line 35)
  - **Department of Corrections (DOC):** An increase of \$23.2 million to partially restore the FY 2010 across-the-board reduction. (Page 3, Line 1 through Page 10, Line 14)
  - **State Public Defender/Indigent Defense:** A net decrease of \$3.8 million for a general reduction. (Page 12, Line 29 through Page 13, Line 8)
  - **Department of Public Defense:** An increase of \$829,000 and 10.6 FTE positions, including:
    - An increase of \$625,000 and 10.7 FTE positions for the Military Division. (Page 14, Line 24)
    - An increase of \$204,000 and a decrease of 0.10 FTE position for the Homeland Security and Emergency Management Division. (Page 15, Line 1)
  - **Department of Public Safety (DPS):** A decrease of \$2.0 million, including:
    - An increase of \$182,000 to Public Safety Administration. (Page 15, Line 24)

# EXECUTIVE SUMMARY JUSTICE SYSTEM APPROPRIATIONS ACT

SENATE FILE 2378

## MAJOR INCREASES, DECREASES, AND TRANSFERS OF EXISTING PROGRAMS (CONTINUED)

## STUDIES AND INTENT LANGUAGE

- **Department of Public Safety (DPS):** (continued)
  - A decrease of \$6.2 million to the Division of Criminal Investigation (DCI). (Page 15, Line 29)
  - An increase of \$759,000 to the Division of Narcotics Enforcement. (Page 17, Line 2)
  - An increase of \$754,000 to the Fire Marshal's Office. (Page 17, Line 15)
  - An increase of \$3.9 million to the Iowa State Patrol. (Page 17, Line 26)
- Requires the DOC to use the John Bennett Facility at Fort Madison as either a prison facility or a Community-Based Corrections (CBC) facility. (Page 3, Line 14)
- Requires the DOC to employ two part-time nurses at the Luster Heights Prison Camp. (Page 3, Line 22)
- Requires the DOC to operate the Luster Heights Prison Camp at its 88-bed capacity. (Page 3, Line 27)
- Requires the DOC to spend at least \$238,000 on the therapeutic treatment community program at the Anamosa State Penitentiary and \$140,000 on the Dual Diagnosis Program in the First CBC District Department. (Page 3, Line 30 and Page 9, Line 16)
- Requires the DOC to use at least \$300,000 in canteen receipts for the Corrections Education Program. (Page 6, Line 26)
- Eliminates the Chief Security Officer in the DOC Central Office. (Page 8, Line 32) *This item was vetoed by the Governor.*
- Permits the Iowa Law Enforcement Academy to temporarily exceed the amount appropriated and incur a negative cash balance for cash flow purposes, as long as equal receivables are anticipated at the close of the fiscal year. (Page 13, Line 24)
- Permits the Iowa Law Enforcement Academy to annually exchange five vehicles returned to the State Fleet Administrator by the DPS. (Page 13, Line 30)
- Permits the Military Division of the Department of Public Defense to temporarily exceed the amount appropriated and incur a negative cash balance for cash flow purposes, as long as equal receivables are anticipated at the close of the fiscal year. (Page 14, Line 30)
- Permits the Homeland Security and Emergency Management Division to temporarily exceed the amount appropriated and incur a negative cash balance for cash flow purposes, as long as equal receivables are anticipated at the close of the fiscal year. (Page 15, Line 7)
- Requires the Homeland Security and Emergency Management Division to work in conjunction with the Department of Public Safety on the Fusion Program. (Page 15, Line 13)
- Authorizes no more than \$200,000 from the Wireless E911 Emergency Communications Fund for FY 2011 to be used for administration of the Fund and to employ the State Auditor to perform an annual audit on the Fund. (Page 36, Line 9)
- Requires the DOC and DPS to make every effort to preserve correctional officer and peace officer positions through the reduction of administrative costs. (Page 36, Line 20)

# EXECUTIVE SUMMARY JUSTICE SYSTEM APPROPRIATIONS ACT

SENATE FILE 2378

## SIGNIFICANT CODE CHANGES

- Provides for a waiver process for centralized purchasing for Iowa Prison Industries. (Page 31, Line 28)
- Requires the Department of Justice to retain no more than 10.0% of the cash received in certain forfeiture proceedings. (Page 34, Line 16)
- Increases the cap on the dollar value of inmate labor from \$50,000 per maintenance project to \$100,000 per maintenance project. (Page 35, Line 6)
- Permits the Chairperson of the Board of Parole to assume the duties of the Executive Director if necessary. (Page 35, Line 13)

## EFFECTIVE DATES

- The provision eliminating the Chief of Security position in the DOC is effective on enactment. (Page 19, Line 32) *This item was vetoed by the Governor.*

## GOVERNOR'S VETOES

- The Governor vetoed Sections 4.5 and 17, that eliminated the Chief Security Officer position in the DOC Central Office effective upon enactment. (Page 8, Line 32; Page 19, Line 32)
- The Governor vetoed Section 5.6, that required CBC District Departments to accept the transfer of offenders into residential facilities between CBC District Departments. (Page 11, Line 2)
- The Governor vetoed Section 18.3(ag). This item veto was corrective and eliminated two different fines for the same item. (Page 20, Line 2)

## ENACTMENT DATE

- This Act was approved by the General Assembly on March 25, 2010, and item vetoed and signed by the Governor on April 29, 2010.

Senate File 2378 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
7	16	4.1(b)	Nwthstnd	Sec. 8.33	Nonreversion of Appropriation for Inmate Education Program
11	6	6	Nwthstnd	Sec. 8.39	Reallocation of Appropriations within the DOC and CBC District Departments
18	13	14.8	Nwthstnd	Sec. 8.33	Nonreversion of Volunteer Fire Fighter Training Funds
18	18	14.8	Nwthstnd	Sec. 8.39	Reallocation of Department of Public Safety Appropriations
20	2	18	Amends	Various	Fine Increases for Moving and Non-Moving Violations
29	29	19	Amends	Sec. 805.8C	Increases the Fine for First Offense Purchase of Pseudoephedrine
29	35	20	Ntwthstnd	Sec. 602.8108	Creates the Public Safety Enforcement Fund
31	18	21	Amends	Sec. 62, SF 2088	CBC Financial Reporting
31	28	22	Amends	Sec. 71, SF 2088	Iowa Prison Industries Waiver Process
32	10	23	Adds	Sec. 80.43(1)	Creates the Gaming Enforcement Revolving Fund
32	23	23	Adds	Sec. 80.43(2)	Cash Flow Language for Gaming Enforcement Revolving Fund
32	34	23	Nwthstnd	Sec. 8.33 and 12C.7(2)	Nonreversion of Receipts to the Gaming Enforcement Revolving Fund
33	4	24	Nwthstnd	Sec. 8.60 and 99D.17	Directs Gambling Regulation Receipts to the Gaming Enforcement Revolving Fund
33	25	25	Nwthstnd	Sec. 8.60 and 99F.4	Directs Gambling Regulation Receipts to the Gaming Enforcement Revolving Fund
34	16	26	Amends	Sec. 809A.17(5)	Forfeited Property Receipts
35	6	27	Amends	Sec. 904.315(2), Code Supplement 2009	Cap on Use of Inmate Labor
35	13	28	Amends	Sec. 904A.4B	Board of Parole
36	27	32-53	Amends	Chapter 321	Makes Conforming Amendments

1 1 DIVISION I  
1 2 APPROPRIATIONS

1 3 Section 1. DEPARTMENT OF JUSTICE.

1 4 1. There is appropriated from the general fund of the state  
1 5 to the department of justice for the fiscal year beginning July  
1 6 1, 2010, and ending June 30, 2011, the following amounts, or  
1 7 so much thereof as is necessary, to be used for the purposes  
1 8 designated:

1 9 a. For the general office of attorney general for salaries,  
1 10 support, maintenance, and miscellaneous purposes, including  
1 11 the prosecuting attorneys training program, victim assistance  
1 12 grants, office of drug control policy prosecuting attorney  
1 13 program, and odometer fraud enforcement, and for not more than  
1 14 the following full-time equivalent positions:  
1 15 ..... \$ 7,732,930  
1 16 ..... FTEs 232.50

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, Office of Drug Control Policy Prosecuting Attorney Training Program, and Odometer Fraud Enforcement.

DETAIL: This is no change compared to estimated net FY 2010.

NOTE: Section 20 of this Act provides an appropriation of \$150,000 from the Public Safety Enforcement Fund to the Department.

NOTE: Senate File 2088 (Government Reorganization and Efficiency Act) provides an appropriation of \$60,000 and 1.00 FTE position to the Office of the Attorney General for enforcement of the False Claims Act.

1 17 It is the intent of the general assembly that as a condition  
1 18 of receiving the appropriation provided in this lettered  
1 19 paragraph, the department of justice shall maintain a record  
1 20 of the estimated time incurred representing each agency or  
1 21 department.

Specifies that 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.

1 22 b. For victim assistance grants:  
1 23 ..... \$ 3,060,000

General Fund appropriation to the Department of Justice for the Victim Assistance Grants Program.

DETAIL: This is no change compared to estimated net FY 2010.

1 24 The funds appropriated in this lettered paragraph shall be  
 1 25 used to provide grants to care providers providing services to  
 1 26 crime victims of domestic abuse or to crime victims of rape and  
 1 27 sexual assault.

Requires Victim Assistance funds to be awarded as grants to providers of services for victims of domestic abuse, rape, and sexual assault.

1 28 The balance of the victim compensation fund established in  
 1 29 section 915.94 may be used to provide salary and support of not  
 1 30 more than 22 FTEs and to provide maintenance for the victim  
 1 31 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.

DETAIL: Maintains the current level of FTE positions funded from the Victim Compensation Fund. Of the total FTE positions, 20.00 FTE positions are assigned to the Crime Victim Assistance Division and 2.00 FTE positions are assigned to the Office of the Attorney General, Area Prosecutions Division.

1 32 The department of justice may transfer moneys from the  
 1 33 victim compensation fund established in section 915.94 to the  
 1 34 victim assistance grant program.

Permits the Department of Justice to transfer funds from the Victim Compensation Fund to the Victim Assistance Grants Program in FY 2011.

1 35 c. For legal services for persons in poverty grants as  
 2 1 provided in section 13.34:  
 2 2 ..... \$ 1,930,671

General Fund appropriation to the Department of Justice for the Legal Services Poverty Grants Program.

DETAIL: This is an increase \$171,500 compared to estimated net FY 2010 for a general increase.

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

Requires the Department of Justice, in submitting FY 2012 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 2010 and FY 2011.



2 13 reimbursements for the fiscal year commencing July 1, 2009,  
 2 14 and actual and expected reimbursements for the fiscal year  
 2 15 commencing July 1, 2010.

2 16 b. The department of justice shall include the report  
 2 17 required under paragraph "a", as well as information regarding  
 2 18 any revisions occurring as a result of reimbursements actually  
 2 19 received or expected at a later date, in a report to the  
 2 20 co=chairpersons and ranking members of the joint appropriations  
 2 21 subcommittee on the justice system and the legislative services  
 2 22 agency. The department of justice shall submit the report on  
 2 23 or before January 15, 2011.

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 Legislative Services Agency (LSA) by January 15, 2011.

2 24 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is appropriated  
 2 25 from the department of commerce revolving fund created in  
 2 26 section 546.12 to the office of consumer advocate of the  
 2 27 department of justice for the fiscal year beginning July 1,  
 2 28 2010, and ending June 30, 2011, the following amount, or so  
 2 29 much thereof as is necessary, to be used for the purposes  
 2 30 designated:  
 2 31 For salaries, support, maintenance, miscellaneous purposes,  
 2 32 and for not more than the following full=time equivalent  
 2 33 positions:  
 2 34 ..... \$ 3,336,344  
 2 35 ..... FTEs 27.00

Department of Commerce Revolving Fund appropriation to the Department of Justice for the Office of the Consumer Advocate.

DETAIL: This is an increase of \$197,456 and no change in FTE positions compared to estimated net FY 2010 for debt retirement for the new Iowa Utilities Board/Office of the Consumer Advocate building.

3 1 Sec. 3. DEPARTMENT OF CORRECTIONS == FACILITIES.  
 3 2 1. There is appropriated from the general fund of the state  
 3 3 to the department of corrections for the fiscal year beginning  
 3 4 July 1, 2010, and ending June 30, 2011, the following amounts,  
 3 5 or so much thereof as is necessary, to be used for the purposes  
 3 6 designated:  
 3 7 For the operation of adult correctional institutions,  
 3 8 reimbursement of counties for certain confinement costs, and  
 3 9 federal prison reimbursement, to be allocated as follows:

3 10 a. For the operation of the Fort Madison correctional

General Fund appropriation to the Department of Corrections (DOC)

3 11 facility, including salaries, support, maintenance, and  
 3 12 miscellaneous purposes:  
 3 13 ..... \$ 39,991,374

for the Fort Madison Correctional Facility.

DETAIL: This is an increase of \$2,988,151 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.

NOTE: Section 20 of this Act allocates an additional \$1,451,000 from the Public Safety Enforcement Fund to the DOC for the Fort Madison Correctional Facility.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$764,048 for the Fort Madison Correctional Facility.

3 14 As a condition of receiving an appropriation in this  
 3 15 lettered paragraph, the department of corrections shall operate  
 3 16 the John Bennett facility either as an institution of the  
 3 17 department or a community-based correctional facility.

Requires the DOC to operate the John Bennett Facility as either a prison or a Community-Based Corrections (CBC) facility.

DETAIL: The John Bennett Facility is a 152-bed medium security facility attached to the exterior wall of the Iowa State Penitentiary at Fort Madison.

3 18 b. For the operation of the Anamosa correctional facility,  
 3 19 including salaries, support, maintenance, and miscellaneous  
 3 20 purposes:  
 3 21 ..... \$ 30,416,461

General Fund appropriation to the DOC for the Anamosa Correctional Facility.

DETAIL: This is an increase of \$2,143,956 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.

NOTE: Section 20 of this Act allocates an additional \$846,190 from the Public Safety Enforcement Fund to the DOC for the Anamosa State Penitentiary for operating the Luster Heights Prison Camp.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$543,179 for the Anamosa Correctional Facility.

3 22 As a condition of receiving the appropriation in this  
 3 23 lettered paragraph, the department of corrections shall employ

Requires the DOC to employ two part-time nurses at the Luster Heights Prison Camp and to seek volunteer licensed medical

3 24 two part-time registered nurses at the Luster Heights facility,  
 3 25 and shall seek volunteer licensed medical personnel to serve at  
 3 26 the facility.

personnel to serve at that facility.

3 27 It is the intent of the general assembly that the department  
 3 28 of corrections fully operate the Luster Heights facility at the  
 3 29 facility's 88-bed capacity.

Directs the DOC to operate the Luster Heights facility at capacity.

DETAIL: The Luster Heights Prison Camp is an 88-bed minimum security facility located in the Yellow River Forest State Park.

3 30 As a condition of the moneys appropriated in this lettered  
 3 31 paragraph, the department of corrections shall replace expired  
 3 32 federal funding by expending at least \$238,252 for continuation  
 3 33 of a treatment program that prepares offenders for ongoing  
 3 34 therapeutic treatment programs offered by the department and  
 3 35 maintaining at least 4.75 FTEs for the program.

Requires the DOC to spend at least \$238,252 to maintain a therapeutic treatment program.

4 1 Moneys appropriated in this lettered paragraph shall  
 4 2 provide for one full-time substance abuse counselor for the  
 4 3 Luster Heights facility for the purpose of certification of a  
 4 4 substance abuse program at that facility.

Specifies that funds be provided for one substance abuse counselor at the Luster Heights Prison Camp.

4 5 c. For the operation of the Oakdale correctional facility,  
 4 6 including salaries, support, maintenance, and miscellaneous  
 4 7 purposes:

General Fund appropriation to the DOC for the Oakdale Correctional Facility.

4 8 ..... \$ 55,755,246

DETAIL: This is an increase of \$2,973,761 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$2,650,762 for the Oakdale Correctional Facility.

4 9 d. For the operation of the Newton correctional facility,  
 4 10 including salaries, support, maintenance, and miscellaneous  
 4 11 purposes:

General Fund appropriation to the DOC for the Newton Correctional Facility.

4 12 ..... \$ 26,452,257

DETAIL: This is an increase of \$1,222,203 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$526,181 for the Newton Correctional Facility.

4 13 e. For the operation of the Mt. Pleasant correctional  
4 14 facility, including salaries, support, maintenance, and  
4 15 miscellaneous purposes:  
4 16 ..... \$ 26,265,257

General Fund appropriation to the DOC for the Mount Pleasant Correctional Facility.

DETAIL: This is an increase of \$1,770,693 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$415,980 for the Mount Pleasant Correctional Facility.

4 17 f. For the operation of the Rockwell City correctional  
4 18 facility, including salaries, support, maintenance, and  
4 19 miscellaneous purposes:  
4 20 ..... \$ 9,324,565

General Fund appropriation to the DOC for the Rockwell City Correctional Facility.

DETAIL: This is an increase of \$871,598 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$108,833 for the Rockwell City Correctional Facility.

4 21 g. For the operation of the Clarinda correctional facility,  
4 22 including salaries, support, maintenance, and miscellaneous  
4 23 purposes:  
4 24 ..... \$ 23,645,033

General Fund appropriation to the DOC for the Clarinda Correctional Facility.

DETAIL: This is an increase of \$2,566,087 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$451,752 for the Clarinda Correctional Facility.

PG LN	Senate File 2378	Explanation
4 25	Moneys received by the department of corrections as	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 Clarinda Correctional Facility is approximately \$1,000,000.
4 26	reimbursement for services provided to the Clarinda youth	
4 27	corporation are appropriated to the department and shall be	
4 28	used for the purpose of operating the Clarinda correctional	
4 29	facility.	
4 30	h. For the operation of the Mitchellville correctional	General Fund appropriation to the DOC for the Mitchellville Correctional Facility.  DETAIL: This is an increase of \$1,233,471 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.  NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$169,416 for the Mitchellville Correctional Facility.
4 31	facility, including salaries, support, maintenance, and	
4 32	miscellaneous purposes:	
4 33	..... \$ 15,486,586	
4 34	i. For the operation of the Fort Dodge correctional	General Fund appropriation to the DOC for the Fort Dodge Correctional Facility.  DETAIL: This is an increase of \$2,021,103 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.  NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$200,000 for the Fort Dodge Correctional Facility.
4 35	facility, including salaries, support, maintenance, and	
5 1	miscellaneous purposes:	
5 2	..... \$ 29,020,235	
5 3	j. For reimbursement of counties for temporary confinement	General Fund appropriation to the DOC for the County Confinement Account to pay for holding alleged parole and work release violators until their revocation hearings.  DETAIL: This is no change compared to estimated net FY 2010.
5 4	of work release and parole violators, as provided in sections	
5 5	901.7, 904.908, and 906.17, and for offenders confined pursuant	
5 6	to section 904.513:	
5 7	..... \$ 775,092	
5 8	k. For federal prison reimbursement, reimbursements for	General Fund appropriation to the DOC to reimburse the federal Bureau of Prisons for confining Iowa inmates and to pay
5 9	out-of-state placements, and miscellaneous contracts:	

5 10 ..... \$ 239,411

miscellaneous contracts.

DETAIL: This is an increase of \$23,941 compared to estimated net FY 2010 to restore the FY 2010 across-the-board reduction.

5 11 2. The department of corrections shall use moneys  
5 12 appropriated in subsection 1 to continue to contract for the  
5 13 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.

5 14 Sec. 4. DEPARTMENT OF CORRECTIONS == ADMINISTRATION.

5 15 1. There is appropriated from the general fund of the state  
5 16 to the department of corrections for the fiscal year beginning  
5 17 July 1, 2010, and ending June 30, 2011, the following amounts,  
5 18 or so much thereof as is necessary, to be used for the purposes  
5 19 designated:

5 20 a. For general administration, including salaries, support,  
5 21 maintenance, employment of an education director to administer  
5 22 a centralized education program for the correctional system,  
5 23 and miscellaneous purposes:  
5 24 ..... \$ 4,254,068

General Fund appropriation to the DOC for the Central Office.

DETAIL: This is a decrease of \$74,975 compared to estimated net FY 2010 appropriation for a general reduction.

5 25 (1) It is the intent of the general assembly that as a  
5 26 condition of receiving the appropriation provided in this  
5 27 lettered paragraph the department of corrections shall not,  
5 28 except as otherwise provided in subparagraph (3), enter  
5 29 into a new contract, unless the contract is a renewal of an  
5 30 existing contract, for the expenditure of moneys in excess of  
5 31 \$100,000 during the fiscal year beginning July 1, 2010, for the  
5 32 privatization of services performed by the department using  
5 33 state employees as of July 1, 2010, or for the privatization  
5 34 of new services by the department without prior consultation

Specifies it is the intent of the General Assembly that, as a condition of receiving appropriated funds, the DOC not enter into a new contract in excess of \$100,000 for privatized services during FY 2011 without prior notification of the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee, and without prior consultation with any affected employee organization. Existing contracts may be renewed without notification.

5 35 with any applicable state employee organization affected  
6 1 by the proposed new contract and prior notification of the  
6 2 co=chairpersons and ranking members of the joint appropriations  
6 3 subcommittee on the justice system.

6 4 (2) It is the intent of the general assembly that each  
6 5 lease negotiated by the department of corrections with a  
6 6 private corporation for the purpose of providing private  
6 7 industry employment of inmates in a correctional institution  
6 8 shall prohibit the private corporation from utilizing inmate  
6 9 labor for partisan political purposes for any person seeking  
6 10 election to public office in this state and that a violation  
6 11 of this requirement shall result in a termination of the lease  
6 12 agreement.

Specifies that 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.

6 13 (3) It is the intent of the general assembly that as a  
6 14 condition of receiving the appropriation provided in this  
6 15 lettered paragraph the department of corrections shall not  
6 16 enter into a lease or contractual agreement pursuant to section  
6 17 904.809 with a private corporation for the use of building  
6 18 space for the purpose of providing inmate employment without  
6 19 providing that the terms of the lease or contract establish  
6 20 safeguards to restrict, to the greatest extent feasible, access  
6 21 by inmates working for the private corporation to personal  
6 22 identifying information of citizens.

Specifies that it is the intent of the General Assembly that, as a condition of receiving appropriated funds, the DOC, when contracting with a private business for inmate employment, must restrict inmates' access to citizens' personal identifying information.

6 23 b. For educational programs for inmates at state penal  
6 24 institutions:  
6 25 ..... \$ 1,558,109

General Fund appropriation to the DOC for the educational programs for inmates.

DETAIL: This is an increase of \$194,402 compared to estimated net FY 2010 to restore the FY 2010 across-the-board reduction.

6 26 As a condition of receiving the appropriation in this  
6 27 lettered paragraph, the department of corrections shall  
6 28 transfer at least \$300,000 from the canteen operating funds  
6 29 established pursuant to section 904.310 to be used for

Requires the DOC to transfer at least \$300,000 from Canteen Funds to the Corrections Education Program.

6 30 correctional educational programs funded in this lettered  
6 31 paragraph.

6 32 It is the intent of the general assembly that moneys  
6 33 appropriated in this lettered paragraph shall be used solely  
6 34 for the purpose indicated and that the moneys shall not be  
6 35 transferred for any other purpose. In addition, it is the  
7 1 intent of the general assembly that the department shall  
7 2 consult with the community colleges in the areas in which the  
7 3 institutions are located to utilize moneys appropriated in this  
7 4 lettered paragraph to fund the high school completion, high  
7 5 school equivalency diploma, adult literacy, and adult basic  
7 6 education programs in a manner so as to maintain these programs  
7 7 at the institutions.

7 8 To maximize the funding for educational programs, the  
7 9 department shall establish guidelines and procedures to  
7 10 prioritize the availability of educational and vocational  
7 11 training for inmates based upon the goal of facilitating an  
7 12 inmate's successful release from the correctional institution.  
7 13 The director of the department of corrections may transfer  
7 14 moneys from Iowa prison industries for use in educational  
7 15 programs for inmates.

7 16 Notwithstanding section 8.33, moneys appropriated in this  
7 17 lettered paragraph that remain unobligated or unexpended at  
7 18 the close of the fiscal year shall not revert but shall remain  
7 19 available for expenditure only for the purpose designated in  
7 20 this lettered paragraph until the close of the succeeding  
7 21 fiscal year.

7 22 c. For the development of the Iowa corrections offender  
7 23 network (ICON) data system:  
7 24 ..... \$ 424,364

Specifies that 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: Requires nonreversion of funds for the Inmate Education Program.

General Fund appropriation to the DOC for the Iowa Corrections Offender Network (ICON).

DETAIL: This is an increase of \$42,436 compared to estimated net FY 2010 to restore the FY 2010 across-the-board reduction.



PG LN	Senate File 2378	Explanation
7 25	d. For offender mental health and substance abuse	General Fund appropriation to the DOC for mental health and substance abuse treatment.  DETAIL: This is no change compared to estimated net FY 2010.
7 26	treatment:	
7 27	..... \$ 22,319	
7 28	e. For viral hepatitis prevention and treatment:	General Fund appropriation to the DOC for viral hepatitis prevention and treatment.  DETAIL: This is no change compared to estimated net FY 2010.
7 29	..... \$ 167,881	
7 30	2. It is the intent of the general assembly that the	Specifies the intent of the General Assembly that the DOC continue farm operations at the same or greater level as exists on June 30, 2011. 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.
7 31	department of corrections shall continue to operate the	
7 32	correctional farms under the control of the department at	
7 33	the same or greater level of participation and involvement	
7 34	as existed as of June 30, 2011; shall not enter into any	
7 35	rental agreement or contract concerning any farmland under	
8 1	the control of the department that is not subject to a rental	
8 2	agreement or contract as of January 1, 2010, without prior	
8 3	legislative approval; and shall further attempt to provide	
8 4	job opportunities at the farms for inmates. The department	
8 5	shall attempt to provide job opportunities at the farms for	
8 6	inmates by encouraging labor-intensive farming or gardening	
8 7	where appropriate; using inmates to grow produce and meat for	Requires the DOC to provide a smoking cessation program to offenders.
8 8	institutional consumption; researching the possibility of	
8 9	instituting food canning and cook-and-chill operations; and	
8 10	exploring opportunities for organic farming and gardening,	
8 11	livestock ventures, horticulture, and specialized crops.	
8 12	3. The department of corrections shall provide a smoking	
8 13	cessation program to offenders committed to the custody of the	
8 14	director or who are otherwise detained by the department, that	
8 15	complies with legislation enacted restricting or prohibiting	
8 16	smoking on the grounds of correctional institutions.	
8 17	4. As a condition of receiving the appropriations made	Requires the Department of Corrections to develop and implement re-

8 18 in this section, the department of corrections shall develop  
8 19 and implement offender reentry programs in Black Hawk and  
8 20 Polk counties to provide transitional planning and release  
8 21 primarily for offenders released from the Iowa correctional  
8 22 institution for women at Mitchellville and the Fort Dodge  
8 23 correctional facility. Programming shall include minority  
8 24 and gender-specific responsiveness, employment, substance  
8 25 abuse treatment, mental health services, housing, and family  
8 26 reintegration. The department of corrections shall collaborate  
8 27 with the first and fifth judicial district departments of  
8 28 correctional services, the Iowa department of workforce  
8 29 development, the department of human services, community-based  
8 30 providers and faith-based organizations, and local law  
8 31 enforcement.

entry programs in Waterloo and Des Moines. Specifies programming requirements. This Act includes appropriations to the First and Fifth CBC District Departments for re-entry programs.

8 32 5. The chief security officer position within the  
8 33 department of corrections shall be eliminated by the effective  
8 34 date of this subsection. ]

VETOED

Eliminates the Chief of Security position in the DOC Central Office.

DETAIL: This provision is effective on enactment.

VETOED: The Governor vetoed this Subsection and stated the funding has been eliminated as a result of budget cuts so the language is unnecessary. The Governor also vetoed Section 17 that made this Subsection effective on enactment.

8 35 6. The department shall place inmates at the Luster Heights  
9 1 facility who have been approved by the board of parole for  
9 2 work release but who are expected to be waiting in prison  
9 3 for at least four months for a bed to become available at a  
9 4 community-based correctional facility, unless the placement  
9 5 would dislodge an inmate receiving substance abuse treatment.

Requires the DOC to place offenders at the Luster Heights facility that have been approved by the Board of Parole for work release, that are on a waiting list for a CBC bed, as long as the placement does not prevent another offender from receiving substance abuse treatment.

9 6 Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL  
9 7 SERVICES.

9 8 1. There is appropriated from the general fund of the state  
9 9 to the department of corrections for the fiscal year beginning

9 10 July 1, 2010, and ending June 30, 2011, for salaries, support,  
9 11 maintenance, and miscellaneous purposes, the following amounts,  
9 12 or so much thereof as is necessary, to be allocated as follows:

9 13 a. For the first judicial district department of  
9 14 correctional services:  
9 15 ..... \$ 12,453,082

General Fund appropriation to the DOC for the First CBC District Department.

DETAIL: This is an increase of \$534,392 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.

NOTE: Section 20 of this Act allocates an additional \$100,000 from the Public Safety Enforcement Fund to the DOC for the First CBC District Department.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$110,275 for the First CBC District Department.

9 16 As a condition of the moneys appropriated in this lettered  
9 17 paragraph, the department of corrections shall replace expired  
9 18 federal funding by expending at least \$140,000 for the dual  
9 19 diagnosis program and maintaining 1.25 FTEs for the program.

Requires the First CBC District Department to spend at least \$140,000 to maintain the Dual Diagnosis Program.

9 20 b. For the second judicial district department of  
9 21 correctional services:  
9 22 ..... \$ 10,770,616

General Fund appropriation to the DOC for the Second CBC District Department.

DETAIL: This is an increase of \$783,971 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$308,214 for the Second CBC District Department.

9 23 c. For the third judicial district department of  
9 24 correctional services:  
9 25 ..... \$ 5,715,578

General Fund appropriation to the DOC for the Third CBC District Department.

DETAIL: This is an increase of \$369,936 compared to estimated net

FY 2010 to partially restore the FY 2010 across-the-board reduction.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$18,010 for the Third CBC District Department.

9 26 d. For the fourth judicial district department of  
9 27 correctional services:  
9 28 ..... \$ 5,522,416

General Fund appropriation to the DOC for the Fourth CBC District Department.

DETAIL: This is an increase of \$342,916 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$76,117 for the Fourth CBC District Department.

9 29 e. For the fifth judicial district department of  
9 30 correctional services, including funding for electronic  
9 31 monitoring devices for use on a statewide basis:  
9 32 ..... \$ 18,938,081

General Fund appropriation to the DOC for the Fifth CBC District Department.

DETAIL: This is an increase of \$1,587,659 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.

NOTE: Section 20 of this Act allocates an additional \$335,000 from the Public Safety Enforcement Fund to the DOC for the Fifth CBC District Department.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$790,020 for the Fifth CBC District Department.

9 33 As a condition of receiving the appropriation in this  
9 34 lettered paragraph, the fifth judicial district department of  
9 35 correctional services shall reinstate 67 beds in buildings 65  
10 1 and 66 at the Fort Des Moines facility and resume operating the  
10 2 buildings, in addition to maintaining the 199 beds in buildings  
10 3 68 and 70 at the Fort Des Moines facility. The district

Requires the Fifth CBC District Department to reinstate and use 67 beds at Building 65/66 at the Fort Des Moines Residential Facility and maintain the use of 199 beds at Building 68/70. Permits the use of inmate labor to renovate the buildings, if renovation is required.

DETAIL: The Fifth CBC District Department has restructured its Fort

PG LN	Senate File 2378	Explanation
10 4 department may use inmate labor to upgrade and renovate the 10 5 buildings, if renovation and updating are required.		Des Moines operations. There are 199 beds at Building 68/70 for residential and work release programs. Eighty of these beds are dedicated for substance abuse treatment. Building 65/66 has an honors unit of 40 beds plus a substance abuse treatment contract for 60 beds with a private provider.
10 6 f. For the sixth judicial district department of 10 7 correctional services: 10 8 ..... \$ 13,030,356		General Fund appropriation to the DOC for the Sixth CBC District Department.  DETAIL: This is an increase of \$622,039 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.  NOTE: Section 20 of this Act allocates an additional \$402,810 from the Public Safety Enforcement Fund to the DOC for the Sixth CBC District Department.  NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$302,810 for the Sixth CBC District Department.
10 9 g. For the seventh judicial district department of 10 10 correctional services: 10 11 ..... \$ 6,846,560		General Fund appropriation to the DOC for the Seventh CBC District Department.  DETAIL: This is an increase of \$409,565 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.  NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$24,923 for the Seventh CBC District Department.
10 12 h. For the eighth judicial district department of 10 13 correctional services: 10 14 ..... \$ 6,935,622		General Fund appropriation to the DOC for the Eighth CBC District Department.  DETAIL: This is an increase of \$543,795 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$400,850 for the Eighth CBC District Department.

10 15 2. Each judicial district department of correctional  
10 16 services, within the funding available, shall continue programs  
10 17 and plans established within that district to provide for  
10 18 intensive supervision, sex offender treatment, diversion of  
10 19 low-risk offenders to the least restrictive sanction available,  
10 20 job development, and expanded use of intermediate criminal  
10 21 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.

10 22 3. Each judicial district department of correctional  
10 23 services shall provide alternatives to prison consistent with  
10 24 chapter 901B. The alternatives to prison shall ensure public  
10 25 safety while providing maximum rehabilitation to the offender.  
10 26 A judicial district department of correctional services may  
10 27 also establish a day program.

Requires each CBC District Department to provide alternatives to prison consistent with statute. Permits the District Departments to establish day programs.

10 28 4. The governor's office of drug control policy shall  
10 29 consider federal grants made to the department of corrections  
10 30 for the benefit of each of the eight judicial district  
10 31 departments of correctional services as local government  
10 32 grants, as defined pursuant to federal regulations.

Requires the Governor's Office of Drug Control Policy to consider federal grants made to the DOC for the benefit of the CBC District Departments as local government grants rather than State government grants as defined by federal regulations.

10 33 5. The department of corrections shall continue to contract  
10 34 with a judicial district department of correctional services to  
10 35 provide for the rental of electronic monitoring equipment which  
11 1 shall be available statewide.

Requires the DOC to contract with a CBC District Department for the rental of electronic monitoring equipment.

DETAIL: The DOC contracts with the Fifth CBC District Department for electronic monitoring devices that are available statewide.

11 2 6. A judicial district department of correctional services  
11 3 shall accept into the facilities of the district department,  
11 4 offenders assigned from other judicial district departments of

Requires the CBC District Departments to accept the transfer of offenders into residential facilities between CBC District Departments.

VETOED

**11 5 correctional services. ]**

VETOED: The Governor vetoed this Subsection and stated that it would require all CBC facilities to accept transfers from other judicial districts without consideration of evidence-based practices regarding supervisory status.

11 6 Sec. 6. DEPARTMENT OF CORRECTIONS == REALLOCATION OF  
11 7 APPROPRIATIONS. Notwithstanding section 8.39, within  
11 8 the moneys appropriated in this Act to the department of  
11 9 corrections, the department may reallocate the moneys  
11 10 appropriated and allocated as necessary to best fulfill the  
11 11 needs of the correctional institutions, administration of  
11 12 the department, and the judicial district departments of  
11 13 correctional services. However, in addition to complying with  
11 14 the requirements of sections 904.116 and 905.8 and providing  
11 15 notice to the legislative services agency, the department  
11 16 of corrections shall also provide notice to the department  
11 17 of management, prior to the effective date of the revision  
11 18 or reallocation of an appropriation made pursuant to this  
11 19 section. The department shall not reallocate an appropriation  
11 20 or allocation for the purpose of eliminating any program.

CODE: Permits the DOC to reallocate appropriations between the correctional institutions, the Central Office, and CBC District Departments. Requires the DOC to provide notice to the DOM and the LSA before reallocating the funds. Prohibits the reallocation of funds to eliminate a program.

11 21 Sec. 7. INTENT == REPORTS.

11 22 1. The department in cooperation with townships, the Iowa  
11 23 cemetery associations, and other nonprofit or governmental  
11 24 entities may use inmate labor during the fiscal year beginning  
11 25 July 1, 2010, to restore or preserve rural cemeteries and  
11 26 historical landmarks. The department in cooperation with the  
11 27 counties may also use inmate labor to clean up roads, major  
11 28 water sources, and other water sources 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 to clean up roads and water resources.

11 29 2. Each month the department shall provide a status report  
11 30 regarding private=sector employment to the legislative services  
11 31 agency beginning on July 1, 2010. The report shall include  
11 32 the number of offenders employed in the private sector, the  
11 33 combined number of hours worked by the offenders, and the  
11 34 total amount of allowances, and the distribution of allowances

Requires the DOC to provide a monthly status report to the LSA regarding private sector employment of inmates.

11 35 pursuant to section 904.702, including any moneys deposited in  
12 1 the general fund of the state.

12 2 Sec. 8. ELECTRONIC MONITORING REPORT. The department of  
12 3 corrections shall submit a report on electronic monitoring to  
12 4 the general assembly, to the co=chairpersons and the ranking  
12 5 members of the joint appropriations subcommittee on the justice  
12 6 system, and to the legislative services agency by January  
12 7 15, 2011. The report shall specifically address the number  
12 8 of persons being electronically monitored and break down the  
12 9 number of persons being electronically monitored by offense  
12 10 committed. The report shall also include a comparison of any  
12 11 data from the prior fiscal year with the current year.

Requires the DOC to submit a report regarding electronic monitoring to the General Assembly, the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee, and the LSA by January 15, 2011. Specifies the content of the report.

12 12 Sec. 9. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

12 13 1. As used in this section, unless the context otherwise  
12 14 requires, "state agency" means the government of the state  
12 15 of Iowa, including but not limited to all executive branch  
12 16 departments, agencies, boards, bureaus, and commissions, the  
12 17 judicial branch, the general assembly and all legislative  
12 18 agencies, institutions within the purview of the state board of  
12 19 regents, and any corporation whose primary function is to act  
12 20 as an instrumentality of the state.

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, or in accordance with administrative rules.

12 21 2. State agencies are hereby encouraged to purchase  
12 22 products from Iowa state industries, as defined in section  
12 23 904.802, when purchases are required and the products are  
12 24 available from Iowa state industries. State agencies shall  
12 25 obtain bids from Iowa state industries for purchases of  
12 26 office furniture during the fiscal year beginning July 1,  
12 27 2010, exceeding \$5,000 or in accordance with applicable  
12 28 administrative rules related to purchases for the agency.

12 29 Sec. 10. STATE PUBLIC DEFENDER. There is appropriated from  
12 30 the general fund of the state to the office of the state public  
12 31 defender of the department of inspections and appeals for the  
12 32 fiscal year beginning July 1, 2010, and ending June 30, 2011,  
12 33 the following amounts, or so much thereof as is necessary, to



12 34 be allocated as follows for the purposes designated:

12 35 1. For salaries, support, maintenance, miscellaneous  
13 1 purposes, and for not more than the following full-time  
13 2 equivalent positions:

13 3 ..... \$ 21,743,182

13 4 ..... FTEs 203.00

General Fund appropriation to the Department of Inspections and Appeals for the Office of the State Public Defender.

DETAIL: This is an increase of \$2,174,318 and no change in FTE positions compared to estimated net FY 2010 for a general increase.

NOTE: Senate File 2088 (Government Reorganization and Efficiency Act) provides an appropriation of \$1,140,000 and 16.00 FTE positions to expand local public defender offices.

13 5 2. For the fees of court-appointed attorneys for indigent  
13 6 adults and juveniles, in accordance with section 232.141 and  
13 7 chapter 815:

13 8 ..... \$ 15,680,929

General Fund appropriation to the Department of Inspections and Appeals for the Indigent Defense Program.

DETAIL: This is a decrease of \$5,927,318 compared to the estimated net FY 2010 appropriation for a general reduction.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$10,900,000 for the Indigent Defense Program.

13 9 Sec. 11. IOWA LAW ENFORCEMENT ACADEMY.

13 10 1. There is appropriated from the general fund of the  
13 11 state to the Iowa law enforcement academy for the fiscal year  
13 12 beginning July 1, 2010, and ending June 30, 2011, the following  
13 13 amount, or so much thereof as is necessary, to be used for the  
13 14 purposes designated:

13 15 For salaries, support, maintenance, miscellaneous purposes,  
13 16 including jailer training and technical assistance, and for not  
13 17 more than the following full-time equivalent positions:

13 18 ..... \$ 1,049,430

13 19 ..... FTEs 30.55

General Fund appropriation to the Iowa Law Enforcement Academy (ILEA).

DETAIL: This is no change to the General Fund appropriation and an increase of 1.00 FTE position compared to estimated net FY 2010. The increase in FTE position is due to the receipt of federal grant dollars.

13 20 It is the intent of the general assembly that the Iowa law

Specifies the intent of the General Assembly that the ILEA may offer

13 21 enforcement academy may provide training of state and local  
 13 22 law enforcement personnel concerning the recognition of and  
 13 23 response to persons with Alzheimer's disease.

training for law enforcement officers in recognizing and responding to persons with Alzheimer's disease.

13 24 The Iowa law enforcement academy may temporarily exceed and  
 13 25 draw more than the amount appropriated and incur a negative  
 13 26 cash balance as long as there are receivables equal to or  
 13 27 greater than the negative balance and the amount appropriated  
 13 28 in this subsection is not exceeded at the close of the fiscal  
 13 29 year.

Permits the ILEA to incur a negative General Fund balance as long as there are equal receivables coming into the Academy by the close of the fiscal year.

DETAIL: This language is to assist with cash flow issues the ILEA faces in the last quarter of the fiscal year.

13 30 2. The Iowa law enforcement academy may select at least  
 13 31 five automobiles of the department of public safety, division  
 13 32 of state patrol, prior to turning over the automobiles to  
 13 33 the department of administrative services to be disposed  
 13 34 of by public auction, and the Iowa law enforcement academy  
 13 35 may exchange any automobile owned by the academy for each  
 14 1 automobile selected if the selected automobile is used in  
 14 2 training law enforcement officers at the academy. However, any  
 14 3 automobile exchanged by the academy shall be substituted for  
 14 4 the selected vehicle of the department of public safety and  
 14 5 sold by public auction with the receipts being deposited in the  
 14 6 depreciation fund to the credit of the department of public  
 14 7 safety, division of state patrol.

Permits the ILEA to annually exchange at least five vehicles returned to the State Fleet Administrator by the Department of Public Safety for any of the Academy's training vehicles. The vehicles received from the ILEA are to be sold at public auction, with the receipts to be deposited in the Depreciation Fund used to purchase new vehicles for the Department of Public Safety (DPS).

14 8 Sec. 12. BOARD OF PAROLE. There is appropriated from the  
 14 9 general fund of the state to the board of parole for the fiscal  
 14 10 year beginning July 1, 2010, and ending June 30, 2011, the  
 14 11 following amount, or so much thereof as is necessary, to be  
 14 12 used for the purposes designated:

General Fund appropriation to the Board of Parole.

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

DETAIL: This is no change in funding and a decrease of 5.00 FTE positions compared to estimated net FY 2010 for a general reduction in positions.

14 16 ..... \$ 1,045,259

14 17 ..... FTEs 13.50

14 18 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE. There is  
 14 19 appropriated from the general fund of the state to the  
 14 20 department of public defense for the fiscal year beginning July  
 14 21 1, 2010, and ending June 30, 2011, the following amounts, or  
 14 22 so much thereof as is necessary, to be used for the purposes  
 14 23 designated:

14 24 1. MILITARY DIVISION

14 25 For salaries, support, maintenance, miscellaneous purposes,  
 14 26 and for not more than the following full-time equivalent  
 14 27 positions:

14 28 ..... \$ 6,249,201

14 29 ..... FTEs 324.00

General Fund appropriation to the Military Division of the Department of Public Defense.

DETAIL: This is an increase of \$624,920 and 10.70 FTE positions compared to estimated net FY 2010.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustment Act) includes \$526,202 to partially restore the 10.00% across-the-board reduction.

14 30 The military division may temporarily exceed and draw more  
 14 31 than the amount appropriated and incur a negative cash balance  
 14 32 as long as there are receivables of federal funds equal to or  
 14 33 greater than the negative balance and the amount appropriated  
 14 34 in this subsection is not exceeded at the close of the fiscal  
 14 35 year.

Permits the Military Division to incur a negative cash balance as long as the Division has federal reimbursable expenses to cover the negative balance.

DETAIL: The Military Division can experience a delay of up to 30 days in federal reimbursement for eligible expenses. This authorization permits the Division to use State General Fund money to cover these expenses until the federal funds are received. To alleviate the cash flow problem, the federal government has instituted an Advance Payment System that permits the State to receive an advance of federal funds to meet payroll and other requirements. The Division has implemented the accounting procedures to use the new System.

15 1 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION

15 2 For salaries, support, maintenance, miscellaneous purposes,  
 15 3 and for not more than the following full-time equivalent  
 15 4 positions:

15 5 ..... \$ 2,038,119

General Fund appropriation to the Homeland Security and Emergency Management Division.

DETAIL: This is an increase of \$203,812 and a decrease of 0.10 FTE position compared to estimated net FY 2010.

15 6 ..... FTEs 33.00

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustment Act) includes \$61,614 to partially restore the 10.00% across-the-board reduction.

15 7 The homeland security and emergency management division may  
15 8 temporarily exceed and draw more than the amount appropriated  
15 9 and incur a negative cash balance as long as there are  
15 10 receivables of federal funds equal to or greater than the  
15 11 negative balance and the amount appropriated in this subsection  
15 12 is not exceeded at the close of the fiscal year.

Permits the Homeland Security and Emergency Management Division to incur a negative cash balance as long as the Division has federal reimbursable expenses to cover the negative balance.

DETAIL: The Homeland Security and Emergency Management Division can experience a delay of up to 30 days in federal reimbursement for eligible expenses. This authorization permits the Division to use State General Fund money to cover these expenses until the federal funds are received. To alleviate the cash flow problem, the federal government has instituted an Advance Payment System that permits the State to receive an advance of federal funds to meet payroll and other requirements. The Division has implemented the accounting procedures to use the new System.

15 13 It is the intent of the general assembly that the homeland  
15 14 security and emergency management division work in conjunction  
15 15 with the department of public safety, to the extent possible,  
15 16 when gathering and analyzing information related to potential  
15 17 domestic or foreign security threats, and when monitoring such  
15 18 threats.

Specifies the intent of the General Assembly that the Homeland Security and Emergency Management Division work in conjunction with the DPS when gathering and analyzing information related to potential domestic and foreign security threats.

15 19 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is appropriated  
15 20 from the general fund of the state to the department of public  
15 21 safety for the fiscal year beginning July 1, 2010, and ending  
15 22 June 30, 2011, the following amounts, or so much thereof as is  
15 23 necessary, to be used for the purposes designated:

15 24 1. For the department's administrative functions, including  
15 25 the criminal justice information system, and for not more than  
15 26 the following full-time equivalent positions:  
15 27 ..... \$ 4,134,461  
15 28 ..... FTEs 36.00

General Fund appropriation to the DPS for the Administrative Services Division.

DETAIL: This is an increase of \$182,390 and a decrease of 3.00 FTE positions compared to estimated net FY 2010.

15 29 2. For the division of criminal investigation, including  
 15 30 the state's contribution to the peace officers' retirement,  
 15 31 accident, and disability system provided in chapter 97A in the  
 15 32 amount of the state's normal contribution rate, as defined in  
 15 33 section 97A.8, multiplied by the salaries for which the funds  
 15 34 are appropriated, to meet federal fund matching requirements,  
 15 35 and for not more than the following full-time equivalent  
 16 1 positions:  
 16 2 ..... \$ 12,861,710  
 16 3 ..... FTEs 162.10

General Fund appropriation to the DPS for the Division of Criminal Investigation (DCI).

DETAIL: This is a decrease of \$6,151,033 and 10.40 FTE positions compared to estimated net FY 2010. This is a decrease of \$8,851,775 to reflect gambling regulation receipts and an increase of \$2,700,742 for a general increase to the Crime Lab, the Records and Identification Bureau, and the Homicide Bureau.

NOTE: In addition to the General Fund appropriation, the DPS receives an appropriation from the Gaming Enforcement Revolving Fund established in Sections 15 and 23. This appropriation is to be used to support 115.00 of the 277.10 FTE positions authorized for DPS.

16 4 If any of the Indian tribes fail to pay for 1.00 FTE pursuant  
 16 5 to the agreements or compacts entered into between the state  
 16 6 and the Indian tribes pursuant to section 10A.104, subsection  
 16 7 10, the number of full-time equivalent positions authorized  
 16 8 under this subsection is reduced by 1.00 FTE.

Specifies that if funding for the 1.00 FTE position for a DCI Special Agent to perform Tribal Gaming Inspections is not funded from the Tribal-State Compact, this FTE position will no longer be authorized.

16 9 The department shall employ one additional special agent and  
 16 10 one additional criminalist for the purpose of investigating  
 16 11 cold cases. Prior to employing the additional special agent  
 16 12 and criminalist authorized in this paragraph, the department  
 16 13 shall provide a written statement to prospective employees that  
 16 14 states to the effect that the positions are being funded by a  
 16 15 temporary federal grant and there are no assurances that funds  
 16 16 from other sources will be available after the federal funding  
 16 17 expires. If the federal funding for the additional positions  
 16 18 expires during the fiscal year, the number of full-time  
 16 19 equivalent positions authorized in this subsection is reduced  
 16 20 by 2.00 FTEs.

Specifies that the DPS will employ one Special Agent and one Criminalist to investigate cold cases. However, if federal funds are not received for the 2.00 FTE positions for the Cold Case Unit, the positions are eliminated.

16 21 The department of public safety, with the approval of the

Permits the DPS to employ a maximum of two special agents and four

16 22 department of management, may employ no more than two special  
 16 23 agents and four gaming enforcement officers for each additional  
 16 24 riverboat or gambling structure regulated after July 1, 2010,  
 16 25 and one special agent for each racing facility which becomes  
 16 26 operational during the fiscal year which begins July 1, 2010.  
 16 27 One additional gaming enforcement officer, up to a total of  
 16 28 four per riverboat or gambling structure, may be employed  
 16 29 for each riverboat or gambling structure that has extended  
 16 30 operations to 24 hours and has not previously operated with a  
 16 31 24-hour schedule. Positions authorized in this paragraph are  
 16 32 in addition to the full-time equivalent positions otherwise  
 16 33 authorized in this subsection.

gaming officers if approved by the DOM for new riverboats licensed after July 1, 2010, 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 2011.

NOTE: Senate File 2247 relates to the designation of a gaming enforcement officer. The Act specifies it is the intent of the General Assembly that the change in designation is for official designation purposes only and will not modify the existing job classification or duties for a gaming enforcement officer as of July 1, 2010.

16 34 3. For the criminalistics laboratory fund created in  
 16 35 section 691.9:

General Fund appropriation for the Criminalistics Laboratory Fund.

17 1 ..... \$ 302,345

DETAIL: This is no change compared to estimated net FY 2010.

17 2 4. a. For the division of narcotics enforcement, including  
 17 3 the state's contribution to the peace officers' retirement,  
 17 4 accident, and disability system provided in chapter 97A in the  
 17 5 amount of the state's normal contribution rate, as defined in  
 17 6 section 97A.8, multiplied by the salaries for which the funds  
 17 7 are appropriated, to meet federal fund matching requirements,  
 17 8 and for not more than the following full-time equivalent  
 17 9 positions:

General Fund appropriation to the DPS for the Division of Narcotics Enforcement (DNE).

DETAIL: This is an increase of \$759,401 and a decrease of 6.00 FTE positions compared to estimated net FY 2010.

17 10 ..... \$ 6,507,048

17 11 ..... FTEs 75.00

17 12 b. For the division of narcotics enforcement for undercover  
 17 13 purchases:

General Fund appropriation to the DPS for DNE undercover purchases.

17 14 ..... \$ 109,042

DETAIL: This is no change compared to estimated net FY 2010.

17 15 5. For the division of state fire marshal, for fire  
 17 16 protection services as provided through the state fire service

General Fund appropriation to the DPS for the State Fire Marshal's Office.

17 17 and emergency response council as created in the department,  
 17 18 and for the state's contribution to the peace officers'  
 17 19 retirement, accident, and disability system provided in chapter  
 17 20 97A in the amount of the state's normal contribution rate, as  
 17 21 defined in section 97A.8, multiplied by the salaries for which  
 17 22 the funds are appropriated, and for not more than the following  
 17 23 full-time equivalent positions:  
 17 24 ..... \$ 4,343,896  
 17 25 ..... FTEs 57.00

DETAIL: This is an increase of \$753,893 and a decrease of 2.00 FTE positions compared to estimated net FY 2010.

17 26 6. For the division of state patrol, for salaries, support,  
 17 27 maintenance, workers' compensation costs, and miscellaneous  
 17 28 purposes, including the state's contribution to the peace  
 17 29 officers' retirement, accident, and disability system provided  
 17 30 in chapter 97A in the amount of the state's normal contribution  
 17 31 rate, as defined in section 97A.8, multiplied by the salaries  
 17 32 for which the funds are appropriated, and for not more than the  
 17 33 following full-time equivalent positions:  
 17 34 ..... \$ 48,984,147  
 17 35 ..... FTEs 503.00

General Fund appropriation to the Iowa State Patrol.

DETAIL: This is an increase of \$3,922,862 and a decrease of 33.00 FTE positions compared to estimated net FY 2010.

18 1 It is the intent of the general assembly that members of the  
 18 2 state patrol be assigned to patrol the highways and roads in  
 18 3 lieu of assignments for inspecting school buses for the school  
 18 4 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.

18 5 7. For deposit in the sick leave benefits fund established  
 18 6 under section 80.42 for all departmental employees eligible to  
 18 7 receive benefits for accrued sick leave under the collective  
 18 8 bargaining agreement:  
 18 9 ..... \$ 279,517

General Fund appropriation to create a non-reversionary fund in the DPS 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: This is no change compared to estimated net FY 2010.

18 10 8. For costs associated with the training and equipment  
 18 11 needs of volunteer fire fighters:  
 18 12 ..... \$ 612,255

General Fund appropriation to the DPS for Volunteer Fire Fighter Training.

DETAIL: This is no change compared to estimated net FY 2010.

18 13 Notwithstanding section 8.33, moneys appropriated in this  
18 14 subsection that remain unencumbered or unobligated at the  
18 15 close of the fiscal year shall not revert but shall remain  
18 16 available for expenditure only for the purpose designated in  
18 17 this subsection until the close of the succeeding fiscal year.

CODE: Requires nonreversion of funds for fire fighter training and equipment needs.

18 18 Notwithstanding section 8.39, within the moneys appropriated  
18 19 in this section the department of public safety may reallocate  
18 20 moneys as necessary to best fulfill the needs provided for  
18 21 in the appropriation. However, the department shall not  
18 22 reallocate an appropriation made to the department in this  
18 23 section unless notice of the reallocation is given to the  
18 24 legislative services agency and the department of management  
18 25 prior to the effective date of the reallocation. The notice  
18 26 shall include information about the rationale for reallocating  
18 27 the appropriation. The department shall not reallocate  
18 28 an appropriation made in this section for the purpose of  
18 29 eliminating any program.

CODE: Permits funds appropriated to the DPS to be allocated as necessary to fulfill appropriation needs within the Department. The Department is not allowed to reallocate an appropriation unless notice is given to the LSA and the DOM prior to the effective date of the reallocation. The Department is not allowed to reallocate the appropriation for the purpose of eliminating a program.

18 30 Sec. 15. GAMING ENFORCEMENT. There is appropriated from the  
18 31 gaming enforcement revolving fund created in section 80.43 to  
18 32 the department of public safety for the fiscal year beginning  
18 33 July 1, 2010, and ending June 30, 2011, the following amount,  
18 34 or so much thereof as is necessary, to be used for the purposes  
18 35 designated:

Gaming Enforcement Revolving Fund appropriation to the Department of Public Safety for direct and indirect support costs for DCI agents and officers for gaming enforcement.

DETAIL: This is a new Fund and appropriation.

19 1 For any direct and indirect support costs for agents  
19 2 and officers of the division of criminal investigation's  
19 3 excursion gambling boat, gambling structure, and racetrack  
19 4 enclosure enforcement activities, including salaries, support,  
19 5 maintenance, miscellaneous purposes, and for not more than the  
19 6 following full-time equivalent positions:  
19 7 ..... \$ 8,851,775  
19 8 ..... FTEs 115.00



19 9 However, for each additional license to conduct gambling  
 19 10 games on an excursion gambling boat, gambling structure, or  
 19 11 racetrack enclosure issued during the period beginning July 1,  
 19 12 2009, through June 30, 2011, there is appropriated from the  
 19 13 gaming enforcement fund to the department of public safety for  
 19 14 the fiscal year beginning July 1, 2010, and ending June 30,  
 19 15 2011, an additional amount of not more than \$521,000 to be  
 19 16 used for not more than 6.00 additional full-time equivalent  
 19 17 positions.

If an additional gambling license is granted in FY 2010 or FY 2011, an additional \$521,000 and 6.00 FTE positions may be expended from the Gaming Enforcement Revolving Fund.

19 18 Sec. 16. CIVIL RIGHTS COMMISSION. There is appropriated  
 19 19 from the general fund of the state to the Iowa state civil  
 19 20 rights commission for the fiscal year beginning July 1,  
 19 21 2010, and ending June 30, 2011, the following amount, or so  
 19 22 much thereof as is necessary, to be used for the purposes  
 19 23 designated:  
 19 24 For salaries, support, maintenance, miscellaneous purposes,  
 19 25 and for not more than the following full-time equivalent  
 19 26 positions:  
 19 27 ..... \$ 1,379,861  
 19 28 ..... FTEs 29.50

General Fund appropriation to the Iowa Civil Rights Commission.

DETAIL: This is no change compared to estimated net FY 2010.

NOTE: Section 20 of this Act allocates an additional \$100,000 from the Public Safety Enforcement Fund to the DOC for the Civil Rights Commission.

19 29 The Iowa state civil rights commission may enter into  
 19 30 a contract with a nonprofit organization to provide legal  
 19 31 assistance to resolve civil rights complaints.

Permits the Iowa Civil Rights Commission to enter into a contract with a non-profit organization for legal assistance.

19 32 Sec. 17. EFFECTIVE UPON ENACTMENT. The provision of this  
 19 33 division of this Act eliminating the chief security officer  
 19 34 position within the department of corrections, being deemed of  
 19 35 immediate importance, takes effect upon enactment. ]

**VETOED**

The provision eliminating the Chief of Security position in the Central Office of the DOC is effective on enactment.

VETOED: The Governor vetoed this Section as it relates to the elimination of the Chief Security Officer position that was also vetoed.

## 20 1 DIVISION II

### 20 2 COURT COSTS == FINES

20 3 Sec. 18. Section 805.8A, Code Supplement 2009, is amended  
 20 4 by striking the section and inserting in lieu thereof the

CODE: Increases fines in amounts ranging from \$10 to \$100 for moving and non-moving violations.

20 5 following:  
20 6 805.8A Motor vehicle and transportation scheduled violations.  
20 7 1. Parking violations.  
20 8 a. For parking violations under sections 321.236, 321.239,  
20 9 321.358, 321.360, and 321.361, the scheduled fine is five  
20 10 dollars, except if the local authority has established the  
20 11 fine by ordinance. The scheduled fine for a parking violation  
20 12 pursuant to section 321.236 increases by five dollars if  
20 13 authorized by ordinance and if the parking violation is not  
20 14 paid within thirty days of the date upon which the violation  
20 15 occurred. For purposes of calculating the unsecured appearance  
20 16 bond required under section 805.6, the scheduled fine shall  
20 17 be five dollars, or if the amount of the fine is greater than  
20 18 five dollars, the unsecured appearance bond shall be the amount  
20 19 of the fine established by the local authority. However,  
20 20 violations charged by a city or county upon simple notice of a  
20 21 fine instead of a uniform citation and complaint required by  
20 22 section 321.236, subsection 1, paragraph "b", are not scheduled  
20 23 violations, and this section shall not apply to any offense  
20 24 charged in that manner. For a parking violation under section  
20 25 461A.38, the scheduled fine is ten dollars. For a parking  
20 26 violation under section 321.362, the scheduled fine is twenty  
20 27 dollars.  
20 28 b. For a parking violation under section 321L.2A, subsection  
20 29 2, the scheduled fine is twenty dollars.  
20 30 c. For violations under section 321L.2A, subsection 3,  
20 31 sections 321L.3, 321L.4, subsection 2, and section 321L.7, the  
20 32 scheduled fine is two hundred dollars.  
20 33 2. Title and registration violations. For title or  
20 34 registration violations under the following sections, the  
20 35 scheduled fine is as follows:  
21 1 a. 321.17, \$50.  
21 2 b. 321.25, \$100.  
21 3 c. 321.32, \$20.  
21 4 d. 321.34, \$20.  
21 5 e. 321.37, \$20.  
21 6 f. 321.38, \$20.

NOTE: See the attached spreadsheet for additional detail.

VETOED: The Governor vetoed Section 18.3(ag). The language created two different fines for violations of Code Section 321.437 related to rearview mirrors and sideview mirrors and conflicted with Subsection 12, lettered paragraph "b" of this Act. The veto corrected this inconsistency.

21 7 g. 321.41, \$20.  
21 8 h. 321.45, \$100.  
21 9 i. 321.46, \$100.  
21 10 j. 321.47, \$100.  
21 11 k. 321.48, \$100.  
21 12 l. 321.52, \$100.  
21 13 m. 321.55, \$50.  
21 14 n. 321.57, \$100.  
21 15 o. 321.62, \$100.  
21 16 p. 321.67, \$100.  
21 17 q. 321.98, \$50.  
21 18 r. 321.99, \$200.  
21 19 s. 321.104, \$100.  
21 20 t. 321.115, \$30.  
21 21 u. 321.115A, \$30.  
21 22 3. Equipment violations. For equipment violations under the  
21 23 following sections, the scheduled fine is as follows:  
21 24 a. 321.234A, \$50.  
21 25 b. 321.247, \$100.  
21 26 c. 321.317, \$20.  
21 27 d. 321.381, \$100.  
21 28 e. 321.381A, \$100.  
21 29 f. 321.382, \$25.  
21 30 g. 321.383, \$30.  
21 31 h. 321.384, \$30.  
21 32 i. 321.385, \$30.  
21 33 j. 321.386, \$30.  
21 34 k. 321.387, \$20.  
21 35 l. 321.388, \$20.  
22 1 m. 321.389, \$20.  
22 2 n. 321.390, \$20.  
22 3 o. 321.392, \$20.  
22 4 p. 321.393, \$20.  
22 5 q. 321.398, \$30.  
22 6 r. 321.402, \$30.  
22 7 s. 321.403, \$30.  
22 8 t. 321.404, \$30.

22 9 u. 321.404A, \$25.

22 10 v. 321.409, \$30.

22 11 w. 321.415, \$30.

22 12 x. 321.419, \$30.

22 13 y. 321.420, \$30.

22 14 z. 321.421, \$30.

22 15 aa. 321.422, \$20.

22 16 ab. 321.423, \$30.

22 17 ac. 321.430, \$100.

22 18 ad. 321.432, \$20.

22 19 ae. 321.433, \$30.

22 20 af. 321.436, \$20.

[22 21 ag. 321.437, for improperly used or nonused, or defective

22 22 or improper equipment, other than brakes, driving lights, and

22 23 brake lights, \$20. ]

VETOED

22 24 ah. 321.438, \$50.

22 25 ai. 321.439, \$20.

22 26 aj. 321.440, \$20.

22 27 ak. 321.441, \$20.

22 28 al. 321.442, \$20.

22 29 am. 321.444, \$20.

22 30 4. Driver's license violations. For driver's license

22 31 violations under the following sections, the scheduled

22 32 violation is as follows:

22 33 a. 321.174, \$200.

22 34 b. 321.174A, \$50.

22 35 c. 321.180, \$50.

23 1 d. 321.180B, \$50.

23 2 e. 321.193, \$50.

23 3 f. 321.194, \$50.

23 4 g. 321.216, \$100.

23 5 h. 321.216B, \$200.

23 6 i. 321.216C, \$200.

23 7 j. 321.219, \$200.

23 8 k. 321.220, \$200.

23 9 5. Speed violations.

23 10 a. For excessive speed violations in excess of the limit

23 11 under section 321.236, subsections 5 and 11, sections 321.285,  
23 12 and 461A.36, the scheduled fine shall be the following:

23 13 (1) Twenty dollars for speed not more than five miles per  
23 14 hour in excess of the limit.

23 15 (2) Forty dollars for speed greater than five but not more  
23 16 than ten miles per hour in excess of the limit.

23 17 (3) Eighty dollars for speed greater than ten but not more  
23 18 than fifteen miles per hour in excess of the limit.

23 19 (4) Ninety dollars for speed greater than fifteen but not  
23 20 more than twenty miles per hour in excess of the limit.

23 21 (5) One hundred dollars plus five dollars for each mile per  
23 22 hour of excessive speed over twenty miles per hour over the  
23 23 limit.

23 24 b. Notwithstanding paragraph "a", for excessive speed  
23 25 violations in speed zones greater than fifty=five miles per  
23 26 hour, the scheduled fine shall be:

23 27 (1) Twenty dollars for speed not more than five miles per  
23 28 hour in excess of the limit.

23 29 (2) Forty dollars for speed greater than five but not more  
23 30 than ten miles per hour in excess of the limit.

23 31 (3) Eighty dollars for speed greater than ten but not more  
23 32 than fifteen miles per hour in excess of the limit.

23 33 (4) Ninety dollars for speed greater than fifteen but not  
23 34 more than twenty miles per hour in excess of the limit.

23 35 (5) One hundred dollars plus five dollars for each mile per  
24 1 hour of excessive speed over twenty miles per hour over the  
24 2 limit.

24 3 c. Excessive speed in whatever amount by a school bus is  
24 4 not a scheduled violation under any section listed in this  
24 5 subsection.

24 6 d. Excessive speed in conjunction with a violation of  
24 7 section 321.278 is not a scheduled violation, whatever the  
24 8 amount of excess speed.

24 9 e. For a violation under section 321.295, the scheduled fine  
24 10 is fifty dollars.

24 11 6. Operating violations. For operating violations under the  
24 12 following sections, the scheduled violation is as follows:

- 24 13 a. 321.236, subsections 3, 4, 9, and 12, \$20.  
24 14 b. 321.275, subsections 1 through 7, \$35.  
24 15 c. 321.277A, \$35.  
24 16 d. 321.288, \$100.  
24 17 e. 321.297, \$100.  
24 18 f. 321.299, \$100.  
24 19 g. 321.302, \$100.  
24 20 h. 321.303, \$100.  
24 21 i. 321.304, subsections 1 and 2, \$100.  
24 22 j. 321.305, \$100.  
24 23 k. 321.306, \$100.  
24 24 l. 321.311, \$100.  
24 25 m. 321.312, \$100.  
24 26 n. 321.314, \$100.  
24 27 o. 321.315, \$35.  
24 28 p. 321.316, \$35.  
24 29 q. 321.318, \$35.  
24 30 r. 321.323, \$100.  
24 31 s. 321.340, \$100.  
24 32 t. 321.353, \$100.  
24 33 u. 321.354, \$100.  
24 34 v. 321.363, \$35.  
24 35 w. 321.365, \$35.  
25 1 x. 321.366, \$100.  
25 2 y. 321.395, \$100.  
25 3 7. Failure to yield or obey violations. For failure to yield  
25 4 or obey violations under the following sections, the scheduled  
25 5 violation is as follows:  
25 6 a. 321.257, subsection 2, for a violation by an operator of  
25 7 a motor vehicle, \$100.  
25 8 b. 321.298, \$100.  
25 9 c. 321.307, \$100.  
25 10 d. 321.308, \$100.  
25 11 e. 321.313, \$100.  
25 12 f. 321.319, \$100.  
25 13 g. 321.320, \$100.  
25 14 h. 321.321, \$100.

25 15 i. 321.327, \$100.  
25 16 j. 321.329, \$100.  
25 17 k. 321.333, \$100.  
25 18 8. Traffic sign or signal violations. For traffic sign or  
25 19 signal violations under the following sections, the scheduled  
25 20 violation is as follows:  
25 21 a. 321.236, subsections 2 and 6, \$35.  
25 22 b. 321.256, \$100.  
25 23 c. 321.294, \$100.  
25 24 d. 321.304, subsection 3, \$100.  
25 25 e. 321.322, \$100.  
25 26 9. Bicycle or pedestrian violations. For bicycle or  
25 27 pedestrian violations under the following sections, the  
25 28 scheduled fine for a pedestrian or bicyclist is as follows:  
25 29 a. 321.234, subsections 3 and 4, \$25.  
25 30 b. 321.236, subsection 10, \$15.  
25 31 c. 321.257, subsection 2, \$25.  
25 32 d. 321.275, subsection 8, \$25.  
25 33 e. 321.325, \$25.  
25 34 f. 321.326, \$25.  
25 35 g. 321.328, \$25.  
26 1 h. 321.331, \$25.  
26 2 i. 321.332, \$25.  
26 3 j. 321.397, \$25.  
26 4 k. 321.434, \$25.  
26 5 9A. Electric personal assistive mobility device  
26 6 violations. For violations under section 321.235A, the  
26 7 scheduled fine is fifteen dollars.  
26 8 10. School bus violations.  
26 9 a. For violations by an operator of a school bus under  
26 10 sections 321.285 and 321.372, subsections 1 and 2, the  
26 11 scheduled fine is one hundred dollars. However, an excessive  
26 12 speed violation by a school bus of more than ten miles per hour  
26 13 in excess of the limit is not a scheduled violation.  
26 14 b. For a violation under section 321.372, subsection 3, the  
26 15 scheduled fine is two hundred dollars.  
26 16 11. Emergency vehicle violations. For emergency vehicle

26 17 violations under the following sections, the scheduled fine is  
26 18 as follows:

26 19 a. 321.231, \$100.  
26 20 b. 321.323A, \$100.  
26 21 c. 321.324, \$100.  
26 22 d. 321.367, \$100.  
26 23 e. 321.368, \$100.

26 24 12. Restrictions on vehicles.

26 25 a. For violations under sections 321.309, 321.310, 321.394,  
26 26 321.461, and 321.462, the scheduled fine is thirty-five  
26 27 dollars.

26 28 b. For violations under section 321.437, the scheduled fine  
26 29 is thirty-five dollars.

26 30 c. For height, length, width, and load violations under  
26 31 sections 321.454, 321.455, 321.456, 321.457, and 321.458, the  
26 32 scheduled fine is two hundred dollars.

26 33 d. For violations under section 321.466, the scheduled fine  
26 34 is twenty dollars for each two thousand pounds or fraction  
26 35 thereof of overweight.

27 1 e. (1) Violations of the schedule of axle and tandem axle  
27 2 and gross or group of axle weight violations in section 321.463  
27 3 shall be scheduled violations subject to the provisions,  
27 4 procedures, and exceptions contained in sections 805.6 through  
27 5 805.11, irrespective of the amount of the fine under that  
27 6 schedule.

27 7 (a) Violations of the schedule of weight violations shall be  
27 8 chargeable, where the fine charged does not exceed one thousand  
27 9 dollars, only by uniform citation and complaint.

27 10 (b) Violations of the schedule of weight violations, where  
27 11 the fine charged exceeds one thousand dollars shall, when the  
27 12 violation is admitted and section 805.9 applies, be chargeable  
27 13 upon uniform citation and complaint, indictment, or county  
27 14 attorney's information, but otherwise shall be chargeable only  
27 15 upon indictment or county attorney's information.

27 16 (2) In all cases of charges under the schedule of weight  
27 17 violations, the charge shall specify the amount of fine charged  
27 18 under the schedule. Where a defendant is convicted and the



27 19 fine under the foregoing schedule of weight violations exceeds  
27 20 one thousand dollars, the conviction shall be of an indictable  
27 21 offense although section 805.9 is employed and whether the  
27 22 violation is charged upon uniform citation and complaint,  
27 23 indictment, or county attorney's information.

27 24 f. For a violation under section 321E.16, other than the  
27 25 provisions relating to weight, the scheduled fine is two  
27 26 hundred dollars.

27 27 13. Motor carrier violations.

27 28 a. (1) For a violation under section 321.54, the scheduled  
27 29 fine is thirty dollars.

27 30 (2) For violations under sections 326.22 and 326.23, the  
27 31 scheduled fine is fifty dollars.

27 32 b. For a violation under section 321.449, the scheduled fine  
27 33 is fifty dollars.

27 34 c. For violations under sections 321.364, 321.450, 321.460,  
27 35 and 452A.52, the scheduled fine is two hundred dollars.

28 1 d. For violations of section 325A.3, subsection 5, or  
28 2 section 325A.8, the scheduled fine is one hundred dollars.

28 3 e. For violations of chapter 325A, other than a violation of  
28 4 section 325A.3, subsection 5, or section 325A.8, the scheduled  
28 5 fine is two hundred fifty dollars.

28 6 f. For failure to have proper carrier identification  
28 7 markings under section 327B.1, the scheduled fine is one  
28 8 hundred dollars.

28 9 g. For failure to have proper evidence of interstate  
28 10 authority carried or displayed under section 327B.1, and for  
28 11 failure to register, carry, or display evidence that interstate  
28 12 authority is not required under section 327B.1, the scheduled  
28 13 fine is two hundred fifty dollars.

28 14 14. Miscellaneous violations.

28 15 a. Failure to obey a peace officer. For a violation under  
28 16 section 321.229, the scheduled fine is one hundred dollars.

28 17 b. Abandoning a motor vehicle. For a violation under  
28 18 section 321.91, the scheduled fine is two hundred dollars.

28 19 c. Seat belt or restraint violations.

28 20 (1) For a violation under section 321.445, the scheduled

28 21 fine is fifty dollars.

28 22 (2) For a violation under section 321.446, the scheduled  
28 23 violation is one hundred dollars.

28 24 d. Litter and debris violations. For violations under  
28 25 sections 321.369 and 321.370, the scheduled fine is seventy  
28 26 dollars.

28 27 e. Open container violations. For violations under sections  
28 28 321.284 and 321.284A, the scheduled fine is two hundred  
28 29 dollars.

28 30 f. Proof of financial responsibility. If, in connection with  
28 31 a motor vehicle accident, a person is charged and found guilty  
28 32 of a violation of section 321.20B, subsection 1, the scheduled  
28 33 fine is five hundred dollars; otherwise, the scheduled fine for  
28 34 a violation of section 321.20B, subsection 1, is two hundred  
28 35 fifty dollars. Notwithstanding section 805.12, fines collected  
29 1 pursuant to this paragraph shall be submitted to the state  
29 2 court administrator and distributed fifty percent to the victim  
29 3 compensation fund established in section 915.94, twenty=five  
29 4 percent to the county in which such fine is imposed, and  
29 5 twenty=five percent to the general fund of the state.

29 6 g. Radar=jamming devices. For a violation under section  
29 7 321.232, the scheduled fine is one hundred dollars.

29 8 h. Railroad crossing violations. For violations under  
29 9 sections 321.341, 321.342, 321.343, and 321.344, and 321.344B,  
29 10 the scheduled fine is two hundred dollars.

29 11 i. Road work zone violations. The scheduled fine for any  
29 12 moving traffic violation under chapter 321, as provided in  
29 13 this section, shall be doubled if the violation occurs within  
29 14 any road work zone, as defined in section 321.1. However,  
29 15 notwithstanding subsection 5, the scheduled fine for violating  
29 16 the speed limit in a road work zone is as follows:

29 17 (1) One hundred fifty dollars for speed not more than ten  
29 18 miles per hour over the posted speed limit.

29 19 (2) Three hundred dollars for speed greater than ten but not  
29 20 more than twenty miles per hour over the posted speed limit.

29 21 (3) Five hundred dollars for speed greater than twenty but  
29 22 not more than twenty=five miles per hour over the posted speed

29 23 limit.

29 24 (4) One thousand dollars for speed greater than twenty=five  
29 25 miles per hour over the posted speed limit.

29 26 j. Vehicle component parts records violations. For  
29 27 violations under section 321.95, the scheduled fine is fifty  
29 28 dollars.

29 29 Sec. 19. Section 805.8C, subsection 6, paragraph a, Code  
29 30 Supplement 2009, is amended to read as follows:

29 31 a. If the violation is a first offense, the scheduled fine  
29 32 is ~~one~~ two hundred dollars.

CODE: Increases the fines for first offense purchase of pseudoephedrine from \$100 to \$110.

29 33 DIVISION III

29 34 PUBLIC SAFETY ENFORCEMENT FUND

29 35 Sec. 20. PUBLIC SAFETY ENFORCEMENT FUND ESTABLISHED ==

30 1 TEMPORARY ALLOCATION OF FINES AND FEES.

30 2 1. A public safety enforcement fund is created in the  
30 3 state treasury under the control of the treasurer of state.  
30 4 Notwithstanding section 602.8108, the state court administrator  
30 5 shall allocate to the treasurer of state for deposit in the  
30 6 public safety enforcement fund the first nine million one  
30 7 hundred thousand dollars of the moneys received under section  
30 8 602.8108, subsection 2, during the fiscal year beginning July  
30 9 1, 2010, and ending June 30, 2011. Of the moneys allocated for  
30 10 deposit into the victim compensation fund pursuant to section  
30 11 602.8108, subsection 3, the state court administrator shall  
30 12 allocate to the treasurer of state for deposit in the public  
30 13 safety enforcement fund the first two hundred thirty=five  
30 14 thousand dollars of the moneys received during the fiscal year  
30 15 beginning July 1, 2010, and ending June 30, 2011. Moneys  
30 16 deposited into the fund are appropriated to the treasurer of  
30 17 state for allocation as provided in subsection 2.

Creates the Public Safety Enforcement Fund under the control of the State Treasurer.

CODE: Requires the State Court Administrator to allocate the first \$9,100,000 of court receipts received in FY 2011 to the State Treasurer for deposit in the Public Safety Enforcement Fund. Of the money allocated for deposit in the Victim Compensation Fund, the State Court Administrator will allocate to the State Treasurer for deposit in the Public Safety Enforcement Fund the first \$235,000 of the money received in FY 2011.

30 18 2. The treasurer of state shall allocate to the following

Requires the State Treasurer to allocate money from the Public Safety Enforcement Fund in the following amounts to the following State

30 19 entities the following amounts from the public safety  
30 20 enforcement fund for the fiscal year beginning July 1, 2010,  
30 21 and ending June 30, 2011:  
30 22 a. To the department of corrections for operations  
30 23 including but not limited to drug courts and salaries and  
30 24 support for probation and parole officers, \$837,810, and  
30 25 of the amount allocated in this paragraph, \$402,810 shall  
30 26 be allocated by the department of corrections to the sixth  
30 27 judicial district department of correctional services, \$335,000  
30 28 shall be allocated to the fifth judicial district department of  
30 29 correctional services, and \$100,000 shall be allocated to the  
30 30 first judicial district department of correctional services.  
30 31 b. To the department of corrections for salaries and  
30 32 support for correctional officers, \$2,497,190, and of the  
30 33 amount allocated in this paragraph, \$1,451,000 shall be  
30 34 allocated by the department of corrections for the operation  
30 35 of the Fort Madison correctional facility, \$846,190 shall be  
31 1 allocated for the operation of the Luster Heights facility, and  
31 2 \$200,000 shall be allocated for the operation of the Anamosa  
31 3 correctional facility.  
31 4 c. To the department of public safety, \$150,000, for costs  
31 5 associated with the training and equipment needs of volunteer  
31 6 fire fighters.  
31 7 d. To the department of public safety for salaries and  
31 8 support for sworn peace officers of the state patrol, \$300,000.  
31 9 e. To the Iowa civil rights commission, \$100,000.  
31 10 f. To the judicial branch, \$5,300,000.  
31 11 g. To the department of justice for salaries and support,  
31 12 \$150,000.  
31 13 3. Moneys remaining in the fund at or after the close of the  
31 14 fiscal year shall revert to the general fund of the state.  
31 15 4. This section is repealed June 30, 2011.

31 16 DIVISION IV  
31 17 GAMING ENFORCEMENT FUND AND MISCELLANEOUS PROVISIONS

31 18 Sec. 21. 2010 Iowa Acts, Senate File 2088, section 62, is

agencies. This Section is repealed June 30, 2011.

- CBC District 1 - \$100,000
- CBC District 5 - \$335,000
- CBC District 6 - \$402,810
- Fort Madison Institution - \$1,451,000
- Anamosa Institution - \$200,000
- Luster Heights Correctional Facility - \$846,190
- Volunteer Fire Fighters - \$150,000
- Department of Public Safety - \$300,000
- Iowa Civil Rights Commission - \$100,000
- Judicial Branch - \$5,300,000
- Attorney General - \$150,000

CODE: Clarifies that CBC District Departments are to report their

31 19 amended to read as follows:  
31 20 SEC. 62. COMMUNITY=BASED CORRECTIONS == STATE  
31 21 ~~ACCOUNTING~~ BUDGETING SYSTEM. Each judicial district  
31 22 department of correctional services shall utilize the state  
31 23 ~~accounting~~ budgeting system for purposes of tracking both  
31 24 appropriations and expenditures. Each judicial district  
31 25 department shall coordinate its ~~accounting~~ budgeting activities  
31 26 with the department of management for purposes of implementing  
31 27 the requirements of this section.

financial data using the State budget system.

DETAIL: Current law requires the CBC District Departments to file their financial reports quarterly with the LSA.

31 28 Sec. 22. Section 8A.302, subsection 1, as amended by 2010  
31 29 Iowa Acts, Senate File 2088, section 71, is amended to read as  
31 30 follows:

CODE: Corrective language for the waiver process for State agencies to purchase products from Iowa Prison Industries.

31 31 1. Providing a system of uniform standards and  
31 32 specifications for purchasing. When the system is developed,  
31 33 all items of general use shall be purchased by state agencies  
31 34 through the department, except items provided for under  
31 35 section 904.808 or items used by the state board of regents  
32 1 and institutions under the control of the state board of  
32 2 regents. However, the department may authorize the department  
32 3 of transportation, the department for the blind, and any other  
32 4 agencies otherwise exempted by law from centralized purchasing,  
32 5 to directly purchase items used by those agencies without going  
32 6 through the department, if the department of administrative  
32 7 services determines such purchasing is in the best interests  
32 8 of the state. However, items of general use may be purchased  
32 9 through the department by any governmental entity.

DETAIL: This Section amends language in SF 2088 (Government Reorganization and Efficiency Act).

32 10 Sec. 23. NEW SECTION . 80.43 Gaming enforcement ==  
32 11 revolving fund.

CODE: Creates the Gaming Enforcement Revolving Fund under the control of the DPS for the collection of fees for direct and indirect costs paid by licensees for the regulation of boats and racetracks by the Division of Criminal Investigation.

32 12 1. A gaming enforcement revolving fund is created in the  
32 13 state treasury under the control of the department. The fund  
32 14 shall consist of fees collected and deposited into the fund  
32 15 paid by licensees pursuant to section 99D.14, subsection 2,  
32 16 paragraph "b", and fees paid by licensees pursuant to section  
32 17 99F.10, subsection 4, paragraph "b". All costs for agents and  
32 18 officers plus any direct and indirect support costs for such

DETAIL: These funds will be used to support 115.00 FTE positions for gaming enforcement at an estimated cost of \$8,851,775.

NOTE: House File 2531 (FY 2011 Standing Appropriations Act) increased the limit by \$463,531 to \$9,315,306 to allow Public Safety to

32 19 agents and officers of the division of criminal investigation's  
32 20 racetrack, excursion boat, or gambling structure enforcement  
32 21 activities shall be paid from the fund as provided in  
32 22 appropriations made for this purpose by the general assembly.

bill for all direct and indirect costs.

32 23 2. To meet the department's cash flow needs, the department  
32 24 may temporarily use funds from the general fund of the state  
32 25 to pay expenses in excess of moneys available in the revolving  
32 26 fund if those additional expenditures are fully reimbursable  
32 27 and the department reimburses the general fund of the state  
32 28 and ensures all moneys are repaid in full by the close of the  
32 29 fiscal year. Because any general fund moneys used shall be  
32 30 fully reimbursed, such temporary use of funds from the general  
32 31 fund of the state shall not constitute an appropriation for  
32 32 purposes of calculating the state general fund expenditure  
32 33 limitation pursuant to section 8.54.

CODE: Permits the DPS to temporarily use General Fund money to provide cash flow for the Gaming Enforcement Revolving Fund and requires the DPS to repay all money used for cash flow purposes by the end of the fiscal year.

32 34 3. Section 8.33 does not apply to any moneys credited or  
32 35 appropriated to the revolving fund from any other fund and,  
33 1 notwithstanding section 12C.7, subsection 2, earnings or  
33 2 interest on moneys deposited in the revolving fund shall be  
33 3 credited to the revolving fund.

CODE: Requires nonreversion of funds appropriated to the Gaming Enforcement Revolving Fund. Requires interest earnings to be retained in the Fund.

33 4 Sec. 24. Section 99D.14, subsection 2, Code 2009, is amended  
33 5 to read as follows:

33 6 2. a. A licensee shall pay a regulatory fee to be charged  
33 7 as provided in this section. In determining the regulatory fee  
33 8 to be charged as provided under this section, the commission  
33 9 shall use the amount appropriated to the commission plus the  
33 10 cost of salaries for no more than two special agents for each  
33 11 racetrack that has not been issued a table games license under  
33 12 chapter 99F or no more than three special agents for each  
33 13 racetrack that has been issued a table games license under  
33 14 chapter 99F, plus any direct and indirect support costs for the  
33 15 agents, for the division of criminal investigation's racetrack  
33 16 activities, as the basis for determining the amount of revenue  
33 17 to be raised from the regulatory fee.

CODE: Requires gambling regulation receipts to be deposited in the Gaming Enforcement Revolving Fund rather than being deposited in the General Fund.

33 18 b. Notwithstanding sections 8.60 and 99D.17, the portion of  
33 19 the fee paid pursuant to paragraph "a" relating to the costs  
33 20 of special agents plus any direct and indirect support costs  
33 21 for the agents, for the division of criminal investigation's  
33 22 racetrack activities, shall not be deposited in the general  
33 23 fund of the state but instead shall be deposited into the  
33 24 gaming enforcement revolving fund established in section 80.43.

33 25 Sec. 25. Section 99F.10, subsection 4, Code 2009, is amended  
33 26 to read as follows:

33 27 4. a. In determining the license fees and state regulatory  
33 28 fees to be charged as provided under section 99F.4 and this  
33 29 section, the commission shall use as the basis for determining  
33 30 the amount of revenue to be raised from the license fees and  
33 31 regulatory fees the amount appropriated to the commission  
33 32 plus the cost of salaries for no more than two special agents  
33 33 for each excursion gambling boat or gambling structure and no  
33 34 more than four gaming enforcement officers for each excursion  
33 35 gambling boat or gambling structure with a patron capacity of  
34 1 less than two thousand persons or no more than five gaming  
34 2 enforcement officers for each excursion gambling boat or  
34 3 gambling structure with a patron capacity of at least two  
34 4 thousand persons, plus any direct and indirect support costs  
34 5 for the agents and officers, for the division of criminal  
34 6 investigation's excursion gambling boat or gambling structure  
34 7 activities.

34 8 b. Notwithstanding sections 8.60 and 99F.4, the portion of  
34 9 the fee paid pursuant to paragraph "a" relating to the costs  
34 10 of special agents and officers plus any direct and indirect  
34 11 support costs for the agents and officers, for the division of  
34 12 criminal investigation's excursion gambling boat or gambling  
34 13 structure activities, shall not be deposited in the general  
34 14 fund of the state but instead shall be deposited into the  
34 15 gaming enforcement revolving fund established in section 80.43.

34 16 Sec. 26. Section 809A.17, subsection 5, Code 2009, is  
34 17 amended by adding the following new paragraph:

CODE: Requires gambling regulation receipts to be deposited in the Gaming Enforcement Revolving Fund rather than being deposited in the General Fund.

CODE: Requires the Department of Justice to retain 10.00% of the cash or proceeds from the sale of forfeited property and 90.00% is to

34 18 NEW PARAGRAPH . e. If the forfeited property is cash or  
34 19 proceeds from the sale of real property the distribution of the  
34 20 forfeited property shall be as follows:  
34 21 (1) The department of justice shall not retain more than  
34 22 ten percent of the gross sale of any forfeited real property.  
34 23 The balance of the proceeds shall be distributed to the  
34 24 seizing agency for use by the agency or for division among  
34 25 law enforcement agencies and county attorneys pursuant to any  
34 26 agreement entered into by the seizing agency.  
34 27 (2) The department of justice shall not retain more than  
34 28 ten percent of any forfeited cash. The balance shall be  
34 29 distributed to the seizing agency for use by the agency or for  
34 30 division among law enforcement agencies and county attorneys  
34 31 pursuant to any agreement entered into by the seizing agency.  
34 32 (3) In the event of a cash forfeiture in excess of four  
34 33 hundred thousand dollars the distribution of forfeited cash  
34 34 shall be as follows:  
34 35 (a) Forty=five percent shall be retained by the seizing  
35 1 agency.  
35 2 (b) Forty=five percent shall be distributed to other law  
35 3 enforcement agencies within the region of the seizing agency.  
35 4 (c) Ten percent shall be retained by the department of  
35 5 justice.

be distributed to the seizing agencies.

35 6 Sec. 27. Section 904.315, subsection 2, Code Supplement  
35 7 2009, is amended to read as follows:  
35 8 2. A contract is not required for improvements at a state  
35 9 institution where the labor of inmates is to be used if the  
35 10 contract is not for a construction, reconstruction, demolition,  
35 11 or repair project or improvement with an estimated cost in  
35 12 excess of ~~fifty~~ one hundred thousand dollars.

CODE: Increases the dollar value cap on the use of inmate labor from \$50,000 per project to \$100,000 per maintenance project.

35 13 Sec. 28. Section 904A.4B, Code 2009, is amended to read as  
35 14 follows:  
35 15 904A.4B Executive director of the board of parole == duties.  
35 16 1. The chief administrative officer of the board of  
35 17 parole shall be the executive director , except as provided in

CODE: Permits the Chairperson of the Board of Parole to serve as Acting Executive Director if necessary.



35 18 subsection 2 . The executive director shall be appointed by the  
35 19 chairperson, subject to the approval of the board and shall  
35 20 serve at the pleasure of the board. The executive director  
35 21 shall do all of the following:  
35 22 4- a. Advise the board on matters relating to parole,  
35 23 work release, and executive clemency, and advise the board on  
35 24 matters involving automation and word processing.  
35 25 ~~2-~~ b. Carry out all directives of the board.  
35 26 ~~3-~~ c. Hire and supervise all of the board's staff pursuant  
35 27 to the provisions of chapter 8A, subchapter IV.  
35 28 4- d. Act as the board's liaison with the general assembly.  
35 29 ~~5-~~ e. Prepare a budget for the board, subject to the  
35 30 approval of the board, and prepare all other reports required  
35 31 by law.  
35 32 ~~6-~~ f. Develop long-range parole and work release planning,  
35 33 in cooperation with the department of corrections.  
35 34 2. If an executive director is not appointed as provided in  
35 35 subsection 1, the chairperson shall serve as acting executive  
36 1 director and perform the administrative duties under subsection  
36 2 1.

36 3 Sec. 29. IOWA COMMUNICATIONS NETWORK. It is the  
36 4 intent of the general assembly that the executive branch  
36 5 agencies receiving an appropriation in this Act utilize  
36 6 the Iowa communications network or secure other electronic  
36 7 communications in lieu of traveling for the fiscal year  
36 8 addressed by the appropriations.

Encourages State agencies that receive an appropriation in this Act to utilize the Iowa Communications Network in lieu of travel.

36 9 Sec. 30. HOMELAND SECURITY AND EMERGENCY MANAGEMENT  
36 10 DIVISION. There is appropriated from the wireless E911  
36 11 emergency communications fund created in section 34A.7A to the  
36 12 administrator of the homeland security and emergency management  
36 13 division of the department of public defense for the fiscal  
36 14 year beginning July 1, 2010, and ending June 30, 2011, an  
36 15 amount not exceeding \$200,000 to be used for implementation,  
36 16 support, and maintenance of the functions of the administrator  
36 17 and program manager under chapter 34A and to employ the auditor

Permits continued funding from the Wireless E911 Emergency Communications Fund for the E911 Program Manager in the Homeland Security and Emergency Management Division of the Department of Public Defense through FY 2011.

DETAIL: The Division receives up to \$200,000 and 2.00 FTE positions for the administration of the wireless E911 service and to employ the State Auditor to perform an annual audit on the Fund.

36 18 of the state to perform an annual audit of the wireless E911  
36 19 emergency communications fund.

36 20 Sec. 31. CORRECTIONAL OFFICER AND PEACE OFFICER ==  
36 21 PRIORITY. As a condition of receiving an appropriation in  
36 22 this Act, the department of corrections and the department of  
36 23 public safety shall make every effort to preserve correctional  
36 24 officer and peace officer positions through the reduction of  
36 25 administrative and related overhead costs.

Requires the DOC and the DPS to preserve correctional and peace officer positions by reducing administrative costs.

36 26 DIVISION V

36 27 SCHEDULED FINES == CORRESPONDING AMENDMENTS

CODE: Makes conforming amendments to Iowa Code Chapter 321.

36 28 Sec. 32. Section 321.17, Code 2009, is amended to read as  
36 29 follows:

36 30 321.17 Misdemeanor to violate registration provisions.

36 31 It is a simple misdemeanor punishable as a scheduled  
36 32 violation under section 805.8A, subsection 2, ~~paragraph~~  
36 33 ~~"b"~~, for any person to drive or move or for an owner knowingly  
36 34 to permit to be driven or moved upon the highway a vehicle of  
36 35 a type required to be registered under this chapter which is  
37 1 not registered, or for which the appropriate fees have not been  
37 2 paid, except as provided in section 321.109, subsection 3.

37 3 Sec. 33. Section 321.47, subsection 4, Code 2009, is amended  
37 4 to read as follows:

37 5 4. A person convicted of a violation of this section is  
37 6 guilty of a simple misdemeanor punishable as a scheduled  
37 7 violation under section 805.8A, subsection 2, ~~paragraph "b"~~.

37 8 Sec. 34. Section 321.98, Code 2009, is amended to read as  
37 9 follows:

37 10 321.98 Operation without registration.

37 11 A person shall not operate, and an owner shall not knowingly  
37 12 permit to be operated upon any highway any vehicle required  
37 13 to be registered and titled hereunder unless there shall be  
37 14 attached thereto and displayed thereon when and as required by  
37 15 this chapter a valid registration card and registration plate  
37 16 or plates issued therefor for the current registration year and

37 17 unless a certificate of title has been issued for such vehicle  
37 18 except as otherwise expressly permitted in this chapter. Any  
37 19 violation of this section is a simple misdemeanor punishable  
37 20 as a scheduled violation under section 805.8A, subsection 2 ,  
37 21 ~~paragraph "b"~~ .

37 22 Sec. 35. Section 321.99, Code 2009, is amended to read as  
37 23 follows:

37 24 321.99 Fraudulent use of registration.

37 25 A person shall not knowingly lend to another a registration  
37 26 card, registration plate, special plate, or permit issued to  
37 27 the person if the other person desiring to borrow the card,  
37 28 plate, or permit would not be entitled to the use of it. A  
37 29 person shall not knowingly permit the use of a registration  
37 30 card, registration plate, special plate, or permit issued  
37 31 to the person by one not entitled to it, nor shall a person  
37 32 knowingly display upon a vehicle a registration card,  
37 33 registration plate, special plate, or permit not issued for  
37 34 that vehicle under this chapter. A person convicted of a  
37 35 violation of this section is guilty of a simple misdemeanor  
38 1 punishable as a scheduled violation under section 805.8A,  
38 2 subsection 2 , ~~paragraph "d"~~ .

38 3 Sec. 36. Section 321.104, unnumbered paragraph 1, Code  
38 4 2009, is amended to read as follows:

38 5 It is a simple misdemeanor punishable as a scheduled  
38 6 violation under section 805.8A, subsection 2, ~~paragraph~~  
38 7 ~~"c"~~, for any person to commit any of the following acts:

38 8 Sec. 37. Section 321.115, subsection 4, Code 2009, is  
38 9 amended to read as follows:

38 10 4. A person convicted of a violation of this section is  
38 11 guilty of a simple misdemeanor punishable as a scheduled  
38 12 violation under section 805.8A, subsection 2 , ~~paragraph "b"~~ .

38 13 Sec. 38. Section 321.115A, subsection 3, Code Supplement  
38 14 2009, is amended to read as follows:

38 15 3. A person convicted of a violation of this section is  
38 16 guilty of a simple misdemeanor punishable as a scheduled  
38 17 violation under section 805.8A, subsection 2 , ~~paragraph "b"~~ .

38 18 Sec. 39. Section 321.193, unnumbered paragraph 4, Code

38 19 2009, is amended to read as follows:

38 20 It is a simple misdemeanor punishable as a scheduled  
38 21 violation under section 805.8A, subsection 4, ~~paragraph~~  
38 22 "~~a~~", for a person to operate a motor vehicle in any manner in  
38 23 violation of the restrictions imposed on a restricted license  
38 24 issued to that person under this section.

38 25 Sec. 40. Section 321.216, unnumbered paragraph 1, Code  
38 26 2009, is amended to read as follows:

38 27 It is a simple misdemeanor punishable as a scheduled  
38 28 violation under section 805.8A, subsection 4, ~~paragraph~~  
38 29 "~~b~~", for any person:

38 30 Sec. 41. Section 321.216B, Code 2009, is amended to read as  
38 31 follows:

38 32 321.216B Use of driver's license or nonoperator's  
38 33 identification card by underage person to obtain alcohol.

38 34 A person who is under the age of twenty=one, who alters  
38 35 or displays or has in the person's possession a fictitious  
39 1 or fraudulently altered driver's license or nonoperator's  
39 2 identification card and who uses the license to violate or  
39 3 attempt to violate section 123.47, commits a simple misdemeanor  
39 4 punishable as a scheduled violation under section 805.8A,  
39 5 subsection 4, ~~paragraph "c"~~. The court shall forward a copy of  
39 6 the conviction to the department.

39 7 Sec. 42. Section 321.216C, Code 2009, is amended to read as  
39 8 follows:

39 9 321.216C Use of driver's license or nonoperator's  
39 10 identification card by underage person to obtain cigarettes or  
39 11 tobacco products.

39 12 A person who is under the age of eighteen, who alters  
39 13 or displays or has in the person's possession a fictitious  
39 14 or fraudulently altered driver's license or nonoperator's  
39 15 identification card and who uses the license or card to violate  
39 16 or attempt to violate section 453A.2, subsection 2, commits a  
39 17 simple misdemeanor punishable as a scheduled violation under  
39 18 section 805.8A, subsection 4, ~~paragraph "c"~~. The court shall  
39 19 forward a copy of the conviction to the department.

39 20 Sec. 43. Section 321.219, unnumbered paragraph 2, Code

39 21 2009, is amended to read as follows:

39 22 A person convicted of a violation of this section is guilty  
39 23 of a simple misdemeanor punishable as a scheduled violation  
39 24 under section 805.8A, subsection 4, ~~paragraph "c"~~.

39 25 Sec. 44. Section 321.220, unnumbered paragraph 2, Code  
39 26 2009, is amended to read as follows:

39 27 A person convicted of a violation of this section is guilty  
39 28 of a simple misdemeanor punishable as a scheduled violation  
39 29 under section 805.8A, subsection 4, ~~paragraph "c"~~.

39 30 Sec. 45. Section 321.234A, subsection 4, Code 2009, is  
39 31 amended to read as follows:

39 32 4. A person convicted of a violation of this section is  
39 33 guilty of a simple misdemeanor punishable as a scheduled  
39 34 violation under section 805.8A, subsection 3, ~~paragraph "f"~~.

39 35 Sec. 46. Section 321.247, unnumbered paragraph 2, Code  
40 1 2009, is amended to read as follows:

40 2 A person convicted of a violation of this section is guilty  
40 3 of a simple misdemeanor punishable as a scheduled violation  
40 4 under section 805.8A, subsection 3, ~~paragraph "f"~~.

40 5 Sec. 47. Section 321.302, subsection 4, Code 2009, is  
40 6 amended to read as follows:

40 7 4. A person convicted of a violation of this section is  
40 8 guilty of a simple misdemeanor punishable as a scheduled  
40 9 violation under section 805.8A, subsection 6, ~~paragraph "d"~~.

40 10 Sec. 48. Section 321.327, unnumbered paragraph 2, Code  
40 11 2009, is amended to read as follows:

40 12 A person convicted of a violation of this section is guilty  
40 13 of a simple misdemeanor punishable as a scheduled violation  
40 14 under section 805.8A, subsection 7, ~~paragraph "b"~~.

40 15 Sec. 49. Section 321.366, unnumbered paragraph 3, Code  
40 16 2009, is amended to read as follows:

40 17 Violations of this section are punishable as a scheduled  
40 18 violation under section 805.8A, subsection 6, ~~paragraph "d"~~.

40 19 Sec. 50. Section 321.381, Code 2009, is amended to read as  
40 20 follows:

40 21 321.381 Movement of unsafe or improperly equipped vehicles.

40 22 It is a simple misdemeanor punishable as a scheduled

40 23 violation under section 805.8A, subsection 3, ~~paragraph~~  
40 24 "~~f~~", for any person to drive or move or for the owner to cause  
40 25 or knowingly permit to be driven or moved on any highway any  
40 26 vehicle or combination of vehicles which is in such unsafe  
40 27 condition as to endanger any person, or which does not contain  
40 28 those parts or is not at all times equipped with such lamps and  
40 29 other equipment in proper condition and adjustment as required  
40 30 in this chapter, or which is equipped with one or more unsafe  
40 31 tires or which is equipped in any manner in violation of this  
40 32 chapter.

40 33 Sec. 51. Section 321.383, unnumbered paragraph 1, Code  
40 34 2009, is amended to read as follows:

40 35 Any person who violates any provision of this section shall  
41 1 be fined as provided in section 805.8A, subsection 3, ~~paragraph~~  
41 2 "~~d~~".

41 3 Sec. 52. Section 321.404A, subsection 2, Code 2009, is  
41 4 amended to read as follows:

41 5 2. A person who violates this section shall be subject to a  
41 6 scheduled fine under section 805.8A, subsection 3, ~~paragraph~~  
41 7 "~~e~~".

41 8 Sec. 53. Section 321.421, unnumbered paragraph 2, Code  
41 9 2009, is amended to read as follows:

41 10 A person convicted of a violation of this section is guilty  
41 11 of a simple misdemeanor punishable as a scheduled violation  
41 12 under section 805.8A, subsection 3, ~~paragraph "d"~~.

Offense Code	Scheduled and Non-Scheduled Violations	#Guilty	Original Fine	SF2378
126.23A(2)-A	PURCHASE OF PSEUDOEPHEDRINE - 1ST OFFENSE	45	\$100	\$200
321.104(1)	OPERATION W/CANCELED TITLE OR SUS. OR REV. REG.	29	\$50	\$100
321.104(2)	FAILURE TO OBTAIN MFG. CERTIFICATE/TITLE -	43	\$50	\$100
321.104(3)	FAILURE TO SURRENDER PLATES, TITLE OR REGIST.	11	\$50	\$100
321.104(4)	FAILURE TO DELIVER TITLE AS REQUIRED	17	\$50	\$100
321.104(5)	PENAL OFFENSES AGAINST TITLE LAW	10	\$50	\$100
321.17	OPERATING NON REGISTERED VEHICLE -	1,556	\$30	\$50
321.174	FAILURE TO HAVE VALID LICENSE/PERMIT WHILE OPER. MOTOR VEH.	17,465	\$100	\$200
321.174A	OPERATION OF MOTOR VEHICLE WITH EXPIRED LICENSE	2,415	\$30	\$50
321.180	VIOLATION OF INSTRUCTION PERMIT LIMITATION -	390	\$30	\$50
321.180B	VIOLATION OF GRADUATED DRIVERS LICENSE CONDITIONS	333	\$30	\$50
321.193	VIOL OF CONDITIONS OF RESTRICTED LICENSE -	804	\$30	\$50
321.194	VIOL OF CONDITIONS OF MINOR'S SCHOOL LICENSE -	145	\$30	\$50
321.208(a)	DNU - TWENTY-FOUR HOUR OUT OF SERVICE ORDER VIOLATION	4	\$100	\$200
321.216	UNLAWFUL USE OF LICENSE -	457	\$75	\$100
321.216B	MISUSE OF LIC OR ID CARD TO ACQUIRE ALCOHOL	82	\$100	\$200
321.216C	MISUSE OF LIC OR ID CARD TO ACQUIRE TOBACCO	3	\$100	\$200
321.219	PERMITTING UNAUTHORIZED MINOR TO DRIVE	116	\$100	\$200
321.220	PERMITTING UNAUTHORIZED PERSON TO DRIVE	551	\$100	\$200
321.229	FAIL TO COMPLY W/ ORDER OF PEACE OFFICER -	52	\$35	\$100
321.231	FAIL OF CAUTION BY DRIVER OF EMERGENCY VEHICLE -	7	\$35	\$100
321.232	RADAR JAMMING DEVICES -	5	\$50	\$100
321.234	FAILURE TO OBSERVE SEATING REQUIREMENTS -	4	\$15	\$25
321.247	UNLAWFUL GOLF CART OPERATION	8	\$50	\$100
321.25	IMPROPER USE OF REGISTRATION CARD - 1992	22	\$50	\$100
321.256	FAIL TO OBEY TRAFFIC CONTROL DEVICE	3,286	\$35	\$100
321.257(2)(a)-A	VEHICLES FAIL TO RESPOND TO STEADY RED SIGNAL	527	\$35	\$100
321.257(2)(b)-A	VEHICLES FAIL TO RESPOND TO YELLOW CAUTION SIGNAL	42	\$35	\$100
321.257(2)(d)	FAIL TO YIELD TO PED. IN CROSSWALK UNDER GREEN ARROW	5	\$35	\$100
321.257(2)(e)	FAIL TO OBEY FLASHING RED STOP SIGNAL	100	\$35	\$100
321.257(2)(f)	FAIL TO RESPOND TO FLASHING YELLOW CAUTION SIGNAL	6	\$35	\$100
321.257(2)(g)	PEDESTRIAN FAILURE TO OBEY "DON'T WALK" LIGHT	11	\$15	\$25
321.257(2)(h)	FAIL TO YIELD TO PEDESTRIAN WITHIN INTERSECTION	24	\$35	\$100
321.275-A	(1-7)MOTORCYCLE AND MOTORIZED BIKE VIOLATION -	27	\$25	\$35
321.275-B	(8) FAILURE TO DISPLAY SAFETY FLAG -	17	\$15	\$25
321.277A	CARELESS DRIVING	1,371	\$25	\$35
321.284	OPEN CONTAINER - DRIVER	1,808	\$100	\$200
321.284A	OPEN CONTAINER - PASSENGER	2,548	\$100	\$200
321.285-A	SPEEDING < 55 (1 THRU 5 OVER) -	11,916	\$10	\$20
321.285-B	SPEEDING < 55 (6 THRU 10 OVER) -	58,210	\$20	\$40
321.285-C	SPEEDING < 55 (11 THRU 15 OVER) -	15,766	\$30	\$80
321.285-D	SPEEDING < 55 (16 THRU 20) -	5,905	\$40	\$90
321.285-E	SPEEDING < 55 (20 MPH OVER +\$5.00 EA MILE)	3,728	\$40	\$100
321.285-F	SPEEDING > 55 (1 THRU 5 OVER) -	6,390	\$20	\$20
321.285-G	SPEEDING > 55 (6 THRU 10 OVER) -	24,269	\$40	\$40
321.285-H	SPEEDING > 55 (11 THRU 15 OVER) -	9,380	\$60	\$80
321.285-I	SPEEDING > 55 (16 THRU 20) -	3,748	\$80	\$90
321.285-J	SPEEDING > 55 ( OVER 20 MPH OVER + \$5.00 EA MILE)	2,703	\$90	\$100
321.285-S	SPEEDING - SCHOOL BUS (1 THRU 10)	4	\$35	\$100
321.288	FAIL TO MAINTAIN CONTROL -	4,683	\$35	\$100
321.294	FAIL TO MAINTAIN MINIMUM SPEED -	10	\$35	\$100
321.295	EXCESSIVE SPEED ON BRIDGE -	3	\$30	\$50
321.297	DRIVING ON WRONG SIDE OF TWO WAY HIGHWAY -	359	\$35	\$100
321.298	FAIL TO YIELD HALF OF ROADWAY WHEN MEETING VEHICLE -	133	\$35	\$100
321.299	PASSING ON WRONG SIDE -	28	\$35	\$100
321.302	DNU - IMPROPER OVERTAKING ON RIGHT	80	\$50	\$100
321.302	OVERTAKING AND PASSING	63	\$50	\$100
321.303	UNSAFE PASSING -	369	\$35	\$100

Offense Code	Scheduled and Non-Scheduled Violations	#Guilty	Original Fine	SF2378
321.304(1)	PASSING ON GRADE OR HILL -	30	\$35	\$100
321.304(2)	PASSING TO NEAR BRIDGE, INTERSECT OR RR -	161	\$35	\$100
321.304(3)	PASSING CONTRARY TO HIGHWAY SIGN/MARKING -	598	\$35	\$100
321.305	VIOLATING ONEWAY TRAFFIC DESIGNATION - 1978	281	\$35	\$100
321.306	IMPROPER USE OF LANES -	855	\$35	\$100
321.307	FOLLOWING TOO CLOSE -	889	\$35	\$100
321.308	FOLLOWING TOO CLOSE (TRUCKS AND TOWING VEHICLES) -	123	\$35	\$100
321.309	FAIL TO USE APPROVED DRAWBAR -	13	\$25	\$35
321.310	UNLAWFUL TOWING OF FOUR WHEELED TRAILER -	2	\$25	\$35
321.311	TURNING FROM IMPROPER LANE -	236	\$35	\$100
321.312	MAKING UTURN ON CURVE OR HILL -	22	\$35	\$100
321.313	UNSAFE STARTING OF A STOPPED VEHICLE -	75	\$35	\$100
321.314	UNSAFE TURN OR FAIL TO GIVE SIGNAL -	276	\$35	\$100
321.315	FAIL TO GIVE CONTINUOUS TURN SIGNAL -	147	\$25	\$35
321.316	FAIL TO SIGNAL STOP OR RAPID DECELERATION -	21	\$25	\$35
321.317	SIGNAL LIGHT REQUIREMENT -	12	\$10	\$20
321.319	FAIL TO YIELD TO VEHICLE ON RIGHT -	240	\$35	\$100
321.32	FAIL TO CARRY REGISTRATION CARD -	1,901	\$10	\$20
321.320	FAIL TO YIELD UPON LEFT TURN -	964	\$35	\$100
321.321	FAIL TO YIELD UPON ENTERING THROUGH HIGHWAY -	1,021	\$35	\$100
321.322	FAIL TO OBEY STOP OR YIELD SIGN -	5,928	\$35	\$100
321.323	UNSAFE BACKING ON HIGHWAY -	312	\$35	\$100
321.323A	UNSAFE APPROACH TO CERTAIN STATIONARY VEHICLES	843	\$50	\$100
321.324	FAIL TO YIELD TO EMERGENCY VEHICLE -	268	\$50	\$100
321.325	PEDESTRIAN DISOBEYING TRAFFIC CONTROL SIGNAL -	10	\$15	\$25
321.326	PEDESTRIAN WALKING ON WRONG SIDE OF HIGHWAY -	1	\$15	\$25
321.327	FAIL TO YIELD TO PEDESTRIANS' RIGHT OF WAY	37	\$35	\$100
321.328	PEDESTRIAN FAILING TO USE CROSSWALK -	16	\$15	\$25
321.329	VEHICLE FAILING TO YIELD TO PEDESTRIAN -	17	\$35	\$100
321.331	SOLICITING RIDE FROM W/I ROADWAY -	4	\$15	\$25
321.332	UNLAWFUL USE OF WHITE CANE -	1	\$15	\$25
321.34	REGISTRATION VIOLATION -	1,361	\$10	\$20
321.340	DRIVING IN OR THROUGH SAFETY ZONE -	10	\$35	\$100
321.341	FAIL TO PROPERLY STOP AT RR -	145	\$100	\$200
321.342	FAIL TO OBEY STOP SIGN AT RR -	158	\$100	\$200
321.343(1)	FAILURE TO STOP CERTAIN CARGO OR PASSGR VEH AT RR XING	6	\$100	\$200
321.343(2)(a)	CMV-FAIL TO SLOW/CHECK RR CROSSING	1	\$100	\$200
321.343(2)(b)	CMV-FAIL TO STOP/RR TRACK NOT CLEAR	3	\$100	\$200
321.343(2)(c)	CMV-BLOCKS RR CROSSING	1	\$100	\$200
321.343(2)(d)	CMV-DISOBEYS TRAFFIC CONTROL AT RR	3	\$100	\$200
321.353	UNSAFE ENTRY ONTO SIDEWALK OR ROADWAY -	116	\$35	\$100
321.354(1)	STOPPING ON PAVED PART OF HIGHWAY	113	\$35	\$100
321.354(2)	STOPPING ON TRAVELED PART OF UNPAVED HIGHWAY	16	\$35	\$100
321.362	PARKING W/O STOPPING ENGINE & SETTING BRAKE -	13	\$10	\$20
321.363	DRIVING W/ OBSTRUCTED VIEW OR CONTROL -	76	\$25	\$35
321.365	COASTING UPON DOWNGRADE -	2	\$25	\$35
321.366	IMPROPER USE OF MEDIAN, CURB, OR ACC FACILITY -	311	\$50	\$100
321.367	FAIL TO MAINTAIN DISTANCE FROM FF VEHICLE -	1	\$35	\$100
321.368	CROSSING UNPROTECTED FIRE HOSE -	1	\$35	\$100
321.369	DEPOSITING OR THROWING LITTER -	365	\$70	\$70
321.37	FAIL TO DISPLAY REGISTRATION PLATE -	4,149	\$10	\$20
321.370	REMOVING INJURIOUS MATERIAL -	1	\$70	\$70
321.372(1)	FAIL OF SCHOOL BUS DRIVER TO SIGNAL -	9	\$35	\$100
321.372(3)	UNLAWFUL PASSING OF SCHOOL BUS -	685	\$100	\$200
321.38	FAIL TO MAINTAIN REGISTRATION PLATE -	554	\$10	\$20
321.381	DRIVING OR TOWING UNSAFE VEHICLE -	147	\$50	\$100
321.381A	IMPROPER OPERATION OF LOW-SPEED VEHICLE	3	\$50	\$100
321.383	FAIL TO DISP REFLECT DEV ON SLOW MOVING VEHICLE -	20	\$20	\$30



Offense Code	Scheduled and Non-Scheduled Violations	#Guilty	Original Fine	SF2378
321.384	FAIL TO USE HEADLAMPS WHEN REQUIRED - 1978	361	\$20	\$30
321.385	INSUFFICIENT NUMBER OF HEADLAMPS -	178	\$20	\$30
321.387	IMPROPER REAR LAMP -	533	\$10	\$20
321.388	IMPROPER REGISTRATION PLATE LAMP -	267	\$10	\$20
321.389	IMPROPER REAR REFLECTOR -	5	\$10	\$20
321.390	INCLUDED IN SECTION 753.15(2)(1) REFLECT. REQUIRE. -	1	\$10	\$20
321.392	IMPROPER CLEAR LIGHTING ON TRUCK OR TRAILER -	3	\$10	\$20
321.393	LIGHTING DEVICE COLOR AND MOUNTING -	22	\$10	\$20
321.394	NO LAMP OR FLAG ON REAR/PROJECTING LOAD -	18	\$25	\$35
321.395	PARKING ON CERTAIN ROADWAYS W/O PARKING LIGHTS -	3	\$35	\$100
321.397	IMPROPER LIGHT ON BICYCLE -	59	\$15	\$25
321.398	IMPROPER LIGHT ON OTHER VEHICLE -	3	\$20	\$30
321.403	IMPROPER USE OF AUXILIARY DRIVING LIGHTS -	2	\$20	\$30
321.404	IMPROPER BRAKE LIGHT -	241	\$20	\$30
321.404A	USE OF LIGHT RESTRICTING DEVICE	79	\$15	\$25
321.409	IMPROPERLY ADJUSTED HEADLAMP -	1	\$20	\$30
321.41	FAIL TO GIVE NOTICE OF ADDRESS/NAME CHANGE -	179	\$10	\$20
321.415	FAILURE TO DIM -	198	\$20	\$30
321.419	IMPROPERLY HEADLIGHTING WHEN NIGHT DRIVING -	43	\$20	\$30
321.420	EXCESSIVE NUMBER OF DRIVING LIGHTS -	4	\$20	\$30
321.421	VIOLATION OF SPECIAL RESTRICTIONS ON LAMPS	1	\$20	\$30
321.422	LIGHTS OF IMPROPER COLOR / FRONT OR REAR -	48	\$10	\$20
321.423(A)	UNAUTHORIZED USE OF EMERGENCY VEH LIGHTING EQUIP -	15	\$20	\$30
321.423(B)	FAIL TO USE FLASH SIGNAL ON SLOW MOVING VEH -	5	\$20	\$30
321.430	DEFECTIVE BRAKING EQUIPMENT -	39	\$35	\$100
321.432	DEFECTIVE AUDIBLE WARNING DEVICE -	7	\$10	\$20
321.433(A)	UNAUTHORIZED USE OF EMERG AUDIBLE WARN DEVICE -	6	\$20	\$30
321.436	DEFECTIVE OR UNAUTHORIZED MUFFLER SYSTEM -	610	\$10	\$20
321.437-A	FAILURE TO MEET MIRROR REQUIREMENTS -	22	\$10	\$20
321.437-B	FAILURE TO HAVE PROPER EXTERIOR MIRROR (TOWING) -	1	\$25	\$35
321.438	DNU - WINDSHIELD/WINDOWS REQUIREMENTS	3	\$15	\$50
321.438(1)	WINDSHIELD AND WINDOW - OBSTRUCTED VISION	516	\$15	\$50
321.438(2)	DARK WINDOW/WINDSHIELD	9,193	\$15	\$50
321.438(3)	WINDSHIELD AND WINDOW REQUIREMENTS	210	\$15	\$50
321.438-A	DNU - (1,3)WINDSHIELD/WINDOW REQUIREMENTS	133	\$15	\$50
321.438-B	DNU - (2)DARK WINDOW/WINDSHIELD	586	\$15	\$50
321.439	DEFECTIVE WINDSHIELD WIPERS -	5	\$10	\$20
321.440	DEFECTIVE TIRES -	112	\$10	\$20
321.441	UNAUTHORIZED USE OF METAL TIRE OR TRACK -	2	\$10	\$20
321.442	UNAUTHORIZED USE OF METAL PROJ ON WHEELS -	4	\$10	\$20
321.444	FAIL TO USE SAFETY GLASS -	15	\$10	\$20
321.445	FAIL TO MAINTAIN SAFETY BELTS -	32,220	\$25	\$50
321.446	FAILURE TO SECURE CHILD -	2,115	\$25	\$100
321.449	VIOLATION - MOTOR CARRIER SAFETY REGULATIONS	101	\$25	\$50
321.449-A	FAILURE TO COMPLY WITH SAFETY REG. RULES -	19,040	\$25	\$50
321.449-B	OPERATION BY UNQUALIFIED DRIVER -	2,314	\$25	\$50
321.449-C	MAX. HOURS OF SERVICE VIOLATION -	6,975	\$25	\$50
321.449-E	PRESENCE OF ALCOHOL - CMV	123	\$25	\$50
321.45	FAILURE TO TRANSFER TITLE -	159	\$50	\$100
321.450	VIOLATION OF HAZARDOUS MATERIALS TRANSPORTATION	365	\$100	\$200
321.454	WIDTH VIOLATION	319	\$100	\$200
321.455	EXCESSIVE SIDE PROJ OF LOAD / PASSENGER VEH -	9	\$100	\$200
321.456	EXCESSIVE HEIGHT -	35	\$100	\$200
321.457	EXCESSIVE LENGTH -	223	\$100	\$200
321.458	EXCESSIVE PROJ FROM FRONT OF VEHICLE -	5	\$100	\$200
321.46	FAILURE TO TRANSFER TITLE WITHIN 15 DAYS -	68	\$50	\$100
321.460	SPILLING ON HIGHWAY -	99	\$100	\$200
321.461	EXCESSIVE TOW/BAR LENGTH -	2	\$25	\$35

Offense Code	Scheduled and Non-Scheduled Violations	#Guilty	Original Fine	SF2378
321.462	FAIL TO USE REQUIRED TOWING EQUIPMENT -	70	\$25	\$35
321.48	VIOLATIONS OF TITLE - VEHICLES FOR RESALE	1	\$50	\$100
321.52	VIOLATIONS OF TITLE - OUT-OF-STATE JUNKED, DISMANTLED, WRECK	7	\$50	\$100
321.54	INTRA STATE HAULING ON FOREIGN REGISTRATION / 1 -	46	\$20	\$30
321.55	INTRA STATE HAULING ON FOREIGN REGISTRATION / 2 -	13	\$30	\$50
321.57	VIOLATION OF SPECIAL PLATE REQUIREMENTS	24	\$50	\$100
321.62	SPECIAL PLATES - RECORDS VIOLATION	7	\$50	\$100
321.67(1)	NO CERTIFICATE OF TITLE UPON DISPOSAL - 1993	5	\$50	\$100
321.67(2)	FAILURE TO OBTAIN TITLE ON A MOTOR VEHICLE	5	\$50	\$100
321.91	ABANDONMENT OF A MOTOR VEHICLE	42	\$100	\$200
321.98	OPERATION W/O REGISTRATION -	18,401	\$30	\$50
321.99	IMPROPER USE OF REGISTRATION	1,114	\$100	\$200
321E.16	VIOLATIONS OF PERMIT (EXCEPT WEIGHT)	311	\$100	\$200
321L.3	FAILURE TO RETURN HANDICAPPED ID -	4	\$100	\$200
321L.4(1)	IMPROPER USE OF HANDICAPPED ID DEVICE -	12	\$100	\$200
321L.4(2)	IMPROPER USE OF A HANDICAPPED PARKING SPACE	72	\$100	\$200
321L.7	FAILURE TO PROVIDE HANDICAPPED PARKING SPACE SIGNS -	1	\$100	\$200
325A.3(5)	FAILURE TO CARRY/EXHIBIT PERMIT	94	\$50	\$100
325A.8	VIOLATIONS OF REQUIRED MARKINGS	12	\$50	\$100
327B.1(A)	NO OR IMPROPER CARRIER IDENTIFICATION -	1	\$50	\$100
326.22	FAILURE TO DISPLAY IDENTIFICATION	63	\$20	\$50
326.23	VIOLATION OF TRIP PERMITS	386	\$20	\$50
321.47	TRANSFERS BY OPERATION OF LAW	0	\$30	\$100
321.382	OPERATING AN UNDERPOWERED VEHICLE	0	\$15	\$25
321.402	IMPROPER USE OF A SPOTLIGHT	0	\$20	\$30
321.333	FAILURE TO YIELD TO A BLIND PERSON	0	\$35	\$100
321.344	UNLAWFUL MOVEMENT OF CONSTRUCTION EQUIPMENT ACROSS RR	0	\$100	\$200
321.318	INCORRECT HAND SIGNAL	0	\$25	\$35
321.434	USE OF SIREN OR WHISTLE ON BICYCLE	0	\$15	\$25
321.115	IMPROPER USE OF ANTIQUE PLATES	0	\$30	\$30
321.115A	REPLICA VEHICLE/STREET ROD REGISTRATION	0	\$30	\$30
321.386	INSUFFICIENT NUMBER OF HEADLAMPS - MOTORCYCLES	0	\$10	\$30
321.421	VIOLATIONS OF SPECIAL RESTRICTIONS ON LAMPS	0	\$20	\$30
	The row in green was vetoed by the Governor.			

# EXECUTIVE SUMMARY

## JUDICIAL BRANCH APPROPRIATIONS ACT

SENATE FILE 2377

### FUNDING SUMMARY

- Appropriates a total of \$150.3 million from the General Fund to the Judicial Branch. The Judicial Branch has 1,825.40 FTE positions that are not limited in this Act. This is a decrease of \$9.9 million and a decrease of 183.8 FTE positions compared to the revised estimated net FY 2010 appropriation. This includes the 7.1% across-the-board reduction and a General Fund appropriation of \$1.5 million to the Jury and Witness Fee Revolving Fund.

### STUDIES AND INTENT LANGUAGE

- Prohibits the Judicial Branch from duplicating the State payroll system. (Page 1, Line 26)
- Requires the Judicial Branch to submit monthly financial statements to the Legislative Services Agency (LSA) and the Department of Management. (Page 1, Line 32)
- Requires the Judicial Branch to focus efforts on collecting delinquent fines and fees. (Page 2, Line 7)
- Specifies legislative intent 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 10)
- Requires the Judicial Branch to notify the LSA prior to any interdepartmental transfer of funds. (Page 2, Line 15)
- Requires the Judicial Branch to provide a semi-annual report to the LSA specifying the amount of fines, surcharges, and court costs collected using the Iowa Court Information System. (Page 2, Line 24)
- Requires the Judicial Branch to report to the General Assembly by January 1, 2011, regarding the revenues and expenditures for the Enhanced Court Collections Fund and the Court Technology and Modernization Fund. The report is to include revenues and expenditures for FY 2010 and planned expenditures for FY 2011. (Page 2, Line 32)
- Requires the Judicial Branch to obtain bids from Iowa Prison Industries on furniture purchases exceeding \$5,000. (Page 3, Line 7)
- Permits a judicial officer to waive travel reimbursement for any travel outside the judicial officer's county of residence. (Page 3, Line 26)
- Requires the Judicial Branch to provide LSA with reports in electronic format. (Page 3, Line 31)
- Specifies the Judicial Branch utilize the Iowa Communications Network or another secure electronic communications in lieu of travelling for FY 2011. (Page 4, Line 20)
- Permits parties to a civil case, including a jury trial, to move the case to a contiguous county. (Page 3, Line 13)
- Allows the Supreme Court to order judicial officers to take unpaid leave in the same manner as the noncontract employees of the Judicial Branch. (Page 4, Line 6)
- This Act was approved by the General Assembly on March 17, 2010, and signed by the Governor on April 28, 2010.

### SIGNIFICANT CODE CHANGES

### ENACTMENT DATE

Senate File 2377

Senate File 2377 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
3	13	2	Nwthstnd	Sec. ALL	Permits Civil Trials to be Moved
3	26	3	Nwthstnd	Sec. 602.1509	Travel Reimbursement
4	6	5	Nwthstnd	Sec. 11, Chap. 1191, 2008 Iowa Acts	Permits Unpaid Leave of Judicial Officers

1 1 Section 1. JUDICIAL BRANCH.	General Fund appropriation to the Judicial Branch for operations.
1 2 1. There is appropriated from the general fund of the state	
1 3 to the judicial branch for the fiscal year beginning July 1,	DETAIL: This is a decrease of \$11,373,135 compared to the revised
1 4 2010, and ending June 30, 2011, the following amount, or so	estimated net FY 2010 appropriation. This includes the 7.10%
1 5 much thereof as is necessary, to be used for the purposes	across-the-board reduction to the Judicial Branch operating budget
1 6 designated:	appropriation.
1 7 a. For salaries of supreme court justices, appellate court	
1 8 judges, district court judges, district associate judges,	NOTE: Senate File 2378 (FY 2011 Justice System Appropriations
1 9 judicial magistrates and staff, state court administrator,	Act) allocates \$5,300,000 from the Public Safety Enforcement Fund to
1 10 clerk of the supreme court, district court administrators,	the Judicial Branch for operations.
1 11 clerks of the district court, juvenile court officers, board of	
1 12 law examiners and board of examiners of shorthand reporters and	
1 13 judicial qualifications commission; receipt and disbursement	
1 14 of child support payments; reimbursement of the auditor	
1 15 of state for expenses incurred in completing audits of the	
1 16 offices of the clerks of the district court during the fiscal	
1 17 year beginning July 1, 2010; and maintenance, equipment, and	
1 18 miscellaneous purposes:	
1 19 ..... \$148,811,822	
1 20 b. For deposit in the revolving fund created pursuant	General Fund appropriation to the Jury and Witness Fee Revolving
1 21 to section 602.1302, subsection 3, for jury and witness	Fund for the reimbursement of juror and witness fees, mileage, and
1 22 fees, mileage, costs related to summoning jurors, fees for	costs.
1 23 interpreters, and reimbursement of attorney fees paid by the	
1 24 state public defender:	DETAIL: The Jury and Witness Fee Revolving Fund has carryforward
1 25 ..... \$ 1,500,000	funds for partial year funding for FY 2011. The General Fund
	appropriation will provide the remaining funding necessary to fully fund
	the anticipated expenditures.
1 26 2. The judicial branch, except for purposes of internal	
1 27 processing, shall use the current state budget system, the	Prohibits the Judicial Branch from duplicating current State payroll,
1 28 state payroll system, and the Iowa finance and accounting	budgeting, and accounting systems, except for the implementation of
1 29 system in administration of programs and payments for services,	an internal accounting and recordkeeping system.
1 30 and shall not duplicate the state payroll, accounting, and	
1 31 budgeting systems.	
1 32 3. The judicial branch shall submit monthly financial	Requires the Judicial Branch to submit monthly financial statements

1 33 statements to the legislative services agency and the  
 1 34 department of management containing all appropriated accounts  
 1 35 in the same manner as provided in the monthly financial status  
 2 1 reports and personal services usage reports of the department  
 2 2 of administrative services. The monthly financial statements  
 2 3 shall include a comparison of the dollars and percentage  
 2 4 spent of budgeted versus actual revenues and expenditures on  
 2 5 a cumulative basis for full-time equivalent positions and  
 2 6 dollars.

for all appropriated accounts to the Fiscal Services Division of the  
 Legislative Services Agency (LSA) and the Department of  
 Management. Specifies what is to be included in the financial  
 statements.

2 7 4. The judicial branch shall focus efforts upon the  
 2 8 collection of delinquent fines, penalties, court costs, fees,  
 2 9 surcharges, or similar amounts.

Requires the Judicial Branch to focus efforts on collecting delinquent  
 fines and fees.

2 10 5. It is the intent of the general assembly that the offices  
 2 11 of the clerks of the district court operate in all 99 counties  
 2 12 and be accessible to the public as much as is reasonably  
 2 13 possible in order to address the relative needs of the citizens  
 2 14 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 15 6. In addition to the requirements for transfers under  
 2 16 section 8.39, the judicial branch shall not change the  
 2 17 appropriations from the amounts appropriated to the judicial  
 2 18 branch in this Act, unless notice of the revisions is given  
 2 19 prior to their effective date to the legislative services  
 2 20 agency. The notice shall include information on the branch's  
 2 21 rationale for making the changes and details concerning the  
 2 22 workload and performance measures upon which the changes are  
 2 23 based.

Requires the Judicial Branch to notify the LSA prior to any  
 intradepartmental transfer of funds. Specifies the contents of the  
 notice.

2 24 7. The judicial branch shall submit a semiannual update  
 2 25 to the legislative services agency specifying the amounts of  
 2 26 fines, surcharges, and court costs collected using the Iowa  
 2 27 court information system since the last report. The judicial  
 2 28 branch shall continue to facilitate the sharing of vital

Requires the Judicial Branch to provide a semi-annual report to the  
 LSA, 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

2 29 sentencing and other information with other state departments  
 2 30 and governmental agencies involved in the criminal justice  
 2 31 system through the Iowa court information system.

the criminal justice system through the ICIS.

2 32 8. The judicial branch shall provide a report to the general  
 2 33 assembly by January 1, 2011, concerning the amounts received  
 2 34 and expended from the enhanced court collections fund created  
 2 35 in section 602.1304 and the court technology and modernization  
 3 1 fund created in section 602.8108, subsection 7, during the  
 3 2 fiscal year beginning July 1, 2009, and ending June 30, 2010,  
 3 3 and the plans for expenditures from each fund during the fiscal  
 3 4 year beginning July 1, 2010, and ending June 30, 2011. A copy  
 3 5 of the report shall be provided to the legislative services  
 3 6 agency.

Requires the Judicial Branch to report to the General Assembly by January 1, 2011, regarding the revenues and expenditures of the Enhanced Court Collections Fund and the Court Technology and Modernization Fund for FY 2010 and planned expenditures for FY 2011. The Judicial Branch is required to provide a copy of this report to the LSA.

3 7 9. The judicial branch is encouraged to purchase products  
 3 8 from Iowa state industries, as defined in section 904.802, when  
 3 9 purchases are required and the products are available from Iowa  
 3 10 state industries. The judicial branch shall obtain bids from  
 3 11 Iowa state industries for purchases of office furniture during  
 3 12 the fiscal year beginning July 1, 2010, exceeding \$5,000.

Beginning July 1, 2010, requires the Judicial Branch to obtain bids from Iowa Prison Industries for office furniture purchases exceeding \$5,000.

3 13 Sec. 2. CIVIL TRIALS == LOCATION. Notwithstanding any  
 3 14 provision to the contrary, for the fiscal year beginning July  
 3 15 1, 2010, and ending June 30, 2011, if all parties in a case  
 3 16 agree, a civil trial including a jury trial may take place in a  
 3 17 county contiguous to the county with proper jurisdiction, even  
 3 18 if the contiguous county is located in an adjacent judicial  
 3 19 district or judicial election district. If the trial is moved  
 3 20 pursuant to this section, court personnel shall treat the case  
 3 21 as if a change of venue occurred. However, if a trial is moved  
 3 22 to an adjacent judicial district or judicial election district,  
 3 23 the judicial officers serving in the judicial district or  
 3 24 judicial election district receiving the case shall preside  
 3 25 over the case.

CODE: Permits parties to a civil case, including a jury trial, to move the case to a contiguous county, even if it crosses a judicial district for one year (FY 2011). If the case is moved, the judicial officers in the judicial district that receives the case will preside over the case.

3 26 Sec. 3. TRAVEL REIMBURSEMENT. Notwithstanding section  
3 27 602.1509, for the fiscal year beginning July 1, 2010, a  
3 28 judicial officer may waive travel reimbursement for any travel  
3 29 outside the judicial officer's county of residence to conduct  
3 30 official judicial business.

CODE: Permits a judicial officer to waive travel reimbursement for any travel outside the judicial officer's county of residence.

3 31 Sec. 4. POSTING OF REPORTS IN ELECTRONIC FORMAT ==  
3 32 LEGISLATIVE SERVICES AGENCY. All reports or copies of reports  
3 33 required to be provided by the judicial branch for fiscal year  
3 34 2010=2011 to the legislative services agency shall be provided  
3 35 in an electronic format. The legislative services agency shall  
4 1 post the reports on its internet website and shall notify by  
4 2 electronic means all the members of the joint appropriations  
4 3 subcommittee on the justice system when a report is posted.  
4 4 Upon request, copies of the reports may be mailed to members of  
4 5 the joint appropriations subcommittee on the justice system.

Requires the Judicial Branch to provide the LSA with reports in electronic format so that the reports can be placed on the LSA website. The LSA is to notify members of the Justice System Appropriations Subcommittee when reports have been received and published.

4 6 Sec. 5. JUDICIAL OFFICER == UNPAID LEAVE. Notwithstanding  
4 7 the annual salary rates for judicial officers established by  
4 8 2008 Iowa Acts, chapter 1191, section 11, for the fiscal year  
4 9 beginning July 1, 2010, and ending June 30, 2011, the supreme  
4 10 court may by order place all judicial officers on unpaid leave  
4 11 status on any day employees of the judicial branch are placed  
4 12 on temporary layoff status. The biweekly pay of the judicial  
4 13 officers shall be reduced accordingly for the pay period in  
4 14 which the unpaid leave date occurred in the same manner as  
4 15 for noncontract employees of the judicial branch. Through  
4 16 the course of the fiscal year, the judicial branch may use an  
4 17 amount equal to the aggregate amount of salary reductions due  
4 18 to the judicial officer unpaid leave days for any purpose other  
4 19 than for judicial salaries.

CODE: Permits the Supreme Court to order judicial officers to take unpaid leave in the same manner as noncontract employees of the Judicial Branch through FY 2011.

4 20 Sec. 6. IOWA COMMUNICATIONS NETWORK. It is the intent  
4 21 of the general assembly that the judicial branch utilize  
4 22 the Iowa communications network or other secure electronic

Specifies it is the intent of the General Assembly that the Judicial Branch utilize the Iowa Communications Network or another secure electronic communications in lieu of traveling for the FY 2011.



PG LN

**Senate File 2377**

**Explanation**

---

4 23 communications in lieu of traveling for the fiscal year  
4 24 beginning July 1, 2010.

# EXECUTIVE SUMMARY TRANSPORTATION APPROPRIATIONS ACT

SENATE FILE 2381

## FUNDING SUMMARY

## MAJOR INCREASES AND DECREASES

- Appropriates a total of \$350.7 million to the Department of Transportation (DOT). This includes \$48.9 million from the Road Use Tax Fund, \$301.8 million from the Primary Road Fund, and 3,373.0 FTE positions. This is a net decrease of \$1.6 million and 20.0 FTE positions compared to estimated FY 2010.
- Appropriates \$3.9 million from the Road Use Tax Fund for driver's license production and central issuance. This is an increase of \$162,000 compared to estimated FY 2010. The increase will provide the DOT with a total of \$324,000 for electronic processing of payments for driver's licenses. (Page 1, Line 9)
- Appropriates \$47.6 million and 312.0 FTE positions from the Road Use Tax Fund and Primary Road Fund for the Operations budget unit. This is an increase of \$75,000 and 1.0 FTE position that are being transferred from the Highways budget unit beginning in FY 2011. The Department is creating a new Civil Rights position with the FTE position. (Page 1, Line 18 and Page 3, Line 3)
- Appropriates \$37.2 million and 478.0 FTE positions from the Road Use Tax Fund and Primary Road Fund for the Motor Vehicles budget unit. This is a net decrease of \$1.2 million and 20.0 FTE positions compared to estimated FY 2010. (Page 1, Line 24 and Page 3, Line 15)
- Appropriates \$237.6 million and 2,452.0 FTE positions from the Primary Road Fund for the Highways budget unit. This is a net increase of \$1.3 million and decrease of 1.0 FTE positions compared to estimated FY 2010. (Page 3, Line 12)  
Changes include:
  - A decrease of \$75,000 and 1.0 FTE position transferred to the Operations budget unit.
  - An increase of \$1.2 million for salt costs.
  - An increase of \$142,000 to support additional lane miles added to the State road system.
- Appropriates \$3.4 million from the Road Use Tax Fund and Primary Road Fund for workers' compensation costs. This is a decrease of \$133,000 compared to estimated FY 2010. (Page 1, Line 31 and Page 3, Line 23)
- Appropriates \$1.4 million from the Road Use Tax Fund for county treasurers' support for issuing driver's licenses. This is a net increase of \$12,000 compared to estimated FY 2010. (Page 2, Line 6)  
Changes include:
  - An increase of \$87,000 for electronic processing of payments for driver's licenses. The counties will have a total of \$174,000 for electronic processing in FY 2011.
  - A decrease of \$75,000 for software costs.
- Appropriates \$1.0 million from the Primary Road Fund for wastewater treatment improvements at 20 maintenance garages. This is a new appropriation for FY 2011 and is anticipated to be a seven-year effort requiring approximately \$1.0 million each year. (Page 4, Line 21)

# EXECUTIVE SUMMARY TRANSPORTATION APPROPRIATIONS ACT

SENATE FILE 2381

## MISCELLANEOUS CODE CHANGES

- Amends Code Sections relating to all-terrain vehicles (ATVs) to include “off-road utility vehicles” that are regulated by the Department of Natural Resources. This allows off-road utility vehicles to be operated under the same conditions that currently apply to ATVs under Code Section 321.234A. (Page 4, Line 34)
- Amends an exemption from the restriction on ATVs operated on highways under Code Section 321.234A so that “incidental to the vehicle’s use for agricultural purposes” includes stopping to get fuel for the vehicle, or food or nonalcoholic drink for the operator. (Page 5, Line 10)
- Adds an exemption from the restriction on ATVs on highways to include those operated on a county or city roadway, in accordance with Code Section 321I.10. (Page 5, Line 18)
- Amends provisions relating to child restraint and seat belts for minors so that all children under the age of 18 must be in an approved child-restraint system or seat belt regardless of seating position, except for those on a school bus or motorcycle. Provides an exemption to child restraint requirements in Code Section 321.446 for a child sitting in the back seat if all seat belts are used by other occupants or cannot be used because use of a child restraint system in the seat that has the seat belt. For a violation of the requirements, the driver will not be charged for the violation committed by a passenger age 14 or older, unless the passenger is unable to properly fasten a seat belt due to a temporary or permanent disability. Amends the penalties in Code Section 321.446 and expands the penalties so that a passenger age 14 or older may be charged with violations relating to child-restraints. (Page 5, Line 24 through Page 8, Line 25)
- Authorizes a city or county to designate streets for use by ATVs and off-road utility vehicles and allow the vehicles to stop at service stations or convenience stores on the designated streets. (Page 8, Line 26)
- Makes a conforming change to ATV definition. (Page 9, Line 16)
- This Act is effective on July 1, 2010.
- This Act was approved by the General Assembly on March 25, 2010, and signed by the Governor on April 28, 2010.

EFFECTIVE DATE

ENACTMENT DATE

Senate File 2381

Senate File 2381 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
1	13	1.1	Nwthstnd	Sec. 8.33	Nonreversion of Funds for Production of Driver's Licenses
2	23	1.12	Nwthstnd	Sec. 8.33	Nonreversion of Funds for MVD Field Facility Maintenance
4	24	2.16	Nwthstnd	Sec. 8.33	Nonreversion of Funds for Capital Projects
4	34	3	Amends	Sec. 321.1	Adds Off-Road Utility Vehicles to Definition of All-Terrain Vehicles
5	10	4	Amends	Sec. 321.234A	Clarifies Exemption to a Restriction on ATVs
5	18	5	Amends	Sec. 321.234A	Adds New Exemption to Restrictions on ATVs
5	24	6 through 9	Amends	Sec. 321.445 and 321.446	Amends Child Restraint and Seat Belt Requirements
8	26	10	Amends	Sec. 321I.10	City or County Designated Roads for ATVs
9	16	11	Amends	Sec. 322D.1	Conforming Change to ATVs Definition

1 1 DIVISION I  
 1 2 APPROPRIATIONS  
 1 3 Section 1. ROAD USE TAX FUND. There is appropriated  
 1 4 from the road use tax fund created in section 312.1 to the  
 1 5 department of transportation for the fiscal year beginning July  
 1 6 1, 2010, and ending June 30, 2011, the following amounts, or  
 1 7 so much thereof as is necessary, to be used for the purposes  
 1 8 designated:

Provides appropriations from the Road Use Tax Fund to the Department of Transportation (DOT) for FY 2011.

1 9 1. For the payment of costs associated with the production  
 1 10 of driver's licenses, as defined in section 321.1, subsection  
 1 11 20A:  
 1 12 ..... \$ 3,876,000

Road Use Tax Fund appropriation to the DOT for costs associated with the production of driver's licenses.

DETAIL: This is an increase of \$162,000 compared to estimated FY 2010 for the implementation of electronic processing (use of debit or credit cards) for payment of driver's licenses, nonoperator identification cards, and civil penalties. The Department received \$162,000 in the FY 2010 budget to provide funding for the last six months of the fiscal year. The DOT will have a total of \$324,000 available for electronic processing at State Driver's License stations in FY 2011. In addition, \$174,000 from the county treasurer appropriation in Section 1.8 will be used for electronic processing at county treasurer sites. The total amount that will be used for electronic processing for payment of driver's licenses in FY 2011 is \$498,000. The appropriation includes costs for the lease of the Driver's License Digitized Photo Imaging System.

1 13 Notwithstanding section 8.33, moneys appropriated in this  
 1 14 subsection that remain unencumbered or unobligated at the close  
 1 15 of the fiscal year shall not revert but shall remain available  
 1 16 for subsequent fiscal years for the purposes specified in this  
 1 17 subsection.

CODE: Requires nonreversion of funds appropriated for production of driver's licenses.

1 18 2. For salaries, support, maintenance, and miscellaneous  
 1 19 purposes:  
 1 20 a. Operations:  
 1 21 ..... \$ 6,654,962

Road Use Tax Fund appropriation to the Operations budget unit.

DETAIL: Maintains the current level of funding compared to estimated FY 2010. The Operations budget unit also receives an appropriation of \$40,951,274 and 312.00 FTE positions from the

		Primary Road Fund in Section 2.1(a), for a total appropriation of \$47,606,236. This combined funding represents a net increase of \$75,000 and 1.00 FTE position. The net increase includes an increase of \$75,000 to transfer 1.00 FTE position and funding from the Highway budget unit to the Operations budget unit for a Civil Rights position. The DOT is creating a position to coordinate external and internal civil rights programs, including outreach to minority communities to aid in diversifying the workforce and to increase access to the Department.
1 22	b. Planning:	Road Use Tax Fund appropriation to the Planning budget unit.
1 23	..... \$ 506,127	DETAIL: Maintains the current level of funding compared to estimated FY 2010. The Planning budget unit also receives an appropriation of \$9,610,960 and 131.00 FTE positions from the Primary Road Fund in Section 2.1(b), for a total appropriation of \$10,117,087. This combined funding represents no change compared to estimated FY 2010.
1 24	c. Motor vehicles:	Road Use Tax Fund appropriation to the Motor Vehicles budget unit.
1 25	..... \$ 35,604,012	DETAIL: This is a decrease of \$1,148,000 compared to estimated FY 2010. The Motor Vehicles budget unit also receives an appropriation of \$1,555,005 and 478.00 FTE positions from the Primary Road Fund in Section 2.1(d), for a total appropriation of \$37,159,017. This combined funding represents a net decrease of \$1,148,000 for 20.00 FTE positions associated with implementation of the federal REAL ID Act. The DOT advises that it will use existing systems and staff to implement the REAL ID Act instead of additional FTE positions as originally indicated.
1 26	3. For payments to the department of administrative	Road Use Tax Fund appropriation for payment to the Department of
1 27	services for utility services:	Administrative Services (DAS) for personnel and utility services.
1 28	..... \$ 225,000	DETAIL: Maintains the current level of funding compared to estimated FY 2010. The Department also receives an appropriation from the Primary Road Fund of \$1,382,000 for DAS Utility Services in Section 2.2, for a total appropriation of \$1,607,000. This combined

		funding represents no change compared to estimated FY 2010.
		Departments are required to purchase utility services (personnel and other services) through DAS. Utility services include: Human Resources Utility Services, General Services Utility Services, and Information Technology Utility Services. The utility costs also include funding for use of the 1/3 budget system and marketplace services offered by DAS.
1 29	4. Unemployment compensation:	Road Use Tax Fund appropriation for the payment of unemployment compensation costs.
1 30	..... \$ 7,000	DETAIL: Maintains the current level of funding compared to estimated FY 2010. The Department also receives an appropriation of \$138,000 for unemployment compensation from the Primary Road Fund in Section 2.3, for a total appropriation of \$145,000. This combined funding represents no change compared to estimated FY 2010.
1 31	5. For payments to the department of administrative	Road Use Tax Fund appropriation for the payment of workers' compensation costs.
1 32	services for paying workers' compensation claims under chapter	
1 33	85 on behalf of employees of the department of transportation:	DETAIL: This is a decrease of \$5,000 compared to estimated FY 2010. The Department also receives an appropriation of \$3,278,000 for workers' compensation costs from the Primary Road Fund in Section 2.4, for a total appropriation of \$3,415,000. This combined funding represents a net decrease of \$133,000 compared to estimated FY 2010.
1 34	..... \$ 137,000	
1 35	6. For payment to the general fund of the state for indirect	Road Use Tax Fund appropriation for payment of indirect cost recoveries to the General Fund.
2 1	cost recoveries:	
2 2	..... \$ 78,000	DETAIL: Maintains the current level of funding compared to estimated FY 2010. The Department also receives an appropriation of \$572,000 for indirect cost recoveries from the Primary Road Fund in Section 2.6, for a total appropriation of \$650,000. This combined funding represents no change compared to estimated FY 2010.

		Code Section 8A.505 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.
2 3	7. For reimbursement to the auditor of state for audit	Road Use Tax Fund appropriation for State Auditor reimbursement.
2 4	expenses as provided in section 11.5B:	
2 5	..... \$ 67,319	DETAIL: Maintains the current level of funding compared to estimated FY 2010. The Department also receives an appropriation of \$415,181 for State Auditor expenses from the Primary Road Fund in Section 2.7, for a total appropriation of \$482,500. This combined funding represents no change compared to estimated FY 2010.
2 6	8. For automation, telecommunications, and related costs	Road Use Tax Fund appropriation to support the issuance of driver's licenses, vehicle registrations, and titles at county treasurer offices throughout the State.
2 7	associated with the county issuance of driver's licenses and	
2 8	vehicle registrations and titles:	
2 9	..... \$ 1,406,000	DETAIL: This is a net increase of \$12,000 compared to estimated FY 2010. The increase reflects an increase of \$87,000 for electronic processing (debit and credit cards) of payments for driver's license at county treasurer sites and a decrease of \$75,000 for software costs. Of the total amount appropriated, \$174,000 will be used for electronic processing at county treasurer sites for FY 2011.
		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.
2 10	9. For transfer to the department of public safety for	Road Use Tax Fund appropriation for costs associated with the 511 toll-free telephone road and weather reporting system.
2 11	operating a system providing toll-free telephone road and	
2 12	weather conditions information:	
2 13	..... \$ 100,000	DETAIL: Maintains the current level of funding compared to estimated FY 2010. The Iowa 511 Travel Information Service provides weather-related road conditions, traffic incidents, and highway construction information 24 hours a day, seven days a week. A consortium of states pooled costs to develop the 511 system



		including Iowa, Alaska, Kentucky, Maine, Minnesota, New Hampshire, New Mexico and Vermont. The Iowa 511 service includes interstates, U.S. routes, and portions of some State highways. It currently does not include county roads or city streets.
2 14	10. For costs associated with the participation in the	Road Use Tax Fund appropriation for the Mississippi River Parkway Commission.
2 15	Mississippi river parkway commission:	
2 16	..... \$ 40,000	DETAIL: Maintains the current level of funding compared to estimated FY 2010. The Mississippi River Parkway Commission is a multi-state organization that is comprised of the states bordering the Mississippi River, including Arkansas, Illinois, Iowa, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, Tennessee, and Wisconsin. Each state has its own individual commission. Iowa's Mississippi Parkway Planning Commission is established in Code Section 308.1 and is responsible for promoting transportation and tourism along the 326-mile Iowa Great River Road. Specifically, the Commission 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 North America's supercorridor	Road Use Tax Fund appropriation for membership in the North America's Super Highway Corridor Coalition.
2 18	coalition:	
2 19	..... \$ 50,000	DETAIL: Maintains the current level of funding. The Department has received an appropriation for membership in the Coalition since its creation. The Coalition is a nonprofit organization that consists of members from various governmental entities, industry, and other entities that promote infrastructure and technology improvements along the International Mid-Continent Trade Corridor, including I-35, I-29, I-80/I-94 and other east/west connectors to these highways. The Coalition also lobbies for federal funding for Corridor-related projects. Projects include creating international trade processing centers that will expedite cross-border trade and increase security along the Corridor.
2 20	12. For motor vehicle division field facility maintenance	Road Use Tax Fund appropriation for Motor Vehicle Division field

2 21 projects at various locations:	facility maintenance projects at various locations throughout the State.
2 22 ..... \$ 200,000	DETAIL: Maintains the current level of funding compared to estimated FY 2010. Funds are used to maintain weigh scales and driver's license stations.
2 23 For purposes of section 8.33, unless specifically provided	CODE: Requires nonreversion of funds appropriated for the Motor
2 24 otherwise, moneys appropriated in this subsection that remain	Vehicle Division field facility maintenance projects through the end of
2 25 unencumbered or unobligated shall not revert but shall remain	FY 2014.
2 26 available for expenditure for the purposes designated until	
2 27 the close of the fiscal year that ends three years after the	
2 28 end of the fiscal year for which the appropriation was made.	
2 29 However, if the projects for which the appropriation was	
2 30 made are completed in an earlier fiscal year, unencumbered	
2 31 or unobligated moneys shall revert at the close of that same	
2 32 fiscal year.	
2 33 Sec. 2. PRIMARY ROAD FUND. There is appropriated from the	Provides appropriations from the Primary Road Fund to the DOT for
2 34 primary road fund created in section 313.3 to the department of	FY 2011.
2 35 transportation for the fiscal year beginning July 1, 2010, and	
3 1 ending June 30, 2011, the following amounts, or so much thereof	
3 2 as is necessary, to be used for the purposes designated:	
3 3 1. For salaries, support, maintenance, miscellaneous	Primary Road Fund appropriation to the Operations budget unit.
3 4 purposes, and for not more than the following full-time	
3 5 equivalent positions:	DETAIL: This is an increase of \$75,000 and 1.00 FTE position
3 6 a. Operations:	compared to estimated FY 2010. The Department also receives an
3 7 ..... \$ 40,951,274	appropriation from the Road Use Tax Fund for the Operations budget
3 8 ..... FTEs 312.00	unit in Section 1.2(a). The additional FTE position is being transferred
	from the Highway Division for a Civil Rights position. The DOT is
	creating a position to coordinate external and internal civil rights
	programs, including outreach to minority communities to aid in
	diversifying the workforce and to increase access to the Department.
3 9 b. Planning:	Primary Road Fund appropriation to the Planning budget unit.
3 10 ..... \$ 9,610,960	

3 11 .....	FTEs 131.00	DETAIL: Maintains the current level of funding and FTE positions compared to estimated FY 2010. The Department also receives an appropriation from the Road Use Tax Fund for the Planning budget unit in Section 1.2(b).
3 12	c. Highways:	Primary Road Fund appropriation to the Highways budget unit.
3 13 .....	\$237,565,726	
3 14 .....	FTEs 2,452.00	DETAIL: This is a net increase of \$1,303,000 and a decrease of 1.00 FTE position compared to estimated FY 2010. The changes include: <ul style="list-style-type: none"> <li>• A decrease of \$75,000 and 1.00 FTE position for a transfer to Operations to create a Civil Rights position.</li> <li>• An increase of \$1,236,000 for salt costs.</li> <li>• An increase of \$142,000 to support additional lane miles added to the State road system.</li> </ul>
3 15	d. Motor vehicles:	Primary Road Fund appropriation to the Motor Vehicles budget unit.
3 16 .....	\$ 1,555,005	
3 17 .....	FTEs 478.00	DETAIL: Maintains the current level of funding compared to FY 2010. The Motor Vehicles budget unit also receives an appropriation from the Road Use Tax Fund in Section 1.2(c), for a total appropriation of \$37,159,017. This combined funding represents a net decrease of \$1,148,000 and 20.00 FTE positions associated with implementation of the federal REAL ID Act. The DOT advises that it will use existing systems and staff to implement the REAL ID Act instead of needing additional FTEs as originally thought.
3 18	2. For payments to the department of administrative	Primary Road Fund appropriation for payment to the Department of
3 19	services for utility services:	Administrative Services (DAS) for personnel and utility services.
3 20 .....	\$ 1,382,000	DETAIL: Maintains the current level of funding compared to estimated FY 2010. The Department also receives an appropriation from the Road Use Tax Fund for DAS Utility Services in Section 1.3 for a total appropriation of \$1,607,000. This combined funding represents no change compared to estimated FY 2010.
3 21	3. Unemployment compensation:	Primary Road Fund appropriation for the payment of unemployment

3 22 .....	\$ 138,000	compensation costs.
		DETAIL: Maintains the current level of funding compared to estimated FY 2010. The Department also receives an appropriation for unemployment compensation from the Road Use Tax Fund in Section 1.4, for a total appropriation of \$145,000. This combined funding represents no change compared to estimated FY 2010.
3 23 4. For payments to the department of administrative		Primary Road Fund appropriation for the payment of workers'
3 24 services for paying workers' compensation claims under		compensation costs.
3 25 chapter 85 on behalf of the employees of the department of		
3 26 transportation:		DETAIL: This is a decrease of \$128,000 compared to estimated FY
3 27 .....	\$ 3,278,000	2010. The Department also receives an appropriation for workers'
		compensation costs from the Road Use Tax Fund in Section 1.5 for a
		total appropriation of \$3,415,000. This combined funding represents
		a net decrease of \$133,000 compared to estimated FY 2010.
3 28 5. For disposal of hazardous wastes from field locations and		Primary Road Fund appropriation for costs associated with the
3 29 the central complex:		disposal of hazardous wastes.
3 30 .....	\$ 800,000	
		DETAIL: Maintains the current level of funding compared to
		estimated FY 2010. 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 31 6. For payment to the general fund of the state for indirect		Primary Road Fund appropriation for payment of indirect cost
3 32 cost recoveries:		recoveries to the General Fund.
3 33 .....	\$ 572,000	
		DETAIL: Maintains the current level of funding compared to
		estimated FY 2010. The Department also receives an appropriation
		from the Road Use Tax Fund for indirect cost recoveries in Section
		1.6 for a total appropriation of \$650,000. This combined funding
		represents no change compared to estimated FY 2010.
3 34 7. For reimbursement to the auditor of state for audit		Primary Road Fund appropriation for State Auditor reimbursement.

3 35	expenses as provided in section 11.5B:		
4 1	.....	\$ 415,181	DETAIL: Maintains the current level of funding compared to estimated FY 2010. The Department also receives an appropriation from the Road Use Tax Fund for State Auditor expenses in Section 1.7 for a total appropriation of \$482,000. The combined funding represents no change compared to estimated FY 2010.
4 2	8. For costs associated with producing transportation maps:		
4 3	.....	\$ 242,000	Primary Road Fund appropriation for costs associated with the production of State transportation maps.  DETAIL: Maintains the current level of funding compared to estimated FY 2010. The Department produces 1,500,000 transportation maps that are available at the DOT, driver's license stations, district offices, and rest areas. In addition, the DOT provides a portion of the maps to the Department of Economic Development for distribution to the State's welcome centers, tourist locations, and travel packets that are available on request.
4 4	9. For inventory and equipment replacement:		
4 5	.....	\$ 2,250,000	Primary Road Fund appropriation for inventory and equipment replacement.  DETAIL: Maintains the current level of funding compared to estimated FY 2010. The funds are deposited in the Materials and Equipment Revolving Fund, established in Code Section 307.47. The Fund pays for materials and supplies, inventoried stock supplies, maintenance and operational costs of equipment, and equipment replacements. Before each Legislative Session, the Department is required to submit to the Legislative Services Agency a purchase report for all equipment and vehicle purchases made from the Fund during the preceding fiscal year. This report is available online on the General Assembly website.
4 6	10. For utility improvements at various locations:		
4 7	.....	\$ 400,000	Primary Road Fund appropriation for utility improvements.  DETAIL: Maintains the current level of funding compared to estimated FY 2010. The funds are used for utility improvements at various locations throughout the State.

4 8	11. For roofing projects at various locations:	Primary Road Fund appropriation for garage roofing projects.
4 9	..... \$ 200,000	DETAIL: Maintains the current level of funding compared to estimated FY 2010. Funding is used for roofing improvements at various garage locations throughout the State. There are 113 maintenance garages around the State.
4 10	12. For heating, cooling, and exhaust system improvements	Primary Road Fund appropriation for heating, cooling, and exhaust system improvements.
4 11	at various locations:	
4 12	..... \$ 200,000	DETAIL: This is an increase of \$100,000 compared to estimated FY 2010. These funds are used for improvements at various locations throughout the State. For FY 2011, the entire \$200,000 will be used to replace the HVAC system at the DOT District 4 Office in Atlantic.
4 13	13. For deferred maintenance projects at field facilities	Primary Road Fund appropriation for deferred maintenance projects at various field facilities statewide.
4 14	throughout the state:	
4 15	..... \$ 1,000,000	DETAIL: Maintains the current level of funding compared to estimated FY 2010. The funds for FY 2011 will be used for converting north storage bays into wash bays, adding heated storage bays to the existing pole building, adding to the mechanics' bays, as well as remodeling of rest rooms at the Waterloo maintenance facility.
4 16	14. For federal Americans With Disabilities Act	Primary Road Fund appropriation for costs associated with improvements located throughout the State for compliance with the federal Americans with Disabilities Act.
4 17	improvements at various locations:	
4 18	..... \$ 120,000	DETAIL: Maintains the current level of funding compared to estimated FY 2010. For FY 2011, funds will be used for parking, exterior signage, exterior access, thresholds, interior halls, rest rooms, and interior signage at DOT laboratories in Decorah, Osceola, and Oskaloosa and the Cedar Rapids Resident Construction Engineer (RCE) Office.
4 19	15. For elevator upgrades at the Ames complex:	Primary Road Fund appropriation for costs associated with elevator upgrades at the DOT complex in Ames.
4 20	..... \$ 100,000	

DETAIL: Maintains the current level of funding compared to estimated FY 2010. The funding is being used for improvements to four elevators that have been in service at the DOT complex in Ames for 37 years. The upgrades include new interiors, doors, controls, safety devices, and variable speed electrical motors for improved energy efficiency. This is the fifth year of funding for the upgrades. The DOT has received \$100,000 annually since FY 2007 for these upgrades, for a total of \$500,000. Total project cost is estimated at \$600,000. The Department anticipates that FY 2012 will be the last year of funding needed for this project.

4 21 16. For wastewater treatment improvements at various  
 4 22 locations:  
 4 23 ..... \$ 1,000,000

Primary Road Fund appropriation for wastewater treatment improvements at maintenance garages.

DETAIL: This is a new appropriation for FY 2011. The DOT has identified 20 maintenance garages that need wastewater sewer hookups to municipal sanitary sewer systems or reclamation systems in order to comply with the federal National Pollutant Discharge Elimination System (NPDES) program and its corresponding State wastewater permit requirements. Total cost for the project is estimated to be \$6,815,000. The DOT will complete the effort over seven fiscal years and will request approximately \$1,000,000 each year during that time. The garages identified are: Carlisle; Davenport; Denison; Dyersville; Malcom; Newhall; Dubuque; Maquoketa; West Burlington; Carroll; Independence; Knoxville; Correctionville; Elkader; Hanlontown; Latimer; Tipton; Chariton; Osage; and Oskaloosa.

4 24 For purposes of section 8.33, unless specifically provided  
 4 25 otherwise, moneys appropriated in subsections 10 through 16  
 4 26 that remain unencumbered or unobligated shall not revert  
 4 27 but shall remain available for expenditure for the purposes  
 4 28 designated until the close of the fiscal year that ends  
 4 29 three years after the end of the fiscal year for which the  
 4 30 appropriation was made. However, if the project or projects  
 4 31 for which such appropriation was made are completed in an  
 4 32 earlier fiscal year, unencumbered or unobligated moneys shall  
 4 33 revert at the close of that same fiscal year.

CODE: Requires nonreversion of funds appropriated for capital improvements in Sections 2.10 through 2.16 for four fiscal years. Funds are available through the end of FY 2014.

4 34 DIVISION II

4 35 MISCELLANEOUS STATUTORY CHANGES

5 1 Sec. 3. Section 321.1, subsection 4, Code Supplement 2009,  
5 2 is amended to read as follows:

5 3 4. "All-terrain vehicle" means a motor vehicle designed  
5 4 to travel on three or more wheels and designed primarily for  
5 5 off-road recreational use ~~but not including~~ . "All-terrain  
5 6 vehicle" includes off-road utility vehicles as defined  
5 7 in section 321I.1, but does not include farm tractors or  
5 8 equipment, construction equipment, forestry vehicles, or lawn  
5 9 and grounds maintenance vehicles.

CODE: Amends the definition of all-terrain vehicles (ATVs) under Code Section 321.1.

DETAIL: Provides that an all-terrain vehicle includes off-road utility vehicles as defined in Code Section 321I.1. Code Chapter 321 provides general provisions about vehicles and the law of the road. The changes allows off-road utility vehicles to be operated under the same conditions that currently apply to all-terrain vehicles under Code Section 321.234A. Code Section 321I.1, subsection 16, defines an off-road utility vehicle as one that has four to eight low pressure tires, has limited engine displacement to less than 1,500 cubic centimeters, dry weight is not more than 1,800 pounds, and has a bucket or bench seat. Under current law, ATVs that meet the exemptions under Code Section 321.234A may be driven at 35 M.P.H. or less. A person operating an ATV must have a valid driver's license. Existing penalties under Code Section 321.234A will apply.

5 10 Sec. 4. Section 321.234A, subsection 1, paragraph a, Code  
5 11 2009, is amended to read as follows:

5 12 a. The operation is between sunrise and sunset and is  
5 13 incidental to the vehicle's use for agricultural purposes. For  
5 14 purposes of this paragraph, "incidental to the vehicle's use  
5 15 for agricultural purposes" includes stopping in the course of  
5 16 agricultural use to obtain fuel for the all-terrain vehicle or  
5 17 to obtain food or a nonalcoholic beverage for the operator.

CODE: Amends an exemption from the restriction on all-terrain vehicles operated on highways under Code Section 321.234A.

DETAIL: Provides that the exemption for operation of these vehicles on the highway during the day, if incidental to the vehicle's use for agricultural purposes, includes stopping to get fuel for the vehicle or food or nonalcoholic drink for the operator.

5 18 Sec. 5. Section 321.234A, subsection 1, Code 2009, is  
5 19 amended by adding the following new paragraph:

5 20 NEW PARAGRAPH . f. The all-terrain vehicle is operated on a  
5 21 county roadway in accordance with section 321I.10, subsection  
5 22 2, or a city street in accordance with section 321I.10,  
5 23 subsection 3.

CODE: Adds an exemption from the restriction on all-terrain vehicles operated on highways under Code Section 321.234A.

DETAIL: Provides that ATVs operated on a county roadway or city roadway, in accordance with Code Section 321I.10, will be exempt from the restriction of ATVs on highways. Under Code Section 321.234A, the ATVs must meet specified conditions in order to meet exemptions and be allowed on the highway. Existing penalties under Code Section 321.234A will apply.

5 24 Sec. 6. Section 321.445, subsection 2, Code 2009, is amended

CODE: Sections 6 through 9 amend provisions relating to child



5 25 to read as follows:

5 26 2. a. The driver and front seat occupants of a type of  
5 27 motor vehicle that is subject to registration in Iowa, except a  
5 28 motorcycle or a motorized bicycle, shall each wear a properly  
5 29 adjusted and fastened safety belt or safety harness any time  
5 30 the vehicle is in forward motion on a street or highway in this  
5 31 state except that a child under ~~eleven~~ eighteen years of age  
5 32 shall be secured as required under section 321.446.

5 33 b. This subsection does not apply to:

5 34 ~~a.~~ (1) The driver or front seat occupants of a motor  
5 35 vehicle which is not required to be equipped with safety belts  
6 1 or safety harnesses.

6 2 ~~b.~~ (2) The driver and front seat occupants of a motor  
6 3 vehicle who are actively engaged in work which requires them  
6 4 to alight from and reenter the vehicle at frequent intervals,  
6 5 providing the vehicle does not exceed twenty-five miles per  
6 6 hour between stops.

6 7 ~~c.~~ (3) The driver of a motor vehicle while performing  
6 8 duties as a rural letter carrier for the United States postal  
6 9 service. This exemption applies only between the first  
6 10 delivery point after leaving the post office and the last  
6 11 delivery point before returning to the post office.

6 12 ~~d.~~ (4) Passengers on a bus.

6 13 ~~e.~~ (5) A person possessing a written certification from  
6 14 a health care provider licensed under chapter 148 or 151 on a  
6 15 form provided by the department that the person is unable to  
6 16 wear a safety belt or safety harness due to physical or medical  
6 17 reasons. The certification shall specify the time period for  
6 18 which the exemption applies. The time period shall not exceed  
6 19 twelve months, at which time a new certification may be issued  
6 20 unless the certifying health care provider is from a United  
6 21 States military facility, in which case the certificate may  
6 22 specify a longer period of time or a permanent exemption.

6 23 f. (6) Front seat occupants of an authorized emergency  
6 24 vehicle while they are being transported in an emergency.  
6 25 However, this exemption does not apply to the driver of the  
6 26 authorized emergency vehicle.

6 27 c. The department, in cooperation with the department of

restraints and seat belts for minors.

DETAIL: Provides that child restraint and seat belt laws apply to all children under the age of 18. With the change, all children must be in an approved child-restraint system or seat belt regardless of seating position, except for those on a school bus or motorcycle. An exemption is provided for a child sitting in the back seat if all seat belts are used by other occupants or cannot be used because of the use of a child restraint system in the seat that has the seat belt. Drivers will not be charged for a violation of the seat belt provisions if the violation is committed by a passenger age 14 years or older, unless that person is unable to properly fasten a seat belt due to a temporary or permanent disability. Expands the penalties under Code Section 321.446 so that a passenger age 14 or older may be charged with violations relating to child-restraints.

6 28 public safety and the department of education, shall establish  
6 29 educational programs to foster compliance with the safety belt  
6 30 and safety harness usage requirements of this subsection.  
6 31 Sec. 7. Section 321.445, subsection 3, Code 2009, is amended  
6 32 to read as follows:

6 33 3. The driver and front seat passengers may be each charged  
6 34 separately for improperly used or nonused equipment under  
6 35 subsection 2. However, the driver shall not be charged for a  
7 1 violation committed by a passenger who is fourteen years of  
7 2 age or older unless the passenger is unable to properly fasten  
7 3 a seat belt due to a temporary or permanent disability. The  
7 4 owner of the motor vehicle may be charged for equipment  
7 5 violations under subsection 1.

7 6 Sec. 8. Section 321.446, subsections 2 and 3, Code 2009, are  
7 7 amended to read as follows:

7 8 2. A child at least six years of age but under  
7 9 ~~eleven~~ eighteen years of age who is being transported in  
7 10 a motor vehicle subject to registration, except a school  
7 11 bus or motorcycle, shall be secured during transit by a  
7 12 child restraint system that is used in accordance with the  
7 13 manufacturer's instructions or by a safety belt or safety  
7 14 harness of a type approved under section 321.445.

7 15 3. This section does not apply to ~~peace~~ the following:

7 16 a. Peace officers acting on official duty. ~~This~~

7 17 ~~section also does not apply to the~~

7 18 b. The transportation of children in 1965 model year or  
7 19 older vehicles, authorized emergency vehicles, buses, or motor  
7 20 homes, except when a child is transported in a motor home's  
7 21 passenger seat situated directly to the driver's right. ~~This~~  
7 22 ~~section does not apply to the~~

7 23 c. The transportation of a child who has been certified  
7 24 by a physician licensed under chapter 148 as having a  
7 25 medical, physical, or mental condition that prevents or makes  
7 26 inadvisable securing the child in a child restraint system,  
7 27 safety belt, or safety harness.

7 28 d. A back seat occupant of a motor vehicle for whom no  
7 29 safety belt is available because all safety belts are being  
7 30 used by other occupants or cannot be used due to the use of a

7 31 child restraint system in the seating position for which a belt  
7 32 is provided.  
7 33 Sec. 9. Section 321.446, subsection 4, Code 2009, is amended  
7 34 by striking the subsection and inserting in lieu thereof the  
7 35 following:

8 1 4. A person who violates this section is guilty of a simple  
8 2 misdemeanor punishable as a scheduled violation under section  
8 3 805.8A, subsection 14, paragraph "c". Violations shall be  
8 4 charged as follows:

8 5 a. An operator who transports a passenger under fourteen  
8 6 years of age in violation of subsection 1 or 2 may be charged  
8 7 with a violation of this section.

8 8 b. If a passenger fourteen years of age or older is unable  
8 9 to properly fasten a seatbelt due to a temporary or permanent  
8 10 disability, an operator who transports such a person in  
8 11 violation of subsection 2 may be charged with a violation of  
8 12 this section. Otherwise, a passenger fourteen years of age or  
8 13 older who violates subsection 2 shall be charged in lieu of the  
8 14 operator.

8 15 c. If a child under fourteen years of age, or a child  
8 16 fourteen years of age or older who is unable to fasten a  
8 17 seatbelt due to a temporary or permanent disability, is being  
8 18 transported in a taxicab in a manner that is not in compliance  
8 19 with subsection 1 or 2, the parent, legal guardian, or other  
8 20 responsible adult traveling with the child shall be served  
8 21 with a citation for a violation of this section in lieu of the  
8 22 taxicab operator. Otherwise, if a passenger being transported  
8 23 in the taxicab is fourteen years of age or older, the citation  
8 24 shall be served on the passenger in lieu of the taxicab  
8 25 operator.

8 26 Sec. 10. Section 321.10, subsections 1, 2, and 3, Code  
8 27 Supplement 2009, are amended to read as follows:

8 28 1. A person shall not operate an all-terrain vehicle or  
8 29 off-road utility vehicle upon roadways or highways except as  
8 30 provided in section 321.234A and this section.

8 31 2. A registered all-terrain vehicle or off-road utility

CODE: Amends provisions relating to all-terrain vehicles to include "off-road utility vehicles" that are regulated by the Department of Natural Resources.

DETAIL: Authorizes a city or county to designate streets for use by ATVs and off-road utility vehicles and permits the vehicles to stop at

8 32 vehicle may be operated on the roadways of that portion of  
 8 33 county highways designated by the county board of supervisors  
 8 34 for such use during a specified period. The county board of  
 8 35 supervisors shall evaluate the traffic conditions on all county  
 9 1 highways and designate roadways on which all-terrain vehicles  
 9 2 or off-road utility vehicles may be operated for the specified  
 9 3 period without unduly interfering with or constituting an undue  
 9 4 hazard to conventional motor vehicle traffic. In designating  
 9 5 such roadways, the board may authorize all-terrain vehicles  
 9 6 and off-road utility vehicles to stop at service stations or  
 9 7 convenience stores along a designated roadway.

9 8 3. Cities may designate streets under the jurisdiction  
 9 9 of cities within their respective corporate limits  
 9 10 which may be used for the ~~sport of driving~~ operation of  
 9 11 registered all-terrain vehicles or registered off-road utility  
 9 12 vehicles . In designating such streets, the city may authorize  
 9 13 all-terrain vehicles and off-road utility vehicles to stop  
 9 14 at service stations or convenience stores along a designated  
 9 15 street.

9 16 Sec. 11. Section 322D.1, subsection 1, Code 2009, is amended  
 9 17 to read as follows:

9 18 1. "All-terrain vehicle" means ~~the same as defined in~~  
 9 19 ~~section 3211.4~~ a motor vehicle designed to travel on three or  
 9 20 more wheels and designed primarily for off-road recreational  
 9 21 use but not including farm tractors or equipment, construction  
 9 22 equipment, forestry vehicles, or lawn and grounds maintenance  
 9 23 vehicles .

service stations or convenience stores on the designated streets.

CODE: Conforming change to Code Section 322D.1 for consistency with changes made to ATV definitions in other parts of the Code.

**DEPARTMENT OF TRANSPORTATION FY 2011 APPROPRIATIONS ACT  
SENATE FILE 2381**

	<b>Estimated FY 2010</b>	<b>SF 2381 FY 2011</b>	<b>SF 2381 vs. FY 2010</b>	<b>Percent Change</b>
<b>Drivers' License Equipment Lease/</b>				
<b>Central Issuance</b>				
Road Use Tax Fund	\$ 3,714,000	\$ 3,876,000	\$ 162,000	4.4%
<b>Operations</b>				
Road Use Tax Fund	\$ 6,654,962	\$ 6,654,962	\$ 0	0.0%
Primary Road Fund	40,876,274	40,951,274	75,000	0.2%
Total Operations	\$ 47,531,236	\$ 47,606,236	\$ 75,000	0.2%
FTEs	311.0	312.0	1.0	0.3%
<b>Planning &amp; Programming</b>				
Road Use Tax Fund	\$ 506,127	\$ 506,127	\$ 0	0.0%
Primary Road Fund	9,610,960	9,610,960	0	0.0%
Total Planning & Programming	\$ 10,117,087	\$ 10,117,087	\$ 0	0.0%
FTEs	131.0	131.0	0.0	0.0%
<b>Motor Vehicles</b>				
Road Use Tax Fund	\$ 36,752,012	\$ 35,604,012	\$ -1,148,000	-3.1%
Primary Road Fund	1,555,005	1,555,005	0	0.0%
Total Motor Vehicles	\$ 38,307,017	\$ 37,159,017	\$ -1,148,000	-3.0%
FTEs	498.0	478.0	-20.0	-4.0%
<b>Highway</b>				
Primary Road Fund	\$ 236,262,726	\$ 237,565,726	\$ 1,303,000	0.6%
FTEs	2,453.0	2,452.0	-1.0	0.0%
<b>Dept. of Administrative Services (DAS)</b>				
Road Use Tax Fund	\$ 225,000	\$ 225,000	\$ 0	0.0%
Primary Road Fund	1,382,000	1,382,000	0	0.0%
Total DAS	\$ 1,607,000	\$ 1,607,000	\$ 0	0.0%
<b>Unemployment Compensation</b>				
Road Use Tax Fund	\$ 7,000	\$ 7,000	\$ 0	0.0%
Primary Road Fund	138,000	138,000	0	0.0%
Total Unemployment Comp.	\$ 145,000	\$ 145,000	\$ 0	0.0%

**DEPARTMENT OF TRANSPORTATION FY 2011 APPROPRIATIONS ACT  
SENATE FILE 2381**

	Estimated FY 2010	SF 2381 FY 2011	SF 2381 vs. FY 2010	Percent Change
<b>Workers' Compensation</b>				
Road Use Tax Fund	\$ 142,000	\$ 137,000	\$ -5,000	-3.5%
Primary Road Fund	3,406,000	3,278,000	-128,000	-3.8%
Total Workers' Comp	\$ 3,548,000	\$ 3,415,000	\$ -133,000	-3.7%
<b>Indirect Cost Recoveries</b>				
Road Use Tax Fund	\$ 78,000	\$ 78,000	\$ 0	0.0%
Primary Road Fund	572,000	572,000	0	0.0%
Total Indirect Cost Recoveries	\$ 650,000	\$ 650,000	\$ 0	0.0%
<b>Auditor Reimbursement</b>				
Road Use Tax Fund	\$ 67,319	\$ 67,319	\$ 0	0.0%
Primary Road Fund	415,181	415,181	0	0.0%
Total Auditor Reimbursement	\$ 482,500	\$ 482,500	\$ 0	0.0%
<b>County Treasurers Support</b>				
Road Use Tax Fund	\$ 1,394,000	\$ 1,406,000	\$ 12,000	0.9%
<b>511 Road/Weather Conditions</b>				
Road Use Tax Fund	\$ 100,000	\$ 100,000	\$ 0	0.0%
<b>Mississippi River Parkway Commission</b>				
Road Use Tax Fund	\$ 40,000	\$ 40,000	\$ 0	0.0%
<b>North America Superhighway Corridor</b>				
Road Use Tax Fund	\$ 50,000	\$ 50,000	\$ 0	0.0%
<b>MVD Field Facility Maintenance</b>				
Road Use Tax Fund	\$ 200,000	\$ 200,000	\$ 0	0.0%
<b>Garage Fuel &amp; Waste Management</b>				
Primary Road Fund	\$ 800,000	\$ 800,000	\$ 0	0.0%
<b>Transportation Maps</b>				
Primary Road Fund	\$ 242,000	\$ 242,000	\$ 0	0.0%
<b>Inventory &amp; Equipment Replacement</b>				
Primary Road Fund	\$ 2,250,000	\$ 2,250,000	\$ 0	0.0%
<b>Utility Improvements</b>				
Primary Road Fund	\$ 400,000	\$ 400,000	\$ 0	0.0%

**DEPARTMENT OF TRANSPORTATION FY 2011 APPROPRIATIONS ACT  
SENATE FILE 2381**

	<b>Estimated FY 2010</b>	<b>SF 2381 FY 2011</b>	<b>SF 2381 vs. FY 2010</b>	<b>Percent Change</b>
<b>Garage Roofing Projects</b>				
Primary Road Fund	\$ 200,000	\$ 200,000	\$ 0	0.0%
<b>HVAC Improvements</b>				
Primary Road Fund	\$ 100,000	\$ 200,000	\$ 100,000	100.0%
<b>Field Facility Deferred Maintenance</b>				
Primary Road Fund	\$ 1,000,000	\$ 1,000,000	\$ 0	0.0%
<b>ADA Improvements</b>				
Primary Road Fund	\$ 120,000	\$ 120,000	\$ 0	0.0%
<b>Ames Elevator Upgrade</b>				
Primary Road Fund	\$ 100,000	\$ 100,000	\$ 0	0.0%
<b>Wastewater Treatment Upgrades -Garages</b>				
Primary Road Fund	\$ 0	\$ 1,000,000	\$ 1,000,000	100.0%
<b>Rockwell City Garage</b>				
Primary Road Fund	\$ 3,000,000	\$ 0	\$ -3,000,000	-100.0%
<b>Subtotal Road Use Tax Fund</b>	<u>\$ 49,930,420</u>	<u>\$ 48,951,420</u>	<u>\$ -979,000</u>	<u>-2.0%</u>
<b>Subtotal Primary Road Fund</b>	<u>\$ 302,430,146</u>	<u>\$ 301,780,146</u>	<u>\$ -650,000</u>	<u>-0.2%</u>
<b>TOTAL DOT</b>	<u><u>\$ 352,360,566</u></u>	<u><u>\$ 350,731,566</u></u>	<u><u>\$ -1,629,000</u></u>	<u><u>-0.5%</u></u>
<b>TOTAL FTEs</b>	<b>3,393.0</b>	<b>3,373.0</b>	<b>-20.0</b>	<b>-0.6%</b>
<b>Other Changes in Funding - One Time Funding FY 2010</b>				
Reimbursement to City of Muscatine (RUTF)	\$ 1,072	\$ 0	\$ -1,072	-100.0%
Payment to City of Cedar Falls (RUTF)	317,906	0	-317,906	-100.0%
Cities/Counties Local Roads (Federal Recovery)	5,550,000	0	-5,550,000	-100.0%
<b>Total One Time Funding FY 2010</b>	<u>\$ 5,868,978</u>	<u>\$ 0</u>	<u>\$ -5,868,978</u>	<u>-100.0%</u>

# EXECUTIVE SUMMARY INFRASTRUCTURE APPROPRIATIONS ACT

SENATE FILE 2389

## FUNDING SUMMARY

- Appropriates a net total of \$273.7 million from the following sources:
  - \$80.0 million from the Rebuild Iowa Infrastructure Fund (RIIF).
  - \$10.1 million from the Technology Reinvestment Fund (TRF).
  - \$26.1 million from the Revenue Bonds Capitals Fund (RBC).
  - \$150.0 million from the Revenue Bonds Capitals II Fund (RBC2), created in Division IV.
  - \$323,000 from the FY 2009 Prison Bonding Fund (PBF).
  - \$5.2 million from the School Infrastructure Fund.
  - \$2.0 million from the Underground Storage Tank Fund.
- Appropriates \$16.0 million for FY 2012, \$6.0 million for FY 2013, \$5.2 million for FY 2014, and \$5.0 million for FY 2015 from the RIIF.
- Adjusts \$76.5 million in previously enacted or standing appropriations in the RIIF for FY 2011, by reducing, eliminating, or moving them to either the RBC or RBC2. This total includes a reduction of the Environment First Fund standing appropriation by \$9.0 million, a reduction of the Housing Trust Fund standing appropriation by \$2.0 million, elimination of the \$10.0 million multi-year SAVE Fund appropriation for one fiscal year, as well as several other changes.
- Deappropriates a net total of \$29.5 million from FY 2010 RBC, while providing a supplemental appropriation for FY 2010 of \$5.6 million for Main Street Projects through the Department of Economic Development (DED).
- Included in the total amount of FY 2011 RIIF appropriations are items that are typically appropriated from the General Fund. These include the TRF, Grow Iowa Values Fund, and a portion of Regents Tuition Replacement. These appropriations are slated to return to the General Fund for FY 2012.
- Adjusts the bonds authorized under SF 477 (Phase III Bonding Act – 2009 Session) by changing them from appropriations bonds to revenue bonds, and increasing the amount of net proceeds from \$105.0 million to \$150.0 million.
- Beginning in FY 2012, the debt service payments are estimated to be approximately \$11.9 million per year for the period of FY 2012 through FY 2033. Total new debt is projected to be approximately \$269.2 million, with \$171.1 million in principal (including \$6.7 million in capitalized interest) and \$98.1 million in interest. The projected interest rate on the revenue bonds is approximately 4.3%.
- The existing wagering tax allocation of \$55.0 million to pay for the revenue bonds debt service authorized in SF 376 (Revenue Bonding and I-JOBS Program Act – 2009 Session) will suffice for payment of the debt service from the FY 2011 bond issuance. The impact from the debt service will be that the \$11.9 million unencumbered balance from the \$55.0 million wagering tax allocation that is slated to deposit in the RIIF will be obligated beginning in FY 2012, thus reducing RIIF revenues by that amount.

## BONDING AUTHORIZATION



# EXECUTIVE SUMMARY INFRASTRUCTURE APPROPRIATIONS ACT

SENATE FILE 2389

## BONDING AUTHORIZATION (CONTINUED)

### DIVISION I

#### DEPARTMENT OF ADMINISTRATIVE SERVICES

#### DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT FOR THE BLIND

#### DEPARTMENT OF CORRECTIONS

#### DEPARTMENT OF CULTURAL AFFAIRS

#### DEPARTMENT OF ECONOMIC DEVELOPMENT

- Due to the additional new debt, an additional \$3.8 million of wagering tax revenue is needed to transfer to a new Revenue Bonds Federal Subsidy Holdback Fund, created in Division XVIII. This is to ensure the debt service is covered in the event the federal subsidy for the Build America Bonds (BABs) issued is not received. Once the subsidy is received, the \$3.8 million will transfer to the RIIF. It is anticipated the effect will be revenue neutral to the RIIF because the federal government has pledged to pay the subsidies that are 35.0% of the interest on the BABs issued. The Treasurer of State is authorized to transfer the funds from the Federal Subsidy Holdback Fund to the RIIF before the end of each fiscal year.

### ***REBUILD IOWA INFRASTRUCTURE FUND (RIIF) APPROPRIATIONS***

- \$3.7 million to the Department of Administrative Services (DAS) Distribution Account for the I/3 System. (Page 1, Line 8)
- \$1.1 million for costs associated with operating the former Mercy Capitol Hospital building. (Page 1, Line 28 )
- \$200,000 for the State's share of support for the D-Line Bus Service provided by the Des Moines Area Regional Transit (DART) Authority. (Page 1, Line 32)
- \$50,000 for the administration of the Watershed Improvement Review Board. (Page 2, Line 13)
- \$20,000 for the costs associated with providing Newsline Service via phone for blind or print-handicapped persons. (Page 2, Line 18)
- A total of \$5.7 million for three out years, including \$4.5 million for FY 2012, \$1.0 million for FY 2013, and \$200,000 for FY 2014, for construction project management for the Fort Madison and Mitchellville prison construction projects. (Page 6, Line 33)
- \$60,000 to the Department of Cultural Affairs (DCA) for the stabilization of the Iowa Battle Flag collection. (Page 2, Line 24)
- \$40,000 to the DCA for maintenance repairs at Historic Sites. (Page 2, Line 30)
- \$2.0 million for deposit in the workforce training and economic development funds of community colleges. (Page 2, Line 33)
- \$100,000 to the DED for Sixth Avenue Corridor Revitalization in Des Moines. (Page 3, Line 4)
- \$50,000 for the Southeast Iowa Regional Economic and Port Authority. (Page 3, Line 10)
- \$500,000 for Regional Sports Authority Districts. (Page 3, Line 15)
- \$100,000 to the World Food Prize for administration and support for the Borlaug/Ruan Scholar Program. (Page 3, Line 20)

# EXECUTIVE SUMMARY INFRASTRUCTURE APPROPRIATIONS ACT

SENATE FILE 2389

## DEPARTMENT OF EDUCATION

## DEPARTMENT OF NATURAL RESOURCES

## DEPARTMENT OF PUBLIC DEFENSE

## DEPARTMENT OF PUBLIC HEALTH

## IOWA FINANCE AUTHORITY

## BOARD OF REGENTS

## TREASURER OF STATE

## DEPARTMENT OF TRANSPORTATION

## DEPARTMENT OF VETERANS AFFAIRS

- \$500,000 for the Enrich Iowa Program, including a \$50,000 allocation to the Library Service Areas. (Page 3, Line 24)
- \$2.0 million for a floodplain management and dam safety program at the Department of Natural Resources (DNR). (Page 3, Line 32)
- \$40,000 for a permanent structure at Rock Creek Lake in Jasper County. (Page 4, Line 5)
- \$100,000 for contracting an asset manager for Honey Creek Resort Park. (Page 4, Line 9)
- A total of \$20.0 million, \$5.0 million annually for FY 2012 through FY 2015, for State park infrastructure improvements. (Page 7, Line 6)
- \$1.5 million for major maintenance at National Guard facilities throughout the State. (Page 4, Line 31)
- \$500,000 for renovation and facilities improvements at the Iowa Falls Readiness Center (Armory). (Page 4, Line 35)
- \$200,000 for renovation and facilities improvements at the Cedar Rapids Armed Forces Readiness Center (Armory). (Page 5, Line 3)
- \$100,000 for renovation and facilities improvements at the Middletown Armed Forces Readiness Center (Armory). (Page 5, Line 6)
- \$100,000 to the Department of Public Health for a grant to an existing volunteer eye organization that is dedicated to preserving sight and preventing blindness in children and adults. (Page 5, Line 9)
- \$250,000 for transfer to the Polk County Housing Trust Fund for construction of facilities that serve severely-disabled people with high medical needs. (Page 5, Line 18)
- \$24.3 million to the Board of Regents for Tuition Replacement. (Page 5, Line 24)
- \$1.3 million for the Iowa Flood Center at the University of Iowa. (Page 5, Line 35)
- \$400,000 for Iowa State University (ISU) College of Veterinary Medicine to purchase veterinary surgical and other equipment to modernize the animal care facilities at the Blank Park Zoo in Des Moines. (Page 6, Line 5)
- \$1.1 million for distribution to county fair societies that belong to the Association of Iowa Fairs. (Page 6, Line 12)
- \$750,000 for vertical infrastructure improvements at general aviation airports. (Page 6, Line 17)
- \$6.5 million in FY 2012 for deposit in the Passenger Rail Service Revolving Fund for matching federal funding available through the federal Passenger Rail Investment and Improvement Act of 2008. (Page 7, Line 12)
- \$1.0 million to the Department of Veterans Affairs for transfer to the Iowa Finance Authority (IFA) for the Home Ownership Assistance Program for military veterans. (Page 6, Line 21)

**EXECUTIVE SUMMARY  
INFRASTRUCTURE APPROPRIATIONS ACT**

**SENATE FILE 2389**

**DIVISION II**

DEPARTMENT OF ADMINISTRATIVE  
SERVICES

DEPARTMENT OF CORRECTIONS

DEPARTMENT OF EDUCATION

DEPARTMENT OF PUBLIC HEALTH

IOWA TELECOMMUNICATIONS AND  
TECHNOLOGY COMMISSION

**DIVISION III**

DEPARTMENT OF ADMINISTRATIVE  
SERVICES

DEPARTMENT OF AGRICULTURE  
AND LAND STEWARDSHIP

DEPARTMENT OF CULTURAL  
AFFAIRS

DEPARTMENT OF CORRECTIONS

DEPARTMENT OF ECONOMIC  
DEVELOPMENT

***TECHNOLOGY REINVESTMENT FUND (TRF) APPROPRIATIONS***

- \$3.8 million appropriation to the DAS for technology improvement projects for State agencies. (Page 8, Line 6)
- \$500,000 for costs associated with the Department's Iowa Corrections Offender Network (ICON). (Page 8, Line 9)
- \$2.7 million 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). (Page 8, Line 13)
- \$600,000 for development and implementation of a statewide education data warehouse. (Page 8, Line 17)
- \$250,000 to Polk County for the Eyerly-Ball Community Health Center for database of electronic medical records. (Page 8, Line 26)
- \$2.2 million for the replacement of equipment for the ICN. (Page 8, Line 33)

***REVENUE BONDS CAPITALS FUNDS (RBC) APPROPRIATIONS***

- \$3.0 million to the DAS for major maintenance. (Page 9, Line 32)
- \$1.0 million for the Soil Conservation Cost Share Program. (Page 10, Line 4)
- \$2.0 million to the Department of Cultural Affairs (DCA) for the Iowa Great Places Program. (Page 10, Line 35)
- \$1.5 million for one-time costs associated with the opening of Community-Based Corrections (CBCs) facilities, including the purchase of equipment. (Page 11, Line 3)
- \$1.0 million allocated to the City of Des Moines to construct a security wall between the existing Fifth Judicial District CBC and the Blank Park Zoo. (Page 11, Line 8)
- \$2.2 million for prison construction management costs. (Page 11, Line 13)
- \$4.0 million to the Des Moines Area Regional Area Transit (DART) Authority for construction of a regional transit hub in downtown Des Moines. (Page 11, Line 17)

# EXECUTIVE SUMMARY INFRASTRUCTURE APPROPRIATIONS ACT

SENATE FILE 2389

## DEPARTMENT OF NATURAL RESOURCES

- \$7.0 million to the DNR for lake restoration, dredging, and water quality projects. (Page 11, Line 24)
  - Allocates \$2.0 million for the construction of the Lost Grove Lake in Scott County.
  - Allocates \$250,000 for dredging and improvements to Twin Ponds in Chickasaw County.
  - Allocates \$100,000 for Lake Delhi in Delaware County for lake dredging, ongoing dam maintenance, and related improvements.

## BOARD OF REGENTS

- \$13.0 million for Phase II of the construction and expansion of the veterinary diagnostic laboratory at ISU. (Page 12, Line 11)

## STATE FAIR AUTHORITY

- \$2.5 million for the construction of an agricultural exhibition center and other improvements. (Page 12, Line 18)

## IOWA FINANCE AUTHORITY

- \$2.0 million for grants under the Housing Trust Fund Program. (Page 12, Line 23)

## DIVISION IV

### ***REVENUE BONDS CAPITALS II FUNDS (RBC2) APPROPRIATIONS***

## DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

## DEPARTMENT OF ECONOMIC DEVELOPMENT

- \$6.0 million for the Soil Conservation Cost Share Program. (Page 14, Line 18)
- \$2.5 million for the Conservation Reserve Enhancement Program (CREP). (Page 15, Line 14)
- \$12.0 million for grants from the Community Attraction and Tourism (CAT) Program. (Page 15, Line 17)
- \$4.0 million for grants from the River Enhancement Community Attraction and Tourism (RECAT) Program. (Page 15, Line 21)
- \$5.5 million to the DED for Accelerated Career Education (ACE) Program vertical infrastructure projects at community colleges. (Page 15, Line 28)
- \$8.5 million for projects through the existing Main Street Program. (Page 15, Line 33)
- \$1.5 million to North Iowa Area Community College (merged area II) for the construction of a small business center in Mason City. (Page 16, Line 16)
- \$1.2 million to Kirkwood Community College (merged area X) for the construction of a small business center in Cedar Rapids. (Page 16, Line 20)

## DEPARTMENT OF EDUCATION

- \$2.0 million for infrastructure improvements at community colleges. (Page 16, Line 24)

# EXECUTIVE SUMMARY INFRASTRUCTURE APPROPRIATIONS ACT

SENATE FILE 2389

## IOWA FINANCE AUTHORITY/ I-JOBS BOARD

- Appropriates \$30.9 million for targeted disaster relief and rebuilding, flood mitigation, and construction projects. The projects are being allocated directly to the recipient through the I-JOBS Board. They will not be part of a competitive grant process, but the Board will oversee accountability for the projects. (Page 16, Line 30)

The allocations are as follows:  
(Page 17, Line 2 through Page 19, Line 11)

- A total of \$10.8 million for flood rebuilding and mitigation projects in Cedar Rapids and Linn County. These include:
  - \$4.4 million for an administrative office building and public service center in Linn County.
  - \$4.4 million for renovation of the existing city hall building in Cedar Rapids.
  - \$2.0 million for flood mitigation and renovation in and around a former federal courthouse in Cedar Rapids.
- A total of \$9.5 million for flood rebuilding, mitigation, and construction projects in Des Moines and Polk County. These include:
  - \$3.0 million for construction of a fire department training and logistics facility in Des Moines.
  - \$1.3 million for construction of sewers, structures, and pumping facilities to separate or convey sewer flow within the Riverpoint Service Area in Des Moines.
  - \$3.1 million for construction of sewers, structures, and pumping facilities to separate or convey sewer flow within the Court Avenue Service Area in Des Moines.
  - \$700,000 for bank stabilization, stream bed stabilization, and erosion control at the Tonawanda Ravine in Des Moines.
  - \$500,000 to improve utilization of two of the Wastewater Reclamation Authority's existing equalization basins for control of peak flows in Des Moines.
  - \$1.0 million for construction and renovation of patient access and care facilities, equipment replacements and upgrades, and other infrastructure improvements to the Broadlawns Medical Center in Polk County.
- \$1.1 million for improvements to prevent flood damage at Modern Woodmen Park Baseball Stadium in Davenport.
- \$5.0 million for a public works building in Waterloo.
- \$2.0 million for a wastewater treatment plant in Iowa City.
- \$1.2 million for reconstruction of existing horizontal infrastructure in downtown West Union for purposes of incorporating sustainable development practices such as permeable pavers and rain gardens to prevent future flooding and reduce stormwater runoff.

# EXECUTIVE SUMMARY INFRASTRUCTURE APPROPRIATIONS ACT

SENATE FILE 2389

## IOWA FINANCE AUTHORITY/ I-JOBS BOARD (CONTINUED)

## I-JOBS II PROGRAM – SMART PLANNING GRANTS DEPARTMENT OF NATURAL RESOURCES

## BOARD OF REGENTS

## DEPARTMENT OF TRANSPORTATION

## TREASURER OF STATE

## DIVISION V

## DIVISION VI

- \$475,000 for a city hall in Jesup.
- \$600,000 for stormwater protection in Belmond by improving stormwater systems to have backflow prevention devices.
- \$300,000 for drainage channel erosion control, grade control structures, and associated grading in Norwalk.
- \$30.0 million to the I-JOBS Board for a new Disaster Prevention Smart Planning Local Grant Program that will be administered by the Board, under the I-JOBS II Program. (Page 19, Line 12)
- \$5.0 million for State parks infrastructure improvements. Allocates \$100,000 of the appropriation to the Wapsipinicon State Park in Jones County for the renovation of a historic clubhouse. (Page 19, Line 17)
- \$3.0 million for lake restoration, dredging, and water quality projects. (Page 19, Line 24)
- \$10.0 million for the University of Iowa's Institute for Biomedical Discovery. (Page 19, Line 29)
- \$5.0 million to the Iowa Energy Center for the Alternate Energy Revolving Loan Fund. (Page 19, Line 34)
- \$7.5 million for rail improvements and rail ports with grants to local entities to develop freight rail and industrial park facilities. (Page 20, Line 13)
- \$2.0 million for Public Transit Infrastructure Grants. (Page 21, Line 3)
- \$1.5 million for vertical infrastructure improvements at the State's commercial service airports. (Page 21, Line 6)
- \$10.0 million for bridge safety to be used for infrastructure projects relating to functionally obsolete and structurally deficient bridges. (Page 21, Line 23)
- \$2.0 million for the Watershed Improvement Review Board for grants for watershed improvements. (Page 21, Line 26)

## **PRISON BONDING FUND APPROPRIATION**

- \$323,000 to the Department of Corrections (DOC) for construction management costs for Fort Madison and Mitchellville projects. (Page 22, Line 23)

## **UNDERGROUND STORAGE TANK (UST) FUND APPROPRIATION**

- Appropriates \$2.0 million from the UST Fund for FY 2011 for deposit in the Passenger Rail Service Revolving Fund for matching federal funding available through the federal Passenger Rail Investment and Improvement Act of 2008. (Page 23, Line 13)

# EXECUTIVE SUMMARY INFRASTRUCTURE APPROPRIATIONS ACT

SENATE FILE 2389

## DIVISION VII

### ***SMART PLANNING***

- Creates new Code Sections 18B.1 and 18B.2 establishing smart planning principles and local comprehensive and development guidelines. Amends several provisions relating to county and city zoning and planning. Specifies certain duties of County Supervisor Boards and City Councils relating to consideration and adoption of a comprehensive plan. Establishes an Iowa Smart Planning Task Force that must report on State policies, programs, statutes, or rules that need to be revised to integrate smart planning principles and goals and recommendations for a process to develop statewide goals for comprehensive planning that use the principles. (Page 23, Line 30 through Page 41, Line 4)

## DIVISION VIII

### ***CHANGES TO GROW IOWA VALUES FUND APPROPRIATION AND ALLOCATIONS***

- Appropriates \$38.0 million from the RIIF to the Grow Iowa Values Fund and adjusts the allocations under Code Section 15G.111 accordingly. Makes statutory changes related to the allocations to add Targeted Small Business as one of them. Authorizes the DED to use interest from the Grow Iowa Values Fund for specified purposes. (Page 41, Line 5 through Page 44, Line 19)

## DIVISION IX

### ***SMALL BUSINESS LINKED INVESTMENTS***

- Increases the cap on net worth for purposes of eligibility for borrowers and business owners under the Small Business Linked Investments Program, under Code Section 12.43, from \$750,000 to \$975,000. (Page 44, Line 20)

## DIVISION X

### ***SITE DEVELOPMENT CONSULTATION***

- Requires the DED to consult with local governments and local economic development officials regarding site development techniques. Authorizes the DED to charge a fee for providing site development consultations. Fees collected will be deposited in the State General Fund. Appropriates \$175,000 and 1.0 FTE position from the School Infrastructure Fund to the DED to hire a person to coordinate and administer the Site Development Program. (Page 44, Line 30)

## DIVISION XI

### ***WEBSITE FOR BUSINESS ASSISTANCE***

- Requires the DED, in consultation with other State agencies that provide assistance to small businesses, to create a business assistance website that provides business and financial information. Appropriates \$20,000 from the School Infrastructure Fund to the DED for development of the website. (Page 46, Line 6)

## DIVISION XII

### ***REGULATORY ASSISTANCE INTERIM STUDY COMMITTEE***

- Creates an Interim Study Committee that will examine and make recommendations regarding methods of assisting small businesses that do not require direct financial incentives and regarding potential changes of law that would improve business licensing, regulatory compliance, and tax collection procedures. (Page 47, Line 2)

# EXECUTIVE SUMMARY INFRASTRUCTURE APPROPRIATIONS ACT

SENATE FILE 2389

## DIVISION XIII

### **SAVE OUR SMALL BUSINESSES FUND**

- Creates the Save Our Small Businesses Program and Fund in Code Sections 15.300 and 15.301 for purposes of promoting the creation and retention of jobs in the State's economy and to assist businesses to be more competitive. Appropriates \$5.0 million from the School Infrastructure Fund for deposit in the new Save Our Small Businesses Fund. (Page 48, Line 7 through Page 52, Line 6)

## DIVISION XIV

### **ALTERNATIVE PUBLIC PROJECT DELIVERY STUDY – INTERIM STUDY COMMITTEE**

- Creates an Interim Study Committee to study the use of alternative project delivery for public projects (such as the design-build process) at Regents institutions. (Page 53, Line 10)

## DIVISION XV

### **IOWA FLOOD CENTER – FLOODPLAIN MAPPING**

- Requires the DNR to enter into an agreement with the University of Iowa for not less than \$10.0 million for development of new floodplain maps by June 30, 2014, by the Iowa Flood Center. (Page 54, Line 10)

## DIVISION XVI

### **DEPARTMENT OF ADMINISTRATIVE SERVICES – OFFICE SPACE – STATE FLEET**

- Requires DAS to issue a request for proposals by December 1, 2010, concerning the availability and cost of office space for State employees in downtown Des Moines and in other areas in close proximity to the State Capitol Complex.
- The DAS is also required to conduct a cost-benefit analysis of utilizing existing office space in downtown Des Moines and other areas in close proximity to the State Capitol Complex in lieu of replacing or renovating the Wallace Building or moving people into the Mercy Capitol Building.
- Prohibits DAS from allowing tenants to move into the Mercy Capitol Building until the cost-benefit analysis is completed, except for specified entities. *This item was vetoed by the Governor.*
- Requires the DAS to evaluate and consider relocating the State fleet operations. (Page 54, Line 30 through Page 56, Line 28)

## DIVISION XVII

### **CHANGES TO PRIOR APPROPRIATIONS**

(Page 56, Line 29 through Page 67, Line 20)

- **Department of Education – Iowa Public Television (IPTV)** - Extends the reversion from RIIF appropriations for digital television conversion for the IPTV.
- **Department of Public Safety** – Extends the reversion of the FY 2007 RIIF appropriation for the fire training centers in the State.



# EXECUTIVE SUMMARY INFRASTRUCTURE APPROPRIATIONS ACT

SENATE FILE 2389

## CHANGES TO PRIOR APPROPRIATIONS (CONTINUED)

- **Department of Administrative Services** – Extends the reversion of the FY 2007 RIIF appropriation for leases/relocation and remodeling on the Complex.
- Extends the reversion of the FY 2007 RC2 appropriation for the Woodward Wastewater Treatment facility through the end of FY 2012.
- **Regents** – Deappropriates the FY 2011 previously enacted appropriation for the University of Iowa's Institute for Biomedical Discovery.
- **Department of Human Rights** – Extends the reversion of the FY 2008 TRF appropriation for the criminal justice information system (CJIS).
- **Iowa Workforce Development** – Extends the reversion of the FY 2008 TRF appropriation for the Educational Outcomes Program.
- **Department of Administrative Services** – Technical correction to the FY 2009 appropriation of \$165,000 for the Hoover Building security and firewall protection.
- **Department of Cultural Affairs** – Authorizes the DCA to use \$20,000 of the \$1.0 million received for FY 2009 RIIF appropriation for the Historical Site Preservation Grant Program to hire seasonal help for the Historic Sites. The Department is authorized to do the same with \$20,000 from the FY 2010 RIIF appropriation.
- **Department of Economic Development** – Deappropriates the RECAT previously enacted appropriation of \$10.0 million from the RIIF for FY 2011.
- **Department of Education – IPTV** – Authorizes IPTV to use remaining funds from the FY 2009 TRF appropriations for generators and the Keosauqua translator as operating funds for FY 2011.
- **Department of Corrections** – Deappropriates \$13.1 million from the RBC FY 2009 appropriation and \$5.0 million from the FY 2011 RIIF appropriation to the DOC for the Fifth Judicial District CBC. The project is postponed indefinitely.
- Adds language to the appropriations for Fort Madison and Mitchellville prison expansions to authorize the Department to use the funds for construction management and a correctional specialist as part of those construction projects.
- **Department of Agriculture and Land Stewardship** – Adds language to the FY 2010 RBC appropriation for the Department to collaborate with the Watershed Improvement Review Board on pilot projects
- **RBC appropriation technical corrections** – Adds lead in language for DNR appropriation for FY 2010. Changes appropriations from the RBC to reflect what occurred in practice; that the RBC appropriations were not deposited in the new funds created in SF 376. The appropriations are being used for the purposes as created in those funds and the purposes have not changed.

# EXECUTIVE SUMMARY INFRASTRUCTURE APPROPRIATIONS ACT

SENATE FILE 2389

## CHANGES TO PRIOR APPROPRIATIONS (CONTINUED)

- ***Iowa Telecommunications and Technology Commission*** – Deappropriates the entire FY 2010 RBC appropriation of \$25.0 million for Broadband Deployment Sustainability Grants.
- ***Department of Transportation*** – Deappropriates \$10.0 million of the FY 2010 RBC appropriation for bridge safety projects. Division IV restores the funding as an FY 2011 RBC2 appropriation.
  - Adjusts the FY 2010 RIIF appropriation for Passenger Rail to deposit it in the existing Passenger Rail Service Revolving Fund under Code Section 327J.2.
  - Adjusts the previously enacted FY 2011 RIIF appropriation for the Rail Revolving Loan and Grant Fund to allocate the entire \$2.0 million to the City of Davenport for a rail trans-load facility, if the city receives a federal match for the project.
- ***Main Street Program FY 2010 Supplemental*** – Provides a \$5.6 million FY 2010 supplemental appropriation from the RBC to the DED for the Main Street Program.
- ***ABC Fund Appropriation*** – Repeals the appropriation that was provided in SF 477 (2009 Session). The legislation created the Appropriations Bond Capitals (ABC) Fund and appropriated funding to the Iowa Energy Center and the new Vertical Infrastructure Restricted Capital (VIRC) Fund. The authorization for the bonds is being modified and the ABC Fund and the VIRC Fund are repealed.
- ***RIIF FY 2011 Deappropriations*** – Deappropriates the following previously enacted RIIF FY 2011 appropriations: \$10.0 million from the DAS major maintenance, \$5.0 million from the DOC for the Fifth Judicial District CBC, \$13.0 million for the ISU Veterinary Lab Phase II, and \$2.5 million for the State Fair Agricultural Exhibition Center.

## DIVISION XVIII

### MISCELLANEOUS CODE CHANGES

(Page 67, Line 21 through Page 81, Line 15)

- ***Revenue Bonds Federal Subsidy Holdback Fund*** – Establishes the Revenue Bonds Federal Subsidy Holdback Fund in Code Section 12.89A. Provides a transfer of \$3.8 million from wagering taxes to the Holdback Fund.
- ***Revenue Bonds Authorization Changes*** – Increases the amount of total net proceeds authorized in Code Section 12.87 from \$545.0 million to \$695.0 million to account for the \$150.0 million net proceeds expected from the FY 2011 bond issuance.
- ***SAVE Fund Deappropriation*** – Deappropriates \$10.0 million from the Secure an Advanced Education (SAVE) Fund for FY 2011 from the RIIF. The appropriation does not sunset until FY 2014 and is expected to resume in FY 2012.
- ***Environment First Fund Reduction*** – Reduces the \$42.0 million standing appropriation from the RIIF to the Environment First Fund by \$9.0 million for FY 2011. Funding is expected to resume at the previous level for FY 2012.

# EXECUTIVE SUMMARY INFRASTRUCTURE APPROPRIATIONS ACT

SENATE FILE 2389

## MISCELLANEOUS CODE CHANGES (CONTINUED)

- **Technology Reinvestment Fund – Shift to RIIF** – Appropriates the FY 2011 Technology Reinvestment Fund appropriation from the RIIF rather than the standing appropriation from the General Fund. The amount is reduced from \$17.5 million to \$10.0 million for FY 2011.
- **Community Attraction and Tourism (CAT) Deappropriation** – Eliminates the \$5.0 million previously enacted appropriation from the RIIF to the CAT Grant Program for FY 2011. Eliminates the \$7.0 million previously enacted appropriation from the General Fund for FY 2011.
- **Housing Trust Fund Reduction** – Reduces the \$3.0 million standing appropriation from the RIIF to the Housing Trust Fund by \$2.0 million for FY 2011.
- **I-JOBS Reporting and Creation of I-JOBS II Program** – Specifies that IFA must collect information on all projects approved under the existing I-JOBS Program and the new I-JOBS II Program. Requires the IFA to report quarterly to the Governor and General Assembly on specified data. Requires the IFA to maintain a website that allows the public to track project information on a county-by-county basis. Creates the I-JOBS II Program in Code Section 16.194A.
- **Competitive Bids - Paper Copies** – Amends Code Section 26.3 to require that a governmental entity must ensure that a sufficient number of paper copies of the project's contract documents be made available at no charge to prospective bidders.
- **Female and Minority Owned Businesses** – Adds Code Section 73.14 to require that when issuing bonds, the State, Board of Regents, cities, counties, townships, school districts, community colleges, and other public entities, including all persons contracting with these entities, to make a good-faith effort to use female-owned and minority-owned businesses.
- **Technical Changes Rail Funds** – Amends the existing Passenger Rail Service Revolving Fund and Rail Revolving Loan and Grant Fund to clarify that the funds do not revert to the fund that provided the appropriation.
- **Repeals** – Repeals Funds created in SF 376 (2009 Session) that are no longer necessary. These Funds include the Disaster Damage Housing Assistance Fund, the Affordable Housing Assistance Grant Fund, the Public Service Shelter Grant Fund, and the Bridge Safety Fund.

## EFFECTIVE DATES

- Section 9 in Division IV relating to the creation of the RBC2 is effective on enactment. (Page 22, Line 18)
- Division XIII related to Save Our Small Businesses Program is effective on enactment. (Page 53, Line 7)
- Division XV related to the Iowa Flood Center transfer is effective on enactment. (Page 54, Line 27)
- Division XVII related to Changes to Prior Appropriations is effective on enactment. (Page 67, Line 19)
- Sections 79 and 87 in Division XVIII related to revenue bonds and I-JOBS reporting are effective on enactment. (Page 81, Line 16)

# **EXECUTIVE SUMMARY INFRASTRUCTURE APPROPRIATIONS ACT**

**SENATE FILE 2389**

## **GOVERNOR'S VETO**

- The Governor vetoed the language in Section 49.2 prohibiting the DAS from moving tenants into the former Mercy Capitol Hospital Building until the submission of a specified cost-benefit analysis report in accordance with Section 49.1 of the Act. With the veto, the DAS will be allowed to move forward in arranging tenants to occupy the building before the analysis is due in January 2011.  
(Page 56, Line 8)

## **ENACTMENT DATE**

- This Act was approved by the General Assembly on March 29, 2010, and item vetoed and signed by the Governor on April 26, 2010.

Senate File 2389 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
1	8	1.1(a)	Nwthstand	Sec. 8.57(6)(c)	Notwithstands Vertical Infrastructure Definition
1	28	1.1(b)	Nwthstand	Sec. 8.57(6)(c)	Notwithstands Vertical Infrastructure Definition
1	32	1.1(c)	Nwthstand	Sec. 8.57(6)(c)	Notwithstands Vertical Infrastructure Definition
2	13	1.2	Nwthstand	Sec. 8.57(6)(c)	Notwithstands Vertical Infrastructure Definition
2	18	1.3	Nwthstand	Sec. 8.57(6)(c)	Notwithstands Vertical Infrastructure Definition
2	24	1.4(a)	Nwthstand	Sec. 8.57(6)(c)	Notwithstands Vertical Infrastructure Definition
2	33	1.5(a)	Nwthstand	Sec. 8.57(6)(c)	Notwithstands Vertical Infrastructure Definition
3	4	1.5(b)	Nwthstand	Sec. 8.57(6)(c)	Notwithstands Vertical Infrastructure Definition
3	10	1.5(c)	Nwthstand	Sec. 8.57(6)(c)	Notwithstands Vertical Infrastructure Definition
3	15	1.5(d)	Nwthstand	Sec. 8.57(6)(c)	Notwithstands Vertical Infrastructure Definition
3	20	1.5(e)	Nwthstand	Sec. 8.57(6)(c)	Notwithstands Vertical Infrastructure Definition
3	24	1.6	Nwthstand	Sec. 8.57(6)(c)	Notwithstands Vertical Infrastructure Definition
3	32	1.7(a)	Nwthstand	Sec. 8.57(6)(c)	Notwithstands Vertical Infrastructure Definition
4	9	1.7(c)	Nwthstand	Sec. 8.57(6)(c)	Notwithstands Vertical Infrastructure Definition
5	9	1.9	Nwthstand	Sec. 8.57(6)(c)	Notwithstands Vertical Infrastructure Definition
5	24	1.11(a)	Nwthstand	Sec. 8.57(6)(c)	Notwithstands Vertical Infrastructure Definition
5	35	1.11(b)	Nwthstand	Sec. 8.57(6)(c)	Notwithstands Vertical Infrastructure Definition
6	5	1.11(c)	Nwthstand	Sec. 8.57(6)(c)	Notwithstands Vertical Infrastructure Definition
6	21	1.14	Nwthstand	Sec. 8.57(6)(c)	Notwithstands Vertical Infrastructure Definition
6	33	2.1	Nwthstand	Sec. 8.57(6)(c)	Notwithstands Vertical Infrastructure Definition
7	12	2.3	Nwthstand	Sec. 8.57(6)(c)	Notwithstands Vertical Infrastructure Definition
7	23	3	Nwthstand	Sec. 8.33	Nonreversion of Funds
9	14	5	Nwthstand	Sec. 8.33	Nonreversion of Funds
12	35	8	Nwthstand	Sec. 8.33	Nonreversion of Funds
13	12	9	Adds	Sec. 12.88A	Creates Revenue Bonds Capitals II Fund
22	8	12	Nwthstand	Sec. 8.33	Nonreversion of Funds
22	35	15	Nwthstand	Sec. 8.33	Nonreversion of Funds
23	32	17 and 18	Adds	Secs. 18B.1 and 18B.2	Creates Smart Planning Provisions

Page #	Line #	Bill Section	Action	Code Section	Description
30	6	19 through 24	Amends	Miscellaneous	Amends 28I.4, 329.3, 335.5, 335.8, 414.3, 414.6 to Incorporate New Smart Planning Principles
42	11	29	Amends	Sec. 15.247(3)	Targeted Small Business Financial Assistance Program
42	22	30	Amends	Sec. 15G.110	Conforming Change to GIVF Appropriation
43	2	31	Amends	Sec. 15G.111(2)(b)	Authorization to Use Interest from GIVF
43	32	32	Amends	Sec. 15G.111(4)	Alters GIVF Allocations
44	22	35	Amends	Sec. 12.43(5)	Increases Cap on Net Worth LIFT Program
44	32	36	Amends	Sec. 15E.18	Site Development Consultations with Locals
48	10	41 and 42	Adds	Secs. 15.300 and 15.301	Save Our Small Businesses Fund and Program
56	31	51	Amends	Sec. 288.7(d), Chap. 1175, 2004 Iowa Acts	Nonreversion of Funds IPTV RIIF Appropriations
57	9	52	Amends	Sec. 4.1, Chap. 1179, 2006 Iowa Acts	Nonreversion of Funds FY 2007 RIIF Appropriations for DAS and DPS
57	28	53	Amends	Sec. 18, Chap. 1179, 2006 Iowa Acts	Nonreversion of Funds FY 2007 RC2 Appropriation to DAS
59	2	54	Amends	Sec. 7.1, Chap. 219, 2007 Iowa Acts	Deappropriation FY 2011 RIIF Appropriation for Regents
59	13	55	Amends	Sec. 15, Chap. 219, 2007 Iowa Acts	Nonreversion of FY 2008 TRF Appropriations for DHR and IWD
59	32	56	Amends	Sec. 1.1, Chap. 1179, 2008 Iowa Acts	Technical Correction Hoover Firewall Appropriation
60	4	57	Amends	Sec 1.4(b), Chap. 1179, 2008 Iowa Acts	Authorization DCA Funds for Historical Sites
60	23	58	Amends	Sec. 7, Chap. 1179, 2008 Iowa Acts	Deappropriation of FY 2011 RIIF funding for RECAT
61	25	59 and 60	Amends	Sec. 15.4(b) and (c), Chap. 1179, 2008 Iowa Acts	IPTV Use of TRF Funds for Operations
62	10	61	Amends	Sec. 18.3, Chap. 1179, 2008 Iowa Acts	Deappropriates Fifth Judicial District CBC Expansion
63	13	62	Amends	Sec. 22, Chap. 1179, 2008 Iowa Acts	Technical Correction

Page #	Line #	Bill Section	Action	Code Section	Description
63	29	63	Amends	Sec. 13.1, Chap. 173, 2009 Iowa Acts	Establishment of Drainage Pilot Projects
64	15	64	Amends	Sec. 13.2, Chap. 173, 2009 Iowa Acts	Technical Correction
64	33	65	Amends	Sec. 13.4, Chap. 173, 2009 Iowa Acts	Technical Corrections RBC Appropriations
65	18	66	Amends	Sec. 13.5, Chap. 173, 2009 Iowa Acts	Deappropriates Broadband Technology Grants
65	25	67	Amends	Sec. 13.6, Chap. 173, 2009 Iowa Acts	Changes to DOT Bridge Safety RBC Appropriation
65	33	68	Amends	Sec. 13, Chap 173, 2009 Iowa Acts	FY 2010 RBC Supplemental Appropriation for Main Streets
66	13	69	Repeals	Sec. 6, Chap. 174, 2009 Iowa Acts	Repeal ABC Fund Appropriation
66	15	70	Amends	Sec. 1.3(d), Chap. 184, 2009 Iowa Acts	Authorization DCA Use of Funds for Historical Sites
66	33	71	Amends	Sec 1.12(a), Chap. 184, 2009 Iowa Acts	Technical Correction Passenger Rail
67	6	72	Amends	Sec 2, Chap. 184, 2009 Iowa Acts	Deappropriates FY 2011 Previously Enacted RIIF Appropriations
67	8	73	Amends	Sec. 2.6(a), Chap. 184, 2009 Iowa Acts	Allocation to City of Davenport from RRLG
67	23	75	Amends	Sec. 8.57(6)(e)	Adds Federal Subsidy Holdback Fund in Wagering Tax Allocation
69	30	76	Amends	Sec. 8.57(6)(f)	Deappropriates SAVE Fund FY 2011
70	6	77	Amends	Sec. 8.57A.4	Reduction of Environment First Fund FY 2011
70	19	78	Amends	Sec. 8.57C.3	Shift TRF from General Fund to RIIF FY 2011
71	4	79	Amends	Sec. 12.87(1) and (2)	Adjusts Revenue Bonds Authorization
73	17	80	Amends	Sec. 12.89(2)	Conforming Change Holdback Fund
73	22	81	Adds	Sec. 12.89A	Creates Federal Subsidy Holdback Fund
74	33	82 and 83	Amends	Sec. 15F.204(8)	CAT Deappropriation from RIIF and GF
75	4	84	Amends	Sec. 16.181A	Reduces Housing Trust Fund RIIF Appropriation FY 2011
75	18	85 through 89	Adds	Sec. 16.194A	Creates I-JOBS II Program and Reporting Requirements I-JOBS

Page #	Line #	Bill Section	Action	Code Section	Description
78	28	90	Amends	Sec. 26.3	Competitive Bids Paper Copies
79	16	91	Adds	Sec. 73.14	Minority-Owned and Female-Owned Businesses
79	34	92	Amends	Sec. 123.53	Conforming Change with Secondary Revenue Pledge
80	30	93 and 94	Amends	Sec. 327H.20A and 327J.2	Technical Change Rail Funds
81	13	95	Repeals	Sec. Miscellaneous	Repeals Unneeded Funds



1 1 DIVISION I  
 1 2 REBUILD IOWA INFRASTRUCTURE FUND  
 1 3 Section 1. There is appropriated from the rebuild Iowa  
 1 4 infrastructure fund to the following departments and agencies  
 1 5 for the fiscal year beginning July 1, 2010, and ending June  
 1 6 30, 2011, the following amounts, or so much thereof as is  
 1 7 necessary, to be used for the purposes designated:

1 8 1. DEPARTMENT OF ADMINISTRATIVE SERVICES  
 1 9 a. For distribution to other governmental entities for  
 1 10 the payment of services related to the integrated information  
 1 11 for Iowa system, notwithstanding section 8.57, subsection 6,  
 1 12 paragraph "c":  
 1 13 ..... \$ 3,700,000

1 14 Moneys appropriated in this lettered paragraph shall be  
 1 15 separately accounted for in a distribution account and shall be  
 1 16 distributed to other governmental entities based upon a formula  
 1 17 established by the department to pay for services associated  
 1 18 with the integrated information for Iowa system provided during  
 1 19 the fiscal year by the department.

1 20 During the fiscal year, the department may use up to  
 1 21 \$1,000,000 of unexpended or unobligated funds in the  
 1 22 information technology operations fund established under the  
 1 23 provisions of section 8A.123 to provide funding for costs  
 1 24 associated with the integrated information for Iowa system. By  
 1 25 October 31, 2011, the department shall report to the department  
 1 26 of management and the legislative services agency regarding any  
 1 27 moneys that are used for this purpose.

Division I, Section 1 appropriates funds from the Rebuild Iowa Infrastructure Fund (RIIF) for FY 2011.

Rebuild Iowa Infrastructure Fund appropriation to the Department of Administrative Services (DAS) for the DAS Distribution Account for the I/3 System. This appropriation notwithstanding the definition of vertical infrastructure.

DETAIL: Maintains the current level of funding compared to estimated FY 2010. The funds are used for costs associated with operating the I/3 System. The agencies use their share of the payment for bills associated with operating the I/3 Financial System. The intent is for these costs to be funded by utility rates charged to I/3 customers, but the agencies have not received additional funding in their operating budgets from the General Fund. The appropriation allows the DAS to provide I/3 operations without seeking additional funds from its users.

Specifies the moneys appropriated for the Distribution Account will be kept separate and distributed to other agencies for payment of services associated with the I/3 System.

Authorizes DAS to use up to \$1,000,000 of unexpended or unobligated funds in its Information Technology Operations Fund, under Code Section 8A.123 to provide for costs associated with the I/3 System. Code Section 8A.123 authorizes the DAS to maintain internal service funds for activities of the DAS that are primarily funded from billings to governmental entities for services rendered. Requires the DAS to submit a report by October 31, 2011, to the Department of Management and the Legislative Services Agency (LSA) regarding any moneys that are used for this purpose.

1 28 b. For costs associated with Mercy capitol hospital  
 1 29 building operations, notwithstanding section 8.57, subsection  
 1 30 6, paragraph "c":  
 1 31 ..... \$ 1,083,175

Rebuild Iowa Infrastructure Fund appropriation to the DAS for costs associated with operating the Mercy Capitol Hospital building. This appropriation notwithstanding the definition of vertical infrastructure.

DETAIL: This is an increase of \$583,175 compared to estimated FY 2010. The State took possession of the Mercy Capitol Hospital building in December 2009 and received funding for the last six months of the fiscal year. The operating funds are used for utility and personnel costs associated with maintaining critical building infrastructure (such as high-pressure boilers, electrical systems, and elevators). The DAS advises that these operating costs will be incurred whether or not the facility is occupied. The operating costs assumed that tenants will begin moving into the building mid-year 2010. New tenants are slated to move in the building. First will be the Department of Correction's Centralized Pharmacy. Other entities considering moving to the building are the Department of Public Health's Board and Commission staff and the Des Moines Area Community College of Nursing and Pharmacy programs, the Office of the Insurance Division of the Department of Commerce, and the Agricultural Development Authority.

1 32 c. For the state's share of support in conjunction with  
 1 33 the city of Des Moines and local area businesses to provide  
 1 34 a free shuttle service to the citizens of Iowa that includes  
 1 35 transportation between the capitol complex and the downtown  
 2 1 Des Moines area, notwithstanding section 8.57, subsection 6,  
 2 2 paragraph "c":  
 2 3 ..... \$ 200,000  
 2 4 Details for the shuttle service, including the route to  
 2 5 be served, shall be determined pursuant to an agreement to  
 2 6 be entered into by the department with the Des Moines area  
 2 7 regional transit authority (DART) and any other participating  
 2 8 entities.  
 2 9 Of the amount appropriated in this lettered paragraph, up to  
 2 10 \$50,000 shall be used to encourage state employees to utilize  
 2 11 transit services provided by the Des Moines area regional  
 2 12 transit authority.

Rebuild Iowa Infrastructure Fund appropriation to the DAS for the State's share of support for the D-Line Bus Service provided by the Des Moines Area Regional Transit (DART) Authority. This appropriation notwithstanding the definition of vertical infrastructure.

DETAIL: Maintains the current level of funding. The City of Des Moines, the State, and the Downtown Community Alliance share funding for this service. Services are provided by the DART Authority. According to the DART Authority, the average ridership exceeds 800 per day for the D-Line Bus Service. Of the FY 2011 appropriation, \$50,000 is to be used for an incentive program to encourage State employees to use transit services provided by the DART Authority and reduce parking needs at State agencies. In FY 2009 and FY 2010, the incentive program took the form of the "Employee Ride Free" Program allowing State employees to ride the DART Authority buses for free with a valid employee badge and program sticker. According to the DART Authority, employee ridership on the DART Authority buses increased from approximately 100 people per day to above 400 per day.

2 13 2. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP  
 2 14 For the administration of the watershed improvement review  
 2 15 board established in section 466A.3, notwithstanding section  
 2 16 8.57, subsection 6, paragraph "c":  
 2 17 ..... \$ 50,000

Rebuild Iowa Infrastructure Fund appropriation to the Department of Agriculture and Land Stewardship for the administration of the Watershed Improvement Review Board. This appropriation notwithstanding the definition of vertical infrastructure.

DETAIL: In accordance with Code Section 466A.5, the Department receives the lesser of 1.00% of the total moneys deposited in the Watershed Improvement Fund or \$50,000 each fiscal year for administration of the Board. The funding for the grants under the Watershed Improvement Review Board for FY 2011 is in the Revenue Bonds Capitals II Fund (RBC2) in Division IV, and therefore is restricted capital so that funding may not provide for planning or administration costs. The Board is receiving \$2,000,000 for FY 2011 from the RBC2.

2 18 3. DEPARTMENT FOR THE BLIND  
 2 19 For costs associated with universal access to audio  
 2 20 information over the phone on demand for blind and print  
 2 21 handicapped Iowans, notwithstanding section 8.57, subsection  
 2 22 6, paragraph "c":  
 2 23 ..... \$ 20,000

Rebuild Iowa Infrastructure Fund appropriation to the Department for the Blind for the costs associated with providing Newsline Service. This appropriation notwithstanding the definition of vertical infrastructure.

DETAIL: This is a new appropriation for FY 2011. The Newsline Service is provided by the National Federation of the Blind and provides news to 1,425 Iowans. It is available in Des Moines, Cedar Rapids, Davenport, Sioux City, Waterloo, and Iowa City. The service gives access to numerous newspapers including eight newspapers in Iowa and 302 newspapers around the country, as well as public and consumer information provided by State agencies. In addition, the service provides access to certain magazines and advertisements. For FY 2005 through FY 2007, the Service received \$130,000 annually from the Healthy Iowans Tobacco Trust Fund. The Newsline Service has not received an appropriation since FY 2007.

2 24 4. DEPARTMENT OF CULTURAL AFFAIRS  
 2 25 a. For continuation of the project recommended by the Iowa  
 2 26 battle flag advisory committee to stabilize the condition of  
 2 27 the battle flag collection, notwithstanding section 8.57,  
 2 28 subsection 6, paragraph "c":  
 2 29 ..... \$ 60,000

Rebuild Iowa Infrastructure Fund appropriation to the Department of Cultural Affairs (DCA) for the stabilization of the Iowa Battle Flag collection. This appropriation notwithstanding the definition of vertical infrastructure.

DETAIL: This is an increase of \$60,000 compared to estimated FY 2010. The funds are used to support staff positions related to the project, including a conservator, a conservator assistant, and a research historian. The project last received \$220,000 in FY 2009.

The project lost a conservator position due to a hiring freeze and the DCA has not filled that position. The Department advises FY 2011 funds will suffice for the continued stabilization efforts.

2 30 b. For purposes of maintenance and repairs of historic  
2 31 sites:  
2 32 ..... \$ 40,000

Rebuild Iowa Infrastructure Fund appropriation to the DCA for maintenance and repairs at Historic Sites.

DETAIL: This is a new appropriation for FY 2011. The Department will use the funds for maintenance and repairs at Historic Sites. Some items that need attention are rebuilding roof gutters at Montauk, porch and roof repairs at the American Gothic House, and window and storm window repairs at Edel Blacksmith Shop and House. The total amount needed for repairs needed is \$80,000 and this funding will provide half of the cost.

2 33 5. DEPARTMENT OF ECONOMIC DEVELOPMENT  
2 34 a. For deposit in the workforce training and economic  
2 35 development funds for each community college in section  
3 1 260C.18A, notwithstanding section 8.57, subsection 6, paragraph  
3 2 "c":  
3 3 ..... \$ 2,000,000

Rebuild Iowa Infrastructure Fund appropriation to the Department of Economic Development (DED) for deposit in the Workforce Training and Economic Development Funds for community colleges. This appropriation notwithstanding the definition of vertical infrastructure.

DETAIL: Maintains the current level of funding. Funds are used for job training in the areas of advanced manufacturing, information technology and assurance, alternative and renewable energy, biotechnology, health care technology, and nursing care technology. Funds are allocated to the community colleges in the same manner that State General Aid is distributed to the colleges.

3 4 b. To the 6th avenue corridor for improvements to the  
3 5 streetscape associated with the national mainstreet conference  
3 6 and for additional architectural and engineering design  
3 7 plans for economic development and community revitalization,  
3 8 notwithstanding section 8.57, subsection 6, paragraph "c":  
3 9 ..... \$ 100,000

Rebuild Iowa Infrastructure Fund appropriation to the DED for Sixth Avenue Corridor Revitalization. This appropriation notwithstanding the definition of vertical infrastructure.

DETAIL: This is a new appropriation for FY 2011. The funds will be used by the 6th Avenue Corridor, Inc. non-profit to improve the streetscape in the Sixth Avenue Corridor before the City of Des Moines hosts the National Main Streets Conference in 2011. The Conference is sponsored by the National Trust for Historic Preservation and focuses on economic revitalization of communities. In addition, the funds will be used for planning and design efforts for long-term revitalization and redevelopment.

3 10 c. To develop site plans for the southeast Iowa regional  
 3 11 economic and port authority including plans for infrastructure  
 3 12 for economic development, notwithstanding section 8.57,  
 3 13 subsection 6, paragraph "c":  
 3 14 ..... \$ 50,000

Rebuild Iowa Infrastructure Fund appropriation to the DED for the Southeast Iowa Regional Economic and Port Authority. This appropriation notwithstanding the definition of vertical infrastructure.

DETAIL: This is a new appropriation for FY 2011. The funds will be used for site planning and design plans, as well as environmental evaluation of sites for economic development for areas in the Southeast region. The Authority's economic development plans include three phases over several fiscal years.

3 15 d. For equal distribution to regional sports authority  
 3 16 districts certified by the department pursuant to section  
 3 17 15E.321, notwithstanding section 8.57, subsection 6, paragraph  
 3 18 "c":  
 3 19 ..... \$ 500,000

Rebuild Iowa Infrastructure Fund appropriation to the DED for Regional Sports Authority Districts. This appropriation notwithstanding the definition of vertical infrastructure.

DETAIL: Maintains the current level of funding. The DED uses the funding for promotional purposes at the ten sports authorities around the State to market their communities and sporting events and to attract sports teams to the communities. The Regional Sports Authority District program under Code Section 15E.321 authorizes the DED to certify up to ten districts for the promotion of youth sports, high athletics, the Special Olympics or other non-professional sporting events. Each district receives an equal share of the appropriation. For FY 2010 the regional sports authorities were located in Ames, Cedar Rapids, Council Bluffs, Des Moines, Dubuque, Fort Dodge, Mason City, Sioux City, Waterloo-Cedar Falls, and the Quad Cities.

3 20 e. For administration and support of the world food prize  
 3 21 including the Borlaug/Ruan scholar program, notwithstanding  
 3 22 section 8.57, subsection 6, paragraph "c":  
 3 23 ..... \$ 100,000

Rebuild Iowa Infrastructure Fund appropriation to the DED for the World Food Prize for administration and support for the Borlaug/Ruan Scholar Program. This appropriation notwithstanding the definition of vertical infrastructure.

DETAIL: This is a new appropriation for FY 2011. The funds will be used for administration and support of the World Food Prize and for the Borlaug/Ruan Scholar Program. Historically, the World Food Prize has received a standing appropriation of \$1,000,000. The funding was reduced to \$650,000 in HF 2522 (FY 2011 Economic Development Appropriations Act). This is a decrease of \$100,000 compared to estimated net FY 2010. The RIIF appropriation restores the World Food Prize to the estimated net FY 2010 level.

3 24 6. DEPARTMENT OF EDUCATION  
 3 25 To provide resources for structural and technological  
 3 26 improvements to local libraries and for the enrich Iowa  
 3 27 program, notwithstanding section 8.57, subsection 6, paragraph  
 3 28 "c":  
 3 29 ..... \$ 500,000  
 3 30 Of the moneys appropriated in this subsection, \$50,000 shall  
 3 31 be allocated equally to each library service area.

Rebuild Iowa Infrastructure Fund to the Department of Education for the Enrich Iowa Program. This appropriation notwithstanding the definition of vertical infrastructure.

DETAIL: This is a decrease of \$500,000 compared to estimated FY 2010. Funds are used for the Open Access and Access Plus library programs that are part of the overall Enrich Iowa Program for libraries in Iowa. The funds offset the costs of providing interlibrary loans and equal access to library resources for all people in the State through resource sharing.

Allocates \$50,000 of the appropriation to be divided equally among the Library Service Areas. Currently, there are seven Library Service Areas (LSAs), but due to a decrease in funding in SF 2376 (FY 2011 Education Appropriations Act) the LSAs are required to merge at least two of their regions to reduce the number of LSAs from seven to six. The funding from RIIF will provide the six LSAs with \$8,300 each.

3 32 7. DEPARTMENT OF NATURAL RESOURCES  
 3 33 a. For floodplain management and dam safety,  
 3 34 notwithstanding section 8.57, subsection 6, paragraph "c":  
 3 35 ..... \$ 2,000,000  
 4 1 Of the amounts appropriated in this lettered paragraph,  
 4 2 up to \$400,000 is authorized for stream gages to be used  
 4 3 for tracking and predicting flood events and for compiling  
 4 4 necessary data relating to flood frequency analysis.

Rebuild Iowa Infrastructure Fund appropriation to the Department of Natural Resources (DNR) for the floodplain management and dam safety program at the DNR. This appropriation notwithstanding the definition of vertical infrastructure.

DETAIL: Maintains the current level of funding compared to estimated FY 2010. Funds will be used to continue the floodplain management program. After the 2008 flooding, the DNR convened a Floodplain Management Expert Panel, in conjunction with the development of a larger initiative, the Iowa Water Plan. The Panel provided recommendations for floodplain management and future policy. The program focuses on improving floodplain mapping using LiDAR, assisting local entities with permits and planning, data collection, increasing the number of inspections for safety and structural integrity of dams and levees, developing a statewide flood control plan, and assisting with emergency management teams with flood events.

Specifies that \$400,000 of the \$2,000,000 may be used for stream gages for purposes of tracking and predicting flood events and gathering data.

4 5 b. For costs associated with the construction of a permanent

Rebuild Iowa Infrastructure Fund appropriation to the DNR for

4 6 structure for handicapped persons and senior citizens in a  
 4 7 county with a population between 37,150 and 37,250:  
 4 8 ..... \$ 40,000

construction of a permanent structure designed especially for handicapped persons and senior citizens at Rock Creek State Park in Jasper County.

DETAIL: This is a new appropriation for FY 2011. The permanent structure will be used for fishing and fish cleaning at the park's 602-acre lake and will be especially designed for accessibility for handicapped and elderly persons. The structure will include forced aeration to keep the water free of ice. The Rock Creek Lake Improvement Association will pay for additional costs of construction.

4 9 c. For costs associated with the hiring and employment of an  
 4 10 asset manager at Honey creek resort state park, notwithstanding  
 4 11 section 8.57, subsection 6, paragraph "c":  
 4 12 ..... \$ 100,000

Rebuild Iowa Infrastructure Fund appropriation to the DNR for contracting for an asset manager for Honey Creek Resort Park. This appropriation notwithstanding the definition of vertical infrastructure.

4 13 The department shall issue a request for proposals to  
 4 14 competitively procure the services of an asset manager which  
 4 15 shall be selected by the natural resource commission. The  
 4 16 asset manager shall have hospitality management experience  
 4 17 of at least five years including at least three years asset  
 4 18 management experience in a setting similar in size and quality  
 4 19 to the Honey creek resort state park with a similar type of  
 4 20 market. The duties and job responsibilities of the asset  
 4 21 manager shall include but are not limited to reviewing and  
 4 22 commenting on the resort's sales and marketing plan, providing  
 4 23 for the operation of the resort in a manner consistent with  
 4 24 the requirements and limitations set forth in the resort's  
 4 25 operating agreement, monitoring and supervising the resort  
 4 26 including site visits, and negotiating and recommending an  
 4 27 annual operating budget and budget plan. The asset manager  
 4 28 shall report to bond counsel, the governor, the Honey creek  
 4 29 authority, the department of natural resources, and the  
 4 30 legislative services agency.

DETAIL: This is a new appropriation for FY 2011. The asset manager will review and comment on the Honey Creek Resort Park's sales and marketing plan, as well as other supervising and oversight duties of the resort's operations and budget. Requires the DNR to conduct a competitive process to contract for the services of an asset manager that will be selected by the Natural Resources Commission. The asset manager must have specified experience. The asset manager must report to Bond Counsel, the Governor, the Honey Creek Authority, the DNR, and the LSA.

#### 4 31 8. DEPARTMENT OF PUBLIC DEFENSE

4 32 a. For major maintenance projects at national guard  
 4 33 armories and facilities:  
 4 34 ..... \$ 1,500,000

Rebuild Iowa Infrastructure Fund appropriation to the Department of Public Defense (DPD) for major maintenance projects at National Guard facilities throughout the State.

DETAIL: This maintains the current level of funding compared to estimated FY 2010. State funds for FY 2011 will be matched with \$14,200,000 in federal funds. Funds provide major maintenance to the National Guard's readiness centers. The DPD advises that funds will be used for projects at Iowa Falls, Davenport, and Washington Readiness Centers as well as the Camp Dodge Joint Forces Miller and Headquarters Readiness Centers.

4 35 b. For renovation and facility improvements at the Iowa  
5 1 Falls readiness center:  
5 2 ..... \$ 500,000

Rebuild Iowa Infrastructure Fund appropriation to the DPD for renovation and facilities improvements at the Iowa Falls Readiness Center (Armory).

DETAIL: This is a new appropriation for FY 2011. The funds will be used for construction of a large classroom and storage area for equipment. The funds will be matched with \$1,500,000 in federal funds.

5 3 c. For renovation and facility improvements at the Cedar  
5 4 Rapids armed forces readiness center:  
5 5 ..... \$ 200,000

Rebuild Iowa Infrastructure Fund appropriation to the DPD for renovation and facilities improvements at the Cedar Rapids Armed Forces Readiness Center (Armory).

DETAIL: This is a new appropriation for FY 2011. The funds will be used for improvements that are not covered by the federal Base Realignment and Closure (BRAC) 2005 funding. The State funds will provide for installation of the Iowa Communications Network (ICN) system and additions such as a family readiness room, baby changing station, and mother's room to accommodate soldiers and their families. The facility is otherwise being constructed with 100.00% federal funds and is expected to receive \$42,000,000 in federal funding.

5 6 d. For renovation and facility improvements at the  
5 7 Middletown readiness center:  
5 8 ..... \$ 100,000

Rebuild Iowa Infrastructure Fund appropriation to the DPD for renovation and facilities improvements at the Middletown Armed Forces Readiness Center (Armory).

DETAIL: This is a new appropriation for FY 2011. The funds will be used for improvements that are not covered by the federal BRAC 2005 funding. The State funds will provide for installation of the ICN system and additions such as a family readiness room, baby changing station, and mother's room to accommodate soldiers and their families. The



facility is otherwise being constructed with 100.00% federal funds and is expected to receive \$27,000,000 in federal funding

5 9 9. DEPARTMENT OF PUBLIC HEALTH

5 10 For a grant to an existing national affiliated volunteer eye  
5 11 organization that has an established program for children and  
5 12 adults and that is solely dedicated to preserving sight and  
5 13 preventing blindness through education, nationally certified  
5 14 vision screening and training, community and patient service  
5 15 programs, notwithstanding section 8.57, subsection 6, paragraph  
5 16 "c":  
5 17 .....

\$ 100,000

Rebuild Iowa Infrastructure Fund appropriation to the Department of Public Health for a grant to an existing volunteer eye organization that is dedicated to preserving sight and preventing blindness in children and adults. This appropriation notwithstanding the definition of vertical infrastructure.

DETAIL: This is a decrease of \$30,000 compared to estimated FY 2010. The funds are used to provide a grant to Prevent Blindness Iowa, a nonprofit volunteer eye organization that is an affiliate of Prevent Blindness America, a national organization. Prevent Blindness Iowa screened 22,000 children in 2007 to help detect early symptoms of eye problems. In addition, the organization provides public awareness campaigns to educate Iowans about eye health and safety by distributing literature and answering telephone inquiries. The eye organization received \$130,000 in RIIF appropriations in FY 2009 and FY 2010.

5 18 10. IOWA FINANCE AUTHORITY

5 19 For transfer to the Polk county housing trust fund for the  
5 20 construction of facilities to meet the specialized needs of  
5 21 adult persons with severe and profound disabilities who have  
5 22 high medical needs:  
5 23 .....

\$ 250,000

Rebuild Iowa Infrastructure Fund appropriation for transfer to the Polk County Housing Trust Fund for construction of facilities that serve severely-disabled people with high medical needs.

DETAIL: This is a new appropriation for FY 2011. The funds will be used to construct two facilities in Polk County that have five beds each and will serve severely and profoundly disabled adults with significant medical needs. The people are currently served by the ChildServe program, but at age 21 will no longer be eligible for that program. The facilities will be two 5,000 square foot homes and will be managed by Mainstream Living, a non-profit that provides community-based residential and vocations services.

5 24 11. STATE BOARD OF REGENTS

5 25 a. For allocation by the state board of regents to the  
5 26 state university of Iowa, the Iowa state university of  
5 27 science and technology, and the university of northern Iowa to  
5 28 reimburse the institutions for deficiencies in the operating

Rebuild Iowa Infrastructure Fund appropriation to the Board of Regents for Tuition Replacement. This appropriation notwithstanding the definition of vertical infrastructure.

DETAIL: This maintains the current level of funding compared to

5 29 funds resulting from the pledging of tuition, student fees  
 5 30 and charges, and institutional income to finance the cost of  
 5 31 providing academic and administrative buildings and facilities  
 5 32 and utility services at the institutions, notwithstanding  
 5 33 section 8.57, subsection 6, paragraph "c":  
 5 34 ..... \$ 24,305,412

estimated FY 2010. The Tuition Replacement appropriation replaces the student tuition and fees that would be required to pay the debt service on academic revenue bonds authorized in prior fiscal years. In previous years, funding for this appropriation was divided between \$13,975,431 from the General Fund and \$10,329,981 from the RIIF. For FY 2009 and FY 2010, the entire amount of \$24,305,412 was appropriated from the RIIF.

5 35 b. For the Iowa flood center at the state university of Iowa  
 6 1 for use by the university's college of engineering, pursuant  
 6 2 to section 466C.1, notwithstanding section 8.57, subsection 6,  
 6 3 paragraph "c":  
 6 4 ..... \$ 1,300,000

Rebuild Iowa Infrastructure Fund appropriation to the Board of Regents for the Iowa Flood Center at the University of Iowa. This appropriation notwithstanding the definition of vertical infrastructure.

DETAIL: Maintains current level of funding compared to estimated net FY 2010. House File 822 (FY 2010 Infrastructure Appropriations Act) established the Iowa Flood Center at the University's Hydrosience and Engineering research laboratory in the College of Engineering. The funds will be used for operations, salaries, and administrative support for the Center. The Board of Regents anticipates ongoing operating costs of \$2,700,000 annually.

6 5 c. To Iowa state university of science and technology to  
 6 6 purchase veterinary surgical and other equipment to modernize  
 6 7 the animal care facilities at the Blank Park Zoo as part of  
 6 8 a cooperative effort of Blank Park Zoo and the college of  
 6 9 veterinary medicine, notwithstanding section 8.57, subsection  
 6 10 6, paragraph "c":  
 6 11 ..... \$ 400,000

Rebuild Iowa Infrastructure Fund appropriation to the Board of Regents for Iowa State University (ISU) College of Veterinary Medicine to purchase veterinary surgical and other equipment to modernize the animal care facilities at the Blank Park Zoo in Des Moines. This appropriation notwithstanding the definition of vertical infrastructure.

DETAIL: This is a new appropriation for FY 2011. The funds will be used as part of a collaborative effort between the College of Veterinary Medicine and the Blank Park Zoo to allow veterinary medicine students to train in exotic animals and wildlife medicine. The College plans to establish an exotic animal rotation at the Blank Park Zoo for veterinary students. The equipment purchase will include providing cameras so that veterinary students at ISU may watch the surgeries occurring at Blank Park Zoo.

6 12 12. TREASURER OF STATE  
 6 13 For county fair infrastructure improvements for distribution  
 6 14 in accordance with chapter 174 to qualified fairs which belong

Rebuild Iowa Infrastructure Fund to the Treasurer of State for distribution to county fair societies that belong to the Association of Iowa Fairs.

6 15 to the association of Iowa fairs:  
 6 16 ..... \$ 1,060,000

DETAIL: This is a decrease of \$530,000 compared to estimated FY 2010. Funds are used for vertical infrastructure improvements at the 106 county fairs in the Association. County fairs will receive \$10,000 each.

6 17 13. DEPARTMENT OF TRANSPORTATION  
 6 18 For infrastructure improvements at general aviation airports  
 6 19 within the state:  
 6 20 ..... \$ 750,000

Rebuild Iowa Infrastructure Fund appropriation to the Department of Transportation for vertical infrastructure improvements at general aviation airports.

DETAIL: Maintains the current level of funding. General aviation vertical infrastructure projects receive State matching grants of up to 85.00% of the total project costs, but must meet the minimum level of \$5,000 in State match to be considered. Projects include landside development and renovation of airport terminals, hangars, maintenance buildings, and fuel facilities. These grants are available only to general aviation airports.

6 21 14. DEPARTMENT OF VETERANS AFFAIRS  
 6 22 For transfer to the Iowa finance authority for the  
 6 23 continuation of the home ownership assistance program for  
 6 24 persons who are or were eligible members of the armed forces of  
 6 25 the United States, pursuant to section 16.54, notwithstanding  
 6 26 section 8.57, subsection 6, paragraph "c":  
 6 27 ..... \$ 1,000,000

Rebuild Iowa Infrastructure Fund appropriation to the Department of Veterans Affairs for transfer to the Iowa Finance Authority for the Home Ownership Assistance Program for military members. This appropriation notwithstanding the definition of vertical infrastructure.

DETAIL: This is a decrease of \$600,000 compared to estimated FY 2010. The Program is administered by the Iowa Finance Authority and assists military members with the purchase of their first home in Iowa. The Program provides up to \$5,000 for down payment and closing costs toward the purchase of a home.

6 28 Sec. 2. There is appropriated from the rebuild Iowa  
 6 29 infrastructure fund to the following departments and agencies  
 6 30 for the following fiscal years, the following amounts, or so  
 6 31 much thereof as is necessary, to be used for the purposes  
 6 32 designated:

This Section appropriates funds from the Rebuild Iowa Infrastructure Fund (RIIF) for out years beginning with FY 2012.

6 33 1. DEPARTMENT OF CORRECTIONS  
 6 34 For project management costs at Fort Madison and  
 6 35 Mitchellville prisons, associated with construction projects  
 7 1 at the department, notwithstanding section 8.57, subsection 6,  
 7 2 paragraph "c":  
 7 3

Rebuild Iowa Infrastructure Fund appropriations to the Department of Corrections (DOC) for prison construction management for a total of \$5,700,000 over three fiscal years from FY 2012 through FY 2014. These appropriations notwithstanding the definition of vertical infrastructure.

7 3 FY 2011=2012..... \$ 4,500,000  
 7 4 FY 2012=2013..... \$ 1,000,000  
 7 5 FY 2013=2014..... \$ 200,000

DETAIL: These appropriations are the remaining several years of funding requested for prison construction management and a correctional specialist for the expansion and renovation projects at Fort Madison and Mitchellville. The DOC received \$500,000 in FY 2009 and \$1,750,000 in FY 2010 for construction project management. This Act provides a total of \$2,522,500 for construction management for FY 2011 from the Revenue Bonds Capitals Fund (RBC) and the Prison Bonding Fund (PBF) combined. The prison construction projects are multi-year projects with estimated total costs of \$130,677,500 (Fort Madison) and \$67,979,000 (Mitchellville). Of the total amount appropriated for construction project management, \$1,000,000 will be used for a correctional specialist that will help with the design, planning, and programming of the new prisons.

7 6 2. DEPARTMENT OF NATURAL RESOURCES  
 7 7 For state park infrastructure improvements:  
 7 8 FY 2011=2012..... \$ 5,000,000  
 7 9 FY 2012=2013..... \$ 5,000,000  
 7 10 FY 2013=2014..... \$ 5,000,000  
 7 11 FY 2014=2015..... \$ 5,000,000

Rebuild Iowa Infrastructure Fund appropriations to the Department of Natural Resources for State park infrastructure improvements. The appropriations are \$5,000,000 annually for four fiscal years from FY 2012 through FY 2015, for a total of \$20,000,000.

DETAIL: State park infrastructure improvements will include replacing sewer lines, upgrading public drinking water systems, replacing shower buildings, constructing restrooms, replacing trail bridges, extending trail areas, and providing open-air interpretive shelters and exhibits. The projects are slated for multiple fiscal years. Division IV provides State parks infrastructure with \$5,000,000 in FY 2011 from the Revenue Bonds Capitals II Fund (RBC2). This effort is part of the State Parks 2020 to improve the parks for preparation for the 100th Anniversary of State Parks in 2020.

7 12 3. DEPARTMENT OF TRANSPORTATION  
 7 13 For deposit into the passenger rail service revolving  
 7 14 fund created in section 327J.2 for matching federal funding  
 7 15 available through the federal Passenger Rail Investment  
 7 16 and Improvement Act of 2008 for passenger rail service,  
 7 17 notwithstanding section 8.57, subsection 6, paragraph "c":  
 7 18 FY 2011=2012..... \$ 6,500,000  
 7 19 It is the intent of the general assembly to fund up to  
 7 20 \$20 million over a four-year period to fully fund the state

Rebuild Iowa Infrastructure Fund appropriation in FY 2012 to the Department of Transportation (DOT) for deposit in the Passenger Rail Service Revolving Fund for matching federal funding available through the federal Passenger Rail Investment and Improvement Act of 2008. This appropriation notwithstanding the definition of vertical infrastructure.

DETAIL: The DOT received \$3,000,000 in FY 2010 from the RIIF for passenger rail service. In January 2010, the DOT received a \$1,000,000 federal grant for a planning study for service between Omaha and Chicago and is designating \$1,000,000 of the FY 2010

7 21 commitment for matching federal funding available through the  
7 22 federal Passenger Rail Investment and Improvement Act of 2008.

RIIF appropriation for that study. The DOT will use the \$1,500,000 remaining from FY 2010 and the new appropriations for FY 2011 and FY 2012 to provide 20.00% State match for the competitive grant applications to the Federal Railroad Administration to compete for a portion of the \$2.1 billion of federal funding available for intercity passenger rail applications. The DOT has been working with the State of Illinois to plan for service from Chicago to Iowa City and Chicago to Dubuque. The funds will be used for design, platform and station improvements, equipment, track work, including railroad tie replacement, additional ballast, highway-railroad crossing improvements, and train signal installation, between the Quad Cities and Iowa City and in Dubuque. The level of capital improvements is dependent on how much federal funding becomes available to expand passenger rail service in Iowa. Division VI of the Act provides \$2,000,000 for passenger rail service for FY 2011 from the Underground Storage Tank Fund.

Specifies the intent of the General Assembly to fund up to \$20,000,000 over a four-year period to fully fund the State commitment for matching federal funding available through the Passenger Rail Investment and Improvement Act of 2008.

7 23 Sec. 3. REVERSION. For purposes of section 8.33, unless  
7 24 specifically provided otherwise, unencumbered or unobligated  
7 25 moneys made from an appropriation in this division of this Act  
7 26 shall not revert but shall remain available for expenditure for  
7 27 the purposes designated until the close of the fiscal year that  
7 28 ends three years after the end of the fiscal year for which the  
7 29 appropriation was made. However, if the project or projects  
7 30 for which such appropriation was made are completed in an  
7 31 earlier fiscal year, unencumbered or unobligated moneys shall  
7 32 revert at the close of that same fiscal year.

CODE: Requires nonreversion of funds appropriated from the RIIF in Division I for four fiscal years.

DETAIL: Funds appropriated from the RIIF are available for four fiscal years. Funds appropriated for FY 2011 will be available through the end of FY 2014 and funds appropriated in FY 2012 will be available through the end of FY 2015.

#### 7 33 DIVISION II

#### 7 34 TECHNOLOGY REINVESTMENT FUND

7 35 Sec. 4. There is appropriated from the technology  
8 1 reinvestment fund created in section 8.57C to the following  
8 2 departments and agencies for the fiscal year beginning July

Division II appropriates funds from the Technology Reinvestment Fund for FY 2011.

8 3 1, 2010, and ending June 30, 2011, the following amounts, or  
8 4 so much thereof as is necessary, to be used for the purposes  
8 5 designated:

8 6 1. DEPARTMENT OF ADMINISTRATIVE SERVICES

8 7 For technology improvement projects:

8 8 ..... \$ 3,793,654

Technology Reinvestment Fund appropriation to the Department of Administrative Services (DAS) for technology improvement projects for State agencies.

DETAIL: This is an increase of \$1,756,470 compared to the FY 2010 appropriation. The funds are used for the pooled technology funding in the Return on Investment (ROI) Program. Within the ROI applications, there are six verifiable outcome measurement areas consisting of improved customer service, citizen impact, cost savings, project reengineering, source of funds, and tangible and intangible benefits. The ROI Program was established to ensure projects benefit taxpayers and minimize duplication among State agencies. Projects funded through the ROI Program vary depending on the applications received per year, but recent projects have included LiDAR (Light Detection and Ranging) Project, Enterprise ePayment Engine, Statewide Address Geocoding, Electronic Data-Filing Project, Public Health Data Warehouse, Iowa Crisis Information System (WebEOC), and Living Disaster Recovery Planning System. Some projects slated to receive FY 2011 funding are Gateway and Enterprise E-Mail Encryption Services, Application Business Continuity, Portable Driving Simulation Equipment for the Iowa Law Enforcement Academy, and GIS Services for State agencies through the Department of Natural Resources.

8 9 2. DEPARTMENT OF CORRECTIONS

8 10 For costs associated with the Iowa corrections offender  
8 11 network data system:

8 12 ..... \$ 500,000

Technology Reinvestment Fund appropriation to the DOC for costs associated with the Department's Iowa Corrections Offender Network (ICON).

DETAIL: Maintains the current level of funding. The funds are used for implementation and operation of the ICON System. The System is designed to streamline purchasing and procurement processes, standardize reporting of fixed assets across all institutions, facilitate issuance of smart cards to inmates to make services more efficient and cost effective, streamline collections from inmates for restitution, child support, DOC sanctions, and savings plans, and reduce paper in mailrooms and the DOC office. The ICON System continues to evolve

and develop. Critical modules are implemented to benefit the DOC and the criminal justice community generally. For FY 2011, some of the planned development includes a data exchange between the Criminal Justice Information System (CJIS) with the State sex offender registry, a CJIS statewide crime code table to be used by the entire criminal justice community, and CJIS electronic pre-sentence investigations (PSIs).

8 13 3. DEPARTMENT OF EDUCATION

8 14 a. For maintenance and lease costs associated with  
8 15 connections for Part III of the Iowa communications network:  
8 16 ..... \$ 2,727,000

Technology Reinvestment Fund appropriation to pay the costs of maintenance and leases associated with the build-out of Part III of the ICN.

DETAIL: Maintains the current level of funding. The fiber optic cable for Part III sites is leased from the private sector from the vendors that installed the cable. The Iowa Communications Network (ICN) administers 383 leased connections to 328 K-12 facilities, 45 libraries, and 10 area education agencies (AEAs). At the Department of Education's request, the ICN manages and administers the Part III leases. According to the ICN, 92.00% of the total usage of video hours by K-12 facilities, AEAs, and libraries was provided through Part III sites. These leases and maintenance are a continuation of the Part III build-out project authorized in HF 578 in 1995. The funding for the leases is for 43 vendors and maintenance expenses.

8 17 b. For the implementation of an educational data warehouse  
8 18 that will be utilized by teachers, parents, school district  
8 19 administrators, area education agency staff, department of  
8 20 education staff, and policymakers:  
8 21 ..... \$ 600,000  
8 22 The department may use a portion of the moneys appropriated  
8 23 in this lettered paragraph for an e=transcript data system  
8 24 capable of tracking students throughout their education via  
8 25 interconnectivity with multiple schools.

Technology Reinvestment Fund appropriation to the Department of Education for development and implementation of a statewide education data warehouse.

DETAIL: Maintains the current level of funding compared to estimated FY 2010. The funds are used to develop a statewide education data warehouse to meet various needs, including State and federal reporting requirements. The warehouse is intended to be used by teachers, parents, administrators, AEA staff, Department of Education staff, and policymakers.

Authorizes the Department of Education to use the funds from this appropriation for its e-transcript data system because both e-transcript and the data warehouse are components of a longitudinal data system that provides the ability to track students throughout their education via interconnectivity with multiple schools.

8 26 4. DEPARTMENT OF PUBLIC HEALTH  
 8 27 For deposit in the county mental health, mental retardation,  
 8 28 and developmental disabilities services fund created by section  
 8 29 331.424A in a county with a population over 350,000 for a  
 8 30 community mental health center created under chapter 230A which  
 8 31 serves only adults:  
 8 32 ..... \$ 250,000

Technology Reinvestment Fund appropriation to the Department of Public Health for deposit in the County Mental Health, Mental Retardation, and Developmental Disabilities Services Fund under Code Section 331.424A.

DETAIL: This is a new appropriation for FY 2011. The funds will be transferred to Polk County for the Eyerly-Ball Community Health Center to implement a database of electronic medical records. The Eyerly-Ball Community Health Center contracts with Polk and Warren Counties to provide outpatient mental health services to adults living in those counties. The Center has received funding from private entities and Polk County for the project. The State funding will allow the Center to have a fully integrated electronic medical records database across all of its affiliated entities.

8 33 5. IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION  
 8 34 For replacement of equipment for the Iowa communications  
 8 35 network:  
 9 1 ..... \$ 2,244,956  
 9 2 The commission may continue to enter into contracts pursuant  
 9 3 to section 8D.13 for the replacement of equipment and for  
 9 4 operations and maintenance costs of the network.  
 9 5 In addition to moneys appropriated in this subsection,  
 9 6 the commission may use a financing agreement entered into by  
 9 7 the treasurer of state in accordance with section 12.28 for  
 9 8 the replacement of equipment for the network. For purposes  
 9 9 of this subsection, the treasurer of state is not subject to  
 9 10 the maximum principal limitation contained in section 12.28,  
 9 11 subsection 6. Repayment of any amounts financed shall be made  
 9 12 from receipts associated with fees charged for use of the  
 9 13 network.

Technology Reinvestment Fund appropriation to the Iowa Telecommunication and Technology Commission for the replacement of equipment for the ICN.

DETAIL: This is an increase of \$33,000 compared to estimated FY 2010. The funds will be used to replace aging ICN equipment to ensure connectivity, including replacement of network equipment, routers, switches, and phones. 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.

Permits the Commission to continue to enter into contracts for the replacement of equipment and for operations and maintenance of the ICN.

Authorizes the Commission to replace equipment for the backbone of the ICN through financing with the Treasurer of State. Specifies the Treasurer of State for purposes of these costs is not subject to the maximum principal limitation of \$1,000,000 in accordance with Code Section 12.28(6). Requires repayment to be made from receipts associated with fees charged to use the ICN.

9 14 Sec. 5. REVERSION. For purposes of section 8.33, unless  
 9 15 specifically provided otherwise, unencumbered or unobligated  
 9 16 moneys made from an appropriation in this division of this Act

CODE: Requires nonreversion of funds appropriated from the TRF in Division II for four fiscal years. Funds will be available through the end of FY 2014.



9 17 shall not revert but shall remain available for expenditure for  
 9 18 the purposes designated until the close of the fiscal year that  
 9 19 ends three years after the end of the fiscal year for which the  
 9 20 appropriation was made. However, if the project or projects  
 9 21 for which such appropriation was made are completed in an  
 9 22 earlier fiscal year, unencumbered or unobligated moneys shall  
 9 23 revert at the close of that same fiscal year.

9 24 DIVISION III

9 25 REVENUE BONDS CAPITALS FUND == APPROPRIATIONS

9 26 Sec. 6. There is appropriated from the revenue bonds  
 9 27 capitals fund created in section 12.88, to the following  
 9 28 departments and agencies for the fiscal year beginning July  
 9 29 1, 2010, and ending June 30, 2011, the following amounts, or  
 9 30 so much thereof as is necessary, to be used for the purposes  
 9 31 designated:

9 32 1. DEPARTMENT OF ADMINISTRATIVE SERVICES

9 33 For projects related to major repairs and major maintenance  
 9 34 for state buildings and facilities:

9 35 ..... \$ 3,000,000

10 1 Moneys appropriated in this subsection shall not be used  
 10 2 for purposes of the renovation of the Mercy capitol hospital  
 10 3 building.

Division III appropriates funds from the Revenue Bonds Capitals Fund (RBC) for FY 2011.

Revenue Bonds Capitals Fund appropriation to the DAS for major maintenance, major repairs, and improvements to State facilities throughout the State that are under the management of the Department.

DETAIL: The DAS received \$2,000,000 for major maintenance from the RIIF and \$14,624,923 from the RBC for FY 2009. The RBC funds were not available until FY 2010. The DAS received \$196,000 for major maintenance from the Restricted Capital Fund (tobacco fund) for FY 2010. Also, HF 822 (FY 2010 Infrastructure Appropriations Act) provided that any remaining amount unobligated in the two restricted capital tobacco funds (RCF and RC2) would transfer to the DAS at the end of FY 2010. This amount is estimated to be \$650,000. Major maintenance funds are used to correct deficiencies in State buildings and make a wide range of repairs. The funds are spent on projects selected and prioritized by the Governor's Vertical Infrastructure Advisory Committee. State agencies and the DAS staff work together to identify projects that will be presented to the Committee for funding consideration.

Prohibits the Department from using the appropriation for capital

improvements or renovation to the former Mercy Capitol Hospital Building. The State completed the purchase of the building and took possession of it in December 2009. Division I provides RIF funding for operations of the building, specifically for utility and personnel costs associated with maintaining critical building infrastructure (such as high-pressure boilers, electrical systems, and elevators). Tenants are slated to move into the building in 2010. First will be the Department of Correction's Centralized Pharmacy. Other entities considering moving to the building are the Department of Public Health's Board and Commission staff and the Des Moines Area Community College of Nursing and Pharmacy programs, the Insurance Division of the Department of Commerce, and the Agricultural Development Authority.

10 4 2. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

10 5 a. To the soil conservation division of the department  
10 6 established in section 161A.4 to provide financial assistance  
10 7 for the establishment of permanent soil and water conservation  
10 8 practices:

10 9 ..... \$ 1,000,000

10 10 b. Not more than 5 percent of the moneys appropriated  
10 11 in paragraph "a" may be allocated for cost sharing to abate  
10 12 complaints filed under section 161A.47.

10 13 c. Of the moneys appropriated in paragraph "a", 5 percent  
10 14 shall be allocated for financial incentives to establish  
10 15 practices to protect watersheds above publicly owned lakes of  
10 16 the state from soil erosion and sediment as provided in section  
10 17 161A.73.

10 18 d. Not more than 30 percent of a soil and water conservation  
10 19 district's allocation of moneys as financial incentives may be  
10 20 provided for the purpose of establishing management practices  
10 21 to control soil erosion on land that is row cropped, including  
10 22 but not limited to no=till planting, ridge=till planting,  
10 23 contouring, and contour strip=cropping as provided in section  
10 24 161A.73.

10 25 e. The state soil conservation committee created in section  
10 26 161A.4 may allocate moneys appropriated in paragraph "a"  
10 27 to conduct research and demonstration projects to promote

Revenue Bonds Capitals Fund appropriation to the Department for Agriculture and Land Stewardship for the Soil Conservation Cost Share Program to help landowners establish and use permanent soil and water conservation measures to control soil erosion..

DETAIL: This is a new appropriation for FY 2011. Division IV provides another \$5,950,000 for the Program from the RBC2 for FY 2011. In addition, the Program receives \$1,050,000 from the Environment First Fund for FY 2011 in HF 2525 (FY 2011 Agriculture and Natural Resources Appropriations Act). Total funding for the Program for FY 2011 is \$8,000,000. The Program received \$7,000,000 in FY 2010 from the Environment First Fund

Specifies limitations on use of the funds as well as permissible uses. Specifies the funds may not be used for planning and administrative purposes by the Department.

10 28 conservation tillage and nonpoint source pollution control  
 10 29 practices.  
 10 30 f. The allocation of moneys as financial incentives as  
 10 31 provided in section 161A.73 may be used in combination with  
 10 32 moneys allocated by the department of natural resources.  
 10 33 g. Moneys appropriated in this subsection shall not be used  
 10 34 for administrative or planning purposes.

10 35 3. DEPARTMENT OF CULTURAL AFFAIRS

11 1 For grants for Iowa great places program projects:

11 2 ..... \$ 2,000,000

Revenue Bonds Capitals Fund appropriation to the Department of Cultural Affairs for the Iowa Great Places Program.

DETAIL: This is a \$100,000 increase compared to estimated FY 2010. The funding continues the Iowa Great Places initiative to enhance the cultural development of Iowa communities. House File 2782 (FY 2007 Infrastructure Appropriations Act) created the Iowa Great Places Program Fund and provided \$3,000,000 for FY 2007 and FY 2008 for the Program. The Program received \$2,000,000 in FY 2009. The projects in the Great Places Program are capital projects that must meet the definition of vertical infrastructure.

11 3 4. DEPARTMENT OF CORRECTIONS

11 4 a. For one-time costs associated with the opening of  
 11 5 community-based corrections facilities including the purchase  
 11 6 of equipment:

11 7 ..... \$ 1,519,048

Revenue Bonds Capitals Fund appropriation to the Department of Corrections (DOC) for one-time costs associated with the opening of Community-Based Corrections (CBCs) facilities, including the purchase of equipment.

DETAIL: This is a new appropriation for FY 2011. The CBCs in Davenport, Waterloo, Sioux City, and Ottumwa will be opening after recent expansions and need one-time startup funding. The funds will be used for purchase of office and information technology equipment. The funds will be allocated as follows: \$256,000 for Waterloo, \$275,000 for Sioux City, \$815,000 for Davenport, and \$172,000 for Ottumwa.

11 8 b. For use by a city with a population between 198,000 and  
 11 9 199,000 for a safety barrier to be constructed in the natural  
 11 10 environment between the fifth judicial district facility and  
 11 11 the blank park zoo:

11 12 ..... \$ 1,000,000

Revenue Bonds Capitals Fund appropriation to the DOC to be allocated to the City of Des Moines to construct a security wall between the existing Fifth Judicial District CBC and the Blank Park Zoo.

DETAIL: In the 2009 Legislative Session, the Fifth Judicial District

CBC received funding totaling \$18,100,000 for two fiscal years for expansion and relocation of the facility from its Fort Des Moines location currently next to the Blank Park Zoo, to a new location in north Des Moines. The existing facility houses the Sex Offender Treatment Program. The proposed relocation site was 5200 NE 22nd Avenue, Des Moines. The funding was contingent on relocation of the Sex Offender Treatment Program to the new facility. The acquisition of the land needed for the project has not occurred. The CBC expansion project is on hold for now and the Department does not have funding to acquire the land because the funds are deappropriated. Division XVII deappropriates \$13,100,000 from the RBC and \$5,000,000 previously enacted for FY 2011 from the RIIF that had been appropriated for the Des Moines CBC expansion. The security barrier will be constructed to blend in with the natural environment and will be on the northern and eastern edges of the Zoo on city property.

11 13 c. For project management costs at Fort Madison and  
 11 14 Mitchellville prisons associated with construction projects at  
 11 15 the department:  
 11 16 ..... \$ 2,200,000

Revenue Bonds Capitals Fund appropriation to the DOC for prison construction management costs for the projects at Fort Madison and Mitchellville.

DETAIL: This appropriation and the one in Division V provide the DOC with \$2,522,500 for FY 2011 for prison construction management costs. The DOC received \$500,000 in FY 2009 and \$1,750,000 in FY 2010 for construction project management. The prison construction projects are multi-year projects with estimated total costs of \$130,677,500 (Fort Madison) and \$67,979,000 (Mitchellville). Of the total amount appropriated for construction project management, \$1,000,000 will be used for a correctional specialist that will help with the design, planning, and programming of the new prisons. Division I provides out year funding from the RIIF for FY 2012 through FY 2014 totaling \$5,700,000 for additional construction management costs. Groundbreaking for the projects is scheduled for April 2010 for Fort Madison and July 2010 for Mitchellville. The projects are expected to be completed in 2014 and 2013, respectively.

11 17 5. DEPARTMENT OF ECONOMIC DEVELOPMENT  
 11 18 To the Des Moines area regional transit authority (DART) for  
 11 19 construction of a regional transit hub for economic development  
 11 20 purposes and for providing public transportation in a city with

Revenue Bonds Capitals Fund appropriation to the Department of Economic Development for transfer to the Des Moines Area Regional Transit (DART) Authority for construction of a regional transit hub in Des Moines for providing public transportation to the City and its surrounding areas.

11 21 a population between 198,000 and 199,000 in the last preceding  
 11 22 certified federal census:  
 11 23 ..... \$ 4,000,000

DETAIL: This is a new appropriation for FY 2011. The DART Authority is planning to replace the existing transfer location on Walnut Street with another location in the downtown area where passengers would be in a more secure and monitored environment and provide easier connections to other buses. The proposed site is on Cherry Street, south of the existing transit area. The transit hub would include a 21,000 square foot facility and a protected loading area under a canopy. Total estimated cost of the project is \$20,000,000. The DART Authority intends to use sustainable designs for the transit hub, including incorporating photovoltaic solar panels, indoor storage for bicycles, and other designs for acquiring LEED-certification. In addition, the site and planning is intended to allow room for a future building to provide for rail transit to be integrated into the hub when passenger rail is extended to Des Moines. Once the transit hub is relocated, the City anticipates making improvements to Walnut Street to have more street accessible stores and restaurants, easy and viewable access points to the skywalk system and have a pedestrian friendly environment.

11 24 6. DEPARTMENT OF NATURAL RESOURCES  
 11 25 For implementation of lake projects that have established  
 11 26 watershed improvement initiatives and community support in  
 11 27 accordance with the department's annual lake restoration plan  
 11 28 and report:  
 11 29 ..... \$ 7,000,000  
 11 30 Of the amount appropriated in this subsection, \$250,000  
 11 31 shall be allocated for dredging, reconstruction, and related  
 11 32 improvements of twin ponds adjacent to a nature center in a  
 11 33 county with a population between 13,050, and 13,100.  
 11 34 Of the amount appropriated in this subsection, \$2,000,000  
 11 35 shall be allocated for costs associated with dam construction;  
 12 1 shoreline protection; boat ramp, parking, and road  
 12 2 construction; and an in-lake fishing habitat development  
 12 3 project for a new state recreation area on a lake located in a  
 12 4 county with a population between 155,000 and 160,000.  
 12 5 Of the amount appropriated in this subsection, \$100,000  
 12 6 shall be allocated for lake dredging and related improvements  
 12 7 including ongoing dam maintenance and operation on a lake with

Revenue Bonds Capitals Fund appropriation to the Department of Natural Resources (DNR) for lake restoration, dredging, and water quality projects.

DETAIL: The DNR received \$10,000,000 from the RBC for FY 2009 and \$2,800,000 from the RIIF for FY 2010 in the 2009 Legislative Session. The RBC funds were not available until FY 2010. Division IV provides an additional \$3,000,000 for lake restoration from the RBC2 for a total of \$10,000,000 for FY 2011. The funds are used for projects identified in the Department's Lake Restoration Annual Report and Plan focusing on the first 35 projects that make up the priority list of lake candidates. Specifies the intent of the General Assembly that the DNR implement the Lake Restoration Report and Plan as submitted annually to the Transportation, Infrastructure, and Capitals Appropriations Subcommittee by January 1.

- Allocates \$250,000 for dredging and improvements to Twin Ponds in Chickasaw County. The Twin Ponds Park is a 157-acre area acquired in 1962. Twin Ponds are split by the Wapsipinicon River,

12 8 public access that has the support of a benefited lake district  
 12 9 located in a county with a population between 18,350 and 18,450  
 12 10 in the last preceding federal census.

- forming an East Park and a West Park.
- Allocates \$2,000,000 of the appropriation for the construction of the Lost Grove Lake in Scott County. The three phased project includes land acquisition, dam construction, shoreline protection, in-lake fishing habitat development, and other improvements for developing the lake and surrounding public land and roads. The project will be collaborative between the DNR and the Scott County Conservation Board. Total estimated budget for construction of the 350-acre lake is \$11,645,000. The project has received other funding from some State resources such as the State Marine Fuel Tax Fund and the Fish & Wildlife Trust Fund, as well as federal funding. The lake will have several boat ramps and a spot for canoe access.
  - Allocates \$100,000 for Lake Delhi in Delaware County for lake dredging, ongoing dam maintenance, and related improvements. Lake Delhi received \$100,000 in both FY 2008 and FY 2009 from the RIIF for these improvements. The lake was created in the 1920s by the construction of a hydroelectric dam on the Maquoketa River.

12 11 7. STATE BOARD OF REGENTS  
 12 12 For phase II of the construction and renovation of the  
 12 13 veterinary medical facilities at Iowa state university of  
 12 14 science and technology, specifically the renovation and  
 12 15 modernization of the area formerly occupied by the large animal  
 12 16 area of the teaching hospital for expanded clinical services:  
 12 17 ..... \$ 13,000,000

Revenue Bonds Capitals Fund appropriation to the Board of Regents for Phase II of the construction and expansion of the veterinary diagnostic laboratory at Iowa State University.

DETAIL: The funds will be used by the College of Veterinary Medicine for construction and renovation required to provide expanded clinical services for a small animal hospital. The intent is to enhance instruction and service related to companion animals in a safe and efficient facility that meets accreditation standards. The College will renovate the former large animal hospital space, demolish and renovate the current small animal hospital, and provide new construction for new administrative and community practice space. When completed, the project is expected to provide 120,000 square feet of small animal hospital teaching and clinical service space. The total project cost is estimated at \$38,000,000. The Board received \$1,800,000 in FY 2009 from the RIIF for design and planning purposes. The FY 2011 RBC funding is in addition to the \$10,000,000 from the RBC for FY 2009 and the authorization given to the Board in the 2009 Legislative Session to issue academic revenue bonds for up to \$15,000,000 in net proceeds for this phase of the project. The

		\$13,000,000 was previously enacted for FY 2011 from the RIIF, but Division XVII deappropriates that funding.
12 18	8. IOWA STATE FAIR	
12 19	For infrastructure improvements to the Iowa state	Revenue Bonds Capitals Fund appropriation for the construction of an agricultural exhibition center and other improvements.
12 20	fairgrounds including but not limited to the construction of an	
12 21	agricultural exhibition center on the Iowa state fairgrounds:	
12 22	..... \$ 2,500,000	DETAIL: This is the last year of funding for a multi-year project. The State Fair Authority received \$3,000,000 in FY 2008 and \$5,500,000 for FY 2010. The total cost of the planned project is estimated at \$24,000,000. This is an increase of approximately \$6,000,000 compared to original estimates. The State Fair requested a total of \$11,000,000 in State funds for the project and has raised, or plans to raise, an additional \$9,500,000 in private funds. The State Fair Authority advises it needs an additional \$3,500,000 to complete the project and would look to several potential sources of funds including private donation, State appropriations, or State Fair revenues. The \$2,500,000 was previously enacted for FY 2011 from the RIIF, but Division XVII deappropriates that funding.
12 23	9. IOWA FINANCE AUTHORITY	
12 24	For grants for purposes of the housing trust fund created in	Revenue Bonds Capitals Fund appropriation to the Iowa Finance Authority for grants for the purposes of the Housing Trust Fund Program.
12 25	section 16.181:	
12 26	..... \$ 2,000,000	DETAIL: With this funding, the Housing Trust Fund Program will receive a total of \$3,000,000 for FY 2011 for grants. Division XVIII reduces the standing appropriation from the RIIF to the Housing Trust Fund from \$3,000,000 to \$1,000,000 for FY 2011. The Program is used for grants to help ensure decent, safe and affordable housing for Iowans through the Local Housing Trust Fund and the Project-Based Housing Program that aids the development and rehabilitation of single-family and multifamily housing.
12 27	Sec. 7. TAX=EXEMPT STATUS == USE OF APPROPRIATIONS.	
12 28	1. Payment of moneys from the appropriations in this	Requires the RBC Fund appropriations to be expended in a manner that does not jeopardize the tax-exempt status of bonds issued.
12 29	division of this Act shall be made in a manner that does not	Funds may not be used for administration or planning of programs or other noncapital costs.
12 30	adversely affect the tax=exempt status of any outstanding bonds	
12 31	issued by the treasurer of state.	
12 32	2. Payment of moneys from the appropriations in this	
12 33	division of this Act shall not be used for administrative or	

12 34 planning purposes.

12 35 Sec. 8. REVERSION. For purposes of section 8.33, unless  
13 1 specifically provided otherwise, unencumbered or unobligated  
13 2 moneys made from an appropriation in this division of this Act  
13 3 shall not revert but shall remain available for expenditure for  
13 4 the purposes designated until the close of the fiscal year that  
13 5 ends three years after the end of the fiscal year for which the  
13 6 appropriation was made. However, if the project or projects  
13 7 for which such appropriation was made are completed in an  
13 8 earlier fiscal year, unencumbered or unobligated moneys shall  
13 9 revert at the close of that same fiscal year.

CODE: Requires nonreversion of funds appropriated from the RBC in Division III for four fiscal years. Funds will remain available through the end of FY 2014.

13 10 DIVISION IV

13 11 REVENUE BONDS CAPITALS II FUND == APPROPRIATIONS

13 12 Sec. 9. NEW SECTION . 12.88A Revenue bonds capitals II fund.

13 13 1. A revenue bonds capitals II fund is created and  
13 14 established as a separate and distinct fund in the state  
13 15 treasury. The treasurer of state shall act as custodian of the  
13 16 fund and disburse moneys contained in the fund.

13 17 2. Revenue for the revenue bonds capitals II fund shall  
13 18 include but is not limited to the following, which shall be  
13 19 deposited with the treasurer of state or the treasurer of  
13 20 state's designee as provided by any bond or security documents  
13 21 and credited to the fund:

13 22 a. The net proceeds of bonds issued after April 1, 2010,  
13 23 pursuant to section 12.87 other than bonds issued for the  
13 24 purpose of refunding such bonds, and investment earnings on the  
13 25 net proceeds.

13 26 b. Interest attributable to investment of moneys in the fund  
13 27 or an account of the fund.

13 28 c. Moneys in the form of a devise, gift, bequest, donation,  
13 29 federal or other grant, reimbursement, repayment, judgment,  
13 30 transfer, payment, or appropriation from any source intended to  
13 31 be used for the purposes of the fund.

13 32 3. Moneys in the revenue bonds capitals II fund are not

Division IV creates the Revenue Bonds Capitals II Fund (RBC2) and makes appropriations from it. The Fund has the same reporting as other infrastructure funds. This status report requirement is consistent with State reporting requirements for appropriations from any of the infrastructure, technology, and bonding-related funds.

DETAIL: The RBC2 will consist of \$150,000,000 in net proceeds for revenue bonds issued sometime after April 2010. The 2010 Legislative Session adjusted the bonds authorized under SF 477 (Phase III Bonding Act – 2009 Session) by changing them from appropriations bonds to revenue bonds, and increasing the amount of net proceeds from \$105,000,000 to \$150,000,000.

Beginning in FY 2012, the debt service payments are estimated to be approximately \$11,900,000 per year for the period of FY 2012 through FY 2033. Total new debt is projected to be approximately \$269,200,000, with \$171,100,000 in principal and \$98,100,000 in interest. The projected interest rate on the revenue bonds is approximately 4.25%. The existing wagering tax allocation of \$55,000,000 to pay for revenue bonds debt service authorized in SF 376 (Revenue Bonding and I-JOBS Program Act – 2009 Session) will suffice for payment of the debt service from the FY 2011 bond issuance. The impact from the debt service will be that the



13 33 subject to section 8.33. Notwithstanding section 12C.7,  
 13 34 subsection 2, interest or earnings on moneys in the fund shall  
 13 35 be credited to the fund.  
 14 1 4. Annually, on or before January 15 of each year, a state  
 14 2 agency that received an appropriation from the revenue bonds  
 14 3 capitals II fund shall report to the legislative services  
 14 4 agency and the department of management the status of all  
 14 5 projects completed or in progress. The report shall include  
 14 6 a description of the project, the work completed, the total  
 14 7 estimated cost of the project, a list of all revenue sources  
 14 8 being used to fund the project, the amount of funds expended,  
 14 9 the amount of funds obligated, and the date the project was  
 14 10 completed or an estimated completion date of the project, where  
 14 11 applicable.

\$11,900,000 unencumbered balance from the \$55,000,000 wagering tax allocation that is slated to deposit in the RIIF will be obligated beginning in FY 2012, thus reducing RIIF revenues by that amount.

14 12 Sec. 10. There is appropriated from the revenue bonds  
 14 13 capitals II fund created in section 12.88A to the following  
 14 14 departments and agencies for the fiscal year beginning July  
 14 15 1, 2010, and ending June 30, 2011, the following amounts, or  
 14 16 so much thereof as is necessary, to be used for the purposes  
 14 17 designated:

This Section appropriates funds from the Revenue Bonds Capitals II Fund (RBC2) for FY 2011.

14 18 1. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP  
 14 19 a. To the soil conservation division of the department  
 14 20 established in section 161A.4 to provide financial assistance  
 14 21 for the establishment of permanent soil and water conservation  
 14 22 practices:  
 14 23 ..... \$ 5,950,000  
 14 24 (1) Not more than 5 percent of the moneys appropriated in  
 14 25 this paragraph "a" may be allocated for cost sharing to abate  
 14 26 complaints filed under section 161A.47.  
 14 27 (2) Of the moneys appropriated in this paragraph "a",  
 14 28 5 percent shall be allocated for financial incentives to  
 14 29 establish practices to protect watersheds above publicly owned  
 14 30 lakes of the state from soil erosion and sediment as provided  
 14 31 in section 161A.73.  
 14 32 (3) Not more than 30 percent of a soil and water

Revenue Bonds Capitals II Fund appropriation to the Department of Agriculture and Land Stewardship for the Soil Conservation Cost Share Program.

DETAIL: This is a new appropriation for FY 2011. Division III provides another \$1,000,000 for the Program from the RBC for FY 2011. In addition, the Program receives \$1,050,000 from the Environment First Fund for FY 2011 in HF 2525 (FY 2011 Agriculture and Natural Resources Appropriations Act). Total funding for the Program for FY 2011 is \$8,000,000. The Program received \$7,000,000 in FY 2010 from the Environment First Fund

Specifies limitations on use of the funds as well as permissible uses. Specifies the funds may not be used for planning and administrative purposes by the Department.

14 33 conservation district's allocation of moneys as financial  
 14 34 incentives may be provided for the purpose of establishing  
 14 35 management practices to control soil erosion on land that is  
 15 1 row cropped, including but not limited to no=till planting,  
 15 2 ridge=till planting, contouring, and contour strip=cropping as  
 15 3 provided in section 161A.73.  
 15 4 (4) The state soil conservation committee created in  
 15 5 section 161A.4 may allocate moneys appropriated in paragraph  
 15 6 "a" to conduct research and demonstration projects to promote  
 15 7 conservation tillage and nonpoint source pollution control  
 15 8 practices.  
 15 9 (5) The allocation of moneys as financial incentives as  
 15 10 provided in section 161A.73 may be used in combination with  
 15 11 moneys allocated by the department of natural resources.  
 15 12 (6) Moneys appropriated in this paragraph "a" shall not be  
 15 13 used for administrative or planning purposes.

15 14 b. For grants under the conservation reserve enhancement  
 15 15 program to improve water quality and intercept nitrates:  
 15 16 ..... \$ 2,500,000

Revenue Bonds Capitals II Fund appropriation to the Department of Agriculture and Land Stewardship for the Conservation Reserve Enhancement Program (CREP).

DETAIL: This is a new appropriation for FY 2011. The Program was initiated in 2000 to improve drinking water and reduce hypoxia in the Gulf of Mexico, by focusing on the reduction of nitrate loads to surface waters through designated wetlands that intercept tile-drained water from upper-lying cropped lands. The work conducted is designed to protect floodplains and improve water quality from the agricultural drainage system. The Program is receiving \$1,500,000 from the Environment First Fund in HF 2525 (FY 2011 Agriculture and Natural Resources Appropriations Act) in addition to the \$2,500,000 from the RBC2. The Program received \$1,500,000 in FY 2009 and FY 2010 from the Environment First Fund. The State will apply for federal match funding from the Wetlands Reserve Enhancement Program through the U.S. Department of Agriculture's Natural Resources Conservation Service.

15 17 2. DEPARTMENT OF ECONOMIC DEVELOPMENT  
 15 18 a. For deposit into the community attraction and tourism

Revenue Bonds Capitals II Fund appropriation to the Department of Economic Development for grants from the Community Attraction and Tourism (CAT) Program.

15 19 fund created in section 15F.204:

15 20 ..... \$ 12,000,000

DETAIL: The CAT program received a \$12,000,000 appropriation from RIIF and \$12,000,000 from the RBC for FY 2009. The RBC funding was not available until FY 2010. The CAT is a multi-year appropriation that is scheduled to sunset at the end of FY 2013. The FY 2011 funding was moved from the RIIF and the General Fund to the RBC2. For FY 2012 and FY 2013, the funding is expected to resume as provided in Code Section 15F.204, with \$5,000,000 from the RIIF and \$7,000,000 from the General Fund. The FY 2011 appropriations from RIIF and the General Fund for CAT are deappropriated in Division XVIII.

15 21 b. For deposit into the river enhancement community

15 22 attraction and tourism fund created in section 15F.205:

15 23 ..... \$ 4,000,000

Revenue Bonds Capitals II Fund appropriation to the DED for grants from the River Enhancement Community Attraction and Tourism (RECAT) Program.

DETAIL: The RECAT Program is a multi-year appropriation from the RIIF that is slated to receive \$10,000,000 annually from the RIIF through the end of FY 2013. The RECAT received an FY 2009 RIIF appropriation of \$10,000,000, but that amount was transferred to the Jumpstart Housing Assistance Program. The RECAT Program received \$10,000,000 from the RBC for FY 2009, but the funds were not available until FY 2010. As of April 2010, only \$6,000,000 of the \$10,000,000 has been obligated. It is anticipated that a portion of the RBC funding will be available for FY 2011 grants. Division XVII deappropriates the \$10,000,000 for FY 2011 from the RIIF.

15 24 Moneys appropriated for grants awarded in paragraphs "a" and

15 25 "b" shall be used to assist communities in the development and

15 26 creation of multiple purpose attractions or community service

15 27 facilities for public use.

Requires grants from the appropriations to the RECAT and the CAT from the RBC2 Fund to be used to assist communities in the development and creation of multiple purpose attractions or community service facilities for public use.

DETAIL: This language ensures the funds are used in a manner that meets the restrictions of the tax-exempt bonds.

15 28 c. For accelerated career education program capital

15 29 projects at community colleges that are authorized under

15 30 chapter 260G and that meet the definition of vertical

15 31 infrastructure in section 8.57, subsection 6, paragraph "c":

Revenue Bonds Capitals II Fund appropriation to the DED for the Accelerated Career Education (ACE) Program vertical infrastructure projects at community colleges.

DETAIL: Maintains the current level of funding. The Program

15 32 ..... \$ 5,500,000

received an FY 2009 RBC appropriation for the same amount, but the funds were not available until FY 2010. The Program received \$11,000,000 for combined FY 2008 and FY 2009 from the RIIF and the RC2 (tobacco fund). Projects funded by the State's appropriation must meet the definition of vertical infrastructure. In previous fiscal years, the funds have been used for constructing or expanding facilities for programs in welding technology, mortuary science, automotive technology, nursing, laboratory technicians, electromechanical systems technology, culinary arts, and wind energy and turbine technology.

The ACE Program, in general, includes a contribution by businesses and prospective employers for 20.00% of the costs associated with the specific training program costs. The businesses qualify to offset these matching fund costs with State income tax credits. Students are not employees of the businesses when taking the training class, but may look for work in the sponsoring business after graduation from the Program.

15 33 d. For the main street Iowa program to be used as grants  
15 34 for projects that have previously applied for funding  
15 35 consideration, or have received partial funding for facade  
16 1 master plans to rehabilitate storefronts in main street Iowa  
16 2 districts, to complete streetscape projects where planning  
16 3 and the majority of funding is already secured, for unfunded  
16 4 main street challenge grant projects, and for other building  
16 5 rehabilitation projects that are currently on the department's  
16 6 highest priority list:

16 7 ..... \$ 8,450,000

16 8 Moneys appropriated in this lettered paragraph shall not be  
16 9 used for administration or planning purposes.

16 10 Of the amount appropriated in this lettered paragraph,  
16 11 \$300,000 shall be allocated to a city with a population between  
16 12 25,100 and 25,200 in the last preceding certified federal  
16 13 census for a redevelopment project that includes improvements  
16 14 and modifications to streets and storm sewers in both the  
16 15 downtown and mall areas of the city.

Revenue Bonds Capitals II Fund appropriation to the DED for grants for projects through the existing Main Street Program.

DETAIL: This is a new appropriation for FY 2011. Division XVII provides the Main Street Program with an additional \$5,550,000 as an FY 2010 supplemental appropriation from the RBC, for a total of \$14,000,000. The Main Street Program provides grants to rehabilitate storefronts, improve streetscapes, and to provide revitalization efforts by capitalizing on the assets and character of the historic commercial districts in selected communities. The funding will be provided to projects that have previously applied to the Main Street Program and received partial funding or remained unfunded on the Department's priority list.

Allocates \$300,000 of this appropriation to Fort Dodge for a redevelopment project that includes improvement and modifications to streets and storm sewers in both the downtown and mall areas of the city. The project is part of the city's First Avenue South Realignment Project. The street realignment portion of the project is estimated at \$3,200,000 and the stormwater mitigation project is estimated at \$3,500,000.

16 16 e. To north Iowa area community college (merged area II)  
 16 17 for the construction of a small business center for economic  
 16 18 development:  
 16 19 ..... \$ 1,500,000

Revenue Bonds Capitals II Fund appropriation to the DED for the North Iowa Area Community College (merged area II) for the construction of a small business center in Mason City.

DETAIL: This is a new appropriation for FY 2011. The Community College will work in conjunction with other entities in the city to construct a building that will serve as an entrepreneurial and business development center for the Region.

16 20 f. To Kirkwood community college (merged area X) for  
 16 21 the construction of a small business center for economic  
 16 22 development:  
 16 23 ..... \$ 1,200,000

Revenue Bonds Capitals II Fund appropriation to the DED for the Kirkwood Community College (merged area X) for the construction of a small business center in Cedar Rapids.

DETAIL: This is a new appropriation for FY 2011. The Community College will work in conjunction with other entities in the city to construct a building that will serve as an entrepreneurial and business development center for the Region.

16 24 3. DEPARTMENT OF EDUCATION  
 16 25 For major renovation and major repair needs, including  
 16 26 health, life, and fire safety needs and for compliance with the  
 16 27 federal Americans with Disabilities Act, for state buildings  
 16 28 and facilities under the purview of the community colleges:  
 16 29 ..... \$ 2,000,000

Revenue Bonds Capitals II Fund appropriation to the Department of Education for infrastructure improvements at community colleges.

DETAIL: Community colleges received \$2,000,000 annually for fiscal years FY 2007 through FY 2009 from several funds. The FY 2009 RBC funding was not available until FY 2010. Projects completed with previous funding include items such as fire alarm updates, roof replacements, HVAC upgrades, parking lot improvements, fire safety improvements, installation of ADA compliant power doors, sidewalk repairs, doors, lighting, bathroom upgrades for ADA compliance, and new generators.

Typically the funds are allocated through the State Aid distribution formula established in Code Section 260C.18C.

16 30 4. IOWA FINANCE AUTHORITY  
 16 31 a. To the Iowa jobs board created in section 16.191 for  
 16 32 disaster relief and mitigation renovation and construction  
 16 33 projects:  
 16 34 ..... \$ 30,900,000  
 16 35 The moneys appropriated in this paragraph "a" shall be

Revenue Bonds Capitals II Fund appropriation to the I-JOBS Board for disaster relief and mitigation renovation and construction projects.

DETAIL: The \$30,900,000 is for targeted disaster relief and rebuilding, flood mitigation, and construction projects. Most of the projects had applied for the \$118,500,000 in funding that was available through the I-JOBS Board, authorized in SF 376 in the 2009

17 1 allocated as follows:

Legislative Session. Many of the projects were disaster relief or flood mitigation projects that were deferred. Projects that are from the I-JOBS Board deferred list are noted. The projects are being allocated directly to the recipient through the I-JOBS Board. They will not be part of a competitive grant process, but the Board will oversee accountability for the projects.

Allocates the appropriation as follows in the bulleted items below:

17 2 (1) To a county with a population between 189,000 and  
17 3 196,000 in the last preceding certified federal census for the  
17 4 renovation and expansion of an administrative office building:  
17 5 ..... \$ 4,400,000

- Allocates \$4,400,000 for an administrative office building that will serve as a public service center in Linn County. This is a deferred disaster relief project. The estimated cost of the project is \$11,736,396. The project has funding from FEMA of \$2,748,950. The plans are for flood proofing, sustainability components, and consolidating services. The project is receiving an additional \$4,500,000 from the Cash Reserve Fund in HF 2531 (FY 2011 Standing Appropriations Act).

17 6 (2) To a city with a population between 120,500 and 120,800  
17 7 in the last preceding certified federal census, for the  
17 8 following projects:  
17 9 (a) For renovation of an existing public building to make  
17 10 the building useful for city department offices:  
17 11 ..... \$ 4,400,000  
17 12 (b) For flood mitigation or renovation in and around an  
17 13 existing courthouse:  
17 14 ..... \$ 2,000,000

- Allocates \$4,400,000 for renovation of the existing city hall building in Cedar Rapids. This is a deferred disaster relief project. The city will renovate the old city hall that is the Veterans Memorial Building.
- Allocates \$2,000,000 for flood mitigation and renovation in and around an existing and former federal courthouse in the City of Cedar Rapids. The City received possession of the courthouse from the federal General Services Administration. The funding will be used to bring the building and surrounding area into compliance with FEMA flood mitigation standards. The project is receiving an additional \$2,100,000 from the Cash Reserve Fund in HF 2531 (FY 2011 Standing Appropriations Act).

17 15 (3) To a city with a population between 198,000 and 199,000  
17 16 in the last preceding certified federal census to be allocated  
17 17 as follows:  
17 18 (a) For site acquisition, design, engineering, and  
17 19 construction of a fire training and logistics center:  
17 20 ..... \$ 3,000,000  
17 21 (b) For land acquisition, design, and construction of  
17 22 sewers, structures, and pumping facilities necessary to

- Allocates \$3,000,000 for construction of a fire department training and logistics facility in the City of Des Moines. This is a deferred I-JOBS project.
- Allocates \$1,250,000 for construction of sewers, structures, and pumping facilities to separate or convey sewer flow within the Riverpoint Service Area in the City of Des Moines. This is a deferred disaster relief and flood mitigation project.
- Allocates \$3,050,000 for construction of sewers, structures, and

17 23 separate and convey sewer flow within the riverpoint service  
 17 24 area:  
 17 25 ..... \$ 1,250,000  
 17 26 (c) For land acquisition, design, and construction of  
 17 27 sewers, structures, and pumping facilities necessary to  
 17 28 separate or convey sewer flow within the Court avenue service  
 17 29 area:  
 17 30 ..... \$ 3,050,000  
 17 31 (d) For bank stabilization, stream bed stabilization, and  
 17 32 erosion control on highly erodible ground that is impacting  
 17 33 utilities, road infrastructure, and water quality:  
 17 34 ..... \$ 700,000  
 17 35 (e) To improve utilization of two of the wastewater  
 18 1 reclamation authority's existing equalization basins for  
 18 2 the control of peak flows during wet weather events in the  
 18 3 authority's sewer system:  
 18 4 ..... \$ 500,000

18 5 (4) For a publicly owned acute care teaching hospital  
 18 6 located in a county with a population of over 350,000, for  
 18 7 the construction and renovation of patient access and care  
 18 8 facilities, equipment replacement and upgrades, and other  
 18 9 infrastructure improvements:  
 18 10 ..... \$ 1,000,000

18 11 (5) For a city with a population between 98,300 and 98,400  
 18 12 in the last preceding certified federal census, for flood  
 18 13 protection, replacement, and construction improvements to a  
 18 14 recreational sports facility:  
 18 15 ..... \$ 1,050,000

18 16 (6) For a city with a population between 68,700 and  
 18 17 68,800 in the last preceding certified federal census, for a  
 18 18 public works building that will allow the city to provide for

pumping facilities to separate or convey sewer flow within the Court Avenue Service Area in the City of Des Moines. This is a deferred disaster relief and flood mitigation project.

- Allocates \$700,000 for bank stabilization, stream bed stabilization, and erosion control at the Tonawanda Ravine in the City of Des Moines. This is a deferred flood mitigation project.
- Allocates \$500,000 to improve utilization of two of the Wastewater Reclamation Authority's existing equalization basins for control of peak flows in the City of Des Moines. This is a deferred flood mitigation project.

- Allocates \$1,000,000 for construction and renovation of patient access and care facilities, equipment replacements and upgrades, and other infrastructure improvements to the Broadlawns Medical Center in Polk County. This is a deferred I-JOBS project.

- Allocates \$1,050,000 for improvements to prevent flood damage at Modern Woodmen Park Baseball Stadium in the City of Davenport. This is a deferred flood mitigation project. The stadium, originally built in 1931, hosts minor league baseball. It is located on the banks of the Mississippi River and has been subject to flooding in prior years, including 1965, 1993, 2001, and 2008. A renovation adding a 9-foot berm around the stadium in 2004 provided some flood protection, however additional flood mitigation will be implemented to prevent future flooding.

- Allocates \$5,000,000 for a public works building in the City of Waterloo. This is a deferred disaster relief project. The new Public Works Building will be built on a redeveloped Brownfields

18 19 disaster-related services:  
 18 20 ..... \$ 5,000,000

site, close to the City Hall and downtown Waterloo. The intent is for the building to serve as a centralized site for supplies and services, especially in a disaster. Black Hawk County may be served by the services in the building as well.

18 21 (7) For a city with a population between 62,100 and  
 18 22 62,250 in the last preceding certified federal census, for  
 18 23 the demolition, relocation, and reconstruction of a public  
 18 24 wastewater treatment plant and the development of a public  
 18 25 green space:  
 18 26 ..... \$ 2,000,000

- Allocates \$2,000,000 for a wastewater treatment plant in Iowa City. This is a deferred flood mitigation project. The existing North Wastewater Treatment Plant will be demolished and the area will be a green space for the city. The new treatment plant is intended to ensure that partially treated effluent is not released downstream and that wastes from the area hospitals and the University of Iowa will be treated, even during a disaster. Capacity in the new treatment plant is expected to be increased by 30.00% compared to the existing one.

18 27 (8) For a city with a population between 2,545 and 2,555 in  
 18 28 the last preceding certified federal census, for a streetscape  
 18 29 project that reconstructs existing horizontal infrastructure  
 18 30 and lighting systems utilizing sustainable development  
 18 31 practices:  
 18 32 ..... \$ 1,175,000

- Allocates \$1,175,000 to the City of West Union for reconstruction of existing horizontal infrastructure in downtown West Union for purposes of incorporating sustainable development practices such as permeable pavers, rain gardens, and a geothermal heating and cooling system, to prevent future flooding, reduce stormwater runoff, and improve water quality. This is a deferred flood mitigation project. According to the application to I-JOBS, the total sustainability project cost is \$11,500,000. The project is receiving federal and private funding as well as the State portion.

18 33 (9) For a city with a population between 2,200 and 2,220 in  
 18 34 the last preceding certified federal census, for construction  
 18 35 of a public city building:  
 19 1 ..... \$ 475,000

- Allocates \$475,000 to the City of Jesup for a new city hall in Jesup. This is a deferred I-JOBS project. The old city hall was determined to be structurally unsafe in August 2007 and was torn down. The expected life span of the new city hall is 75-100 years. The total project cost is estimated at \$951,000.

19 2 (10) For a city with a population between 2,558 and 2,565  
 19 3 in the last preceding certified federal census, for the  
 19 4 installation of backflow prevention devices for the city's  
 19 5 storm sewer system:  
 19 6 ..... \$ 600,000

- Allocates \$600,000 for stormwater protection in the City of Belmond by improving stormwater systems to have backflow prevention devices. This is a deferred flood mitigation project.

19 7 (11) For a city with a population between 6,875 and 6,890

- Allocates \$300,000 for drainage channel erosion control, grade control structures, and associated grading to the City of Norwalk.



19 8 in the last preceding certified federal census, for the  
 19 9 construction of grade control structures and associated grading  
 19 10 to mitigate future water damage to residential structures:  
 19 11 ..... \$ 300,000

This is a deferred flood mitigation project.

19 12 b. To the Iowa jobs board for a disaster prevention program  
 19 13 created in section 16.194A for grants for cities and counties  
 19 14 that apply smart planning principles and guidelines pursuant to  
 19 15 sections 18B.1 and 18B.2, as enacted in this Act:  
 19 16 ..... \$ 30,000,000

Revenue Bonds Capitals II Fund appropriation to the I-JOBS Board for a new Disaster Prevention Smart Planning Local Grant Program that will be administered by the Board, under the I-JOBS II Program established in Code Section 16.194A.

DETAIL: The grant process will be run similarly to the local infrastructure grants under the I-JOBS Board in FY 2010, but the criteria will include projects in cities and counties that incorporate smart planning principles and guidelines under Code Sections 18B.1 and 18B.2. Division VII provides the provisions relating to smart planning, including creating a new Task Force. The Disaster Prevention Smart Planning Local Grant program will assist in the development of public construction projects that provide disaster prevention and use smart planning techniques such as sustainable designs for low-impact development. The intent is to mitigate damages from future disasters, including flooding while encouraging communities to incorporate the smart planning sustainable development principles. Division XVIII creates the new program under Code Section 16.194A.

19 17 5. DEPARTMENT OF NATURAL RESOURCES  
 19 18 a. For state park infrastructure improvements:  
 19 19 ..... \$ 5,000,000  
 19 20 Of the amount appropriated in this lettered paragraph,  
 19 21 \$100,000 shall be allocated for the renovation of a clubhouse  
 19 22 in a state park in a county with a population between 20,200  
 19 23 and 20,250 in the last preceding certified federal census.

Revenue Bonds Capitals II Fund appropriation to the DNR for State parks infrastructure improvements.

DETAIL: This is the first of five years of funding for State park infrastructure improvements. Projects will include replacing sewer lines, upgrading public drinking water systems, replacing shower buildings, constructing restrooms, replacing trail bridges, extending trail areas, and providing open-air interpretive shelters and exhibits. The projects are slated for multiple fiscal years. State parks receive \$20,000,000 in out year funding from the RIIF in Division I. This effort is part of the State Parks 2020 effort to improve the parks for preparation for the 100th Anniversary of State Parks in 2020.

Allocates \$100,000 of the appropriation to the Wapsipinicon State Park in Jones County for the renovation of a historic clubhouse. The

building is a log cabin style structure built in the 1930s.

19 24 b. For implementation of lake projects that have  
 19 25 established watershed improvement initiatives and community  
 19 26 support in accordance with the department's annual lake  
 19 27 restoration plan and report:  
 19 28 ..... \$ 3,000,000

Revenue Bonds Capitals II Fund appropriation to the DNR for lake restoration, dredging, and water quality projects.

DETAIL: The DNR received \$10,000,000 from the RBC for FY 2009 and \$2,800,000 from the RIIF for FY 2010 in the 2009 Legislative Session. The RBC funds were not available until FY 2010. Division III provides \$7,000,000 for lake restoration from the RBC for a total of \$10,000,000 for FY 2011. The funds are used for projects identified in the Department's Lake Restoration Annual Report and Plan focusing on the first 35 projects that make up the priority list of lake candidates. Specifies the intent of the General Assembly that the DNR implement the Lake Restoration Report and Plan as submitted annually to the Transportation, Infrastructure, and Capitals Appropriations Subcommittee by January 1.

19 29 6. STATE BOARD OF REGENTS  
 19 30 a. For costs associated with the construction and  
 19 31 establishment of the Iowa institute for biomedical discovery at  
 19 32 the state university of Iowa:  
 19 33 ..... \$ 10,000,000

Revenue Bonds Capitals II Fund appropriation to the Board of Regents for the University of Iowa's Institute for Biomedical Discovery.

DETAIL: This is the third year of funding for the project for a total of \$30,000,000. The \$10,000,000 was previously enacted from the RIIF, but Division XVII deappropriates that funding. The new facility will provide laboratories for cross-disciplinary research in biomedical and life sciences.

19 34 b. For deposit into the alternate energy revolving loan  
 19 35 fund created in section 476.46 to encourage the development  
 20 1 of alternate energy production facilities and small hydro  
 20 2 facilities, as defined in section 476.42, within the state:  
 20 3 ..... \$ 5,000,000  
 20 4 Any award of loans to private individuals or organizations  
 20 5 must be for the public purpose of encouraging the development  
 20 6 of alternate energy production facilities and small hydro  
 20 7 facilities within the state in order to conserve finite and  
 20 8 expensive energy resources and to provide for their most  
 20 9 efficient use. Funds from bond proceeds shall not be used for

Revenue Bonds Capitals II Fund appropriation to the Iowa Energy Center at Iowa State University for deposit in the existing Alternate Energy Revolving Loan Fund established in Code Section 476.46 for the public purpose of encouraging projects that develop alternative energy production facilities and small hydro facilities throughout the State.

Requires the Center to track the bond proceeds separately and prohibits use of the funds for administration and planning.

DETAIL: This is the second of two fiscal years of funding from bond proceeds for use by the Alternate Energy Revolving Loan Program

20 10 administration or planning purposes. These moneys, and any  
 20 11 loan repayments, shall be maintained in separate accounts and  
 20 12 shall only be used for these public purposes.

administered by the Iowa Energy Center. The Center received \$5,000,000 from the RBC for FY 2010.

20 13 7. DEPARTMENT OF TRANSPORTATION

20 14 a. For grants for rail projects including wind energy rail  
 20 15 port projects that provide assistance consistent with the  
 20 16 purposes of section 327H.20A:

20 17 ..... \$ 7,500,000

20 18 Grants awarded pursuant to this lettered paragraph shall  
 20 19 meet all of the following selection criteria:

20 20 (1) Be located in or adjacent to a rail industrial park.

20 21 (2) Be a facility that serves multiple industrial clients  
 20 22 with one rail infrastructure investment.

20 23 (3) Accommodate building and loading a complete unit train  
 20 24 in the rail port.

20 25 (4) Have connection tracks with adequate clearances to  
 20 26 transport large components.

20 27 (5) Be located in an area with short unimpeded access for  
 20 28 oversized wind components to a divided four-lane highway.

20 29 A grant awarded for a project under this lettered  
 20 30 paragraph "a" shall not exceed more than forty percent of the  
 20 31 appropriation in this lettered paragraph.

20 32 Priority in the awarding of grants shall be given to  
 20 33 communities that have experienced exceptional economic  
 20 34 setbacks. An additional preference shall be given to a county  
 20 35 that has lost nine percent of its workforce to a permanent  
 21 1 factory closing where the laid off workers are trade adjustment  
 21 2 assistance eligible.

Revenue Bonds Capitals II Fund appropriation to the Department of Transportation (DOT) for rail improvements and rail ports with grants to local entities to develop freight rail and industrial park facilities to encourage economic development and encourage manufactures to locate into Iowa.

DETAIL: The funding will be administered by the Transportation Commission and will follow criteria under the Rail Revolving Loan and Grant Program in addition to the criteria added to the appropriation. The grants will be available for any manufacturers, but the intention is to bring wind energy manufacturers into Iowa. For those purposes, the rail improvements will help the manufacturers transport wind turbines, nacelles, and other equipment related to providing wind energy.

A grant awarded for a project may not exceed 40.00% of the total amount of the appropriation. Requires priority in awarding grants to be given to communities that have experienced exceptional economic setbacks. An additional preference will be given to a county that has lost 9.00% of its workforce due to a permanent factory closing, where the unemployed workers are trade-adjustment assistance eligible such as Hamilton County.

The Rail Revolving Loan and Grant Program typically receives funding from the RIIF. In the 2009 Legislative Session, the Program received out year funding in HF 822, including \$2,000,000 for FY 2011 as well as FY 2012. Division XVII adds a contingent earmark to the \$2,000,000 for FY 2011, transferring it to the City of Davenport if the city receives a federal match of funding.

21 3 b. For the public transit infrastructure grant program in  
 21 4 section 324A.6A:

21 5 ..... \$ 2,000,000

Revenue Bonds Capitals II Fund appropriation to the DOT for Public Transit Infrastructure Grants.

DETAIL: The DOT received \$1,250,000 in FY 2010 from the RIIF and \$2,200,000 for FY 2009 from the RBC. The RBC funds were not available until FY 2010. Grants are for infrastructure-related projects

at the 35 public transit agencies throughout the State. The projects must meet the definition of vertical infrastructure. Funds are used for capital projects such as new bus storage buildings, administrative buildings, maintenance facilities, storage buildings, reconstruction of a steam cleaning area, and vehicle storage and wash bays, as well as others.

21 6 c. For infrastructure improvements at the commercial air  
 21 7 service airports within the state:  
 21 8 ..... \$ 1,500,000  
 21 9 Fifty percent of the funds appropriated in this lettered  
 21 10 paragraph shall be allocated equally between each commercial  
 21 11 air service airport, forty percent of the funds shall be  
 21 12 allocated based on the percentage that the number of enplaned  
 21 13 passengers at each commercial air service airport bears to the  
 21 14 total number of enplaned passengers in the state during the  
 21 15 previous fiscal year, and ten percent of the funds shall be  
 21 16 allocated based on the percentage that the air cargo tonnage  
 21 17 at each commercial air service airport bears to the total air  
 21 18 cargo tonnage in the state during the previous fiscal year. In  
 21 19 order for a commercial air service airport to receive funding  
 21 20 under this lettered paragraph, the airport shall be required  
 21 21 to submit applications for funding of specific projects to the  
 21 22 department for approval by the state transportation commission.

Revenue Bonds Capitals II Fund appropriation to the DOT for vertical infrastructure improvements at the State's commercial service airports.

DETAIL: The DOT received a \$1,500,000 General Fund appropriation in FY 2010 that was subject to the across-the-board reduction that reduced the appropriation to \$1,350,000. In addition, the commercial service airports received \$1,500,000 for FY 2009 from the RBC. The RBC funds were not available until FY 2010. The commercial service airports include Burlington, Cedar Rapids, Des Moines, Dubuque, Fort Dodge, Mason City, Sioux City, and Waterloo. Projects planned for the FY 2009 funding include construction of hangars, renovation of terminal buildings, construction of vehicle storage buildings, rehabilitation of maintenance buildings, renovation of terminal buildings, and replacement of roof and siding on airport dwellings.

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.

21 23 d. For infrastructure projects relating to functionally  
 21 24 obsolete and structurally deficient bridges:  
 21 25 ..... \$ 10,000,000

Revenue Bonds Capitals II Fund appropriation to the DOT for infrastructure projects relating to functionally obsolete and structurally deficient bridges.

DETAIL: This restores the \$10,000,000 to the Bridge Safety projects. Division XVII deappropriates \$10,000,000 of the DOT's FY 2010 appropriation for bridge safety. The DOT received \$50,000,000 from the RBC for FY 2010. On the State's primary road system, there are currently 239 bridges classified as structurally deficient and 290 classified as functionally obsolete for a total of 529 deficient bridges.

Approximately 50-60 of the identified bridge projects are being targeted for the \$50,000,000. A bridge is structurally deficient if there is significant deterioration of the bridge deck, supports, or other major components. Bridges that are structurally deficient are often restricted to carrying lower weight vehicles or are closed if they are found to be unsafe. The classification of a bridge as "structurally deficient" does not mean the structure is unsafe. A functionally obsolete bridge is one that was built to standards that are not used today. These bridges are not automatically rated as "structurally deficient," nor are they inherently unsafe. Functionally obsolete bridges are those that do not have adequate lane widths, shoulder widths, or vertical clearances to serve current traffic demand.

21 26 8. TREASURER OF STATE

21 27 For transfer to the watershed improvement review board  
21 28 created in section 466A.3 for grants associated with the  
21 29 construction and restoration of wetland easements and flood  
21 30 prevention projects:

21 31 ..... \$ 2,000,000

21 32 Notwithstanding section 466A.5, moneys from the  
21 33 appropriation in this subsection shall not be used for  
21 34 administrative purposes.

Revenue Bonds Capitals II Fund appropriation to the Treasurer of State for transfer to the Watershed Improvement Review Board for grants for watershed improvements. Specifies funds may not be used for administration or planning of programs.

DETAIL: The Watershed Improvement Review Board provides grants for water quality improvements in the State through a variety of impairment-based, locally directed watershed improvement grant projects. The Board received \$5,000,000 from the RIIF for both FY 2009 and FY 2010.

21 35 Sec. 11. TAX=EXEMPT STATUS == USE OF APPROPRIATIONS.

22 1 1. Payment of moneys from the appropriations in this  
22 2 division of this Act shall be made in a manner that does not  
22 3 adversely affect the tax=exempt status of any outstanding bonds  
22 4 issued by the treasurer of state.  
22 5 2. Payment of moneys from the appropriations in this  
22 6 division of this Act shall not be used for administrative or  
22 7 planning purposes.

Requires the RBC2 Fund appropriations to be expended in a manner that does not jeopardize the tax-exempt status of bonds issued. Funds may not be used for administration or planning of programs.

22 8 Sec. 12. REVERSION. For purposes of section 8.33, unless  
22 9 specifically provided otherwise, unencumbered or unobligated  
22 10 moneys made from an appropriation in this division of this Act  
22 11 shall not revert but shall remain available for expenditure for  
22 12 the purposes designated until the close of the fiscal year that  
22 13 ends three years after the end of the fiscal year for which the

CODE: Requires nonreversion of funds appropriated from the RBC2 in Division IV for four fiscal years. Funds will be available through the end of FY 2014.

22 14 appropriation was made. However, if the project or projects  
22 15 for which such appropriation was made are completed in an  
22 16 earlier fiscal year, unencumbered or unobligated moneys shall  
22 17 revert at the close of that same fiscal year.

22 18 Sec. 13. EFFECTIVE UPON ENACTMENT. The section of this  
22 19 division of this Act enacting section 12.88A, being deemed of  
22 20 immediate importance, takes effect upon enactment.

Makes Section 9, relating to the creation of the RBC2, effective on enactment. This is so the Treasurer of State will have the flexibility to issue the bonds before the end of the current fiscal year, if market conditions warrant.

22 21 DIVISION V  
22 22 PRISON BONDING

22 23 Sec. 14. There is appropriated from the FY 2009 prison  
22 24 bonding fund created pursuant to section 12.79 to the  
22 25 department of corrections for the fiscal year beginning July  
22 26 1, 2010, and ending June 30, 2011, the following amount, or  
22 27 so much thereof as is necessary, to be used for the purpose  
22 28 designated:

22 29 For costs associated with the building of a new Iowa State  
22 30 penitentiary at Fort Madison:

22 31 ..... \$ 322,500

22 32 The appropriation made in this section constitutes approval  
22 33 by the general assembly for the issuance of bonds by the  
22 34 treasurer of state pursuant to section 12.80.

FY 2009 Prison Bonding Fund (PBF) appropriation to the DOC for construction management costs for Fort Madison and Mitchellville projects.

DETAIL: The DOC is receiving \$2,522,500 for prison construction management for the Fort Madison and Mitchellville projects in FY 2011. Additional FY 2011 funding includes \$2,200,000 from the RBC. In addition, Division I provides out year funding from the RIIF for FY 2012 through FY 2014 totaling \$5,700,000. The amount of \$322,500 is the balance remaining in the anticipated \$131,000,000 in net proceeds. The Fort Madison project received an appropriation of \$130,677,500 in the 2008 Legislative Session.

22 35 Sec. 15. REVERSION. For purposes of section 8.33, unless  
23 1 specifically provided otherwise, unencumbered or unobligated  
23 2 moneys made from an appropriation in this division of this Act  
23 3 shall not revert but shall remain available for expenditure for  
23 4 the purposes designated until the close of the fiscal year that  
23 5 ends three years after the end of the fiscal year for which the  
23 6 appropriation was made. However, if the project or projects  
23 7 for which such appropriation was made are completed in an  
23 8 earlier fiscal year, unencumbered or unobligated moneys shall  
23 9 revert at the close of that same fiscal year.

CODE: Requires nonreversion of funds appropriated from the PBF in Division V for four fiscal years. Funds will be available through the end of FY 2014.

23 10 DIVISION VI  
 23 11 IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK  
 FUND ==  
 23 12 DEPARTMENT OF TRANSPORTATION

23 13 Sec. 16. There is appropriated from the Iowa comprehensive  
 23 14 petroleum underground storage tank fund to the department of  
 23 15 transportation for the fiscal year beginning July 1, 2010, and  
 23 16 ending June 30, 2011, the following amount, or so much thereof  
 23 17 as is necessary, to be used for the purposes designated:  
 23 18 Notwithstanding section 455G.3, subsection 1, for deposit in  
 23 19 the passenger rail service revolving fund created in section  
 23 20 327J.2:  
 23 21 ..... \$ 2,000,000  
 23 22 Such funds shall be coupled with the remaining unobligated  
 23 23 balance of up to one million five hundred thousand dollars from  
 23 24 the appropriation made in 2009 Iowa Acts, chapter 184, section  
 23 25 1, subsection 12, paragraph "a", for a total commitment of  
 23 26 three million five hundred thousand dollars for the fiscal year  
 23 27 beginning July 1, 2010, and ending June 30, 2011, for matching  
 23 28 federal funding available through the Passenger Rail Investment  
 23 29 and Improvement Act of 2008.

Underground Storage Tank Fund appropriation to the DOT for FY 2011 for deposit in the Passenger Rail Service Revolving Fund for matching federal funding available through the federal Passenger Rail Investment and Improvement Act of 2008.

DETAIL: The DOT received \$3,000,000 in FY 2010 from the RIIF for passenger rail service. In January 2010, the DOT received a \$1,000,000 federal grant for a planning study for service between Omaha and Chicago and is designating \$1,000,000 of the FY 2010 RIIF appropriation for that study. The DOT will use the \$1,500,000 remaining of the FY 2010 appropriation and the new appropriation for FY 2011 to provide 20.00% State match for the competitive grant applications to the Federal Railroad Administration to compete for a portion of the \$2.1 billion of federal funding available for intercity passenger rail applications. The DOT has been working with the State of Illinois to plan for service from Chicago to Iowa City and Chicago to Dubuque. The funds will be used for design, platform and station improvements, equipment, track work, including railroad tie replacement, additional ballast, highway-railroad crossing improvements, and train signal installation, between the Quad Cities and Iowa City and in Dubuque. The level of capital improvements is dependent on how much federal funding becomes available to expand passenger rail service in Iowa. Division I provides \$6,500,000 for passenger rail service for FY 2012 from the RIIF and intent language to provide \$20,000,000 in four fiscal years for passenger rail service.

23 30 DIVISION VII  
 23 31 SMART PLANNING

23 32 Sec. 17. NEW SECTION . 18B.1 Iowa smart planning principles.  
 23 33 State agencies, local governments, and other public entities  
 23 34 shall consider and may apply the following principles during  
 23 35 deliberation of all appropriate planning, zoning, development,  
 24 1 and resource management decisions, except that nothing in

Division VII provides smart planning provisions, amends existing provisions relating to city and county zoning, and creates the Iowa Smart Planning Task Force.

Sections 17 and 18 create new Code Sections 18B.1 and 18B.2

24 2 this section shall be construed to expand the eminent domain  
24 3 authority of a state agency, local government, or other public  
24 4 entity beyond that which is authorized under chapter 6A or 6B:  
24 5 1. Collaboration. Governmental, community, and individual  
24 6 stakeholders, including those outside the jurisdiction of the  
24 7 entity, are encouraged to be involved and provide comment  
24 8 during deliberation of planning, zoning, development, and  
24 9 resource management decisions and during implementation of such  
24 10 decisions. The state agency, local government, or other public  
24 11 entity is encouraged to develop and implement a strategy to  
24 12 facilitate such participation.  
24 13 2. Efficiency, transparency, and consistency. Planning,  
24 14 zoning, development, and resource management should be  
24 15 undertaken to provide efficient, transparent, and consistent  
24 16 outcomes. Individuals, communities, regions, and governmental  
24 17 entities should share in the responsibility to promote the  
24 18 equitable distribution of development benefits and costs.  
24 19 3. Clean, renewable, and efficient energy. Planning, zoning,  
24 20 development, and resource management should be undertaken to  
24 21 promote clean and renewable energy use and increased energy  
24 22 efficiency.  
24 23 4. Occupational diversity. Planning, zoning, development,  
24 24 and resource management should promote increased diversity  
24 25 of employment and business opportunities, promote access to  
24 26 education and training, expand entrepreneurial opportunities,  
24 27 and promote the establishment of businesses in locations near  
24 28 existing housing, infrastructure, and transportation.  
24 29 5. Revitalization. Planning, zoning, development, and  
24 30 resource management should facilitate the revitalization  
24 31 of established town centers and neighborhoods by promoting  
24 32 development that conserves land, protects historic resources,  
24 33 promotes pedestrian accessibility, and integrates different  
24 34 uses of property. Remediation and reuse of existing  
25 1 construction in undeveloped areas.  
25 2 6. Housing diversity. Planning, zoning, development, and  
25 3 resource management should encourage diversity in the types

establishing smart planning principles and local comprehensive and development guidelines.

DETAIL: Code Section 18B.1 provides 10 smart planning principles. The principles encourage collaboration with other groups and individuals, identify the importance of efficiency, transparency, and consistency, and advise the use of clean and renewable energy as well as energy-efficient and sustainable design options. In addition the principles encourage occupational, transportation, and housing diversity and encourage revitalization efforts. The principles incorporate community character, encouraging designers to respond to local values regarding the physical character of the community. Also, the principles encourage planning decisions that will protect the State's natural and agricultural resources.

Code Section 18B.2 directs a municipality, meaning a county or a city, to consider the smart planning principles under Code Section 18B.1 when developing or amending local land development regulations. The Section provides specified information, including objectives, policies, and programs that a municipality may include when developing or amending a comprehensive plan. These guidelines promote consideration of the impact of development and the effect on future development, including anticipating future needs or demands for services, utilities, redevelopment opportunities, transportation, and housing. In addition the guidelines allow a municipality to consider other needs and preferences of the community such as child care, preservation of its heritage, hazard mitigation, and protection of natural resources.



25 4 of available housing, support the rehabilitation of existing  
25 5 housing, and promote the location of housing near public  
25 6 transportation and employment centers.

25 7 7. Community character. Planning, zoning, development, and  
25 8 resource management should promote activities and development  
25 9 that are consistent with the character and architectural style  
25 10 of the community and should respond to local values regarding  
25 11 the physical character of the community.

25 12 8. Natural resources and agricultural protection.  
25 13 Planning, zoning, development, and resource management should  
25 14 emphasize protection, preservation, and restoration of natural  
25 15 resources, agricultural land, and cultural and historic  
25 16 landscapes, and should increase the availability of open spaces  
25 17 and recreational facilities.

25 18 9. Sustainable design. Planning, zoning, development, and  
25 19 resource management should promote developments, buildings, and  
25 20 infrastructure that utilize sustainable design and construction  
25 21 standards and conserve natural resources by reducing waste and  
25 22 pollution through efficient use of land, energy, water, air,  
25 23 and materials.

25 24 10. Transportation diversity. Planning, zoning,  
25 25 development, and resource management should promote expanded  
25 26 transportation options for residents of the community.  
25 27 Consideration should be given to transportation options that  
25 28 maximize mobility, reduce congestion, conserve fuel, and  
25 29 improve air quality.

25 30 Sec. 18. NEW SECTION . 18B.2 Local comprehensive planning  
25 31 and development guidelines.

25 32 1. For the purposes of this chapter, unless the context  
25 33 otherwise requires:

25 34 a. (1) "Development" means any of the following:

25 35 (a) Construction, reconstruction, renovation, mining,  
26 1 extraction, dredging, filling, excavation, or drilling activity  
26 2 or operation.

26 3 (b) Man-made changes in the use or appearance of any  
26 4 structure or in the land itself.

26 5 (c) The division or subdivision of land.

26 6 (d) Any change in the intensity of use or the use of land.

26 7 (2) "Development" does not include any of the following:

26 8 (a) Activities on or uses of agricultural land, farm houses,  
26 9 or agricultural buildings or structures, unless such buildings  
26 10 or structures are located in the flood plain of a river or  
26 11 stream.

26 12 (b) Installation, operation, and maintenance of soil and  
26 13 water conservation practices.

26 14 (c) The choice of crops or a change in the choice of crops  
26 15 on agricultural land.

26 16 b. "Land development regulations" means zoning, subdivision,  
26 17 site plan, corridor map, floodplain or storm water ordinances,  
26 18 rules, or regulations, or other governmental controls that  
26 19 affect the use of property.

26 20 c. "Municipality" means a city or a county.

26 21 2. A municipality shall consider the smart planning  
26 22 principles under section 18B.1 and may include the following  
26 23 information, if applicable, when developing or amending  
26 24 a comprehensive plan under chapter 335 or chapter 414 or  
26 25 when developing or amending other local land development  
26 26 regulations:

26 27 a. Information relating to public participation during  
26 28 the creation of the comprehensive plan or land development  
26 29 regulations, including documentation of the public  
26 30 participation process, a compilation of objectives, policies,  
26 31 and goals identified in the public comment received, and  
26 32 identification of the groups or individuals comprising any work  
26 33 groups or committees that were created to assist the planning  
26 34 and zoning commission or other appropriate decision-making body  
26 35 of the municipality.

27 1 b. Information relating to the primary characteristics  
27 2 of the municipality and a description of how each of those  
27 3 characteristics impacts future development of the municipality.  
27 4 Such information may include historical information about  
27 5 the municipality, the municipality's geography, natural  
27 6 resources, natural hazards, population, demographics, types of  
27 7 employers and industry, labor force, political and community

27 8 institutions, housing, transportation, educational resources,  
27 9 and cultural and recreational resources. The comprehensive  
27 10 plan or land development regulations may also identify  
27 11 characteristics and community aesthetics that are important to  
27 12 future development of the municipality.

27 13 c. Objectives, information, and programs that identify  
27 14 current land uses within the municipality and that guide the  
27 15 future development and redevelopment of property, consistent  
27 16 with the municipality's characteristics identified under  
27 17 paragraph "b". The comprehensive plan or land development  
27 18 regulations may include information on the amount, type,  
27 19 intensity, and density of existing land use, trends in  
27 20 the market price of land used for specific purposes, and  
27 21 plans for future land use throughout the municipality. The  
27 22 comprehensive plan or land development regulations may identify  
27 23 and include information on property that has the possibility  
27 24 for redevelopment, a map of existing and potential land use  
27 25 and land use conflicts, information and maps relating to  
27 26 the current and future provision of utilities within the  
27 27 municipality, information and maps that identify the current  
27 28 and future boundaries for areas reserved for soil conservation,  
27 29 water supply conservation, flood control, and surface water  
27 30 drainage and removal. Information provided under this  
27 31 paragraph may also include an analysis of the current and  
27 32 potential impacts on local watersheds and air quality.

27 33 d. Objectives, policies, and programs to further the  
27 34 vitality and character of established residential neighborhoods  
27 35 and new residential neighborhoods and plans to ensure an  
28 1 adequate housing supply that meets both the existing and  
28 2 forecasted housing demand. The comprehensive plan or land  
28 3 development regulations may include an inventory and analysis  
28 4 of the local housing stock and may include specific information  
28 5 such as age, condition, type, market value, occupancy, and  
28 6 historical characteristics of all the housing within the  
28 7 municipality. The comprehensive plan or land development  
28 8 regulations may identify specific policies and programs that  
28 9 promote the development of new housing and maintenance or

28 10 rehabilitation of existing housing and that provide a range of  
28 11 housing choices that meet the needs of the residents of the  
28 12 municipality.

28 13 e. Objectives, policies, and programs to guide future  
28 14 development of sanitary sewer service, storm water management,  
28 15 water supply, solid waste disposal, wastewater treatment  
28 16 technologies, recycling facilities, and telecommunications  
28 17 facilities. The comprehensive plan or land development  
28 18 regulations may include estimates regarding future demand for  
28 19 such utility services.

28 20 f. Objectives, policies, and programs to guide the future  
28 21 development of a safe, convenient, efficient, and economical  
28 22 transportation system. Plans for such a transportation system  
28 23 may be coordinated with state and regional transportation  
28 24 plans and take into consideration the need for diverse modes  
28 25 of transportation, accessibility, improved air quality, and  
28 26 interconnectivity of the various modes of transportation.

28 27 g. Objectives, policies, and programs to promote the  
28 28 stabilization, retention, or expansion of economic development  
28 29 and employment opportunities. The comprehensive plan or land  
28 30 development regulations may include an analysis of current  
28 31 industries and economic activity and identify economic growth  
28 32 goals for the municipality. The comprehensive plan or land  
28 33 development regulations may also identify locations for future  
28 34 brownfield or grayfield development.

28 35 h. Objectives, policies, and programs addressing  
29 1 preservation and protection of agricultural and natural  
29 2 resources.

29 3 i. Objectives, policies, and programs to assist future  
29 4 development of educational facilities, cemeteries, health  
29 5 care facilities, child care facilities, law enforcement and  
29 6 fire protection facilities, libraries, and other governmental  
29 7 facilities that are necessary or desirable to meet the  
29 8 projected needs of the municipality.

29 9 j. Objectives, policies, and programs to identify  
29 10 characteristics and qualities that make the municipality unique  
29 11 and that are important to the municipality's heritage and

29 12 quality of life.  
29 13 k. Objectives, policies, and programs that identify the  
29 14 natural and other hazards that have the greatest likelihood of  
29 15 impacting the municipality or that pose a risk of catastrophic  
29 16 damage as such hazards relate to land use and development  
29 17 decisions, as well as the steps necessary to mitigate risk  
29 18 after considering the local hazard mitigation plan approved by  
29 19 the federal emergency management agency.  
29 20 l. Objectives, policies, and programs for joint planning  
29 21 and joint decision making with other municipalities or  
29 22 governmental entities, including school districts and drainage  
29 23 districts, for siting and constructing public facilities and  
29 24 sharing public services. The comprehensive plan or land  
29 25 development regulations may identify existing or potential  
29 26 conflicts between the municipality and other local governments  
29 27 related to future development of the municipality and may  
29 28 include recommendations for resolving such conflicts. The  
29 29 comprehensive plan or land development regulations may  
29 30 also identify opportunities to collaborate and partner with  
29 31 neighboring jurisdictions and other entities in the region for  
29 32 projects of mutual interest.  
29 33 m. A compilation of programs and specific actions necessary  
29 34 to implement any provision of the comprehensive plan, including  
29 35 changes to any applicable land development regulations,  
30 1 official maps, or subdivision ordinances.  
30 2 3. A municipality's comprehensive plan developed using the  
30 3 guidelines under this section shall address prevention and  
30 4 mitigation of, response to, and recovery from a catastrophic  
30 5 flood.  
  
30 6 Sec. 19. Section 28I.4, Code 2009, is amended to read as  
30 7 follows:  
30 8 28I.4 Powers and duties.  
30 9 1. The commission shall have the power and duty to  
30 10 make comprehensive studies and plans for the development  
30 11 of the area it serves which will guide the unified  
30 12 development of the area and which will eliminate planning

CODE: Sections 19 through 24 amend several provisions relating to county and city zoning and planning in several code sections, especially Code Chapters 335 and 414. The provisions specify certain duties of Boards of Supervisors and City Councils relating to consideration and adoption of a comprehensive plan. The changes conform existing planning provisions to include the new provisions in Code Sections 18B.1 and 18B.2.

30 13 duplication and promote economy and efficiency in the  
30 14 ~~co-ordinated~~ coordinated development of the area and the  
30 15 general welfare, convenience, safety, and prosperity of its  
30 16 people. The plan or plans collectively shall be known as  
30 17 the regional or metropolitan development plan. The plans  
30 18 for the development of the area may include ; but shall not  
30 19 be limited to ; recommendations with respect to existing  
30 20 and proposed highways, bridges, airports, streets, parks  
30 21 and recreational areas, schools and public institutions and  
30 22 public utilities, public open spaces, and sites for public  
30 23 buildings and structures; districts for residence, business,  
30 24 industry, recreation, agriculture, and forestry; water supply,  
30 25 sanitation, drainage, protection against floods and other  
30 26 disasters; areas for housing developments, slum clearance  
30 27 and urban renewal and redevelopment; location of private  
30 28 and public utilities, including but not limited to sewerage  
30 29 and water supply systems; and such other recommendations  
30 30 concerning current and impending problems as may affect the  
30 31 area served by the commission. Time and priority schedules and  
30 32 cost estimates for the accomplishment of the recommendations  
30 33 may also be included in the plans. The plans shall be made  
30 34 with consideration of the smart planning principles under  
30 35 section 18B.1. The plans shall be based upon and include  
31 1 appropriate studies of the location and extent of present  
31 2 and anticipated populations; social, physical, and economic  
31 3 resources, problems and trends; and governmental conditions and  
31 4 trends. The commission is also authorized to make surveys,  
31 5 land=use studies, and urban renewal plans, provide technical  
31 6 services and other planning work for the area it serves and  
31 7 for cities, counties, and other political subdivisions in  
31 8 the area. A plan or plans of the commission may be adopted,  
31 9 added to, and changed from time to time by a majority  
31 10 vote of the planning commission. The plan or plans may in  
31 11 whole or in part be adopted by the governing bodies of the  
31 12 ~~co-operating~~ cooperating cities and counties as the general  
31 13 plans of such cities and counties. The commission may also  
31 14 assist the governing bodies and other public authorities or

31 15 agencies within the area it serves in carrying out any regional  
31 16 plan or plans, and assist any planning commission, board or  
31 17 agency of the cities and counties and political subdivisions  
31 18 in the preparation or effectuation of local plans and planning  
31 19 consistent with the program of the commission. The commission  
31 20 may ~~co-operate~~ cooperate and confer, as far as possible, with  
31 21 planning agencies of other states or of regional groups of  
31 22 states adjoining its area.

31 23 2. A planning commission formed under the provisions of  
31 24 this chapter shall, upon designation as such by the governor,  
31 25 serve as a district, regional, or metropolitan agency for  
31 26 comprehensive planning for its area for the purpose of carrying  
31 27 out the functions as defined for such an agency by federal,  
31 28 state, and local laws and regulations.

31 29 Sec. 20. Section 329.3, Code 2009, is amended to read as  
31 30 follows:

31 31 329.3 Zoning regulations == powers granted.

31 32 Every municipality having an airport hazard area within  
31 33 its territorial limits may adopt, administer, and enforce  
31 34 in the manner and upon the conditions prescribed by this  
31 35 chapter, zoning regulations for such airport hazard area,  
32 1 which regulations may divide such area into zones and, within  
32 2 such zones, specify the land uses permitted, and regulate  
32 3 and restrict, for the purpose of preventing airport hazards,  
32 4 the height to which structures and trees may be erected or  
32 5 permitted to grow. Regulations adopted under this chapter  
32 6 shall be made with consideration of the smart planning  
32 7 principles under section 18B.1.

32 8 Sec. 21. Section 335.5, Code 2009, is amended to read as  
32 9 follows:

32 10 335.5 Objectives.

32 11 1. The regulations shall be made in accordance with a  
32 12 comprehensive plan and designed to preserve the availability  
32 13 of agricultural land; to consider the protection of soil  
32 14 from wind and water erosion; to encourage efficient urban  
32 15 development patterns; to lessen congestion in the street or  
32 16 highway; to secure safety from fire, flood, panic, and other

32 17 dangers; to protect health and the general welfare; to provide  
32 18 adequate light and air; to prevent the overcrowding of land;  
32 19 to avoid undue concentration of population; to promote the  
32 20 conservation of energy resources; to promote reasonable access  
32 21 to solar energy; and to facilitate the adequate provision of  
32 22 transportation, water, sewerage, schools, parks, and other  
32 23 public requirements. However, provisions of this section  
32 24 relating to the objectives of energy conservation and access  
32 25 to solar energy shall not be construed as voiding any zoning  
32 26 regulation existing on July 1, 1981, or to require zoning in a  
32 27 county that did not have zoning prior to July 1, 1981.

32 28 2. Such regulations shall be made with reasonable  
32 29 consideration, among other things, as to the character of the  
32 30 area of the district and the peculiar suitability of such area  
32 31 for particular uses, and with a view to conserving the value  
32 32 of buildings and encouraging the most appropriate use of land  
32 33 throughout such county.

32 34 3. The regulations and comprehensive plan shall be made with  
32 35 consideration of the smart planning principles under section  
33 1 18B.1 and may include the information specified in section  
33 2 18B.2, subsection 2.

33 3 4. a. A comprehensive plan recommended for adoption by  
33 4 the zoning commission established under section 335.8, may be  
33 5 adopted by the board of supervisors. The board of supervisors  
33 6 may amend a proposed comprehensive plan prior to adoption. The  
33 7 board of supervisors shall publish notice of the meeting at  
33 8 which the comprehensive plan will be considered for adoption.  
33 9 The notice shall be published as provided in section 331.305.

33 10 b. Following its adoption, copies of the comprehensive plan  
33 11 shall be sent or made available to neighboring counties, cities  
33 12 within the county, the council of governments or regional  
33 13 planning commission where the county is located, and public  
33 14 libraries within the county.

33 15 c. Following its adoption, a comprehensive plan may be  
33 16 amended by the board of supervisors at any time.

33 17 Sec. 22. Section 335.8, Code 2009, is amended to read as  
33 18 follows:



33 19 335.8 Commission appointed.

33 20 1. In order to avail itself of the powers conferred by this  
33 21 chapter, the board of supervisors shall appoint a commission,  
33 22 a majority of whose members shall reside within the county  
33 23 but outside the corporate limits of any city, to be known as  
33 24 the county zoning commission, to recommend the boundaries of  
33 25 the various original districts, and appropriate regulations  
33 26 and restrictions to be enforced therein. Such commission  
33 27 shall, with due diligence, prepare a preliminary report and  
33 28 hold public hearings thereon before submitting its final  
33 29 report; and the board of supervisors shall not hold its public  
33 30 hearings or take action until it has received the final report  
33 31 of such commission. After the adoption of such regulations,  
33 32 restrictions, and boundaries of districts, the zoning  
33 33 commission may, from time to time, recommend to the board of  
33 34 supervisors amendments, supplements, changes or modifications.

33 35 2. The zoning commission may recommend to the board of  
34 1 supervisors for adoption a comprehensive plan pursuant to  
34 2 section 335.5, or amendments thereto.

34 3 3. The zoning commission, with the approval of the board  
34 4 of supervisors, may contract with professional consultants,  
34 5 regional planning commissions, the Iowa department of economic  
34 6 development, or the federal government, for local planning  
34 7 assistance.

34 8 Sec. 23. Section 414.3, Code 2009, is amended to read as  
34 9 follows:

34 10 414.3 Basis of regulations.

34 11 1. The regulations shall be made in accordance with a  
34 12 comprehensive plan and designed to preserve the availability of  
34 13 agricultural land; to consider the protection of soil from wind  
34 14 and water erosion; to encourage efficient urban development  
34 15 patterns; to lessen congestion in the street; to secure safety  
34 16 from fire, flood, panic, and other dangers; to promote health  
34 17 and the general welfare; to provide adequate light and air; to  
34 18 prevent the overcrowding of land; to avoid undue concentration  
34 19 of population; to promote the conservation of energy resources;  
34 20 to promote reasonable access to solar energy; and to facilitate

34 21 the adequate provision of transportation, water, sewerage,  
34 22 schools, parks, and other public requirements. However,  
34 23 provisions of this section relating to the objectives of energy  
34 24 conservation and access to solar energy do not void any zoning  
34 25 regulation existing on July 1, 1981, or require zoning in a  
34 26 city that did not have zoning prior to July 1, 1981.

34 27 ~~2. Such~~ The regulations shall be made with reasonable  
34 28 consideration, among other things, as to the character of the  
34 29 area of the district and the peculiar suitability of such area  
34 30 for particular uses, and with a view to conserving the value  
34 31 of buildings and encouraging the most appropriate use of land  
34 32 throughout such city.

34 33 3. The regulations and comprehensive plan shall be made with  
34 34 consideration of the smart planning principles under section  
34 35 18B.1 and may include the information specified in section  
35 1 18B.2, subsection 2.

35 2 4. a. A comprehensive plan recommended for adoption by  
35 3 the zoning commission established under section 414.6, may be  
35 4 adopted by the council. The council may amend the proposed  
35 5 comprehensive plan prior to adoption. The council shall  
35 6 publish notice of the meeting at which the comprehensive plan  
35 7 will be considered for adoption. The notice shall be published  
35 8 as provided in section 362.3.

35 9 b. Following its adoption, copies of the comprehensive plan  
35 10 shall be sent or made available to the county in which the city  
35 11 is located, neighboring counties and cities, the council of  
35 12 governments or regional planning commission where the city is  
35 13 located, and public libraries within the city.

35 14 c. Following its adoption, a comprehensive plan may be  
35 15 amended by the council at any time.

35 16 Sec. 24. Section 414.6, Code 2009, is amended to read as  
35 17 follows:

35 18 414.6 Zoning commission.

35 19 1. In order to avail itself of the powers conferred by  
35 20 this chapter, the council shall appoint a commission, to be  
35 21 known as the zoning commission, to recommend the boundaries of  
35 22 the various original districts, and appropriate regulations

35 23 and restrictions to be enforced therein. Where a city plan  
35 24 commission already exists, it may be appointed as the zoning  
35 25 commission. Such commission shall, with due diligence, prepare  
35 26 a preliminary report and hold public hearings thereon before  
35 27 submitting its final report; and such council shall not hold  
35 28 its public hearings or take action until it has received the  
35 29 final report of such commission. After the adoption of such  
35 30 regulations, restrictions, and boundaries of districts, the  
35 31 zoning commission may, from time to time, recommend to the  
35 32 council amendments, supplements, changes, or modifications.  
35 33 2. The zoning commission may recommend to the council for  
35 34 adoption a comprehensive plan pursuant to section 414.3, or  
35 35 amendments thereto.

36 1 Sec. 25. IOWA SMART PLANNING TASK FORCE.  
36 2 1. An Iowa smart planning task force is established  
36 3 consisting of twenty-nine voting members and four ex officio,  
36 4 nonvoting members.  
36 5 2. Members of the task force shall consist of all of the  
36 6 following:  
36 7 a. Fourteen state agency director or administrator members  
36 8 consisting of all of the following:  
36 9 (1) The director of the department on aging or the  
36 10 director's designee.  
36 11 (2) The director of the department of economic development  
36 12 or the director's designee.  
36 13 (3) The secretary of agriculture and land stewardship or the  
36 14 secretary's designee.  
36 15 (4) The director of the department of cultural affairs or  
36 16 the director's designee.  
36 17 (5) The director of the department of public health or the  
36 18 director's designee.  
36 19 (6) The director of the department of management or the  
36 20 director's designee.  
36 21 (7) The director of the department of natural resources or  
36 22 the director's designee.  
36 23 (8) The director of the department of workforce development

Establishes the Iowa Smart Planning Task Force.

DETAIL: The Task Force consists of 29 voting members and four ex-officio members from the General Assembly. The voting members consist of the heads of 14 State agencies and 15 members from a variety of academic programs, governmental entities, local entities, industry, and other representatives. The Governor appoints six of these members from specified cities and counties. The Task Force must report on State policies, programs, statutes, or rules that need to be revised to integrate smart planning principles. In addition, the Task Force must provide goals and recommendations for a process to develop statewide goals for comprehensive planning that uses the smart planning principles. Other duties include developing plans to facilitate cooperation of State and local governments with comprehensive planning, educational, and research programs. The Task Force will be staffed by the Department of Management and will not receive per diem or be compensated for expenses associated with attending meetings. The Task Force must submit a report to the Governor and General Assembly by November 15, 2010. The Task Force sunsets on December 31, 2012.

36 24 or the director's designee.  
36 25 (9) The director of the office of energy independence or the  
36 26 director's designee.  
36 27 (10) The director of the department of transportation or the  
36 28 director's designee.  
36 29 (11) The administrator of the homeland security and  
36 30 emergency management division of the department of public  
36 31 defense or the administrator's designee.  
36 32 (12) The director of the rebuild iowa office or the  
36 33 director's designee.  
36 34 (13) The state building code commissioner or the  
36 35 commissioner's designee.  
37 1 (14) The chairperson of the utilities board within the  
37 2 utilities division of the department of commerce or the  
37 3 chairperson's designee.  
37 4 b. Chairperson of the department of community and regional  
37 5 planning at iowa state university or the chairperson's  
37 6 designee.  
37 7 c. Director of the urban and regional planning program at  
37 8 the university of iowa or the director's designee.  
37 9 d. Director of the institute for decision making at the  
37 10 university of northern iowa or the director's designee.  
37 11 e. President of the iowa chapter of the American planning  
37 12 association or the president's designee.  
37 13 f. Executive director of the iowa association of regional  
37 14 councils or the executive director's designee.  
37 15 g. President of the iowa chapter of the American institute  
37 16 of architects or the president's designee.  
37 17 h. Executive director of the iowa league of cities or the  
37 18 executive director's designee.  
37 19 i. Executive director of the iowa state association of  
37 20 counties or the executive director's designee.  
37 21 j. President of the executive committee of the school  
37 22 administrators of iowa or the president's designee.  
37 23 k. A representative appointed by the governor from a city  
37 24 having a population of five thousand or less according to the  
37 25 2000 certified federal census.

37 26 l. A representative appointed by the governor from a city  
37 27 having a population of more than five thousand and less than  
37 28 twenty-five thousand according to the 2000 certified federal  
37 29 census.

37 30 m. A representative appointed by the governor from a city  
37 31 having a population of twenty-five thousand or more according  
37 32 to the 2000 certified federal census.

37 33 n. A representative appointed by the governor from a county  
37 34 having a population of ten thousand or less according to the  
37 35 2000 certified federal census.

38 1 o. A representative appointed by the governor from a county  
38 2 having a population of more than ten thousand and less than  
38 3 fifty thousand according to the 2000 certified federal census.

38 4 p. A representative appointed by the governor from a county  
38 5 having a population of fifty thousand or more according to the  
38 6 2000 certified federal census.

38 7 3. The task force shall include four members of the general  
38 8 assembly serving as ex officio, nonvoting members, with not  
38 9 more than one member from each chamber being from the same  
38 10 political party. The two senators shall be appointed one each  
38 11 by the majority leader of the senate after consultation with  
38 12 the president of the senate, and by the minority leader of the  
38 13 senate. The two representatives shall be appointed one each by  
38 14 the speaker of the house of representatives after consultation  
38 15 with the majority leader of the house of representatives, and  
38 16 by the minority leader of the house of representatives.

38 17 4. The task force may establish committees and  
38 18 subcommittees comprised of members of the task force.

38 19 5. Members of the task force designated in subsection 2,  
38 20 paragraphs "k" through "p" shall serve at the pleasure of the  
38 21 governor. For the members of the task force designated in  
38 22 subsection 2, paragraphs "k" through "p", at least one member  
38 23 shall have experience in real estate, at least one member shall  
38 24 have experience in land development, and at least one member  
38 25 shall have experience in residential construction.

38 26 6. A vacancy on the task force shall be filled in the same  
38 27 manner as the original appointment.

38 28 7. a. A majority of the members of the task force  
38 29 constitutes a quorum. Any action taken by the task force  
38 30 must be adopted by the affirmative vote of a majority of its  
38 31 membership. A task force member's designee may vote on task  
38 32 force matters in the absence of the member.

38 33 b. The task force shall elect a chairperson and vice  
38 34 chairperson from the membership of the task force.

38 35 c. The task force shall meet at least four times before  
39 1 November 15, 2010. Meetings of the task force may be called  
39 2 by the chairperson or by a majority of the members. However,  
39 3 the first meeting of the task force shall be called by the  
39 4 governor.

39 5 d. Members of the task force shall not be compensated for  
39 6 meeting participation or reimbursed for costs associated with  
39 7 meeting attendance. A legislative member is not eligible for  
39 8 per diem and expenses as provided in section 2.10.

39 9 8. The director of the department of management, or the  
39 10 director's designee, shall provide staff assistance and  
39 11 administrative support to the task force. The task force  
39 12 may request information or other assistance from the Iowa  
39 13 association of regional councils.

39 14 9. The director of the department of management, or the  
39 15 director's designee, shall seek funding to support municipal  
39 16 comprehensive planning in this state.

39 17 10. The task force shall comply with the requirements of  
39 18 chapters 21 and 22. The department of management shall be the  
39 19 official repository of task force records.

39 20 11. The duties of the task force shall include but are not  
39 21 limited to the following:

39 22 a. Consult land use experts, representatives of cities  
39 23 and counties, agricultural and environmental interests, urban  
39 24 and regional planning experts, reports or information from  
39 25 the local government innovation commission, and all other  
39 26 information deemed relevant by task force members.

39 27 b. Solicit information from the general public on matters  
39 28 related to comprehensive planning.

39 29 c. Evaluate state policies, programs, statutes, and rules

39 30 to determine whether any state policies, programs, statutes, or  
39 31 rules should be revised to integrate the Iowa smart planning  
39 32 principles under section 18B.1.  
39 33 d. Develop statewide goals for comprehensive planning that  
39 34 utilize the Iowa smart planning principles under section 18B.1,  
39 35 and develop recommendations for a process to measure progress  
40 1 toward achieving those goals.  
40 2 e. Evaluate and develop incentives to conduct local and  
40 3 regional comprehensive planning, including but not limited to  
40 4 state financial and technical assistance.  
40 5 f. Develop a model for regional comprehensive planning  
40 6 within the state and recommend partnerships between state  
40 7 agencies, local governments, educational institutions, and  
40 8 research facilities.  
40 9 g. Review municipal comprehensive plans to determine the  
40 10 number of such plans that address the hazards identified in  
40 11 section 18B.2, subsection 2, paragraph "k", and the adequacy of  
40 12 such plans in addressing those hazards.  
40 13 h. Develop a set of recommendations that is consistent with  
40 14 the Iowa smart planning principles under section 18B.1 and that  
40 15 does all of the following:  
40 16 (1) Coordinates, facilitates, and centralizes the exchange  
40 17 of information related to state and local planning, zoning, and  
40 18 development between state agencies and the general assembly.  
40 19 (2) Coordinates discussions concerning a proposed  
40 20 geographic information system between the producers and the  
40 21 users of such systems.  
40 22 (3) Allows the efficient production and dissemination of  
40 23 population and other demographic statistical forecasts.  
40 24 (4) Creates a centralized electronic storage location for  
40 25 all comprehensive plans adopted under chapter 335 or chapter  
40 26 414.  
40 27 (5) Facilitates the cooperation of state and local  
40 28 governments with comprehensive planning, educational, and  
40 29 research programs.  
40 30 (6) Provides and administers technical and financial  
40 31 assistance for state and local comprehensive planning.

40 32 (7) Provides information to local governments relating  
 40 33 to state and federal resources and other resources for  
 40 34 comprehensive planning.  
 40 35 12. The task force shall prepare a report that includes  
 41 1 goals, recommendations, and other information described in  
 41 2 subsection 11, to the governor and the general assembly on or  
 41 3 before November 15, 2010.  
 41 4 13. The task force is dissolved on December 31, 2012.

41 5 DIVISION VIII

41 6 GROW IOWA VALUES FUND

41 7 Sec. 26. There is appropriated from the rebuild Iowa  
 41 8 infrastructure fund to the department of economic development  
 41 9 for deposit in the grow Iowa values fund, for the fiscal year  
 41 10 beginning July 1, 2010, and ending June 30, 2011, the following  
 41 11 amount, notwithstanding section 8.57, subsection 6, paragraph  
 41 12 "c":  
 41 13 ..... \$ 38,000,000  
 41 14 Sec. 27. GROW IOWA VALUES FUND APPROPRIATION REDUCTION. In  
 41 15 lieu of the \$50,000,000 appropriated for the fiscal year  
 41 16 beginning July 1, 2010, and ending June 30, 2011, from  
 41 17 the grow Iowa values fund to the department of economic  
 41 18 development pursuant to section 15G.111, subsection 3, there is  
 41 19 appropriated from the grow Iowa values fund to the department  
 41 20 of economic development for the fiscal year beginning July 1,  
 41 21 2010, and ending June 30, 2011, \$38,000,000 for the purposes of  
 41 22 making expenditures pursuant to chapter 15G.

41 23 Sec. 28. GROW IOWA VALUES FUND ALLOCATIONS. In lieu of the  
 41 24 amounts allocated pursuant to section 15G.111, subsections 4  
 41 25 through 10, for the fiscal year beginning July 1, 2010, and  
 41 26 ending June 30, 2011, of the \$38,000,000 appropriated to the  
 41 27 department of economic development pursuant to this division of  
 41 28 this Act, the department shall allocate the following amounts  
 41 29 for the following purposes as described in section 15G.111,  
 41 30 subsections 4 through 10:

Division VIII relates to the Grow Iowa Values Fund (GIVF).

DETAIL: Sections 26 and 27 provide the appropriation from the RIIF for FY 2011 and the conforming change related to the reduced amount of \$38,000,000. Code Section 15G.111 provides a limited standing appropriation to the Grow Iowa Values Fund of \$50,000,000 from the General Fund that sunsets at the end of FY 2015. For FY 2009 and FY 2010 the Grow Iowa Values Fund has been funded from the RIIF rather than the General Fund. The FY 2010 appropriation was \$45,000,000, but SF 2366 (FY 2010 Appropriations Adjustments Act) reduced the amount to \$23,000,000. According to the DED, a prior appropriation was not fully obligated so funding was carried forward to meet the FY 2010 obligations. The carry forward balance will provide approximately \$3,000,000 for FY 2011. The carryforward will go toward the DED's financial assistance programs and is not calculated in \$38,000,000 in GIVF allocations in Section 28.

Reduces the FY 2011 allocations from the standing limited appropriation to the GIVF to adjust for the reduced amount of \$38,000,000. The adjusted allocations are as follows:

- \$21,363,600 to the DED for financial assistance programs.
- \$3,800,000 to the Board of Regents.
- \$760,000 to State parks.
- \$760,000 to the Iowa Cultural Trust Fund.



41 31 1. For departmental purposes, \$21,363,600.  
 41 32 2. For the state board of regents institutions, \$3,800,000.  
 41 33 3. For state parks, \$760,000.  
 41 34 4. For deposit in the Iowa cultural trust fund, \$760,000.  
 41 35 5. For community colleges, \$5,320,000.  
 42 1 6. For regional financial assistance, \$760,000.  
 42 2 Of the moneys allocated pursuant to this subsection and in  
 42 3 lieu of the three hundred fifty thousand dollars transferred  
 42 4 under section 15G.111, subsection 9, paragraph "a", the  
 42 5 department shall transfer two hundred sixty-six thousand  
 42 6 dollars to Iowa state university of science and technology, for  
 42 7 purposes of providing financial assistance to establish small  
 42 8 business development centers.  
 42 9 7. For commercialization services, \$4,389,000.  
 42 10 8. For targeted small business, \$847,400.

- \$5,320,000 to the workforce training and economic development funds of community colleges under Code Section 260C.18A.
- \$760,000 for regional financial assistance, including \$266,000 for transfer to Iowa State University to provide assistance to establish small business centers.
- \$4,389,000 to the Innovation and Commercialization Development Fund.
- \$847,400 for the targeted small business financial assistance program under Code Section 15.247.

42 11 Sec. 29. Section 15.247, subsection 3, Code Supplement  
 42 12 2009, is amended to read as follows:  
 42 13 3. a. All moneys designated for the targeted small business  
 42 14 financial assistance program shall be credited to the program  
 42 15 account. The department shall determine the actuarially  
 42 16 sound reserve requirement for the amount of guaranteed loans  
 42 17 outstanding.  
 42 18 b. Of the moneys credited to the program account, the  
 42 19 department may allocate an amount necessary for marketing and  
 42 20 compliance and an amount for the provision of the mentoring  
 42 21 services required under subsection 7.

CODE: Amends the existing Targeted Small Business Financial Assistance Program to authorize the DED to allocate an amount for marketing and compliance and for the provision of mentoring services.

DETAIL: Changes to the Program include the addition of the allocation from the GIVF to the Targeted Small Business Financial Assistance Program. The Program is receiving \$847,400 from the GIVF for FY 2011.

42 22 Sec. 30. Section 15G.110, Code Supplement 2009, is amended  
 42 23 to read as follows:  
 42 24 15G.110 Appropriation.  
 42 25 1. For the fiscal period beginning July 1, 2005, and ending  
 42 26 June 30, 2008, and for the fiscal period beginning July 1,  
 42 27 ~~2010~~ 2011, and ending June 30, 2015, there is appropriated to  
 42 28 the department of economic development each fiscal year fifty  
 42 29 million dollars from the general fund of the state for deposit  
 42 30 in the grow Iowa values fund.

CODE: Conforming change to adjust the GIVF appropriation to account for the shift of the GIVF appropriation from the General Fund to the RIIF.

DETAIL: For FY 2009 through FY 2011, the GIVF appropriation has been funded from the RIIF rather than the General Fund. The standing appropriation from the General Fund is scheduled to sunset at the end of FY 2015.

42 31 2. For the fiscal period beginning July 1, 2008, and ending  
42 32 June 30, ~~2010~~ 2011, there is appropriated to the department of  
42 33 economic development each fiscal year fifty million dollars  
42 34 from the rebuild Iowa infrastructure fund for deposit in the  
42 35 grow Iowa values fund, notwithstanding section 8.57, subsection  
43 1 6, paragraph "c".

43 2 Sec. 31. Section 15G.111, subsection 2, paragraph b, Code  
43 3 Supplement 2009, is amended to read as follows:

43 4 b. Moneys credited to the fund are not subject to section  
43 5 8.33. Notwithstanding section 12C.7, interest or earnings on  
43 6 moneys in the fund shall be credited to the fund. Interest  
43 7 or earnings on moneys in the fund are appropriated to the  
43 8 department. Of the moneys appropriated to the department  
43 9 pursuant to this paragraph, the department shall make the  
43 10 following allocations:

43 11 (1) For each fiscal year of the fiscal period beginning  
43 12 July 1, 2010, and ending June 30, 2013, the department shall  
43 13 allocate not more than one hundred seventy-five thousand  
43 14 dollars for purposes of providing financial assistance to  
43 15 Iowa's councils of governments.

43 16 (2) For each fiscal year of the fiscal period beginning  
43 17 July 1, 2010, and ending June 30, 2013, the department shall  
43 18 allocate not more than two hundred thousand dollars for  
43 19 purposes of providing support and administrative assistance to  
43 20 the vision Iowa board, the community attraction and tourism  
43 21 program, and river enhancement community attraction and tourism  
43 22 projects.

43 23 (3) For each fiscal year of the fiscal period beginning  
43 24 July 1, 2010, and ending June 30, 2013, the department shall  
43 25 allocate the remaining amount of interest or earnings on moneys  
43 26 in the fund for purposes of providing financial assistance  
43 27 under the disaster recovery component of the grow Iowa values  
43 28 financial assistance program. All moneys allocated pursuant to  
43 29 this subparagraph that remain unexpended or unobligated at the  
43 30 end of the fiscal year beginning July 1, 2012, shall revert and  
43 31 be credited to the fund.

CODE: Authorizes the DED to use interest earned from the GIVF for specified period or time.

DETAIL: For FY 2011 through FY 2013, the DED is directed to make the allocations as follows from the interest earned on the GIVF:

- \$175,000 for Council of Governments.
- \$200,000 for administration of Vision Iowa Board.
- The remainder will be used for the Disaster Recovery Component in the financial assistance program.

At the end of FY 2013, any moneys that remain unexpended or unobligated from the Disaster Recovery Component will be credited back to the GIVF. Beginning in FY 2014, the interest earned will resume as before and be credited to the GIVF.

43 32 Sec. 32. Section 15G.111, subsection 4, unnumbered  
43 33 paragraph 1, Code Supplement 2009, is amended to read as  
43 34 follows:  
43 35 Of the moneys appropriated to the department pursuant  
44 1 to subsection 3, the department shall allocate  
44 2 ~~thirty-two~~ twenty-eight million five hundred thousand dollars  
44 3 each fiscal year as follows:  
44 4 Sec. 33. Section 15G.111, subsection 10, Code Supplement  
44 5 2009, is amended to read as follows:  
44 6 10. ~~Commercialization~~ Innovation and commercialization  
44 7 services. Of the moneys appropriated to the department  
44 8 pursuant to subsection 3, the department shall allocate  
44 9 ~~three~~ five million five hundred thousand dollars for deposit in  
44 10 the innovation and commercialization development fund created  
44 11 in section 15.412.  
44 12 Sec. 34. Section 15G.111, Code Supplement 2009, is amended  
44 13 by adding the following new subsection:  
44 14 NEW SUBSECTION . 11. Targeted small businesses. Of the  
44 15 moneys appropriated to the department pursuant to subsection 3,  
44 16 the department shall allocate one million dollars for deposit  
44 17 in the targeted small business financial assistance program  
44 18 account established pursuant to section 15.247 within the  
44 19 strategic investment fund created in section 15.313.

44 20 DIVISION IX  
44 21 SMALL BUSINESS LINKED INVESTMENTS

44 22 Sec. 35. Section 12.43, subsection 5, unnumbered paragraph  
44 23 1, Code 2009, is amended to read as follows:  
44 24 In order to qualify under this program, all owners of the  
44 25 business or borrowers must not have a combined net worth  
44 26 exceeding ~~seven~~ nine hundred ~~fifty~~ seventy-five thousand  
44 27 dollars as defined in rules adopted by the treasurer of state  
44 28 pursuant to chapter 17A and the small business must meet all of  
44 29 the following criteria:

CODE: Alters the allocations from the GIVF.

DETAIL: Adds an allocation for Targeted Small Businesses, reduces the allocation for the DED's financial assistance programs, and increases the allocation to the Innovation and Commercialization Development Fund. The allocations are based on the standing appropriation of \$50,000,000. The new allocations are \$28,500,000 to the DED financial assistance programs, \$5,500,000 to the Innovation and Commercialization Development Fund, and \$1,000,000 to Targeted Small Businesses. The other allocations under that section are not affected.

CODE: Increases the cap on net worth for purposes of eligibility for borrowers and business owners under the Small Business Linked Investments Program.

DETAIL: Increases the cap on net worth from \$750,000 to \$975,000 for combined net worth of businesses or borrowers. The Small Business Linked Investments for Tomorrow (LIFT) Program was established in 2006 to inject capital into small businesses owned and operated by Iowa residents. There are several qualifications specified in Code Section 12.43. The maximum amount of assistance a borrower or business may receive is \$200,000. Loans may be used

for the purchase of land, improvements, fixtures, machinery, inventory, supplies, equipment, information technology, licenses, patents, trademarks, or copyright fees and expenses. Loan proceeds may not be used to refinance existing debt, including credit card debt, but proceeds may be used to refinance a short-term bridge loan made in anticipation of the approval of the linked investment loan package.

44 30 DIVISION X

44 31 SITE DEVELOPMENT

44 32 Sec. 36. Section 15E.18, Code 2009, is amended by striking  
44 33 the section and inserting in lieu thereof the following:

44 34 15E.18 Site development consultations == certificates of  
44 35 readiness.

45 1 1. a. The department shall consult with local governments  
45 2 and local economic development officials in regard to site  
45 3 development techniques. For purposes of this section, "site  
45 4 development techniques" include environmental evaluations,  
45 5 property and wetland delineation, and historical evaluations.  
45 6 b. The department may charge a fee for providing site  
45 7 development consultations. The fee shall not exceed  
45 8 the reasonable cost to the department of providing the  
45 9 consultations. The amount of any fees collected by the  
45 10 department shall be deposited in the general fund of the state.

45 11 2. a. A local government or local economic development  
45 12 official involved with the development of a site may apply to  
45 13 the department for a certificate of readiness verifying that  
45 14 the site is ready for development.

45 15 b. The department shall develop criteria for evaluating  
45 16 various types of sites in order to determine whether a  
45 17 particular site is ready for development based on the site's  
45 18 individual circumstances and the economic development goals of  
45 19 the applicant.

45 20 c. The department shall review applications for certificates  
45 21 of readiness and may issue a certificate of readiness to any  
45 22 site that meets the criteria developed under paragraph "b".

45 23 3. The department shall adopt rules pursuant to chapter 17A

CODE: Amends the provision on site preparation for targeted economic development by repealing the old section and adding a new provision regarding site development consultations.

Requires the DED to consult with local governments and local economic development officials regarding site development techniques. Authorizes the DED to charge a fee for providing site development consultations.

Appropriates \$175,000 and 1.00 FTE position from the School Infrastructure Fund to the DED for providing site development consultations. The Department is authorized to use up to \$75,000 of this appropriation for contracting with third parties to provide the site development consultations.

DETAIL: Fees collected by the DED for site development consultations will be deposited in the General Fund. The funding for the new FTE position was provided by a one-time source, the School Infrastructure Fund. It is anticipated that future funding will be from the General Fund and will be part of the Department's annual budget requests.

45 24 for the implementation of this section.

45 25 Sec. 37. SITE DEVELOPMENT CONSULTATIONS APPROPRIATION.

45 26 There is appropriated from the school infrastructure fund  
45 27 created in section 12.82 to the department of economic  
45 28 development for the fiscal year beginning July 1, 2010, and  
45 29 ending June 30, 2011, the following amount, or so much thereof  
45 30 as is necessary, to be used for the purposes designated:

45 31 For providing site development consultations pursuant to  
45 32 section 15E.18, including salaries, support, maintenance,  
45 33 miscellaneous purposes, and for not more than the following  
45 34 full-time equivalent positions:

45 35 ..... \$ 175,000

46 1 ..... FTEs 1.00

46 2 Of the moneys appropriated to the department pursuant to  
46 3 this section, the department may allocate up to \$75,000 for  
46 4 purposes of contracting with third parties to provide site  
46 5 development consultations.

46 6 DIVISION XI

46 7 INTERNET SITE FOR BUSINESS

46 8 ASSISTANCE

46 9 Sec. 38. BUSINESS ASSISTANCE INTERNET SITE.

46 10 1. The department of economic development, in consultation  
46 11 with other state agencies that provide financial and technical  
46 12 assistance to small businesses and with the state board of  
46 13 regents, shall create a business assistance internet site  
46 14 designed to assist small businesses in finding information  
46 15 related to the various kinds of technical and financial  
46 16 assistance available from the state of Iowa. The department  
46 17 may incorporate the internet site into its existing internet  
46 18 site as appropriate.

46 19 2. The internet site shall include links to the various  
46 20 internet sites maintained by other state agencies or the  
46 21 state board of regents that pertain to assistance for small  
46 22 businesses. The other state agencies and the board of regents  
46 23 shall assist the department of economic development in an

Requires the DED, in consultation with other State agencies that provide assistance to small businesses, to create a business assistance website that provides specified business and financial information. Requires the DAS to work with the DED to ensure that the website is accessible to the public.

Appropriates \$20,000 from the School Infrastructure Fund to the DED for one-time funding for development of the website.

46 24 effort to keep the information on the internet site up-to-date.  
46 25 The department of administrative services shall work with the  
46 26 department of economic development to ensure that the internet  
46 27 site is readily accessible to the public.  
46 28 Sec. 39. BUSINESS ASSISTANCE INTERNET SITE APPROPRIATION.  
46 29 There is appropriated from the school infrastructure fund  
46 30 created in section 12.82 to the department of economic  
46 31 development for the fiscal year beginning July 1, 2010, and  
46 32 ending June 30, 2011, the following amount, or so much thereof  
46 33 as is necessary, to be used for the purposes designated:  
46 34 For purposes of creating a business assistance internet  
46 35 site:  
47 1 ..... \$ 20,000

47 2 DIVISION XII  
47 3 REGULATORY ASSISTANCE INTERIM  
47 4 STUDY COMMITTEE

47 5 Sec. 40. REGULATORY ASSISTANCE INTERIM STUDY COMMITTEE.  
47 6 1. The legislative council is requested to establish an  
47 7 interim study committee to examine and make recommendations  
47 8 regarding methods of assisting small businesses that do not  
47 9 require direct financial incentives and regarding potential  
47 10 changes of law that would improve business licensing,  
47 11 regulatory compliance, and tax collection procedures.  
47 12 2. The study committee shall be composed of five members of  
47 13 the house of representatives, five members of the senate, and  
47 14 five members of the general public who are also small business  
47 15 owners. Of the members of the senate, three members shall be  
47 16 appointed by the majority leader of the senate and two shall  
47 17 be appointed by the minority leader of the senate. Of the  
47 18 members of the house of representatives, three members shall  
47 19 be appointed by the speaker of the house of representatives,  
47 20 and two shall be appointed by the minority leader of the house  
47 21 of representatives.  
47 22 3. a. The study committee shall work with the department  
47 23 of economic development, the department of inspections and

Creates the Regulatory Assistance Interim Study Committee.

DETAIL: The Interim Committee will examine and make recommendations regarding methods of assisting small businesses that do not require direct financial incentives and potential changes of law that would improve business licensing, regulatory compliance, and tax collection procedures. The Interim Committee will include five legislative members from the House, five legislative members from the Senate, and five members from the general public that are small business owners. The Interim Committee is required to work with several State agencies to study ways to improve the State's business licensing procedures. The Legislative Services Agency staffs these legislative Interim Committees. The Committee is required to report to the General Assembly by January 14, 2011.

47 24 appeals, the insurance division of the department of commerce,  
47 25 the department of natural resources, the professional licensing  
47 26 and regulation bureau of the banking division of the department  
47 27 of commerce, the department of public health, the department  
47 28 of public safety, the department of revenue, the secretary of  
47 29 state, and the department of workforce development to study  
47 30 ways to improve the state's business licensing procedures.

47 31 b. In preparation for assisting with the interim study  
47 32 committee, a state agency listed in this subsection shall  
47 33 conduct an internal review to identify and prioritize  
47 34 its procedures as they pertain to businesses and business  
47 35 licensing.

48 1 c. A state agency listed in this subsection shall provide  
48 2 all necessary assistance to the interim study committee in  
48 3 making recommendations to the general assembly.

48 4 4. The interim study committee shall submit its  
48 5 recommendations to the general assembly on or before January  
48 6 14, 2011.

48 7 DIVISION XIII

48 8 SAVE OUR SMALL BUSINESSES FUND

48 9 AND PROGRAM

48 10 Sec. 41. NEW SECTION . 15.300 Findings and intent.

48 11 1. The general assembly finds all of the following:

48 12 a. That entrepreneurs and small businesses often have  
48 13 difficulty obtaining conventional loan financing, limiting  
48 14 their ability to expand, retain, and create additional jobs.

48 15 b. That a source of capital provided by the state could  
48 16 greatly assist entrepreneurs and small businesses in their  
48 17 efforts to upgrade or modernize equipment, realize additional  
48 18 efficiencies in their supply chains, improve their distribution  
48 19 and transportation margins, reduce facility costs through  
48 20 increased energy efficiency, and leverage other sources of  
48 21 business financing.

48 22 2. The purpose of the save our small businesses fund created  
48 23 in section 15.301 is to promote the creation and retention of

CODE: Creates the Save Our Small Businesses Program and Fund under the DED.

DETAIL: The Save Our Small Businesses Fund and Program were created for purposes of promoting the creation and retention of jobs in the State's economy and to assist businesses to be more competitive by assisting small businesses in obtaining loan financing and improving their ability to expand, retain, and create additional jobs. The Fund will provide low-interest loans to businesses. Small businesses (35 employees and fewer) that are located in Iowa and owned, operated, or actively managed by a resident of Iowa could be eligible for a loan of \$2,500 to \$50,000 under specified conditions.

The financial assistance under the new Program must begin by August 1, 2010, and the DED is directed to obligate the moneys in the Fund

48 24 jobs in the state's economy and to assist businesses to be more  
48 25 competitive by addressing the needs identified in subsection 1.  
48 26 Sec. 42. NEW SECTION . 15.301 Save our small businesses fund  
48 27 and program.

48 28 1. a. A save our small businesses fund is created in  
48 29 the state treasury under the control of the department and  
48 30 consisting of any moneys appropriated to the fund by the  
48 31 general assembly and any other moneys available and obtained or  
48 32 accepted by the department for placement in the fund.

48 33 b. Payments of interest, repayments of moneys loaned  
48 34 pursuant to this section, and recaptures of loans shall be  
48 35 deposited in the fund. The fund shall be used to provide  
49 1 financial assistance in the form of low-interest loans as  
49 2 provided under the program created in this section.

49 3 c. (1) If, on March 31, 2011, there are unobligated moneys  
49 4 in the fund, such unobligated moneys shall revert to the  
49 5 general fund of the state.

49 6 (2) For each quarter, beginning with the first quarter after  
49 7 the reversion of moneys pursuant to subparagraph (1) and ending  
49 8 with the last quarter prior to the reversion of moneys pursuant  
49 9 to subparagraph (3), the department shall, on the last day  
49 10 of the quarter transfer to the general fund of the state the  
49 11 balance of unencumbered moneys in the fund.

49 12 (3) On March 31, 2016, all moneys in the fund shall revert  
49 13 to the general fund of the state.

49 14 2. a. The department shall establish and administer a  
49 15 program for purposes of providing financial assistance to  
49 16 eligible small businesses. For purposes of this section,  
49 17 "financial assistance" means loans at an interest rate not to  
49 18 exceed three and nine-tenths percent per annum and "eligible  
49 19 small business" means a small business meeting the requirements  
49 20 of subsection 3.

49 21 b. (1) The department may designate an organization to  
49 22 administer the provisions of this section on the department's  
49 23 behalf.

49 24 (2) In order to be designated, an organization must be  
49 25 a nonprofit organization exempt from taxation under section

by March 31, 2011, to the extent practicable. On March 31, 2011, any unobligated moneys in the new Fund will revert back to the State General Fund. Then beginning the quarter starting April 1, 2011, and each quarter following, the DED is directed to transfer any unencumbered moneys in the Fund back to the General Fund. The Save our Small Businesses Fund sunsets on March 31, 2016, and all moneys will revert to the General Fund at that time. Section 43 provides the Save Our Small Businesses Fund with an appropriation for its initial moneys of \$5,000,000 from the School Infrastructure Fund.

Small business development centers must track the number of referrals made to the DED for financial assistance and include this in the small business development center's annual report to the General Assembly. In addition, the DED must report annually to the General Assembly by January 15 on the number businesses that receive loans under the Program.



49 26 501(c)(3) of the Internal Revenue Code and must be designated  
49 27 by the United States small business administration as a  
49 28 statewide microloan program provider.

49 29 (3) If the department elects to designate an organization  
49 30 pursuant to subparagraph (1), the department shall enter into  
49 31 an agreement with the organization for purposes of ensuring  
49 32 that the program is administered pursuant to the requirements  
49 33 of this section.

49 34 (4) An organization designated pursuant to subparagraph (1)  
49 35 may accept, evaluate, and approve applications for financial  
50 1 assistance from eligible small businesses pursuant to the  
50 2 requirements of this section and may monitor the compliance of  
50 3 eligible businesses with the terms of an agreement entered into  
50 4 with the department.

50 5 (5) All disbursements of moneys to recipients of financial  
50 6 assistance approved by an organization designated pursuant to  
50 7 subparagraph (1) shall be made by the department.

50 8 (6) All repayments of principal and interest on financial  
50 9 assistance provided under the program shall be remitted to the  
50 10 department and deposited in the fund.

50 11 (7) The department, with the assistance of an organization  
50 12 designated pursuant to subparagraph (1), may seek the recapture  
50 13 of financial assistance provided pursuant to this section as  
50 14 provided in subsection 4.

50 15 c. Financial assistance under the program shall be provided  
50 16 from the fund created in subsection 1.

50 17 d. Financial assistance to a small business shall be at  
50 18 least two thousand five hundred dollars, but shall not exceed  
50 19 fifty thousand dollars.

50 20 e. The department, under the terms of an agreement with the  
50 21 organization designated pursuant to paragraph "b", shall begin  
50 22 to provide financial assistance from the fund not later than  
50 23 August 1, 2010, and shall to the extent practicable obligate  
50 24 all available moneys in the fund prior to March 31, 2011.

50 25 f. A loan made to a small business under the program may  
50 26 be for any period of time, but the terms of such loan shall  
50 27 provide for the repayment of principal and interest prior to

50 28 the date the moneys in the fund revert pursuant to subsection  
50 29 1, paragraph "c", subparagraph (3).  
50 30 3. A business is eligible to apply for financial assistance  
50 31 under the program if the business meets all of the following  
50 32 criteria at the time of application:  
50 33 a. The business has thirty=five or fewer full=time  
50 34 equivalent employees.  
50 35 b. The business is located in Iowa.  
51 1 c. The business is owned, operated, and actively managed by  
51 2 a resident of Iowa.  
51 3 d. The business has a business plan and has received  
51 4 assistance in the development stage or the expansion stage  
51 5 from a small business development center or from a qualified  
51 6 public or nonprofit small business consultant as defined by the  
51 7 department.  
51 8 e. If a business has been a going concern for two years or  
51 9 more, the business has not been found to be in violation of any  
51 10 environmental or worker safety laws, rules, or regulations.  
51 11 f. The business only employs individuals legally authorized  
51 12 to work in this state.  
51 13 g. The business does not engage in the production,  
51 14 depiction, or distribution of obscene material. For purposes  
51 15 of this paragraph, "obscene material" means the same as defined  
51 16 in section 728.1.  
51 17 h. The business is not in bankruptcy and is not imminently  
51 18 contemplating filing for bankruptcy.  
51 19 4. Upon approval of the application for financial  
51 20 assistance by the department or an organization designated  
51 21 pursuant to subsection 2, paragraph "b", the eligible business  
51 22 shall enter into an agreement with the department which shall  
51 23 include but not be limited to all of the following provisions:  
51 24 a. If an eligible business, after receiving financial  
51 25 assistance, does not continue to meet one or more of the  
51 26 criteria for eligibility under subsection 3, except for  
51 27 subsection 3, paragraph "a", all or a portion of the financial  
51 28 assistance received is subject to disallowance, recapture, or  
51 29 immediate repayment.

51 30 b. If, after receiving financial assistance, an eligible  
51 31 business ceases operations within the state or removes a  
51 32 significant portion of its operations to a location outside  
51 33 of the state, all or a portion of the financial assistance  
51 34 received is subject to disallowance, recapture, or immediate  
51 35 repayment.

52 1 5. a. An eligible business shall not receive more than one  
52 2 award of financial assistance under this section.

52 3 b. An eligible business that receives financial assistance  
52 4 under this section may subsequently apply for financial  
52 5 assistance under other programs administered by the department.

52 6 c. An eligible business that receives financial assistance  
52 7 under this section shall not use such financial assistance for  
52 8 purposes of meeting payroll obligations to employees.

52 9 6. a. The small business development centers shall track  
52 10 the number of referrals for assistance made to the department  
52 11 for assistance under this section and shall include that number  
52 12 in the small business development center's annual report to the  
52 13 general assembly.

52 14 b. The department in conjunction with an organization  
52 15 designated pursuant to subsection 2, paragraph "b", shall  
52 16 by January 15 of each year submit a report on the program  
52 17 administered pursuant to this section to the general assembly.  
52 18 The report shall include information on the number of  
52 19 businesses that receive loans under the program and any other  
52 20 information the department deems relevant to assessing the  
52 21 success of the program.

52 22 7. The department shall adopt rules pursuant to chapter 17A  
52 23 as necessary to administer the program. The department may  
52 24 adopt emergency rules under section 17A.4, subsection 3, and  
52 25 section 17A.5, subsection 2, paragraph "b", as necessary for the  
52 26 administration of this section.

52 27 Sec. 43. SAVE OUR SMALL BUSINESSES FUND APPROPRIATION.  
52 28 There is appropriated from the school infrastructure fund  
52 29 created in section 12.82 to the department of economic  
52 30 development for deposit in the save our small businesses fund

School Infrastructure Fund appropriation to the new Save Our Small  
Businesses Fund under the DED for purposes of providing financial  
assistance to small businesses under the new Save Our Small  
Businesses Program.

52 31 for the fiscal year beginning July 1, 2010, and ending June 30,  
 52 32 2011, the following amount, or so much thereof as is necessary,  
 52 33 to be used for the purposes designated:

52 34 For purposes of providing financial assistance under the  
 52 35 save our small businesses program under section 15.301:

53 1 ..... \$ 5,000,000

53 2 Of the moneys appropriated pursuant to this section, the  
 53 3 department may allocate an amount not to exceed two percent of  
 53 4 the moneys appropriated for purposes of retaining the services  
 53 5 of an organization designated pursuant to section 15.301,  
 53 6 subsection 2, paragraph "b".

DETAIL: Sections 41 and 42 provide legislative intent and the creation of the new Fund and Program under the DED. The School Infrastructure Fund appropriation provides the initial moneys to the Save Our Small Businesses Fund.

The School Infrastructure Fund is used to pay debt service on the \$48,600,000 in bonds that were issued in FY 2002 to fund the School Infrastructure Program to provide State financial assistance to local school districts for the construction and renovation of school buildings. Code Section 8.57(6)(e) allocates \$5,000,000 annually from the State wagering taxes to the School Infrastructure Fund to pay the debt service on the bonds. The amount of principal and interest that is paid annually is approximately \$3,500,000. The last bond payment is scheduled to be made by the end of FY 2021. The remaining \$1,500,000 stays in the School Infrastructure Fund and is not needed for the debt service. After several years of retaining this unneeded money, the School Infrastructure Fund had a balance available that could be used for other purposes. In addition to the funding for the Save Our Small Businesses Fund, the General Assembly appropriated \$7,500,000 from the School Infrastructure Fund to the Department of Education for Instructional Support State Aid.

53 7 Sec. 44. EFFECTIVE UPON ENACTMENT. This division of this  
 53 8 Act, being deemed of immediate importance, takes effect upon  
 53 9 enactment.

Division XIII relating to the Save Our Small Businesses Fund and Program is effective on enactment.

#### 53 10 DIVISION XIV

#### 53 11 ALTERNATIVE PUBLIC PROJECT DELIVERY STUDY

53 12 Sec. 45. INTERIM STUDY COMMITTEE == ALTERNATIVE PROJECT  
 53 13 DELIVERY == REGENTS INSTITUTIONS.

53 14 1. The legislative council is requested to establish an  
 53 15 interim study committee to study the use of alternative project  
 53 16 delivery for public projects at institutions under the control  
 53 17 of the state board of regents. The study shall include but is  
 53 18 not limited to a review and analysis of the use of alternative  
 53 19 project delivery at land grant institutions and research  
 53 20 universities in other states. There shall be three members

Creates the Alternative Project Delivery Interim Study Committee to study the use of alternative project delivery for public projects (such as the design-build process) at institutions under the control of the Board of Regents.

DETAIL: The Interim Committee must include a review and analysis of the use of alternative project delivery at land grant institutions and research universities in other states. The Interim Committee is comprised of 16 members including six legislative members and 10

53 21 from the house of representatives and three members from the  
53 22 senate. In addition to the legislative members, the membership  
53 23 of the study committee shall include the following public  
53 24 members:

- 53 25 a. Two members appointed by the state board of regents.
- 53 26 b. One member appointed by the Iowa chapter of the American  
53 27 institute of architects.
- 53 28 c. One member appointed by the American council of  
53 29 engineering companies of Iowa.
- 53 30 d. One member appointed by the Iowa chapter of the  
53 31 design-build institute of America.
- 53 32 e. One member appointed by the master builders of Iowa.
- 53 33 f. One member appointed by the mechanical contractors  
53 34 association of Iowa.
- 53 35 g. One member appointed by the Iowa chapter of the national  
54 1 electrical contractors association.
- 54 2 h. One member appointed by the Iowa state building and  
54 3 construction trades council.
- 54 4 i. One member appointed by the sheet metal contractors of  
54 5 Iowa.

54 6 2. The committee shall meet twice during the 2010  
54 7 legislative interim and shall submit findings and any  
54 8 recommendations in a report to the general assembly by January  
54 9 15, 2011.

#### 54 10 DIVISION XV

#### 54 11 FLOODPLAIN MAPPING

54 12 Sec. 46. FLOODPLAIN MAPPING. Using funds allocated to the  
54 13 department of natural resources for floodplain mapping from the  
54 14 appropriation made to the department of economic development in  
54 15 2009 Iowa Acts, chapter 183, section 67, of federal community  
54 16 development block grant funds awarded to the state under  
54 17 the federal Consolidated Security, Disaster Assistance, and  
54 18 Continuing Appropriations Act, 2009, Pub. L. No. 110=329, the  
54 19 department of natural resources shall enter an agreement in an  
54 20 amount of not less than \$10,000,000 with the state university

public members representing specified industry groups. The Committee must meet twice during the 2010 Legislative Interim and submit findings and report to the General Assembly by January 15, 2011.

Design-build is a project delivery process that includes architectural and engineering services and the building and construction services all into one single contract. Design-build providers are determined through a two-phased process starting with a request for qualifications (RFQ) that identifies two to five service providers. Prospective providers identified are then asked to respond to request for proposals (RFP). According to proponents, the design-build process allows selection of a contractor to be based more on qualifications, rather than solely on the lowest responsible bidder.

Requires the DNR to enter into an agreement with the University of Iowa for not less than \$10,000,000 for development of new floodplain maps by June 30, 2014, by the Iowa Flood Center. The DNR must structure the contract to be consistent with any plan for the use of the funds approved by the federal agency providing the funds.

DETAIL: The moneys will come from the \$15,000,000 in federal Community Development Block Grant funding received by the State via DED and designated for floodplain mapping. The DNR had planned to map 85 of the 99 counties in Iowa that were declared

54 21 of Iowa for the development of new floodplain maps by June 30,  
54 22 2014, by the Iowa flood center established pursuant to section  
54 23 466C.1. The department of natural resources shall structure  
54 24 the contract to be consistent with any plan for use of the  
54 25 funds approved by any federal agency, or, if necessary, follow  
54 26 any procedures necessary for approval of this contract.

disaster areas by the President in 2008.

House File 822 (FY 2010 Infrastructure Appropriations Act) created the Iowa Flood Center at the University of Iowa. The Flood Center works cooperatively with the DNR, the Department of Agriculture and Land Stewardship, the Water Resources Coordinating Council, and other State and federal agencies. The Iowa Flood Center will develop hydrologic models for physically-based flood frequency estimation and real-time forecasting of floods, including hydraulic models of floodplain inundation mapping, establishing community-based programs to improve flood monitoring and prediction along Iowa's major waterways and to support ongoing flood research, sharing resources and expertise of the Iowa flood center, and assisting in the development of a workforce in the State knowledgeable regarding flood research, prediction, and mitigation strategies. Division I provides \$1,300,000 to the Flood Center for operations.

54 27 Sec. 47. EFFECTIVE UPON ENACTMENT. This division of this  
54 28 Act, being deemed of immediate importance, takes effect upon  
54 29 enactment.

Division XV related to floodplain mapping is effective on enactment.

54 30 DIVISION XVI  
54 31 DEPARTMENT OF ADMINISTRATIVE SERVICES == OFFICE  
54 32 SPACE == STATE FLEET

54 33 Sec. 48. DEPARTMENT OF ADMINISTRATIVE SERVICES == OFFICE  
54 34 SPACE REQUEST FOR PROPOSALS.

This Division relates to the DAS and use of office space on and off the Capitol Complex and the relocation of the State Fleet.

54 35 1. The department of administrative services shall issue a  
55 1 request for proposals concerning the availability and cost of  
55 2 office space for state employees in downtown Des Moines and in  
55 3 other areas in close proximity to the state capitol complex.  
55 4 The department shall consider the advantages of locating state  
55 5 employees and their functions near the state capitol complex.  
55 6 2. In issuing the request for proposals, the department  
55 7 shall examine current leases for office space within the  
55 8 greater Des Moines area, determine the current length and  
55 9 duration of those leases, and consider the number of state  
55 10 employees impacted by those leases.

DETAIL: Section 48 requires the DAS to issue a request for proposal by December 1, 2010, concerning the availability and cost of office space for State employees in downtown Des Moines and in other areas in close proximity to the State Capitol Complex and submit a written report of findings to the General Assembly by January 14, 2011.

55 11 3. The request for proposals shall ensure that any office  
55 12 space selected shall meet all of the following criteria:  
55 13 a. The building which includes the office space has skywalk  
55 14 access.  
55 15 b. The building which includes the office space is located  
55 16 within reasonable proximity to the free shuttle service route  
55 17 that includes transportation between the capitol complex and  
55 18 the downtown Des Moines area.  
55 19 c. The entity leasing office space provides adequate  
55 20 parking to employees utilizing the office space which is within  
55 21 reasonable proximity to the office space.  
55 22 d. The office space is energy efficient.  
55 23 e. The office space provides adequate space and resources  
55 24 needed for the employees intending to occupy the office space.  
55 25 4. The department of administrative services shall issue  
55 26 the request for proposals by December 1, 2010, and shall submit  
55 27 a written report to the general assembly concerning the request  
55 28 for proposals by January 14, 2011.

55 29 Sec. 49. DEPARTMENT OF ADMINISTRATIVE SERVICES == OFFICE  
55 30 SPACE == COST= BENEFIT ANALYSIS.

55 31 1. a. The department of administrative services shall  
55 32 conduct a cost=benefit analysis of utilizing existing office  
55 33 space for state employees in downtown Des Moines and other  
55 34 areas in close proximity to the state capitol complex in  
55 35 lieu of replacing or renovating the Wallace Building or  
56 1 relocating any state agencies to any space in the mercy capitol  
56 2 hospital building. The cost=benefit analysis shall include  
56 3 consideration of any cost to the applicable local jurisdiction  
56 4 arising from the state's utilization of existing office space.  
56 5 b. The department of administrative services shall submit  
56 6 a written report to the general assembly on the cost=benefit  
56 7 analysis by January 14, 2011.

56 8 2. Prior to submitting the cost=benefit analysis report  
56 9 required by this section, the department of administrative  
56 10 services shall not relocate any state agencies to space in  
56 11 the Mercy capitol hospital building other than any of the  
56 12 following:

56 13 a. A centralized department of corrections pharmacy.

56 14 b. Offices of a state agency currently located in a  
56 15 state=owned office building.

56 16 c. Any state employee located in a nonleased facility or  
56 17 space.

56 18 d. A nonstate agency.

56 19 e. The office of the insurance division of the department  
56 20 of commerce.

56 21 f. The agricultural development authority established in  
56 22 section 175.3.

56 23 g. The department for the blind storage facility. ]

56 24 Sec. 50. DEPARTMENT OF ADMINISTRATIVE SERVICES  
56 25 == STATE FLEET RELOCATION. The department of administrative  
56 26 services shall evaluate and consider relocating state fleet  
56 27 operations. The department shall be authorized to relocate  
56 28 state fleet operations pursuant to such evaluation.

VETOED

Section 49.1 requires the DAS to conduct a cost-benefit analysis of utilizing existing office space in downtown Des Moines and other areas in close proximity to the Capitol Complex in lieu of replacing or renovating the Wallace Building or moving people into the former Mercy Capitol Building and submit a written report to the General Assembly concerning the cost-benefit analysis by January 14, 2011.

Section 49.2 prohibits the DAS from allowing tenants to move into the former Mercy Capitol Building until the cost-benefit analysis is completed, except for the DOC Centralized Pharmacy, offices of a State agency currently located in a State-owned building, any State employee in a non-leased facility or space, a non-State agency, the Office of the Insurance Division of the Department of Commerce, the Agricultural Development Authority, or the Department for the Blind's storage facility. These agencies have been in discussions with the DAS to be tenants of the Mercy Capitol Building. The State took possession of the former hospital building in December 2009.

Section 50 requires the DAS to evaluate and consider relocating the State fleet operations. The DAS is authorized to relocate the State fleet operations in accordance with this evaluation. Fleet operations are currently located at 307 E. 7th Street, near the Department of Public Safety Building. The DAS received a \$350,000 appropriation from the RIIF in FY 2008 for purposes of relocating the vehicle dispatch and fleet fueling station from the E. 7th Street and Court location. The project was put on hold pending the designation of a suitable location. The funds were deappropriated in the 2009 Legislative Session in HF 414 (FY 2009 Appropriation Adjustments Act).

VETOED: The Governor vetoed Section 49.2 and stated that while he is supportive of the provision that obligates the DAS to undertake the cost benefit analysis before making certain agency relocation decisions, this Subsection would interfere with action already undertaken by the DAS to move additional tenants into the Mercy Capitol Building. For example, the DAS has expended funds for upgrades to the phone systems and anticipates tenants being ready to move into the building by summer 2010. With the veto, the DAS will be allowed to move forward in arranging for tenants to occupy the building in addition to the entities that were exempted in the



## Subsection.

56 29 DIVISION XVII

56 30 CHANGES TO PRIOR APPROPRIATIONS

56 31 Sec. 51. 2004 Iowa Acts, chapter 1175, section 288,  
56 32 subsection 7, paragraph d, is amended by adding the following  
56 33 new unnumbered paragraph:  
56 34 NEW UNNUMBERED PARAGRAPH Notwithstanding section 8.33,  
56 35 2004 Iowa Acts, chapter 1175, section 290, or any other  
57 1 provision of law, moneys allocated in this lettered paragraph  
57 2 that remain unencumbered or unobligated at the close of a  
57 3 fiscal year shall not revert but shall remain available for  
57 4 expenditure for the purposes designated until the close of the  
57 5 fiscal year that begins July 1, 2012. However, if the projects  
57 6 for which the moneys are appropriated are completed in an  
57 7 earlier fiscal year, unencumbered or unobligated moneys shall  
57 8 revert at the close of that fiscal year.

57 9 Sec. 52. 2006 Iowa Acts, chapter 1179, section 4, subsection  
57 10 1, is amended to read as follows:

57 11 1. a. Notwithstanding Except as provided in paragraph  
57 12 "b", notwithstanding section 8.33, moneys appropriated for the  
57 13 fiscal year beginning July 1, 2006, in this division of this  
57 14 Act that remain unencumbered or unobligated at the close of  
57 15 the fiscal year shall not revert but shall remain available  
57 16 for the purposes designated until the close of the fiscal year  
57 17 that begins July 1, 2009, or until the project for which the  
57 18 appropriation was made is completed, whichever is earlier.  
57 19 b. Notwithstanding section 8.33, moneys appropriated  
57 20 for the fiscal year beginning July 1, 2006, in section 1,  
57 21 subsection 1, and section 1, subsection 11, paragraph "b"  
57 22 of this division of this Act that remain unencumbered or  
57 23 unobligated at the close of the fiscal year shall not revert  
57 24 but shall remain available for the purposes designated until

CODE: Extends the reversion from the RIIF appropriations for digital television conversion for the Department of Education Iowa Public Television (IPTV).

DETAIL: The IPTV received \$8,000,000 in FY 2005 and FY 2006, and \$2,300,000 in FY 2007 for the project in 2004 Legislative Session. During the 2008 Legislative Session, the IPTV received an extension on the funds through FY 2011. The reversion is now extended through the end of FY 2013. IPTV plans to complete an engineering study to increase the power on Channel 11 to make up for the coverage loss of indoor reception. After some negotiations, IPTV will be coordinating with Channel 13 (WHO) in Des Moines and television station KELO in Sioux Falls where Channel 11 is operated. The study to increase power and coordination between the stations will include complex computer models. The extension on the funding will allow IPTV to move forward with the study.

CODE: Extends the reversions of the FY 2007 RIIF appropriations to the DAS for leases, relocation and remodeling on the Complex and to the Department of Public Safety for fire training centers in the State.

DETAIL: The appropriation to the DAS was \$1,824,500 and approximately \$1,300,000 remains. Extends the reversion through FY 2011. The DAS is currently issuing a bid on the remaining moneys for work relating to tenant improvements. In addition the funds are used for relocation, lease costs, and move-related expenses.

The appropriation to the Department of Public Safety for the fire training centers was \$2,300,000, divided among several local entities in regions around the State. The reversion is extended through the end of FY 2011. This will allow the local fire entities to complete the development of their respective fire training centers.

57 25 the close of the fiscal year that begins July 1, 2010, or until  
57 26 the project for which the appropriation was made is completed,  
57 27 whichever is earlier.

57 28 Sec. 53. 2006 Iowa Acts, chapter 1179, section 18, is  
57 29 amended to read as follows:

57 30 SEC. 18. REVERSION.

57 31 1. Except as provided in subsections 2, ~~and~~ 3, and  
57 32 4, notwithstanding section 8.33, moneys appropriated from the  
57 33 endowment for Iowa's health restricted capitals fund for the  
57 34 fiscal years that begin July 1, 2005, and July 1, 2006, in this  
57 35 division of this Act that remain unencumbered or unobligated at  
58 1 the close of the fiscal year shall not revert but shall remain  
58 2 available for the purposes designated until the close of the  
58 3 fiscal year that begins July 1, 2009, or until the project for  
58 4 which the appropriation was made is completed, whichever is  
58 5 earlier.

58 6 2. Notwithstanding section 8.33, moneys appropriated from  
58 7 the endowment for Iowa's health restricted capitals fund  
58 8 for the fiscal year that begins July 1, 2006, and ends June  
58 9 30, 2007, in this division of this Act to the department of  
58 10 veterans affairs for capital improvement projects at the Iowa  
58 11 veterans home that remain unencumbered or unobligated at the  
58 12 close of the fiscal year shall not revert but shall remain  
58 13 available for expenditure for the purposes designated until the  
58 14 close of the fiscal year that begins July 1, 2010.

58 15 3. Notwithstanding section 8.33, moneys appropriated from  
58 16 the endowment for Iowa's health restricted capitals fund  
58 17 for the fiscal year beginning July 1, 2006, and ending June  
58 18 30, 2007, in this division of this Act to the department of  
58 19 education for major renovation and major repair needs at the  
58 20 community colleges that remain unencumbered or unobligated at  
58 21 the close of the fiscal year shall not revert but shall remain  
58 22 available for expenditure for the purposes designated until  
58 23 the close of the fiscal year beginning July 1, 2010, or until  
58 24 the project for which appropriated is completed, whichever is  
58 25 earlier.

CODE: Extends the reversion of the FY 2007 RC2 appropriation to the DAS for the Woodward Wastewater Treatment facility.

DETAIL: The funding will remain available through the end of FY 2012. The appropriation was \$2,443,000 and approximately \$883,000 remains. The project entailed replacing the 70-year old wastewater treatment plant at the Woodward Resource Center with a three-cell lagoon system that permits the facility to comply with health and safety standards issued by the DNR. Also, sanitary sewer lines are being replaced. The construction of the lagoons and demolition of the existing treatment plant is complete. The sanitary sewer rehabilitation is scheduled to begin in May 2010.

58 26 4. Notwithstanding section 8.33, moneys appropriated from  
 58 27 the endowment for Iowa's health restricted capitals fund  
 58 28 for the fiscal year that begins July 1, 2006, and ends June  
 58 29 30, 2007, in this division of this Act to the department of  
 58 30 administrative services for upgrades to the Woodward state  
 58 31 resource center wastewater treatment system that remain  
 58 32 unencumbered or unobligated at the close of the fiscal year  
 58 33 shall not revert but shall remain available for expenditure  
 58 34 for the purposes designated until the close of the fiscal year  
 58 35 that begins July 1, 2011, or until the project for which the  
 59 1 appropriation is made is completed, whichever is earlier.

59 2 Sec. 54. 2007 Iowa Acts, chapter 219, section 7, subsection  
 59 3 1, as amended by 2009 Iowa Acts, chapter 170, section 20, and  
 59 4 2009 Iowa Acts, chapter 184, section 17, is amended to read as  
 59 5 follows:

59 6 1. For costs associated with the construction and  
 59 7 establishment of the Iowa institute for biomedical discovery at  
 59 8 the state university of Iowa:

59 9 FY 2008=2009..... \$ 0  
 59 10 FY 2009=2010..... \$ 0  
 59 11 FY 2010=2011..... \$ 40,000,000  
 59 12 0

59 13 Sec. 55. 2007 Iowa Acts, chapter 219, section 15, is amended  
 59 14 to read as follows:

59 15 SEC. 15. REVERSION.

59 16 1. Notwithstanding Except as provided in subsection 2,  
 59 17 notwithstanding section 8.33, moneys appropriated for the  
 59 18 fiscal year beginning July 1, 2007, in this division of this  
 59 19 Act that remain unencumbered or unobligated at the close of  
 59 20 the fiscal year shall not revert but shall remain available  
 59 21 for the purposes designated until the close of the fiscal year  
 59 22 beginning July 1, 2009, or until the project for which the  
 59 23 appropriation was made is completed, whichever is earlier.

59 24 2. Notwithstanding section 8.33, moneys appropriated  
 59 25 for the fiscal year beginning July 1, 2007, in section 14,

CODE: Deappropriates the FY 2011 previously enacted RIIIF appropriation to the Board of Regents for the University of Iowa's Institute for Biomedical Discovery.

DETAIL: The entire amount of \$10,000,000 is maintained in the RBC2 for FY 2011 in Division IV. This is the last year of funding for the Institute for a total of \$30,000,000.

CODE: Extends the reversion of the FY 2008 TRF appropriations for the Department of Human Rights and the Iowa Workforce Development.

DETAIL: The Department of Human Rights received \$2,881,446 in FY 2008 for the criminal justice information system (CJIS). Extends the reversion through the end of FY 2012. The funding was part of four years of funding for the initiative to develop a real-time electronic information sharing system for members of the criminal justice community in Iowa.

Iowa Workforce Development (IWD) received \$580,000 in FY 2008 for the Educational Outcomes Tracking Program. Extends the reversion through the end of FY 2012. The funding is being used in a joint effort

59 26 subsections 4 and 7 of this division of this Act that remain  
 59 27 unencumbered or unobligated at the close of the fiscal year  
 59 28 shall not revert but shall remain available for the purposes  
 59 29 designated until the close of the fiscal year beginning July 1,  
 59 30 2011, or until the project for which the appropriation was made  
 59 31 is completed, whichever is earlier.

with the Department of Education to assist community colleges to determine the effectiveness of their educational programming. The IWD has established data sharing agreements with 15 community college districts regarding educational outcome research.

59 32 Sec. 56. 2008 Iowa Acts, chapter 1179, section 1, subsection  
 59 33 1, paragraph I, as enacted by 2009 Iowa Acts, chapter 184,  
 59 34 section 21, is amended to read as follows:  
 59 35 I. For ~~heating, ventilating, and air conditioning~~  
 60 1 ~~improvements~~ building security and firewall protection in the  
 60 2 Hoover state office building:  
 60 3 ..... \$ 165,000

CODE: Technical correction to the FY 2009 appropriation to the DAS for \$165,000 for the Hoover Building security and firewall protection.

DETAIL: The funds were used as intended for firewall and security improvements, but the appropriation inadvertently referenced a different Hoover project relating to HVAC improvements.

60 4 Sec. 57. 2008 Iowa Acts, chapter 1179, section 1, subsection  
 60 5 4, paragraph b, as amended by 2009 Iowa Acts, chapter 81,  
 60 6 section 1, is amended to read as follows:  
 60 7 b. For historical site preservation grants to be used for  
 60 8 the restoration, preservation, and development of historic  
 60 9 sites:  
 60 10 ..... \$ 1,000,000  
 60 11 In making grants pursuant to this lettered paragraph, the  
 60 12 department shall consider the existence and amount of other  
 60 13 funds available to an applicant for the designated project.  
 60 14 A grant awarded from moneys appropriated in this lettered  
 60 15 paragraph shall not exceed \$100,000 per project. Not more than  
 60 16 \$200,000 may be awarded in the same county in the same round of  
 60 17 grant reviews.  
 60 18 Of the amount appropriated in this lettered paragraph,  
 60 19 \$20,000 shall be used for the administration and support of  
 60 20 historic sites including the hiring and employment of seasonal  
 60 21 workers, notwithstanding section 8.57, subsection 6, paragraph  
 60 22 "c".

CODE: Authorizes the Department of Cultural Affairs (DCA) to use \$20,000 of the \$1,000,000 from the FY 2009 RIIF appropriation for Historical Site Preservation Grant Program to hire seasonal help for the Historic Sites. Notwithstanding the definition of vertical infrastructure.

DETAIL: Section 70 authorizes the DCA to do the same with \$20,000 from the FY 2010 RIIF appropriation for Historical Site Preservation Grant Program. Due to budget cuts, the Department advised that it needed \$40,000 to hire seasonal workers to help keep the Historic Sites open for the April through October 2010 season.

60 23 Sec. 58. 2008 Iowa Acts, chapter 1179, section 7, as amended  
 60 24 by 2009 Iowa Acts, chapter 173, section 21, is amended to read

CODE: Deappropriates the previously enacted FY 2011 RIIF appropriation to the RECAT.

60 25 as follows:

60 26 SEC. 7. DEPARTMENT OF ECONOMIC DEVELOPMENT. There is  
 60 27 appropriated from the rebuild Iowa infrastructure fund to  
 60 28 the department of economic development for the designated  
 60 29 fiscal years the following amounts, or so much thereof as is  
 60 30 necessary, to be used for the purposes designated:

60 31 For deposit into the river enhancement community attraction  
 60 32 and tourism fund created in 2008 Iowa Acts, Senate File 2430,  
 60 33 if enacted:

60 34 FY 2009=2010 ..... \$ 0

60 35 FY 2010=2011..... \$ 10,000,000

61 1 0

61 2 FY 2011=2012 ..... \$ 10,000,000

61 3 FY 2012=2013 ..... \$ 10,000,000

61 4 ~~Notwithstanding section 8.33, moneys appropriated in this~~  
 61 5 ~~section for the fiscal year beginning July 1, 2010, and ending~~  
 61 6 ~~June 30, 2011, shall not revert at the close of the fiscal year~~  
 61 7 ~~for which they are appropriated but shall remain available~~  
 61 8 ~~for the purpose designated until the close of the fiscal year~~  
 61 9 ~~that begins July 1, 2013, or until the project for which the~~  
 61 10 ~~appropriation was made is completed, whichever is earlier.~~

61 11 Notwithstanding section 8.33, moneys appropriated in this  
 61 12 section for the fiscal year beginning July 1, 2011, and ending  
 61 13 June 30, 2012, shall not revert at the close of the fiscal year  
 61 14 for which they are appropriated but shall remain available  
 61 15 for the purpose designated until the close of the fiscal year  
 61 16 that begins July 1, 2014, or until the project for which the  
 61 17 appropriation was made is completed, whichever is earlier.

61 18 Notwithstanding section 8.33, moneys appropriated in this  
 61 19 section for the fiscal year beginning July 1, 2012, and ending  
 61 20 June 30, 2013, shall not revert at the close of the fiscal year  
 61 21 for which they are appropriated but shall remain available  
 61 22 for the purpose designated until the close of the fiscal year  
 61 23 that begins July 1, 2015, or until the project for which the  
 61 24 appropriation was made is completed, whichever is earlier.

DETAIL: The RECAT is slated to receive \$10,000,000 annually from the RIIF through FY 2013. Division IV maintains the funding for FY 2011 in the RBC2, but the amount is reduced to \$4,000,000. The RECAT is scheduled to resume from the RIIF for FY 2012.

61 25 Sec. 59. 2008 Iowa Acts, chapter 1179, section 15,

CODE: Authorizes IPTV to use funds remaining from the FY 2009

61 26 subsection 4, paragraph b, as amended by 2009 Iowa Acts,  
 61 27 chapter 184, section 25, is amended to read as follows:  
 61 28 b. To the public broadcasting division for the purchase and  
 61 29 installation of generators at transmitter sites:  
 61 30 ..... \$ 1,602,437  
 61 31 Of the amount appropriated in this lettered paragraph, up to  
 61 32 \$210,477 may be used for operational costs of the division for  
 61 33 FY 2008=2009 ~~and~~ up to \$1,000,000 may be used for operational  
 61 34 costs of the division for FY 2009=2010, and up to \$378,637  
 61 35 may be used for operational costs of the division for FY  
 62 1 2010=2011, notwithstanding section 8.57C, subsection 2.  
 62 2 Sec. 60. 2008 Iowa Acts, chapter 1179, section 15,  
 62 3 subsection 4, paragraph c, is amended to read as follows:  
 62 4 c. To the public broadcasting division for the replacement  
 62 5 and digital conversion of the Keosauqua translator:  
 62 6 ..... \$ 701,500  
 62 7 Of the amount appropriated in this lettered paragraph, up to  
 62 8 \$25,378 may be used for operational costs of the division for  
 62 9 FY 2010=2011, notwithstanding section 8.57C, subsection 2.

62 10 Sec. 61. 2008 Iowa Acts, chapter 1179, section 18,  
 62 11 subsection 3, as amended by 2009 Iowa Acts, chapter 173,  
 62 12 section 24, is amended to read as follows:  
 62 13 3. DEPARTMENT OF CORRECTIONS  
 62 14 a. For expansion of the community=based corrections  
 62 15 facility at Sioux City:  
 62 16 ..... \$ 5,300,000  
 62 17 b. For expansion of the community=based corrections  
 62 18 facility at Ottumwa:  
 62 19 ..... \$ 4,100,000  
 62 20 c. For expansion of the community=based corrections  
 62 21 facility at Waterloo:  
 62 22 ..... \$ 6,000,000  
 62 23 d. For expansion of the community=based corrections  
 62 24 facility at Davenport:  
 62 25 ..... \$ 2,100,000  
 62 26 e. For expansion, including land acquisition, of the

TRF appropriations for generators and the Keosauqua translator as operating funds for FY 2011. Notwithstands the purpose of the TRF to allow funds to be used for operating purposes.

DETAIL: The FY 2009 appropriation for generators was \$1,602,437. In the 2009 Legislative Session, the IPTV was authorized in HF 822 (FY 2010 Infrastructure Appropriations Act) to use most of the TRF appropriation for generators for operations. The remaining amount will be used for operations for FY 2011. The FY 2009 appropriation for the Keosauqua translator was \$701,500. The IPTV completed the work and expended most of the funds. The remaining amount of \$25,378 will be used for operations.

CODE: Deappropriates \$13,100,000 of the RBC FY 2009 appropriation to the DOC for the Fifth Judicial District CBC. Also makes a technical correction that adds language to the RBC appropriation for the Mitchellville prison expansion to clarify that the Department is authorized to use the funds for construction management and a correctional specialist as part of the construction project.

DETAIL: In the 2009 Legislative Session, the Fifth Judicial District CBC received funding totaling \$18,100,000 for two fiscal years for expansion and relocation of the facility from its Fort Des Moines location currently next to the Blank Park Zoo, to a new location in north Des Moines. The existing facility houses the Sex Offender Treatment Program. The proposed relocation site was 5200 NE 22nd Avenue, Des Moines. The funding was contingent on relocation of the Sex Offender Treatment Program to the new facility. The acquisition of the land needed for the project has not occurred. The CBC expansion project is on hold for now and the Department does not have funding to acquire the land because the funds are deappropriated. Section 72

62 27 community-based corrections facility at Des Moines:  
 62 28 ..... \$ 13,100,000  
 62 29 0  
 62 30 ~~The appropriation in this lettered paragraph is contingent~~  
 62 31 ~~upon relocation of the sex offender treatment program from~~  
 62 32 ~~the community-based corrections facility at Des Moines to~~  
 62 33 ~~the property in northeast Des Moines identified by the fifth~~  
 62 34 ~~judicial district in the facility and site study final report~~  
 62 35 ~~submitted December 12, 2008.~~  
 63 1 It is the intent of the general assembly that the funds  
 63 2 appropriated in paragraphs "a" through "e" be used to expand  
 63 3 the number of beds available through new construction and  
 63 4 remodeling and for the expansion of existing facilities.  
 63 5 f. For expansion of the Iowa correctional facility for women  
 63 6 at Mitchellville including costs related to project management  
 63 7 including the hiring and employment of a construction manager  
 63 8 and a correctional specialist :  
 63 9 ..... \$ 47,500,000  
 63 10 g. For the remodeling of kitchens at the correctional  
 63 11 facilities at Mount Pleasant and Rockwell City:  
 63 12 ..... \$ 12,500,000

deappropriates the \$5,000,000 previously enacted from the RIIF for the project.

63 13 Sec. 62. 2008 Iowa Acts, chapter 1179, section 22, is  
 63 14 amended to read as follows:  
 63 15 SEC. 22. There is appropriated from the FY 2009 prison  
 63 16 bonding fund created pursuant to section 12.79, as enacted in  
 63 17 this Act, to the department of corrections for the fiscal year  
 63 18 beginning July 1, 2008, and ending June 30, 2009, the following  
 63 19 amount, or so much thereof as is necessary, to be used for the  
 63 20 purpose designated:  
 63 21 For costs associated with the building of a new Iowa State  
 63 22 Penitentiary at Fort Madison including costs related to  
 63 23 project management including the hiring and employment of a  
 63 24 construction manager and a correctional specialist :  
 63 25 ..... \$130,677,500  
 63 26 The appropriation made in this section constitutes approval  
 63 27 by the general assembly for the issuance of bonds by the

CODE: Technical correction that adds language to the appropriation for the Fort Madison prison expansion to clarify that the Department is authorized to use the funds for construction management and a correctional specialist as part of the construction project.

63 28 treasurer pursuant to section 12.80, as enacted in this Act.

63 29 Sec. 63. 2009 Iowa Acts, chapter 173, section 13, subsection  
63 30 1, is amended by adding the following new paragraph:  
63 31 NEW PARAGRAPH . e. Of the moneys appropriated in  
63 32 this subsection, the department may award moneys for the  
63 33 establishment of drainage district pilot projects. Each  
63 34 drainage district pilot project shall be presented to the state  
63 35 soil conservation committee and the watershed improvement  
64 1 review board to ensure the project design, project goals,  
64 2 baseline data collection, project data collection standards,  
64 3 and data evaluation standards are appropriate for, and advance,  
64 4 the soil and water conservation goals of the state. Annual  
64 5 progress reports on each pilot project shall be presented  
64 6 to the state soil conservation committee and the watershed  
64 7 improvement review board to ensure the projects continue to  
64 8 advance the soil and water conservation goals of the state.  
64 9 All construction plans, monitoring plans, project data, and  
64 10 project data analysis shall be available for public review and  
64 11 study. Experts from the United States geological survey, the  
64 12 national laboratory for agriculture and the environment at  
64 13 Iowa state university, and other appropriate state and federal  
64 14 agencies may be consulted on any aspect of the program.

CODE: Adds language to the FY 2010 RBC appropriation to the Department of Agriculture and Land Stewardship for Soil Conservation projects to provide for collaboration with the Watershed Improvement Review Board on pilot projects.

DETAIL: The Department plans to use \$4,000,000 of the \$11,500,000 on the drainage pilot projects. Each pilot project will be presented to the Watershed Improvement Review Board and the Soil Conservation Committee. Annual progress reports on the pilot projects are required. The drainage pilot projects are planned to improve water quality, increase wetland function, create wildlife habitat, and increase agricultural activity, while reducing nitrates that are carried in through Iowa waterways to the Gulf of Mexico in order to reduce hypoxia there.

64 15 Sec. 64. 2009 Iowa Acts, chapter 173, section 13, subsection  
64 16 2, is amended to read as follows:  
64 17 2. DEPARTMENT OF NATURAL RESOURCES  
64 18 For watershed rebuilding and water quality projects:  
64 19 ..... \$ 13,500,000  
64 20 Of the moneys appropriated in this subsection, the  
64 21 department may provide moneys to construct, reconstruct, or  
64 22 repair infrastructure associated with the control and movement  
64 23 of surface water, including but not limited to addressing  
64 24 issues affected by combined sewer overflows, enrolling larger  
64 25 contiguous areas in emergency watershed programs, improving  
64 26 facilities or systems that provide water quality, mitigating  
64 27 flood damage or the threat of flood damage in the areas most

CODE: Technical correction to add a lead-in description for the appropriation to the Department of Natural Resources.



64 28 severely affected by the 2008 flood, and improving or replacing  
 64 29 low-head dams. Any award of moneys made under this subsection  
 64 30 shall be in the form of a grant. Any grant awards for practices  
 64 31 on private property shall be for the public purposes of flood  
 64 32 control, watershed management, or improving water quality.

64 33 Sec. 65. 2009 Iowa Acts, chapter 173, section 13, subsection  
 64 34 4, paragraphs b, c, and d, are amended to read as follows:  
 64 35 b. For ~~deposit into the public service shelter grant fund~~  
 65 1 ~~created in section 16.185~~ for grants for the construction,  
 65 2 renovation, and improvements to homeless shelters, emergency  
 65 3 shelters, and family and domestic violence shelters:  
 65 4 ..... \$ 10,000,000  
 65 5 c. For ~~deposit into the disaster damage housing assistance~~  
 65 6 ~~grant fund created in section 16.186~~ for grants to ease and  
 65 7 speed recovery efforts from the natural disasters of 2008,  
 65 8 including stabilizing neighborhoods damaged by the natural  
 65 9 disasters, preventing population loss and neighborhood  
 65 10 deterioration, and improving the health, safety, and welfare of  
 65 11 persons living in such disaster-damaged neighborhoods:  
 65 12 ..... \$ 5,000,000  
 65 13 d. For ~~deposit into the affordable housing assistance grant~~  
 65 14 ~~fund created in section 16.187~~ for grants for housing for  
 65 15 certain elderly, disabled, and low-income persons and public  
 65 16 servants in critical skills shortage areas of the state:  
 65 17 ..... \$ 20,000,000

65 18 Sec. 66. 2009 Iowa Acts, chapter 173, section 13, subsection  
 65 19 5, unnumbered paragraph 1, as amended by 2009 Iowa Acts,  
 65 20 chapter 183, section 71, is amended to read as follows:  
 65 21 For broadband technology grants for the deployment and  
 65 22 sustainability of high-speed broadband access:  
 65 23 ..... \$ 25,000,000  
 65 24 0

CODE: Technical correction to FY 2010 RBC appropriations that were to be deposited in new funds per SF 376 (2009 Legislative Session).

DETAIL: Changes appropriations from the RBC to reflect what occurred in practice, that the RBC appropriations were not deposited in the new funds created in SF 376 in the 2009 Legislative Session. The Treasurer of State advised that the bond proceeds should not be transferred from fund to fund because it makes accounting, rebate calculation, and reconciliation easier if all the proceeds are kept in one fund. The Department of Management agreed and arranged the appropriations for those projects to draw down directly from the RBC. The language "deposit into" and "the fund" are not needed. In addition, Division XVIII repeals the erroneous funds. These changes apply to the Disaster Damage Housing Assistance Fund, the Affordable Housing Assistance Grant Fund, the Public Service Shelter Grant Fund, and the Bridge Safety Fund (Section 67 makes that change). The appropriations are being used for the purposes as created in those funds and the purposes have not changed.

CODE: Deappropriates the entire \$25,000,000 from the FY 2010 RBC appropriation for Broadband Deployment Sustainability grants.

DETAIL: Senate File 376 (2009 Legislative Session) provided \$25,000,000 to provide public broadband technology grants for the deployment and sustainability of high-speed broadband access. These were intended to be competitive grants made through a new Governance Board created for purposes of promoting universal access to high-speed broadband services throughout the State, and for the sustainability of these services. The Governance Board was established by the Iowa Telecommunications and Technology

Commission, the Iowa Economic Development Board, and the Iowa Utilities Board. The three entities share administration and planning costs for the Governance Board. The Governance Board is not affected and remains in place. The Board may continue to apply for federal moneys to provide competitive grants for broadband technology.

65 25 Sec. 67. 2009 Iowa Acts, chapter 173, section 13, subsection  
65 26 6, is amended to read as follows:

65 27 6. DEPARTMENT OF TRANSPORTATION

65 28 For ~~deposit into the bridge safety fund created in section~~

65 29 ~~313.68 to be used for~~ infrastructure projects relating to  
65 30 functionally obsolete and structurally deficient bridges:

65 31 ..... \$ 50,000,000

65 32 40,000,000

CODE: Deappropriates \$10,000,000 from the FY 2010 RBC appropriation to the DOT for bridge safety projects.

DETAIL: Division IV restores the \$10,000,000 for bridge safety as an FY 2011 RBC2 appropriation. In addition, the Section makes the technical correction similar to the action in Section 65 so the appropriation reflects that the funds draw down directly from the RBC. The language "deposit into" and "the fund" are not needed. The appropriation is being used for the purposes as created in the Fund and the purpose has not changed.

65 33 Sec. 68. 2009 Iowa Acts, chapter 173, section 13, is amended  
65 34 by adding the following new subsection:

65 35 NEW SUBSECTION . 7. DEPARTMENT OF ECONOMIC DEVELOPMENT

66 1 For the main street Iowa program to be used as grants  
66 2 for projects that have previously applied for funding  
66 3 consideration, or have received partial funding for facade  
66 4 master plans to rehabilitate storefronts in main street Iowa  
66 5 districts, to complete streetscape projects where planning  
66 6 and the majority of funding is already secured, for unfunded  
66 7 main street challenge grant projects, and for other building  
66 8 rehabilitation projects that are currently on the department's  
66 9 highest priority list:

66 10 ..... \$ 5,550,000

66 11 Moneys appropriated in this subsection shall not be used for  
66 12 administration or planning purposes.

CODE: Revenue Bonds Capitals Fund (RBC) FY 2010 supplemental appropriation to the DED for the Main Street Program.

DETAIL: The \$5,550,000 in this Section is in addition to the \$8,450,000 appropriated from the RBC2 in Division IV, for a total of \$14,000,000. The Main Street Program provides grants to rehabilitate storefronts, improve streetscapes, and to provide revitalization efforts. The funding will be used on projects that have previously applied to the Main Street Program and received partial funding or remained unfunded on the DED priority list.

66 13 Sec. 69. 2009 Iowa Acts, chapter 174, section 6, is  
66 14 repealed.

CODE: Repeals the appropriation for the Iowa Energy Center that was provided in SF 477 (2009 Session).

DETAIL: The legislation created the Appropriations Bond Capitals

(ABC) Fund and appropriated funding to the Iowa Energy Center and the new Vertical Infrastructure Restricted Capital (VIRC) Fund. The authorization for the bonds is modified and the ABC Fund and VIRC Fund are repealed in Division XVIII. In place of the ABC Fund, Division IV creates the new Revenues Bonds Capitals II Fund (RBC2) that will receive the bond proceeds. The appropriation for the Iowa Energy Center is maintained in Division IV.

66 15 Sec. 70. 2009 Iowa Acts, chapter 184, section 1, subsection  
 66 16 3, paragraph d, is amended to read as follows:  
 66 17 d. For historical site preservation grants to be used for  
 66 18 the restoration, preservation, and development of historic  
 66 19 sites:  
 66 20 ..... \$ 1,000,000  
 66 21 In making grants pursuant to this lettered paragraph, the  
 66 22 department shall consider the existence and amount of other  
 66 23 funds available to an applicant for the designated project.  
 66 24 A grant awarded from moneys appropriated in this lettered  
 66 25 paragraph shall not exceed \$100,000 per project. Not more than  
 66 26 \$200,000 may be awarded in the same county in the same round of  
 66 27 grant reviews.  
 66 28 Of the amount appropriated in this lettered paragraph,  
 66 29 \$20,000 shall be used for the administration and support of  
 66 30 historic sites including the hiring and employment of seasonal  
 66 31 workers, notwithstanding section 8.57, subsection 6, paragraph  
 66 32 "c".

CODE: Authorizes the Department of Cultural Affairs (DCA) to use \$20,000 of the \$1,000,000 from the FY 2010 RIIF appropriation for the Historical Site Preservation Grant Program to hire seasonal help for the Historic Sites. Notwithstanding the definition of vertical infrastructure.

DETAIL: Section 57 authorizes the DCA to do the same with \$20,000 from the FY 2009 RIIF appropriation for Historical Site Preservation Grant Program as well. Due to budget cuts, the Department advised that it needed \$40,000 to hire seasonal workers to help keep the Historic Sites open for the April through October 2010 season.

66 33 Sec. 71. 2009 Iowa Acts, chapter 184, section 1, subsection  
 66 34 12, paragraph a, is amended to read as follows:  
 66 35 a. ~~To provide funds for capital improvements and for related~~  
 67 1 ~~studies for expanding passenger rail services in Iowa. For~~  
 67 2 deposit in the passenger rail service revolving fund created  
 67 3 in section 327J.2, notwithstanding section 8.57, subsection 6,  
 67 4 paragraph "c":  
 67 5 ..... \$ 3,000,000

CODE: Technical Correction to assure the FY 2010 RIIF appropriation for Passenger Rail deposits in the existing Passenger Rail Service Revolving Fund under Code Section 327J.2.

67 6 Sec. 72. 2009 Iowa Acts, chapter 184, section 2, subsections

CODE: Deappropriates the following previously enacted FY 2011 RIIF appropriations: \$10,000,000 from the DAS major maintenance,

67 7 1, 2, 4, and 5, are amended by striking the subsections.

\$5,000,000 from the DOC for the Fifth Judicial District CBC, \$13,000,000 for the ISU Veterinary Lab Phase II, and \$2,500,000 for the State Fair Agricultural Exhibition Center.

DETAIL: Funding for the ISU Veterinary Laboratory and the State Fair Agricultural Exhibition Center is restored in Division III with FY 2011 appropriations from the RBC for those projects. Section 61 deappropriates \$13,100,000 from the RBC for the Fifth Judicial District CBC in Des Moines. The entire \$18,100,000 from that project is deappropriated and the project is on hold pending further notice.

67 8 Sec. 73. 2009 Iowa Acts, chapter 184, section 2, subsection  
67 9 6, paragraph a, is amended to read as follows:  
67 10 a. For deposit into the railroad revolving loan and grant  
67 11 fund created in section 327H.20A, notwithstanding section 8.57,  
67 12 subsection 6, paragraph "c":  
67 13 ..... \$ 2,000,000

CODE: Adjusts the previously enacted FY 2011 RIIF appropriation for the Rail Revolving Loan and Grant Fund to allocate the entire \$2,000,000 to the City of Davenport for a rail trans-load facility, if the city receives a federal match for the project.

67 14 Of the amount appropriated in this lettered paragraph,  
67 15 \$2,000,000 shall be allocated to a city with a population  
67 16 between 98,300 and 98,400 in the last preceding certified  
67 17 federal census, for a rail trans=load facility if a federal  
67 18 match of funds is received.

DETAIL: Rail improvement funding for freight rail receives \$7,500,000 in RBC2 funding in Division IV. The funds will follow the criteria in the Rail Revolving Loan and Grant Program, although the intent is to bring wind-energy manufacturers to Iowa. The Program received \$1,500,000 from the RIIF for FY 2010.

67 19 Sec. 74. EFFECTIVE UPON ENACTMENT. This division, being  
67 20 deemed of immediate importance, takes effect upon enactment.

Division XVII relating to changes to prior appropriations is effective on enactment.

67 21 DIVISION XVIII

67 22 MISCELLANEOUS CODE CHANGES

67 23 Sec. 75. Section 8.57, subsection 6, paragraph e, Code  
67 24 Supplement 2009, is amended to read as follows:  
67 25 e. (1) (a) (i) Notwithstanding provisions to the contrary  
67 26 in sections 99D.17 and 99F.11, for the fiscal year beginning  
67 27 July 1, 2000, and for each fiscal year thereafter, not more  
67 28 than a total of sixty=six million dollars shall be deposited  
67 29 in the general fund of the state in any fiscal year pursuant to  
67 30 sections 99D.17 and 99F.11.

CODE: Provides a transfer to the new Revenue Bonds Federal Subsidy Holdback Fund.

67 31 (ii) However, in lieu of the deposit in subparagraph

DETAIL: Section 81 creates the Federal Subsidy Holdback Fund under Code Section 12.89A. Section 75 provides a transfer of \$3,750,000 from wagering taxes to the Holdback Fund to provide coverage in case the federal subsidy on the Build America Bonds (BABs) is not received. Once the Treasurer of State receives the subsidy, the \$3,750,000 will be transferred back to the RIIF. While the

67 32 subdivision (i), for the fiscal year beginning July 1, 2010,  
67 33 and for each fiscal year thereafter until the principal and  
67 34 interest on all bonds issued by the treasurer of state pursuant  
67 35 to section 12.87 are paid, as determined by the treasurer of  
68 1 state, the first fifty=five million dollars of the moneys  
68 2 directed to be deposited in the general fund of the state under  
68 3 subparagraph subdivision (i) shall be deposited in the revenue  
68 4 bonds debt service fund created in section 12.89, and the next  
68 5 ~~five~~ three million ~~seven hundred fifty thousand~~ dollars of the  
68 6 moneys directed to be deposited in the general fund of the  
68 7 state under subparagraph subdivision (i) shall be deposited  
68 8 in the revenue bonds federal subsidy holdback fund created  
68 9 in section 12.89, and the next one million two hundred fifty  
68 10 thousand dollars of the moneys directed to be deposited in the  
68 11 general fund of the state under subparagraph subdivision (i)  
68 12 shall be deposited in the general fund of the state.  
68 13 (b) The next fifteen million dollars of the moneys directed  
68 14 to be deposited in the general fund of the state in a fiscal  
68 15 year pursuant to sections 99D.17 and 99F.11 shall be deposited  
68 16 in the vision Iowa fund created in section 12.72 for the fiscal  
68 17 year beginning July 1, 2000, and for each fiscal year through  
68 18 the fiscal year beginning July 1, 2019.  
68 19 (c) The next five million dollars of the moneys directed to  
68 20 be deposited in the general fund of the state in a fiscal year  
68 21 pursuant to sections 99D.17 and 99F.11 shall be deposited in  
68 22 the school infrastructure fund created in section 12.82 for the  
68 23 fiscal year beginning July 1, 2000, and for each fiscal year  
68 24 thereafter until the principal and interest on all bonds issued  
68 25 by the treasurer of state pursuant to section 12.81 are paid,  
68 26 as determined by the treasurer of state.  
68 27 (d) (i) The total moneys in excess of the moneys deposited  
68 28 in the revenue bonds debt service fund, the revenue bonds  
68 29 federal holdback subsidy fund, the vision Iowa fund, the  
68 30 school infrastructure fund, and the general fund of the  
68 31 state in a fiscal year shall be deposited in the rebuild Iowa  
68 32 infrastructure fund and shall be used as provided in this  
68 33 section, notwithstanding section 8.60.

transfer does divert \$3,750,000 away from the RIIF, it is anticipated that the effect will be revenue neutral because it is expected the subsidies will be paid. This change helps with the rating agency and maintaining a higher bond rating on the revenue bonds.

Under the federal American Recovery and Reinvestment Act of 2009, the BABs are taxable bonds that receive a federal subsidy of 35.00% of the interest payment so the borrowing costs may be lower under BABs than regular tax-exempt bonds. If those bonds are more cost-effective and beneficial to the State, the BABs may be issued. The BABs have the same restrictions as tax-exempt bonds regarding use of the proceeds and may only be issued for the same types of purposes as tax-exempt bonds. The opportunity for issuing BABs is limited by the federal Act and is only available in 2009 and 2010. Of the \$601,000,000 in principal in the July 2009 revenue bond issuance, \$220,950,000 came from BABs.

68 34 (ii) However, in lieu of the deposit in subparagraph  
68 35 subdivision (i), for the fiscal year beginning July 1, 2010,  
69 1 and for each fiscal year thereafter until the principal and  
69 2 interest on all bonds issued by the treasurer of state pursuant  
69 3 to section 12.87 are paid, as determined by the treasurer  
69 4 of state, ~~fifty=five~~ sixty=four million seven hundred fifty  
69 5 thousand dollars of the excess moneys directed to be deposited  
69 6 in the rebuild Iowa infrastructure fund under subparagraph  
69 7 subdivision (i) shall be deposited in the general fund of the  
69 8 state.

69 9 (2) If the total amount of moneys directed to be deposited  
69 10 in the general fund of the state under sections 99D.17 and  
69 11 99F.11 in a fiscal year is less than the total amount of moneys  
69 12 directed to be deposited in the revenue bonds debt service  
69 13 fund and the revenue bonds federal subsidy holdback fund in  
69 14 the fiscal year pursuant to this paragraph "e", the difference  
69 15 shall be paid from moneys deposited in the beer and liquor  
69 16 control fund created in section 123.53 in the manner provided  
69 17 in section 123.53, subsection 3.

69 18 (3) After the deposit of moneys directed to be deposited  
69 19 in the general fund of the state ~~, and the revenue bonds debt~~  
69 20 ~~service fund , and the revenue bonds federal subsidy holdback~~  
69 21 ~~fund~~, as provided in subparagraph (1), subparagraph division  
69 22 (a), if the total amount of moneys directed to be deposited  
69 23 in the general fund of the state under sections 99D.17 and  
69 24 99F.11 in a fiscal year is less than the total amount of  
69 25 moneys directed to be deposited in the vision Iowa fund and  
69 26 the school infrastructure fund in the fiscal year pursuant to  
69 27 this paragraph "e", the difference shall be paid from lottery  
69 28 revenues in the manner provided in section 99G.39, subsection  
69 29 3.

69 30 Sec. 76. Section 8.57, subsection 6, paragraph f, Code  
69 31 Supplement 2009, is amended to read as follows:

69 32 f. There is appropriated from the rebuild Iowa  
69 33 infrastructure fund to the secure an advanced vision for  
69 34 education fund created in section 423F.2, for each fiscal year

CODE: Deappropriates \$10,000,000 from the Secure an Advanced Education (SAVE) Fund for FY 2011 from the RIIF.

DETAIL: The SAVE receives a standing appropriation from the RIIF that is scheduled to sunset at the end of FY 2014. The funding is expected to resume in FY 2012. The SAVE Fund has received

69 35 of the fiscal period beginning July 1, 2008, and ending June  
70 1 30, ~~2014~~, 2010, and for each fiscal year of the fiscal period  
70 2 beginning July 1, 2011, and ending June 30, 2014, the amount of  
70 3 the moneys in excess of the first forty=seven million dollars  
70 4 credited to the rebuild Iowa infrastructure fund during the  
70 5 fiscal year, not to exceed ten million dollars.

\$10,000,000 annually from the RIIF since FY 2005.

70 6 Sec. 77. Section 8.57A, subsection 4, Code 2009, is amended  
70 7 to read as follows:

CODE: Reduces the \$42,000,000 standing appropriation from the RIIF to the Environment First Fund by \$9,000,000 for FY 2011. Funding resumes at the previous level for FY 2012.

70 8 4. a. There is appropriated from the rebuild Iowa  
70 9 infrastructure fund for the fiscal year ~~year~~ years beginning July  
70 10 1, 2008, July 1, 2009, and July 1, 2011, and for each fiscal  
70 11 year thereafter, the sum of forty=two million dollars to  
70 12 the environment first fund, notwithstanding section 8.57,  
70 13 subsection 6, paragraph "c".  
70 14 b. There is appropriated from the rebuild Iowa  
70 15 infrastructure fund for the fiscal year beginning July 1, 2010,  
70 16 and ending June 30, 2011, the sum of thirty=three million  
70 17 dollars to the environment first fund, notwithstanding section  
70 18 8.57, subsection 6, paragraph "c".

70 19 Sec. 78. Section 8.57C, subsection 3, Code Supplement 2009,  
70 20 is amended to read as follows:

CODE: Appropriates the FY 2011 Technology Reinvestment Fund appropriation from the RIIF rather than the standing appropriation from the General Fund.

70 21 3. a. There is appropriated from the general fund of the  
70 22 state for the fiscal years beginning July 1, 2006, July 1,  
70 23 2007, July 1, ~~2010~~ 2011, and for each subsequent fiscal year  
70 24 thereafter, the sum of seventeen million five hundred thousand  
70 25 dollars to the technology reinvestment fund.

DETAIL: The amount is reduced from \$17,500,000 to \$10,000,000 for FY 2011. The TRF funding is expected to resume from the General Fund in FY 2012. The TRF receives a standing appropriation from the General Fund per Code Section 8.57C, but for FY 2009 through FY 2011, the funding was shifted to the RIIF.

70 26 b. There is appropriated from the rebuild Iowa  
70 27 infrastructure fund for the fiscal year beginning July 1, 2008,  
70 28 and ending June 30, 2009, the sum of seventeen million five  
70 29 hundred thousand dollars, and for the fiscal year beginning  
70 30 July 1, 2009, and ending June 30, 2010, the sum of fourteen  
70 31 million five hundred twenty=five thousand dollars to the  
70 32 technology reinvestment fund, notwithstanding section 8.57,  
70 33 subsection 6, paragraph "c".

70 34 c. There is appropriated from the rebuild Iowa

70 35 infrastructure fund for the fiscal year beginning July 1, 2010,  
71 1 the sum of ten million dollars to the technology reinvestment  
71 2 fund, notwithstanding section 8.57, subsection 6, paragraph  
71 3 "c".

71 4 Sec. 79. Section 12.87, subsections 1 and 2, Code Supplement  
71 5 2009, are amended to read as follows:

71 6 1. The treasurer of state is authorized to issue and sell  
71 7 bonds on behalf of the state to provide funds for certain  
71 8 infrastructure projects and for purposes of the Iowa jobs  
71 9 program established in section 16.194. The treasurer of state  
71 10 shall have all of the powers which are necessary or convenient  
71 11 to issue, sell and secure bonds and carry out the treasurer of  
71 12 state's duties, and exercise the treasurer of state's authority  
71 13 under this section and sections 12.88 through 12.90. The  
71 14 treasurer of state may issue and sell bonds in such amounts as  
71 15 the treasurer of state determines to be necessary to provide  
71 16 sufficient funds for certain infrastructure projects and the  
71 17 revenue bonds capitals fund, the revenue bonds capitals II  
71 18 fund, the payment of interest on the bonds, the establishment  
71 19 of reserves to secure the bonds, the payment of costs of  
71 20 issuance of the bonds, the payment of other expenditures of  
71 21 the treasurer of state incident to and necessary or convenient  
71 22 to carry out the issuance and sale of the bonds, and the  
71 23 payment of all other expenditures of the treasurer of state  
71 24 necessary or convenient to administer the funds and to carry  
71 25 out the purposes for which the bonds are issued and sold.  
71 26 The treasurer of state may issue and sell bonds in one or  
71 27 more series on the terms and conditions the treasurer of  
71 28 state determines to be in the best interest of the state, in  
71 29 accordance with this section in such amounts as the treasurer  
71 30 of state determines to be necessary to fund the purposes for  
71 31 which such bonds are issued and sold - as follows:  
71 32 a. The treasurer of state may issue and sell bonds in  
71 33 amounts which provide aggregate net proceeds of not more  
71 34 than ~~five hundred forty-five~~ six hundred ninety-five million  
71 35 dollars, excluding any bonds issued and sold to refund

CODE: Increases the amount of total net proceeds authorized in Code Section 12.87 from \$545,000,000 to \$695,000,000 to account for the \$150,000,000 net proceeds expected from the FY 2011 bond issuance. Specifies the bond proceeds for FY 2011 will deposit in the RBC2. Section 96 makes this Section effective on enactment so the Treasurer of State may issue the bonds as soon as the legislation is signed.



72 1 outstanding bonds issued under this section, as follows:  
72 2    ~~a. (1) The~~ On or after July 1, 2009, the treasurer of  
72 3 state may issue and sell bonds in amounts which provide  
72 4 aggregate net proceeds of not more than one hundred eighty-five  
72 5 million dollars for capital projects which qualify as vertical  
72 6 infrastructure projects as defined in section 8.57, subsection  
72 7 6, paragraph "c", to the extent practicable in any fiscal year  
72 8 and without limiting other qualifying capital expenditures.  
72 9    ~~b. (2) The~~ On or after July 1, 2009, the treasurer of state  
72 10 may issue and sell bonds in amounts which provide aggregate  
72 11 net proceeds of not more than three hundred sixty million  
72 12 dollars for purposes of the Iowa jobs program established  
72 13 in section 16.194 and for watershed flood rebuilding and  
72 14 prevention projects, soil conservation projects, sewer  
72 15 infrastructure projects, for certain housing and public service  
72 16 shelter projects and public broadband and alternative energy  
72 17 projects, and for projects relating to bridge safety and the  
72 18 rehabilitation of deficient bridges.  
72 19    (3) On or after April 1, 2010, the treasurer of state may  
72 20 issue and sell bonds in amounts which provide aggregate net  
72 21 proceeds of not more than one hundred fifty million dollars  
72 22 for purposes of the Iowa jobs II program established in  
72 23 section 16.194A and for qualified projects in the departments  
72 24 of agriculture and land stewardship, economic development,  
72 25 education, natural resources, and transportation, and the Iowa  
72 26 finance authority, state board of regents, and treasurer of  
72 27 state.  
72 28    2. Bonds issued and sold under this section are payable  
72 29 solely and only out of the moneys in the revenue bonds debt  
72 30 service fund , the revenue bonds federal subsidy holdback  
72 31 fund, and any bond reserve funds established pursuant to  
72 32 section 12.89, and only to the extent provided in the trust  
72 33 indenture, resolution, or other instrument authorizing their  
72 34 issuance. All moneys in the revenue bonds debt service fund ,  
72 35 the revenue bonds federal subsidy holdback fund, and any bond  
73 1 reserve funds established pursuant to section 12.89 may be  
73 2 deposited with trustees or depositories in accordance with

73 3 the terms of the trust indentures, resolutions, or other  
73 4 instruments authorizing the issuance of bonds and pledged by  
73 5 the treasurer of state to the payment thereof. Bonds issued  
73 6 and sold under this section shall contain a statement that the  
73 7 bonds are limited special obligations of the state and do not  
73 8 constitute a debt or indebtedness of the state or a pledge  
73 9 of the faith or credit of the state or a charge against the  
73 10 general credit or general fund of the state. The treasurer  
73 11 of state shall not pledge the credit or taxing power of this  
73 12 state or any political subdivision of this state or make bonds  
73 13 issued and sold pursuant to this section payable out of any  
73 14 moneys except those in the revenue bonds debt service fund ,  
73 15 the revenue bonds federal subsidy holdback fund, and any bond  
73 16 reserve funds established pursuant to section 12.89.

73 17 Sec. 80. Section 12.89, subsection 2, Code Supplement 2009,  
73 18 is amended by adding the following new paragraph:  
73 19 NEW PARAGRAPH . Od. Federal subsidies and any transfers  
73 20 from the revenue bonds federal subsidy holdback fund created  
73 21 pursuant to section 12.89A.

CODE: Conforming change to provisions related to revenue bonds with the new Federal Subsidy Holdback Fund under Code Section 12.89A.

73 22 Sec. 81. NEW SECTION . 12.89A Revenue bonds federal subsidy  
73 23 holdback fund.

CODE: Establishes the Federal Subsidy Holdback Fund in Code Section 12.89A.

73 24 1. A revenue bonds federal subsidy holdback fund is created  
73 25 and established as a separate and distinct fund in the state  
73 26 treasury. The treasurer of state shall act as custodian of the  
73 27 fund and disburse moneys contained in the fund.

DETAIL: Section 75 provides a transfer of \$3,750,000 from wagering taxes to the Holdback Fund to provide coverage in the event the federal subsidy on the Build America Bonds (BABs) is not received. Once the Treasurer of State receives the subsidy, the \$3,750,000 will be transferred back to the RIIF. While the transfer does divert \$3,750,000 away from the RIIF, it is anticipated that the effect will be revenue neutral because it is expected the subsidies will be paid. This change helps with the rating agency and maintaining a higher bond rating on the revenue bonds.

73 28 2. The moneys in such fund shall include all of the  
73 29 following:

73 30 a. The revenues required to be deposited in the fund  
73 31 pursuant to section 8.57, subsection 6, paragraph "e",  
73 32 subparagraphs (1) and (2).

73 33 b. Interest attributable to investment moneys in the fund.

73 34 c. Any other moneys from any other sources which may be  
73 35 legally available to the treasurer of state for the purpose of  
74 1 the fund.

Under the federal American Recovery and Reinvestment Act of 2009, the BABs are taxable bonds that receive a federal subsidy of 35.00% of the interest payment so the borrowing costs may be lower under BABs than regular tax-exempt bonds. If the bonds are more cost-

74 2 3. The moneys in the revenue bonds federal subsidy holdback

74 3 fund are appropriated and shall be used or transferred to the  
74 4 revenue bonds debt service fund created in section 12.89,  
74 5 subsection 1, solely for the purpose of making payments of  
74 6 principal and interest on federal subsidy bonds when due, if  
74 7 the treasurer of state or the treasurer's designee has not  
74 8 received a federal subsidy scheduled to be received for such  
74 9 payment by the due date.

74 10 4. The moneys on deposit in the revenue bonds federal  
74 11 subsidy holdback fund shall be used or transferred to the  
74 12 revenue bonds debt service fund created in section 12.89,  
74 13 subsection 1, solely for the purpose of making payments of  
74 14 principal and interest on federal subsidy bonds prior to any  
74 15 use or transfer of moneys on deposit in any bond reserve fund  
74 16 created for such federal subsidy bonds by the treasurer of  
74 17 state pursuant to section 12.89, subsection 3, paragraph "a".

74 18 5. At any time during each fiscal year that there are moneys  
74 19 on deposit in the revenue bonds federal subsidy holdback fund  
74 20 that are not needed to pay principal and interest on federal  
74 21 subsidy bonds during such fiscal year as determined by the  
74 22 treasurer of state or the treasurer's designee, such moneys on  
74 23 deposit in the revenue bonds federal subsidy holdback account  
74 24 shall be credited to the rebuild Iowa infrastructure fund of  
74 25 the state.

74 26 6. For purposes of this section:

74 27 a. "Federal subsidy" means any payment from the federal  
74 28 government with respect to federal subsidy bonds.

74 29 b. "Federal subsidy bonds" means any bonds issued and  
74 30 sold pursuant to section 12.87 for which a federal subsidy is  
74 31 expected to be paid on or before any date on which interest on  
74 32 such bonds is due and payable.

74 33 Sec. 82. Section 15F.204, subsection 8, paragraph a,  
74 34 subparagraph (6), Code Supplement 2009, is amended by striking  
74 35 the subparagraph.

75 1 Sec. 83. Section 15F.204, subsection 8, paragraph b,  
75 2 subparagraph (4), Code Supplement 2009, is amended by striking  
75 3 the subparagraph.

effective and beneficial to the State, the BABs may be issued. The BABs have the same restrictions as tax-exempt bonds regarding use of the proceeds and may only be issued for the same types of purposes as tax-exempt bonds. The opportunity for issuing BABs is limited by the federal Act and is only available in 2009 and 2010. Of the \$601,000,000 in principal in the July 2009 revenue bond issuance, \$220,950,000 came from BABs.

CODE: Eliminates the \$5,000,000 previously enacted appropriation from the RIIF to the CAT Grant Program for FY 2011. Also eliminates the \$7,000,000 previously enacted appropriation from the General Fund for FY 2011.

DETAIL: The entire \$12,000,000 for FY 2011 is funded from the RBC2 in Division IV. The CAT appropriation is slated to resume at

\$5,000,000 from the RIIF and \$7,000,000 from the General Fund in FY 2012. The CAT appropriation sunsets at the end of FY 2013.

75 4 Sec. 84. Section 16.181A, Code 2009, is amended to read as  
75 5 follows:

75 6 16.181A Housing trust fund == appropriations.

75 7 1. There is appropriated from the rebuild Iowa  
75 8 infrastructure fund to the Iowa finance authority for deposit  
75 9 in the housing trust fund created in section 16.181, for  
75 10 the fiscal year beginning July 1, 2009, and ending June 30,  
75 11 2010, and ending July 1, 2011, and for each succeeding fiscal  
75 12 year, the sum of three million dollars.

75 13 2. There is appropriated from the rebuild Iowa  
75 14 infrastructure fund to the Iowa finance authority for deposit  
75 15 in the housing trust fund created in section 16.181, for the  
75 16 fiscal year beginning July 1, 2010 and ending June 30, 2011,  
75 17 the sum of one million dollars.

75 18 Sec. 85. Section 16.192, subsections 2 and 4, Code  
75 19 Supplement 2009, are amended to read as follows:

75 20 2. Establish the Iowa jobs program pursuant to section  
75 21 16.194 and the Iowa jobs II program pursuant to section  
75 22 16.194A .

75 23 4. Award financial assistance , including financial  
75 24 assistance in the form of grants under the Iowa jobs program  
75 25 pursuant to sections 16.194 , 16.194A, and 16.195.

75 26 Sec. 86. Section 16.193, subsection 2, Code Supplement  
75 27 2009, is amended to read as follows:

75 28 2. During the term of the Iowa jobs program established  
75 29 in section 16.194 and the Iowa jobs II program established  
75 30 in section 16.194A , two hundred thousand dollars of the  
75 31 moneys deposited in the rebuild Iowa infrastructure fund  
75 32 shall be allocated each fiscal year to the Iowa finance  
75 33 authority for purposes of administering the Iowa jobs program,  
75 34 notwithstanding section 8.57, subsection 6, paragraph "c".

75 35 Sec. 87. Section 16.193, Code Supplement 2009, is amended by  
76 1 adding the following new subsection:

CODE: Reduces the \$3,000,000 standing appropriation from the RIIF to the Housing Trust Fund by \$2,000,000 for FY 2011.

DETAIL: Funding resumes at the previous level for FY 2012 from the RIIF. Division III provides an FY 2011 appropriation from the RBC Fund for the Housing Trust Fund Program for \$2,000,000.

CODE: Sections 85, 86, and 89 make conforming changes to the I-JOBS Board and Program provisions to account for the new I-JOBS II Program created under Code Section 16.194A. Section 87 adds reporting requirements related to the I-JOBS Programs. Section 88 creates the I-JOBS II Program.

DETAIL: Specifies that the IFA must collect information on all projects approved under the existing I-JOBS Program and the new I-JOBS II Program. The IFA must report quarterly to the Governor and General Assembly on specified data. The IFA must maintain a website that allows the public to track project information on a county-by-county basis.

The grant process in the new I-JOBS II Program will be run similarly to the local infrastructure grants under the I-JOBS Board in FY 2010, but the criteria will include projects in cities and counties that incorporate smart planning principles and guidelines under Code Sections 18B.1 and 18B.2. Division VII provides the provisions relating to smart planning, including creating a new Task Force. The Disaster Prevention Smart Planning Local Grant Program will assist in the development of public construction projects that provide disaster

76 2 NEW SUBSECTION . 3. a. During the term of the Iowa jobs  
76 3 program, the Iowa finance authority shall collect data on all  
76 4 of the projects approved for the program. The department  
76 5 of management and the state agencies associated with the  
76 6 projects shall assist the authority with the data collection  
76 7 and in developing the report required by this subsection.  
76 8 The authority shall report quarterly to the governor and the  
76 9 general assembly concerning the data.  
76 10 b. The report shall include but is not limited to all of the  
76 11 following:  
76 12 (1) The nature of each project and its purpose.  
76 13 (2) The status of each project and the amount and percentage  
76 14 of program funds expended for the project.  
76 15 (3) The outside funding that is matched or leveraged by the  
76 16 program funds.  
76 17 (4) The number of jobs created or retained by each project.  
76 18 (5) For each project, the names of the project contractors,  
76 19 state of residence of the project contractors, and the state of  
76 20 residence of the contractors' employees.  
76 21 c. The authority shall maintain an internet site that allows  
76 22 citizens to track project data on a county=by=county basis.  
76 23 Sec. 88. NEW SECTION . 16.194A Iowa jobs II program ==  
76 24 disaster prevention.  
76 25 1. An Iowa jobs II program is created to assist in the  
76 26 development and completion of public construction projects  
76 27 relating to disaster prevention including but not limited to  
76 28 the construction of, or the replacement or reconstruction of,  
76 29 local public buildings in a manner that mitigates damages from  
76 30 future disasters, including flooding.  
76 31 2. A city or county in this state that applies the smart  
76 32 planning principles and guidelines pursuant to sections 18B.1  
76 33 and 18B.2, as enacted in this Act, may submit an application  
76 34 to the Iowa jobs board for financial assistance for a local  
76 35 infrastructure competitive grant for an eligible project under  
77 1 the program, notwithstanding any limitation on the state's  
77 2 percentage in funding as contained in section 29C.6, subsection  
77 3 17.

prevention and use smart planning techniques such as sustainable designs for low-impact development. The intent is to mitigate damages from future disasters, including flooding while encouraging communities to incorporate the smart planning sustainable development principles. Division IV provides \$30,000,000 for this new grant program from the RBC2. An award of financial assistance to a project will be limited to 90.00% of the total cost. An applicant or combination of applicants for a project within the same county may not be awarded more than 40.00% of the funds available in the Program. Funds that are unexpended or unencumbered one year after the financial assistance allocation may be reallocated at the discretion of the Board.

77 4 3. Financial assistance under the program shall be awarded

77 5 in the form of grants.

77 6 4. The board shall consider the following criteria in

77 7 evaluating eligible projects to receive financial assistance

77 8 under the program:

77 9 a. The total number and quality of jobs to be created and

77 10 the benefits likely to accrue to areas distressed by high

77 11 unemployment.

77 12 b. Financial feasibility, including the ability of projects

77 13 to fund depreciation costs or replacement reserves, and the

77 14 availability of other federal, state, local, and private

77 15 sources of funds.

77 16 c. Sustainability and energy efficiency.

77 17 d. Benefits for disaster prevention.

77 18 e. The project's readiness to proceed.

77 19 5. An applicant must demonstrate local support for the

77 20 project as defined by rule.

77 21 6. Any award of financial assistance to a project shall

77 22 be limited to up to ninety percent of the total cost of the

77 23 development and completion of a public construction project

77 24 relating to disaster prevention consistent with the purposes of

77 25 the program as specified in subsection 1.

77 26 7. In order for a project to be eligible to receive

77 27 financial assistance from the board, the project must be a

77 28 public construction project pursuant to subsection 1 with a

77 29 demonstrated substantial local, regional, or statewide economic

77 30 impact.

77 31 8. The board shall not approve an application for assistance

77 32 for any of the following purposes:

77 33 a. To refinance a loan existing prior to the date of the

77 34 initial financial assistance application.

77 35 b. For a project that has previously received financial

78 1 assistance under the program, unless the applicant demonstrates

78 2 that the financial assistance would be used for a significant

78 3 expansion of a project.

78 4 9. Any portion of an amount allocated for projects

78 5 that remains unexpended or unencumbered one year after the

78 6 allocation has been made may be reallocated to another project  
78 7 category, at the discretion of the board. The board shall  
78 8 ensure that all bond proceeds be expended within three years  
78 9 from when the allocation was initially made.  
78 10 10. The board shall ensure that funds obligated under  
78 11 this section are coordinated with other federal program funds  
78 12 received by the state, and that projects receiving funds are  
78 13 located in geographically diverse areas of the state.  
78 14 11. An applicant or combination of applicants for a project  
78 15 within the same county shall not be awarded more than forty  
78 16 percent of the funds available under this program.  
78 17 Sec. 89. Section 16.195, subsection 2, Code Supplement  
78 18 2009, is amended to read as follows:  
78 19 2. A review committee composed of members of the  
78 20 board as determined by the board shall review Iowa jobs  
78 21 program applications submitted to the board and make  
78 22 recommendations regarding the applications to the board. When  
78 23 reviewing the applications, the review committee and the  
78 24 authority shall consider the project criteria specified in  
78 25 ~~section~~ sections 16.194 and 16.194A . The board shall develop  
78 26 the appropriate level of transparency regarding project fund  
78 27 allocations.

78 28 Sec. 90. Section 26.3, subsection 2, Code Supplement 2009,  
78 29 is amended to read as follows:  
78 30 2. A governmental entity shall have an engineer licensed  
78 31 under chapter 542B, a landscape architect licensed under  
78 32 chapter 544B, or an architect registered under chapter  
78 33 544A prepare plans and specifications, and calculate the  
78 34 estimated total cost of a proposed public improvement. A  
78 35 governmental entity shall ensure that a sufficient number  
79 1 of paper copies of the project's contract documents, including  
79 2 all drawings, plans, specifications, and estimated total costs  
79 3 of the proposed public improvement are made available for  
79 4 distribution at no charge to prospective bidders , subcontractor  
79 5 bidders, suppliers, and contractor plan room services . If  
79 6 a deposit is required as part of a paper contract documents

CODE: Requires a governmental entity to ensure that a sufficient number of paper copies of the project's contract documents be made available at no charge to prospective bidders. Specifies the conditions if a deposit is required as part of a paper contract distribution policy.

79 7 distribution policy by the public owner, the deposit shall  
79 8 not exceed two hundred fifty dollars per set which shall be  
79 9 refunded upon return of the contract documents within fourteen  
79 10 days after award of the project. If the contract documents are  
79 11 not returned in a timely manner and in a reusable condition,  
79 12 the deposit shall be forfeited. The governmental entity shall  
79 13 reimburse the landscape architect, architect, or professional  
79 14 engineer for the actual costs of preparation and distribution  
79 15 of plans and specifications.

79 16 Sec. 91. NEW SECTION . 73.14 Minority=owned and female=owned  
79 17 businesses == bond issuance services.

79 18 1. The state, board of regents institutions, counties,  
79 19 townships, school districts, community colleges, cities, and  
79 20 other public entities, and every person acting as contracting  
79 21 agent for any such entity, shall, when issuing bonds or other  
79 22 obligations, make a good=faith effort to utilize minority=owned  
79 23 and female=owned businesses for attorneys, accountants,  
79 24 financial advisors, banks, underwriters, insurers, and other  
79 25 occupations necessary to carry out the issuance of bonds or  
79 26 other obligations by the entity.

79 27 2. For purposes of this section:

79 28 a. "Female=owned business" means a business that is  
79 29 fifty=one percent or more owned, operated, and actively managed  
79 30 by one or more women.

79 31 b. "Minority=owned business" means a business that is  
79 32 fifty=one percent or more owned, operated, and actively managed  
79 33 by one or more minority persons.

79 34 Sec. 92. Section 123.53, subsections 3 and 4, Code  
79 35 Supplement 2009, are amended to read as follows:

80 1 3. Notwithstanding subsection 2, if gaming revenues under  
80 2 sections 99D.17 and 99F.11 are insufficient in a fiscal year to  
80 3 meet the total amount of such revenues directed to be deposited  
80 4 in the revenue bonds debt service fund and the revenue bonds  
80 5 federal subsidy holdback fund during the fiscal year pursuant  
80 6 to section 8.57, subsection 6, paragraph "e", the difference

CODE: Adds Code Section 73.14 to require that when issuing bonds, the State, Board of Regents, cities, counties, townships, school districts, community colleges, and other public entities, including all persons contracting with these entities, are required to make a good-faith effort to use female-owned and minority-owned businesses. Businesses include attorneys, accountants, financial advisors, banks, underwriters, insurers, and other occupations necessary to carry out a bond issuance.

CODE: Conforming change to add the new Federal Subsidy Holdback Fund in the language related to a secondary revenue pledge, if there are not enough wagering taxes available for the allocation.

DETAIL: The Beer and Liquor Control Fund provides the secondary revenue pledge for the revenue bonds issued in FY 2010. Any revenue bonds pledged with wagering tax revenue must include a secondary source of funds because of a concern that there could be a loss of revenue due to potential changes in county laws. Every 10



80 7 shall be paid from moneys deposited in the beer and liquor  
80 8 control fund prior to transfer of such moneys to the general  
80 9 fund pursuant to subsection 2 and prior to the transfer of such  
80 10 moneys pursuant to subsections 5 and 6. If moneys deposited in  
80 11 the beer and liquor control fund are insufficient during the  
80 12 fiscal year to pay the difference, the remaining difference  
80 13 shall be paid from moneys deposited in the beer and liquor  
80 14 control fund in subsequent fiscal years as such moneys become  
80 15 available.

80 16 4. The treasurer of state shall, each quarter, prepare  
80 17 an estimate of the gaming revenues and of the moneys to be  
80 18 deposited in the beer and liquor control fund that will become  
80 19 available during the remainder of the appropriate fiscal year  
80 20 for the purposes described in subsection 3. The department  
80 21 of management, the department of inspections and appeals, and  
80 22 the department of commerce shall take appropriate actions to  
80 23 provide that the sum of the amount of gaming revenues available  
80 24 to be deposited into the revenue bonds debt service fund during  
80 25 a fiscal year and the amount of moneys to be deposited in the  
80 26 beer and liquor control fund available to be deposited into  
80 27 the revenue bonds debt service fund and the revenue bonds  
80 28 federal subsidy holdback fund during such fiscal year will be  
80 29 sufficient to cover any anticipated deficiencies.

80 30 Sec. 93. Section 327H.20A, subsection 3, Code Supplement  
80 31 2009, is amended to read as follows:

80 32 3. Notwithstanding any other provision to the contrary,  
80 33 on or after July 1, 2006, moneys received as repayments for  
80 34 loans made pursuant to this chapter or chapter 327I, Code 2009,  
80 35 before, on, or after July 1, 2005, other than repayments of  
81 1 federal moneys subject to section 327H.21, shall be credited to  
81 2 the railroad revolving loan and grant fund. Notwithstanding  
81 3 section 8.33, moneys in the railroad revolving loan and grant  
81 4 fund shall not revert to the ~~general fund of the state fund~~  
81 5 from which it was appropriated but shall remain available  
81 6 indefinitely for expenditure under this section.

81 7 Sec. 94. Section 327J.2, subsection 3, Code Supplement

years, the counties with casinos must vote whether or not to authorize continued gambling. The Vision Iowa and School Infrastructure bonds have lottery revenues pledged as their respective secondary sources.

CODE: Sections 93 and 94 amend the existing Rail Revolving Loan and Grant Fund and Passenger Rail Service Revolving Fund to clarify that the funds do not revert to back the Fund that provided the appropriation.

DETAIL: The language currently references the General Fund, but these rail funds generally receive appropriations from the RIIF.

81 8 2009, is amended to read as follows:

81 9 3. No reversion. Notwithstanding section 8.33, any balance  
81 10 in the fund on June 30 of any fiscal year shall not revert  
81 11 to the ~~general fund of the state~~ fund from which it was  
81 12 appropriated .

81 13 Sec. 95. REPEAL. Sections 8.57D, 12.90A, 12.90B, 12.90C,  
81 14 16.185, 16.186, 16.187, and 313.68, Code Supplement 2009, are  
81 15 repealed.

CODE: Repeals funds created in SF 376 (2009 Session) that are no longer necessary. These funds include the Disaster Damage Housing Assistance Fund, the Affordable Housing Assistance Grant Fund, the Public Service Shelter Grant Fund, and the Bridge Safety Fund.

81 16 Sec. 96. EFFECTIVE DATES AND APPLICABILITY.

81 17 1. The section of this division of this Act amending section  
81 18 12.87, being deemed of immediate importance, takes effect upon  
81 19 enactment.

Sections 79 and 87 in Division XVIII related to revenue bonds and I-JOBS reporting are effective on enactment.

81 20 2. The section of this division of this Act enacting section  
81 21 16.193, subsection 3, being deemed of immediate importance,  
81 22 takes effect upon enactment, and applies to projects approved  
81 23 on, before, and after the effective date of the section.

**FY 2011 INFRASTRUCTURE APPROPRIATIONS ACT- SF 2389**

**Appropriations Listed by Funding Source**

*FY 2011 appropriations that have been previously enacted in prior Legislative Sessions or are standing appropriations are NOT reflected in this spreadsheet.*

		Final Action 2010 Session			
		Adjustments FY 2010	FY 2011	FY 2012	FY 2013
<b>Rebuild Iowa Infrastructure Fund (RIIF)*</b>					
Administrative Services	DAS Distribution Account	\$ 0	\$ 3,700,000	\$ 0	\$ 0
	Mercy Capitol Hospital Building Operations	0	1,083,175	0	0
	D-Line Bus Service and Employee Ride Program	0	200,000	0	0
Agricultural and Land Stewardship	Watershed Improvement Review Board Administration	0	50,000	0	0
Blind	Newsline Service	0	20,000	0	0
Corrections	Construction Project Management	0	0	4,500,000	1,000,000
Cultural Affairs	Battle Flags	0	60,000	0	0
	Historic Sites	0	40,000	0	0
Economic Development	Regional Sport Authorities	0	500,000	0	0
	Community Colleges/Workforce Dev & Training Fund	0	2,000,000	0	0
	Grow Iowa Values Fund	0	38,000,000	0	0
	6th Avenue Corridor Revitalization - Main Streets	0	100,000	0	0
	Port Authority - Southeast Iowa Economic Development	0	50,000	0	0
	World Food Prize	0	100,000	0	0
Education	Enrich Iowa Libraries	0	500,000	0	0
Iowa Finance Authority	Facilities Construction Multiple-Handicapped Polk County	0	250,000	0	0
Natural Resources	Floodplain Management Program	0	2,000,000	0	0
	Honey Creek Asset Manager	0	100,000	0	0
	Rock Creek Lake Permanent Shelter	0	40,000	0	0
	State Park Infrastructure Improvements	0	0	5,000,000	5,000,000
Public Defense	Facilities/Armory Maintenance	0	1,500,000	0	0
	Iowa Falls Readiness Center	0	500,000	0	0
	Cedar Rapids Armed Forces Readiness Center	0	200,000	0	0
	Middletown Armed Forces Readiness Center	0	100,000	0	0
Public Health	Vision Screening	0	100,000	0	0
Regents	SUI - Iowa Flood Center	0	1,300,000	0	0
	Tuition Replacement	0	24,305,412	0	0
	ISU - Veterinary Training Modernization	0	400,000	0	0
Transportation	General Aviation Infrastructure Grants	0	750,000	0	0
	Passenger Rail	0	0	6,500,000	0
Treasurer	County Fair Infrastructure	0	1,060,000	0	0
Veterans Affairs	Military Members Home Ownership Program	0	1,000,000	0	0
<b>Total RIIF</b>		<b>\$ 0</b>	<b>\$ 80,008,587</b>	<b>\$ 16,000,000</b>	<b>\$ 6,000,000</b>
<b>Technology Reinvestment Fund (TRF)</b>					
Administrative Services	Pooled Technology Projects	\$ 0	\$ 3,793,654	\$ 0	\$ 0
Corrections	Iowa Corrections Offender Network Data System	0	500,000	0	0
Education	ICN Part III & Maintenance & Leases	0	2,727,000	0	0
	Statewide Education Data Warehouse	0	600,000	0	0
Iowa Telecom and Tech Commission	ICN Equipment Replacement	0	2,244,956	0	0
Public Health	Mental Health Services Database Electronic Records	0	250,000	0	0
<b>Total TRF</b>		<b>\$ 0</b>	<b>\$ 10,115,610</b>	<b>\$ 0</b>	<b>\$ 0</b>

**FY 2011 INFRASTRUCTURE APPROPRIATIONS ACT- SF 2389**  
**Appropriations Listed by Funding Source**

*FY 2011 appropriations that have been previously enacted in prior Legislative Sessions or are standing appropriations are NOT reflected in this spreadsheet.*

		Final Action 2010 Session			
		Adjustments FY 2010	FY 2011	FY 2012	FY 2013
<b>Revenue Bonds Capitals Fund (RBC)</b>					
Administrative Services	Major Maintenance	\$ 0	\$ 3,000,000	\$ 0	\$ 0
Agriculture and Land Stewardship	Soil Conservation Cost Share	0	1,000,000	0	0
Cultural Affairs	Great Places Grants	0	2,000,000	0	0
Corrections	Fifth Judicial District CBC - Des Moines Expansion	0	-13,100,000	0	0
	Security Barrier Fifth District CBC/AH Blank Park	0	1,000,000	0	0
	One Time Opening Costs CBCs - Equipment	0	1,519,048	0	0
	Prison Construction Management	0	2,200,000	0	0
Economic Development	Main Street Projects	5,550,000	0	0	0
	Regional Transit Hub Construction	0	4,000,000	0	0
Iowa Finance Authority	Housing Trust Fund Grants	0	2,000,000	0	0
Iowa Telecom and Tech Commission	Broadband Sustainability Grants	-25,000,000	0	0	0
Natural Resources	Lake Restoration and Dredging	0	7,000,000	0	0
Regents	ISU - Veterinary Lab Phase II Small Animal Teaching Hosp	0	13,000,000	0	0
State Fair Authority	Agricultural Exhibition Center	0	2,500,000	0	0
Transportation	Bridge Safety	-10,000,000	0	0	0
<b>Total RBC Fund</b>		<b>\$ -29,450,000</b>	<b>\$ 26,119,048</b>	<b>\$ 0</b>	<b>\$ 0</b>
<b>Revenue Bonds Capitals II Fund (RBC2)</b>					
Agriculture and Land Stewardship	Soil Conservation Cost Share	\$ 0	\$ 5,950,000	\$ 0	\$ 0
	Conservation Reserve Enhancement Program	0	2,500,000	0	0
Economic Development	Community Attraction and Tourism Grants (CAT)	0	12,000,000	0	0
	River Enhancement CAT Grants	0	4,000,000	0	0
	ACE Vertical Infrastructure Community Colleges	0	5,500,000	0	0
	Main Street Projects	0	8,450,000	0	0
	NIACC/Mason City Small Business Center	0	1,500,000	0	0
	Kirkwood CC/Cedar Rapids Small Business Center	0	1,200,000	0	0
Education	Community Colleges Infrastructure	0	2,000,000	0	0
Iowa Finance Authority/I-JOBS Board	Targeted Rebuilding, Mitigation, Construction Projects	0	30,900,000	0	0
	Disaster Prevention Smart Planning Local Competitive Grants	0	30,000,000	0	0
Natural Resources	State Parks Infrastructure Improvements	0	5,000,000	0	0
	Lake Restoration and Dredging	0	3,000,000	0	0
Regents	Iowa Energy Center	0	5,000,000	0	0
	SUI - Institute for Biomedical Discovery	0	10,000,000	0	0
Transportation	Public Transit Infrastructure Grants	0	2,000,000	0	0
	Commercial Airport Vertical Infrastructure Grants	0	1,500,000	0	0
	Bridge Safety Projects	0	10,000,000	0	0
	Rail Ports Improvements Economic Dev Grants	0	7,500,000	0	0
Treasurer	Watershed Improvement Review Board	0	2,000,000	0	0
<b>Total RBC2 Fund</b>		<b>\$ 0</b>	<b>\$ 150,000,000</b>	<b>\$ 0</b>	<b>\$ 0</b>

**FY 2011 INFRASTRUCTURE APPROPRIATIONS ACT- SF 2389**  
**Appropriations Listed by Funding Source**

*FY 2011 appropriations that have been previously enacted in prior Legislative Sessions or are standing appropriations are NOT reflected in this spreadsheet.*

		Final Action 2010 Session			
		Adjustments FY 2010	FY 2011	FY 2012	FY 2013
<b>Prison Bonding Fund (PBF)</b>					
Corrections	Prison Construction Management	\$ 0	\$ 322,500	\$ 0	\$ 0
<b>Total Prison Bonding Fund</b>		<b>\$ 0</b>	<b>\$ 322,500</b>	<b>\$ 0</b>	<b>\$ 0</b>
<b>Other Funds Appropriations</b>					
School Infrastructure Fund appropriation to Save Our Small Business Fund in DED		\$ 0	\$ 5,000,000	\$ 0	\$ 0
School Infrastructure Fund appropriation to DED for Site Development Consultanting (inclu 1 FTE)		0	175,000	0	0
School Infrastructure fund appropriation to DED for Business Assistance Website		0	20,000	0	0
Underground Storage Tank Fund appropriation to DOT for Passenger Rail		0	2,000,000	0	0
		<b>\$ 0</b>	<b>\$ 7,195,000</b>		
<b>Total Infrastructure Appropriations Act</b>		<b>\$ -29,450,000</b>	<b>\$ 273,760,745</b>	<b>\$ 16,000,000</b>	<b>\$ 6,000,000</b>

**Notes:**

\*The Act deappropriates a total of \$76.5 million from the \$139.7 million previously enacted and standing appropriations in FY 2011 RIIF either by reducing, eliminating, or moving them to other funding sources. These changes to the RIIF are not reflected on this spreadsheet. The appropriations that were moved to other funding sources are reflected under the new funding source.

\*The Act moves the standing appropriation for the Technology Reinvestment Fund from the General Fund to the RIIF for FY 2011 and reduces it from \$17.5 million to \$10.0 million. This appropriation is not reflected here in order to avoid double counting the technology appropriations.

# **Miscellaneous Appropriations Acts**

# **EXECUTIVE SUMMARY BLOCK GRANT APPROPRIATIONS ACT**

**HOUSE FILE 2519**

## ***DIVISION I***

### **FUNDING SUMMARY**

#### **FFY 2011 BLOCK GRANTS**

#### **PROCEDURES FOR REDUCED OR INCREASED BLOCK GRANTS**

#### **FFY 2011 CATEGORICAL GRANTS**

## ***FEDERAL BLOCK GRANT AND OTHER FEDERAL FUNDING***

- House File 2519 authorizes the receipt and expenditure of federal funds totaling \$6.3 billion for FFY 2011. This is an increase of \$96.7 million compared to FFY 2010.
- Provides the mechanism for the State to receive \$192.4 million in federal Block Grants including:
  - Substance Abuse: \$13.5 million. (Page 1, Line 5)
  - Community Mental Health Services: \$3.4 million. (Page 2, Line 4)
  - Maternal and Child Health Services: \$6.5 million. (Page 3, Line 19)
  - Preventive Health and Health Services: \$1.1 million. (Page 4, Line 32)
  - Stop Violence Against Women: \$1.5 million. (Page 5, Line 30)
  - Residential Substance Abuse Treatment for State Prisoners: \$250,000. (Page 6, Line 14)
  - Edward Byrne Memorial (Law Enforcement Drug Policy). \$3.0 million. (Page 6, Line 31)
  - Community Services: \$7.5 million. (Page 7, Line 17)
  - Community Development: \$26.2 million. (Page 8, Line 20)
  - Low-Income Energy Assistance: \$67.8 million. (Page 9, Line 14)
  - Social Services: \$16.7 million. (Page 10, Line 18)
  - Child Care and Development: \$43.6 million. (Page 12, Line 35)
- Specifies the procedures for prorating funds to various programs if funding is different than the amount appropriated. (Page 13, Line 16 and Page 14, Line 11)
- Specifies the procedures for notifying the Legislative Fiscal Committee when additional federal funding becomes available during the legislative interim. (Page 14, Line 28)
- Appropriates expected funds for various departments of State government. The estimated amount of the grants to be received during FFY 2011 is \$6.1 billion. (Page 15, Line 7)

# EXECUTIVE SUMMARY BLOCK GRANT APPROPRIATIONS ACT

HOUSE FILE 2519

## ***DIVISION II***

### **FUNDING SUMMARY**

#### **STATE FOUNDATION AID TO SCHOOL DISTRICTS FOR FY 2011 – EDUCATION STABILIZATION FUNDS**

#### **STATE FOUNDATION AID TO SCHOOL DISTRICTS FOR FY 2011 – GOVERNMENT STABILIZATION FUNDS**

#### **COMMUNITY DEVELOPMENT BLOCK GRANT – ARRA**

#### **COMMUNITY DEVELOPMENT BLOCK GRANT - DISASTER RELIEF**

### **DIVISION II EFFECTIVE DATE**

### **ENACTMENT DATE**

## ***FEDERAL AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) FUNDING***

- House File 2519 appropriates \$571.7 million from the Federal Recovery and Reinvestment Fund (FRRF). Deappropriates \$47.9 million from the State General Fund to reflect the ARRA funding for the State Foundation Aid.
- Appropriates \$25.3 million from the FRRF from funding designated for education stabilization to the Department of Management (DOM) for State foundation aid to school districts. (Page 17, Line 22)
- Specifies that the \$25.3 million is in lieu of an equal amount of the General Fund appropriation for State foundation aid for FY 2011. (Page 17, Line 27)
- Requires the \$25.3 million to be distributed monthly to each school district in FY 2011. (Page 17, Line 34)
- Appropriates \$22.6 million from the FRRF from funding designated for government stabilization to the DOM for State foundation aid to school districts. (Page 18, Line 7)
- Specifies that the \$22.6 million is in lieu of an equal amount of the General Fund appropriation for State foundation aid for FY 2011. (Page 18, Line 12)
- Requires the \$22.6 million to be distributed monthly to each school district in FY 2011. (Page 18, Line 19)
- Appropriates \$7.0 million from the FRRF to the Department of Economic Development (DED) for infrastructure. (Page 18, Line 29)
- Requires the DED to expend the funds for various infrastructure improvements. Permits the DED to retain up to 6.0% of the funds for administrative costs. (Page 19, Line 3)
- Appropriates \$516.7 million from the FRRF to the DED for disaster relief. (Page 19, Line 19)
- Requires the DED to expend the funds for disaster relief and long-term recovery. Permits the DED to retain up to 3.0% of the funds for administrative costs. (Page 19, Line 28)
- Specifies that the FRRF appropriation to the DED for disaster relief is retroactive to October 1, 2007. (Page 20, Line 8)
- The appropriations and requirements of Division II relating to the appropriations from the FRRF are effective on enactment. (Page 20, Line 10)
- This Act was approved by the General Assembly on March 18, 2010, and signed by the Governor on April 28, 2010.



1 1 DIVISION I

1 2 FEDERAL BLOCK GRANT AND OTHER

1 3 FEDERAL FUNDING == FY 2010=2011

1 4 Section 1. SUBSTANCE ABUSE APPROPRIATION.

1 5 1. There is appropriated from the fund created by section  
1 6 8.41 to the department of public health for the federal fiscal  
1 7 year beginning October 1, 2010, and ending September 30, 2011,  
1 8 the following amount:  
1 9 ..... \$ 13,524,616

Federal Substance Abuse Block Grant appropriation to the  
Department of Public Health.

DETAIL: This is an increase of \$46,655 compared to the estimated  
FFY 2010 appropriation.

1 10 a. Funds appropriated in this subsection are the  
1 11 anticipated funds to be received from the federal government  
1 12 for the designated federal fiscal year under 42 U.S.C.,  
1 13 ch. 6A, subch. XVII, part B, subpart ii, which provides for  
1 14 the substance abuse prevention and treatment block grant.  
1 15 The department shall expend the funds appropriated in this  
1 16 subsection as provided in the federal law making the funds  
1 17 available and in 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 defined in Code Chapter 17A.

1 18 b. Of the funds appropriated in this subsection, an amount  
1 19 not exceeding 5 percent shall be used by the department for  
1 20 administrative expenses.

Requires a maximum allocation of 5.00% of the Substance Abuse  
Block Grant funds for administrative expenses.

DETAIL: The maximum allocation of \$676,230 is a decrease of  
\$2,332 compared to the estimated FFY 2010 allocation.

1 21 c. The department shall expend no less than an amount equal  
1 22 to the amount expended for treatment services in the state  
1 23 fiscal year beginning July 1, 2009, for pregnant women and  
1 24 women with dependent children.

Requires a minimum allocation equal to the State FY 2010 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 2010 allocation.

1 25 d. Of the funds appropriated in this subsection, an amount  
1 26 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 2010 allocation.

1 27 2. At least 20 percent of the funds remaining from the  
1 28 appropriation made in subsection 1 shall be allocated for  
1 29 prevention programs.

Requires a minimum allocation of 20.00% of the remaining Substance Abuse Block Grant funds for prevention programs.

DETAIL: Requires a minimum allocation of \$2,286,572 for prevention programs. This is an increase of \$8,864 compared to the estimated FFY 2010 allocation.

1 30 3. In implementing the federal substance abuse prevention  
1 31 and treatment block grant under 42 U.S.C., ch. 6A, subch. XVII,  
1 32 and any other applicable provisions of the federal Public  
1 33 Health Service Act under 42 U.S.C., ch. 6A, the department  
1 34 shall apply the provisions of Pub. L. No. 106=310, 3305,  
1 35 as codified in 42 U.S.C. 300x=65, relating to services  
2 1 under such federal law being provided by religious and other  
2 2 nongovernmental organizations.

Requires the DPH to apply federal law regarding nondiscrimination requirements for religious or other nongovernmental organizations that may provide services when implementing the federal Substance Abuse Prevention and Treatment Block Grant.

## 2 3 Sec. 2. COMMUNITY MENTAL HEALTH SERVICES APPROPRIATION.

2 4 1. a. There is appropriated from the fund created by  
2 5 section 8.41 to the department of human services for the  
2 6 federal fiscal year beginning October 1, 2010, and ending  
2 7 September 30, 2011, the following amount:  
2 8 ..... \$ 3,368,868

Federal Community Mental Health Services Block Grant appropriation to the Department of Human Services (DHS).

DETAIL: This is a decrease of \$131,299 compared to the estimated FFY 2010 appropriation.

2 9 b. Funds appropriated in this subsection are the  
2 10 anticipated funds to be received from the federal government  
2 11 for the designated federal fiscal year under 42 U.S.C., ch.  
2 12 6A, subch. XVII, part B, subpart i, which provides for the

Requires the DHS to expend the funds appropriated according to federal law and in conformance with administrative procedures as defined in Code Chapter 17A.

2 13 community mental health services block grant. The department  
2 14 shall expend the funds appropriated in this subsection as  
2 15 provided in the federal law making the funds available and in  
2 16 conformance with chapter 17A.

2 17 c. The department shall allocate not less than 95 percent  
2 18 of the amount of the block grant to eligible community mental  
2 19 health services providers for carrying out the plan submitted  
2 20 to and approved by the federal substance abuse and mental  
2 21 health services administration for the fiscal year involved.

Requires a minimum allocation of 95.00% of the Community Mental Health Services Block Grant funds for eligible community mental health service providers.

DETAIL: The minimum allocation of \$3,200,424 is a decrease of \$124,734 compared to the estimated FFY 2010 allocation.

2 22 d. Of the amount allocated to eligible services providers  
2 23 under paragraph "c", 70 percent shall be distributed to  
2 24 the state's accredited community mental health centers  
2 25 established or designated by counties in accordance with law  
2 26 or administrative rule. If a county has not established  
2 27 or designated a community mental health center and has  
2 28 received a waiver from the mental health, mental retardation,  
2 29 developmental disabilities, and brain injury commission,  
2 30 the mental health services provider designated by that  
2 31 county is eligible to receive funding distributed pursuant  
2 32 to this paragraph in lieu of a community mental health  
2 33 center. The funding distributed shall be used by recipients  
2 34 of the funding for the purpose of developing and providing  
2 35 evidence-based practices and emergency services to adults with  
3 1 a serious mental illness and children with a serious emotional  
3 2 disturbance. The distribution amounts shall be announced at  
3 3 the beginning of the federal fiscal year and distributed on  
3 4 a quarterly basis according to the formulas used in previous  
3 5 fiscal years. Recipients shall submit quarterly reports  
3 6 containing data consistent with the performance measures  
3 7 approved by the federal substance abuse and mental health  
3 8 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.

DETAIL: The allocation of \$2,240,296 is a decrease of \$253,572 compared to the estimated FFY 2010 allocation. Requires the funds to be used for developing and providing evidence-based practices and emergency services for certain adults and children. Requires the funds to be distributed on a quarterly basis. Requires recipients of funds to submit quarterly reports.

3 9 2. An amount not exceeding 5 percent of the funds

Requires a maximum allocation of 5.00% of the Community Mental

3 10 appropriated in subsection 1 shall be used by the department  
 3 11 of human services for administrative expenses. From the  
 3 12 funds set aside by this subsection for administrative  
 3 13 expenses, the department shall pay to the auditor of state  
 3 14 an amount sufficient to pay the cost of auditing the use  
 3 15 and administration of the state's portion of the funds  
 3 16 appropriated in subsection 1. The auditor of state shall bill  
 3 17 the department for the costs of the audits.

Health Services Block Grant funds to be used for administrative and audit costs.

DETAIL: The maximum allocation of \$168,443 is a decrease of \$6,565 compared to the estimated FFY 2010 allocation.

3 18 Sec. 3. MATERNAL AND CHILD HEALTH SERVICES APPROPRIATIONS.

3 19 1. There is appropriated from the fund created by section  
 3 20 8.41 to the department of public health for the federal fiscal  
 3 21 year beginning October 1, 2010, and ending September 30, 2011,  
 3 22 the following amount:  
 3 23 ..... \$ 6,529,540

Federal Maternal and Child Health Services Block Grant appropriation to the DPH.

DETAIL: This is an increase of \$17,436 compared to the estimated FFY 2010 appropriation.

3 24 a. The funds appropriated in this subsection are the funds  
 3 25 anticipated to be received from the federal government for  
 3 26 the designated federal fiscal year under 42 U.S.C., ch. 7,  
 3 27 subch. V, which provides for the maternal and child health  
 3 28 services block grant. The department shall expend the funds  
 3 29 appropriated in this subsection as provided in the federal law  
 3 30 making the funds available and in conformance with chapter 17A.

Requires the DPH to expend the funds appropriated according to federal law and in conformance with administrative procedures as defined in Code Chapter 17A.

3 31 b. Funds appropriated in this subsection shall not be used  
 3 32 by the university of Iowa hospitals and clinics for indirect  
 3 33 costs.

Prohibits the use of the appropriated funds by the University of Iowa Hospitals and Clinics for indirect costs.

3 34 2. An amount not exceeding 10 percent of the funds  
 3 35 appropriated in subsection 1 shall be used by the department of  
 4 1 public health for administrative expenses.

Requires a maximum allocation of 10.00% of the Maternal and Child Health Services Block Grant funds for administrative costs.

DETAIL: The maximum allocation of \$652,954 is an increase of \$1,744 compared to the estimated FFY 2010 allocation.

4 2 3. The departments of public health, human services, and  
4 3 education and the university of Iowa's mobile and regional  
4 4 child health specialty clinics shall continue to pursue to the  
4 5 maximum extent feasible the coordination and integration of  
4 6 services to women and children.

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 7 4. a. Sixty=three percent of the remaining funds  
4 8 appropriated in subsection 1 shall be allocated to supplement  
4 9 appropriations for maternal and child health programs within  
4 10 the department of public health. Of these funds, \$300,291  
4 11 shall be set aside for the statewide perinatal care program.

Requires an allocation of 63.00% of the remaining Maternal and Child Health Services Block Grant funds for maternal and child health programs with an allocation of \$300,291 for the Statewide Perinatal Care Program.

DETAIL: The allocation of \$3,702,249 is an increase of \$9,886 compared to the estimated FFY 2010 allocation for maternal and child health programs. The allocation of \$300,291 is no change compared to the estimated FFY 2010 allocation for the Statewide Perinatal Care Program.

4 12 b. Thirty=seven percent of the remaining funds appropriated  
4 13 in subsection 1 shall be allocated to the university of Iowa  
4 14 hospitals and clinics under the control of the state board  
4 15 of regents for mobile and regional child health specialty  
4 16 clinics. The university of Iowa hospitals and clinics shall  
4 17 not receive an allocation for indirect costs from the funds for  
4 18 this program. Priority shall be given to establishment and  
4 19 maintenance of a statewide system of mobile and regional child  
4 20 health specialty clinics.

Requires an allocation of 37.00% of the remaining Maternal and Child Health Services Block Grant funds for the Mobile and Regional Child Health Specialty Clinics operated by the University of Iowa Hospitals and Clinics.

DETAIL: The allocation of \$2,174,336 is an increase of \$5,805 compared to the estimated FFY 2010 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 21 5. The department of public health shall administer the  
4 22 statewide maternal and child health program and the disabled  
4 23 children's program by conducting mobile and regional child  
4 24 health specialty clinics and conducting other activities to  
4 25 improve the health of low=income women and children and to  
4 26 promote the welfare of children with actual or potential  
4 27 handicapping conditions and chronic illnesses in accordance  
4 28 with the requirements of Tit. V of the federal Social Security

Requires the DPH to administer the Statewide Maternal and Child Health Program and the Disabled Children's Program.

4 29 Act.

4 30 Sec. 4. PREVENTIVE HEALTH AND HEALTH SERVICES  
4 31 APPROPRIATIONS.

4 32 1. There is appropriated from the fund created by section  
4 33 8.41 to the department of public health for the federal fiscal  
4 34 year beginning October 1, 2010, and ending September 30, 2011,  
4 35 the following amount:

5 1 ..... \$ 1,114,623

Federal Preventive Health and Health Services Block Grant  
appropriation to the DPH.

DETAIL: This is an increase of \$49,764 compared to the estimated  
FFY 2010 appropriation.

5 2 Funds appropriated in this subsection are the funds  
5 3 anticipated to be received from the federal government for  
5 4 the designated federal fiscal year under 42 U.S.C., ch. 6A,  
5 5 subch. XVII, part A, which provides for the preventive health  
5 6 and health services block grant. The department shall expend  
5 7 the funds appropriated in this subsection as provided in the  
5 8 federal law making the funds available and in conformance with  
5 9 chapter 17A.

Requires the DPH to expend the funds appropriated according to  
federal law and in conformance with administrative procedures as  
defined in Code Chapter 17A.

5 10 2. Of the funds appropriated in subsection 1, an amount  
5 11 not more than 10 percent shall be used by the department for  
5 12 administrative expenses.

Requires a maximum allocation of 10.00% of the Maternal and Child  
Health Services Block Grant funds for administrative costs.

DETAIL: The maximum allocation of \$111,462 is an increase of  
\$4,977 compared to the estimated FFY 2010 allocation.

5 13 3. Of the funds appropriated in subsection 1, the specific  
5 14 amount of funds stipulated by the notice of the block grant  
5 15 award shall be allocated for services to victims of sex  
5 16 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 2010 allocation.

5 17 4. After deducting the funds allocated in subsections 2 and

Requires an allocation of the remaining Preventive Health and Health

5 18 3, the remaining funds appropriated in subsection 1 may be used  
 5 19 by the department for healthy people 2011/healthy lowans 2011  
 5 20 program objectives, preventive health advisory committee, and  
 5 21 risk reduction services, including nutrition programs, health  
 5 22 incentive programs, chronic disease services, emergency medical  
 5 23 services, monitoring of the fluoridation program and start=up  
 5 24 fluoridation grants, and acquired immune deficiency syndrome  
 5 25 services. The moneys specified in this subsection shall not be  
 5 26 used by the university of Iowa hospitals and clinics or by the  
 5 27 state hygienic laboratory for the funding of indirect costs.

Services Block Grant funds for services including:

- Healthy People 2011/Healthy lowans 2011 Program
- Preventive Health Advisory Committee
- Risk Reduction Services, including:
  - Nutrition Programs
  - Health Incentive Programs
  - Chronic Disease Services
  - Emergency Medical Services
  - Fluoridation Programs and 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.

5 28 Sec. 5. STOP VIOLENCE AGAINST WOMEN GRANT PROGRAM  
 5 29 APPROPRIATION.

5 30 1. There is appropriated from the fund created by section  
 5 31 8.41 to the department of justice for the federal fiscal year  
 5 32 beginning October 1, 2010, and ending September 30, 2011, the  
 5 33 following amount:  
 5 34 ..... \$ 1,482,096

Federal Stop Violence Against Women Block Grant appropriation to the Department of Justice.

DETAIL: This is an increase of \$88,906 compared to the estimated FFY 2010 appropriation.

5 35 Funds appropriated in this subsection are the anticipated  
 6 1 funds to be received from the federal government for the  
 6 2 designated fiscal year under 42 U.S.C., ch. 46, 3796gg=1,  
 6 3 which provides for grants to combat violent crimes against  
 6 4 women. The department of justice shall expend the funds  
 6 5 appropriated in this subsection as provided in the federal law  
 6 6 making the funds available and in conformance with 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 Code Chapter 17A.

6 7 2. An amount not exceeding 10 percent of the funds

Requires a maximum allocation of 10.00% of the Stop Violence

6 8 appropriated in subsection 1 shall be used by the department of  
 6 9 justice for administrative expenses. From the funds set aside  
 6 10 by this subsection for administrative expenses, the department  
 6 11 shall pay to the auditor of state an amount sufficient to pay  
 6 12 the cost of auditing the use and administration of the state's  
 6 13 portion of the funds appropriated in subsection 1.

Against Women Block Grant funds for administrative and audit costs.

DETAIL: The maximum allocation of \$186,209 is an increase of \$46,890 compared to the estimated FFY 2010 allocation.

6 14 Sec. 6. RESIDENTIAL SUBSTANCE ABUSE TREATMENT FOR STATE  
 6 15 PRISONERS FORMULA GRANT PROGRAM. There is appropriated from  
 6 16 the fund created by section 8.41 to the governor's office of  
 6 17 drug control policy for the federal fiscal year beginning  
 6 18 October 1, 2010, and ending September 30, 2011, the following  
 6 19 amount:  
 6 20 ..... \$ 250,000

Federal Residential Substance Abuse Treatment for State Prisoners Formula Grant Program to the Governor's Office of Drug Control Policy.

DETAIL: This is an increase of \$172,640 compared to the estimated FFY 2010 appropriation.

6 21 Funds appropriated in this section are the funds anticipated  
 6 22 to be received from the federal government for the designated  
 6 23 fiscal year under 42 U.S.C., ch. 46, subch. XII=G, which  
 6 24 provides grants for substance abuse treatment programs in state  
 6 25 and local correctional facilities. The drug policy coordinator  
 6 26 shall expend the funds appropriated in this section as provided  
 6 27 in federal law making the funds available and in conformance  
 6 28 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 Code Chapter 17A.

6 29 Sec. 7. EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT  
 6 30 PROGRAM APPROPRIATION.

6 31 1. There is appropriated from the fund created by section  
 6 32 8.41 to the governor's office of drug control policy for the  
 6 33 federal fiscal year beginning October 1, 2010, and ending  
 6 34 September 30, 2011, the following amount:  
 6 35 ..... \$ 3,000,000

Federal Local Law Enforcement Block Grant appropriation to the Governor's Office of Drug Control Policy.

DETAIL: This is an increase of \$1,947,843 compared to the estimated FFY 2010 appropriation.

7 1 Funds appropriated in this subsection are the anticipated

Requires the Drug Policy Coordinator to expend the funds



7 2 funds to be received from the federal government for the  
 7 3 designated fiscal year under 42 U.S.C., ch. 46, subch. V, which  
 7 4 provides for the Edward Byrne memorial justice assistance grant  
 7 5 program. The drug policy coordinator shall expend the funds  
 7 6 appropriated in this subsection as provided in the federal law  
 7 7 making the funds available and in conformance with chapter 17A.

appropriated according to federal law and in conformance with  
 administrative procedures as defined in Code Chapter 17A.

7 8 2. An amount not exceeding 10 percent of the funds  
 7 9 appropriated in subsection 1 shall be used by the drug policy  
 7 10 coordinator for administrative expenses. From the funds set  
 7 11 aside by this subsection for administrative expenses, the  
 7 12 drug policy coordinator shall pay to the auditor of state an  
 7 13 amount sufficient to pay the cost of auditing the use and  
 7 14 administration of the state's portion of the funds appropriated  
 7 15 in subsection 1.

Requires a maximum allocation of 10.00% of the Local Law  
 Enforcement Block Grant funds for administrative and audit costs.

DETAIL: The maximum allocation of \$194,784 is an increase of  
 \$67,043 compared to the estimated FFY 2010 allocation.

7 16 Sec. 8. COMMUNITY SERVICES APPROPRIATIONS.

7 17 1. a. There is appropriated from the fund created by  
 7 18 section 8.41 to the division of community action agencies of  
 7 19 the department of human rights for the federal fiscal year  
 7 20 beginning October 1, 2010, and ending September 30, 2011, the  
 7 21 following amount:  
 7 22 ..... \$ 7,530,822

Federal Community Services Block Grant appropriation to the Division  
 of Community Action Agencies within the Department of Human  
 Rights.

DETAIL: This is an increase of \$493,377 compared to the estimated  
 FFY 2010 appropriation.

7 23 Funds appropriated in this subsection are the funds  
 7 24 anticipated to be received from the federal government for the  
 7 25 designated federal fiscal year under 42 U.S.C., ch. 106, which  
 7 26 provides for the community services block grant. The division  
 7 27 of community action agencies of the department of human rights  
 7 28 shall expend the funds appropriated in this subsection as  
 7 29 provided in the federal law making the funds available and in  
 7 30 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 Code Chapter 17A.

7 31 b. The administrator of the division of community action

Requires a minimum allocation of 96.00% of the Community Services

7 32 agencies of the department of human rights shall allocate  
 7 33 not less than 96 percent of the amount of the block grant to  
 7 34 eligible community action agencies for programs benefiting  
 7 35 low-income persons. Each eligible agency shall receive a  
 8 1 minimum allocation of not less than \$100,000. The minimum  
 8 2 allocation shall be achieved by redistributing increased  
 8 3 funds from agencies experiencing a greater share of available  
 8 4 funds. The funds shall be distributed on the basis of  
 8 5 the poverty-level population in the area represented by  
 8 6 the community action areas compared to the size of the  
 8 7 poverty-level population in the state.

Block Grant funds to go to eligible community action agencies for programs benefiting low-income persons.

DETAIL: The minimum allocation of \$7,229,589 is an increase of \$544,016 compared to the estimated FFY 2010 allocation. The maximum allocation of 96.00% for community action agencies is an increase of 1.00% compared to the FFY 2009 percentage.

Requires each eligible community action agency to receive a minimum allocation of \$100,000 from the Community Services Block Grant funds. Specifies how the funds are to be distributed.

8 8 2. An amount not exceeding 4 percent of the funds  
 8 9 appropriated in subsection 1 shall be used by the division of  
 8 10 community action agencies of the department of human rights  
 8 11 for administrative expenses. From the funds set aside by  
 8 12 this subsection for administrative expenses, the division of  
 8 13 community action agencies of the department of human rights  
 8 14 shall pay to the auditor of state an amount sufficient to pay  
 8 15 the cost of auditing the use and administration of the state's  
 8 16 portion of the funds appropriated in subsection 1. The auditor  
 8 17 of state shall bill the division of community action agencies  
 8 18 for the costs of the audits.

Requires a maximum allocation of 4.00% of the Community Services Block Grant funds to 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 \$376,541 is an increase of \$24,669 compared to the estimated FFY 2010 allocation. The maximum allocation of 4.00% for administrative and audit costs is a decrease of 1.00% compared to the FFY 2009 percentage.

#### 8 19 Sec. 9. COMMUNITY DEVELOPMENT APPROPRIATIONS.

8 20 1. There is appropriated from the fund created by section  
 8 21 8.41 to the department of economic development for the federal  
 8 22 fiscal year beginning October 1, 2010, and ending September 30,  
 8 23 2011, the following amount:  
 8 24 ..... \$ 26,240,724

Federal Community Development Block Grant appropriation to the Department of Economic Development (DED).

DETAIL: This is an increase of \$540,724 compared to the estimated FFY 2010 appropriation.

8 25 Funds appropriated in this subsection are the funds  
 8 26 anticipated to be received from the federal government for  
 8 27 the designated federal fiscal year under 42 U.S.C., ch. 69,

Requires the DED to expend the funds appropriated according to federal law and in conformance with administrative procedures as defined in Code Chapter 17A.

8 28 which provides for community development block grants. The  
 8 29 department of economic development shall expend the funds  
 8 30 appropriated in this subsection as provided in the federal law  
 8 31 making the funds available and in conformance with chapter 17A.

8 32 2. An amount not exceeding \$1,149,628 for the federal fiscal  
 8 33 year beginning October 1, 2010, shall be used by the department  
 8 34 of economic development for administrative expenses for the  
 8 35 community development block grant. The total amount used for  
 9 1 administrative expenses includes \$624,814 for the federal  
 9 2 fiscal year beginning October 1, 2010, of funds appropriated  
 9 3 in subsection 1 and a matching contribution from the state  
 9 4 equal to \$524,814 from the appropriation of state funds for the  
 9 5 community development block grant and state appropriations for  
 9 6 related activities of the department of economic development.  
 9 7 From the funds set aside for administrative expenses by this  
 9 8 subsection, the department of economic development shall pay  
 9 9 to the auditor of state an amount sufficient to pay the cost of  
 9 10 auditing the use and administration of the state's portion of  
 9 11 the funds appropriated in subsection 1. The auditor of state  
 9 12 shall bill the department for the costs of the audit.

Requires a maximum allocation of Community Development Block Grant funds for administrative and audit costs. Requires the amount used to include \$624,814 of the funds appropriated in Subsection 1 and a \$524,814 matching contribution from the State.

DETAIL: The allocation of \$624,814 from the appropriation in Subsection 1 is an increase of \$10,814 compared to the estimated FFY 2010 allocation. The State match requirement of \$524,814 is an increase of \$10,814 compared to the requirement for FFY 2010.

9 13 Sec. 10. LOW-INCOME HOME ENERGY ASSISTANCE APPROPRIATIONS.

9 14 1. There is appropriated from the fund created by section  
 9 15 8.41 to the division of community action agencies of the  
 9 16 department of human rights for the federal fiscal year  
 9 17 beginning October 1, 2010, and ending September 30, 2011, the  
 9 18 following amount:  
 9 19 ..... \$ 67,802,538

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 an increase of \$31,040,130 compared to the estimated FFY 2010 appropriation.

9 20 The funds appropriated in this subsection are the funds  
 9 21 anticipated to be received from the federal government for the  
 9 22 designated federal fiscal year under 42 U.S.C., ch. 94, subch.  
 9 23 II, which provides for the low-income home energy assistance

Requires the Department of Human Rights to expend the funds appropriated according to federal law and in conformance with administrative procedures as defined in Code Chapter 17A.

9 24 block grants. The division of community action agencies of the  
 9 25 department of human rights shall expend the funds appropriated  
 9 26 in this subsection as provided in the federal law making the  
 9 27 funds available and in conformance with chapter 17A.

9 28 2. Up to 15 percent of the amount appropriated in this  
 9 29 section that is actually received shall be used for residential  
 9 30 weatherization or other related home repairs for low-income  
 9 31 households. Of this allocation amount, not more than 10  
 9 32 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 \$10,170,380 is an increase of \$4,656,019 compared to the estimated FFY 2010 allocation. The maximum allocation is to be distributed as follows:

- \$9,153,342 for weatherization or home repairs. This is an increase of \$4,190,418 compared to the estimated FFY 2010 allocation.
- \$1,017,038 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 \$465,602 compared to the estimated FFY 2010 allocation.

9 33 3. After subtracting the allocation in subsection 2, up to  
 9 34 10 percent of the remainder is allocated for administrative  
 9 35 expenses of the low-income home energy assistance program of  
 10 1 which \$377,000 is allocated for administrative expenses of the  
 10 2 division. The costs of auditing the use and administration  
 10 3 of the portion of the appropriation in this section that is  
 10 4 retained by the state shall be paid from the amount allocated  
 10 5 in this subsection to the division. The auditor of state shall  
 10 6 bill the division for the audit costs.

Permits \$377,000 to be retained by the Division of Community Action Agencies of the Department of Human Rights for State administrative costs. This is no change compared to the FFY 2010 allocation. Requires the State Auditor to bill for audit costs.

10 7 4. The remainder of the appropriation in this section  
 10 8 following the allocations made in subsections 2 and 3, shall be  
 10 9 used to help eligible households as defined in 42 U.S.C., ch.  
 10 10 94, subch. II, to meet home energy costs.

Requires at least \$51,868,941 to be used for home energy costs.

DETAIL: This is an increase of \$24,297,135 compared to the estimated FFY 2010 allocation.

10 11 5. Not more than 10 percent of the amount appropriated in  
 10 12 this section that is actually received may be carried forward  
 10 13 for use in the succeeding federal fiscal year.

Permits a maximum of 10.00% (\$5,186,894) of the Low-Income Home Energy Assistance Block Grants funds to be carried forward for use in FFY 2012. This is a decrease of \$2,429,683 compared to the FFY 2010 carryover amount.

10 14 6. Expenditures for assessment and resolution of  
 10 15 energy problems shall be limited to 5 percent of the amount  
 10 16 appropriated in this section that is actually received.

Permits a maximum allocation of 5.00% of the Low-Income Home Energy Assistance Block Grant funds for energy problem assessments and resolutions.

DETAIL: This maximum of \$3,390,126 is an increase of \$2,011,536 compared to the estimated FFY 2010 allocation.

10 17 Sec. 11. SOCIAL SERVICES APPROPRIATIONS.

10 18 1. There is appropriated from the fund created by section  
 10 19 8.41 to the department of human services for the federal fiscal  
 10 20 year beginning October 1, 2010, and ending September 30, 2011,  
 10 21 the following amount:  
 10 22 ..... \$ 16,747,274

Federal Social Services Block Grant appropriation to the DHS.

DETAIL: This is an increase of \$67,233 compared to the estimated FFY 2010 appropriation.

10 23 Funds appropriated in this subsection are the funds  
 10 24 anticipated to be received from the federal government for  
 10 25 the designated federal fiscal year under 42 U.S.C., ch.  
 10 26 7, subch. XX, which provides for the social services block  
 10 27 grant. The department of human services shall expend the funds  
 10 28 appropriated in this subsection as provided in the federal law  
 10 29 making the funds available and in conformance with chapter 17A.

Requires the DHS to expend the funds appropriated according to federal law and in conformance with administrative procedures defined in Code Chapter 17A.

10 30 2. Not more than \$1,069,342 of the funds appropriated in  
 10 31 subsection 1 shall be used by the department of human services  
 10 32 for general administration. From the funds set aside in this  
 10 33 subsection for general administration, the department of human  
 10 34 services shall pay to the auditor of state an amount sufficient  
 10 35 to pay the cost of auditing the use and administration of the  
 11 1 state's portion of the funds appropriated in subsection 1.

Requires a maximum allocation of \$1,069,342 of the Social Services Block Grant funds for administrative and audit costs.

DETAIL: This is an increase of \$4,293 compared to the estimated FFY 2010 allocation.

11 2 3. In addition to the allocation for general administration  
11 3 in subsection 2, the remaining funds appropriated in subsection  
11 4 1 shall be allocated in the following amounts to supplement  
11 5 appropriations for the federal fiscal year beginning October  
11 6 1, 2010, for the following programs within the department of  
11 7 human services:

11 8 a. Field operations:  
11 9 ..... \$ 6,395,856

Requires an allocation of the Social Services Block Grant funds for Field Operations.

DETAIL: This allocation is an increase of \$25,667 compared to the estimated FFY 2010 allocation.

11 10 b. Child and family services:  
11 11 ..... \$ 958,310

Requires an allocation of the Social Services Block Grant funds for Child and Family Services.

DETAIL: This allocation is an increase of \$6,847 compared to the estimated FFY 2010 allocation.

11 12 c. Local administrative costs and other local services:  
11 13 ..... \$ 678,298

Requires an allocation of the Social Services Block Grant funds for local administrative costs and services.

DETAIL: This allocation is an increase of \$2,723 compared to the estimated FFY 2010 allocation.

11 14 d. Volunteers:  
11 15 ..... \$ 74,261

Requires an allocation of the Social Services Block Grant funds for volunteers.

DETAIL: This allocation is an increase of \$298 compared to the estimated FFY 2010 allocation.

11 16 e. MH/MR/DD/BI community services (local purchase):  
11 17 ..... \$ 7,571,207

Requires an allocation of the Social Services Block Grant funds for Mental Health/Mental Retardation/Developmental Disabilities/Brain Injury community services.

---

DETAIL: This allocation is an increase of \$30,395 compared to the estimated FFY 2010 allocation.

11 18 Sec. 12. SOCIAL SERVICES BLOCK GRANT PLAN. The department  
11 19 of human services during each state fiscal year shall develop a  
11 20 plan for the use of federal social services block grant funds  
11 21 for the subsequent state fiscal year.

11 22 The proposed plan shall include all programs and services  
11 23 at the state level which the department proposes to fund with  
11 24 federal social services block grant funds, and shall identify  
11 25 state and other funds which the department proposes to use to  
11 26 fund the state programs and services.

11 27 The proposed plan shall also include all local programs and  
11 28 services which are eligible to be funded with federal social  
11 29 services block grant funds, the total amount of federal social  
11 30 services block grant funds available for the local programs and  
11 31 services, and the manner of distribution of the federal social  
11 32 services block grant funds to the counties. The proposed plan  
11 33 shall identify state and local funds which will be used to fund  
11 34 the local programs and services.

11 35 The proposed plan shall be submitted with the department's  
12 1 budget requests to the governor and the general assembly.

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 request to the Governor and the General Assembly.

12 2 Sec. 13. PROJECTS FOR ASSISTANCE IN TRANSITION FROM  
12 3 HOMELESSNESS.

12 4 1. Upon receipt of the minimum formula grant from  
12 5 the federal substance abuse and mental health services  
12 6 administration to provide mental health services for the  
12 7 homeless, for the federal fiscal year beginning October 1,  
12 8 2010, and ending September 30, 2011, the department of human  
12 9 services shall assure that a project which receives funds under  
12 10 the formula grant shall do all of the following:

12 11 a. Provide outreach and engagement to homeless individuals  
12 12 at risk of homelessness and assesses those individuals for

Requires the DHS to administer the Projects for Assistance in Transition from Homelessness. Outlines the requirements for projects receiving funds for the transition from homelessness from the federal Alcohol, Drug Abuse, and Mental Health Administration funding. Program requirements and permissible expenditures were also provided for in the FFY 2010 program requirements and permissible expenditures.

12 13 serious mental illness.  
 12 14 b. Enroll those individuals with serious mental illness who  
 12 15 are willing to accept services through the project.  
 12 16 c. Provide case management to homeless persons.  
 12 17 d. Provide appropriate training to persons who provide  
 12 18 services to persons targeted by the grant.  
 12 19 e. Assure a local match share of 25 percent.  
 12 20 f. Refer homeless individuals and individuals at risk of  
 12 21 homelessness to primary health care, job training, educational  
 12 22 services, and relevant housing services.  
 12 23 2. A project may expend funds for community mental health  
 12 24 services, diagnostic services, crisis intervention services,  
 12 25 habilitation and rehabilitation services, substance abuse  
 12 26 services, supportive and supervisory services to homeless  
 12 27 persons living in residential settings that are not otherwise  
 12 28 supported, and housing services including minor renovation,  
 12 29 expansion, and repair of housing, security deposits, planning  
 12 30 of housing, technical assistance in applying for housing,  
 12 31 improving the coordination of housing services, the costs  
 12 32 associated with matching eligible homeless individuals with  
 12 33 appropriate housing, and one-time rental payments to prevent  
 12 34 eviction.

13 35 Sec. 14. CHILD CARE AND DEVELOPMENT APPROPRIATION. There  
 13 1 is appropriated from the fund created by section 8.41 to the  
 13 2 department of human services for the federal fiscal year  
 13 3 beginning October 1, 2010, and ending September 30, 2011, the  
 13 4 following amount:  
 13 5 ..... \$ 43,635,455

Federal Child Care and Development Fund appropriation to the DHS.

DETAIL: This is an increase of \$323,883 compared to the estimated FFY 2010 appropriation.

13 6 Funds appropriated in this section are the funds anticipated  
 13 7 to be received from the federal government under 42 U.S.C.,  
 13 8 ch. 105, subch. II=B, which provides for the child care and  
 13 9 development block grant. The department shall expend the funds  
 13 10 appropriated in this section as provided in the federal law  
 13 11 making the funds available and in 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 Code Chapter 17A.



13 12 Moneys appropriated in this section that remain unencumbered  
13 13 or unobligated at the close of the fiscal year shall revert to  
13 14 be available for appropriation for purposes of the child care  
13 15 and development block grant in the succeeding fiscal year.

Permits remaining funds in the Child Care and Development Block Grant to carry forward to FFY 2012.

13 16 Sec. 15. PROCEDURE FOR REDUCED FEDERAL FUNDS.

13 17 1. If the funds received from the federal government for the  
13 18 block grants specified in this Act are less than the amounts  
13 19 appropriated, the funds actually received shall be prorated  
13 20 by the governor for the various programs, other than for the  
13 21 services to victims of sex offenses and for rape prevention  
13 22 education under section 4, subsection 3, of this Act, for which  
13 23 each block grant is available according to the percentages that  
13 24 each program is to receive as specified in this Act. However,  
13 25 if the governor determines that the funds allocated by the  
13 26 percentages will not be sufficient to accomplish the purposes  
13 27 of a particular program, or if the appropriation is not  
13 28 allocated by percentage, the governor may allocate the funds in  
13 29 a manner which will accomplish to the greatest extent possible  
13 30 the purposes of the various programs for which the block grants  
13 31 are available.

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 2010 funding.

13 32 2. Before the governor implements the actions provided for  
13 33 in subsection 1, the following procedures shall be taken:

13 34 a. The chairpersons and ranking members of the senate and  
13 35 house standing committees on appropriations, the appropriate  
14 1 chairpersons and ranking members of subcommittees of those  
14 2 committees, and the director of the legislative services agency  
14 3 shall be notified of the proposed action.

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 on reduced federal funds.

14 4 b. The notice shall include the proposed allocations,

Requires the Governor to include specific information regarding the

14 5 and information on the reasons why particular percentages or  
14 6 amounts of funds are allocated to the individual programs,  
14 7 the departments and programs affected, and other information  
14 8 deemed useful. Chairpersons and ranking members notified shall  
14 9 be allowed at least two weeks to review and comment on the  
14 10 proposed action before the action is taken.

proposed reductions or reallocations in the required notice to the specified legislators and legislative staff. Requires notice at least two weeks prior to action by the Governor to allow review and comment.

14 11 Sec. 16. PROCEDURE FOR INCREASED FEDERAL FUNDS.

14 12 1. If funds received from the federal government in the form  
14 13 of block grants exceed the amounts appropriated in sections 1,  
14 14 2, 3, 4, 7, 9, and 11 of this Act, the excess shall be prorated  
14 15 to the appropriate programs according to the percentages  
14 16 specified in those sections, except additional funds shall not  
14 17 be prorated for administrative expenses.

Requires additional funds received from specified Block Grants to be prorated for the specific programs, except for administration costs, based on the percentages in the Act. Block Grants not included in this proration process are:

- Stop Violence Against Women
- Residential Substance Abuse Treatment for State Prisoners
- Community Services
- Low-Income Home Energy Assistance

14 18 2. If actual funds received from the federal government  
14 19 from block grants exceed the amount appropriated in section 10  
14 20 of this Act for the low-income home energy assistance program,  
14 21 not more than 10 percent of the excess may be allocated to the  
14 22 low-income residential weatherization program and not more than  
14 23 15 percent of the excess may be used for administrative 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.

14 24 3. If funds received from the federal government from  
14 25 community services block grants exceed the amount appropriated  
14 26 in section 8 of this Act, 100 percent of the excess is  
14 27 allocated to the community services block grant program.

Requires additional funds from the Community Services Block Grant to be allocated for the Community Services Block Grant Program.

14 28 Sec. 17. PROCEDURE FOR EXPENDITURE OF ADDITIONAL FEDERAL

Appropriates federal and non-State funds that are available and

14 29 FUNDS. If other federal grants, receipts, and funds and other  
 14 30 nonstate grants, receipts, and funds become available or are  
 14 31 awarded which are not available or awarded during the period  
 14 32 in which the general assembly is in session, but which require  
 14 33 expenditure by the applicable department or agency prior  
 14 34 to March 15 of the fiscal year beginning July 1, 2010, and  
 14 35 ending June 30, 2011, these grants, receipts, and funds are  
 15 1 appropriated to the extent necessary, provided that the fiscal  
 15 2 committee of the legislative council is notified within thirty  
 15 3 days of receipt of the grants, receipts, or funds and the  
 15 4 fiscal committee of the legislative council has an opportunity  
 15 5 to comment on the expenditure of the grants, receipts, or  
 15 6 funds.

require expenditure by March 15, 2011. Requires notice to the  
 Legislative Fiscal Committee within 30 days of the receipt of the funds  
 to permit comment on planned expenditures.

DETAIL: This appropriation process was included for FFY 2010.

15 7 Sec. 18. OTHER GRANTS, RECEIPTS, AND FUNDS. Federal grants,  
 15 8 receipts, and funds and other nonstate grants, receipts,  
 15 9 and funds, available in whole or in part of the fiscal  
 15 10 year beginning July 1, 2010, and ending June 30, 2011, are  
 15 11 appropriated to the following departments and agencies that are  
 15 12 designated by and for the purposes set forth in the grants,  
 15 13 receipts, or conditions accompanying the receipt of the funds,  
 15 14 unless otherwise provided by law:  
 15 15 1. Department of administrative services.  
 15 16 2. Department on aging.  
 15 17 3. Department of agriculture and land stewardship.  
 15 18 4. Office of auditor of state.  
 15 19 5. Department for the blind.  
 15 20 6. Iowa state civil rights commission.  
 15 21 7. College student aid commission.  
 15 22 8. Department of commerce.  
 15 23 9. Department of corrections.  
 15 24 10. Department of cultural affairs.  
 15 25 11. Department of economic development.  
 15 26 12. Department of education.  
 15 27 13. Office of energy independence.  
 15 28 14. Iowa ethics and campaign disclosure board.  
 15 29 15. Iowa finance authority.

Appropriates federal and non-State funds to various State agencies  
 for the purposes and conditions set forth in the funds.

DETAIL: Departments specified in the legislation and not included on  
 the list below are not expected to receive federal funds. Those that  
 are expected to receive federal funds include:

- Department on Aging: \$17.0 million.
- Department of Agriculture and Land Stewardship: \$8.3 million.
- Department for the Blind: \$7.6 million.
- Iowa State Civil Rights Commission: \$1.0 million.
- College Student Aid Commission: \$63.2 million.
- Department of Commerce: \$1.2 million.
- Department of Corrections: \$422,000.
- Department of Cultural Affairs: \$1.8 million.
- Department of Economic Development: \$69.8 million.
- Department of Education: \$576.9 million.
- Office of Energy Independence: \$1.4 million.
- Governor's Office of Drug Control Policy: \$1.5 million.
- Department of Human Rights: \$19.9 million.
- Department of Human Services: \$3.2 billion.
- Department of Inspections and Appeals: \$5.2 million.
- Judicial Branch: \$1.3 million.

15 30	16. Offices of the governor and lieutenant governor.	•	Department of Justice: \$7.4 million.
15 31	17. Governor's office of drug control policy.	•	Department of Natural Resources: \$39.1 million.
15 32	18. Department of human rights.	•	Department of Public Defense: \$615.3 million.
15 33	19. Department of human services.	•	Department of Public Health: \$105.2 million.
15 34	20. Department of inspections and appeals.	•	Department of Public Safety: \$14.9 million.
15 35	21. Judicial branch.	•	State Board of Regents: \$444.6 million.
16 1	22. Department of justice.	•	Office of the State Treasurer: \$350,000.
16 2	23. Iowa law enforcement academy.	•	Department of Transportation: \$394.1 million.
16 3	24. Department of management.	•	Department of Veterans Affairs: \$29.1 million.
16 4	25. Department of natural resources.	•	Department of Workforce Development: \$457.4 million.
16 5	26. Board of parole.		
16 6	27. Department of public defense.		
16 7	28. Public employment relations board.		
16 8	29. Department of public health.		
16 9	30. Department of public safety.		
16 10	31. State board of regents.		
16 11	32. Department of revenue.		
16 12	33. Office of secretary of state.		
16 13	34. Iowa state fair authority.		
16 14	35. Office for state=federal relations.		
16 15	36. Iowa telecommunications and technology commission.		
16 16	37. Office of treasurer of state.		
16 17	38. Department of transportation.		
16 18	39. Department of veterans affairs.		
16 19	40. Department of workforce development.		

## 16 20 DIVISION II

## 16 21 FEDERAL AMERICAN RECOVERY AND

## 16 22 REINVESTMENT ACT OF 2009 FUNDING

## 16 23 Sec. 19. APPLICABILITY OF APPROPRIATIONS == TRANSFERS ==

## 16 24 UNANTICIPATED FUNDS.

16 25 1. a. The appropriations of available federal grants,  
 16 26 receipts, and funds made to the departments and agencies

Specifies that the appropriations in Division I do not apply to the federal funding available through the American Recovery and Reinvestment Act (ARRA) of 2009.

16 27 in division I of this Act do not apply to the federal  
16 28 funding available through the federal American Recovery and  
16 29 Reinvestment Act of 2009 for the fiscal years addressed by  
16 30 the federal Act or to additional, unanticipated funding from  
16 31 federal law enacted after the effective date of this division  
16 32 of this Act.

16 33 b. However, if it is determined by the department of  
16 34 management, with the written consent of the governor, that  
16 35 federal grants, receipts, and funds available through the  
17 1 federal American Recovery and Reinvestment Act of 2009 are  
17 2 needed and are available without any match requirement and  
17 3 have not been appropriated in this division of this Act or  
17 4 are provided through federal match of state or local funds  
17 5 that have been appropriated, the appropriations described in  
17 6 paragraph "a" shall apply.

Provides for appropriation of ARRA funds, if available and deemed necessary by the Department of Management, with the consent of the Governor.

17 7 2. The department of management, with the written consent  
17 8 and approval of the governor, may exercise the transfer  
17 9 authority authorized in section 8.39, to transfer any of  
17 10 the appropriations made in this division of this Act to  
17 11 appropriations made from the general fund of the state for the  
17 12 fiscal year beginning July 1, 2010, provided the transfer is  
17 13 made within the same fiscal year. Any such transfer is subject  
17 14 to the notice provisions of section 8.39, subsection 3.

Permits the Department of Management, with the consent of the Governor, to transfer any of the appropriations in Division II to the General Fund for FY 2011 provided the transfer is made within the same fiscal year.

17 15 Sec. 20. FEDERAL RECOVERY AND REINVESTMENT FUND  
17 16 APPROPRIATIONS == FY 2010=2011. There is appropriated from  
17 17 the federal recovery and reinvestment fund created in section  
17 18 8.41A, to the department of management for the fiscal year  
17 19 beginning July 1, 2010, and ending June 30, 2011, the following  
17 20 amounts, or so much thereof as is necessary, to be used for the  
17 21 purposes designated:

17 22 1. From funding designated for education stabilization:

American Recovery and Reinvestment Act (ARRA) Education

17 23 For state foundation aid to schools, to be used as provided  
 17 24 in this subsection for state foundation aid to schools in  
 17 25 accordance with section 257.16, subsection 1:  
 17 26 ..... \$ 25,343,090

Stabilization Fund Appropriation for FY 2011 School Aid.

DETAIL: This appropriation exhausts the ARRA Education Stabilization funds. Iowa was allocated \$386.4 million of ARRA Education Stabilization Funds. Of that amount, \$40.0 million was used in lieu of State school aid for FY 2009, and \$321.0 million was used in FY 2010 to fund public K-12 school districts, community colleges, and the Board of Regents institutions.

17 27 a. The appropriation made in this subsection is in lieu of  
 17 28 an equal amount of the appropriation made from the general fund  
 17 29 of the state for the fiscal year beginning July 1, 2010, and  
 17 30 ending June 30, 2011, pursuant to section 257.16, and shall be  
 17 31 used to pay that part of state foundation aid which represents  
 17 32 the allowable growth amounts for all school districts under  
 17 33 section 257.8, subsection 1.

Specifies that the ARRA Education Stabilization funds are to be used in lieu of State General Fund dollars appropriated for State School Aid in FY 2011.

FISCAL IMPACT: The General Fund expenditures used to fund FY 2011 school aid will be reduced by a total of \$47.9 million (\$25.3 million from this Section and \$22.6 million from the ARRA Government Stabilization Fund in Section 20.2 of this Act).

17 34 b. For purposes of distributing the appropriation made in  
 17 35 this subsection to school districts, the distribution amount  
 18 1 shall be calculated equally in the monthly payment to each  
 18 2 school district in the same ratio that the weighted enrollment,  
 18 3 determined in accordance with section 257.6, subsection 5, of  
 18 4 the school district for the budget year beginning July 1, 2010,  
 18 5 bears to the total weighted enrollment of all school districts  
 18 6 in the state for that budget year.

Specifies that for purposes of distributing ARRA Education Stabilization Funds to school districts, payments will be made monthly and distributed to school districts based on weighted enrollments.

DETAIL: The estimated FY 2011 per pupil weighted enrollment amount for the distribution of ARRA Education Stabilization funds is approximately \$46.

18 7 2. From funding designated for government stabilization:  
 18 8 For state foundation aid to schools, to be used as provided  
 18 9 in this subsection for state foundation aid to schools in  
 18 10 accordance with section 257.16, subsection 1:  
 18 11 ..... \$ 22,604,797

American Recovery and Reinvestment Act (ARRA) Government Services Stabilization Fund appropriation for FY 2011 School Aid.

DETAIL: This appropriation exhausts the ARRA Government Services Stabilization funds. Iowa was allocated \$86.0 million of ARRA Government Services Stabilization Funds. Of that amount, \$63.4 million was used in FY 2010 to fund a variety of programs within State government.

18 12 a. The appropriation made in this subsection is in lieu of  
 18 13 an equal amount of the appropriation made from the general fund  
 18 14 of the state for the fiscal year beginning July 1, 2010, and  
 18 15 ending June 30, 2011, pursuant to section 257.16, and shall be  
 18 16 used to pay that part of state foundation aid which represents  
 18 17 the allowable growth amounts for all school districts under  
 18 18 section 257.8, subsection 1.

Specifies that the ARRA Education Government Services funds are to be used in lieu of State General Fund dollars appropriated for State School Aid in FY 2011.

FISCAL IMPACT: The General Fund expenditures used to fund FY 2011 school aid will be reduced by a total of \$47.9 million (\$22.6 million from this Section and \$25.3 million from the ARRA Government Stabilization Fund in Section 20.1 of this Act).

18 19 b. For purposes of distributing the appropriation made in  
 18 20 this subsection to school districts, the distribution amount  
 18 21 shall be calculated equally in the monthly payment to each  
 18 22 school district in the same ratio that the weighted enrollment,  
 18 23 determined in accordance with section 257.6, subsection 5, of  
 18 24 the school district for the budget year beginning July 1, 2010,  
 18 25 bears to the total weighted enrollment of all school districts  
 18 26 in the state for that budget year.

Specifies that for purposes of distributing ARRA Government Services Stabilization Funds to school districts, payments will be made monthly and distributed to school districts based on weighted enrollments.

DETAIL: The estimated FY 2011 per pupil weighted enrollment amount for the distribution of ARRA Government Services Stabilization funds is approximately \$41.

18 27 Sec. 21. COMMUNITY DEVELOPMENT BLOCK GRANT == AMERICAN  
 18 28 RECOVERY AND REINVESTMENT ACT.

18 29 1. There is appropriated from the fund created by section  
 18 30 8.41A to the department of economic development for the federal  
 18 31 fiscal year beginning October 1, 2008, and ending September 30,  
 18 32 2009, the following amount:  
 18 33 ..... \$ 7,014,352

Federal Recovery and Reinvestment Fund appropriation to the Department of Economic Development (DED) for FFY 2009.

18 34 2. The funds appropriated in this section are federal  
 18 35 community development block grant funds awarded to the state  
 19 1 under the federal American Recovery and Reinvestment Act of  
 19 2 2009, Pub. L. No. 111=5.

Specifies the appropriated funds are federal Community Development Block Grant funds awarded under the federal ARRA.

19 3 3. The department of economic development shall expend  
 19 4 the funds appropriated in this section for infrastructure

Specifies the funds are to be used for infrastructure modernization, energy efficiency improvements, expanded educational opportunities, and access to health care. Limits the funds that can be used for

19 5 improvements that modernize infrastructure, improve energy  
 19 6 efficiency, and expand educational opportunities and access to  
 19 7 health care, as provided in the federal law and in conformance  
 19 8 with chapter 17A. An amount not to exceed 6 percent of the  
 19 9 funds appropriated in this section shall be used by the  
 19 10 department for administrative expenses. From the funds set  
 19 11 aside for administrative expenses, the department shall pay to  
 19 12 the auditor of state an amount sufficient to pay the cost of  
 19 13 auditing the use and administration of the state's portion of  
 19 14 the funds appropriated in this section.

administrative expenses to 6.00% (\$420,861) of the appropriation.  
 The administrative expenses are to include the payment of audit  
 expenses of the State Auditor for auditing the use and administration  
 of the appropriated funds.

19 15 4. This section is retroactively applicable to October 1,  
 19 16 2008.

This Section is retroactively effective to the beginning of FFY 2009  
 (October 1, 2008).

19 17 Sec. 22. COMMUNITY DEVELOPMENT BLOCK GRANT == DISASTER  
 19 18 RELIEF.

19 19 1. There is appropriated from the fund created by section  
 19 20 8.41 to the department of economic development for the federal  
 19 21 fiscal year beginning October 1, 2007, and ending September 30,  
 19 22 2008, the following amount:  
 19 23 ..... \$516,713,868

Federal Block Grants Fund appropriation to the DED for FFY 2008.

19 24 2. The funds appropriated in this section are federal  
 19 25 community development block grant funds awarded to the state  
 19 26 under the federal Consolidated Security, Disaster Assistance,  
 19 27 and Continuing Appropriations Act, 2009, Pub. L. No. 110=329.

Specifies the appropriated funds are federal Community Development  
 Block Grant funds awarded under the Consolidated Security, Disaster  
 Assistance, and Continuing Appropriations Act, 2009.

19 28 3. The department of economic development shall expend  
 19 29 the funds appropriated in this section for disaster relief,  
 19 30 long-term recovery, and restoration of infrastructure as  
 19 31 provided in the federal law making the funds available and  
 19 32 in conformance with chapter 17A. An amount not to exceed 3  
 19 33 percent of the funds appropriated in this section shall be used

Requires the DED to use the appropriated funds for disaster relief,  
 long-term recovery, and restoration of infrastructure. Limits the funds  
 that can be used for administrative expenses to 3.00% (\$15,501,416)  
 of the appropriation. The administrative expenses are to include the  
 payment of audit expenses of the State Auditor for auditing the use  
 and administration of the appropriated funds.



19 34 by the department for administrative expenses. From the funds  
19 35 set aside for administrative expenses, the department shall pay  
20 1 to the auditor of state an amount sufficient to pay the cost of  
20 2 auditing the use and administration of the state's portion of  
20 3 the funds appropriated in this section.

20 4 4. If the actual federal funding received is less than  
20 5 or greater than the amount appropriated in this section, the  
20 6 procedures specified in 2007 Iowa Acts, chapter 204, section 16  
20 7 or 17, are applicable.

Specifies the procedure to be followed if the actual federal funding is less than or greater than the amount appropriated in this Section for disaster relief.

20 8 5. This section is retroactively applicable to October 1,  
20 9 2007.

This Section is retroactively effective to the beginning of FFY 2008 (October 1, 2007).

20 10 Sec. 23. EFFECTIVE UPON ENACTMENT. This division of this  
20 11 Act, being deemed of immediate importance, takes effect upon  
20 12 enactment.

Division II is effective on enactment.

# EXECUTIVE SUMMARY FY 2011 STANDING APPROPRIATIONS ACT

HOUSE FILE 2531

## FUNDING SUMMARY

### ***DIVISION I – MENTAL HEALTH ALLOWED GROWTH***

### ***DIVISION II – STANDING APPROPRIATIONS AND RELATED MATTERS*** GENERAL ASSEMBLY

## STANDING APPROPRIATION LIMITS

## STATE SCHOOL FOUNDATION AID

### ***FY 2011 General Fund***

- The overall impact of HF 2531 is a net reduction of \$420.9 million to FY 2011 General Fund appropriations. The Act also provides General Fund supplemental appropriations totaling \$500,000 for FY 2010.

### ***FY 2011 Other Funds***

- This Act appropriates a total of \$477.1 million from non-General Fund sources for FY 2011. This includes: \$272.4 million from the Cash Reserve Fund, \$146.0 million from the Property Tax Credit Fund, \$40.0 million from the Hospital Health Care Access Trust Fund, \$8.4 million from the Underground Storage Tank Fund, \$7.5 million from the School Infrastructure Fund, and \$2.8 million from other sources.
- Requires the FY 2012 allowed growth appropriation adjustment for mental health services to be established within the first 30 days of the 2011 Legislative Session. (Page 1, Line 3)
- Reduces the FY 2011 standing appropriation for the Legislative Branch by \$5.9 million. (Page 2, Line 2)
- Limits the following FY 2011 General Fund standing appropriations to specified amounts.
  - \$443,000 to the Department of Cultural Affairs for community cultural grants. (Page 2, Line 18)
  - \$862,000 to the Department of Economic Development for regional tourism marketing. (Page 2, Line 22)
  - \$182,000 to the Department of Public Health (DPH) for the Center for Congenital and Inherited Disorders Central Registry. (Page 2, Line 25)
  - \$218,000 to the Department of Human Services (DHS) for Child Abuse Prevention Programs. (Page 2, Line 29)
  - \$11.5 million to the Department of Education for Children At-Risk Programs. (Page 2, Line 32)
  - \$7.1 million to the Department of Education for nonpublic school transportation. (Page 3, Line 2)
  - \$81.2 million to the DHS for the Property Tax Relief Fund. (Page 3, Line 9)
  - \$19.6 million to the Office of Energy Independence for the Iowa Power Fund. (Page 3, Line 16)
- Limits State School Foundation Aid to \$2,499.2 million for FY 2011. House File 2519 (Block Grant Appropriations Act) appropriates a total of \$47.9 million from federal stimulus funds in lieu of an equal amount of General Fund money appropriated in this Act. The FY 2011 School Foundation Aid total appropriation is estimated to be \$162.0 million less than the amount needed to fully fund State School Foundation Aid for FY 2011. (Page 3, Line 19)

# EXECUTIVE SUMMARY FY 2011 STANDING APPROPRIATIONS ACT

HOUSE FILE 2531

## STATE FOUNDATION AID – UST FUND

## INSTRUCTIONAL SUPPORT

## VETERANS HOME FEDERAL REIMBURSEMENT

## PROPERTY TAX CREDIT FUND

## ADDITIONAL FEDERAL STIMULUS FUNDING CONTINGENCY

## PERFORMANCE OF DUTY

## CASH RESERVE FUND REQUIREMENTS

## FY 2011 AEA REDUCTION

## MENTAL HEALTH PROPERTY TAX RELIEF FUND

- Appropriates \$5.1 million from the Underground Storage Tank (UST) Fund in lieu of an equal amount of General Fund money for State School Foundation Aid. (Page 3, Line 28)
- Appropriates \$7.5 million from the School Infrastructure Fund in lieu of the General Fund appropriation for FY 2011 for Instructional Support State Aid. (Page 4, Line 18)
- Requires the first \$727,000 in federal matching funds received from the federal Veterans Home Administration for improvements to the Medical Clinic at the Iowa Veterans Home to be credited to the General Fund. (Page 4, Line 33)
- Appropriates a total of \$146.0 million to the Property Tax Credit Fund, including: \$91.3 million from the General Fund and \$54.7 million from the Cash Reserve Fund. (Page 5, Lines 9 through 17)
- Makes the following FY 2011 appropriations from the Property Tax Credit Fund in lieu of the General Fund standing appropriations: (Page 5, Line 24 through Page 6, Line 5)
  - \$87.8 million for the Homestead Property Tax Credit.
  - \$32.4 million for the Family Farm and Agricultural Land Tax Credits.
  - \$2.4 million for the Military Service Tax Credit.
  - \$23.4 million for the Elderly and Disabled Tax Credit.
- Specifies that if additional federal American Recovery and Reinvestment Act (ARRA) Education Stabilization funding is made available for FY 2011, that the funds be credited to the Federal Recovery and Reinvestment Fund and be appropriated for education purposes in FY 2011. (Page 6, Line 28)
- Appropriates \$10.6 million from the Cash Reserve Fund to the Executive Council for Performance of Duty expenditures. (Page 8, Line 12)
- Notwithstanding the requirement that a Cash Reserve Fund appropriation be used for nonrecurring emergency expenditures and that an appropriation not be made from the Cash Reserve Fund that would cause the Fund's balance to be less than 3.75% of the adjusted revenue estimate. (Page 8, Line 23)
- Specifies that the General Fund appropriation to the Cash Reserve Fund required in the event the Fund does not maintain a balance equal to 7.5% of the FY 2011 adjusted revenue estimate will not be made in FY 2011. (Page 8, Line 27)
- Maintains a reduction of \$2.5 million from State Foundation Aid for Area Education Agencies. (Page 8, Line 32)
- Changes the General Fund standing appropriation for the Property Tax Relief Fund from \$95.0 million to \$88.4 million and eliminates a \$6.6 million standing appropriation from the Property Tax Relief Fund to the DHS for the Medical Assistance Program. (Page 9, Line 10)

# EXECUTIVE SUMMARY

## FY 2011 STANDING APPROPRIATIONS ACT

HOUSE FILE 2531

### FY 2010 CASH RESERVE FUND APPROPRIATION

- Requires the unobligated balance from the FY 2010 Cash Reserve Fund appropriation to the Executive Council to carry forward to FY 2011. The estimated carryforward balance is \$19.4 million. (Page 9, Line 33)

### ***DIVISION III – SALARIES AND COMPENSATION***

*The identified need for FY 2011 salary and benefit increases for State employees is \$77.7 million from the General Fund and \$51.1 million from non-General Fund sources. This includes \$1.8 million from the General Fund and \$1.3 million from non-General Fund sources for vacant positions.*

- Requires State agencies and establishments to fully fund collective bargaining agreements from available resources. (Page 11, Line 16)
- Specifies that pay plans for noncontract employees, excluding the Board of Regents, will not be increased and prohibits step increases for FY 2011. (Page 12, Line 30)
- Requires the Board of Regents to use existing funds for collective bargaining increases for FY 2011. (Page 13, Line 25)
- Prohibits bonus pay in FY 2011 for all Executive Branch, Judicial Branch, and Legislative Branch employees, unless permitted by law or required by a collective bargaining agreement. (Page 14, Line 1)
- Requires the Department of Management (DOM) to apply reductions totaling \$83.8 million to the General Fund operating appropriations of Executive Branch agencies for FY 2011, excluding the Board of Regents. (Page 16, Line 6)
- Permits the DOM to transfer up to \$5.0 million from the Cash Reserve Fund to offset any appropriation reductions required in this Division. (Page 17, Line 1)
- Appropriates \$2.3 million from the General Fund to the Department of Administrative Services (DAS) for implementing the government information technology services provisions in SF 2088 (Government Reorganization and Efficiency Act). (Page 17, Line 10)
- Amends provisions of SF 2088 (Government Reorganization and Efficiency Act) to maintain the State accounting functions in the DAS. Senate File 2088 transferred the responsibilities for the State accounting functions to the DOM. (Page 17, Line 20)
- Makes technical corrections to various provisions of enacted or pending legislation including effective dates. (Page 18, Line 32 through Page 33, Line 15)

### ***DIVISION IV – APPROPRIATION REDUCTIONS***

#### DOM CONTINGENT APPROPRIATION

#### DAS TECHNOLOGY APPROPRIATION

### ***DIVISION V – STATE FINANCIAL MANAGEMENT DUTIES***

### ***DIVISION VI – CORRECTIVE PROVISIONS***

**EXECUTIVE SUMMARY  
FY 2011 STANDING APPROPRIATIONS ACT**

**HOUSE FILE 2531**

***DIVISION VII – MISCELLANEOUS  
PROVISIONS AND  
APPROPRIATIONS***

**MERCHANT MARINE BONUS FUND  
APPROPRIATION**

- Appropriates the balance of the funds from the Merchant Marine Bonus Fund to the Department of Cultural Affairs for costs relating to a study of the U.S.S. Iowa and for Department operating costs. (Page 33, Line 18)

**UST FUND APPROPRIATIONS**

- Appropriates \$150,000 from the UST Fund to the DPH for the Pharmaceutical Collection and Disposal Pilot Program. (Page 34, Line 15)
- Appropriates \$140,000 from the UST Fund to the DAS for costs associated with providing autism spectrum disorders coverage. (Page 34, Line 10)
- Appropriates \$233,000 from the UST Fund to the Board of Regents for the School for the Deaf. (Page 34, Line 15)
- Appropriates \$137,000 from the UST Fund to the Board of Regents for the Braille and Sight Saving School. (Page 34, Line 18)
- Appropriates \$97,000 from the UST Fund to the Department of Education for the Farmers with Disabilities Program. (Page 34, Line 20)
- Appropriates \$1.0 million from the UST Fund to the DHS to partially restore reimbursement rate reductions applied in previous years to adoption, foster care, and supervised apartment living services providers. (Page 35, Line 7)
- Appropriates \$150,000 from the UST Fund to the Insurance Division of the Department of Commerce for establishing the Iowa Insurance Information Exchange. (Page 35, Line 20)
- Appropriates \$90,000 from the UST Fund to the Department of Education for educational purposes on the Sac and Fox Indian Settlement. (Page 36, Line 21)
- Appropriates \$100,000 from the UST Fund to the Department of economic Development to establish a trade office in Taipei, Taiwan. (Page 37, Line 18)

**SUPPLEMENTAL APPROPRIATIONS**

- Provides an FY 2010 General Fund supplemental appropriation of \$200,000 to the DOM for operational support. Requires the funds to carry forward to FY 2011. (Page 35, Line 31)
- Provides an FY 2010 General Fund supplemental appropriation of \$300,000 and 3.0 FTE positions to the Department of Revenue for costs related to implementing SF 2383 (Debt Collections Act). Requires the funds to carry forward to FY 2011. (Page 35, Line 35)

**MEDICAID FRAUD ACCOUNT  
APPROPRIATION**

- Appropriates \$250,000 from the Medicaid Fraud Account to the Department of Inspections and Appeals for costs related to implementing SF 2333 (Dependent Adult Abuse and Hospital Inspections Act). (Page 37, Line 7)

**EXECUTIVE SUMMARY  
FY 2011 STANDING APPROPRIATIONS ACT**

**HOUSE FILE 2531**

**COMMERCE REVOLVING FUND  
APPROPRIATION**

**CASH RESERVE FUND  
APPROPRIATIONS**

- Appropriates \$55,000 and 1.0 FTE position from the Commerce Revolving Fund to the Insurance Division of the Department of Commerce. (Page 37, Line 33)
- Appropriates \$187.8 million from the Cash Reserve Fund to the DHS for the Medical Assistance Program. (Page 38, Line 14)
- Appropriates \$260,000 from the Cash Reserve Fund to the DOM for operational purposes. (Page 38, Line 17)
- Appropriates \$4.0 million from the Cash Reserve Fund to the Department of Education for the Statewide Voluntary Preschool Program for Four-Year-Olds. (Page 38, Line 21)
- Appropriates \$540,000 from the Cash Reserve Fund to the Department of Education for the Jobs for America's Graduates Program. (Page 38, Line 27)
- Appropriates \$300,000 from the Cash Reserve Fund to the Department of Natural Resources for leases of office space. (Page 38, Line 32)
- Appropriates \$500,000 from the Cash Reserve Fund to the DHS for shelter care. (Page 39, Line 2)
- Appropriates \$2.0 million from the Cash Reserve Fund to the Office of Energy Independence for the Iowa Power Fund. (Page 39, Line 7)
- Appropriates \$4.5 million from the Cash Reserve Fund to the Iowa Finance Authority for rehabilitation of the public service center located in Linn County. (Page 39, Line 10)
- Appropriates \$2.1 million from the Cash Reserve Fund to the Iowa Finance Authority for rehabilitation of the former federal courthouse located in Cedar Rapids. (Page 39, Line 15)
- Transfers \$2.8 million and 34.4 FTE positions appropriated in SF 2367 (Administration and Regulation Appropriations Act) from the DOM to the DAS to accommodate moving the State accounting functions from the DOM to the DAS. (Page 39, Line 20 through Page 40, Line 1)
- Limits the liability of a railroad company relating to flood damage due to alteration of company structures and facilities. (Page 40, Line 2)
- Allows the Board of Pharmacy to use fees retained by the Board for the Iowa Pharmacy Recovery Network. (Page 40, Line 12)
- Specifies the intent of the General Assembly that appropriations to the Iowa Power Fund be used to encourage renewable biomass projects that produce agricultural inputs such as anhydrous ammonia that replace fossil fuels. (Page 40, Line 16)
- Requires the Board of Regents to conduct a study of the Braille and Sight Saving School and to submit a report with recommendations to the Legislative Council by August 31, 2010. (Page 40, Line 31)
- Permits the City of Cedar Rapids to hold an election on or before August 2, 2011, concerning a proposition relating to a public library property tax levy. (Page 41, Line 22)

***DIVISION VII – MISCELLANEOUS  
PROVISIONS***

# EXECUTIVE SUMMARY FY 2011 STANDING APPROPRIATIONS ACT

HOUSE FILE 2531

## ***DIVISION VII – MISCELLANEOUS PROVISIONS (CONTINUED)***

- Permits counties to transfer moneys from other sources to the county's Mental Health, Mental Retardation, and Developmental Disabilities Services Fund. (Page 42, Line 2)
- Requires the Plumbing and Mechanical System Board to allow a person that has not previously held a license to take the State master licensing examination if the Board deems the work experience to be equivalent to 48 months of experience as a licensed master. This requirement is effective on enactment and is applicable through September 30, 2010. (Page 42, Line 14)
- Requires biennial report fees paid to the Secretary of State be credited to the General Fund and requires a limited liability company that has not filed the biennial report for FY 2008 or FY 2010, to file the report on or before June 30, 2010. (Page 42, Line 27)
- Permits the Iowa Technology and Telecommunications Commission to determine the fiber optic cable capacity to be leased for Part III connections. (Page 43, Line 9)
- Requires public members of the Council on Homelessness to be reimbursed for expenses by the Iowa Finance Authority instead of an appropriation for such purpose. (Page 43, Line 30)
- Expands the use of the Housing Trust Fund to include the Iowa Mortgage Help Initiative. (Page 44, Line 1)
- Creates the Workforce Housing Assistance Grant Fund under the Iowa Finance Authority to provide financial assistance to workforce housing projects. (Page 44, Line 17)
- Requires the Office of Energy Independence to collect data on grants and loans funded by the Iowa Power Fund and submit a quarterly report to the Governor and the General Assembly regarding the data collected. Requires the Office to maintain an internet site to permit citizens to track data on a county-by-county basis. (Page 46, Line 4) *This provision was vetoed by the Governor.*
- Requires public employers not subject to a local budget certification process to implement impasse procedures no later than 120 days prior to the date of the next fiscal year or budget year. If the specified employers fail to reach an agreement, the Public Employment Relations Board is required to appoint an impartial and disinterested person as mediator. (Page 46, Line 29 through Page 48, Line 23)
- Permits a person to conduct bingo games without a license under certain conditions and removes the bingo license exemption for nonprofit organizations. (Page 48, Line 24)
- Permits a person to purchase raffle tickets by check, money order, or debit card for one raffle conducted by an eligible qualified organization in a calendar year. (Page 48, Line 33)
- Permits Class E liquor license holders to purchase high alcohol content beer from a Class AA beer permit holder. This Section is effective retroactively to March 10, 2010. (Page 49, Line 24)

# EXECUTIVE SUMMARY FY 2011 STANDING APPROPRIATIONS ACT

HOUSE FILE 2531

## ***DIVISION VII – MISCELLANEOUS PROVISIONS (CONTINUED)***

- Permits a person registered as a pharmacy technician or pharmacy technician trainee before January 1, 2010, that meets specific requirements, to have until December 31, 2013, to attain a national certification. (Page 50, Line 8) *This provision was vetoed by the Governor.*
- Modifies the criteria for an organization to be considered a fair and the criteria that comprises a fair event. (Page 50, Line 27 through Page 51, Line 16)
- Requires the DHS to provide information related to potential risk factors concerning children that are listed in the Sex Offender Registry to individuals providing foster care. (Page 52, Line 3)
- Amends SF 2378 (Justice System Appropriation Act) to clarify that the judicial fines collected by the State are to be deposited in the Prison Infrastructure Fund until the necessary amount is attained to meet the requirements of funding the debt service obligations on the prison bonds. Requires the next \$9.1 million be deposited in the Public Safety Enforcement Fund. (Page 52, Line 10)
- Requires the Department of Education to collect information on school district expenditures of Secure an Advanced Vision for Education (SAVE) funds and requires the Department submit an annual report to the General Assembly by February 1. (Page 52, Line 24)
- Requires the DOM to pay the annual Midwest Higher Education Compact dues and apportion the costs among various educational entities. (Page 52, Line 32)
- Applies the same penalties currently in place for filing false or frivolous claims for tax refunds to also include false and frivolous claims for tax credits. (Page 54, Line 21)
- Permits money collected through the Debt Settlement Program to be used to pay for salaries, support, maintenance, services, advertising, and other costs incurred by the Office of the State Debt Coordinator. (Page 54, Line 35)
- Authorizes the Department of Natural Resources to sell plant material to other states. (Page 55, Line 16)
- Requires the Water Resources Coordinating Council to develop a marketing campaign to support the formation of an Iowa Chapter of the Association of State Flood Plain Managers and requires the Iowa State University Agricultural Extension Service, the Water Resources Coordinating Council, and agency members of the Council to work with flood plain and hydrology experts to educate the public about flood plains. (Page 55, Line 32 through Page 56, Line 26)
- Provides criteria regarding grandparent and great-grandparent visitation of minor children. (Page 56, Line 27)
- Requires health insurance policies to provide coverage for autism spectrum disorders. (Page 60, Line 23)
- Specifies that genetic testing does not include the routine physical measurement of certain medical tests relating to the Code Chapter pertaining to the Infringement of Individual Rights. (Page 65, Line 4)



# **EXECUTIVE SUMMARY FY 2011 STANDING APPROPRIATIONS ACT**

**HOUSE FILE 2531**

## ***DIVISION VII – MISCELLANEOUS PROVISIONS (CONTINUED)***

## ***DIVISION VIII – BICYCLES***

## ***DIVISION IX – RENEWABLE FUELS AND COPRODUCTS***

## ***DIVISION X – IDENTIFICATION OF WORKER MISCLASSIFICATION***

## ***DIVISION XI – PUBLIC SAFETY ADVISORY BOARD***

## ***DIVISION XII –INCOME TAX CHECKOFFS***

## ***DIVISION XIII –WINE***

## ***DIVISION XIII – MEDICATION THERAPY MANAGEMENT***

## ***DIVISION XV AND XVI – UST FUND AND BONDING AUTHORITY***

- Increases the appropriation from the Gaming Enforcement Revolving Fund to the Department of Public Safety, Division of Criminal Investigation by \$464,000 for FY 2011. Provides a contingent appropriation of \$521,000 and 6.00 FTE positions in the event additional gaming licenses are issued during FY 2011. (Page 65, Line 25 and Page 66, Line 7)
- A person that steers a motor vehicle unreasonably close to a person riding a bicycle, or throws an object at a person riding a bicycle, commits a simple misdemeanor and establishes a scheduled fine of \$250. (Page 67, Line 13)
- Requires the Office of Renewable Fuels and Coproducts to consult with the petroleum marketers and convenience stores of Iowa regarding promotion and advertising of renewable fuels and coproducts. (Page 67, Line 30)
- Permits the Department of Revenue and the Department of Workforce Development to share certain taxpayer information for the purpose of identifying misclassified workers. (Page 68, Line 5)
- Creates a Public Safety Advisory Board, assigns duties to the Board, and appropriates \$140,000 and 2.0 FTE positions to the Board from the UST Fund. (Page 69, Line 6 through Page 74, Line 8)
- Reauthorizes the income tax checkoff for the Child Abuse Prevention Program Fund and the joint income tax refund checkoff for the Veterans Trust Fund and the Volunteer Fire Fighter Preparedness Fund. (Page 74, Line 9 through Page 76, Line 17)
- Requires a tax of \$1.75 per gallon to be levied on wine that is shipped direct to a consumer and is not for resale. Requires the revenue collected from shipments in Iowa to be deposited in the Wine Gallonage Tax Fund and the revenue collected from shipments to another state to be deposited in the Beer and Liquor Control Fund. (Page 76, Line 18 through Page 77, Line 33)
- Establishes a Medication Therapy Management pilot program for State employees and appropriates \$543,000 from the Underground Storage Tank Fund to the DAS for the Program. (Page 77, Line 34 through Page 80, Line 30)
- Changes the Code language related to the UST Program and includes the following:
  - Detailed procedures for classification and cleanup of UST sites.
  - Requires fees paid by owners of UST to be deposited in the Storage Tank Account of the Groundwater Protection Fund. Of the amount collected, \$1,000 is appropriated to the Department of Public Health and the remaining funds will be used by the DNR for administration of the UST Program.
  - Requires the DNR to annually enter into an agreement with the UST Fund Board for completion of the administrative tasks.
  - Beginning September 1, 2010, requires the UST Board to provide training related to UST sites and limits expenditures to \$250,000 per year from the UST Fund.

# **EXECUTIVE SUMMARY FY 2011 STANDING APPROPRIATIONS ACT**

**HOUSE FILE 2531**

## ***DIVISION XV AND XVI – UST FUND AND BONDING AUTHORITY (CONTINUED)***

## ***DIVISION XVII – UNEMPLOYMENT INSURANCE BENEFITS***

## ***DIVISION XVIII – TERRACE HILL***

## ***DIVISION XIX – HEALTH CARE PROGRAMS AND APPROPRIATIONS***

- Strikes language from the Code related to underground storage tank fees as a revenue source to the UST Fund. Previously, fees were deposited in the UST Fund and the DNR received funding from the Board through a 28E agreement.
- Changes the authority for issuing bonds related to the UST Fund from the Iowa Finance Authority to the Treasurer of State.  
(Page 80, Line 31 through Page 95, Line 27)
- Provides a contingent appropriation of up to \$20.0 million from the Cash Reserve Fund to the Unemployment Trust Fund to prevent the contribution rate table from moving from the current table 4 to the higher rate table 2 for calendar year 2011. Requires any appropriated funds to be repaid under certain conditions. This provision is repealed if the amount needed to prevent moving to contribution rate table 2 is greater than \$20.0 million. (Page 95, Line 30)
- Appropriates a total of \$432,000 to the DAS (\$168,000 from the Cash Reserve Fund and \$263,000 from the General Fund) to fund Terrace Hill Operations. The funds will be used for maintenance of the Terrace Hill grounds. (Page 97, Line 9 through Page 97, Line 29)
- Reduces the FY 2011 General Fund appropriation made in SF 2367 (FY 2011 Administration and Regulation Appropriations Act) to the Governor's Office for Terrace Hill by \$263,000 and 8.12 FTE positions. (Page 97, Line 30)
- Rewrites the Iowa Code Chapter relating to the IowaCare Provider Network. The changes include, adding Federally Qualified Health Centers (FQHCs) as primary care providers, makes Broadlawns the only primary care provider in Polk County, and makes changes to the use of Certified Public Expenditures (CPE) to draw additional funds for the University of Iowa Hospitals and Clinics (UIHC). (Page 98, Line 5)
- Appropriates \$2.0 million from the IowaCare Account for salaries and support of the IowaCare Program at the UIHC. (Page 101, Line 15)
- Deappropriates a \$2.0 million appropriation from the IowaCare Account to the IowaCare Nonparticipating Provider Reimbursement Fund. (Page 101, Line 25)
- Appropriates \$39.4 million from the Hospital Health Care Access Trust Fund to the DHS for the Medicaid Program. (Page 102, Line 1)
- Appropriates \$594,000 from the Hospital Health Care Access Trust Fund to the DHS for the Nonparticipating Provider Reimbursement Fund. (Page 102, Line 14)
- Appropriates \$2.0 million from the Nonparticipating Provider Reimbursement Fund to the DHS to reimburse nonparticipating providers. (Page 102, Line 18)
- Reduces the General Fund Medicaid Appropriation in SF 2526 by \$18.9 million for FY 2011.  
(Page 102, Line 29)

# EXECUTIVE SUMMARY FY 2011 STANDING APPROPRIATIONS ACT

HOUSE FILE 2531

## ***DIVISION XX – WAIVER OF PENALTIES AND INTEREST***

- Waives the application of penalty and interest charged to taxpayers that filed Iowa 2008 income tax returns claiming a 2008 disaster casualty loss deduction that was not allowed under Iowa tax law. Applies only to penalty and interest charges. Refunds to the taxpayer penalty and interest already paid. This provision is effective on enactment and applies only to tax year 2008. (Page 103, Line 13)

FISCAL IMPACT: The estimated fiscal impact is a reduction in General Fund receipts of approximately \$100,000 in FY 2010 and \$112,000 in FY 2011.

## ***EFFECTIVE DATES AND RETROACTIVE APPLICABILITY***

- The Section that deposits federal Veterans Affairs construction funding in the General Fund for the medical clinic expenditures is effective on enactment and applies retroactively to July 1, 2009. (Page 10, Line 7)
- The Section creating the Property Tax Credit Fund is effective on enactment. (Page 10, Line 13)
- The provision that allows the carryforward of unobligated funds from the FY 2010 Cash Reserve Fund appropriation to the Executive Council is effective on enactment. (Page 10, Line 13)
- Provides numerous effective dates for Section of Division VI that make technical corrections to other legislation. (Page 31, Line 29 through Page 33, Line 15)
- The Section relating to the licensing of pharmacy technicians is effective on enactment and applies retroactively to January 1, 2010. (Page 66, Line 18)
- The Section providing FY 2010 General Fund supplemental appropriations is effective on enactment. (Page 66, Line 26)
- The Section relating to the purchase of high alcohol content beer is effective on enactment and applies retroactively to March 10, 2010. (Page 66, Line 31)
- The Section making changes to the State Debt Coordinator's Office takes effect on the effective date of SF 2383 (Debt Collections Act) which is January 1, 2011. (Page 67, Line 2)
- The Section relating to grants and loans from the Iowa Power Fund is effective on enactment (Page 67, Line 6)
- Division X, relating to misclassified workers, is effective on enactment. (Page 68, Line 5)
- Division XII, relating to income tax checkoffs, is effective retroactively to January 1, 2010. (Page 76, Line 15)
- Division XIV, relating to Medication Therapy Management, is effective on enactment. (Page 80, Line 28)
- The Section relating to minimum a copayment schedule for underground storage tanks, is effective on enactment. (Page 90, Line 21)
- Division XVI, relating to bonding authority for underground storage tanks, is effective on enactment. (Page 95, Line 25)
- Division XX, Waivers of Penalties and interest on disaster losses, is effective retroactively to January 1, 2009. (Page 103, Line 31)

**EXECUTIVE SUMMARY  
FY 2011 STANDING APPROPRIATIONS ACT**

**HOUSE FILE 2531**

***GOVERNOR'S VETOES***

- The Governor vetoed the following:
  - Section 106 requiring the Office of Energy Independence to collect data pertaining to grants and loans funded by the Iowa Power Fund and to maintain an internet site that allows citizens to track data on a county-by-county basis. The Governor stated that the Office of Energy Independence currently collects and provides information on the effectiveness of the Iowa Power Fund and that this requirement would be duplicative. (Page 46, Line 4)
  - Section 112 making changes to registration requirements for pharmacy technicians and pharmacy technician trainees. The Governor vetoed this Section stating that this provision eliminates the one-year period until December 31, 2012, that allows pharmacy technicians registered since July 1, 2009, to prepare for the national certification examination. In addition, new pharmacy technicians would need to be nationally certified before registering with the Pharmacy Board. (Page 50, Line 8)
- This Act was approved by the General Assembly on March 30, 2010, and item vetoed and signed by the Governor on April 29, 2010.

***ENACTMENT DATE***

House File 2531 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
1	3	1	Nwthstnd	Sec. 331.439(3)	Mental Health Growth Factor
2	11	4	Nwthstnd	Various	Standing Appropriation Requirements and Limitations
3	28	5.2	Nwthstnd	Sec. 455G.3(1)	Underground Storage Tank Requirements
4	28	6	Nwthstnd	Sec. 257.20(3)	Allocation of Instructional Support
5	13	8.1(c)	Nwthstnd	Sec. 8.56(3 & 4)	Cash Reserve Fund Requirements
8	23	11	Nwthstnd	Sec. 8.56(3 & 4)	Cash Reserve Fund Requirements
8	27	12	Nwthstnd	Sec. 8.57(1)(a)	Cash Reserve Fund Appropriation Requirement
8	32	13	Amends	Sec. 257.35(5)	Area Education Agency State Aid Reduction
9	10	14	Amends	Sec. 426B(2 & 3)	Property Tax Relief Fund
9	33	15	Adds	Sec. 10, Chap. 179, 2009 Iowa Acts	FY 2010 Performance of Duty Appropriation
15	24	26	Amends	Sec. 14.7, Chap. 1191, 2008 Iowa Acts	Chief Information Officer
17	22	30	Amends	Sec. 8A.502(1)	Centralized Payroll System
17	31	31	Adds	Sec. 8A.502(8A)	Budget Database
17	35	32	Repeals	Sec. 11.5B(16)	Auditor Reimbursement
18	3	33	Amends	Sec. 233, SF 2088, 2010 Iowa Acts	Centralized Payroll System
18	22	34	Amends	Sec. 234, SF 2088, 2010 Iowa Acts	State Accounting Functions
18	30	35	Repeals	Sec. 175 - 232, SF 2088, 2010 Iowa Acts	State Accounting Functions
18	34	36	Amends	Sec. 2.69(3), SF 2088, 2010 Iowa Acts	Technical Correction
19	11	37	Ameds	Sec. 16.181A(1), SF 2389, 2010 Iowa Acts	Technical Correction
19	19	38	Amends	Sec. 46.3(3), SF 2343, 2010 Iowa Acts	Technical Correction
19	24	39	Amends	Sec. 97D.4(2)	Technical Correction

Page #	Line #	Bill Section	Action	Code Section	Description
19	35	40	Amends	Sec. 123.43A(1), SF 2088, 2010 Iowa Acts	Technical Correction
20	5	41	Amends	Sec. 162.10D(2), SF 2088, 2010 Iowa Acts	Technical Correction
20	14	42	Amends	Sec. 216A.113(1), SF 2088, 2010 Iowa Acts	Technical Correction
20	25	43	Amends	Sec. 216C.9(1), SF 2202, 2010 Iowa Acts	Technical Correction
21	1	44	Amends	Sec. 256.51(1)(a), SF 2088, 2010 Iowa Acts	Technical Correction
21	7	45	Amends	Sec. 256F.3(1), SF 2033, 2010 Iowa Acts	Technical Correction
21	18	46	Amends	Sec. 256F.6(3)	Technical Correction
21	23	47	Amends	Sec. 260C.44, SF 2340, 2010 Iowa Acts	Technical Correction
22	17	48	Amends	Sec. 298.4(2), SF 2237, 2010 Iowa Acts	Technical Correction
22	24	49	Amends	Sec. 317.1, SF 2340, 2010 Iowa Acts	Technical Correction
23	1	50	Amends	Sec. 321J.2(3)(d)(1&2), SF 431, 2010 Iowa Acts	Technical Correction
23	29	51	Amends	Sec. 336.4, SF 2088, 2010 Iowa Acts	Technical Correction
24	4	52	Amends	Sec. 421C.2(8)(b), SF 2383, 2010 Iowa Acts	Technical Correction
24	12	53	Amends	Sec. 435.26B(1)(c), SF 2199, 2010 Iowa Acts	Technical Correction
24	20	54	Amends	Sec. 455B.104(4), SF 2088, 2010 Iowa Acts	Technical Correction
24	30	55	Amends	Sec. 476.53(2)(a), HF 2399, 2010 Iowa Acts	Technical Correction
25	5	56	Amends	Sec. 489.116(4)	Technical Correction
25	14	57	Amends	Sec. 489.1005(2)	Technical Correction
25	29	58	Amends	Sec. 489.1009(3)	Technical Correction
26	10	59	Amends	Sec. 489.1013(2)	Technical Correction

Page #	Line #	Bill Section	Action	Code Section	Description
26	26	60	Amends	Sec. 508C.3(1)(b)(2)(d), SF 2272, 2010 Iowa Acts	Technical Correction
26	35	61	Amends	Sec. 514C.26(1)(c)(2)(j), HF 2075, 2010 Iowa Acts	Technical Correction
27	10	62	Amends	Sec. 543B.29(1)(e)(2), SF 2326, 2010 Iowa Acts	Technical Correction
27	22	63	Amends	Sec. 562A.29A(1)(b), SF 2300, 2010 Iowa Acts	Technical Correction
27	28	64	Amends	Sec. 685.6(9)(d), SF 2088, 2010 Iowa Acts	Technical Correction
28	8	65	Amends	Sec. 692A.102(1)(c)(30), 2009 Code Supplement	Technical Correction
28	15	66	Amends	Sec. 805.6(3)(a), SF 2340, 2010 Iowa Acts	Technical Correction
29	4	67	Amends	Sec. 805.6(7), SF 2340, 2010 Iowa Acts	Technical Correction
29	10	68	Amends	Sec. 901A.1(1)(c)	Technical Correction
29	14	69	Amends	Sec. 476.53(3)(a)(1)	Technical Correction
29	29	70	Amends	Sec. 907.3(3)(c), SF 431, 2010 Iowa Acts	Technical Correction
30	6	71	Amends	Sec. 18.4(a), SF 2237, 2010 Iowa Acts	Technical Correction
31	5	72	Amends	Sec. 16, SF 2366, 2010 Iowa Acts	Technical Correction
31	15	73	Amends	Sec. 23.2, SF 2366, 2010 Iowa Acts	Technical Correction
31	23	74	Repeals	Sec. 25, HF 2280, 2010 Iowa Acts	Technical Correction
31	25	75	Repeals	Sec. 3, HF 2452, 2010 Iowa Acts	Technical Correction
31	27	76	Repeals	Sec 117, SF 2340, 2010 Iowa Acts	Technical Correction
33	18	82	Nwthstnd	Sec. 8.33	Nonreversion of Merchant Marine Bonus Fund Appropriation

Page #	Line #	Bill Section	Action	Code Section	Description
33	32	83	Nwthstnd	Sec. 455G.3(1)	Underground Storage Tank Fund Appropriations
34	24	83.4	Nwthstnd	Sec. 8.33	Nonreversion of Appropriated Funds
36	16	84	Nwthstnd	Sec. 8.33	Nonreversion of Supplemental Appropriations
36	21	85	Nwthstnd	Sec. 455G.3(1)	Underground Storage Tank Fund
37	18	88	Nwthstnd	Sec. 455G.3(1)	Underground Storage Tank Fund
41	22	98	Nwthstnd	Sec. 384.12(1 and 21)	Public Library Support Levy
42	2	99	Nwthstnd	Sec. 331.424A(5) and 331.432(3)	County Mental Health Fund Transfer
42	14	100	Nwthstnd	Sec. 105.18(2)(c)(3)	Plumbing and Mechanical System Board
43	9	102	Amends	Sec. 8D.13(5)	Fiber Optic Cable Capacity
43	30	103	Amends	Sec. 16.100A(6)(d), 2009 Code Supplement	Council on Homelessness Reimbursements
44	1	104	Amends	Sec. 16.181(1)(a), 2009 Code Supplement	Iowa Mortgage Help Initiative
44	17	105	Adds	Sec. 16.188	Workforce Housing Assistance Grant Fund
46	4	106	Adds	Sec. 469.9(4A)	Iowa Power fund Data
46	29	107	Amends	Sec. 20.19	Impasse Procedures
47	28	108	Amends	Sec. 20.20	Mediation
48	24	109	Amends	Sec. 99B.12A	Specific Gambling License Exemptions
48	33	110	Amends	Sec. 99B.17	Forms of Payment for Raffle Tickets
49	24	111	Amends	Sec. 123.30(3)(e)(1), 2009 Code Supplement	High Alcohol Beer Content
50	8	112	Amends	Sec. 155A.6A(3)	Pharmacy Technicians
50	27	113	Amends	Sec. 174.1(2)(b and c)	Definition of County Fair
50	35	114	Amends	Sec. 174.1(3)	Definition of Fair Event
51	17	115	Amends	Sec. 237.3(2)(f), 2009 Code Supplement	Child Foster Care Facilities
52	3	116	Amends	237.3(2)(k)(1), 2009 Code Supplement	Foster Care Placement
52	10	117	Amends	Sec. 20.1, SF 2378, 2010 Iowa Acts	Judicial Fines
52	24	118	Amends	Sec. 256.9	Department of Education Financial Reporting
52	32	119	Adds	Sec. 261D.4	Midwest Higher Education Compact Dues
53	11	120	Amends	Sec. 291.10	Department of Education Financial Reports



Page #	Line #	Bill Section	Action	Code Section	Description
53	21	121	Adds	Sec. 314.17	Mowing on Interstates
53	30	122	Amends	Sec. 321.18	Vehicle Registration Trailer Exemption
54	8	123	Amends	Sec. 321.482A	Motor Vehicle Violations
54	21	124	Amends	Sec. 421.27(6)	Department of Revenue Penalties
54	35	125	Amends	Sec. 421C.3(15)	State Debt Settlement Program
55	16	126	Amends	Sec. 455A.13	State Nurseries
55	32	127	Amends	Sec. 466B.4(2)	Water Resources Coordinating Council
56	13	128	Adds	Sec. 466B.12	State Flood Plain Managers
56	19	129	Adds	Sec. 466B.13	Flood Plain Education
56	27	130	Amends	Sec. 600C.1(1)	Grandparent and Great-Grandparent Visitation
56	35	130	Amends	Sec. 600C.1(2)	Grandparent and Great-Grandparent Visitation
57	5	130	Amends	Sec. 600C.1(3)	Grandparent and Great-Grandparent Visitation
57	32	130	Amends	Sec. 600C.1(4)	Grandparent and Great-Grandparent Visitation
58	35	130	Amends	Sec. 600C.1(5)	Grandparent and Great-Grandparent Visitation
59	11	130	Amends	Sec. 600C.1(6)	Grandparent and Great-Grandparent Visitation
59	21	130	Amends	Sec. 600C.1(7)	Grandparent and Great-Grandparent Visitation
59	25	130	Amends	Sec. 600C.1(8)	Grandparent and Great-Grandparent Visitation
60	2	130	Amends	Sec. 600C.1(9)	Grandparent and Great-Grandparent Visitation
60	8	130	Amends	Sec. 600C.1(10)	Grandparent and Great-Grandparent Visitation
60	10	130	Amends	Sec. 600C.1(11)	Grandparent and Great-Grandparent Visitation
60	15	130	Amends	Sec. 600C.1(12)	Grandparent and Great-Grandparent Visitation
60	18	130	Amends	Sec. 600C.1(13)	Grandparent and Great-Grandparent Visitation
60	23	131	Adds	Sec. 514C.26	Autism Spectrum Disorder
64	35	132	Adds	Sec. 729.6(1)	Generic Testing
65	4	133	Amends	Sec. 729.6(1)(c)	Genetic Testing Definition
65	15	134	Amends	Sec. 11.24(b), HF 2526, 2010 Iowa Acts	Medicaid Family Planning Waiver
65	25	135	Amends	Sec. 15, SF 2378, 2010 Iowa Acts	Gaming Enforcement Revolving Fund
66	16	136	Repeals	Sec. 6, HF 2525, 2010 Iowa Acts	State Park Volunteer and Intern Programs
67	13	143	Adds	Sec. 321.281(1-3)	Actions Against Bicyclists
67	23	144	Adds	Sec. 805.8A(14)(k), 2009 Code Supplement	Fine for Actions Against Bicyclists
67	30	145	Amends	Sec. 159A.6(1)	Renewable Fuels and Coproducts

Page #	Line #	Bill Section	Action	Code Section	Description
68	5	146	Adds	Sec. 421.17, 2009 Code Supplement	Identification of Worker Classification
68	18	147	Amends	Sec. 422.20(3a)	Tax Return Information
68	28	148	Amends	Sec. 422.72(3a)	Tax Return Information
69	8	150	Nwthstnd	Sec. 455G.3	Underground Storage Tank Fund Requirements
69	23	151	Adds	Sec. 216A.131	Public Safety Advisory Board
69	27	152	Amends	Sec. 216A.132	Criminal and Juvenile Justice Advisory Council
71	15	153	Amends	Sec. 216A.133(1)	Criminal and Juvenile Justice Advisory Council
71	21	154	Adds	Sec. 216A.133(8-11)	Criminal and Juvenile Justice Advisory Council
71	32	155	Adds	Sec. 216A.133A	Public Safety Advisory Board
73	28	156	Amends	Sec. 216A.135	Criminal and Juvenile Justice Plan and Report
74	11	158	Amends	Sec. 235A.2(1)	Child Abuse Prevention Program Fund
74	22	159	Adds	Sec. 422.12F	Income Tax Checkoff
75	17	160	Adds	Sec. 422.12G	Income Tax Refund Checkoff
76	12	161	Repeals	Sec. 422.12L	Technical Correction
76	13	162	Repeals	Sec. 422.12K 2009 Code Supplement	Technical Correction
76	20	164	Amends	Sec. 123.183	Direct Shipment of Wine - Tax
77	20	165	Amends	Sec. 100, SF 2088, 2010 Iowa Acts	Remittance of Wine Gallonage Tax
80	18	167	Nwthstnd	Sec. 455G.3(1)	Underground Storage Tank Fund Requirements
80	34	169	Amends	Sec. 455B.474(1)(d)(2), 2009 Code Supplement	Certified Groundwater Professional
81	5	170	Amends	Sec. 455B.474(1)(d)(2), 2009 Code Supplement	Certified Groundwater Professional
81	14	171	Amends	Sec. 455B.474(1)(d)(2)	Certified Goundwater Professional
81	21	172	Amends	Sec. 455B.474(1)(d)(2), 2009 Code Supplement	Certified Groundwater Professional
82	24	173	Amends	Sec. 455B.474(1)(f)(5-7), 2009 Code Supplement	Department of Natural Resources Report
84	2	174	Amends	Sec. 455B.474(1)(h)(1 and 3), 2009 Code Supplement	Department of Natural Resources Report
84	31	175	Amends	Sec. 455B.479	Storage Tank Management Fee
85	8	176	Amends	Sec. 455E.11(2)(d), 2009 Code Supplement	Underground Storage Tank Fees

Page #	Line #	Bill Section	Action	Code Section	Description
86	9	177	Adds	Sec. 455G.3(6)	Appropriation for Review of Underground Storage Tank Sites
86	18	177	Adds	Sec. 455G.3(7)	Appropriation for Database Modifications
86	25	177	Adds	Sec. 455G.3(8)	Appropriation for Motor Fuel Inspections
86	33	177	Adds	Sec. 455G.3(9)	Underground Storage Tank Board Requirement
87	10	178	Amends	Sec. 455G.4(1)(a)(3 and 5), 2009 Code Supplement	Underground Storage Tank Risk Manager
87	31	179	Repeals	Sec. 455G.8(3)	Underground Storage Tank Fees
87	33	180	Amends	Sec. 455G.9(1)(d,k, and l)	Underground Storage Tank Remedial Program
89	1	181	Amends	Sec. 455G.9(4)	Minimum Copayment Schedule
89	22	182	Amends	Sec. 455G.9(7)	Cleanup Expense Reimbursement
90	3	183	Amends	Sec. 455G.9(10)	Public Works Utilities
90	28	185	Repeals	Sec. 455.2(1)	Underground Storage Tank Definitions
90	30	186	Amends	Sec. 455G.2(3)	Treasurer of State Reference
90	35	187	Amends	Sec. 455G.3	Treasurer of State Reference
91	9	188	Amends	Sec. 455G.6(7-9), 2009 Code Supplement	Treasurer of State Reference
92	17	189	Amends	Sec. 455G.6(10)(b), 2009 Code Supplement	Treasurer of State Reference
92	24	190	Amends	Sec. 455G.6(12), 2009 Code Supplement	Treasurer of State Reference
92	32	191	Amends	Sec. 455G.7	Treasurer of State Reference
95	11	192	Amends	Sec. 455G.8(2)	Treasurer of State Reference
95	21	193	Repeals	Sec. 16.151	Iowa Finance Authority Assistance with Underground Storage Tank Board
95	22	194	Repeals	Sec. 39, Chap. 184, 2009 Iowa Acts	Underground Storage Tank Bond Provisions
96	28	197	Amends	Sec. 96.7(2)(d)(1), 2009 Code Supplement	Unemployment Trust Fund
98	7	201	Amends	Sec. 249J.7	IowaCare Provider Network
101	1	202	Repeals	Sec. 5, SF 2156, 2010 Iowa Acts	IowaCare Program Provisions
101	3	203	Repeals	Sec. 2, SF 2356, 2010 Iowa Acts	IowaCare Program Provisions

Page #	Line #	Bill Section	Action	Code Section	Description
101	5	204	Amends	Sec. 11.13, HF 2526, 2010 Iowa Acts	University of Iowa Hospital and Clinics
101	15	205	Amends	Sec. 41.3, HF 2526, 2010 Iowa Acts	University of Iowa Hospital and Clinics
101	25	206	Repeals	Sec. 41.6, HF 2526, 2010 Iowa Acts	Nonparticipating Provider Reimbursement IowaCare
103	13	211	Nwthstnd	Sec. 421.8, 421.27 and 422.25	Disaster Related Losses

1 1 DIVISION I

1 2 MH/MR/DD SERVICES ALLOWED GROWTH FUNDING == FY 2011=2012

1 3 Section 1. ADULT MH/MR/DD SERVICES ALLOWED GROWTH FUNDING  
==

1 4 FY 2011=2012. Notwithstanding section 331.439, subsection  
1 5 3, the allowed growth factor adjustment for county mental  
1 6 health, mental retardation, and developmental disabilities  
1 7 service expenditures for the fiscal year beginning July 1,  
1 8 2011, shall be established by statute which shall be enacted  
1 9 within thirty calendar days of the convening of the  
1 10 Eighty=fourth General Assembly, 2011 Session, on January 10,  
1 11 2011. The governor shall submit to the general assembly a  
1 12 recommendation for such allowed growth factor adjustment and  
1 13 the amounts of related appropriations to the general assembly  
1 14 on or before January 11, 2011.

1 15 DIVISION II

1 16 STANDING APPROPRIATIONS

1 17 AND RELATED MATTERS

1 18 Sec. 2. BUDGET PROCESS FOR FISCAL YEAR 2011=2012.

1 19 1. For the budget process applicable to the fiscal year  
1 20 beginning July 1, 2011, on or before October 1, 2010, in lieu  
1 21 of the information specified in section 8.23, subsection 1,  
1 22 unnumbered paragraph 1, and paragraph "a", all departments and  
1 23 establishments of the government shall transmit to the director  
1 24 of the department of management, on blanks to be furnished by  
1 25 the director, estimates of their expenditure requirements,  
1 26 including every proposed expenditure, for the ensuing fiscal  
1 27 year, together with supporting data and explanations as called  
1 28 for by the director of the department of management after  
1 29 consultation with the legislative services agency.

1 30 2. The estimates of expenditure requirements shall be  
1 31 in a form specified by the director of the department of  
1 32 management, and the expenditure requirements shall include all  
1 33 proposed expenditures and shall be prioritized by program or

CODE: Requires the FY 2012 allowed growth appropriation adjustment for mental health services be established within the first 30 days of the 2011 Legislative Session. Requires the Governor to submit a recommendation for the allowed growth factor adjustment to the General Assembly by January 11, 2011.

Requires State agencies to submit the FY 2012 budget information to the Department of Management (DOM) and include all proposed expenditures, supporting data, and explanations. Requires the Director of the DOM to consult with the Legislative Services Agency (LSA) regarding supporting data. Requires expenditures to be prioritized by program or by results expected to be achieved. Requires performance measures to be included with the budget information.

1 34 the results to be achieved. The estimates shall be accompanied  
1 35 by performance measures for evaluating the effectiveness of the  
2 1 programs or results.

2 2 Sec. 3. GENERAL ASSEMBLY.

2 3 1. The appropriations made pursuant to section 2.12 for the  
2 4 expenses of the general assembly and legislative agencies for  
2 5 the fiscal year beginning July 1, 2010, and ending June 30,  
2 6 2011, are reduced by the following amount:

2 7 ..... \$ 5,939,790

2 8 2. The budgeted amounts for the general assembly for the  
2 9 fiscal year beginning July 1, 2010, may be adjusted to reflect  
2 10 unexpended budgeted amounts from the previous fiscal year.

2 11 Sec. 4. LIMITATION OF STANDING APPROPRIATIONS.

2 12 Notwithstanding the standing appropriations in the following  
2 13 designated sections for the fiscal year beginning July 1, 2010,  
2 14 and ending June 30, 2011, the amounts appropriated from the  
2 15 general fund of the state pursuant to these sections for the  
2 16 following designated purposes shall not exceed the following  
2 17 amounts:

2 18 1. For operational support grants and community cultural  
2 19 grants under section 99F.11, subsection 3, paragraph "d",  
2 20 subparagraph (1):

2 21 ..... \$ 443,300

2 22 2. For regional tourism marketing under section 99F.11,  
2 23 subsection 3, paragraph "d", subparagraph (2):

2 24 ..... \$ 862,028

Reduces the FY 2011 standing appropriation for the Legislative Branch by \$5,939,790. Permits the General Assembly to adjust the FY 2011 budget to reflect any unexpended funds from the FY 2010 budget.

DETAIL: The General Assembly's FY 2011 budget is estimated at \$36,009,827. This language reduces the FY 2011 budget to \$30,070,037 and represents no change compared to estimated net FY 2010.

CODE: Limits selected standing appropriations to specified amounts.

Limits the General Fund appropriation to the Department of Cultural Affairs for operational support grants and community cultural grants to \$443,300.

DETAIL: This represents no change compared to estimated net FY 2010 and a decrease of \$76,700 compared to the standing appropriation of \$520,000. Code Section 99F.11 funds this Program with wagering tax revenues that are deposited in the General Fund and then appropriated to the Department of Cultural Affairs.

Limits the General Fund appropriation to the Department of Economic Development for regional tourism marketing to \$862,028.

DETAIL: This represents no change compared to estimated net FY 2010 and a decrease of \$241,972 compared to the FY 2011 estimated standing appropriation of \$1,104,000. Code Section 99F.11 funds this

Program with wagering tax revenues that are deposited in the General Fund and then appropriated to the Department of Economic Development for regional tourism marketing.

Limits the FY 2011 General Fund appropriation to the Department of Public Health for the Center for Congenital and Inherited Disorders Central Registry to \$182,044.

DETAIL: This represents no change compared to estimated net FY 2010 and a decrease of \$50,456 compared to the FY 2011 estimated standing appropriation of \$232,500. The standing appropriation is based on an amount equal to \$10.00 of each birth certificate registration.

Limits the FY 2011 General Fund appropriation to the Department of Human Services for Primary and Secondary Child Abuse Prevention Programs to \$217,772.

DETAIL: This is an increase of \$43,696 compared to estimated net FY 2010 and a decrease of \$14,728 compared to the FY 2011 estimated standing appropriation of \$232,500. The standing appropriation is based on an amount equal to \$10.00 of each birth certificate registration.

Limits the FY 2011 General Fund appropriation to the Department of Education for Children At-Risk Programs to \$11,493,891.

DETAIL: This represents no change compared to estimated net FY 2010 and a decrease of \$1,112,305 compared to the FY 2011 standing appropriation. The child development standing appropriation is established in Code Section 279.51 at \$12,606,196.

Limits the FY 2011 General Fund appropriation to the Department of Education for nonpublic school transportation to \$7,060,931. Requires the appropriation to be prorated if the claims exceed the appropriation.

DETAIL: This represents no change compared to estimated net FY 2010 and a decrease of \$2,139,069 compared to the FY 2011 estimated standing appropriation of \$9,200,000.

2 25 3. For the center for congenital and inherited disorders  
2 26 central registry under section 144.13A, subsection 4, paragraph  
2 27 "a":  
2 28 ..... \$ 182,044

2 29 4. For primary and secondary child abuse prevention  
2 30 programs under section 144.13A, subsection 4, paragraph "a":  
2 31 ..... \$ 217,772

2 32 5. For programs for at-risk children under section 279.51:  
2 33 ..... \$ 11,493,891  
2 34 The amount of any reduction in this subsection shall be  
2 35 prorated among the programs specified in section 279.51,  
3 1 subsection 1, paragraphs "a", "b", and "c".

3 2 6. For payment for nonpublic school transportation under  
3 3 section 285.2:  
3 4 ..... \$ 7,060,931  
3 5 If total approved claims for reimbursement for nonpublic  
3 6 school pupil transportation exceed the amount appropriated in  
3 7 accordance with this subsection, the department of education  
3 8 shall prorate the amount of each approved claim.

3 9 7. For mental health, mental retardation, and developmental  
 3 10 disabilities services property tax relief under section 426B.1,  
 3 11 subsection 2, as amended in this division of this Act:  
 3 12 ..... \$ 81,199,911

Limits the FY 2011 General Fund appropriation for the Property Tax Relief Fund to \$81,199,911.

DETAIL: The Property Tax Relief Fund provides State funding for county mental health, mental retardation, and developmental disabilities services. This is a decrease of \$13,800,089 compared to the FY 2011 standing appropriation of \$95,000,000. For FY 2010, the Property Tax Relief Fund received General Fund appropriations totaling \$83,879,911, including \$73,399,911 in HF 820 (FY 2010 Federal Funds Act) and \$10,480,000 in SF 2151 (FY 2010 Supplemental Appropriations Act).

3 13 8. For the enforcement of chapter 453D relating to tobacco  
 3 14 product manufacturers under section 453D.8:  
 3 15 ..... \$ 19,591

Limits the FY 2011 General Fund appropriation to the Department of Revenue for financial obligation enforcement of tobacco product manufacturers to \$19,591.

DETAIL: This represents no change compared to estimated net FY 2010 and a decrease of \$5,409 compared to the standing appropriation of \$25,000.

3 16 9. For the Iowa power fund under section 469.10, subsection  
 3 17 1:  
 3 18 ..... \$ 19,600,000

Limits the FY 2011 General Fund appropriation to the Office of Energy Independence for the Iowa Power Fund to \$19,600,000.

DETAIL: This is a decrease of \$2,000,000 compared to estimated net FY 2010 and a decrease of \$5,400,000 compared to the standing appropriation of \$25,000,000.

NOTE: Section 90.6 of this Act appropriates \$2,000,000 from the Underground Storage Tank Fund to the Iowa Power Fund.

3 19 Sec. 5. STATE FOUNDATION AID FOR SCHOOLS == FY 2010=2011.  
 3 20 1. Notwithstanding the standing appropriation in section  
 3 21 257.16, subsection 1, for state foundation aid for the fiscal  
 3 22 year beginning July 1, 2010, and ending June 30, 2011, the  
 3 23 amount appropriated from the general fund of the state pursuant  
 3 24 to that section for the following designated purpose shall not  
 3 25 exceed the following amount:  
 3 26 For state foundation aid under section 257.16, subsection 1:  
 3 27 ..... \$2,499,157,875

CODE: Limits the FY 2011 General Fund appropriation for State School Foundation Aid.

DETAIL: For FY 2010, State School Foundation Aid received appropriations totaling \$2,349,004,670. This includes: \$2,146,457,965 from the General Fund, after the 10.00% across-the-board reduction, and \$202,546,705 from federal stimulus funds.

For FY 2011, the State School Foundation Aid appropriation is limited to \$2,499,157,875 and includes: \$2,446,110,078 from the General



Fund, \$5,100,000 from the Underground Storage Tank Fund, and \$47,947,797 from federal stimulus funds. The overall funding for State School Foundation Aid in FY 2011 represents an increase of \$151,153,205 compared to the total appropriations for FY 2010.

The FY 2011 State School Foundation Aid total is estimated to be \$162,042,125 less than the amount needed to fully fund State School Foundation Aid for FY 2011. Of that amount, \$159,642,125 will be applied to school districts and \$2,500,000 will be applied to area education agencies. The area education agency (AEA) reduction is addressed in Section 13 of this Act.

NOTE: House File 2519 (FY 2011 Block Grant Act) appropriates a total of \$47,947,797 from federal stimulus funds in lieu of an equal amount of General Fund money appropriated in this Act. Section 5.2 of this Act appropriates \$5,100,000 from the Underground Storage Tank Fund in lieu of an equal amount of General Fund money for FY 2011 State School Foundation Aid.

CODE: Underground Storage Tank Fund appropriation for State School Foundation Aid in lieu of an equal amount of funds appropriated from the General Fund. This provision notwithstanding the requirements for the use of funds from the Underground Storage Tank Fund.

DETAIL: This provision reduces the General Fund appropriation in Section 5.1 of this Act by \$5,100,000.

3 28 2. There is appropriated from the Iowa comprehensive  
3 29 petroleum underground storage tank fund for state foundation  
3 30 aid for the fiscal year beginning July 1, 2010, and ending  
3 31 June 30, 2011, the following amount, or so much thereof as is  
3 32 necessary to be used for the purposes designated:

3 33 In lieu of an equal amount appropriated from the general  
3 34 fund for state foundation aid under section 257.16, subsection  
3 35 1, as limited by subsection 1 of this section, notwithstanding  
4 1 section 455G.3, subsection 1:  
4 2 ..... \$ 5,100,000

4 3 3. a. Of the amount designated in this section for state  
4 4 foundation aid, \$314,894,787 is allocated for the teacher  
4 5 salary supplements, the professional development supplements,  
4 6 and the early intervention supplement in accordance with  
4 7 section 257.10, subsections 9 through 11, and section 257.37A.  
4 8 The department of management may adjust the amount allocated  
4 9 pursuant to this subsection in order to reflect any differences  
4 10 resulting from the budget certification process.

Allocates \$314,894,787 from the State School Foundation Aid appropriation for teacher salary, professional development, and early intervention supplements.

DETAIL: The LSA estimates for each of the State categorical supplements in FY 2011 are as follows:

- Teacher Salary Supplement: \$256,044,957
- Professional Development Supplement: \$29,041,992

- Early Intervention Supplement: \$29,807,838

Requires a proration to each school district of remaining funds from the appropriation, if it is not adequate to pay the remainder of the State School Foundation Aid. Prohibits reduction of the allocation made for the State categorical supplements.

4 11 b. If the remaining balance of the moneys designated in  
4 12 subsection 1, after the allocation made in paragraph "a" is  
4 13 less than the amount required to pay the remainder of state  
4 14 foundation aid pursuant to section 257.16, subsection 1, the  
4 15 difference shall be deducted from the payments to each school  
4 16 district in the manner provided in section 257.16, subsection  
4 17 4.

4 18 Sec. 6. INSTRUCTIONAL SUPPORT STATE AID == APPROPRIATION.

School Infrastructure Fund appropriation to be used in lieu of General Fund dollars for the FY 2011 Instructional Support State Aid.

4 19 In lieu of the appropriation provided in section 257.20, there  
4 20 is appropriated from the school infrastructure fund created in  
4 21 section 12.82, subsection 1, to the department of education for  
4 22 the fiscal year beginning July 1, 2010, and ending June 30,  
4 23 2011, the following amount, or so much thereof as is necessary,  
4 24 to be used for the purposes designated:

DETAIL: This represents a decrease of \$5,603,950 in funding compared to estimated net FY 2010. In FY 2010, the Instructional Support State Aid received an appropriation of \$13,103,950 from the American Recovery and Reinvestment Act (ARRA) Education Fiscal Stabilization funds. The estimated FY 2011 standing appropriation for Instructional Support State aid is \$14,800,000.

4 25 For paying instructional support state aid for fiscal year  
4 26 2010=2011:

4 27 ..... \$ 7,500,000

CODE: Requires the FY 2011 Instructional Support State Aid allocations to be made in the same manner as the FY 2010 allocations.

4 28 Notwithstanding section 257.20, subsection 3, the  
4 29 appropriation made in this lettered paragraph shall be  
4 30 allocated in the same manner as the allocation of the  
4 31 appropriation was made for the same purpose in the previous  
4 32 fiscal year.

4 33 Sec. 7. VETERANS HOME MEDICAL CLINIC. Of moneys received  
4 34 on or after July 1, 2009, by the Iowa veterans home from  
4 35 the federal government relating to the costs to improve and  
5 1 renovate a medical clinic at the home in a previous fiscal  
5 2 year, the first \$727,000 shall be credited to the general fund  
5 3 of the state on or after July 1, 2010.

Requires the first \$727,000 in matching funds received from the federal Veterans Administration for improvements to the Medical Clinic at the Iowa Veterans Home be credited to the General Fund after July 1, 2009.

DETAIL: The federal Veterans Administration matches 65.00% and the State portion is 35.00% of construction costs. The State funds 100.00% of the cost up front and is reimbursed by the federal Veterans Administration on completion of the project.

NOTE: This Section is effective on enactment and is applicable

retroactively to July 1, 2009.

5 4 Sec. 8. PROPERTY TAX CREDIT FUND == PAYMENTS IN LIEU OF  
5 5 GENERAL FUND REIMBURSEMENT.

5 6 1. a. A property tax credit fund shall be created in the  
5 7 office of the treasurer of state to be used for the purposes of  
5 8 this section.

Creates a Property Tax Credit Fund within the Office of the Treasurer of State for FY 2011.

NOTE: This provision is effective on enactment.

5 9 b. There is appropriated from the general fund of the state  
5 10 to the property tax credit fund created in paragraph "a" for  
5 11 the fiscal year beginning July 1, 2010, and ending June 30,  
5 12 2011, the sum of \$91,256,037.

Appropriates \$91,256,037 from the General Fund for FY 2011 to the Property Tax Credit Fund.

DETAIL: This represents the same level of funding for the Property Tax Credit Fund that was appropriated in FY 2010.

5 13 c. Notwithstanding the requirements in section 8.56,  
5 14 subsections 3 and 4, there is appropriated from the cash  
5 15 reserve fund to the property tax credit fund created in  
5 16 paragraph "a" for the fiscal year beginning July 1, 2010, and  
5 17 ending June 30, 2011, the sum of \$54,684,481.

CODE: Appropriates \$54,684,481 from the Cash Reserve Fund for FY 2011 to the Property Tax Credit Fund.

DETAIL: This represents the same level of funding for the Property Tax Credit Fund that was appropriated in FY 2010.

5 18 d. Notwithstanding section 8.33, the surplus existing  
5 19 in the property tax credit fund created pursuant to 2009  
5 20 Iowa Acts, chapter 179, section 9, at the conclusion of the  
5 21 fiscal year beginning July 1, 2009, and ending June 30, 2010,  
5 22 is transferred to the property tax credit fund created in  
5 23 paragraph "a".

CODE: Requires any unobligated funds remaining at the end of FY 2010 in the Property Tax Credit Fund to carry forward to FY 2011.

DETAIL: The estimated ending balance in the Property Tax Credit Fund for FY 2010 is \$12,526.

5 24 2. In lieu of the appropriations in the following designated  
5 25 sections, for the fiscal year beginning July 1, 2010, and  
5 26 ending June 30, 2011, there is appropriated from the property  
5 27 tax credit fund the following amounts for the following  
5 28 designated purposes:

Provides appropriations from the Property Tax Credit Fund for FY 2011 in lieu of General Fund appropriations for the following tax credits:

- Homestead Tax Credit: The estimated General Fund standing appropriation to fully fund the Homestead Tax Credit is \$136,200,000.
- Agricultural Land and Family Farm Tax Credit: The General Fund standing appropriation to fully fund the Agricultural Land and

Family Farm Tax Credit is \$39,100,000.

- Military Service Tax Credit: The estimated General Fund standing appropriation to fully fund the Military Service Tax Credit is \$2,400,000.
- Elderly and Disabled Tax Credit: The estimated General Fund standing appropriation to fully fund the Elderly and Disabled Tax Credit is \$23,400,000.

5 29 a. For reimbursement for the homestead property tax credit  
5 30 under section 425.1:  
5 31 ..... \$ 87,757,913

Property Tax Credit Fund appropriation for the Homestead Property Tax Credit.

DETAIL: This is a decrease of \$6,458,706 compared to estimated net FY 2010. The FY 2011 demand is projected to exceed the appropriation by \$48,442,087.

5 32 b. For reimbursement for the family farm and agricultural  
5 33 land tax credits under sections 425A.1 and 426.1:  
5 34 ..... \$ 32,395,131

Property Tax Credit Fund appropriation for the Family Farm and Agricultural Land Tax Credits.

DETAIL: This represents no change compared to estimated net FY 2010. The FY 2011 demand is projected to exceed the appropriation by \$6,704,869.

5 35 c. For reimbursement for the military service tax credit  
6 1 under section 426A.1A:  
6 2 ..... \$ 2,400,000

Property Tax Credit Fund appropriation for the Military Service Tax Credit.

DETAIL: This is an increase of \$29,005 compared to estimated net FY 2010 and fully funds the projected demand for FY 2011.

6 3 d. For implementing the elderly and disabled tax credit and  
6 4 reimbursement pursuant to sections 425.16 through 425.39:  
6 5 ..... \$ 23,400,000

Property Tax Credit Fund appropriation for the Elderly and Disabled Tax Credit.

DETAIL: This is an increase of \$2,620,800 compared to estimated net FY 2010 and fully funds the projected demand for FY 2011.

6 6 If the director of revenue determines that the amount  
6 7 of claims for credit for property taxes due pursuant to  
6 8 paragraphs "a", "b", "c", and "d", plus the amount of claims  
6 9 for reimbursement for rent constituting property taxes paid

Requires the Director of 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, 2010, and identify the proration percentage if the claims are projected to exceed the appropriations.

6 10 which are to be paid during the fiscal year may exceed the  
6 11 total amount appropriated, the director shall estimate the  
6 12 percentage of the credits and reimbursements which will be  
6 13 funded by the appropriation. The county treasurer shall notify  
6 14 the director of the amount of property tax credits claimed by  
6 15 June 8, 2010. The director shall estimate the percentage of  
6 16 the property tax credits and rent reimbursement claims that  
6 17 will be funded by the appropriation and notify the county  
6 18 treasurer of the percentage estimate by June 15, 2010. The  
6 19 estimated percentage shall be used in computing for each claim  
6 20 the amount of property tax credit and reimbursement for rent  
6 21 constituting property taxes paid for that fiscal year. If  
6 22 the director overestimates the percentage of funding, claims  
6 23 for reimbursement for rent constituting property taxes paid  
6 24 shall be paid until they can no longer be paid at the estimated  
6 25 percentage of funding. Rent reimbursement claims filed after  
6 26 that point in time shall receive priority and shall be paid in  
6 27 the following fiscal year.

6 28 Sec. 9. FEDERAL RECOVERY AND REINVESTMENT FUND ==  
6 29 ADDITIONAL FUNDING FOR FISCAL YEAR 2010=2011.  
6 30 1. In lieu of 2010 Iowa Acts, House File 2519, section 19,  
6 31 if additional funding designated for education stabilization  
6 32 is made available for the fiscal year beginning July 1,  
6 33 2010, through the state fiscal stabilization fund established  
6 34 pursuant to the federal American Recovery and Reinvestment Act  
6 35 of 2009, Pub. L. No. 111=5, such funding shall be credited to  
7 1 the federal recovery and reinvestment fund created in section  
7 2 8.41A and is appropriated for the fiscal year beginning July  
7 3 1, 2010, and ending June 30, 2011, to the departments and  
7 4 agencies that received the funding designated for education  
7 5 stabilization in 2009 Iowa Acts, chapter 183, section 61,  
7 6 subsection 1.  
7 7 2. a. Except as otherwise provided in paragraph "b",  
7 8 the amounts of the individual appropriations made in  
7 9 subsection 1 shall be in the same proportion as the individual  
7 10 appropriations in 2009 Iowa Acts, chapter 183, section 61,

Requires the Director to notify the county treasurers of the proration percentage by June 15, 2010. If the Department of Revenue estimate is inadequate to pay the claims for rent reimbursement, the remaining claims are to receive priority and be paid in FY 2011. If there are excess funds after claims are paid, the remaining funds carry forward to FY 2012.

Requires any additional American Recovery and Reinvestment Act (ARRA) Education Fiscal Stabilization funding made available for FY 2011 to be credited to the Federal Recovery and Reinvestment Fund and be appropriated for education purposes in FY 2011. These funds are to be appropriated to departments and agencies in the same proportion the ARRA funds were appropriated in FY 2010.

Prohibits the amount allocated to school districts for school aid from exceeding the State aid shortfall amount due to the cap on the FY 2011 school aid appropriation. Additionally, specifies that the amount appropriated for Instructional Support State aid not exceed \$5,609,950.

If good cause exists, as determined by the Department of Management and the Department of Education, in consultation with the Office of the Governor, adjustments to the distributions may be made.

Requires the DOM to submit a report to the Chairpersons and Ranking Members of the House and Senate Appropriations Committees and

7 11 subsection 1, bear to the total amount appropriated in that  
7 12 provision.  
7 13 b. (1) The amount appropriated pursuant to subsection 1 for  
7 14 state foundation aid to schools shall not exceed the difference  
7 15 between the amount determined for the standing appropriation  
7 16 for state foundation aid for the fiscal year pursuant to  
7 17 section 257.16, subsection 1, and the amount the standing  
7 18 appropriation was limited to pursuant to this division of this  
7 19 Act.  
7 20 (2) The amount appropriated for the fiscal year pursuant to  
7 21 subsection 1 for instructional support state aid under section  
7 22 257.20 shall not exceed \$5,609,950, shall be in addition to  
7 23 the appropriation made in this division of this Act for the  
7 24 same purpose from the school infrastructure fund, and shall  
7 25 be allocated as provided in the school infrastructure fund  
7 26 appropriation.  
7 27 3. a. Except as provided in subsection 2 for instructional  
7 28 support state aid, the distribution of each appropriation  
7 29 made pursuant to subsection 1 to subunits of the departments  
7 30 and agencies shall also be in the same proportion as the  
7 31 distribution to subunits of the individual appropriations  
7 32 in 2009 Iowa Acts, chapter 183, section 61, subsection 1.  
7 33 However, state foundation aid to school districts shall be  
7 34 distributed based on 2010 Iowa Acts, House File 2519, section  
7 35 20, subsection 1.  
8 1 b. If good cause exists, as determined by the departments  
8 2 of education and management, in coordination with the office  
8 3 of the governor, adjustments may be made to distribution  
8 4 proportions to the subunits other than as provided in paragraph  
8 5 "a".  
8 6 4. The department of management shall report to the  
8 7 chairpersons and ranking members of the appropriations  
8 8 committees of the senate and house of representatives and the  
8 9 legislative services agency concerning any appropriations and  
8 10 distributions made pursuant to this section, within two weeks  
8 11 of such appropriations and distributions being made.

the LSA regarding any appropriations made pursuant to this Section.  
The report is to be submitted within two weeks of when the  
appropriation is made.

8 12 Sec. 10. PERFORMANCE OF DUTY. There is appropriated from  
8 13 the cash reserve fund created in section 8.56 to the executive  
8 14 council for the fiscal year beginning July 1, 2010, and ending  
8 15 June 30, 2011, the following amount, or so much thereof as is  
8 16 necessary, to be used for the purposes designated:

8 17 For performance of duty by the executive council in sections  
8 18 7D.29 and 29C.20:

8 19 ..... \$ 10,583,628

8 20 The funding from the appropriation made in this section  
8 21 shall be utilized before any funding from the general fund of  
8 22 the state.

Cash Reserve Fund appropriation to the Executive Council for Performance of Duty expenditures. Permits additional funds to be utilized from the General Fund if expenditures exceed the appropriation.

DETAIL: The Executive Council uses the Performance of Duty standing appropriation to fund emergency repairs of State agencies when the repair expenditures exceed the amount of resources available in individual State agency budgets. The Contingency Fund is used by the Executive Council for funding disaster-related costs. The \$10,583,628 appropriation provides the funding for the State match requirements for Federal Emergency Management Agency (FEMA) funds that the State is receiving for the damages from the 2008 disasters.

8 23 Sec. 11. CASH RESERVE FUND APPROPRIATION REQUIREMENTS.

8 24 Section 8.56, subsections 3 and 4, shall not apply to any  
8 25 appropriation made in this division or any other division of  
8 26 this Act from the cash reserve fund created in section 8.56.

CODE: Exempts the FY 2011 appropriations from the Cash Reserve Fund from certain statutory requirements.

DETAIL: Notwithstands statutory language that requires a Cash Reserve Fund appropriation to be used for nonrecurring emergency expenditures. Notwithstands a requirement that an appropriation not be made from the Cash Reserve Fund that would cause the Fund balance to be less than 3.75% of the adjusted revenue estimate for the year the appropriation is made, unless approved by a vote of at least three-fifths of the members of both chambers of the General Assembly and is signed by the Governor.

8 27 Sec. 12. CASH RESERVE FUND APPROPRIATION FOR FISCAL YEAR

8 28 2010=2011. For the fiscal year beginning July 1, 2010, and  
8 29 ending June 30, 2011, the appropriation to the cash reserve  
8 30 fund provided in section 8.57, subsection 1, paragraph "a",  
8 31 shall not be made.

CODE: Notwithstands the requirement for FY 2011 that a General Fund appropriation to the Cash Reserve Fund be made in the event the Cash Reserve Fund does not maintain a balance equal to 7.50% of the FY 2010 adjusted revenue estimate.

DETAIL: Under current law, if the Cash Reserve Fund balance is less than 6.50% of the adjusted revenue estimate, an appropriation from the General Fund equal to 1.00% of the adjusted revenue estimate is required. If the Cash Reserve Fund balance is more than 6.50% and less than 7.50% of the adjusted revenue estimate, the appropriation is the amount required to bring the Cash Reserve Fund balance to 7.50% of the adjusted revenue estimate.

8 32 Sec. 13. Section 257.35, subsection 5, Code Supplement  
8 33 2009, is amended to read as follows:

8 34 5. Notwithstanding subsection 1, and in addition to the  
8 35 reduction applicable pursuant to subsection 2, the state aid  
9 1 for area education agencies and the portion of the combined  
9 2 district cost calculated for these agencies for each fiscal  
9 3 year of the fiscal period beginning July 1, 2008, and ending  
9 4 June 30, ~~2010~~ 2011, shall be reduced by the department of  
9 5 management by two million five hundred thousand dollars. The  
9 6 reduction for each area education agency for each fiscal year  
9 7 of the fiscal period beginning July 1, 2008, and ending June  
9 8 30, ~~2010~~ 2011, shall be prorated based on the reduction that  
9 9 the agency received in the fiscal year beginning July 1, 2003.

9 10 Sec. 14. Section 426B.1, subsections 2 and 3, Code 2009, are  
9 11 amended to read as follows:

9 12 2. There is appropriated on July 1 of each fiscal year  
9 13 to the property tax relief fund from the general fund of  
9 14 the state, ~~ninety-five~~ eighty-eight million four hundred  
9 15 thousand dollars.

9 16 ~~3. There is annually appropriated from the property tax~~  
9 17 ~~relief fund to the department of human services to supplement~~  
9 18 ~~the medical assistance appropriation for the fiscal year~~  
9 19 ~~beginning July 1, 1997, and for succeeding fiscal years,~~  
9 20 ~~six million six hundred thousand dollars to be used for the~~  
9 21 ~~nonfederal share of the costs of services provided to minors~~  
9 22 ~~with mental retardation under the medical assistance program~~  
9 23 ~~to meet the requirements of section 249A.12, subsection 4.~~  
9 24 ~~The appropriation in this subsection shall be charged to the~~  
9 25 ~~property tax relief fund prior to the distribution of moneys~~  
9 26 ~~from the fund under section 426B.2 and the amount of moneys~~  
9 27 ~~available for distribution shall be reduced accordingly.~~  
9 28 ~~However, the appropriation in this subsection shall be~~  
9 29 ~~considered to be a property tax relief payment for purposes~~  
9 30 ~~of the combined amount of payments required to achieve fifty~~  
9 31 ~~percent of the counties' base year expenditures as provided in~~  
9 32 ~~section 426B.2, subsection 2.~~

CODE: Requires the State School Foundation Aid reduction to the  
AEAs to remain at \$10,000,000 in FY 2011.

DETAIL: The statutory State aid reduction to the AEAs is currently  
capped at \$7,500,000. This Section requires the reduction to AEAs to  
be increased by an additional \$2,500,000 more than the statutory  
amount and will total \$10,000,000 in FY 2011. This amount has been  
factored in as part of the State aid shortfall referenced in Section 5.1.

CODE: Reduces the General Fund standing appropriation for the  
Property Tax Relief Fund from \$95,000,000 to \$88,400,000.  
Eliminates a \$6,600,000 standing appropriation from the Property Tax  
Relief Fund to the Department of Human Services (DHS) for the  
Medical Assistance Program.

DETAIL: Section 4.7 of this Act limits the General Fund appropriation  
to the Property Tax Relief Fund to \$81,199,911 for FY 2011.



9 33 CASH RESERVE FUND == PERFORMANCE OF DUTY  
9 34 Sec. 15. 2009 Iowa Acts, chapter 179, section 10, is amended  
9 35 by adding the following new unnumbered paragraph:  
10 1 NEW UNNUMBERED PARAGRAPH Notwithstanding section 8.33,  
10 2 moneys appropriated in this section that remain unencumbered or  
10 3 unobligated at the close of the fiscal year shall not revert  
10 4 but shall remain available for expenditure for the purposes  
10 5 designated until the close of the succeeding fiscal year.

CODE: Requires nonreversion of the unobligated balance from the FY 2010 Cash Reserve Fund appropriation to the Executive Council through FY 2011.

DETAIL: The Executive Council received a Cash Reserve Fund appropriation of \$25,600,000 for Performance of Duty expenditures for FY 2010 in SF 278 (FY 2010 Standing Appropriations Act). It is estimated that \$5,300,000 of the FY 2010 appropriation will be obligated before the end of FY 2010, resulting in a carryforward balance of \$20,300,000. In addition, SF 2366 (FY 2010 Appropriations Adjustment Act) allocates \$883,628 from the unobligated balance for improvements at the Eldora Juvenile Home. This reduces the estimated carryforward balance to \$19,416,372.

NOTE: This Section is effective on enactment.

10 6 Sec. 16. EFFECTIVE DATES AND RETROACTIVE APPLICABILITY.

10 7 1. The section of this division of this Act providing for  
10 8 crediting of certain moneys received by the Iowa veterans home  
10 9 to the general fund of the state, being deemed of immediate  
10 10 importance, takes effect upon enactment and is retroactively  
10 11 applicable to July 1, 2009, and is applicable on and after that  
10 12 date.

Section 7, requiring the deposit of federal Veterans Affairs construction funding to the General Fund for the medical clinic expenditures, is effective on enactment and applies retroactively to July 1, 2009.

10 13 2. The section of this division of this Act creating the  
10 14 property tax credit fund, being deemed of immediate importance,  
10 15 takes effect upon enactment.

Section 8.1(a) that creates the Property Tax Credit Fund is effective on enactment.

10 16 3. The section of this division of this Act amending 2009  
10 17 Iowa Acts, chapter 179, section 10, being deemed of immediate  
10 18 importance, takes effect upon enactment.

Section 15 that allows the carryforward of any unobligated funds from the FY 2010 Cash Reserve Fund appropriation to the Executive Council is effective on enactment.

10 19 DIVISION III  
10 20 SALARIES, COMPENSATION, AND RELATED MATTERS

10 21 Sec. 17. APPOINTED STATE OFFICERS.  
10 22 1. The governor shall establish a salary for appointed

Requires the Governor to determine the salary of most appointed nonelected persons in the Executive Branch. Permits the Governor to

10 23 nonelected persons in the executive branch of state government  
 10 24 holding a position enumerated in and within the salary  
 10 25 ranges provided in 2008 Iowa Acts, chapter 1191, section 14,  
 10 26 by considering, among other items, the experience of the  
 10 27 individual in the position, changes in the duties of the  
 10 28 position, the incumbent's performance of assigned duties, and  
 10 29 subordinates' salaries. However, the attorney general shall  
 10 30 establish the salary for the consumer advocate, the chief  
 10 31 justice of the supreme court shall establish the salary for the  
 10 32 state court administrator, the ethics and campaign disclosure  
 10 33 board shall establish the salary of the executive director, and  
 10 34 the Iowa public broadcasting board shall establish the salary  
 10 35 of the administrator of the public broadcasting division of the  
 11 1 department of education, each within the salary range provided  
 11 2 in 2008 Iowa Acts, chapter 1191, section 14.  
 11 3 2. The governor, in establishing salaries as provided in  
 11 4 this section, shall take into consideration other employee  
 11 5 benefits which may be provided for an individual including but  
 11 6 not limited to housing.

11 7 3. A person whose salary is established pursuant to this  
 11 8 section and who is a full-time, year-round employee of the  
 11 9 state shall not receive any other remuneration from the state  
 11 10 or from any other source for the performance of that person's  
 11 11 duties unless the additional remuneration is first approved by  
 11 12 the governor or authorized by law. However, this provision  
 11 13 does not exclude the reimbursement for necessary travel and  
 11 14 expenses incurred in the performance of duties or fringe  
 11 15 benefits normally provided to employees of the state.

11 16 Sec. 18. COLLECTIVE BARGAINING AGREEMENTS FUNDED. The  
 11 17 various state departments, boards, commissions, councils,  
 11 18 and agencies, including the state board of regents, for

consider various factors to determine salaries.

In lieu of the Governor, the following entities are required to determine the salary within the FY 2009 salary range:

- The Attorney General for the salary of the Consumer Advocate.
- The Chief Justice of the Supreme Court for the salary of the State Court Administrator.
- The Ethics and Campaign Disclosure Board for the salary of the Executive Director.
- The Iowa Public Broadcasting Board for the salary of the Administrator of the Public Broadcasting Division of the Department of Education.

DETAIL: The cost will be determined by placement in the salary ranges. The minimum and maximum salary ranges for State officials are maintained at the FY 2009 levels. These include:

- Salary range 2 (\$48,160 - \$73,700)
- Salary range 3 (\$55,380 - \$84,750)
- Salary range 4 (\$63,690 - \$97,460)
- Salary range 5 (\$73,250 - \$112,070)
- Salary range 6 (\$84,240 - \$128,890)
- Salary range 7 (\$100,840 - \$154,300)

Prohibits appointed nonelected employees from receiving additional remuneration from the State unless approved by the Governor or authorized by law.

Specifies the pay adjustments, reimbursements, and benefits for collective bargaining agreements.

DETAIL: The total estimated cost of FY 2011 salary and benefit

11 19 the fiscal year beginning July 1, 2010, and ending June 30,  
 11 20 2011, shall provide from available sources pay adjustments,  
 11 21 expense reimbursements, and related benefits to fully fund the  
 11 22 following:

11 23 1. The collective bargaining agreement negotiated pursuant  
 11 24 to chapter 20 for employees in the blue collar bargaining unit.

11 25 2. The collective bargaining agreement negotiated pursuant  
 11 26 to chapter 20 for employees in the public safety bargaining  
 11 27 unit.

11 28 3. The collective bargaining agreement negotiated pursuant  
 11 29 to chapter 20 for employees in the security bargaining unit.

11 30 4. The collective bargaining agreement negotiated pursuant  
 11 31 to chapter 20 for employees in the technical bargaining unit.

11 32 5. The collective bargaining agreement negotiated pursuant  
 11 33 to chapter 20 for employees in the professional fiscal and  
 11 34 staff bargaining unit.

11 35 6. The collective bargaining agreement negotiated pursuant  
 12 1 to chapter 20 for employees in the clerical bargaining unit.

12 2 7. The collective bargaining agreement negotiated pursuant  
 12 3 to chapter 20 for employees in the professional social services  
 12 4 bargaining unit.

12 5 8. The collective bargaining agreement negotiated pursuant  
 12 6 to chapter 20 for employees in the community-based corrections  
 12 7 bargaining unit.

12 8 9. The collective bargaining agreements negotiated  
 12 9 pursuant to chapter 20 for employees in the judicial branch of  
 12 10 government bargaining units.

12 11 10. The collective bargaining agreement negotiated pursuant  
 12 12 to chapter 20 for employees in the patient care bargaining  
 12 13 unit.

12 14 11. The collective bargaining agreement negotiated pursuant  
 12 15 to chapter 20 for employees in the science bargaining unit.

12 16 12. The collective bargaining agreement negotiated pursuant  
 12 17 to chapter 20 for employees in the university of northern Iowa  
 12 18 faculty bargaining unit.

12 19 13. The collective bargaining agreement negotiated pursuant  
 12 20 to chapter 20 for employees in the state university of Iowa

increases from all funds is \$128,726,922. This includes \$77,661,784 from the General Fund and \$51,065,138 from other funds. This also includes an estimated \$3,068,843 from all funds for vacant positions, including \$1,790,574 from the General Fund and \$1,278,269 from other funds. Detail regarding the cost and negotiated settlements with each bargaining unit is outlined below.

American Federation of State, County, and Municipal Employees (AFSCME -- Central and Community Based Corrections (CBCs))

- 2.00% across-the-board increase on June 25, 2010.
- 1.00% across-the-board increase on December 24, 2010.
- 4.50% step increases for eligible employees.

FISCAL IMPACT: The total estimated cost from all funds for FY 2011 salary and benefit increases for these employees is \$45,956,630. This includes \$26,936,921 from the General Fund and \$19,019,709 from other funds.

Iowa United Professionals (IUP) - Social Services and Science

- 2.00% across-the-board increase on June 25, 2010.
- 1.00% across-the-board increase on December 24, 2010.
- 4.50% step increases for eligible employees.

FISCAL IMPACT: The total estimated cost from all funds for FY 2011 salary and benefit increases for these employees is \$10,303,263. This includes \$5,491,036 from the General Fund and \$4,812,227 from other funds.

State Police Officer's Council (SPOC)

- 1.00% across-the-board increase on June 25, 2010.
- 1.00% across-the-board increase on December 24, 2010.
- 3.50% step increases for eligible employees.
- Increases the pay grades for selected position classes.

FISCAL IMPACT: The total estimated cost from all funds for FY 2011 salary and benefit increases for these employees is \$2,537,485. This includes \$2,080,042 from the General Fund and \$457,443 from other funds.

Judicial Public, Professional, and Maintenance Employees (PPME)

12 21 graduate student bargaining unit.  
 12 22 14. The collective bargaining agreement negotiated pursuant  
 12 23 to chapter 20 for employees in the state university of Iowa  
 12 24 hospital and clinics tertiary health care bargaining unit.  
 12 25 15. The annual pay adjustments, related benefits, and  
 12 26 expense reimbursements referred to in the sections of this  
 12 27 division of this Act addressing noncontract state and state  
 12 28 board of regents employees who are not covered by a collective  
 12 29 bargaining agreement.

- 0.00% across-the-board increase.
- 4.50% step increases for eligible employees.
- Pay plan will be matched with the Executive Branch AFSCME pay plan.

FISCAL IMPACT: The total estimated cost for FY 2011 salary and benefit increases for these employees is \$282,892 from the General Fund.

#### Judicial AFSCME

- 0.00% across-the-board increase.
- 4.50% step increases for eligible employees.
- Pay plan will be matched with the Executive Branch AFSCME pay plan.

FISCAL IMPACT: The total estimated cost for FY 2011 salary and benefit increases for these employees is \$1,972,770 from the General Fund.

12 30 Sec. 19. NONCONTRACT STATE EMPLOYEES == GENERAL.  
 12 31 1. For the fiscal year beginning July 1, 2010:  
 12 32 a. The maximum and minimum salary levels of all pay plans  
 12 33 provided for in section 8A.413, subsection 3, as they exist for  
 12 34 the fiscal year ending June 30, 2010, shall not increase.  
 12 35 b. Employees shall not receive a step increase or the  
 13 1 equivalent of a step increase.  
 13 2 c. The pay plan for noncontract judicial branch employees  
 13 3 shall not be increased.  
 13 4 d. The pay plans for state employees who are exempt  
 13 5 from chapter 8A, subchapter IV, and who are included in the  
 13 6 department of administrative services' centralized payroll  
 13 7 system shall not be increased, and any additional changes  
 13 8 in any executive branch pay plans shall be approved by the  
 13 9 governor.  
 13 10 2. This section does not apply to members of the general  
 13 11 assembly, board members, commission members, persons whose  
 13 12 salaries are set by the general assembly pursuant to this Act  
 13 13 or are set by the governor, or other persons designated in the

Specifies that the FY 2011 pay plans for noncontract employees of the Executive Branch, excluding the Board of Regents, will not be increased. Requires any additional changes in the pay plans to be approved by the Governor. Prohibits step increases for noncontract State employees for FY 2011.

Specifies that the FY 2011 pay plans for noncontract employees of the Judicial Branch will not be increased.

Specifies the FY 2011 pay plans for State employees exempt from the merit process and included in the centralized payroll system will not be increased.

Specifies the salary provisions in this Section do not apply to the following:

- Members of the General Assembly.
- Board or commission members.
- Salaries set by the General Assembly.
- Salaries set by the Governor.
- Employees under Code Section 8A.412(5), (presidents, deans, directors, teachers, professional and scientific personnel, and

13 14 section of this division of this Act addressing appointed state  
13 15 officers, employees designated under section 8A.412, subsection  
13 16 5, and employees covered by 11 IAC 53.6(3).

13 17 3. The pay plans for the bargaining eligible employees of  
13 18 the state shall not be increased, and any additional changes  
13 19 in such executive branch pay plans shall be approved by the  
13 20 governor. As used in this section, "bargaining eligible  
13 21 employee" means an employee who is eligible to organize under  
13 22 chapter 20, but has not done so.

13 23 4. The policies for implementation of this section shall be  
13 24 approved by the governor.

student employees of the Board of Regents).

- Employees that exceed the pay for the top of the range.

Specifies that the FY 2011 pay plans for bargaining eligible employees will not be increased.

DETAIL: The following summarizes the estimated costs for FY 2011 benefit increases.

Judicial Exempt

- 0.00% across-the-board increase.
- No step increases for eligible employees.

FISCAL IMPACT: The total estimated cost from all funds for FY 2011 salary and benefit increases for employee is \$970,395. This includes \$944,914 from the General Fund and \$25,481 from other funds.

Judicial Judges – No change.

FISCAL IMPACT: The total estimated cost from all funds for FY 2011 benefit increases for employees is \$285,268. This includes \$281,548 from the General Fund and \$3,720 from other funds.

Noncontract

- 0.00% across-the-board increase.
- No step increases for eligible employees.

FISCAL IMPACT: The total estimated cost from all funds for FY 2011 salary and benefit increases for these employees is \$6,144,635. This includes, \$3,262,300 from the General Fund and \$2,882,335 from other funds.

13 25 Sec. 20. STATE EMPLOYEES == STATE BOARD OF REGENTS. For  
13 26 the fiscal year beginning July 1, 2010, and ending June 30,  
13 27 2011, funds shall be provided from available sources of the  
13 28 state board of regents for funding of collective bargaining  
13 29 agreements for state board of regents employees covered by  
13 30 such agreements and for the following state board of regents  
13 31 employees not covered by a collective bargaining agreement:

Requires the Board of Regents to use FY 2011 funds for funding collective bargaining agreements and for Regent employees not covered by a collective bargaining agreement.

DETAIL: Board of Regents merit system employees receive increases comparable to other contract-covered employees.

Estimated costs include:

13 32 1. Regents merit system employees and merit supervisory  
 13 33 employees.  
 13 34 2. Faculty members and professional and scientific  
 13 35 employees.

#### AFSCME Regents

- 2.00% across-the-board increase on June 25, 2010.
- 1.00% across-the-board increase on December 24, 2010.
- 4.50% step increases for eligible employees.

#### Committee to Organize Graduate Students -- University of Iowa (COGS-SUI)

- An increase in minimum tuition scholarship in an amount approximately equal to 100.00% of the cost of tuition.
- 0.00% increase in the average graduate assistant stipend.

#### University of Northern Iowa (UNI) United Faculty

- 3.00% across-the-board increase on June 25, 2010.
- Other cost items such as minimum salary guidelines, part-time salaries, travel expenditures, and summer salaries, were increased 3.00%.

#### Service Employees' International Union (SEIU) -- University of Iowa University of Iowa Hospital and Clinic (SUI/UIHC)

- 2.00% across-the-board increase on June 25, 2010.
- 2.00% across-the-board increase on December 24, 2010.
- Provides for participation in the University's Modified Flexible Benefit Plan System approved by the Board in September 2008.

FISCAL IMPACT: The total estimated cost for FY 2011 salary increases for all Board of Regents employees is \$60,273,584. This includes \$36,409,361 from the General Fund and \$28,864,223 from other funds.

14 1 Sec. 21. BONUS PAY. For the fiscal year beginning July  
 14 2 1, 2010, and ending June 30, 2011, employees of the executive  
 14 3 branch, judicial branch, and legislative branch shall not  
 14 4 receive bonus pay unless otherwise authorized by law, required  
 14 5 pursuant to a contract of employment entered into before July  
 14 6 1, 2010, or required pursuant to a collective bargaining  
 14 7 agreement. This section does not apply to employees of the  
 14 8 state board of regents. For purposes of this section, "bonus  
 14 9 pay" means any additional remuneration provided an employee in

Prohibits bonus pay in FY 2011 for all Executive Branch, Judicial Branch, and Legislative Branch employees, unless permitted by law or required by a collective bargaining agreement. Defines the term "bonus pay."

14 10 the form of a bonus, including but not limited to a retention  
14 11 bonus, recruitment bonus, exceptional job performance pay,  
14 12 extraordinary job performance pay, exceptional performance pay,  
14 13 extraordinary duty pay, or extraordinary or special duty pay,  
14 14 and any extra benefit not otherwise provided to other similarly  
14 15 situated employees.

14 16 Sec. 22. SPECIAL FUNDS. For the fiscal year beginning July  
14 17 1, 2010, and ending June 30, 2011, salary adjustments otherwise  
14 18 provided for in this Act may be funded using departmental  
14 19 revolving, trust, or special funds for which the general  
14 20 assembly has established an operating budget, provided doing so  
14 21 does not exceed the operating budget established by the general  
14 22 assembly.

Permits FY 2011 supplemental expenditures from various revolving, trust, or special funds to be used for salary adjustments provided that the operating budget set by the General Assembly is not exceeded.

14 23 Sec. 23. FEDERAL FUNDS APPROPRIATED. For the fiscal year  
14 24 beginning July 1, 2010, all federal grants to and the federal  
14 25 receipts of the agencies affected by this division of this Act  
14 26 which are received and may be expended for purposes of this  
14 27 division of this Act are appropriated for those purposes and as  
14 28 set forth in the federal grants or receipts.

Permits FY 2011 federal funding to be expended for salary adjustments if permitted within a federal grant.

14 29 Sec. 24. STATE TROOPER MEAL ALLOWANCE. For the fiscal  
14 30 year beginning July 1, 2010, the sworn peace officers in the  
14 31 department of public safety who are not covered by a collective  
14 32 bargaining agreement negotiated pursuant to chapter 20 shall  
14 33 receive the same per diem meal allowance as the sworn peace  
14 34 officers in the department of public safety who are covered  
14 35 by a collective bargaining agreement negotiated pursuant to  
15 1 chapter 20.

Requires Department of Public Safety sworn peace officers not covered by a collective bargaining agreement to receive the same per diem meal allowance as those officers covered by a negotiated bargaining agreement in FY 2011.

15 2 Sec. 25. SALARY MODEL ADMINISTRATOR. The salary model  
15 3 administrator shall work in conjunction with the legislative  
15 4 services agency to maintain the state's salary model used for  
15 5 analyzing, comparing, and projecting state employee salary  
15 6 and benefit information, including information relating to  
15 7 employees of the state board of regents. The department of

Requires the salary model administrator to work with the LSA to maintain the State's salary model. Requires various departments to submit salary data to the DOM.

15 8 revenue, the department of administrative services, the five  
15 9 institutions under the jurisdiction of the state board of  
15 10 regents, the judicial district departments of correctional  
15 11 services, and the state department of transportation shall  
15 12 provide salary data to the department of management and the  
15 13 legislative services agency to operate the state's salary  
15 14 model. The format and frequency of provision of the salary  
15 15 data shall be determined by the department of management and  
15 16 the legislative services agency. The information shall be  
15 17 used in collective bargaining processes under chapter 20 and  
15 18 in calculating the funding needs contained within the annual  
15 19 salary adjustment legislation. A state employee organization  
15 20 as defined in section 20.3, subsection 4, may request  
15 21 information produced by the model, but the information provided  
15 22 shall not contain information attributable to individual  
15 23 employees.

15 24 Sec. 26. 2008 Iowa Acts, chapter 1191, section 14,  
15 25 subsection 7, is amended to read as follows:  
15 26 7. The following are range 7 positions: administrator  
15 27 of the public broadcasting division of the department of  
15 28 education, director of the department of corrections, director  
15 29 of the department of education, director of human services,  
15 30 director of the department of economic development, executive  
15 31 director of the Iowa telecommunications and technology  
15 32 commission, executive director of the state board of regents,  
15 33 director of transportation, director of the department of  
15 34 workforce development, director of revenue, director of  
15 35 public health, state court administrator, director of the  
16 1 department of management, chief information officer, state debt  
16 2 coordinator, and director of the department of administrative  
16 3 services.

16 4 DIVISION IV  
16 5 APPROPRIATION REDUCTIONS

16 6 Sec. 27. APPROPRIATION REDUCTIONS == REPORT.

CODE: Adds the Chief Information Officer and State Debt Coordinator positions to Pay Range 7.

DETAIL: The Chief Information Officer position was created in Section 8 of SF 2088 (Government Reorganization and Efficiency Act) to manage the State Government Information Technology Services. The State Debt Coordinator position was created in SF 2383 (Debt Collections Act) to administer the Office of the State Debt Coordinator within the Department of Revenue. Both of these positions require appointment by the Governor and confirmation by the Senate.

Requires the DOM to apply reductions totaling \$83,760,500 to



16 7 1. The amounts appropriated from the general fund of  
16 8 the state to the departments and establishments of the  
16 9 executive branch, as defined in section 8.2, but not including  
16 10 appropriations to the state board of regents, for operational  
16 11 purposes in enactments made for the fiscal year beginning July  
16 12 1, 2010, and ending June 30, 2011, are reduced by \$83,760,500.  
16 13 For purposes of this section, "operational purposes"  
16 14 means salary, support, administrative expenses, or other  
16 15 personnel-related costs. The reductions in appropriations  
16 16 required pursuant to this subsection shall be realized through  
16 17 the implementation of 2010 Iowa Acts, Senate File 2062, 2010  
16 18 Iowa Acts, Senate File 2088, executive order number 20 issued  
16 19 December 16, 2009, and any other efficiency measure. The  
16 20 reductions to operational appropriations required by this  
16 21 subsection shall be applied by the department of management.

16 22 2. On or before December 1, 2010, the department of  
16 23 management shall submit a report to the general assembly  
16 24 and the legislative services agency regarding anticipated  
16 25 reductions in appropriations for operational purposes and  
16 26 anticipated reductions in full-time equivalent positions  
16 27 for the fiscal year beginning July 1, 2010, and ending June  
16 28 30, 2011, as required by this section. In the report, all  
16 29 reductions shall be categorized in one of four categories. The  
16 30 categories shall include the implementation of 2010 Iowa Acts,  
16 31 Senate File 2062; the implementation of 2010 Iowa Acts, Senate  
16 32 File 2088, section 65; the implementation of 2010 Iowa Acts,  
16 33 Senate File 2088, sections 67 and 68; and the implementation of  
16 34 both executive order number 20 issued December 16, 2009, and  
16 35 any remaining provisions of 2010 Iowa Acts, Senate File 2088.

17 1 Sec. 28. CASH RESERVE TRANSFER. For the fiscal year  
17 2 beginning July 1, 2010, and ending June 30, 2011, the  
17 3 department of management may transfer up to five million  
17 4 dollars from the cash reserve fund created in section 8.56  
17 5 to appropriations addressed by this division for purposes  
17 6 of offsetting the appropriation reductions required in this

Executive Branch agencies' General Fund operating appropriations for FY 2011, excluding the Board of Regents. Requires the reductions to be realized through the implementation of the following:

- Senate File 2062 (Early Retirement Act).
- Senate File 2088 (Government Reorganization and Efficiency Act).
- Executive Order Number 20 issued by the Governor on December 16, 2009.

Requires the DOM to submit a report to the General Assembly and the LSA by December 1, 2010, regarding the anticipated appropriation and FTE position reductions for FY 2011. Requires the report to group the reductions into the following categories:

- The early retirement provisions included in SF 2062 (Early Retirement Act).
- The requirement in Section 65 of SF 2088 relating to the reduction of FTE positions that are vacant for at least six months.
- The requirements in Sections 67 and 68 of SF 2088 relating to span of control.
- The requirements in the Governor's Executive Order Number 20 and any remaining provisions of SF 2088.

Permits the DOM to transfer up to \$5,000,000 from the Cash Reserve Fund to offset any appropriation reductions required in this Division. Requires the DOM to report any transfers to the Chairpersons of the House and Senate Appropriation Committees and the Chairpersons of the appropriate subcommittees on appropriations.

17 7 division. A transfer made pursuant to the authority granted in  
 17 8 this section shall be subject to the reporting requirements in  
 17 9 section 8.39, subsections 3 and 4.

17 10 Sec. 29. DEPARTMENT OF ADMINISTRATIVE SERVICES ==  
 17 11 INFORMATION TECHNOLOGY. There is appropriated from the general  
 17 12 fund of the state to the department of administrative services  
 17 13 for the fiscal year beginning July 1, 2010, and ending June 30,  
 17 14 2011, the following amount, or so much thereof as is necessary,  
 17 15 to be used for the purposes designated:  
 17 16 For implementing 2010 Iowa Acts, Senate File 2088, division  
 17 17 I, including salaries, support, maintenance, and miscellaneous  
 17 18 purposes:  
 17 19 ..... \$ 2,300,000

17 20 DIVISION V  
 17 21 STATE FINANCIAL MANAGEMENT DUTIES

17 22 Sec. 30. Section 8A.502, subsection 1, Code 2009, is amended  
 17 23 to read as follows:  
 17 24 1. Centralized accounting and payroll system. To assume the  
 17 25 responsibilities related to a centralized accounting system  
 17 26 for state government and to establish a centralized payroll  
 17 27 system for all state agencies . However, the state board of  
 17 28 regents and institutions under the control of the state board  
 17 29 of regents shall not be required to utilize the centralized  
 17 30 payroll system.

17 31 Sec. 31. Section 8A.502, Code 2009, is amended by adding the  
 17 32 following new subsection:  
 17 33 NEW SUBSECTION . 8A. Budget database. To develop and make  
 17 34 available to the public a searchable budget database.

17 35 Sec. 32. Section 11.5B, subsection 16, if enacted by

General Fund appropriation to the Department of Administrative Services (DAS) for implementing the government information technology services provisions in SF 2088 (Government Reorganization and Efficiency Act).

DETAIL: It is estimated that the Department will save approximately \$3,300,000 in information technology costs in FY 2011 through the implementation of SF 2088.

This Division amends provisions of SF 2088 (Government Reorganization and Efficiency Act) to maintain the State accounting functions with the DAS. Senate File 2088 transfers the responsibilities for the accounting functions to the DOM.

Requires the DAS to establish a centralized payroll system for all State agencies. Exempts the Board of Regents from using the centralized payroll system.

DETAIL: This change was made in SF 2088 (Government Reorganization and Efficiency Act) but was applied to the DOM.

CODE: Requires the DAS to develop a searchable budget database that is available to the public.

DETAIL: This change was made in SF 2088 (Government Reorganization and Efficiency Act) but was applied to the DOM.

CODE: Repeals a provision in SF 2367 (Administration and

18 1 2010 Iowa Acts, Senate File 2367, is amended by striking the  
18 2 subsection.

Regulation Appropriations Act) that the Auditor of State be reimbursed for auditing the State accounting functions within the DOM.

DETAIL: This change is necessary to conform to the changes in this Act that maintain the State accounting functions with the DAS.

18 3 Sec. 33. 2010 Iowa Acts, Senate File 2088, section 233, is  
18 4 amended to read as follows:  
18 5 SEC. 233. DEPARTMENT OF ~~MANAGEMENT~~ ADMINISTRATIVE  
18 6 SERVICES == CENTRALIZED PAYROLL SYSTEM. The department  
18 7 of ~~management~~ administrative services shall examine the  
18 8 possibility of merging all state payroll systems into the  
18 9 centralized payroll system operated by the department.  
18 10 The department shall consult with those entities of state  
18 11 government not utilizing the centralized payroll system,  
18 12 including but not limited to the state department of  
18 13 transportation, about strategies for encouraging utilization  
18 14 of the state's centralized payroll system and by identifying  
18 15 those barriers preventing merging of the payroll systems.  
18 16 The department shall provide information to the joint  
18 17 appropriations subcommittee on administration and regulation  
18 18 concerning efforts by the department to merge payroll systems  
18 19 and any recommendations for legislative action to encourage, or  
18 20 eliminate barriers to, the provision of payroll services by the  
18 21 department to other state agencies.

CODE: Requires the DAS to study the merging of all State payroll systems into a centralized system. Requires the Department to report to the Administration and Regulation Appropriations Subcommittee concerning the efforts taken to merge the payroll systems.

DETAIL: This change was made in SF 2088 (Government Reorganization and Efficiency Act) but was applied to the DOM.

18 22 Sec. 34. 2010 Iowa Acts, Senate File 2088, section 234, is  
18 23 amended to read as follows:  
18 24 SEC. 234. DEPARTMENT OF ~~MANAGEMENT~~ ADMINISTRATIVE  
18 25 SERVICES == PAYROLL FREQUENCY. The department of  
18 26 ~~management~~ administrative services shall implement to the  
18 27 greatest extent possible a reduction in the frequency of paying  
18 28 state employees by paying employees through the payroll system  
18 29 on a semimonthly instead of a biweekly basis.

CODE: Requires the DAS to implement, to the greatest extent possible, paying State employees on a semimonthly basis instead of biweekly.

DETAIL: This change was made in SF 2088 (Government Reorganization and Efficiency Act) but was applied to the DOM.

18 30 Sec. 35. REPEALS. 2010 Iowa Acts, Senate File 2088,

CODE: Repeals the provisions in SF 2088 (Government

18 31 sections 175 through 232, are repealed.

Reorganization and Efficiency Act) that transfer the State accounting functions from the DAS to the DOM.

18 32 DIVISION VI

18 33 CORRECTIVE PROVISIONS

18 34 Sec. 36. Section 2.69, subsection 3, as enacted by 2010  
18 35 Iowa Acts, Senate File 2088, section 420, is amended to read  
19 1 as follows:

CODE: Technical correction to SF 2088 (Government Reorganization and Efficiency Act).

19 2 3. The members of the committee shall be reimbursed for  
19 3 actual and necessary expenses incurred in the performance of  
19 4 their duties and shall be paid a per diem as specified in  
19 5 section ~~2E.6~~ 2.10 for each day in which they engaged in the  
19 6 performance of their duties. However, per diem compensation  
19 7 and expenses shall not be paid when the general assembly is  
19 8 actually in session at the seat of government. Expenses and  
19 9 per diem shall be paid from funds appropriated pursuant to  
19 10 section 2.12.

NOTE: Senate File 2088 was signed by the Governor on March 10, 2010.

19 11 Sec. 37. Section 16.181A, subsection 1, as enacted by 2010  
19 12 Iowa Acts, Senate File 2389, is amended to read as follows:

CODE: Technical correction to SF 2389 (Infrastructure Appropriations Act).

19 13 1. There is appropriated from the rebuild Iowa  
19 14 infrastructure fund to the Iowa finance authority for deposit  
19 15 in the housing trust fund created in section 16.181, for the  
19 16 fiscal year beginning July 1, 2009, and ~~ending~~ beginning July  
19 17 1, 2011, and for each succeeding fiscal year, the sum of three  
19 18 million dollars.

NOTE: Senate File 2389 was approved by the General Assembly on March 29, 2010, and signed by the Governor on April 26, 2010.

19 19 Sec. 38. Section 46.3, subsection 3, Code 2009, as amended  
19 20 by 2010 Iowa Acts, Senate File 2343, section 1, if enacted, is  
19 21 amended to read as follows:

CODE: Technical correction to SF 2343 (Appointment of Judges Bill).

19 22 3. A No more than a simple majority of the commissioners  
19 23 appointed shall be of the same gender.

NOTE: This Bill was not enacted. Senate File 2343 was approved by the General Assembly on March 17, 2010, and vetoed by the Governor on April 28, 2010.

19 24 Sec. 39. Section 97D.4, subsection 2, Code 2009, is amended  
19 25 to read as follows:

CODE: Technical correction.

19 26 2. The members of the committee shall be reimbursed for

19 27 actual and necessary expenses incurred in the performance of  
19 28 their duties and shall be paid a per diem as specified in  
19 29 section ~~7E.6~~ 2.10 for each day in which they engaged in the  
19 30 performance of their duties. However, per diem compensation  
19 31 and expenses shall not be paid when the general assembly is  
19 32 actually in session at the seat of government. Expenses and  
19 33 per diem shall be paid from funds appropriated pursuant to  
19 34 section 2.12.

19 35 Sec. 40. Section 123.43A, subsection 1, unnumbered  
20 1 paragraph 1, as enacted by 2010 Iowa Acts, Senate File 2088,  
20 2 section 84, is amended to read as follows:  
20 3 For the purposes of this section, unless the context  
20 4 ~~other~~ otherwise requires:

CODE: Technical correction to SF 2088 (Government Reorganization and Efficiency Act).

20 5 Sec. 41. Section 162.10D, subsection 2, as enacted by 2010  
20 6 Iowa Acts, House File 2280, section 18, is amended to read as  
20 7 follows:

CODE: Technical correction to HF 2280 (Commercial Animal Establishments Act).

20 8 2. The department may require ~~that~~ an owner, operator, or  
20 9 employee of a commercial establishment subject to disciplinary  
20 10 action under subsection 1 to complete a continuing education  
20 11 program as a condition for retaining an authorization.  
20 12 This section does not prevent a person from voluntarily  
20 13 participating in a continuing education program.

NOTE: House File 2280 was signed by the Governor on March 9, 2010.

20 14 Sec. 42. Section 216A.113, subsection 1, as enacted by 2010  
20 15 Iowa Acts, Senate File 2088, section 139, is amended to read  
20 16 as follows:

CODE: Technical correction to SF 2088 (Government Reorganization and Efficiency Act).

20 17 1. The commission ~~on the deaf~~ of deaf services is  
20 18 established, and shall consist of seven voting members  
20 19 appointed by the governor, subject to confirmation by the  
20 20 senate pursuant to section 2.32. Membership of the commission  
20 21 shall include at least four members who are deaf and who cannot  
20 22 hear human speech with or without use of amplification and at  
20 23 least one member who is hard of hearing. All members shall  
20 24 reside in Iowa.

20 25 Sec. 43. Section 216C.9, subsection 1, Code 2009, as amended  
20 26 by 2010 Iowa Acts, Senate File 2202, section 7, if enacted, is  
20 27 amended to read as follows:

20 28 1. If a street, road, or highway in this state is newly  
20 29 built or reconstructed, a curb ramp or sloped area shall be  
20 30 constructed or installed at each intersection of the street,  
20 31 road, or highway with a sidewalk or path. If a sidewalk or path  
20 32 in this state is newly built or ~~altered~~ reconstructed, a curb  
20 33 ramp or sloped area shall be constructed or installed at each  
20 34 intersection of the sidewalk or path with a street, highway,  
20 35 or road.

CODE: Technical correction to language in SF 2202 (Rights of Persons with Disabilities Act).

NOTE: Senate File 2202 was signed by the Governor on March 22, 2010.

21 1 Sec. 44. Section 256.51, subsection 1, paragraph a, Code  
21 2 2009, as amended by 2010 Iowa Acts, Senate File 2088, section  
21 3 316, is amended to read as follows:

21 4 a. Determine policy for providing information service to  
21 5 the three branches of state government and to the legal and  
21 6 ~~medical~~ community in this state.

CODE: Technical correction to SF 2088 (Government Reorganization and Efficiency Act).

21 7 Sec. 45. Section 256F.3, subsection 1, Code 2009, as amended  
21 8 by 2010 Iowa Acts, Senate File 2033, section 10, is amended to  
21 9 read as follows:

21 10 1. The state board of education shall apply for a federal  
21 11 grant under Pub. L. No. 107=110, cited as the federal No Child  
21 12 Left Behind Act of 2001, Tit. V, Pt. B, Subpt. 1, for purposes  
21 13 of providing financial assistance for the planning, program  
21 14 design, and initial implementation of public charter schools.  
21 15 The department shall monitor the effectiveness of charter  
21 16 schools and innovation zone schools and shall implement the  
21 17 applicable provisions of this chapter.

CODE: Technical correction to SF 2033 (Race to the Top Education Programs Act).

NOTE: Senate File 2033 was signed by the Governor on January 15, 2010.

21 18 Sec. 46. Section 256F.6, subsection 3, Code 2009, is amended  
21 19 to read as follows:

21 20 3. The state board of education shall provide by rule for  
21 21 the ongoing review of ~~a school board's~~ each party's compliance  
21 22 with a contract entered into in accordance with this chapter.

CODE: Technical correction.

21 23 Sec. 47. Section 260C.44, Code 2009, as amended by 2010 Iowa  
21 24 Acts, Senate File 2340, section 35, if enacted, is amended to  
21 25 read as follows:

21 26 260C.44 Apprenticeship programs.

21 27 1. Each community college is authorized to establish or  
21 28 contract for the establishment of apprenticeship programs  
21 29 for apprenticeable occupations. Any apprenticeship program  
21 30 established under this section shall comply with requirements  
21 31 established by the United States department of labor,  
21 32 ~~bureau office~~ of apprenticeship ~~and training~~. Participation  
21 33 in an apprenticeship program or apprenticeship agreement by an  
21 34 apprenticeship sponsor shall be on a voluntary basis.

21 35 2. For purposes of this section:

22 1 a. "Apprentice" means a person who is at least sixteen  
22 2 years of age, except where a higher minimum age is required by  
22 3 law, who is employed in an apprenticeable occupation, and is  
22 4 registered with the United States department of labor, office  
22 5 of apprenticeship.

22 6 b. "Apprenticeable occupation" means an occupation approved  
22 7 for apprenticeship by the United States department of labor,  
22 8 office of apprenticeship ~~and training~~.

22 9 c. "Apprenticeship program" means a plan, registered with  
22 10 the United States office of apprenticeship which contains  
22 11 the terms and conditions for the qualification, recruitment,  
22 12 selection, employment, and training of apprentices, including  
22 13 the requirement for a written apprenticeship agreement.

22 14 d. "Apprenticeship sponsor" means a person operating an  
22 15 apprenticeship program or in whose name an apprenticeship  
22 16 program is being operated, registered, or approved.

22 17 Sec. 48. Section 298.4, subsection 2, if enacted by 2010  
22 18 Iowa Acts, Senate File 2237, section 103, is amended to read  
22 19 as follows:

22 20 2. Unencumbered funds collected from the levies  
22 21 authorized in sections 96.31, 279.46, and 296.7 prior to  
22 22 July 1, 1991, may be expended for the purposes listed in  
22 23 ~~subsections~~ subsection 1, paragraphs "a", "c", and "e".

CODE: Technical correction to SF 2340 (Code Corrections Act).

NOTE: Senate File 2340 was signed by the Governor on March 19, 2010.

CODE: Technical correction to SF 2237 (Nonsubstantive Code Corrections Act).

NOTE: Senate File 2237 was signed by the Governor on March 19, 2010.

22 24 Sec. 49. Section 317.1, Code 2009, as amended by 2010 Iowa  
22 25 Acts, Senate File 2340, section 86, if enacted, is amended to  
22 26 read as follows:  
22 27 317.1 Definitions.

22 28 As used in this chapter, unless the context otherwise  
22 29 requires:

22 30 ~~a.~~ 1. "Book", "list", "record", or "schedule" kept by a  
22 31 county auditor, assessor, treasurer, recorder, sheriff, or  
22 32 other county officer means the county system as defined in  
22 33 section 445.1.

22 34 ~~b.~~ 2. "Commissioner" means the county weed commissioner or  
22 35 the commissioner's deputy within each county.

CODE: Technical correction to SF 2340 (Code Corrections Act).

NOTE: Senate File 2340 was signed by the Governor on March 19, 2010.

23 1 Sec. 50. Section 321J.2, subsection 3, paragraph d,  
23 2 subparagraphs (1) and (2), if enacted by 2010 Iowa Acts, Senate  
23 3 File 431, section 1, are amended to read as follows:

23 4 (1) A defendant whose alcohol concentration is .08 or  
23 5 more but not more than .10 shall not be eligible for any  
23 6 temporary restricted license for at least thirty days if a  
23 7 test was obtained and an accident resulting in personal injury  
23 8 or property damage occurred. The department shall require  
23 9 the defendant shall be ordered to install an ignition interlock  
23 10 device of a type approved by the commissioner of public safety  
23 11 on all vehicles owned or operated by the defendant if the  
23 12 defendant seeks a temporary restricted license. There shall be  
23 13 no such period of ineligibility if no such accident occurred,  
23 14 and the defendant shall not be ~~ordered~~ required to install an  
23 15 ignition interlock device.

23 16 (2) A defendant whose alcohol concentration is more than .10  
23 17 shall not be eligible for any temporary restricted license for  
23 18 at least thirty days if a test was obtained, and an accident  
23 19 resulting in personal injury or property damage occurred or the  
23 20 defendant's alcohol concentration exceeded .15. There shall be  
23 21 no such period of ineligibility if no such accident occurred  
23 22 and the defendant's alcohol concentration did not exceed .15.  
23 23 In either case, where a defendant's alcohol concentration is  
23 24 more than .10, the department shall require the defendant ~~shall~~

CODE: Technical correction to SF 431 (Operating While Intoxicated Act).

NOTE: Senate File 431 was signed by the Governor on April 12, 2010.



23 25 ~~be ordered~~ to install an ignition interlock device of a type  
23 26 approved by the commissioner of public safety on all vehicles  
23 27 owned or operated by the defendant if the defendant seeks a  
23 28 temporary restricted license.

23 29 Sec. 51. Section 336.4, Code 2009, as amended by 2010 Iowa  
23 30 Acts, Senate File 2088, section 323, is amended to read as  
23 31 follows:  
23 32 336.4 Library trustees.  
23 33 In any area in which a library district has been established  
23 34 in accordance with this chapter, a board of library  
23 35 trustees, consisting of five, seven, or nine members who  
24 1 ~~resident~~ reside within the library district, shall be appointed  
24 2 by the governing bodies of the jurisdictions comprising the  
24 3 library district.

CODE: Technical correction to SF 2088 (Government Reorganization and Efficiency Act).

24 4 Sec. 52. Section 421C.2, subsection 8, paragraph b, if  
24 5 enacted by 2010 Iowa Acts, Senate File 2383, is amended to read  
24 6 as follows:  
24 7 b. "Third party" means an individual, institution,  
24 8 corporation, or public or private agency which is or may be  
24 9 liable to pay all or part of a debtor's monetary claim. "Third  
24 10 party" does not include a financial institution as defined in  
24 11 section ~~572.2~~ 527.2 .

CODE: Technical correction to SF 2383 (Debt Collection Act).

NOTE: Senate File 2383 was signed by the Governor on April 21, 2010.

24 12 Sec. 53. Section 435.26B, subsection 1, paragraph c, if  
24 13 enacted by 2010 Iowa Acts, Senate File 2199, section 13, is  
24 14 amended to read as follows:  
24 15 c. A statement of the affiant's title or ownership interest  
24 16 and a statement of all liens, encumbrances, or security  
24 17 ~~interest~~ interests upon the manufactured or mobile home,  
24 18 including the names and mailing addresses of all persons having  
24 19 any such liens, encumbrances, or security interests.

CODE: Technical correction to SF 2199 (Manufacturing Housing Titling Act).

NOTE: Senate File 2199 was signed by the Governor on April 7, 2010.

24 20 Sec. 54. Section 455B.104, subsection 4, as enacted by 2010  
24 21 Iowa Acts, Senate File 2088, section 258, is amended to read  
24 22 as follows:

CODE: Technical correction to SF 2088 (Government Reorganization and Efficiency Act).

24 23 4. By ~~September 4~~ December 31 of each year, the department  
24 24 shall submit a report to the governor and the general assembly  
24 25 regarding the greenhouse gas emissions in the state during  
24 26 the previous calendar year and forecasting trends in such  
24 27 emissions. The first submission by the department shall be  
24 28 filed by ~~September 4~~ December 31, 2011, for the calendar year  
24 29 beginning January 1, 2010.

24 30 Sec. 55. Section 476.53, subsection 2, paragraph a, Code  
24 31 2009, as amended by 2010 Iowa Acts, House File 2399, section 2,  
24 32 if enacted, is amended to read as follows:

24 33 a. The general assembly's intent with regard to the  
24 34 development of electric power generating and transmission  
24 35 facilities, or the significant alteration of an existing  
25 1 generating facility, as provided in subsection 1, shall be  
25 2 implemented in a manner that is cost-effective and compatible  
25 3 with the environmental policies of the state, as expressed in  
25 4 Title XI.

CODE: Technical correction to HF 2399 (Electric Generating Facilities State Policy Act).

NOTE: House File 2399 was approved by the General Assembly on March 9, 2010, and signed by the Governor on April 28, 2010.

25 5 Sec. 56. Section 489.116, subsection 4, as amended by 2010  
25 6 Iowa Acts, House File 2478, section 5, if enacted, is amended  
25 7 to read as follows:

25 8 4. 3. A limited liability company or foreign limited  
25 9 liability company may be served pursuant to this section, as  
25 10 provided in another provision of this chapter, or as provided  
25 11 in sections 617.3 through 617.6, unless the manner of service  
25 12 is otherwise specifically provided for by another provision of  
25 13 law.

CODE: Technical correction to HF 2478 (Limited Liability Company Act).

NOTE: House File 2478 was signed by the Governor on March 22, 2010.

25 14 Sec. 57. Section 489.1005, subsection 2, Code 2009, is  
25 15 amended to read as follows:

25 16 2. A surviving organization that is a foreign organization  
25 17 consents to the jurisdiction of the courts of this state to  
25 18 enforce any debt, obligation, or other liability owed by a  
25 19 constituent organization, if before the merger the constituent  
25 20 organization was subject to suit in this state on the debt,  
25 21 obligation, or other liability. A surviving organization

CODE: Technical correction.

25 22 that is a foreign organization and not authorized to transact  
25 23 business in this state appoints the secretary of state as its  
25 24 registered agent for service of process for the purposes of  
25 25 enforcing a debt, obligation, or other liability under this  
25 26 subsection. Service on the secretary of state under this  
25 27 subsection must be made in the same manner and has the same  
25 28 consequences as in section 489.116, subsections 3 2 and 4 3 .

25 29 Sec. 58. Section 489.1009, subsection 3, Code 2009, is  
25 30 amended to read as follows:

CODE: Technical correction.

25 31 3. A converted organization that is a foreign organization  
25 32 consents to the jurisdiction of the courts of this state to  
25 33 enforce any debt, obligation, or other liability for which  
25 34 the converting limited liability company is liable if, before  
25 35 the conversion, the converting limited liability company was  
26 1 subject to suit in this state on the debt, obligation, or  
26 2 other liability. A converted organization that is a foreign  
26 3 organization and not authorized to transact business in this  
26 4 state appoints the secretary of state as its registered agent  
26 5 for service of process for purposes of enforcing a debt,  
26 6 obligation, or other liability under this subsection. Service  
26 7 on the secretary of state under this subsection must be made  
26 8 in the same manner and has the same consequences as in section  
26 9 489.116, subsections 3 2 and 4 3 .

26 10 Sec. 59. Section 489.1013, subsection 2, Code 2009, is  
26 11 amended to read as follows:

CODE: Technical correction.

26 12 2. A domesticated company that is a foreign limited  
26 13 liability company consents to the jurisdiction of the courts  
26 14 of this state to enforce any debt, obligation, or other  
26 15 liability owed by the domesticating company, if, before the  
26 16 domestication, the domesticating company was subject to suit  
26 17 in this state on the debt, obligation, or other liability.  
26 18 A domesticated company that is a foreign limited liability  
26 19 company and not authorized to transact business in this  
26 20 state appoints the secretary of state as its registered agent  
26 21 for service of process for purposes of enforcing a debt,

26 22 obligation, or other liability under this subsection. Service  
26 23 on the secretary of state under this subsection must be made  
26 24 in the same manner and has the same consequences as in section  
26 25 489.116, subsections ~~3~~ 2 and 4 3.

26 26 Sec. 60. Section 508C.3, subsection 1, paragraph b,  
26 27 subparagraph (2), subparagraph division (b), Code 2009, as  
26 28 amended by 2010 Iowa Acts, Senate File 2272, section 1, if  
26 29 enacted, is amended to read as follows:  
26 30 (b) The person is not eligible for coverage by an  
26 31 association described in subparagraph ~~part~~ division (a) in any  
26 32 other state due to the fact that the insurer was not licensed  
26 33 in the state at the time specified in that state's guaranty  
26 34 association law.

CODE: Technical correction to SF 2272 (Insurance Division Life and Guaranty Fund Benefits Act).

NOTE: Senate File 2272 was signed by the Governor on March 19, 2010.

26 35 Sec. 61. Section 514C.26, subsection 1, paragraph c,  
27 1 subparagraph (2), subparagraph division (j), as enacted by 2010  
27 2 Iowa Acts, House File 2075, section 1, is amended to read as  
27 3 follows:  
27 4 (j) Costs of extra treatments, services, procedures, tests,  
27 5 or drugs that would not be performed or administered except  
27 6 for participation in the cancer clinical trial. Nothing in  
27 7 this subparagraph ~~subdivision~~ division shall limit payment for  
27 8 treatments, services, procedures, tests, or drugs that are  
27 9 otherwise a covered benefit under subparagraph (1).

CODE: Technical correction to HF 2075 (Cancer Clinical Trials, Insurance Coverage Act).

NOTE: House File 2075 was signed by the Governor on February 23, 2010.

27 10 Sec. 62. Section 543B.29, subsection 1, paragraph e,  
27 11 subparagraph (2), if enacted by 2010 Iowa Acts, Senate File  
27 12 2326, section 5, is amended to read as follows:  
27 13 (2) The commission, when considering the revocation  
27 14 or suspension of a license pursuant to this paragraph "e",  
27 15 shall consider the nature of the offense; any aggravating or  
27 16 extenuating circumstances which are documented; the time lapsed  
27 17 since the conduct or conviction; the rehabilitation, treatment,  
27 18 or restitution performed by the licensee; and any other factors  
27 19 the commission deems relevant. Character references may be  
27 20 required but shall not be obtained from licensed real estate

CODE: Technical correction to SF 2326 (Real Estate Licensure Disciplinary Action Act).

NOTE: Senate File 2326 was signed by the Governor on March 19, 2010.

27 21 brokers or salespersons.

27 22 Sec. 63. Section 562A.29A, subsection 1, paragraph b, as  
27 23 enacted by 2010 Iowa Acts, Senate File 2300, section 3, is  
27 24 amended to read as follows:

27 25 b. Personal service pursuant to ~~rules~~ rule of civil  
27 26 procedure 1.305, Iowa court rules, for the personal service of  
27 27 original notice.

CODE: Technical correction to SF 2300 (Landlord -- Tenants Action Act).

NOTE: Senate File 2300 was signed by the Governor on March 2, 2010.

27 28 Sec. 64. Section 685.6, subsection 9, paragraph d, as  
27 29 enacted by 2010 Iowa Acts, Senate File 2088, section 343, is  
27 30 amended to read as follows:

27 31 d. At any time during which any custodian is in custody  
27 32 or control of any documentary material or answers to  
27 33 interrogatories produced, or transcripts of oral testimony  
27 34 given, by any person in compliance with any civil investigative  
27 35 demand issued under subsection 1, such person, and in the  
28 1 case of an express demand for any product of discovery, the  
28 2 person from whom such discovery was obtained, may file, in  
28 3 the district court of the state for the judicial district  
28 4 within which the office of such custodian is located, and serve  
28 5 upon such custodian, a petition for an order of such court to  
28 6 require the performance by the custodian of any duty imposed  
28 7 upon the custodian by this section.

CODE: Technical correction to SF 2088 (Government Reorganization and Efficiency Act).

28 8 Sec. 65. Section 692A.102, subsection 1, paragraph c,  
28 9 subparagraph (30), Code Supplement 2009, is amended to read as  
28 10 follows:

28 11 (30) Enticing ~~away~~ a minor in violation of section 710.10,  
28 12 if the violation includes an intent to commit sexual abuse,  
28 13 sexual exploitation, sexual contact, or sexual conduct directed  
28 14 towards a minor.

CODE: Technical correction.

28 15 Sec. 66. Section 805.6, subsection 3, paragraph a, if  
28 16 enacted by 2010 Iowa Acts, Senate File 2340, section 63, is  
28 17 amended to read as follows:

28 18 a. The uniform citation and complaint shall contain

CODE: Technical correction to SF 2340 (Code Corrections Act).

NOTE: Senate File 2340 was signed by the Governor on March 19, 2010.

28 19 spaces for the parties' names; the address of the alleged  
28 20 offender; the registration number of the offender's vehicle;  
28 21 the information required by section 805.2, a warning which  
28 22 states, "I hereby swear and affirm that the information  
28 23 provided by me on this citation is true under penalty of  
28 24 providing false information; and a statement that providing  
28 25 false information is a violation of section 719.3; a list of  
28 26 the scheduled fines prescribed by sections 805.8A, 805.8B, and  
28 27 805.8C, either separately or by group, and a statement of the  
28 28 court costs payable in scheduled violation cases, whether or  
28 29 not a court appearance is required or is demanded; a brief  
28 30 explanation of sections 805.9 and 805.10; and a space where the  
28 31 defendant may sign an admission of the violation when permitted  
28 32 by section 805.9; and the uniform citation and complaint shall  
28 33 require that the defendant appear before a court at a specified  
28 34 time and place. The uniform citation and complaint also may  
28 35 contain a space for the imprint of a credit card, and may  
29 1 contain any other information which the commissioner of public  
29 2 safety, the director of transportation, and the director of the  
29 3 department of natural resources may determine.

29 4 Sec. 67. Section 805.6, subsection 7, Code Supplement 2009,  
29 5 as amended by 2010 Iowa Acts, Senate File 2340, section 63, if  
29 6 enacted, is amended to read as follows:

29 7 9. Supplies of uniform citation and complaint forms  
29 8 existing or on order on July 1, 2010, may be used until  
29 9 exhausted.

CODE: Technical correction to SF 2340 (Code Corrections Act).

NOTE: Senate File 2340 was signed by the Governor on March 19, 2010.

29 10 Sec. 68. Section 901A.1, subsection 1, paragraph c, Code  
29 11 2009, is amended to read as follows:

29 12 c. Enticing a minor ~~away~~ in violation of section 710.10,  
29 13 subsection 1.

CODE: Technical correction.

29 14 Sec. 69. The portion of 2010 Iowa Acts, House File 2399,  
29 15 section 2, if enacted, that enacts section 476.53, subsection  
29 16 3, paragraph a, subparagraph (1), unnumbered paragraph 1, is  
29 17 amended by striking the unnumbered paragraph and inserting in

CODE: Technical correction to HF 2399 (Electric Generating Facilities State Policy Act).

NOTE: House File 2399 was approved by the General Assembly on

29 18 lieu thereof the following:

March 9, 2010, and signed by the Governor on April 28, 2010.

29 19 Files an application pursuant to section 476A.3 to construct  
29 20 in Iowa a baseload electric power generating facility with a  
29 21 nameplate generating capacity equal to or greater than three  
29 22 hundred megawatts or a combined-cycle electric power generating  
29 23 facility, or an alternate energy production facility as defined  
29 24 in section 476.42, or to significantly alter an existing  
29 25 generating facility. For purposes of this subparagraph, a  
29 26 significant alteration of an existing generating facility must,  
29 27 in order to qualify for establishment of ratemaking principles,  
29 28 fall into one of the following categories:

29 29 Sec. 70. 2010 Iowa Acts, Senate File 431, section 5, if  
29 30 enacted, is amended by striking the section and inserting in  
29 31 lieu thereof the following:

CODE: Technical correction to SF 431 (Reorganization of Operating While Intoxicated Act).

29 32 SEC. 5. Section 907.3, subsection 3, paragraph c,  
29 33 unnumbered paragraph 1, Code Supplement 2009, is amended to  
29 34 read as follows:

NOTE: Senate File 431 was signed by the Governor on April 12, 2010.

29 35 A mandatory minimum sentence of incarceration imposed  
30 1 pursuant to a violation of section 321J.2, subsection 1;  
30 2 furthermore, the court shall not suspend any part of a sentence  
30 3 not involving incarceration imposed pursuant to section 321J.2,  
30 4 subsection 2 3, 4, or 5, beyond the mandatory minimum if any of  
30 5 the following apply:

30 6 Sec. 71. 2010 Iowa Acts, Senate File 2237, section 180,  
30 7 subsection 4, paragraph a, as enacted, is amended to read as  
30 8 follows:

CODE: Technical correction to SF 2237 (Nonsubstantive Code Corrections Act).

30 9 a. The Code editor is directed to strike the words "title"  
30 10 or "Title" and insert "Tit." within federal Act references  
30 11 in sections 13.31, subsections 1 and 6; 15E.192, subsection  
30 12 2; 15E.195, subsections 1 and 2; 30.1, subsection 3; 47.1,  
30 13 subsection 5; 96.11, subsection 10, paragraph "c"; 97C.1;  
30 14 97C.2, subsections 2, 5, and 7; 97C.3, unnumbered paragraph  
30 15 1, and subsections 1 and 2; 135C.9, subsection 1, paragraph  
30 16 "b"; 142A.8, subsection 2; 203C.1, subsection 26; 207.21,  
30 17 subsections 1, 4, and 5; 207.22, subsection 3, paragraph

NOTE: Senate File 2237 was signed by the Governor on March 19, 2010.

30 18 "b"; 217.38; 228.1, subsection 7; 230.20, subsection 6;  
 30 19 232.1A; 234.6, subsection 1; 249.1, subsection 3; 249A.2,  
 30 20 subsections 1, 4, 6, 7, and 8; 249A.20A, subsection 5; 249A.24,  
 30 21 subsection 2, paragraph "b"; 249B.1, subsections 6 and 7;  
 30 22 249F.1, subsection 1; 249F.8; 249J.3, subsection 8; 249J.10,  
 30 23 subsection 3; 249J.22, subsection 3; 252B.6, subsection  
 30 24 3; 252B.9, subsection 2, paragraph "b", subparagraph (1),  
 30 25 subsection 3, paragraphs "c", "d", "e", subparagraph (1), and  
 30 26 "f"; 252B.14, subsection 5; 252D.20; 252E.15; 259.2, unnumbered  
 30 27 paragraph 2; 259.9; 260C.18A, subsection 2, paragraph "c";  
 30 28 306B.1, subsections 3 and 4; 307.10, subsection 13; 321.105,  
 30 29 subsection 5; 321.450, subsections 1 and 3; 403.6, subsection  
 30 30 7; 455B.133, subsection 3 and subsection 8, paragraph "a";  
 30 31 459A.102, subsection 19; 483A.4, subsection 1; 486A.101,  
 30 32 subsection 2, paragraph "a"; 488.102, subsection 3, paragraph  
 30 33 "a"; 490A.102, subsection 2; 514.7, subsections 2 through  
 30 34 4; 514B.1, subsection 5, paragraphs "b" ~~though~~ through "d";  
 30 35 514C.8, subsection 1; 514F.4, subsection 2, paragraph "a";  
 31 1 514I.9, subsection 1; 523A.401, subsection 5, paragraph "a";  
 31 2 523A.402, subsection 5, paragraph "a"; 523A.602, subsection 3;  
 31 3 534.205, subsection 1; 541A.1, subsection 8, paragraph "b",  
 31 4 subparagraph (2); and 541A.6, Code 2009.

31 5 Sec. 72. 2010 Iowa Acts, Senate File 2366, section 16, if  
 31 6 enacted, is amended to read as follows:  
 31 7 SEC. 16. EFFECTIVE DATE == APPLICABILITY. ~~This section~~ The  
 31 8 sections of this division of this Act providing for transfers  
 31 9 involving the college student aid commission and the department  
 31 10 of inspections and appeals are retroactively applicable to  
 31 11 December 14, 2009, and apply in lieu of the transfers made for  
 31 12 the same purposes by the executive branch, as reported by the  
 31 13 department of management in the transfer notices dated December  
 31 14 14, 2009.

CODE: Technical correction to SF 2366 (FY 2010 Appropriations Adjustment Act).

NOTE: Senate File 2366 was signed by the Governor on April 15, 2010.

31 15 Sec. 73. 2010 Iowa Acts, Senate File 2366, section 23,  
 31 16 subsection 2, if enacted, is amended to read as follows:  
 31 17 2. The costs associated with implementation of this

CODE: Technical correction to SF 2366 (FY 2010 Appropriations Adjustment Act).



PG LN	House File 2531	Explanation
31 18	<u>division</u> of this Act shall be funded exclusively through moneys	NOTE: Senate File 2366 was signed by the Governor on April 15,
31 19	appropriated from the quality assurance trust fund, and shall	2010.
31 20	result in budget neutrality to the general fund of the state	
31 21	for the fiscal year beginning July 1, 2009, and ending June 30,	
31 22	2010.	
31 23	Sec. 74. REPEAL. 2010 Iowa Acts, House File 2280, section	CODE: Technical correction. Repeals Section 25 of HF 2280
31 24	25, is repealed.	(Commercial Animal Establishments Act).
		NOTE: House File 2280 was signed by the Governor on March 9,
		2010.
31 25	Sec. 75. REPEAL. 2010 Iowa Acts, House File 2452, section	CODE: Technical correction. Repeals Section 3 of HF 2452 (Driver's
31 26	3, is repealed.	License Sanctions Act).
		NOTE: House File 2452 was signed by the Governor on March 22,
		2010.
31 27	Sec. 76. REPEAL. 2010 Iowa Acts, Senate File 2340, section	CODE: Technical correction. Repeals Section 117 of HF 2340 (Code
31 28	117, is repealed.	Corrections Act).
		NOTE: House File 2340 was signed by the Governor on March 19,
		2010.
31 29	Sec. 77. CONDITIONAL EFFECTIVE DATE. The sections of this	Sections within this Division relating to HF 2478 (Limited Liability and
31 30	division of this Act amending sections 489.1005, 489.1009, and	Business Corporation Act) take effect only if HF 2478 is enacted.
31 31	489.1013, take effect only if 2010 Iowa Acts, House File 2478,	
31 32	is enacted.	NOTE: House File 2478 was signed by the Governor on March 22,
		2010.
31 33	Sec. 78. CONDITIONAL EFFECTIVE DATE. The sections of this	Sections 65 and 68 take effect only if HF 2438 (Enticement of a Minor
31 34	division of this Act amending section 692A.102, subsection	Act) is enacted.
31 35	1, paragraph "c", subparagraph (30), and section 901A.1,	
32 1	subsection 1, paragraph "c", take effect only if 2010 Iowa	NOTE: House File 2438 was signed by the Governor on April 10,
32 2	Acts, House File 2438, is enacted.	2010.
32 3	Sec. 79. CONTINGENT EFFECTIVE DATE. The section of this	Section 67 takes effect only if SF 2197 (False Identification to Law
32 4	division of this Act amending section 805.6, subsection 7,	Enforcement Act) is enacted.

32 5 takes effect only if 2010 Iowa Acts, Senate File 2197, is  
32 6 enacted.

NOTE: Senate File 2197 was signed by the Governor on March 22, 2010.

32 7 Sec. 80. EFFECTIVE UPON ENACTMENT AND RETROACTIVE  
32 8 APPLICABILITY. The following sections of this division of this  
32 9 Act, being deemed of immediate importance, take effect upon  
32 10 enactment and apply retroactively as follows:

32 11 1. The section of this division of this Act amending section  
32 12 162.10D, subsection 2, as enacted by 2010 Iowa Acts, House File  
32 13 2280, section 18, applies retroactively to March 9, 2010.

32 14 2. The section of this division of this Act amending section  
32 15 216A.113, subsection 1, as enacted by 2010 Iowa Acts, Senate  
32 16 File 2088, section 139, applies retroactively to March 10,  
32 17 2010.

32 18 3. The section of this division of this Act amending section  
32 19 256.51, subsection 1, paragraph "a", Code 2009, as amended  
32 20 by 2010 Iowa Acts, Senate File 2088, section 316, applies  
32 21 retroactively to March 10, 2010.

32 22 4. The section of this division of this Act amending section  
32 23 435.26B, subsection 1, paragraph "c", if enacted by 2010 Iowa  
32 24 Acts, Senate File 2199, section 13, applies retroactively to  
32 25 the effective date of 2010 Iowa Acts, Senate File 2199.

32 26 5. The section of this division of this Act amending section  
32 27 562A.29A, subsection 1, paragraph "b", as enacted by 2010 Iowa  
32 28 Acts, Senate File 2300, section 3, applies retroactively to  
32 29 March 2, 2010.

32 30 6. The section of this division of this Act amending  
32 31 the portion of 2010 Iowa Acts, House File 2399, section 2,  
32 32 that enacts section 476.53, subsection 3, paragraph "a",  
32 33 subparagraph (1), unnumbered paragraph 1, applies retroactively  
32 34 to March 9, 2010.

32 35 7. The section of this division of this Act repealing 2010  
33 1 Iowa Acts, House File 2280, section 25, applies retroactively  
33 2 to March 9, 2010.

33 3 8. The section of this division of this Act amending 2010  
33 4 Iowa Acts, Senate File 2366, section 16.

Specifies the following enactment dates:

- Provisions relating to HF 2280 are retroactive to March 9, 2010.
- Provisions relating to SF 2088 are retroactive to March 10, 2010.
- Provisions relating to SF 2199 are retroactive to the enactment date of SF 2199 (April 7, 2010).
- Provisions relating to SF 2300 are retroactive to March 2, 2010.
- Provisions relating to HF 2399 are retroactive to March 9, 2010.
- Provision relating to HF 2366 is effective on enactment.

33 5 Sec. 81. EFFECTIVE DATE. The following sections of this  
33 6 division of this Act take effect December 1, 2010:  
33 7 1. The section of this division of this Act amending section  
33 8 321J.2, subsection 3, paragraph "d", subparagraphs (1) and (2),  
33 9 if enacted by 2010 Iowa Acts, Senate File 431, section 1.  
33 10 2. The section of this division of this Act repealing 2010  
33 11 Iowa Acts, House File 2452, section 3, if 2010 Iowa Acts,  
33 12 Senate File 431, is enacted.  
33 13 3. The section of this division of this Act amending 2010  
33 14 Iowa Acts, Senate File 431, section 5, if 2010 Iowa Acts,  
33 15 Senate File 431, is enacted.

33 16 DIVISION VII  
33 17 MISCELLANEOUS PROVISIONS AND APPROPRIATIONS

33 18 Sec. 82. DEPARTMENT OF CULTURAL AFFAIRS == MERCHANT  
MARINE  
33 19 BONUS FUND. There is appropriated from the merchant marine  
33 20 bonus fund of the state to the department of cultural affairs  
33 21 for the fiscal year beginning July 1, 2010, and ending June 30,  
33 22 2011, any moneys remaining in the fund after the appropriation  
33 23 made pursuant to 2010 Iowa Acts, House File 2526, to be used  
33 24 for any costs relating to a study of the U.S.S. Iowa and for  
33 25 departmental salaries, support, maintenance, and miscellaneous  
33 26 purposes.  
33 27 Notwithstanding section 8.33, moneys appropriated in this  
33 28 section that remain unencumbered or unobligated at the close of  
33 29 the fiscal year shall not revert but shall remain available for  
33 30 expenditure for the purposes designated until the close of the  
33 31 succeeding fiscal year.

33 32 Sec. 83. IOWA COMPREHENSIVE PETROLEUM UNDERGROUND  
STORAGE  
33 33 TANK FUND == APPROPRIATIONS. There is appropriated from the  
33 34 Iowa comprehensive petroleum underground storage tank fund  
33 35 created in section 455G.3 to the following departments and  
34 1 agencies for the fiscal year beginning July 1, 2010, and ending

Specifies that certain sections in this Division take effect December 1, 2010, if SF 431 is enacted.

NOTE: Senate File 431 (Reorganization of Operating While Intoxicated Act) was signed by the Governor on April 12, 2010.

CODE: Appropriates the remaining balance of the Merchant Marine Bonus Fund to the Department of Cultural Affairs for costs relating to a study of the U.S.S. Iowa and for Department of Cultural Affairs operating costs. Requires any unobligated funds to be carried forward for expenditure in FY 2011.

DETAIL: An estimated \$45,000 will be available from the Merchant Marine Bonus Fund for this purpose.

CODE: Provides appropriations from the Underground Storage Tank (UST) Fund for uses other than those authorized in statute.

34 2 June 30, 2011, the following amounts, or so much thereof  
 34 3 as is necessary, to be used for the purposes designated,  
 34 4 notwithstanding section 455G.3, subsection 1:

34 5 1. DEPARTMENT OF PUBLIC HEALTH == BOARD OF PHARMACY  
 34 6 For continuation of the pharmaceutical collection and  
 34 7 disposal pilot program established pursuant to 2009 Iowa Acts,  
 34 8 chapter 175, section 9:  
 34 9 ..... \$ 150,000

Underground Storage Tank Fund appropriation to the Iowa Board of Pharmacy to continue the Pharmaceutical Collection and Disposal Pilot Program.

DETAIL: The Program was established in FY 2010 and received a grant of \$165,000 from the Department of Natural Resources (DNR) Solid Waste Alternatives Program. The Program provides for the management and disposal of unused, excess, and expired pharmaceuticals.

34 10 2. DEPARTMENT OF ADMINISTRATIVE SERVICES  
 34 11 For costs associated with providing autism spectrum  
 34 12 disorders coverage pursuant to section 514C.26, as enacted by  
 34 13 this Act:  
 34 14 ..... \$ 140,000

Underground Storage Tank Fund appropriation to the DAS for costs associated with providing autism spectrum disorders coverage.

NOTE: Section 131 of this Act creates the Autism Spectrum Disorders Program.

34 15 3. STATE BOARD OF REGENTS  
 34 16 a. For the state school for the deaf:  
 34 17 ..... \$ 233,000

Underground Storage Tank Fund appropriation to the Board of Regents for the School for the Deaf.

34 18 b. For Iowa braille and sight saving school:  
 34 19 ..... \$ 137,000

Underground Storage Tank Fund appropriation to the Board of Regents for the Iowa Braille and Sight Saving School.

34 20 4. DEPARTMENT OF EDUCATION == VOCATIONAL REHABILITATION  
 34 21 SERVICES DIVISION  
 34 22 For a program for farmers with disabilities:  
 34 23 ..... \$ 97,000

Underground Storage Tank Fund appropriation to the Division of Vocational Rehabilitation Services of the Department of Education for the Farmers with Disabilities Program.

DETAIL: This is a decrease of \$200 compared to the estimated net FY 2010 General Fund appropriation. This is a pass-through appropriation to the Easter Seals organization for its Farmers with Disabilities Program.

34 24 The funds appropriated in this subsection shall be used  
 34 25 for the public purpose of providing a grant to a national

CODE: Requires nonreversion of the funds appropriated to the Division of Vocational Rehabilitation Services for the Farmers with

34 26 nonprofit organization with over 80 years of experience in  
 34 27 assisting children and adults with disabilities and special  
 34 28 needs. The funds shall be used for a nationally recognized  
 34 29 program that began in 1986 and has been replicated in at least  
 34 30 30 other states, but which is not available through any other  
 34 31 entity in this state, that provides assistance to farmers  
 34 32 with disabilities in all 99 counties to allow the farmers  
 34 33 to remain in their own homes and be gainfully engaged in  
 34 34 farming through provision of agricultural worksite and home  
 34 35 modification consultations, peer support services, services  
 35 1 to families, information and referral, and equipment loan  
 35 2 services. Notwithstanding section 8.33, moneys appropriated  
 35 3 in this section that remain unencumbered or unobligated at the  
 35 4 close of the fiscal year shall not revert but shall remain  
 35 5 available for expenditure for the purposes designated until the  
 35 6 close of the succeeding fiscal year.

Disabilities Program through the end of FY 2011.

35 7 5. DEPARTMENT OF HUMAN SERVICES  
 35 8 For restoring for the fiscal year beginning July 1, 2010, a  
 35 9 portion of the reimbursement rate reduction that was applied  
 35 10 in the previous fiscal year to adoption, family foster care,  
 35 11 group foster care, and supervised apartment living services  
 35 12 providers, to implement appropriations reductions applied  
 35 13 pursuant to executive order number 19 issued October 8, 2010:  
 35 14 ..... \$ 1,000,000  
 35 15 The department shall increase the reimbursement rates  
 35 16 otherwise specified in 2010 Iowa Acts, House File 2526, if  
 35 17 enacted, for the designated services providers by an equal  
 35 18 percentage in order to fully utilize the amount appropriated  
 35 19 in this subsection.

Underground Storage Tank Fund appropriation to the DHS to partially restore adoption subsidy, family foster care, group care, and supervised apartment living provider rates equally up to \$1,000,000 for FY 2011.

35 20 6. DEPARTMENT OF COMMERCE == DIVISION OF INSURANCE  
 35 21 For costs associated with establishing the Iowa insurance  
 35 22 information exchange pursuant to section 505.32, if enacted by  
 35 23 2010 Iowa Acts, Senate File 2356:  
 35 24 ..... \$ 150,000

Underground Storage Tank Fund appropriation to the Insurance Division of the Department of Commerce for establishing the Iowa Insurance Information Exchange created in SF 2356 (Health Care Reform Act).

NOTE: Senate File 2356 was signed by the Governor on April 14, 2010.

35 25 Sec. 84. FISCAL YEAR 2009=2010 == APPROPRIATIONS. There  
 35 26 is appropriated from the general fund of the state to the  
 35 27 following departments and agencies for the fiscal year  
 35 28 beginning July 1, 2009, and ending June 30, 2010, the following  
 35 29 amounts, or so much thereof as is necessary, to be used for the  
 35 30 purposes designated:

Specifies additional FY 2010 supplemental General Fund appropriations.

NOTE: This Section is effective on enactment.

35 31 1. DEPARTMENT OF MANAGEMENT  
 35 32 For salaries, support, maintenance, and miscellaneous  
 35 33 purposes:  
 35 34 ..... \$ 200,000

General Fund supplemental appropriation to the DOM for operational purposes.

DETAIL: Any obligated funds will carry forward for expenditure in FY 2011.

35 35 2. DEPARTMENT OF REVENUE  
 36 1 For the duties of the office of the state debt coordinator  
 36 2 established in 2010 Iowa Acts, Senate File 2383, if enacted,  
 36 3 including salaries, support, maintenance, services,  
 36 4 advertising, miscellaneous purposes, and for not more than the  
 36 5 following full-time equivalent positions:  
 36 6 ..... \$ 300,000  
 36 7 ..... FTEs 3.00

General Fund supplemental appropriation to the Department of Revenue for costs related to the start-up and implementation of SF 2383 (Debt Collections Act).

DETAIL: Any unobligated funds will carry forward for expenditure in FY 2011.

NOTE: Senate File 2383 was signed by the Governor on April 21, 2010. The Section of SF 2383 creating the Office of the State Debt Collector was effective on enactment.

36 8 For the period beginning on the effective date of the section  
 36 9 establishing the debt amnesty program in 2010 Iowa Acts, Senate  
 36 10 File 2383, through November 30, 2010, or when the program is  
 36 11 ended, whichever is later, an amount of the proceeds collected  
 36 12 by the program equal to the administrative, advertising, and  
 36 13 other costs of the program shall be considered repayment  
 36 14 receipts, as defined in section 8.2, and shall be used by the  
 36 15 office of the state debt coordinator for those costs.

Specifies that the State Debt Coordinator will use proceeds collected through the Debt Amnesty Program as repayment receipts to transition funding for the Office from debt collection revenue.

36 16 Notwithstanding section 8.33, moneys appropriated in this  
 36 17 section that remain unencumbered or unobligated at the close of  
 36 18 the fiscal year shall not revert but shall remain available for  
 36 19 expenditure for the purposes designated until the close of the  
 36 20 succeeding fiscal year.

CODE: Requires nonreversion of the supplemental appropriation for the Office of the State Debt Coordinator through FY 2011.

36 21 Sec. 85. SAC AND FOX INDIAN SETTLEMENT == EDUCATIONAL  
 36 22 EXPENSES. There is appropriated from the Iowa comprehensive  
 36 23 petroleum underground storage tank fund to the department of  
 36 24 education for the fiscal year beginning July 1, 2010, and  
 36 25 ending June 30, 2011, the following amount, or so much thereof  
 36 26 as is necessary, to be used for the purposes designated:  
 36 27 Notwithstanding section 455G.3, subsection 1, for  
 36 28 distribution to the tribal council of the Sac and Fox Indian  
 36 29 settlement located on land held in trust by the secretary  
 36 30 of the interior of the United States. Moneys appropriated  
 36 31 under this section shall be used for the purposes specified in  
 36 32 section 256.30:  
 36 33 ..... \$ 90,000

CODE: Underground Storage Tank Fund appropriation to the Department of Education for education expenses of American Indian children residing on the Sac and Fox Indian Settlement. This Section notwithstands Iowa Code provisions relating to the expenditure of Underground Storage Tank Fund proceeds.

DETAIL: Prior to FY 2010, funding for this purpose was allocated from the Educational Excellence standing appropriation. In FY 2010, \$90,000 was appropriated from the General Fund for this purpose.

36 34 Sec. 86. SCHOOL READY CHILDREN GRANT REQUIREMENT. For the  
 36 35 fiscal year beginning July 1, 2010, and ending June 30, 2011,  
 37 1 the early childhood Iowa state board may grant a school ready  
 37 2 children grant waiver as to the required percentage of family  
 37 3 support program to be committed to a home visitation component  
 37 4 to an early childhood Iowa area that is funding the teaching  
 37 5 interventions to empower and strengthen families program and is  
 37 6 more than 10 percent away from meeting the required percentage.

Authorizes the Early Childhood Iowa State Board to grant waivers to local area boards exempting them from the required percentage of family support funding committed to home visitation in FY 2011.

37 7 Sec. 87. MEDICAID FRAUD ACCOUNT == DEPARTMENT OF  
 37 8 INSPECTIONS AND APPEALS. There is appropriated from the  
 37 9 Medicaid fraud account created in section 249A.7 to the  
 37 10 department of inspections and appeals for the fiscal year  
 37 11 beginning July 1, 2010, and ending June 30, 2011, the following  
 37 12 amount or so much thereof as is necessary, to be used for the  
 37 13 purposes designated:  
 37 14 For salaries, support, maintenance, miscellaneous purposes,  
 37 15 administration, and other costs associated with implementation  
 37 16 of 2010 Iowa Acts, Senate File 2333, if enacted:  
 37 17 ..... \$ 250,000

Medicaid Fraud Account appropriation to the Department of Inspections and Appeals for costs related to implementing SF 2333 (Dependent Adult Abuse and Hospital Inspections Act).

NOTE: Senate File 2333 was approved by the General Assembly on March 22, 2010, and signed by the Governor on April 29, 2010.

37 18 Sec. 88. TAIWAN TRADE OFFICE == IOWA COMPREHENSIVE  
 37 19 PETROLEUM UNDERGROUND STORAGE TANK FUND. There is

CODE: Underground Storage Tank Fund appropriation to the Department of Economic Development for the establishment of a trade

appropriated

37 20 from the Iowa comprehensive petroleum underground storage tank  
 37 21 fund to the department of economic development for the fiscal  
 37 22 year beginning July 1, 2010, and ending June 30, 2011, the  
 37 23 following amount, or so much thereof as is necessary, to be  
 37 24 used for the purposes designated:  
 37 25 Notwithstanding section 455G.3, subsection 1, for  
 37 26 establishing a trade office in Taipei, Taiwan:  
 37 27 ..... \$ 100,000

37 28 If the department cannot arrange for matching moneys from  
 37 29 another source in an amount at least equal to the appropriation  
 37 30 made in this section, the moneys appropriated in this section  
 37 31 shall revert to the Iowa comprehensive petroleum underground  
 37 32 storage tank fund.

37 33 Sec. 89. INSURANCE DIVISION. There is appropriated from the  
 37 34 department of commerce revolving fund created in section 546.12  
 37 35 to the insurance division of the department of commerce for the  
 38 1 fiscal year beginning July 1, 2010, and ending June 30, 2011,  
 38 2 the following amount, or so much thereof as is necessary, to be  
 38 3 used for the purposes designated:  
 38 4 For salaries, support, maintenance, miscellaneous purposes,  
 38 5 and for not more than the following full-time equivalent  
 38 6 positions:  
 38 7 ..... \$ 55,000  
 38 8 ..... FTEs 1.00

38 9 Sec. 90. CASH RESERVE FUND APPROPRIATIONS. There is  
 38 10 appropriated from the cash reserve fund created in section 8.56  
 38 11 to the following departments and agencies for the fiscal year  
 38 12 beginning July 1, 2010, and ending June 30, 2011, the following  
 38 13 amounts to be used for the purposes designated:

38 14 1. DEPARTMENT OF HUMAN SERVICES  
 38 15 For the medical assistance program:

office in Taipei, Taiwan.

Notwithstanding Code Section 455G.3(1) that prohibits money in the Underground Storage Tank Fund from being appropriated for anything other than for fuel storage tanks and dispensing infrastructure.

Specifies that if the Department of Economic Development does not receive matching money from another source that is equal to the \$100,000 Underground Storage Tank Fund appropriation, the funds from the appropriation revert back to the Underground Storage Tank Fund.

Department of Commerce Revolving Fund appropriation to the Insurance Division.

DETAIL: The funds will be used to support a central monitor and coordinator of reports to implement provisions in SF 2201 (Insurance Division Omnibus Act).

NOTE: Senate File 2201 was signed by the Governor on April 9, 2010.

Provides appropriations from the Cash Reserve Fund for certain purposes.

Cash Reserve Fund appropriation to the DHS for the Medical Assistance Program.



38 16 ..... \$187,800,000

DETAIL: Total State funding for the Medical Assistance Program for FY 2011 is estimated at \$822,046,933 and includes:

- \$187,800,000 appropriated from the Cash Reserve Fund in this Act.
- \$393,683,227 appropriated from the General Fund in HF 2526 (Health and Human Services Appropriations Act).
- \$107,615,211 appropriated from the Health Care Trust Fund in HF 2526.
- \$39,406,000 from the Hospital Trust Fund in Section 207 of this Act.
- \$39,080,435 appropriated from the Senior Living Trust Fund in HF 2526.
- \$36,339,411 from the projected carryforward balance from FY 2010.
- \$13,900,000 from the Quality Assurance Trust Fund in HF 2526.
- \$2,297,649 transferred from the Covering All Kids Program.
- \$1,925,000 transferred from the Decategorization Waiver Waiting List.

The State is also estimated to receive \$217,409,636 in federal stimulus funds for the Medical Assistance Program for FY 2011.

38 17 2. DEPARTMENT OF MANAGEMENT

38 18 For salaries, support, maintenance, and miscellaneous

38 19 purposes:

38 20 ..... \$ 260,000

Cash Reserve Fund appropriation to the DOM for operational costs in FY 2011.

38 21 3. DEPARTMENT OF EDUCATION

38 22 a. To provide funding in addition to the amount appropriated

38 23 in 2010 Iowa Acts, Senate File 2376, section 6, subsection

38 24 14, for allocation to eligible school districts for the

38 25 four-year-old preschool program under chapter 256C:

38 26 ..... \$ 4,000,000

Cash Reserve Fund appropriation to the Department of Education for the Statewide Voluntary Preschool Program for four-year-olds.

DETAIL: This appropriation and the General Fund appropriation in SF 2376 (FY 2011 Education Appropriations Act) provide funding for new grants to school districts wishing to join the Statewide Voluntary Preschool Program. When the Program was initiated, it was anticipated that FY 2011 would be the fourth and final year of additional funding to bring new districts into the Program. At that time, it was anticipated that \$16.2 million would be needed in FY 2011 to

		reach a statewide participation rate of 90.0% of four-year-old children. Senate File 2376 appropriates \$12.2 million and directs the Department of Education to implement a method to provide prorated grants to all school districts that are interested and qualify.
38 27	b. For school districts to provide direct services to the	Cash Reserve Fund appropriation to the Department of Education for
38 28	most at-risk senior high school students enrolled in school	the Iowa Jobs for America's Graduates (I-JAG) Program.
38 29	districts through direct intervention by a jobs for America's	
38 30	graduates specialist:	DETAIL: This represents no change from the estimated net FY 2010
38 31	..... \$ 540,000	General Fund appropriation. I-JAG has programs for at-risk students
		in place at 18 high schools, one alternative high school, four middle
		schools, and Des Moines Area Community College.
38 32	4. DEPARTMENT OF NATURAL RESOURCES	
38 33	For operations, notwithstanding restrictions otherwise	Cash Reserve Fund appropriation to the DNR for the cost of leases for
38 34	applicable under 2010 Iowa Acts, House File 2525, relating to	office space.
38 35	private buildings, if enacted:	
39 1	..... \$ 300,000	
39 2	5. DEPARTMENT OF HUMAN SERVICES	
39 3	For funding of shelter care in addition to the amount	Cash Reserve Fund appropriation to the Department of Human
39 4	allocated for this purpose in the appropriation for child and	Services for funding shelter care.
39 5	family services in 2010 Iowa Acts, House File 2526, if enacted:	
39 6	..... \$ 500,000	
39 7	6. OFFICE OF ENERGY INDEPENDENCE	
39 8	For deposit in the Iowa power fund:	Cash Reserve Fund appropriation to the Office of Energy
39 9	..... \$ 2,000,000	Independence for deposit in the Iowa Power Fund.
39 10	7. IOWA FINANCE AUTHORITY	
39 11	a. To a county with a population between 189,000 and	Cash Reserve Fund appropriation to the Iowa Finance Authority for a
39 12	196,000 in the last preceding certified federal census for	flood damaged public service center in Linn County.
39 13	rehabilitation of a flood damaged public service center:	
39 14	..... \$ 4,500,000	
39 15	b. To a city with a population between 120,500 and	Cash Reserve Fund appropriation to the Iowa Finance Authority for
39 16	120,800 in the last preceding certified federal census for	rehabilitation and renovation of a federal courthouse and to meet
		federal flood mitigation standards in Cedar Rapids.

39 17 rehabilitation and renovation of a federal courthouse and to  
39 18 meet federal flood mitigation standards:  
39 19 ..... \$ 2,100,000

39 20 Sec. 91. APPROPRIATION ADJUSTMENTS == DEPARTMENT OF  
39 21 ADMINISTRATIVE SERVICES. The appropriations to the department  
39 22 of administrative services for the fiscal year beginning July  
39 23 1, 2010, in 2010 Iowa Acts, Senate File 2367, from the general  
39 24 fund of the state shall be increased by \$2,761,100. The number  
39 25 of full-time equivalent positions authorized for the department  
39 26 of administrative services for the fiscal year beginning  
39 27 July 1, 2010, in 2010 Iowa Acts, Senate File 2367, shall be  
39 28 increased by 34.40.

Increases the appropriation to the DAS by \$2,761,100 and 34.40 FTE positions for FY 2011.

DETAIL: This increase is offset by a corresponding reduction in Section 92 to the DOM to conform to changes in Division V of this Act that transfer the accounting function to the DAS.

39 29 Sec. 92. APPROPRIATION ADJUSTMENTS == DEPARTMENT OF  
39 30 MANAGEMENT. The appropriations to the department of management  
39 31 for the fiscal year beginning July 1, 2010, in 2010 Iowa Acts,  
39 32 Senate File 2367, from the general fund of the state shall be  
39 33 decreased by \$2,761,100. The number of full-time equivalent  
39 34 positions authorized for the department of management for the  
39 35 fiscal year beginning July 1, 2010, in 2010 Iowa Acts, Senate  
40 1 File 2367, shall be decreased by 34.40.

Decreases the appropriation to the DOM by \$2,761,100 and 34.40 FTE positions for FY 2011.

DETAIL: This decrease is offset by a corresponding increase in Section 91 to the DAS to conform to changes in Division V of this Act that transfer the accounting function to DAS.

40 2 Sec. 93. RAILROAD COMPANY == LIMITED LIABILITY. A railroad  
40 3 company which alters facilities described in section 327F.2  
40 4 pursuant to a written agreement executed on or before December  
40 5 31, 2011 with a political subdivision with a population of  
40 6 more than 15,100, but less than 15,150, according to the 2000  
40 7 certified federal census, to construct a flood mitigation  
40 8 project shall receive the limitation on liability contained  
40 9 in section 670.4, subsection 8, for its facilities described  
40 10 in section 327F.2 governed by the written agreement for any  
40 11 damages caused by the alteration due to a flood.

Provides that a railroad company not be held liable for damages due to a flood under certain conditions.

40 12 Sec. 94. IOWA PHARMACY RECOVERY NETWORK. The board of  
40 13 pharmacy may use fees retained by the board pursuant to the  
40 14 authority granted in section 147.82 for purposes of supporting

Permits the Board of Pharmacy to use fees retained by the Board for providing support to the Iowa Pharmacy Recovery Network.

40 15 the Iowa pharmacy recovery network.

40 16 Sec. 95. RENEWABLE BIOMASS. It is the intent of the general  
40 17 assembly that the Iowa power fund board and the department of  
40 18 economic development use moneys appropriated to the Iowa power  
40 19 fund and the department of economic development to encourage  
40 20 projects utilizing biomass made from renewable biomass to  
40 21 produce inputs for agricultural purposes that replace products  
40 22 that are produced using fossil fuels as the raw materials. The  
40 23 projects shall include but not be limited to products such as  
40 24 anhydrous ammonia.

Specifies the intent of the General Assembly that appropriations to the Iowa Power Fund are to be used to encourage renewable biomass projects that produce agricultural inputs such as anhydrous ammonia that replace fossil fuels.

40 25 Sec. 96. DEPARTMENT OF CULTURAL AFFAIRS. The department  
40 26 of cultural affairs, in its capacity as the state historic  
40 27 preservation officer and consulting party for the purpose of  
40 28 satisfying the requirements of the federal National Historic  
40 29 Preservation Act, shall be no more restrictive than the federal  
40 30 agency for which it is acting as such consulting party.

Requires the Department of Cultural Affairs to be no more restrictive than the federal government as it relates to the federal National Historic Preservation Act.

40 31 Sec. 97. BRAILLE AND SIGHT SAVING SCHOOL STUDY.  
40 32 1. The state board of regents shall conduct a study to  
40 33 examine possible changes to and make recommendations regarding  
40 34 the current structure for providing residential services on  
40 35 the campus of the Iowa braille and sight saving school and  
41 1 to make recommendations regarding appropriate facilities and  
41 2 facility utilization. The study shall also examine potential  
41 3 partnerships with other state agencies as well as private  
41 4 providers of residential services.  
41 5 2. For purposes of conducting the study, the state board of  
41 6 regents shall form a committee with representatives of all of  
41 7 the following:  
41 8 a. Parents of students who are blind or visually impaired.  
41 9 b. Constituent organizations for the blind or visually  
41 10 impaired.  
41 11 c. The department of education.  
41 12 d. The department for the blind.  
41 13 e. The department of human services.

Requires the Board of Regents to conduct a study of the Braille and Sight Saving School. Specifies report requirements and representation of the study committee. Requires the Board of Regents to submit a report with recommendations to the Legislative Council by August 31, 2010.

41 14 f. Area education agencies.  
41 15 g. School boards and school board administrators.  
41 16 h. The governor's developmental disabilities council.  
41 17 i. Administration of the statewide system for vision  
41 18 services.  
41 19 j. Administration of the Iowa school for the deaf.  
41 20 3. By August 31, 2010, the state board of regents shall  
41 21 submit a report of the study to the legislative council.

41 22 Sec. 98. PUBLIC LIBRARY SUPPORT LEVY == ELECTION DATE.

41 23 1. Notwithstanding the election date required under  
41 24 section 384.12, subsections 1 and 21, a city may submit a  
41 25 proposition relating to a public library property tax levy to  
41 26 the electorate on a date specified in section 39.2, subsection  
41 27 4, paragraph "b", if all of the following conditions are met:

41 28 a. The city is located in whole or in part in an area that  
41 29 the governor proclaimed a disaster emergency or the president  
41 30 of the United States declared a major disaster, as the result  
41 31 of a natural disaster occurring during the period of time  
41 32 beginning May 1, 2008, and ending August 1, 2008.

41 33 b. The city contains a public library that was damaged by  
41 34 the natural disaster described in paragraph "a".

41 35 2. An election under subsection 1 shall be held not later  
42 1 than August 2, 2011.

CODE: Permits a city located in a declared natural disaster area during the summer of 2008 to hold a special election for a public library property tax levy for a damaged public library before August 2, 2011.

42 2 Sec. 99. MH/MR/DD SERVICES FUND TRANSFER. Notwithstanding  
42 3 section 331.424A, subsection 5, and section 331.432, subsection  
42 4 3, for the fiscal year beginning July 1, 2010, and ending June  
42 5 30, 2011, a county may transfer moneys from other funds of the  
42 6 county to the county's mental health, mental retardation, and  
42 7 developmental disabilities services fund created in section  
42 8 331.424A. A county transferring moneys from other funds of the  
42 9 county to the county's services fund pursuant to this section  
42 10 shall submit a report detailing the transfers made and funds  
42 11 affected. The county shall submit the report along with the  
42 12 county expenditure and information report submitted by December  
42 13 1, 2010, in accordance with section 331.439.

CODE: Permits counties to transfer money from other funds to the counties' Mental Health/Mental Retardation/Developmental Disabilities Services Fund. Requires any county transferring money to report those transfers by December 1, 2010.

42 14 Sec. 100. PLUMBERS, MECHANICAL PROFESSIONALS, AND  
42 15 CONTRACTORS == EFFECTIVE UPON ENACTMENT.

42 16 1. Notwithstanding the provisions of section 105.18,  
42 17 subsection 2, paragraph "c", subparagraph (3), to the contrary,  
42 18 the plumbing and mechanical systems board shall, through  
42 19 September 30, 2010, allow a person who has not previously held  
42 20 a license issued under section 105.18 to sit for the state  
42 21 master licensing examination for the applicable discipline if  
42 22 that person submits evidence of work experience which the board  
42 23 deems to be equivalent to forty-eight months experience as a  
42 24 licensed master in the applicable discipline.

42 25 2. This section, being deemed of immediate importance,  
42 26 takes effect upon enactment.

42 27 Sec. 101. LIMITED LIABILITY COMPANIES == BIENNIAL REPORTS.

42 28 1. The biennial report fee, as determined by the secretary  
42 29 of state in accordance with section 490A.1320, subsection 1,  
42 30 received for reports filed on or after July 1, 2006, shall  
42 31 be credited to the general fund of the state. The biennial  
42 32 report fee shall be due at the time the report is filed. On  
42 33 or after July 1, 2006, such biennial reports shall be due  
42 34 in even-numbered calendar years during the period beginning  
42 35 January 1, and ending April 1, and shall contain information  
43 1 relating to the two-year period immediately preceding the  
43 2 calendar year in which the report is filed.

43 3 2. a. This section, being deemed of immediate importance,  
43 4 takes effect upon enactment and applies retroactively to July  
43 5 1, 2006.

43 6 b. A limited liability company that has not filed the  
43 7 biennial report for 2008 or 2010 shall file such report on or  
43 8 before June 30, 2010.

43 9 Sec. 102. Section 8D.13, subsection 5, Code 2009, is amended  
43 10 to read as follows:

43 11 5. a. The state shall lease all fiberoptic cable  
43 12 facilities or facilities with ~~DS=3~~ sufficient capacity as  
43 13 determined by the commission for Part III connections, for

CODE: Requires the Plumbing and Mechanical Systems Board to permit a person that has not previously held a license to take the State master licensing examination if the Board deems the work experience to be equivalent to 48 months experience as a licensed master. This provision is effective on enactment and applicable through September 30, 2010.

Requires biennial report fees paid to the Secretary of State to be credited to the General Fund. Requires a limited liability company that has not filed the biennial report for FY 2008 or FY 2010 to file the report on or before June 30, 2010.

DETAIL: This language conforms current practice to the Iowa Code with regard to the deposit of fees to the General Fund.

CODE: Permits the Iowa Technology and Telecommunications Commission to determine the fiber optic cable capacity to be leased for Part III connections.

43 14 ~~which state funding is provided. The state shall lease~~  
43 15 ~~all fiberoptic cable facilities or facilities with DS=3 or~~  
43 16 ~~DS=1 capacity for the judicial branch, judicial district~~  
43 17 ~~department~~ departments of correctional services, and state  
43 18 agency connections for which state funding is provided. In  
43 19 determining the capacity to be provided, the commission  
43 20 shall consult with the authorized users associated with  
43 21 the Part III connections, the judicial branch, the judicial  
43 22 district departments of correctional services, and state  
43 23 agencies associated with connections for which state funding  
43 24 is provided. Such facilities shall be leased from qualified  
43 25 providers. The state shall not own such facilities, except for  
43 26 those facilities owned by the state as of January 1, 1994.  
43 27 b. The lease provisions of this subsection do not apply to a  
43 28 school district which elects to provide one hundred percent of  
43 29 the financing for the district's connection.

43 30 Sec. 103. Section 16.100A, subsection 6, paragraph d, Code  
43 31 Supplement 2009, is amended to read as follows:  
43 32 d. General public members shall be reimbursed by the Iowa  
43 33 finance authority for actual and necessary expenses incurred  
43 34 while engaged in their official duties. ~~Expense payments shall~~  
43 35 ~~be made from appropriations made for purposes of this section.~~

CODE: Requires members of the Council on Homelessness to be reimbursed by the Iowa Finance Authority for costs incurred while performing official duties.

44 1 Sec. 104. Section 16.181, subsection 1, paragraph a, Code  
44 2 Supplement 2009, is amended to read as follows:  
44 3 a. A housing trust fund is created within the authority.  
44 4 The moneys in the housing trust fund are annually appropriated  
44 5 to the authority to be used for the development and  
44 6 preservation of affordable housing for low-income people in  
44 7 the state and for the Iowa mortgage help initiative. Payment  
44 8 of interest, recaptures of awards, or other repayments  
44 9 to the housing trust fund shall be deposited in the fund.  
44 10 Notwithstanding section 12C.7, interest or earnings on moneys  
44 11 in the housing trust fund or appropriated to the fund shall  
44 12 be credited to the fund. Notwithstanding section 8.33,  
44 13 unencumbered and unobligated moneys remaining in the fund

CODE: Adds the Iowa Mortgage Help Initiative as an entity that may receive funds from the Housing Trust Fund within the Iowa Finance Authority.

NOTE: The Iowa Mortgage Help Initiative is a program that provides foreclosure prevention assistance and counseling, and includes the Iowa Mortgage Help Hotline. The program operations are currently funded with approximately \$2,900,000 of federal funds.

44 14 at the close of each fiscal year shall not revert but shall  
44 15 remain available for expenditure for the same purposes in the  
44 16 succeeding fiscal year.

44 17 Sec. 105. NEW SECTION . 16.188 Workforce housing assistance  
44 18 grant fund.

44 19 1. A workforce housing assistance grant fund is created  
44 20 under the authority of the Iowa finance authority. The fund  
44 21 shall consist of appropriations made to the fund. The fund  
44 22 shall be separate from the general fund of the state and the  
44 23 balance in the fund shall not be considered part of the balance  
44 24 of the general fund of the state. However, the fund shall be  
44 25 considered a special account for the purposes of section 8.53,  
44 26 relating to generally accepted accounting principles.

44 27 2. Notwithstanding section 12C.7, subsection 2, interest or  
44 28 earnings on moneys in the fund shall be credited to the fund.

44 29 3. a. Moneys in the fund in a fiscal year are appropriated  
44 30 to the Iowa finance authority to be used for grants for  
44 31 projects that create workforce housing or for projects that  
44 32 include adaptive reuse of buildings for workforce housing. For  
44 33 purposes of this section, "workforce housing" means housing that  
44 34 is affordable for a household whose income does not exceed one  
44 35 hundred twenty percent of the median income for the area.

45 1 b. Priority shall be given to the following types of  
45 2 projects:

45 3 (1) Projects that are eligible for historic preservation  
45 4 and cultural and entertainment district tax credits under  
45 5 section 404A.1.

45 6 (2) Projects for the construction of new single-family  
45 7 dwellings that incorporate one or more energy-efficient  
45 8 measures. The authority shall by rule identify the types of  
45 9 energy-efficient measures that will qualify a project for  
45 10 priority under this subparagraph.

45 11 (3) Projects that utilize new markets tax credits,  
45 12 established under the federal Community Renewal Tax Relief Act  
45 13 of 2000, Pub. L. No. 106-554, 114 Stat. 2763A, and undertaken  
45 14 by a qualified community development entity, as defined in the

CODE: Creates the Workforce Housing Assistance Grant Fund under the Iowa Finance Authority to provide financial assistance to workforce housing projects. Defines workforce housing to mean housing that is affordable for households with income not exceeding 125.00% of the median household income for the area. Interest and earnings on moneys in the Fund are credited to the Fund. Limits grants going to any one area used to calculate the median family income to 25.00% of the expenditures from the Workforce Housing Assistance Grant Fund during that fiscal year.

FISCAL IMPACT: The creation of the Workforce Housing Assistance Grant Fund will not have a fiscal impact unless an appropriation is made to the Fund.



45 15 federal Act.

45 16 (4) Projects that are located in an area where other state  
45 17 funding has been used to support the creation of new jobs.

45 18 c. In any fiscal year, an area shall not receive grants  
45 19 totaling more than twenty=five percent of the moneys expended  
45 20 from the fund in that fiscal year. For purposes of this  
45 21 paragraph, "area" means the same area used to determine the  
45 22 median income under paragraph "a".

45 23 4. Annually, on or before January 15 of each year, the  
45 24 authority shall report to the legislative services agency and  
45 25 the department of management the status of all projects that  
45 26 received moneys from the workforce housing assistance grant  
45 27 fund. The report shall include a description of each project,  
45 28 the progress of work completed, the total estimated cost of  
45 29 each project, a list of all revenue sources being used to fund  
45 30 each project, the amount of funds expended, the amount of  
45 31 funds obligated, and the date each project was completed or an  
45 32 estimated completion date of each project, where applicable.

45 33 5. Payment of moneys from appropriations from the fund shall  
45 34 be made in a manner that does not adversely affect the tax  
45 35 exempt status of any outstanding bonds issued by the treasurer  
46 1 of state pursuant to section 12.87.

46 2 6. The authority shall adopt rules pursuant to chapter 17A  
46 3 to administer this section.

[ 46 4 Sec. 106. Section 469.9, Code Supplement 2009, is amended by  
 46 5 adding the following new subsection:  
 46 6 **NEW SUBSECTION . 4A.** a. During the period of funding for  
 46 7 the Iowa power fund as provided in section 469.10, the office  
 46 8 of energy independence shall collect data on all grants and  
 46 9 loans approved for funding. The department of management and  
 46 10 the state agencies associated with the grants and loans shall  
 46 11 assist the office with the data collection and in developing  
 46 12 the report required by this subsection. The office shall  
 46 13 report quarterly to the governor and the general assembly  
 46 14 concerning the data.  
 46 15 b. The report shall include but is not limited to all of the  
 46 16 following:  
 46 17 (1) The nature of each grant or loan and its purpose.  
 46 18 (2) The status of each grant or loan and the amount and  
 46 19 percentage of power fund moneys expended for the grant or loan.  
 46 20 (3) The outside funding that is matched or leveraged by  
 46 21 power fund moneys.  
 46 22 (4) The number of jobs created or retained due to each grant  
 46 23 or loan.  
 46 24 (5) For each grant or loan, the names of the grant or  
 46 25 loan contractors, their state of residence, and the state of  
 46 26 residence of the contractors' employees.  
 46 27 c. The office shall maintain an internet site that allows  
 46 28 citizens to track data on a county-by-county basis. ]

**VETOED**

CODE: Adds Code Section 469.9(4A), pertaining to the Iowa Power Fund, to require the Office of Energy Independence, with the assistance of the DOM and State agencies associated with grants and loans from the Fund, to collect data pertaining to the grants and loans. Requires the Office to provide a quarterly report to the Governor and the General Assembly concerning the data collected. Requires the Office to maintain an internet site that allows citizens to track data on a county-by-county basis. The added Section is effective on enactment and applies to all grants and loans whenever made.

VETOED: The Governor vetoed this Section and stated that the Office of Energy Independence currently collects and provides information concerning the effectiveness of the Iowa Power Fund and that this requirement would be duplicative.

46 29 Sec. 107. Section 20.19, Code 2009, is amended to read as  
 46 30 follows:  
 46 31 20.19 Impasse procedures == agreement of parties.  
 46 32 1. As the first step in the performance of their duty to  
 46 33 bargain, the public employer and the employee organization  
 46 34 shall endeavor to agree upon impasse procedures. Such  
 46 35 agreement shall provide for implementation of these impasse  
 47 1 procedures not later than one hundred twenty days prior to  
 47 2 the certified budget submission date of the public employer.  
 47 3 However, if public employees represented by the employee

CODE: Requires implementation of impasse procedures no later than 120 days prior to the date of the next fiscal year or budget year. This applies to public employers that are not subject to a local budget certification process.

47 4 organization are teachers licensed under chapter 272, and the  
47 5 public employer is a school district or area education agency,  
47 6 the agreement shall provide for implementation of impasse  
47 7 procedures not later than one hundred twenty days prior to May  
47 8 31 of the year when the collective bargaining agreement is  
47 9 to become effective. If the public employer is a community  
47 10 college, the agreement shall provide for implementation of  
47 11 impasse procedures not later than one hundred twenty days prior  
47 12 to May 31 of the year when the collective bargaining agreement  
47 13 is to become effective. If the public employer is not subject  
47 14 to the budget certification requirements of section 24.17 and  
47 15 other applicable sections, the agreement shall provide for  
47 16 implementation of impasse procedures not later than one hundred  
47 17 twenty days prior to the date the next fiscal or budget year of  
47 18 the public employer commences. If the parties fail to agree  
47 19 upon impasse procedures under the provisions of this section,  
47 20 the impasse procedures provided in sections 20.20 to 20.22  
47 21 shall apply.

47 22 2. Parties who by agreement are utilizing a cooperative  
47 23 alternative bargaining process shall, at the outset of such  
47 24 process, agree upon a method and schedule for the completion  
47 25 of impasse procedures should they fail to reach a collective  
47 26 bargaining agreement through the use of such alternative  
47 27 bargaining process.

47 28 Sec. 108. Section 20.20, Code 2009, is amended to read as  
47 29 follows:  
47 30 20.20 Mediation.

47 31 In the absence of an impasse agreement negotiated pursuant  
47 32 to section 20.19 or the failure of either party to utilize its  
47 33 procedures, one hundred twenty days prior to the certified  
47 34 budget submission date, or one hundred twenty days prior to  
47 35 May 31 of the year when the collective bargaining agreement  
48 1 is to become effective if public employees represented by the  
48 2 employee organization are teachers licensed under chapter  
48 3 272 and the public employer is a school district or area  
48 4 education agency, the board shall, upon the request of either

CODE: Requires the Public Employment Relations Board to appoint an impartial and disinterested person as mediator when requested by either party to a bargaining agreement process. This applies to public employers that are not subject to a local budget certification process.

48 5 party, appoint an impartial and disinterested person to act  
48 6 as mediator. If the public employer is a community college,  
48 7 and in the absence of an impasse agreement negotiated pursuant  
48 8 to section 20.19 or the failure of either party to utilize  
48 9 its procedures, one hundred twenty days prior to May 31  
48 10 of the year when the collective bargaining agreement is to  
48 11 become effective, the board, upon the request of either party,  
48 12 shall appoint an impartial and disinterested person to act as  
48 13 mediator. If the public employer is not subject to the budget  
48 14 certification requirements of section 24.17 or other applicable  
48 15 sections and in the absence of an impasse agreement negotiated  
48 16 pursuant to section 20.19, or the failure of either party to  
48 17 utilize its procedures, one hundred twenty days prior to the  
48 18 date the next fiscal or budget year of the public employer  
48 19 commences, the board, upon the request of either party, shall  
48 20 appoint an impartial and disinterested person to act as a  
48 21 mediator. It shall be the function of the mediator to bring  
48 22 the parties together to effectuate a settlement of the dispute,  
48 23 but the mediator may not compel the parties to agree.

48 24 Sec. 109. Section 99B.12A, unnumbered paragraph 1, Code  
48 25 2009, is amended to read as follows:  
48 26 ~~An organization that is exempt from federal income taxes~~  
48 27 ~~under section 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(6),~~  
48 28 ~~501(c)(7), 501(c)(8), 501(c)(10), or 501(c)(19) of the Internal~~  
48 29 ~~Revenue Code as defined in section 422.3, A person~~ shall be  
48 30 authorized to conduct a bingo occasion without a license as  
48 31 otherwise required by this chapter if all of the following  
48 32 requirements are met:

48 33 Sec. 110. Section 99B.17, Code 2009, is amended to read as  
48 34 follows:  
48 35 99B.17 Gambling on credit unlawful == exception .  
49 1 1. A person who tenders and a person who receives any  
49 2 promise, agreement, note, bill, bond, contract, mortgage or  
49 3 other security, or any negotiable instrument, as consideration  
49 4 for any wager or bet, whether or not lawfully conducted or

CODE: Removes the exemption for specific nonprofit organizations from purchasing a license from the Department of Inspections and Appeals for the operation of bingo games. Permits an individual meeting specific qualifications to be exempted from purchasing a license for the operation of bingo games.

CODE: Permits tickets from raffles conducted by eligible qualified organizations may to be purchased by check, money order, or debit card. Requires the Department of Inspections and Appeals to adopt rules that set a minimum standard for the purchase of raffle tickets.

49 5 engaged in pursuant to this chapter, commits a misdemeanor.  
49 6 However, a participant in a bingo occasion or in a contest  
49 7 lawful under section 99B.11 may make payment by personal check  
49 8 for any entry or participation fee assessed by the sponsor of  
49 9 the bingo occasion or contest.

49 10 2. A participant in a raffle conducted by an eligible  
49 11 qualified organization may purchase raffle tickets by personal  
49 12 check, money order, bank check, cashier's check, electronic  
49 13 check, or debit card for one raffle conducted by the eligible  
49 14 qualified organization during a calendar year. The department  
49 15 shall adopt rules setting minimum standards concerning the  
49 16 purchase of raffle tickets as authorized by this subsection  
49 17 which shall ensure compliance with applicable federal law and  
49 18 for the protection of personal information consistent with  
49 19 payment card industry compliance regulations. For purposes  
49 20 of this subsection, an "eligible qualified organization" is a  
49 21 qualified organization that has conducted a raffle pursuant to  
49 22 section 99B.7 during the previous eight consecutive calendar  
49 23 years in which the net proceeds are distributed to a museum.

49 24 Sec. 111. Section 123.30, subsection 3, paragraph e,  
49 25 subparagraph (1), Code Supplement 2009, is amended to read as  
49 26 follows:

49 27 (1) A class "E" liquor control license may be issued and  
49 28 shall authorize the holder to purchase alcoholic liquor from  
49 29 the division only and high alcoholic content beer from a class  
49 30 "AA" beer permittee only and to sell the alcoholic liquor and  
49 31 high alcoholic content beer to patrons for consumption off  
49 32 the licensed premises and to other liquor control licensees.  
49 33 A class "E" license shall not be issued to premises at which  
49 34 gasoline is sold. A holder of a class "E" liquor control  
49 35 license may hold other retail liquor control licenses or  
50 1 retail wine or beer permits, but the premises licensed under a  
50 2 class "E" liquor control license shall be separate from other  
50 3 licensed premises, though the separate premises may have a  
50 4 common entrance. However, the holder of a class "E" liquor  
50 5 control license may also hold a class "B" wine or class "C"

CODE: Permits Class E liquor license holders to purchase high alcohol content beer from a Class AA beer permit holder.

NOTE: This Section is effective retroactively to March 10, 2010.

50 6 beer permit or both for the premises licensed under a class "E"  
50 7 liquor control license.

50 8 Sec. 112. Section 155A.6A, subsection 3, Code 2009, is  
50 9 amended to read as follows:

VETOED

50 10 3. a. Beginning July 1, 2009 December 31, 2012 , a person  
50 11 who is in the process of acquiring national certification  
50 12 as a pharmacy technician and who is in training to become a  
50 13 pharmacy technician shall register with the board as a pharmacy  
50 14 technician. The registration shall be issued for a period not  
50 15 to exceed one year and shall not be renewable. ]

50 16 b. A person who is registered as a pharmacy technician or a  
50 17 pharmacy technician trainee prior to January 1, 2010, who has  
50 18 worked as a pharmacy technician or pharmacy technician trainee  
50 19 for a minimum of two thousand hours in the previous eighteen  
50 20 months under the direction of a licensed pharmacist shall have  
50 21 until December 31, 2013, to attain certification pursuant to  
50 22 this section. The supervising pharmacist shall be responsible  
50 23 for verifying with the Iowa board of pharmacy that any person  
50 24 affected by this paragraph continues to have a minimum of two  
50 25 thousand hours of supervised training in any eighteen-month  
50 26 period of time between January 1, 2010, and December 31, 2013.

50 27 Sec. 113. Section 174.1, subsection 2, paragraphs b and c,  
50 28 Code 2009, are amended to read as follows:

50 29 b. The organization owns buildings and other improvements  
50 30 situated on the fairgrounds which have been specially  
50 31 constructed for purposes of conducting a fair event.

50 32 c. The market value of the fairgrounds and buildings and  
50 33 other improvements located on the fairgrounds is at least  
50 34 ~~eighty~~ twenty-five thousand dollars.

50 35 Sec. 114. Section 174.1, subsection 3, Code 2009, is amended  
51 1 to read as follows:

51 2 3. "Fair event" means an annual gathering of the public  
51 3 on fairgrounds that incorporates agricultural exhibits,  
51 4 demonstrations, shows, or competitions ~~and which includes all~~

CODE: Permits a person registered as a pharmacy technician or pharmacy technician trainee before January 1, 2010, that meets specific requirements, to have until December 31, 2013, to attain a national certification.

Requires a supervising pharmacist to verify with the Iowa Board of Pharmacy that registered pharmacy technicians or technician trainees have a minimum number of supervised hours of training.

NOTE: This Section is effective on enactment.

VETOED: The Governor vetoed this Section and stated that this provision eliminates the one-year period until December 31, 2012, that allows pharmacy technicians registered since July 1, 2009, to prepare for the national certification examination. Under the proposed changes, a pharmacy technician would have to show proof of obtaining national certification by July 1, 2010. The Governor stated that this change would likely affect 600 individuals. In addition, new pharmacy technicians would need to be nationally certified before registering with the Pharmacy Board and this would likely affect up to 1,000 new technicians per year.

CODE: Modifies the definition of county or district fair by noting that an organization can own buildings or other improvements on fairgrounds and reduces the amount of market value for buildings and other improvements on fairgrounds from \$80,000 to \$25,000.

CODE: Modifies the definition of a fair event.

51 5 ~~of the following:~~  
51 6 ~~a. Programs~~ that include programs or projects sponsored by  
51 7 4-H clubs, future farmers of America, or the Iowa cooperative  
51 8 extension service in agriculture and home economics of Iowa  
51 9 state university. Other activities may include any of the  
51 10 following:  
51 11 ~~b.~~ a. Commercial exhibits sponsored by manufacturers or  
51 12 other businesses.  
51 13 ~~c.~~ b. Educational programs or exhibits sponsored by  
51 14 governmental entities or nonprofit organizations.  
51 15 ~~d.~~ c. Competition in culinary arts, fine arts, or home  
51 16 craft arts.

51 17 Sec. 115. Section 237.3, subsection 2, paragraph f, Code  
51 18 Supplement 2009, is amended to read as follows:  
51 19 f. Housing, health, safety, and medical care policies  
51 20 for children receiving child foster care. The medical care  
51 21 policies shall include but are not limited to all of the  
51 22 following:  
51 23 (1) Provision by the department to the foster care provider  
51 24 at or before the time of a child's placement of the child's  
51 25 health records and any other information possessed or known  
51 26 about the health of the child or about a member of the child's  
51 27 family that pertains to the child's health.  
51 28 (2) If the health records supplied in accordance with  
51 29 the child's case permanency plan to the foster care provider  
51 30 are incomplete or the provider requests specific health  
51 31 information, provision for obtaining additional health  
51 32 information from the child's parent or other source and  
51 33 supplying the additional information to the foster care  
51 34 provider.  
51 35 (3) Provision for emergency health coverage of the child  
52 1 while the child is engaged in temporary out-of-state travel  
52 2 with the child's foster family.

52 3 Sec. 116. Section 237.3, subsection 2, paragraph k,  
52 4 subparagraph (1), Code Supplement 2009, is amended to read as

CODE: Directs the DHS to provide for a request from a foster care provider for specific health information pertaining to a child in their care, in the administrative rules that the Department promulgates relating to the topic of health records.

CODE: Requires the DHS to provide information related to potential risk factors concerning children that are listed in the Sex Offender

52 5 follows:

Registry to individuals providing foster care.

52 6 (1) Receiving information prior to the child's placement  
52 7 regarding risk factors concerning the child that are known to  
52 8 the department , including but not limited to notice if the  
52 9 child is required to register under chapter 692A .

52 10 Sec. 117. 2010 Iowa Acts, Senate File 2378, section 20,  
52 11 subsection 1, if enacted, is amended to read as follows:  
52 12 1. A public safety enforcement fund is created in the  
52 13 state treasury under the control of the treasurer of state.  
52 14 Notwithstanding section 602.8108, after the necessary amount is  
52 15 remitted for deposit in the Iowa prison infrastructure fund as  
52 16 provided in section 602.8108A, the state court administrator  
52 17 shall allocate to the treasurer of state for deposit in the  
52 18 public safety enforcement fund the ~~first~~ next nine million one  
52 19 hundred thousand dollars of the moneys received under section  
52 20 602.8108, subsection 2, during the fiscal year beginning July  
52 21 1, 2010, and ending June 30, 2011. Moneys deposited into the  
52 22 fund are appropriated to the treasurer of state for allocation  
52 23 as provided in subsection 2.

CODE: Amends SF 2378 (FY 2011 Justice System Appropriations Act) to clarify that the judicial fines collected by the State and deposited in the Public Safety Enforcement Fund will occur after the first \$9,500,000 is deposited in the Prison Infrastructure Fund to meet the requirements of funding the debt service obligation on the prison infrastructure bonds. The next \$9,100,000 will be deposited in the Public Safety Enforcement Fund.

52 24 Sec. 118. Section 256.9, Code Supplement 2009, is amended by  
52 25 adding the following new subsection:  
52 26 NEW SUBSECTION . 18A. The department shall compile the  
52 27 financial information related to chapters 423E and 423F from  
52 28 the certified annual reports of each school district received  
52 29 pursuant to section 291.10, subsection 2, and shall submit the  
52 30 information to the general assembly in an annual report each  
52 31 February 1.

CODE: Requires the Department of Education to collect information pertaining to school district uses and expenditure of Secure an Advanced Vision for Education (SAVE) funds. Requires the Department of Education to submit an annual report to the General Assembly by February 1.

52 32 Sec. 119. NEW SECTION . 261D.4 Payment of dues.  
52 33 On an annual basis, the department of management shall  
52 34 apportion the dues assessed for membership in the midwestern  
52 35 higher education compact to various sectors of education  
53 1 including the department of education, the community college  
53 2 trustees, the Iowa association of independent colleges  
53 3 and universities, and the state board of regents. The

CODE: Requires the DOM to pay the annual Midwest Higher Education Compact (MHEC) dues and apportion the costs among various educational entities, including the Department of Education, Community College Trustees, Iowa Association of Independent Colleges and Universities, and the Board of Regents, in proportion to the savings each achieved in the previous fiscal year.



53 4 apportionment shall be based on actual savings achieved in the  
53 5 previous fiscal year by each sector of education in a manner  
53 6 determined by the department of management. The department  
53 7 of management shall make payment on behalf of the state to  
53 8 the midwestern higher education compact commission and shall  
53 9 seek reimbursement from each sector of education based on the  
53 10 apportionment determined by the department.

53 11 Sec. 120. Section 291.10, Code 2009, is amended to read as  
53 12 follows:

53 13 291.10 Reports by secretary.

53 14 1. The school district shall file an annual report with the  
53 15 director of the department of education on forms prepared for  
53 16 that purpose.

53 17 2. The annual report shall include the financial  
53 18 information required in section 423F.5, subsection 1, as  
53 19 related to moneys received under chapter 423E or 423F, as  
53 20 applicable, for each budget year.

53 21 Sec. 121. Section 314.17, as amended by 2010 Iowa Acts,  
53 22 House File 2458, if enacted, is amended by adding the following  
53 23 new subsections:

53 24 NEW SUBSECTION . 7. Within fifty feet of a drainage tile or  
53 25 tile intake.

53 26 NEW SUBSECTION . 8. For access to a mailbox or for other  
53 27 accessibility purposes.

53 28 NEW SUBSECTION . 9. On rights-of-way adjacent to  
53 29 agricultural demonstration or research plots.

53 30 Sec. 122. Section 321.18, Code Supplement 2009, is amended  
53 31 by adding the following new subsection:

53 32 NEW SUBSECTION . 10. Any trailer that is used exclusively  
53 33 for the transportation, display, and distribution of flags  
53 34 honoring deceased veterans in parades or ceremonies held on  
53 35 Memorial Day, Veterans Day, or other patriotic occasions  
54 1 as authorized by resolution of the local government of the  
54 2 community where the parade or ceremony takes place. A trailer

CODE: Requires school districts to report use and expenditures of Secure an Advanced Vision for Education (SAVE) funds annually to the Department of Education.

DETAIL: This Section corresponds with Section 118 of this Act.

CODE: Adds additional specifications in regards to mowing on interstate highways, primary highways, and secondary roads.

CODE: Exempts certain trailers used exclusively for transportation, display, and distribution of flags for deceased veterans in parades, ceremonies, or for patriotic occasions from vehicle registration fees. Requires a local government of the community for the event to approve a resolution to be eligible for the exemption and requires the resolution to be displayed in the vehicle pulling the trailer while on the city street or secondary road specified in the resolution.

54 3 exempt from registration under this subsection shall only be  
54 4 used on city streets or secondary roads on the day of a parade  
54 5 or ceremony specified in the local government's resolution, and  
54 6 a copy of the resolution shall be carried at all times in the  
54 7 vehicle pulling the trailer.

54 8 Sec. 123. Section 321.482A, unnumbered paragraph 1, Code  
54 9 2009, is amended to read as follows:  
54 10 Notwithstanding section 321.482, a person who is convicted  
54 11 of operating a motor vehicle in violation of section  
54 12 321.256, 321.257, section 321.275, subsection 4, section  
54 13 321.297, 321.298, 321.299, 321.302, 321.303, 321.304, 321.305,  
54 14 321.306, 321.307, 321.308, section 321.309, subsection 2, or  
54 15 section 321.311, 321.319, 321.320, 321.321, 321.322, 321.323,  
54 16 321.323A, 321.324, 321.324A, 321.327, 321.329, or 321.333  
54 17 causing serious injury to or the death of another person may be  
54 18 subject to the following penalties in addition to the penalty  
54 19 provided for a scheduled violation in section 805.8A or any  
54 20 other penalty provided by law:

54 21 Sec. 124. Section 421.27, subsection 6, Code 2009, is  
54 22 amended to read as follows:  
54 23 6. Improper receipt of refund or credit. A person who makes  
54 24 an erroneous application for refund or credit shall be liable  
54 25 for any overpayment received or tax liability reduced plus  
54 26 interest at the rate in effect under section 421.7. In  
54 27 addition, a person who willfully makes a false or frivolous  
54 28 application for refund or credit with intent to evade tax  
54 29 or with intent to receive a refund or credit to which the  
54 30 person is not entitled is guilty of a fraudulent practice  
54 31 and is liable for a penalty equal to seventy-five percent of  
54 32 the refund or credit being claimed. ~~Repayments~~ Payments ,  
54 33 penalties, and interest due under this subsection may be  
54 34 collected and enforced in the same manner as the tax imposed.

54 35 Sec. 125. Section 421C.3, subsection 15, if enacted by 2010  
55 1 Iowa Acts, Senate File 2383, is amended to read as follows:

CODE: Adds Code Sections 321.256 (failure to obey an official traffic control device) and 321.257 (failure to obey an official traffic control signal) to the list of violations under Code Section 321.482A that can be enhanced if the violation results in serious injury or death.

CODE: Applies the same penalties currently in place for filing false or frivolous claims for tax refunds to also include false and frivolous claims for tax credits.

FISCAL IMPACT: Increasing penalties should reduce the number of taxpayers making claims for tax credits to which they are not entitled. The savings to the State would be a reduction in the number of taxpayer enforcement actions required of the Department of Revenue.

CODE: Permits money collected through the Debt Settlement Program to be used to pay for salaries, support, maintenance,

55 2 15. a. The director of revenue shall establish an account  
55 3 and shall deposit in the account all receipts received under  
55 4 the program established by the state debt coordinator. Not  
55 5 later than the fifteenth day of each month, the director shall  
55 6 deposit amounts received with the treasurer of state for  
55 7 deposit in the general fund of the state.  
55 8 b. Of the amount of debt actually collected pursuant to  
55 9 the program, the department of revenue shall retain an amount,  
55 10 not to exceed the amount collected, that is sufficient to pay  
55 11 for salaries, support, maintenance, services, advertising,  
55 12 and other costs incurred by the coordinator relating to the  
55 13 program. Revenues retained by the office pursuant to this  
55 14 lettered paragraph shall be considered repayment receipts as  
55 15 defined in section 8.2.

55 16 Sec. 126. Section 455A.13, Code 2009, is amended to read as  
55 17 follows:  
55 18 455A.13 State nurseries.  
55 19 1. Notwithstanding section 17A.2, subsection 11,  
55 20 paragraph "g", the department of natural resources shall adopt  
55 21 administrative rules establishing a range of prices of plant  
55 22 material grown at the state forest nurseries to cover all  
55 23 expenses related to the growing of the plants. The department  
55 24 is authorized to sell plant material in other states.  
55 25 ~~4.~~ 2. The department shall develop programs to encourage  
55 26 the wise management and preservation of existing woodlands  
55 27 and shall continue its efforts to encourage forestation and  
55 28 reforestation on private and public lands in the state.  
55 29 ~~2.~~ 3. The department shall encourage a cooperative  
55 30 relationship between the state forest nurseries and private  
55 31 nurseries in the state in order to achieve these goals.

55 32 Sec. 127. Section 466B.4, subsection 2, Code Supplement  
55 33 2009, is amended to read as follows:  
55 34 2. Marketing campaign. The water resources coordinating  
55 35 council shall develop a marketing campaign to educate Iowans  
56 1 about the need to take personal responsibility for the quality

services, advertising, and other costs incurred by the Office of the State Debt Coordinator.

DETAIL: The Debt Settlement Program is effective January 1, 2011, and is repealed on January 1, 2014.

CODE: Authorizes the DNR to sell plant material to other states.

FISCAL IMPACT: This provision will not have a fiscal impact for FY 2011; however, sales are expected to increase revenue to the Land and Conservation Fund by \$500,000 beginning in FY 2012 and each year after. Funds in the Land and Conservation Fund are used by the DNR to pay for expenditures related to the operations of the State Forest Nursery.

CODE: Requires the Water Resources Coordinating Council to develop a marketing campaign to educate Iowa citizens to take responsibility for water quality and water quantity in local watersheds. Requires campaign to emphasize the benefits of reducing flooding risks and mitigating future flood damage.

56 2 and quantity of water in their local watersheds. The emphasis  
56 3 of the campaign shall be that not only is everyone responsible  
56 4 for clean water, but that everyone benefits from it as well ,  
56 5 and that everyone is responsible for and benefits from reducing  
56 6 the risk for flooding and mitigating possible future flood  
56 7 damage . The goals of the campaign shall be to convince Iowans  
56 8 to take personal responsibility for clean water and reducing  
56 9 the risk of flooding and to equip them with the tools necessary  
56 10 to effect change through local water quality improvement  
56 11 projects and better flood plain management and flood risk  
56 12 programs .

56 13 Sec. 128. NEW SECTION . 466B.12 Flood plain managers.  
56 14 The council shall encourage and support the formation of  
56 15 a chapter of the association of state flood plain managers  
56 16 in Iowa that would provide a vehicle for local flood  
56 17 plain managers and flood plain planners to further pursue  
56 18 professional educational opportunities.

CODE: Requires the Water Resources Coordinating Council to support the formation of an Iowa Chapter of the Association of State Flood Plain Managers to increase educational opportunities related to flood plain issues in Iowa.

56 19 Sec. 129. NEW SECTION . 466B.13 Flood education.  
56 20 The Iowa state university agricultural extension service,  
56 21 the council, and agency members of the council shall, to the  
56 22 extent feasible, work with flood plain and hydrology experts  
56 23 to educate the general public about flood plains, flood risks,  
56 24 and basic flood plain management principles. This educational  
56 25 effort shall include developing educational materials and  
56 26 programs in consultation with flood plain experts.

CODE: To the extent feasible, requires the Iowa State University Agricultural Extension Service, the Water Resources Coordinating Council, and agency members of the Council to work with flood plain and hydrology experts to educate the public about flood plains, flood plain risks, and basic flood plain principles.

56 27 Sec. 130. Section 600C.1, Code 2009, is amended by striking  
56 28 the section and inserting in lieu thereof the following:  
56 29 600C.1 Grandparent and great=grandparent visitation.  
56 30 1. The grandparent or great=grandparent of a minor child  
56 31 may petition the court for grandchild or great=grandchild  
56 32 visitation when the parent of the minor child, who is the child  
56 33 of the grandparent or the grandchild of the great=grandparent,  
56 34 is deceased.

CODE: Allows a grandparent or great-grandparent to petition the court for visitation of a grandchild or great-grandchild when the parent of the child is deceased.

56 35 2. The court shall consider a fit parent's objections  
57 1 to granting visitation under this section. A rebuttable  
57 2 presumption arises that a fit parent's decision to deny  
57 3 visitation to a grandparent or great=grandparent is in the best  
57 4 interest of a minor child.

CODE: Requires the court to consider a parent's objections to granting visitation rights if it is in the best interest of the child.

57 5 3. The court may grant visitation to the grandparent or  
57 6 great=grandparent under this section if the court finds all of  
57 7 the following by clear and convincing evidence:  
57 8 a. It is in the best interest of the child to grant such  
57 9 visitation.  
57 10 b. The grandparent or great=grandparent has established a  
57 11 substantial relationship with the child prior to the filing of  
57 12 the petition.  
57 13 c. That the presumption that the parent who is being  
57 14 asked to temporarily relinquish care, custody, and control of  
57 15 the child to provide visitation is fit to make the decision  
57 16 regarding visitation is overcome by demonstrating one of the  
57 17 following:  
57 18 (1) The parent is unfit to make such decision.  
57 19 (2) The parent's judgment has been impaired and the relative  
57 20 benefit to the child of granting visitation greatly outweighs  
57 21 any effect on the parent=child relationship. Impaired judgment  
57 22 of a parent may be evidenced by any of, but not limited to, the  
57 23 following:  
57 24 (a) Neglect of the child.  
57 25 (b) Abuse of the child.  
57 26 (c) Violence toward the child.  
57 27 (d) Indifference or absence of feeling toward the child.  
57 28 (e) Demonstrated unwillingness and inability to promote the  
57 29 emotional and physical well=being of the child.  
57 30 (f) Drug abuse.  
57 31 (g) A diagnosis of mental illness.

CODE: Allows the court to grant visitation to the grandparent or great-grandparent if certain conditions are met and establishes criteria for the court in determining what is in the best interest of the child.

57 32 4. In determining the best interest of the child, the court  
57 33 shall consider all of the following:  
57 34 a. The prior interaction and interrelationships of the

CODE: Establishes criteria for the court in determining what is in the best interest of the child.

57 35 child with the child's parents, siblings, and other persons  
58 1 related by consanguinity or affinity, compared to the child's  
58 2 relationship with the grandparent or great=grandparent.  
58 3 b. The geographical location of the grandparent's or  
58 4 great=grandparent's residence and the distance between the  
58 5 grandparent's or great=grandparent's residence and the child's  
58 6 residence.  
58 7 c. The child's and parent's available time, including but  
58 8 not limited to the parent's employment schedule, the child's  
58 9 school schedule, the amount of time that will be available  
58 10 for the child to spend with siblings, and the child's and the  
58 11 parent's holiday and vacation schedules.  
58 12 d. The age of the child.  
58 13 e. If the court has interviewed the child in chambers  
58 14 as provided in this section regarding the wishes and  
58 15 concerns of the child as to visitation by the grandparent or  
58 16 great=grandparent or as to a specific visitation schedule, the  
58 17 wishes and concerns of the child, as expressed to the court.  
58 18 f. The health and safety of the child.  
58 19 g. The mental and physical health of all parties.  
58 20 h. Whether the grandparent or great=grandparent previously  
58 21 has been convicted of or pleaded guilty to any criminal  
58 22 offense involving any act that resulted in a child being an  
58 23 abused child or a neglected child; whether the grandparent  
58 24 or great=grandparent previously has been convicted of or  
58 25 pleaded guilty to a crime involving a victim who at the time  
58 26 of the commission of the offense was a member of the family  
58 27 or household that is the subject of the current proceeding;  
58 28 and whether there is reason to believe that the grandparent or  
58 29 great=grandparent has acted in a manner resulting in a child  
58 30 having ever been found to be an abused child or a neglected  
58 31 child.  
58 32 i. The wishes and concerns of the child's parent, as  
58 33 expressed by the parent to the court.  
58 34 j. Any other factor in the best interest of the child.

58 35 5. For the purposes of this subsection "substantial

CODE: Defines "substantial relationship" relating to a child's

59 1 relationship" includes but is not limited to any of the

59 2 following:

59 3 a. The child has lived with the grandparent or

59 4 great=grandparent for at least six months.

59 5 b. The grandparent or great=grandparent has voluntarily and

59 6 in good faith supported the child financially in whole or in

59 7 part for a period of not less than six months.

59 8 c. The grandparent or great=grandparent has had frequent

59 9 visitation including occasional overnight visitation with the

59 10 child for a period of not less than one year.

relationship with a grandparent or great-grandparent.

59 11 6. If the court interviews any child concerning the child's

59 12 wishes and concerns regarding parenting time or visitation, the

59 13 interview shall be conducted in chambers, and only the child,

59 14 the child's attorney, the judge, any necessary court personnel,

59 15 and, in the judge's discretion, the attorney of the parent

59 16 shall be permitted to be present in the chambers during the

59 17 interview. A person shall not obtain or attempt to obtain from

59 18 a child a written or recorded statement or affidavit setting

59 19 forth the wishes and concerns of the child regarding parenting

59 20 time or visitation.

CODE: Establishes procedures for the court relating to interviewing a child concerning the child's wishes and concerns regarding parenting time and visitation.

59 21 7. For the purposes of this section, "court" means the

59 22 district court or the juvenile court if that court currently

59 23 has jurisdiction over the child in a pending action. If an

59 24 action is not pending, the district court has jurisdiction.

CODE: Defines the term "court" as it relates to this Section.

59 25 8. Notwithstanding any provision of this chapter to the

59 26 contrary, venue for any action to establish, enforce, or modify

59 27 visitation under this section shall be in the county where the

59 28 child resides if no final custody order determination relating

59 29 to the grandchild or great=grandchild has been entered by any

59 30 other court. If a final custody order has been entered by any

59 31 other court, venue shall be located exclusively in the county

59 32 where the most recent final custody order was entered. If

59 33 any other custodial proceeding is pending when an action to

59 34 establish, enforce, or modify visitation under this section is

CODE: Requires the venue for a court proceeding relating to visitation to be held in the county where the child resides. If a final custody order has been issued by another court, venue will be located in the county where the most recent custody order was entered.

59 35 filed, venue shall be located exclusively in the county where  
60 1 the pending custodial proceeding was filed.

60 2 9. Notice of any proceeding to establish, enforce, or  
60 3 modify visitation under this section shall be personally served  
60 4 upon the parent of the child whose interests are affected  
60 5 by a proceeding brought pursuant to this section and all  
60 6 grandparents or great=grandparents who have previously obtained  
60 7 a final order or commenced a proceeding under this section.

CODE: Requires a notice of any visitation-related proceeding to be personally served on the parent.

60 8 10. The court shall not enter any temporary order to  
60 9 establish, enforce, or modify visitation under this section.

CODE: Prohibits the court from entering a temporary order affecting visitation.

60 10 11. An action brought under this section is subject to  
60 11 chapter 598B, and in an action brought to establish, enforce,  
60 12 or modify visitation under this section, each party shall  
60 13 submit in its first pleading or in an attached affidavit all  
60 14 information required by section 598B.209.

CODE: Specifies that an action brought under this Section is subject to Code Chapter 598B (Uniform Child-Custody Jurisdiction and Enforcement).

60 15 12. A grandparent or great=grandparent shall not petition  
60 16 for visitation under this section more than once every two  
60 17 years absent a showing of good cause.

CODE: Restricts a grandparent or great-grandparent from petitioning for visitation more than once every two years.

60 18 13. The court shall not issue an order restricting the  
60 19 movement of the child if such restriction is solely for the  
60 20 purpose of allowing the grandparent or great=grandparent  
60 21 the opportunity to exercise the grandparent's or  
60 22 great=grandparent's visitation under this section.

CODE: Prohibits the court from issuing an order to restrict the relocation of a child solely for the purpose of allowing the grandparent or great-grandparent to petition for visitation.

60 23 Sec. 131. NEW SECTION . 514C.26 Autism spectrum disorders  
60 24 coverage.

CODE: Creates requirements for certain group health insurance policies, contracts, or plans to provide coverage for the diagnosis and treatment of autism spectrum disorder. The requirements are applicable only to State employee policies. Benefits are required for covered individuals under 21 years of age.

60 25 1. Notwithstanding the uniformity of treatment requirements  
60 26 of section 514C.6, a group plan established pursuant to chapter  
60 27 509A for employees of the state providing for third=party  
60 28 payment or prepayment of health, medical, and surgical coverage  
60 29 benefits shall provide coverage benefits to covered individuals  
60 30 under twenty=one years of age for the diagnostic assessment

The maximum coverage amount is not to exceed \$36,000 annually. An autism service provider that provides treatments must be certified



60 31 of autism spectrum disorders and for the treatment of autism  
60 32 spectrum disorders.

60 33 2. As used in this section, unless the context otherwise  
60 34 requires:

60 35 a. "Applied behavioral analysis" means the design,  
61 1 implementation, and evaluation of environmental modifications,  
61 2 using behavioral stimuli and consequences, to produce socially  
61 3 significant improvement in human behavior or to prevent loss  
61 4 of attained skill or function, including the use of direct  
61 5 observation, measurement, and functional analysis of the  
61 6 relations between environment and behavior.

61 7 b. "Autism service provider" means a person, or group  
61 8 providing treatment of autism spectrum disorders. An autism  
61 9 service provider that provides treatment of autism spectrum  
61 10 disorders that includes applied behavioral analysis shall  
61 11 be certified as a behavior analyst by the behavior analyst  
61 12 certification board or shall be a health professional licensed  
61 13 under chapter 147.

61 14 c. "Autism spectrum disorders" means any of the pervasive  
61 15 developmental disorders including autistic disorder, Asperger's  
61 16 disorder, and pervasive developmental disorders not otherwise  
61 17 specified. The commissioner, by rule, shall define "autism  
61 18 spectrum disorders" consistent with definitions provided in the  
61 19 most recent edition of the American psychiatric association's  
61 20 diagnostic and statistical manual of mental disorders, as such  
61 21 definitions may be amended from time to time. The commissioner  
61 22 may adopt the definitions provided in such manual by reference.

61 23 d. "Diagnostic assessment of autism spectrum disorders" means  
61 24 medically necessary assessment, evaluations, or tests performed  
61 25 by a licensed physician, licensed physician assistant, licensed  
61 26 psychologist, or licensed registered nurse practitioner to  
61 27 diagnose whether an individual has an autism spectrum disorder.

61 28 e. "Pharmacy care" means medications prescribed by a  
61 29 licensed physician, licensed physician assistant, or licensed  
61 30 registered nurse practitioner and any assessment, evaluation,  
61 31 or test prescribed or ordered by a licensed physician, licensed  
61 32 physician assistant, or licensed registered nurse practitioner

as a Behavioral Analyst by the Behavior Analyst Certification Board or must be a licensed health professional.

Coverage for the diagnosis and treatment of autism spectrum disorders is currently provided under the State of Iowa employee plan provisions in Code Section 514C.22. Under the proposed legislation, the definition of autism spectrum disorders and treatments is broadened to include applied behavior analysis.

FISCAL IMPACT: The estimated fiscal impact is a \$132,000 increase in General Fund expenditures for FY 2011 and subsequent fiscal years for the cost of additional claims. Section 83.2 of this Act appropriates \$140,000 from the Underground Storage Tank Fund to the DAS for costs associated with autism spectrum disorder coverage.

61 33 to determine the need for or effectiveness of such medications.

61 34 f. "Psychiatric care" means direct or consultative services  
61 35 provided by a licensed physician who specializes in psychiatry.

62 1 g. "Psychological care" means direct or consultative  
62 2 services provided by a licensed psychologist.

62 3 h. "Rehabilitative care" means professional services and  
62 4 treatment programs, including applied behavioral analysis,  
62 5 provided by an autism service provider to produce socially  
62 6 significant improvement in human behavior or to prevent loss  
62 7 of attained skill or function.

62 8 i. "Therapeutic care" means services provided by a licensed  
62 9 speech pathologist, licensed occupational therapist, or  
62 10 licensed physical therapist.

62 11 j. "Treatment of autism spectrum disorders" means treatment  
62 12 that is identified in a treatment plan and includes medically  
62 13 necessary pharmacy care, psychiatric care, psychological care,  
62 14 rehabilitative care, and therapeutic care that is one of the  
62 15 following:

62 16 (1) Prescribed, ordered, or provided by a licensed  
62 17 physician, licensed physician assistant, licensed psychologist,  
62 18 licensed social worker, or licensed registered nurse  
62 19 practitioner.

62 20 (2) Provided by an autism service provider.

62 21 (3) Provided by a person, entity, or group that works under  
62 22 the direction of an autism service provider.

62 23 k. "Treatment plan" means a plan for the treatment of  
62 24 autism spectrum disorders developed by a licensed physician or  
62 25 licensed psychologist pursuant to a comprehensive evaluation  
62 26 or reevaluation performed in consultation with the patient and  
62 27 the patient's representative.

62 28 3. Coverage is required pursuant to this section in a  
62 29 maximum benefit amount of not more than thirty=six thousand  
62 30 dollars per year but shall not be subject to any limits  
62 31 on the number of visits to an autism service provider for  
62 32 treatment of autism spectrum disorders. Beginning in 2014,  
62 33 the commissioner shall, on or before April 1 of each calendar  
62 34 year, publish an adjustment to the maximum benefit required

62 35 equal to the percentage change in the United States department  
63 1 of labor consumer price index for all urban consumers in the  
63 2 preceding year, and the published adjusted maximum benefit  
63 3 shall be applicable to group policies, contracts, or plans  
63 4 subject to this section that are issued or renewed on or after  
63 5 January 1 of the following calendar year. Payments made under  
63 6 a group plan subject to this section on behalf of a covered  
63 7 individual for treatment of a health condition unrelated to or  
63 8 distinguishable from the individual's autism spectrum disorder  
63 9 shall not be applied toward any maximum benefit established  
63 10 under this subsection.

63 11 4. Coverage required pursuant to this section shall be  
63 12 subject to copayment, deductible, and coinsurance provisions,  
63 13 and any other general exclusions or limitations of a group  
63 14 plan to the same extent as other medical or surgical services  
63 15 covered by the group plan.

63 16 5. Coverage required by this section shall be provided  
63 17 in coordination with coverage required for the treatment of  
63 18 autistic disorders pursuant to section 514C.22.

63 19 6. This section shall not be construed to limit benefits  
63 20 which are otherwise available to an individual under a group  
63 21 plan.

63 22 7. This section shall not be construed to require coverage  
63 23 by a group plan of any service solely based on inclusion of the  
63 24 service in an individualized education program. Consistent  
63 25 with federal or state law and upon consent of the parent or  
63 26 guardian of a covered individual, the treatment of autism  
63 27 spectrum disorders may be coordinated with any services  
63 28 included in an individualized education program. However,  
63 29 coverage for the treatment of autism spectrum disorders  
63 30 shall not be contingent upon coordination of services with an  
63 31 individualized education program.

63 32 8. This section shall not apply to accident=only,  
63 33 specified disease, short=term hospital or medical, hospital  
63 34 confinement indemnity, credit, dental, vision, Medicare  
63 35 supplement, long=term care, basic hospital and medical=surgical  
64 1 expense coverage as defined by the commissioner, disability

64 2 income insurance coverage, coverage issued as a supplement  
64 3 to liability insurance, workers' compensation or similar  
64 4 insurance, or automobile medical payment insurance, or  
64 5 individual accident and sickness policies issued to individuals  
64 6 or to individual members of a member association.

64 7 9. A plan established pursuant to chapter 509A for employees  
64 8 of the state may manage the benefits provided through common  
64 9 methods including but not limited to providing payment of  
64 10 benefits or providing care and treatment under a capitated  
64 11 payment system, prospective reimbursement rate system,  
64 12 utilization control system, incentive system for the use of  
64 13 least restrictive and costly levels of care, a preferred  
64 14 provider contract limiting choice of specific providers, or  
64 15 any other system, method, or organization designed to assure  
64 16 services are medically necessary and clinically appropriate.

64 17 10. An insurer may review a treatment plan for treatment  
64 18 of autism spectrum disorders once every six months, subject to  
64 19 its utilization review requirements, including case management,  
64 20 concurrent review, and other managed care provisions. A more  
64 21 or less frequent review may be agreed upon by the insured and  
64 22 the licensed physician or licensed psychologist developing the  
64 23 treatment plan.

64 24 11. For the purposes of this section, the results of a  
64 25 diagnostic assessment of autism spectrum disorder shall be  
64 26 valid for a period of not less than twelve months, unless a  
64 27 licensed physician or licensed psychologist determines that a  
64 28 more frequent assessment is necessary.

64 29 12. The commissioner shall adopt rules pursuant to chapter  
64 30 17A to implement and administer this section.

64 31 13. This section applies to plans established pursuant to  
64 32 chapter 509A for employees of the state that are delivered,  
64 33 issued for delivery, continued, or renewed in this state on or  
64 34 after January 1, 2011.

64 35 Sec. 132. Section 729.6, subsection 1, Code 2009, is amended  
65 1 by adding the following new paragraph:  
65 2 NEW PARAGRAPH . OOb. "Genetic services" means the same as

CODE: Defines the term "genetic services" to mean the same as  
defined in the United States Code (U.S.C.). This includes genetic  
testing, genetic counseling, and genetic education.

65 3 defined in 29 U.S.C. 1191b(d)(8).

65 4 Sec. 133. Section 729.6, subsection 1, paragraph c, Code  
65 5 2009, as amended by 2010 Iowa Acts, Senate File 2215, if  
65 6 enacted, is amended to read as follows:

65 7 c. "Genetic testing" means the same as genetic test as  
65 8 defined in 29 U.S.C. 1191b(d)(7). "Genetic testing" does not  
65 9 mean routine physical measurement, a routine chemical, blood,  
65 10 or urine analysis, a biopsy, an autopsy, or clinical specimen  
65 11 obtained solely for the purpose of conducting an immediate  
65 12 clinical or diagnostic test to detect an existing disease,  
65 13 illness, impairment, or disorder, or a test for drugs or for  
65 14 human immunodeficiency virus infections.

CODE: Specifies that genetic testing does not include the routine physical measurement of certain medical tests relating to the Code Chapter pertaining to the infringement of individual rights.

65 15 Sec. 134. 2010 Iowa Acts, House File 2526, section 11,  
65 16 subsection 24, paragraph b, relating to the medical assistance  
65 17 waiver for the Iowa family planning network, if enacted, is  
65 18 amended to read as follows:

65 19 b. Implementation of this subsection is contingent upon  
65 20 approval of the medical assistance waiver for the Iowa family  
65 21 planning network by the centers for Medicare and Medicaid  
65 22 services of the United States department of health and human  
65 23 services ~~and upon availability of funding as determined by the~~  
65 24 ~~director of the department of human services .~~

CODE: Eliminates the requirement that the DHS Director determine funding availability before expanding the Medicaid Family Planning Waiver to 300.0% of the federal poverty level and to age 54.

DETAIL: The Waiver expansion will go into effect in FY 2012.

65 25 Sec. 135. 2010 Iowa Acts, Senate File 2378, section 15, if  
65 26 enacted, is amended to read as follows:

65 27 SEC. 15. GAMING ENFORCEMENT. There is appropriated from the  
65 28 gaming enforcement revolving fund created in section 80.43 to  
65 29 the department of public safety for the fiscal year beginning  
65 30 July 1, 2010, and ending June 30, 2011, the following amount,  
65 31 or so much thereof as is necessary, to be used for the purposes  
65 32 designated:

65 33 For any direct and indirect support costs for agents  
65 34 and officers of the division of criminal investigation's  
65 35 excursion gambling boat, gambling structure, and racetrack  
66 1 enclosure enforcement activities, including salaries, support,

CODE: Increases the appropriation from the Gaming Enforcement Revolving Fund to the Division of Criminal Investigation of the Department of Public Safety (DPS) by \$463,531 for FY 2011.

DETAIL: The DPS will bill the gaming industry for the increased cost and the proceeds will be deposited in the Gaming Enforcement Revolving Fund.

66 2 maintenance, miscellaneous purposes, and for not more than the  
 66 3 following full-time equivalent positions:  
 66 4 ..... \$ ~~8,851,775~~  
 66 5 9,315,306  
 66 6 ..... FTEs 115.00

66 7 However, for each additional license to conduct gambling  
 66 8 games on an excursion gambling boat, gambling structure, or  
 66 9 racetrack enclosure issued during the period beginning July 1,  
 66 10 2009, through June 30, 2011, there is appropriated from the  
 66 11 gaming enforcement fund to the department of public safety for  
 66 12 the fiscal year beginning July 1, 2010, and ending June 30,  
 66 13 2011, an additional amount of not more than \$521,000 to be  
 66 14 used for not more than 6.00 additional full-time equivalent  
 66 15 positions.

Provides a contingent appropriation from the Gaming Enforcement Revolving Fund of \$521,000 and 6.00 FTE positions to the DPS in the event additional gaming licenses are issued during FY 2011.

DETAIL: The DPS will bill the gaming industry for the increased cost and the proceeds will be deposited in the Gaming Enforcement Revolving Fund.

66 16 Sec. 136. REPEAL. 2010 Iowa Acts, House File 2525, section  
 66 17 6, is repealed.

CODE: Repeals the requirement specified in HF 2525 (FY 2011 Agriculture and Department of Natural Resources Appropriations Act) that the DNR increase the number of volunteer and intern programs at State parks.

66 18 Sec. 137. EFFECTIVE UPON ENACTMENT AND RETROACTIVE  
 66 19 APPLICABILITY. The provision of this division of this Act  
 66 20 amending section 155A.6A, subsection 3, being deemed of  
 66 21 immediate importance, takes effect upon enactment and applies  
 66 22 retroactively to January 1, 2010.

Section 112 regarding pharmacy technicians is effective on enactment and retroactive to January 1, 2010.

66 23 Sec. 138. EFFECTIVE UPON ENACTMENT. This provision of this  
 66 24 division of this Act amending section 155A.6A, being deemed of  
 66 25 immediate importance, takes effect upon enactment.

Section 112 is effective on enactment.

66 26 Sec. 139. EFFECTIVE UPON ENACTMENT. The provision of this  
 66 27 division of this Act appropriating moneys from the general  
 66 28 fund of the state to the department of management and to the  
 66 29 department of revenue for fiscal year 2009=2010, being deemed  
 66 30 of immediate importance, takes effect upon enactment.

Section 84 is effective on enactment.

PG LN	House File 2531	Explanation
66 31	Sec. 140. EFFECTIVE UPON ENACTMENT AND RETROACTIVE	Section 111 regarding class E liquor licenses is effective on enactment and retroactive to March 10, 2010.
66 32	APPLICABILITY. The provision of this division of this	
66 33	Act amending section 123.30, subsection 3, paragraph "e",	
66 34	subparagraph (1), being deemed of immediate importance, takes	
66 35	effect upon enactment, and is retroactively applicable to March	
67 1	10, 2010.	
67 2	Sec. 141. EFFECTIVE DATE. The provision of this division of	Section 125 regarding the State Debt Coordinator is effective January 1, 2011.
67 3	this Act amending section 421.3, if enacted by 2010 Iowa Acts,	
67 4	Senate File 2383, takes effect on the effective date of section	
67 5	421C.3.	
67 6	Sec. 142. EFFECTIVE DATE AND APPLICABILITY. The section of	Section 106 regarding Iowa Power Fund grants and loans is effective on enactment and applies to grants and loans approved on, before, and after the effective date.
67 7	this division of this Act enacting section 469.9, subsection	
67 8	4A, being deemed of immediate importance, takes effect upon	
67 9	enactment, and applies to grants or loans approved on, before,	
67 10	and after the effective date of the section.	
67 11	DIVISION VIII	
67 12	BICYCLES	
67 13	Sec. 143. <u>NEW SECTION</u> . 321.281 Actions against bicyclists.	CODE: Specifies that bicyclists are protected from specific motor vehicle actions and projectiles. Persons in violation of this Section are subject to a scheduled fine of \$250.
67 14	1. A person operating a motor vehicle shall not steer the	
67 15	motor vehicle unreasonably close to or toward a person riding	
67 16	a bicycle on a highway, including the roadway or the shoulder	
67 17	adjacent to the roadway.	
67 18	2. A person shall not knowingly project any object or	CODE: Individuals that violate Code Section 321.281 by steering unreasonably close or throwing things at a bicyclist are guilty of a scheduled violation and required to pay a fine of \$250.
67 19	substance at or against a person riding a bicycle on a highway.	
67 20	3. A person who violates this section commits a simple	
67 21	misdemeanor punishable as a scheduled violation under section	
67 22	805.8A, subsection 14, paragraph "k".	
67 23	Sec. 144. Section 805.8A, subsection 14, Code Supplement	
67 24	2009, is amended by adding the following new paragraph:	
67 25	<u>NEW PARAGRAPH</u> . k. Actions against a person on a bicycle.	
67 26	For violations under section 321.281 the scheduled fine is two	
67 27	hundred fifty dollars.	

67 28 DIVISION IX  
67 29 RENEWABLE FUELS AND COPRODUCTS

67 30 Sec. 145. Section 159A.6, subsection 1, Code Supplement  
67 31 2009, is amended to read as follows:  
67 32 1. The office shall support education regarding, and  
67 33 promotion and advertising of, renewable fuels and coproducts.  
67 34 The office shall consult with the petroleum marketers  
67 35 and convenience stores of Iowa, the Iowa renewable fuels  
68 1 association, the Iowa corn growers association, and the Iowa  
68 2 soybean association.

CODE: Requires the Office of Renewable Fuels and Coproducts to consult with the petroleum marketers and convenience stores of Iowa regarding promotion and advertising of renewable fuels and coproducts.

68 3 DIVISION X  
68 4 IDENTIFICATION OF WORKER MISCLASSIFICATION

68 5 Sec. 146. Section 421.17, Code 2009, is amended by adding  
68 6 the following new subsection:  
68 7 NEW SUBSECTION . 31. If the director has reason to believe,  
68 8 as a result of an investigation or audit, that a taxpayer may  
68 9 have misclassified workers, then to assist the department of  
68 10 workforce development, the director is authorized to provide  
68 11 to the department of workforce development the following  
68 12 confidential information with respect to such a taxpayer:  
68 13 a. Withholding and payroll tax information.  
68 14 b. The taxpayer's identity, including taxpayer  
68 15 identification number and date of birth.  
68 16 c. The results or most recent status of the audit or  
68 17 investigation.

CODE: Permits the Department of Revenue and the Department of Workforce Development to share certain taxpayer information for the purposes of identifying misclassified workers.

68 18 Sec. 147. Section 422.20, subsection 3, paragraph a, Code  
68 19 2009, is amended to read as follows:  
68 20 a. Unless otherwise expressly permitted by section 8A.504,  
68 21 section 96.11, subsection 6, section 421.17, subsections 22,  
68 22 23, and 26, and 31, sections 252B.9, 321.120, 421.19, 421.28,  
68 23 422.72, and 452A.63, and this section, a tax return, return  
68 24 information, or investigative or audit information shall not  
68 25 be divulged to any person or entity, other than the taxpayer,

CODE: Conforming change to authorize the Department of Revenue to provide the Department of Workforce Development with information related to misclassified workers and unemployment compensation that would otherwise be confidential.



68 26 the department, or internal revenue service for use in a matter  
68 27 unrelated to tax administration.

68 28 Sec. 148. Section 422.72, subsection 3, paragraph a, Code  
68 29 2009, is amended to read as follows:  
68 30 a. Unless otherwise expressly permitted by section 8A.504,  
68 31 section 96.11, subsection 6, section 421.17, subsections 22,  
68 32 23, ~~and 26~~, and 31, sections 252B.9, 321.120, 421.19, 421.28,  
68 33 422.20, and 452A.63, and this section, a tax return, return  
68 34 information, or investigative or audit information shall not  
68 35 be divulged to any person or entity, other than the taxpayer,  
69 1 the department, or internal revenue service for use in a matter  
69 2 unrelated to tax administration.

CODE: Conforming change to authorize the Department of Revenue to provide the Department of Workforce Development with information related to misclassified workers and unemployment compensation that would otherwise be confidential.

69 3 Sec. 149. EFFECTIVE UPON ENACTMENT. This division of this  
69 4 Act, being deemed of immediate importance, takes effect upon  
69 5 enactment.

Division X is effective on enactment.

69 6 DIVISION XI  
69 7 PUBLIC SAFETY ADVISORY BOARD

69 8 Sec. 150. DEPARTMENT OF HUMAN RIGHTS == DIVISION OF CRIMINAL  
69 9 AND JUVENILE JUSTICE PLANNING. There is appropriated from the  
69 10 Iowa comprehensive petroleum underground storage tank fund  
69 11 established in section 455G.3 to the department of human rights  
69 12 for the fiscal year beginning July 1, 2010, and ending June 30,  
69 13 2011, the following amount, or so much thereof as is necessary,  
69 14 to be used for the purposes designated, notwithstanding section  
69 15 455G.3, subsection 1:  
69 16 For the division of criminal and juvenile justice planning,  
69 17 including salaries, support, maintenance, miscellaneous  
69 18 purposes, and for not more than the following full-time  
69 19 equivalent positions for the public safety advisory board  
69 20 established in section 216A.133A:  
69 21 ..... \$ 140,000  
69 22 ..... FTEs 2.00

CODE: Underground Storage Tank Fund appropriation to the Criminal and Juvenile Justice Planning Division of the Department of Human Rights to implement the duties of the Public Safety Advisory Board.

DETAIL: The Public Safety Advisory Board is created in this Division of this Act.

69 23 Sec. 151. Section 216A.131, Code 2009, is amended by adding  
69 24 the following new subsection:  
69 25 NEW SUBSECTION . 1A. "Board" means the public safety  
69 26 advisory board.

CODE: Defines the Public Safety Advisory Board.

69 27 Sec. 152. Section 216A.132, Code 2009, is amended to read  
69 28 as follows:  
69 29 216A.132 Council established == terms == compensation.  
69 30 1. A criminal and juvenile justice planning advisory  
69 31 council is established consisting of twenty=three members.  
69 32 a. The governor shall appoint seven members each for a  
69 33 four=year term beginning and ending as provided in section  
69 34 69.19 and subject to confirmation by the senate as follows:  
69 35 (1) Three persons, each of whom is a county supervisor,  
70 1 county sheriff, mayor, ~~city chief of police, or county~~  
70 2 ~~attorney~~ nonsupervisory police officer, or a chief of police of  
70 3 a department with less than eleven police officers .  
70 4 ~~(2) Two persons who represent the general public and are~~  
70 5 ~~not employed in any law enforcement, judicial, or corrections~~  
70 6 ~~capacity.~~  
70 7 ~~(3)~~ (2) Two persons who are knowledgeable about Iowa's  
70 8 juvenile justice system.  
70 9 (3) One person who represents the general public and is  
70 10 not employed in any law enforcement, judicial, or corrections  
70 11 capacity.  
70 12 (4) One person who is either a crime victim, or who  
70 13 represents a crime victim organization.  
70 14 b. The departments of human services, corrections, and  
70 15 public safety, the division on the status of African=Americans,  
70 16 the ~~Iowa~~ department of public health, the chairperson of  
70 17 the board of parole, the attorney general, the state public  
70 18 defender, and the governor's office of drug control policy, ~~and~~  
70 19 ~~the chief justice of the supreme court~~ shall each designate a  
70 20 person to serve on the council. ~~The person appointed by the~~  
70 21 ~~Iowa department of public health shall be from the departmental~~  
70 22 ~~staff who administer the comprehensive substance abuse program~~  
70 23 ~~under chapter 125.~~

CODE: Amends the membership of the Criminal and Juvenile Justice Advisory Council.

70 24 c. The chief justice of the supreme court shall ~~appoint~~  
70 25 ~~two additional members currently serving as district~~  
70 26 ~~judges~~ designate one member who is a district judge and one  
70 27 member who is either a district associate judge or associate  
70 28 juvenile judge . ~~Two members of the senate and two members of~~  
70 29 ~~the house of representatives shall be ex officio members and~~  
70 30 ~~shall be appointed by the majority and minority leaders of~~  
70 31 ~~the senate and the speaker and minority leader of the house~~  
70 32 ~~of representatives pursuant to section 69.16 and shall serve~~  
70 33 ~~terms as provided in section 69.16B. The chairperson and~~  
70 34 ~~ranking member of the senate committee on judiciary shall be~~  
70 35 ~~members. In alternating four=year intervals, the chairperson~~  
71 1 ~~and ranking member of the house committee on judiciary or of~~  
71 2 ~~the house committee on public safety shall be members, with the~~  
71 3 ~~chairperson and ranking member of the house committee on public~~  
71 4 ~~safety serving during the initial interval. Nonlegislative~~  
71 5 members appointed pursuant to this paragraph shall serve for  
71 6 four=year terms beginning and ending as provided in section  
71 7 69.19 unless the member ceases to serve as a district court  
71 8 judge.

71 9 d. The Iowa county attorneys association shall designate a  
71 10 person to serve on the council.

71 11 2. Members of the council shall receive reimbursement from  
71 12 the state for actual and necessary expenses incurred in the  
71 13 performance of their official duties. Members may also be  
71 14 eligible to receive compensation as provided in section 7E.6.

71 15 Sec. 153. Section 216A.133, subsection 1, Code 2009, is  
71 16 amended to read as follows:  
71 17 1. Identify issues and analyze the operation and impact  
71 18 of present criminal and juvenile justice policy and make  
71 19 recommendations for policy changes ~~, including recommendations~~  
71 20 ~~pertaining to efforts to curtail criminal gang activity .~~

71 21 Sec. 154. Section 216A.133, Code 2009, is amended by adding  
71 22 the following new subsections:  
71 23 NEW SUBSECTION . 8. Determine members of the public safety

CODE: Eliminates the requirement that the Criminal and Juvenile Justice Advisory Council make recommendations relating to criminal gang activity.

CODE: Defines the duties of the Criminal and Juvenile Justice Advisory Council, including the creation of the Public Safety Advisory Board.

71 24 advisory board pursuant to section 216A.133A.  
71 25 NEW SUBSECTION . 9. Coordinate with the administrator to  
71 26 develop and make recommendations to the department director  
71 27 pursuant to section 216A.2.  
71 28 NEW SUBSECTION . 10. Serve as a liaison between the general  
71 29 public and the division.  
71 30 NEW SUBSECTION . 11. Establish advisory committees to study  
71 31 special issues.

71 32 Sec. 155. NEW SECTION . 216A.133A Public safety advisory  
71 33 board == duties.  
71 34 1. A public safety advisory board is established whose  
71 35 membership shall be determined by the criminal and juvenile  
72 1 justice planning advisory council and shall consist of current  
72 2 members of the council. Any actions taken by the board shall  
72 3 be considered separate and distinct from the council.  
72 4 2. The purpose of the board is to provide the general  
72 5 assembly with an analysis of current and proposed criminal code  
72 6 provisions.  
72 7 3. The duties of the board shall consist of the following:  
72 8 a. Reviewing and making recommendations relating to current  
72 9 sentencing provisions. In reviewing such provisions the board  
72 10 shall consider the impact on all of the following:  
72 11 (1) Potential disparity in sentencing.  
72 12 (2) Truth in sentencing.  
72 13 (3) Victims.  
72 14 (4) The proportionality of specific sentences.  
72 15 (5) Sentencing procedures.  
72 16 (6) Costs associated with the implementation of criminal  
72 17 code provisions, including costs to the judicial branch,  
72 18 department of corrections, and judicial district departments  
72 19 of correctional services, costs for representing indigent  
72 20 defendants, and costs incurred by political subdivisions of the  
72 21 state.  
72 22 (7) Best practices related to the department of corrections  
72 23 including recidivism rates, safety and efficient use of  
72 24 correctional staff, and compliance with correctional standards

CODE: Defines the duties of the Public Safety Advisory Board.

72 25 set by the federal government and other jurisdictions.  
72 26 (8) Best practices related to the Iowa child death review  
72 27 team established in section 135.43 and the Iowa domestic abuse  
72 28 death review team established in section 135.109.  
72 29 b. Reviewing and making recommendations relating to proposed  
72 30 legislation, in accordance with paragraph "a", as set by rule  
72 31 by the general assembly or as requested by the executive or  
72 32 judicial branch proposing such legislation.  
72 33 c. Providing expertise and advice to the legislative  
72 34 services agency, the department of corrections, the  
72 35 judicial branch, and others charged with formulating fiscal,  
73 1 correctional, or minority impact statements.  
73 2 d. Reviewing data supplied by the division, the department  
73 3 of management, the legislative services agency, the Iowa  
73 4 supreme court, and other departments or agencies for the  
73 5 purpose of determining the effectiveness and efficiency of the  
73 6 collection of such data.  
73 7 4. The board may call upon any department, agency, or office  
73 8 of the state, or any political subdivision of the state, for  
73 9 information or assistance as needed in the performance of its  
73 10 duties. The information or assistance shall be furnished to  
73 11 the extent that it is within the resources and authority of  
73 12 the department, agency, office, or political subdivision.  
73 13 This section does not require the production or opening of  
73 14 any records which are required by law to be kept private or  
73 15 confidential.  
73 16 5. The board shall report to the legislative government  
73 17 oversight committee all sources of funding by December 1 of  
73 18 each year.  
73 19 6. Membership on the board shall be bipartisan as provided  
73 20 in section 69.16 and gender balanced as provided in section  
73 21 69.16A.  
73 22 7. Meetings of the board shall be open to the public as  
73 23 provided in chapter 21.  
73 24 8. Members of the board shall receive reimbursement from  
73 25 the state for actual and necessary expenses incurred in the  
73 26 performance of their official duties. Members may also be

73 27 eligible to receive compensation as provided in section 7E.6.

73 28 Sec. 156. Section 216A.135, unnumbered paragraph 1, Code  
73 29 2009, is amended to read as follows:

73 30 Beginning in 1989, and every five years thereafter, the  
73 31 division shall develop a twenty=year criminal and juvenile  
73 32 justice plan for the state which shall include ten=year,  
73 33 fifteen=year, and twenty=year goals and a comprehensive  
73 34 five=year plan for criminal and juvenile justice programs.  
73 35 The five=year plan shall be updated annually and each  
74 1 twenty=year plan and annual updates of the five=year plan  
74 2 shall be submitted to the governor and the general assembly by  
74 3 ~~February~~ December 1.

CODE: Changes the due date for the Criminal and Juvenile Justice Plan from February to December 1.

74 4 Sec. 157. APPOINTMENTS TO CRIMINAL AND JUVENILE JUSTICE  
74 5 PLANNING ADVISORY COUNCIL. The applicable provisions of  
74 6 chapter 69 shall apply to vacant positions on the criminal and  
74 7 juvenile justice planning advisory council occurring on or  
74 8 after July 1, 2010.

Requires vacancies on the Criminal and Juvenile Justice Planning Advisory Council to be filled pursuant to Code Chapter 69.

74 9 DIVISION XII  
74 10 INCOME TAX CHECKOFFS

74 11 Sec. 158. Section 235A.2, subsection 1, Code 2009, is  
74 12 amended to read as follows:  
74 13 1. A child abuse prevention program fund is created in  
74 14 the state treasury under the control of the department of  
74 15 human services. The fund is composed of moneys appropriated  
74 16 or available to and obtained or accepted by the treasurer of  
74 17 state for deposit in the fund. The fund shall include moneys  
74 18 transferred to the fund as provided in section ~~422.12K~~ 422.12F .  
74 19 All interest earned on moneys in the fund shall be credited to  
74 20 and remain in the fund. Section 8.33 does not apply to moneys  
74 21 in the fund.

CODE: Reauthorizes the Child Abuse Prevention Program Fund.

74 22 Sec. 159. NEW SECTION . 422.12F Income tax checkoff for  
74 23 child abuse prevention program fund.

CODE: Reauthorizes the income tax checkoff for the Child Abuse Prevention Program Fund.

74 24 1. A person who files an individual or a joint income tax  
74 25 return with the department of revenue under section 422.13 may  
74 26 designate one dollar or more to be paid to the child abuse  
74 27 prevention program fund created in section 235A.2. If the  
74 28 refund due on the return or the payment remitted with the  
74 29 return is insufficient to pay the additional amount designated  
74 30 by the taxpayer to the child abuse prevention program fund,  
74 31 the amount designated shall be reduced to the remaining amount  
74 32 remitted with the return. The designation of a contribution  
74 33 to the child abuse prevention program fund under this section  
74 34 is irrevocable.

74 35 2. The director of revenue shall draft the income tax form  
75 1 to allow the designation of contributions to the child abuse  
75 2 prevention program fund on the tax return. The department of  
75 3 revenue, on or before January 31, shall transfer the total  
75 4 amount designated on the tax return forms due in the preceding  
75 5 calendar year to the child abuse prevention program fund.  
75 6 However, before a checkoff pursuant to this section shall be  
75 7 permitted, all liabilities on the books of the department of  
75 8 administrative services and accounts identified as owing under  
75 9 section 8A.504 and the political contribution allowed under  
75 10 section 68A.601 shall be satisfied.

75 11 3. The department of human services may authorize payment  
75 12 of moneys from the child abuse prevention program fund, in  
75 13 accordance with section 235A.2.

75 14 4. The department of revenue shall adopt rules to administer  
75 15 this section.

75 16 5. This section is subject to repeal under section 422.12E.

75 17 Sec. 160. NEW SECTION . 422.12G Joint income tax refund  
75 18 checkoff for veterans trust fund and volunteer fire fighter  
75 19 preparedness fund.

75 20 1. A person who files an individual or a joint income tax  
75 21 return with the department of revenue under section 422.13 may  
75 22 designate one dollar or more to be paid jointly to the veterans  
75 23 trust fund created in section 35A.13 and to the volunteer fire  
75 24 fighter preparedness fund created in section 100B.13. If the

CODE: Reauthorizes the joint income tax refund checkoff for the  
Veterans Trust Fund and the Volunteer Fire Fighter Preparedness  
Fund.

75 25 refund due on the return or the payment remitted with the  
75 26 return is insufficient to pay the additional amount designated  
75 27 by the taxpayer, the amount designated shall be reduced to the  
75 28 remaining amount of refund or the remaining amount remitted  
75 29 with the return. The designation of a contribution under this  
75 30 section is irrevocable.

75 31 2. The director of revenue shall draft the income tax form  
75 32 to allow the designation of contributions to the veterans trust  
75 33 fund and to the volunteer fire fighter preparedness fund as  
75 34 one checkoff on the tax return. The department of revenue,  
75 35 on or before January 31, shall transfer one-half of the total  
76 1 amount designated on the tax return forms due in the preceding  
76 2 calendar year to the veterans trust fund and the remaining  
76 3 one-half to the volunteer fire fighter preparedness fund.  
76 4 However, before a checkoff pursuant to this section shall be  
76 5 permitted, all liabilities on the books of the department of  
76 6 administrative services and accounts identified as owing under  
76 7 section 8A.504 and the political contribution allowed under  
76 8 section 68A.601 shall be satisfied.

76 9 3. The department of revenue shall adopt rules to administer  
76 10 this section.

76 11 4. This section is subject to repeal under section 422.12E.

76 12 Sec. 161. REPEAL. Section 422.12L, Code 2009, is repealed.

CODE: Technical correction regarding the joint income tax refund checkoff for the Veterans Trust Fund and the Volunteer Fire Fighter Preparedness Fund.

76 13 Sec. 162. REPEAL. Section 422.12K, Code Supplement 2009,  
76 14 is repealed.

CODE: Technical correction pertaining to the income tax checkoff for the Child Abuse Prevention Program Fund.

76 15 Sec. 163. RETROACTIVE APPLICABILITY. This division of this  
76 16 Act applies retroactively to January 1, 2010, for tax years  
76 17 beginning on or after that date.

Division XII is effective retroactively to January 1, 2010.

76 18 DIVISION XIII

76 19 WINE



76 20 Sec. 164. Section 123.183, Code 2009, is amended to read as  
76 21 follows:

76 22 123.183 Wine gallonage tax and related funds.

76 23 1. In addition to the annual permit fee to be paid by each  
76 24 class "A" wine permittee, a wine gallonage tax shall be levied  
76 25 and collected from each class "A" wine permittee on all wine  
76 26 manufactured for sale and sold in this state at wholesale and  
76 27 on all wine imported into this state for sale at wholesale and  
76 28 sold in this state at wholesale. A wine gallonage tax shall  
76 29 also be levied and collected on the direct shipment of wine  
76 30 pursuant to section 123.187. The rate of the wine gallonage  
76 31 tax is one dollar and seventy-five cents for each wine gallon.  
76 32 The same rate shall apply for the fractional parts of a  
76 33 wine gallon. The wine gallonage tax shall not be levied or  
76 34 collected on wine sold by one class "A" wine permittee to  
76 35 another class "A" wine permittee.

77 1 2. a. Revenue collected from the wine gallonage tax on  
77 2 wine manufactured for sale and sold in this state, and on wine  
77 3 subject to direct shipment as provided in section 123.187  
77 4 by a wine manufacturer licensed or permitted pursuant to  
77 5 laws regulating alcoholic beverages in this state, shall be  
77 6 deposited in the wine gallonage tax fund as created in this  
77 7 section.

77 8 b. A wine gallonage tax fund is created in the office  
77 9 of the treasurer of state. Moneys deposited in the fund  
77 10 are appropriated to the department of economic development  
77 11 as provided in section 15E.117. Moneys in the fund are not  
77 12 subject to section 8.33.

77 13 3. The revenue collected from the wine gallonage tax on  
77 14 wine imported into this state for sale at wholesale and sold in  
77 15 this state at wholesale, and on wine subject to direct shipment  
77 16 as provided in section 123.187 by a wine manufacturer licensed  
77 17 or permitted pursuant to laws regulating alcoholic beverages  
77 18 in another state, shall be deposited in the beer and liquor  
77 19 control fund created in section 123.53.

77 20 Sec. 165. Section 123.187, subsection 4, as enacted by 2010

CODE: Requires the wine gallonage tax of \$1.75 per gallon to be levied on wine that is shipped direct to a consumer and is not for resale.

Requires the revenue collected from the wine gallonage tax for shipment in Iowa to be deposited in the Wine Gallonage Tax Fund. Proceeds of Wine Gallonage Tax Fund are appropriated to the Department of Economic Development for the sole purpose of promoting Iowa beer and wine.

Requires the revenue collected from the wine gallonage tax for shipment to another state to be deposited in the Beer and Liquor Control Fund.

FISCAL IMPACT: The tax is estimated to generate \$200,000 annually in revenue to the Wine Gallonage Tax Fund.

CODE: Requires a direct shipper licensee to remit the wine gallonage

77 21 Iowa Acts, Senate File 2088, section 100, is amended to read  
77 22 as follows:

77 23 4. a. In addition to the annual license fee, a wine  
77 24 direct shipper licensee shall remit to the division an amount  
77 25 equivalent to the wine gallonage tax on wine subject to direct  
77 26 shipment at the rate specified in section 123.183 for deposit  
77 27 as provided in section 123.183, subsections 2 and 3. The  
77 28 amount shall be remitted at the same time and in the same  
77 29 manner as provided in section 123.184, and the ten percent  
77 30 penalty specified therein shall be applicable.  
77 31 b. Shipment of wine pursuant to this subsection does not  
77 32 require a refund value for beverage container control purposes  
77 33 under chapter 455C.

77 34 DIVISION XIV

77 35 MEDICATION THERAPY MANAGEMENT

78 1 Sec. 166. MEDICATION THERAPY MANAGEMENT == PILOT==  
78 2 REPEAL.

78 3 1. As used in this section unless the context otherwise  
78 4 requires:

78 5 a. "Eligible employee" means an employee of the state, with  
78 6 the exception of an employee of the state board of regents or  
78 7 institutions under the state board of regents, for whom group  
78 8 health plans are established pursuant to chapter 509A providing  
78 9 for third-party payment or prepayment for health or medical  
78 10 expenses.

78 11 b. "Medication therapy management" means a systematic  
78 12 process performed by a licensed pharmacist, designed to  
78 13 optimize therapeutic outcomes through improved medication use  
78 14 and reduced risk of adverse drug events, including all of the  
78 15 following services:

78 16 (1) A medication therapy review and in-person consultation  
78 17 relating to all medications, vitamins, and herbal supplements  
78 18 currently being taken by an eligible individual.

78 19 (2) A medication action plan, subject to the limitations  
78 20 specified in this section, communicated to the individual and

tax to the Alcoholic Beverages Division.

Establishes a pilot program for the State employee health pool for medication therapy management. Defines medication therapy management as a systematic process performed by a licensed pharmacist, designed to optimize therapeutic outcomes through improved medication use and reduced risk of adverse drug events including:

- A review of all medications, vitamins, and supplements being taken by an eligible individual.
- A medication action plan communicated to the individual and the individual's primary health physician. The action plan may include recommendations to the prescriber for drug therapy.
- Documentation and follow-up to ensure consistent levels of pharmacy services and positive outcomes.

Requires the DAS to use a request for proposal process for a provider for medication therapy management services for State employees meeting certain criteria. Excludes employees of the Board of Regents. Requires DAS to utilize an advisory committee comprised of physicians and pharmacists to provide advice and oversight regarding the request for proposals and the evaluation process.

78 21 the individual's primary care physician or other appropriate  
78 22 prescriber to address safety issues, inconsistencies,  
78 23 duplicative therapy, omissions, and medication costs. The  
78 24 medication action plan may include recommendations to the  
78 25 prescriber for changes in drug therapy.  
78 26 (3) Documentation and follow-up to ensure consistent levels  
78 27 of pharmacy services and positive outcomes.  
78 28 2. a. Prior to July 1, 2010, the department of  
78 29 administrative services shall utilize a request for proposals  
78 30 process to contract for the provision of medication therapy  
78 31 management services beginning July 1, 2010, for eligible  
78 32 employees who meet any of the following criteria:  
78 33 (1) An individual who takes four or more prescription drugs  
78 34 to treat or prevent two or more chronic medical conditions.  
78 35 (2) An individual with a prescription drug therapy problem  
79 1 who is identified by the prescribing physician or other  
79 2 appropriate prescriber, and referred to a pharmacist for  
79 3 medication therapy management services.  
79 4 (3) An individual who meets other criteria established by  
79 5 the third-party payment provider contract, policy, or plan.  
79 6 b. The department of administrative services shall  
79 7 utilize an advisory committee comprised of an equal number of  
79 8 physicians and pharmacists to provide advice and oversight  
79 9 regarding the request for proposals and evaluation processes.  
79 10 The department shall appoint the members of the advisory  
79 11 council based upon designees of the Iowa pharmacy association,  
79 12 the Iowa medical society, and the Iowa osteopathic medical  
79 13 association.  
79 14 c. The contract shall require the company to provide annual  
79 15 reports to the general assembly detailing the costs, savings,  
79 16 estimated cost avoidance and return on investment, and patient  
79 17 outcomes related to the medication therapy management services  
79 18 provided. The company shall guarantee demonstrated annual  
79 19 savings, including any savings associated with cost avoidance  
79 20 at least equal to the program's costs with any shortfall amount  
79 21 refunded to the state. As a proof of concept in the program  
79 22 for the period beginning July 1, 2010, and ending June 30,

Requires the company that administers the pilot program to provide reports to the General Assembly concerning costs, savings, estimated cost avoidance, and return on investment.

Requires the company to guarantee annual estimated cost avoidance at least equal to the Program's cost with any shortfall amount being refunded to the State. The company must offer a dollar for dollar guarantee for drug product cost savings for FY 2011. The DAS and the company will agree to terms, conditions, and measurement standards associated with the demonstrated savings.

This Section is repealed December 31, 2011.

NOTE: Section 167 appropriates \$543,000 to the DAS for costs associated with implementing the Medication Therapy Management Program. This Division is effective on enactment.

79 23 2011, the company shall offer a dollar=for=dollar guarantee for  
79 24 drug product costs savings alone. Prior to entering into a  
79 25 contract with a company, the department and the company shall  
79 26 agree on the terms, conditions, and applicable measurement  
79 27 standards associated with the demonstration of savings. The  
79 28 department shall verify the demonstrated savings reported by  
79 29 the company was performed in accordance with the agreed upon  
79 30 measurement standards. The company shall be prohibited from  
79 31 using the company's employees to provide the medication therapy  
79 32 management services and shall instead be required to contract  
79 33 with licensed pharmacies, pharmacists, or physicians.

79 34 d. The fees for pharmacist=delivered medication therapy  
79 35 management services shall be separate from the reimbursement  
80 1 for prescription drug product or dispensing services; shall  
80 2 be determined by each third=party payment provider contract,  
80 3 policy, or plan; and must be reasonable based on the resources  
80 4 and time required to provide the service.

80 5 e. A fee shall be established for physician reimbursement  
80 6 for services delivered for medication therapy management as  
80 7 determined by each third=party payment provider contract,  
80 8 policy, or plan, and must be reasonable based on the resources  
80 9 and time required to provide the service.

80 10 f. If any part of the medication therapy management  
80 11 plan developed by a pharmacist incorporates services which  
80 12 are outside the pharmacist's independent scope of practice  
80 13 including the initiation of therapy, modification of dosages,  
80 14 therapeutic interchange, or changes in drug therapy, the  
80 15 express authorization of the individual's physician or other  
80 16 appropriate prescriber is required.

80 17 3. This section is repealed December 31, 2011.

80 18 Sec. 167. DEPARTMENT OF ADMINISTRATIVE SERVICES ==  
80 19 IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK  
80 20 FUND. There is appropriated from the Iowa comprehensive  
80 21 petroleum underground storage tank fund created in section  
80 22 455G.3 to the department of administrative services for the  
80 23 fiscal year beginning July 1, 2010, and ending June 30, 2011,

CODE: Underground Storage Tank Fund appropriation to the DAS for  
implementing the Medication Therapy Management Program.

80 24 the following amount, or so much thereof as is necessary, to be  
80 25 used for the purposes of this division, notwithstanding section  
80 26 455G.3, subsection 1:  
80 27 ..... \$ 543,000

80 28 Sec. 168. EFFECTIVE UPON ENACTMENT. This division of this  
80 29 Act, being deemed of immediate importance, takes effect upon  
80 30 enactment.

Division XIV is effective on enactment.

80 31 DIVISION XV  
80 32 IOWA COMPREHENSIVE PETROLEUM  
80 33 UNDERGROUND STORAGE TANK FUND

80 34 Sec. 169. Section 455B.474, subsection 1, paragraph d,  
80 35 subparagraph (2), unnumbered paragraph 1, Code Supplement 2009,  
81 1 is amended to read as follows:  
81 2 A site shall be classified as either high risk, low risk, or  
81 3 no action required as determined by a certified groundwater  
81 4 professional .

CODE: Requires a certified groundwater professional to determine the classification of an underground storage tank site.

81 5 Sec. 170. Section 455B.474, subsection 1, paragraph  
81 6 d, subparagraph (2), subparagraph division (a), unnumbered  
81 7 paragraph 1, Code Supplement 2009, is amended to read as  
81 8 follows:  
81 9 A site shall be considered high risk when ~~it is determined a~~  
81 10 certified groundwater professional determines that  
81 11 contamination from the site presents an unreasonable risk to  
81 12 public health and safety or the environment under any of the  
81 13 following conditions:

CODE: Requires a certified groundwater professional to determine the classification of an underground storage tank site.

81 14 Sec. 171. Section 455B.474, subsection 1, paragraph  
81 15 d, subparagraph (2), subparagraph division (b), unnumbered  
81 16 paragraph 1, Code Supplement 2009, is amended to read as  
81 17 follows:  
81 18 A site shall be considered low risk ~~under any of the~~  
81 19 ~~following conditions~~ when a certified groundwater professional  
81 20 determines that low risk conditions exist as follows :

CODE: Requires a certified groundwater professional to determine the classification of an underground storage tank site.

81 21 Sec. 172. Section 455B.474, subsection 1, paragraph d,  
81 22 subparagraph (2), subparagraph divisions (c) and (e), Code  
81 23 Supplement 2009, are amended to read as follows:  
81 24 (c) A site shall be considered no action required if and  
81 25 a no further action certificate shall be issued by the  
81 26 department when a certified groundwater professional determines  
81 27 that contamination is below action level standards and high or  
81 28 low risk conditions do not exist and are not likely to occur.  
81 29 (e) A site cleanup report which classifies a site as  
81 30 either high risk, low risk, or no action required shall be  
81 31 submitted by a groundwater professional to the department with  
81 32 a certification that the report complies with the provisions  
81 33 of this chapter and rules adopted by the department. The  
81 34 report shall be determinative of the appropriate classification  
81 35 of the site. ~~However, if the report is found to be~~ and the  
82 1 site shall be classified as indicated by the groundwater  
82 2 professional unless, within ninety days of receipt by the  
82 3 department, the department identifies material information  
82 4 in the report that is inaccurate or incomplete, and ~~if~~ based  
82 5 upon inaccurate or incomplete information in the report  
82 6 the risk classification of the site cannot be reasonably  
82 7 determined by the department based upon industry standards ,  
82 8 ~~the department shall~~ . If the department determines that the  
82 9 site cleanup report is inaccurate or incomplete, the department  
82 10 shall notify the groundwater professional of the inaccurate  
82 11 or incomplete information within ninety days of receipt of  
82 12 the report and shall work with the groundwater professional  
82 13 to obtain ~~the~~ correct information or additional information  
82 14 necessary to appropriately classify the site. However, from  
82 15 July 1, 2010, through June 30, 2011, the department shall have  
82 16 one hundred twenty days to notify the certified groundwater  
82 17 professional when a report is not accepted based on material  
82 18 information that is found to be inaccurate or incomplete. A  
82 19 groundwater professional who knowingly or intentionally makes  
82 20 a false statement or misrepresentation which results in a  
82 21 mistaken classification of a site shall be guilty of a serious  
82 22 misdemeanor and shall have the groundwater professional's

CODE: Specifies how the DNR will process a "no further action"  
certificate when the DNR discovers information received from the  
certified groundwater professional was incomplete or inaccurate.

82 23 certification revoked under this section.

82 24 Sec. 173. Section 455B.474, subsection 1, paragraph f,  
82 25 subparagraphs (5), (6), and (7), Code Supplement 2009, are  
82 26 amended to read as follows:

82 27 (5) A corrective action design report submitted by a  
82 28 groundwater professional shall be accepted by the department  
82 29 and shall be primarily relied upon by the department to  
82 30 determine the corrective action response requirements of the  
82 31 site. However, if ~~the corrective action design report is found~~  
82 32 ~~to be~~ within ninety days of receipt of a corrective action  
82 33 design report, the department identifies material information  
82 34 in the corrective action design report that is inaccurate or  
82 35 incomplete, and if based upon information in the report the  
83 1 appropriate corrective action response cannot be reasonably  
83 2 determined by the department based upon industry standards,  
83 3 the department shall notify the groundwater professional that  
83 4 the corrective action design report is not accepted, and the  
83 5 department shall work with the groundwater professional to  
83 6 correct the material information or to obtain the additional  
83 7 information necessary to appropriately determine the corrective  
83 8 action response requirements as soon as practicable . However,  
83 9 from July 1, 2010, through June 30, 2011, the department  
83 10 shall have one hundred twenty days to notify the certified  
83 11 groundwater professional when a corrective action design report  
83 12 is not accepted based on material information that is found  
83 13 to be inaccurate or incomplete. A groundwater professional  
83 14 who knowingly or intentionally makes a false statement or  
83 15 misrepresentation which results in an improper or incorrect  
83 16 corrective action response shall be guilty of a serious  
83 17 misdemeanor and shall have the groundwater professional's  
83 18 certification revoked under this section.

83 19 (6) Low risk sites shall be monitored as deemed necessary by  
83 20 the department consistent with industry standards. Monitoring  
83 21 shall not be required on a site which has received a no further  
83 22 action certificate. A site that has maintained less than the  
83 23 applicable target level for four consecutive sampling events

CODE: Specifies how the DNR will process corrective action design reports.

83 24 shall be reclassified as a no action required site regardless  
83 25 of exit monitoring criteria and guidance.  
83 26 (7) An owner or operator may elect to proceed with  
83 27 additional corrective action on the site. However, any action  
83 28 taken in addition to that required pursuant to this paragraph  
83 29 "f" shall be solely at the expense of the owner or operator  
83 30 and shall not be considered corrective action for purposes of  
83 31 section 455G.9 , unless otherwise previously agreed to by the  
83 32 board and the owner or operator pursuant to section 455G.9.  
83 33 subsection 7. Corrective action taken by an owner or operator  
83 34 due to the department's failure to meet the time requirements  
83 35 provided in subparagraph (5), shall be considered corrective  
84 1 action for purposes of section 455G.9 .

84 2 Sec. 174. Section 455B.474, subsection 1, paragraph h,  
84 3 subparagraphs (1) and (3), Code Supplement 2009, are amended  
84 4 to read as follows:

84 5 (1) A no further action certificate shall be issued by  
84 6 the department for a site which has been classified as a no  
84 7 further action site or which has been reclassified pursuant to  
84 8 completion of a corrective action plan or monitoring plan to be  
84 9 a no further action site by a groundwater professional, unless  
84 10 within ninety days of receipt of the report submitted by the  
84 11 groundwater professional classifying the site, the department  
84 12 notifies the groundwater professional that the report and site  
84 13 classification are not accepted and the department identifies  
84 14 material information in the report that is inaccurate or  
84 15 incomplete which causes the department to be unable to accept  
84 16 the classification of the site. An owner or operator shall  
84 17 not be responsible for additional assessment, monitoring, or  
84 18 corrective action activities at a site that is issued a no  
84 19 further action certificate unless it is determined that the  
84 20 certificate was issued based upon false material statements  
84 21 that were knowingly or intentionally made by a groundwater  
84 22 professional and the false material statements resulted in the  
84 23 incorrect classification of the site .

84 24 (3) A certificate shall be recorded with the county

CODE: Specifies how the DNR will process a "no further action" certificate when the DNR discovers information received from the certified groundwater professional was incomplete or inaccurate.



84 25 recorder. The owner or operator of a site who has been issued a  
84 26 certificate under this paragraph "h" or a subsequent purchaser  
84 27 of the site shall not be required to perform further corrective  
84 28 action solely because action standards are changed at a later  
84 29 date. A certificate shall not prevent the department from  
84 30 ordering corrective action of a new release.

84 31 Sec. 175. Section 455B.479, Code 2009, is amended to read  
84 32 as follows:

84 33 455B.479 Storage tank management fee.

84 34 An owner or operator of an underground storage tank shall  
84 35 pay an annual storage tank management fee of sixty=five  
85 1 dollars per tank of over one thousand one hundred gallons  
85 2 capacity. ~~Twenty=three percent of the~~ The fees collected  
85 3 shall be deposited in the storage tank management account of  
85 4 the groundwater protection fund. ~~Seventy=seven percent of the~~  
85 5 ~~fees collected shall be deposited in the Iowa comprehensive~~  
85 6 ~~petroleum underground storage tank fund created in chapter~~  
85 7 ~~455G.~~

CODE: Requires fees paid by underground storage tank owners to be deposited in the Storage Tank Management Account of the Groundwater Protection Fund.

DETAIL: Under current law, 23.00% of the fees are deposited in the Storage Tank Management Account and 76.00% of the fees are deposited in the Iowa Comprehensive Petroleum Underground Storage Tank Fund. This change requires all fees to be deposited in the Storage Tank Management Account.

85 8 Sec. 176. Section 455E.11, subsection 2, paragraph d, Code  
85 9 Supplement 2009, is amended to read as follows:

85 10 d. A storage tank management account. All fees  
85 11 collected pursuant to section 455B.473, subsection 5, and  
85 12 section 455B.479, shall be deposited in the storage tank  
85 13 management account ~~, except those moneys deposited into the~~  
85 14 ~~Iowa comprehensive petroleum underground storage tank fund~~  
85 15 ~~pursuant to section 455B.479. Funds~~ . Moneys deposited in the  
85 16 account shall be expended for the following purposes:  
85 17 (1) One thousand dollars is appropriated annually to the  
85 18 Iowa department of public health to carry out departmental  
85 19 duties under section 135.11, subsections 19 and 20, and section  
85 20 139A.21.

85 21 (2) ~~Twenty=three percent of the proceeds of the fees~~  
85 22 ~~imposed pursuant to section 455B.473, subsection 5, and~~  
85 23 ~~section 455B.479 shall be deposited in the account annually,~~  
85 24 ~~up to a maximum of three hundred fifty thousand dollars. If~~

CODE: Specifies fees paid by owners of underground storage tanks will be deposited in the Storage Tank Account of the Groundwater Protection Fund. Of the amount collected, \$1,000 is appropriated to the Department of Public Health and the remaining funds will be used by the DNR for administration of the UST Program. Requires the DNR to annually enter into an agreement with the Iowa Comprehensive Petroleum Underground Storage Tank Fund for completion of the administrative tasks.

85 25 ~~twenty-three percent of the proceeds exceeds three hundred~~  
85 26 ~~fifty thousand dollars, the excess shall be deposited into the~~  
85 27 ~~fund created in section 455G.3. Three hundred fifty thousand~~  
85 28 ~~dollars is~~ The moneys remaining in the account after the  
85 29 appropriation in subparagraph (1) are appropriated from the  
85 30 storage tank management account to the department of natural  
85 31 resources for the administration of a state storage tank  
85 32 program pursuant to chapter 455B, division IV, part 8, and for  
85 33 programs which reduce the potential for harm to the environment  
85 34 and the public health from storage tanks.  
85 35 (3) ~~The remaining funds in the account are appropriated~~  
86 1 ~~annually to the Iowa comprehensive petroleum underground~~  
86 2 ~~storage tank fund.~~ Each fiscal year, the department of  
86 3 natural resources shall enter into an agreement with the Iowa  
86 4 comprehensive petroleum underground storage tank fund for the  
86 5 completion of administrative tasks during the fiscal year  
86 6 directly related to the evaluation and modification of risk  
86 7 based corrective action rules as necessary and processes that  
86 8 affect the administration in subparagraph (2).

86 9 Sec. 177. Section 455G.3, Code 2009, is amended by adding  
86 10 the following new subsections:  
86 11 NEW SUBSECTION . 6. For the fiscal year beginning July 1,  
86 12 2010, and each fiscal year thereafter, there is appropriated  
86 13 from the Iowa comprehensive petroleum underground storage  
86 14 tank fund to the department of natural resources two hundred  
86 15 thousand dollars for purposes of technical review support to be  
86 16 conducted by nongovernmental entities for leaking underground  
86 17 storage tank assessments.

86 18 NEW SUBSECTION . 7. For the fiscal year beginning July  
86 19 1, 2010, there is appropriated from the Iowa comprehensive  
86 20 petroleum underground storage tank fund to the department of  
86 21 natural resources one hundred thousand dollars for purposes of  
86 22 database modifications necessary to accept batched external  
86 23 data regarding underground storage tank inspections conducted  
86 24 by nongovernmental entities.

CODE: Makes an annual appropriation of \$200,000 from the Underground Storage Tank (UST) Fund beginning in FY 2011 to the DNR for technical review of leaking underground storage tank sites.

CODE: Makes an annual appropriation of \$100,000 from the UST Fund beginning in FY 2011 to the DNR for database modifications.

86 25 NEW SUBSECTION . 8. For the fiscal year beginning July 1,  
86 26 2010, and each fiscal year thereafter, there is appropriated  
86 27 from the Iowa comprehensive petroleum underground storage tank  
86 28 fund to the department of agriculture and land stewardship  
86 29 two hundred fifty thousand dollars for the sole and exclusive  
86 30 purpose of inspecting fuel quality at pipeline terminals and  
86 31 renewable fuel production facilities, including salaries,  
86 32 support, maintenance, and miscellaneous purposes.

CODE: Makes an annual appropriation of \$250,000 from the UST Fund beginning in FY 2011 to the Department of Agriculture and Land Stewardship for motor fuel inspections.

86 33 NEW SUBSECTION . 9. Beginning September 1, 2010, the board  
86 34 shall administer safety training, hazardous material training,  
86 35 environmental training, and underground storage tank operator  
87 1 training in the state to be provided by an entity approved by  
87 2 the department of natural resources. The training provided  
87 3 pursuant to this subsection shall be available to any tank  
87 4 operator in the state at an equal and reasonable cost and  
87 5 shall not be conditioned upon any other requirements. Each  
87 6 fiscal year, the board shall not expend more than two hundred  
87 7 fifty thousand dollars from the Iowa comprehensive petroleum  
87 8 underground storage tank fund for purposes of administering  
87 9 this subsection.

CODE: Specifies that beginning September 1, 2010, the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board will provide training related to underground storage tank sites and cannot spend more than \$250,000 per year from the UST Fund.

87 10 Sec. 178. Section 455G.4, subsection 1, paragraph a,  
87 11 subparagraphs (3) and (5), Code Supplement 2009, are amended  
87 12 to read as follows:

CODE: Requires the DOM to designate an employee as a risk manager and makes changes to the membership of the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board.

87 13 ~~(3) The commissioner of insurance, or the commissioner's~~  
87 14 ~~designee.~~ An employee of the department of management who  
87 15 has been designated as a risk manager by the director of the  
87 16 department of management.

87 17 ~~(5) Two owners or operators appointed by the governor -~~  
87 18 ~~One of the owners or operators appointed pursuant to this~~  
87 19 ~~subparagraph shall have been a petroleum systems insured~~  
87 20 ~~through the underground storage tank insurance fund as it~~  
87 21 ~~existed on June 30, 2004, or a successor to the underground~~  
87 22 ~~storage tank insurance fund and shall have been an insured~~  
87 23 ~~through the insurance account of the comprehensive petroleum~~  
87 24 ~~underground storage tank fund on or before October 26, 1990.~~

87 25 ~~One of the owners or operators appointed pursuant to this~~  
87 26 ~~subparagraph shall be self-insured.~~ as follows:  
87 27 (a) One member shall be an owner or operator who is  
87 28 self-insured.  
87 29 (b) One member shall be a member of the petroleum marketers  
87 30 and convenience stores of Iowa or its designee.

87 31 Sec. 179. Section 455G.8, subsection 3, Code 2009, is  
87 32 amended by striking the subsection.

CODE: Repeals language from the Code related to underground storage tank fees as a revenue source to the UST Fund. Previously, fees were deposited in the UST Fund and the DNR received funding from the Board through a Code Chapter 28E agreement.

87 33 Sec. 180. Section 455G.9, subsection 1, paragraphs d, k, and  
87 34 l, Code 2009, are amended to read as follows:  
87 35 d. One hundred percent of the costs of corrective action  
88 1 and third-party liability for a release situated on property  
88 2 acquired by a county for delinquent taxes pursuant to chapters  
88 3 445 through 448, for which a responsible owner or operator  
88 4 able to pay, other than the county, cannot be found. A county  
88 5 is not a "responsible party" for a release in connection with  
88 6 property which it acquires in connection with delinquent taxes,  
88 7 and does not become a responsible party by sale or transfer  
88 8 of property so acquired. In such situations, the board may  
88 9 act as an agent for the county. Actual corrective action on  
88 10 the site shall be overseen by the department, the board, and  
88 11 a certified groundwater professional. Third-party liability  
88 12 specifically excludes any claim, cause of action, or suit, for  
88 13 personal injury including 7 but not limited to 7 loss of use  
88 14 or of private enjoyment, mental anguish, false imprisonment,  
88 15 wrongful entry or eviction, humiliation, discrimination, or  
88 16 malicious prosecution. Reasonable acquisition costs do not  
88 17 include any taxes or costs related to the collection of taxes.  
88 18 k. Pursuant to an agreement between the board and the  
88 19 department of natural resources, assessment and corrective  
88 20 action arising out of releases at sites for which a no further  
88 21 action certificate has been issued pursuant to section  
88 22 455B.474, when the department determines that an unreasonable

CODE: Makes changes the UST Remedial Program and specifies that the Board may act as an agent for a county that acquires property due to nonpayment of taxes that is needing corrective action for an UST site. Also permits up to \$15,000 from the Fund for the permanent closure of an underground storage tank that does not meet performance standards.

88 23 risk to public health and safety may still exist or that  
88 24 previously reported upon applicable target levels have been  
88 25 exceeded . At a minimum, the agreement shall address eligible  
88 26 costs, contracting for services, and conditions under which  
88 27 sites may be reevaluated.  
88 28 I. ~~Costs~~ Up to fifteen thousand dollars for the permanent  
88 29 closure of an underground storage tank system ~~that was in place~~  
88 30 ~~on the date an eligible claim was submitted under paragraph~~  
88 31 ~~"a" that does not meet performance standards for new or upgraded~~  
88 32 tanks or is otherwise required to be closed pursuant to rules  
88 33 adopted by the environmental protection commission pursuant to  
88 34 section 455B.474 . Reimbursement is limited to costs approved  
88 35 by the board prior to the closure activities.

89 1 Sec. 181. Section 455G.9, subsection 4, Code 2009, is  
89 2 amended to read as follows:  
89 3 4. Minimum copayment schedule.  
89 4 a. An owner or operator shall be required to pay the  
89 5 greater of five thousand dollars or eighteen percent of the  
89 6 first eighty thousand dollars of the total costs of corrective  
89 7 action for that release , except for claims pursuant to section  
89 8 455G.21, where the claimant is not a responsible party or  
89 9 potentially responsible party for the site for which the claim  
89 10 is filed .  
89 11 b. If a site's actual expenses exceed eighty thousand  
89 12 dollars, the remedial account shall pay the remainder, as  
89 13 required by federal regulations, of the total costs of the  
89 14 corrective action for that release, not to exceed one million  
89 15 dollars, except that a county shall not be required to pay a  
89 16 copayment in connection with a release situated on property  
89 17 acquired in connection with delinquent taxes, as provided in  
89 18 subsection 1, paragraph "d", unless subsequent to acquisition  
89 19 the county actively operates a tank on the property for  
89 20 purposes other than risk assessment, risk management, or tank  
89 21 closure.

CODE: Makes changes to the underground storage tank minimum  
copayment schedule.

89 22 Sec. 182. Section 455G.9, subsection 7, Code 2009, is

CODE: Makes changes to the UST Remedial Program expense

89 23 amended to read as follows:

89 24 7. Expenses of cleanup not required. When an owner or  
89 25 operator who is eligible for benefits under this chapter is  
89 26 allowed by the department of natural resources to monitor in  
89 27 place, the expenses incurred for cleanup beyond the level  
89 28 required by the department of natural resources ~~are not~~ may  
89 29 be covered under any of the accounts established under the  
89 30 fund only if approved by the board as cost-effective relative  
89 31 to the department accepted monitoring plan or relative to  
89 32 the repeal date specified in section 424.19. The cleanup  
89 33 expenses incurred for work completed beyond what is required  
89 34 is the responsibility of the person contracting for the excess  
89 35 cleanup. The board shall seek to terminate the responsible  
90 1 party's environmental liabilities at such sites prior to the  
90 2 board ceasing operation.

reimbursement for underground storage tank cleanup costs and requires Iowa Comprehensive Petroleum Underground Storage Tank Fund Board approval.

90 3 Sec. 183. Section 455G.9, subsection 10, Code 2009, is  
90 4 amended to read as follows:

90 5 10. Expenses incurred by governmental subdivisions and  
90 6 public works utilities. The board ~~may~~ shall adopt rules  
90 7 for reimbursement for reasonable expenses incurred by  
90 8 a governmental subdivision or public works utility for  
90 9 sampling, treating, handling, or disposing, as required by the  
90 10 department, of petroleum-contaminated soil and groundwater  
90 11 encountered in a public right-of-way during installation,  
90 12 maintenance, or repair of a utility or public improvement. The  
90 13 board may seek full recovery from a responsible party liable  
90 14 for the release for such expenses and for all other costs and  
90 15 reasonable attorney fees and costs of litigation for which  
90 16 moneys are expended by the fund. Any expense described in  
90 17 this subsection incurred by the fund constitutes a lien upon  
90 18 the property from which the release occurred. A lien shall be  
90 19 recorded and an expense shall be collected in the same manner  
90 20 as provided in section 424.11.

CODE: Makes changes to the UST Remedial Program related to costs paid by governmental subdivisions and adds public works utilities.

90 21 Sec. 184. EFFECTIVE UPON ENACTMENT AND RETROACTIVE  
90 22 APPLICABILITY. The section of this division of this Act

Section 181 relating to minimum copayments is effective on enactment and retroactive to January 1, 2010

90 23 amending section 455G.9, subsection 4, being deemed of  
90 24 immediate importance, takes effect upon enactment and applies  
90 25 retroactively to January 1, 2010.

90 26 DIVISION XVI  
90 27 BONDING AUTHORITY

90 28 Sec. 185. Section 455G.2, subsection 1, Code 2009, is  
90 29 amended by striking the subsection.

CODE: Repeals the Code Section that specifies the Iowa Finance Authority will assist the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board.

90 30 Sec. 186. Section 455G.2, subsection 3, Code 2009, is  
90 31 amended to read as follows:  
90 32 3. "Bond" means a bond, note, or other obligation issued by  
90 33 the ~~authority~~ treasurer of state for the fund and the purposes  
90 34 of this chapter.

CODE: Changes the authority for issuing bonds related to the UST Fund from the Iowa Finance Authority to the Treasurer of State.

90 35 Sec. 187. Section 455G.3, subsection 2, Code 2009, is  
91 1 amended to read as follows:  
91 2 2. The board shall assist Iowa's owners and operators  
91 3 of petroleum underground storage tanks in complying with  
91 4 federal environmental protection agency technical and financial  
91 5 responsibility regulations by establishment of the Iowa  
91 6 comprehensive petroleum underground storage tank fund. The  
91 7 ~~authority~~ treasurer of state may issue its bonds, or series of  
91 8 bonds, to assist the board, as provided in this chapter.

CODE: Changes the authority for issuing bonds related to the UST Fund from the Iowa Finance Authority to the Treasurer of State.

91 9 Sec. 188. Section 455G.6, subsections 7 through 9, Code  
91 10 Supplement 2009, are amended to read as follows:  
91 11 7. The board may contract with the ~~authority~~ treasurer  
91 12 of state for the ~~authority~~ treasurer of state to issue bonds  
91 13 and do all things necessary with respect to the purposes of  
91 14 the fund, as set out in the contract between the board and  
91 15 the ~~authority~~ treasurer of state. The board may delegate to  
91 16 the ~~authority~~ treasurer of state and the ~~authority~~ treasurer  
91 17 of state shall then have all of the powers of the board

CODE: Changes the authority for issuing bonds related to the UST Fund from the Iowa Finance Authority to the Treasurer of State.

91 18 which are necessary to issue and secure bonds and carry  
91 19 out the purposes of the fund, to the extent provided in  
91 20 the contract between the board and the ~~authority~~ treasurer  
91 21 of state . The ~~authority~~ treasurer of state may issue the  
91 22 ~~authority's~~ treasurer of state's bonds in principal amounts  
91 23 which, in the opinion of the board, are necessary to provide  
91 24 sufficient funds for the fund, the payment of interest on the  
91 25 bonds, the establishment of reserves to secure the bonds, the  
91 26 costs of issuance of the bonds, other expenditures of the  
91 27 ~~authority~~ treasurer of state incident to and necessary or  
91 28 convenient to carry out the bond issue for the fund, and all  
91 29 other expenditures of the board necessary or convenient to  
91 30 administer the fund. The bonds are investment securities and  
91 31 negotiable instruments within the meaning of and for purposes  
91 32 of the uniform commercial code, chapter 554.

91 33 8. Bonds issued under this section are payable solely and  
91 34 only out of the moneys, assets, or revenues of the fund, all  
91 35 of which may be deposited with trustees or depositories in  
92 1 accordance with bond or security documents and pledged by the  
92 2 board to the payment thereof, and are not an indebtedness of  
92 3 this state ~~or the authority~~ , or a charge against the general  
92 4 credit or general fund of the state ~~or the authority~~ , and  
92 5 the state shall not be liable for any financial undertakings  
92 6 with respect to the fund. Bonds issued under this chapter  
92 7 shall contain on their face a statement that the bonds do not  
92 8 constitute an indebtedness of the state ~~or the authority~~ .

92 9 9. The proceeds of bonds issued by the ~~authority~~ treasurer  
92 10 of state and not required for immediate disbursement may be  
92 11 deposited with a trustee or depository as provided in the  
92 12 bond documents and invested in any investment approved by  
92 13 the ~~authority~~ treasurer of state and specified in the trust  
92 14 indenture, resolution, or other instrument pursuant to which  
92 15 the bonds are issued without regard to any limitation otherwise  
92 16 provided by law.

92 17 Sec. 189. Section 455G.6, subsection 10, paragraph b, Code  
92 18 Supplement 2009, is amended to read as follows:

CODE: Changes the authority for issuing bonds related to the UST  
Fund from the Iowa Finance Authority to the Treasurer of State.



92 19 b. Negotiable instruments under the laws of the state and  
92 20 may be sold at prices, at public or private sale, and in a  
92 21 manner, as prescribed by the ~~authority~~ treasurer of state .  
92 22 Chapters 73A, 74, 74A and 75 do not apply to their sale or  
92 23 issuance of the bonds.

92 24 Sec. 190. Section 455G.6, subsection 12, Code Supplement  
92 25 2009, is amended to read as follows:  
92 26 12. Bonds must be authorized by a trust indenture,  
92 27 resolution, or other instrument of the ~~authority~~ treasurer of  
92 28 state , approved by the board. However, a trust indenture,  
92 29 resolution, or other instrument authorizing the issuance of  
92 30 bonds may delegate to an officer of the issuer the power to  
92 31 negotiate and fix the details of an issue of bonds.

CODE: Changes the authority for issuing bonds related to the UST  
Fund from the Iowa Finance Authority to the Treasurer of State.

92 32 Sec. 191. Section 455G.7, Code Supplement 2009, is amended  
92 33 to read as follows:  
92 34 455G.7 Security for bonds == capital reserve fund ==  
92 35 irrevocable contracts.

CODE: Changes the authority for issuing bonds related to the UST  
Fund from the Iowa Finance Authority to the Treasurer of State.

93 1 1. a. For the purpose of securing one or more issues of  
93 2 bonds for the fund, the ~~authority~~ treasurer of state , with  
93 3 the approval of the board, may authorize the establishment  
93 4 of one or more special funds, called "capital reserve funds".  
93 5 The ~~authority~~ treasurer of state may pay into the capital  
93 6 reserve funds the proceeds of the sale of its bonds and other  
93 7 money which may be made available to the ~~authority~~ treasurer  
93 8 of state from other sources for the purposes of the capital  
93 9 reserve funds. Except as provided in this section, money in a  
93 10 capital reserve fund shall be used only as required for any of  
93 11 the following:

93 12 ~~a-~~ (1) The payment of the principal of and interest on  
93 13 bonds or of the sinking fund payments with respect to those  
93 14 bonds.

93 15 ~~b-~~ (2) The purchase or redemption of the bonds.

93 16 ~~c-~~ (3) The payment of a redemption premium required to be  
93 17 paid when the bonds are redeemed before maturity.

93 18 b. However, money in a capital reserve fund shall not be

93 19 withdrawn if the withdrawal would reduce the amount in the  
93 20 capital reserve fund to less than the capital reserve fund  
93 21 requirement, except for the purpose of making payment, when  
93 22 due, of principal, interest, redemption premiums on the bonds,  
93 23 and making sinking fund payments when other money pledged to  
93 24 the payment of the bonds is not available for the payments.  
93 25 Income or interest earned by, or increment to, a capital  
93 26 reserve fund from the investment of all or part of the capital  
93 27 reserve fund may be transferred by the ~~authority~~ treasurer of  
93 28 state to other accounts of the fund if the transfer does not  
93 29 reduce the amount of the capital reserve fund below the capital  
93 30 reserve fund requirement.

93 31 2. If the ~~authority~~ treasurer of state decides to issue  
93 32 bonds secured by a capital reserve fund, the bonds shall not be  
93 33 issued if the amount in the capital reserve fund is less than  
93 34 the capital reserve fund requirement, unless at the time of  
93 35 issuance of the bonds the ~~authority~~ treasurer of state deposits  
94 1 in the capital reserve fund from the proceeds of the bonds to  
94 2 be issued or from other sources, an amount which, together with  
94 3 the amount then in the capital reserve fund, is not less than  
94 4 the capital reserve fund requirement.

94 5 3. In computing the amount of a capital reserve fund for the  
94 6 purpose of this section, securities in which all or a portion  
94 7 of the capital reserve fund is invested shall be valued by a  
94 8 reasonable method established by the ~~authority~~ treasurer of  
94 9 state . Valuation shall include the amount of interest earned  
94 10 or accrued as of the date of valuation.

94 11 4. In this section, "capital reserve fund requirement" means  
94 12 the amount required to be on deposit in the capital reserve  
94 13 fund as of the date of computation.

94 14 5. To assure maintenance of the capital reserve funds,  
94 15 the ~~authority~~ treasurer of state shall, on or before July 1  
94 16 of each calendar year, make and deliver to the governor the  
94 17 ~~authority's~~ treasurer of state's certificate stating the sum,  
94 18 if any, required to restore each capital reserve fund to the  
94 19 capital reserve fund requirement for that fund. Within thirty  
94 20 days after the beginning of the session of the general assembly

94 21 next following the delivery of the certificate, the governor  
94 22 may submit to both houses printed copies of a budget including  
94 23 the sum, if any, required to restore each capital reserve fund  
94 24 to the capital reserve fund requirement for that fund. Any  
94 25 sums appropriated by the general assembly and paid to the  
94 26 ~~authority~~ treasurer of state pursuant to this section shall be  
94 27 deposited in the applicable capital reserve fund.

94 28 6. All amounts paid by the state pursuant to this section  
94 29 shall be considered advances by the state and, subject to the  
94 30 rights of the holders of any bonds of the ~~authority~~ treasurer  
94 31 of state that have previously been issued or will be issued,  
94 32 shall be repaid to the state without interest from all  
94 33 available revenues of the fund in excess of amounts required  
94 34 for the payment of bonds of the ~~authority~~ treasurer of state ,  
94 35 the capital reserve fund, and operating expenses.

95 1 7. If any amount deposited in a capital reserve fund is  
95 2 withdrawn for payment of principal, premium, or interest on  
95 3 the bonds or sinking fund payments with respect to bonds  
95 4 thus reducing the amount of that fund to less than the  
95 5 capital reserve fund requirement, the ~~authority~~ treasurer of  
95 6 state shall immediately notify the governor and the general  
95 7 assembly of this event and shall take steps to restore the  
95 8 capital reserve fund to the capital reserve fund requirement  
95 9 for that fund from any amounts designated as being available  
95 10 for such purpose.

95 11 Sec. 192. Section 455G.8, subsection 2, Code 2009, is  
95 12 amended to read as follows:

95 13 2. Statutory allocations fund. The moneys credited from the  
95 14 statutory allocations fund under section 321.145, subsection  
95 15 2, paragraph "a", shall be allocated, consistent with this  
95 16 chapter, among the fund's accounts, for debt service and other  
95 17 fund expenses, according to the fund budget, resolution, trust  
95 18 agreement, or other instrument prepared or entered into by the  
95 19 board or ~~authority~~ treasurer of state under direction of the  
95 20 board.

CODE: Changes the authority for issuing bonds related to the UST  
Fund from the Iowa Finance Authority to the Treasurer of State.

95 21	Sec. 193. REPEAL. Section 16.151, Code 2009, is repealed.	CODE: Repeals the Code Section that specifies the Iowa Finance Authority will assist the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board.
95 22	Sec. 194. REPEAL. 1989 Iowa Acts, chapter 131, section	CODE: Repeals an extension of the original repeal date of Code sections relating to underground storage tank bonds.
95 23	63, as amended by 2009 Iowa Acts, chapter 184, section 39, is	
95 24	repealed.	DETAIL: The original repeal date of these sections is July 1, 2009. The repeal of these Code sections was extended to July 1, 2010, in HF 822 (FY 2009 Infrastructure Appropriations Act).
95 25	Sec. 195. EFFECTIVE UPON ENACTMENT. This division of this	
95 26	Act, being deemed of immediate importance, takes effect upon	This Division is effective on enactment.
95 27	enactment.	
95 28	DIVISION XVII	
95 29	UNEMPLOYMENT INSURANCE BENEFITS	
95 30	Sec. 196. CASH RESERVE APPROPRIATION == UNEMPLOYMENT	Provides a contingent appropriation of up to \$20,000,000 from the
TRUST		Cash Reserve Fund to the Unemployment Trust Fund to prevent the
95 31	FUND ACCOUNT.	contribution rate table from moving from the current table 4 to the
95 32	1. On or before August 15, 2010, following the computation	higher rate table 2 for calendar year 2011. Requires any appropriated
95 33	date required pursuant to section 96.7, subsection 2, paragraph	funds to be repaid under certain conditions. This Section is repealed if
95 34	"d", subparagraph (1), unnumbered paragraph 1, as amended	the amount needed to prevent moving to contribution rate table 2 is
95 35	by this Act, and upon the approval of the director of the	greater than \$20,000,000.
96 1	department of management, there is appropriated from the cash	Requires the Department of Workforce Development and the DOM to
96 2	reserve fund created in section 8.56 to the unemployment	develop a plan to repay the Cash Reserve Fund, without adversely
96 3	trust fund account of the unemployment compensation fund for	impacting the solvency of the Trust Fund, any amount transferred to
96 4	the fiscal year beginning July 1, 2010, and ending June 30,	the Unemployment Trust Fund during FY 2011.
96 5	2011, up to \$20 million. This loan is contingent upon being	
96 6	necessary to reach contribution rate table 3 rather than	Requires the Department of Workforce Development to submit a
96 7	contribution rate table 2 for calendar year 2011. Any moneys	report to the General Assembly by December 1, 2011, on the balance
96 8	appropriated pursuant to this subsection shall be considered	of the Unemployment Trust Fund and recommendations pertaining to
96 9	a loan for the payment of unemployment insurance benefits and	the transferred funds.
96 10	the repayment of such moneys to the cash reserve fund shall	
96 11	occur pursuant to subsection 2. If the amount necessary to	
96 12	prevent table 2 from being applied is more than \$20 million,	

96 13 this section is repealed. Section 8.56, subsections 3 and 4,  
96 14 shall not apply to the appropriation in this section.  
96 15 2. Following the fiscal year beginning July 1, 2010,  
96 16 and ending June 30, 2011, the department of workforce  
96 17 development, in coordination with the department of management,  
96 18 shall develop a plan for the transfer of an amount equal  
96 19 to the amount appropriated pursuant to subsection 1 from  
96 20 the unemployment trust fund account of the unemployment  
96 21 compensation fund to the cash reserve fund without adversely  
96 22 impacting the solvency of the unemployment trust fund account.  
96 23 3. By December 1, 2011, the director of the department of  
96 24 workforce development shall submit to the general assembly,  
96 25 with the report required under section 96.35, the director's  
96 26 recommendations regarding the transfer of moneys as required  
96 27 under subsection 2.

96 28 Sec. 197. Section 96.7, subsection 2, paragraph d,  
96 29 subparagraph (1), unnumbered paragraph 1, Code Supplement 2009,  
96 30 is amended to read as follows:

96 31 The current reserve fund ratio is computed by dividing  
96 32 the total funds available for payment of benefits, on the  
96 33 computation date or on August 15 following the computation  
96 34 date if the total funds available for payment of benefits is a  
96 35 higher amount on August 15 , by the total wages paid in covered  
97 1 employment excluding reimbursable employment wages during the  
97 2 first four calendar quarters of the five calendar quarters  
97 3 immediately preceding the computation date. However, in  
97 4 computing the current reserve fund ratio the following amounts  
97 5 shall be added to the total funds available for payment of  
97 6 benefits on the following computation dates:

97 7 DIVISION XVIII  
97 8 TERRACE HILL

97 9 Sec. 198. TERRACE HILL OPERATIONS == CASH RESERVE FUND ==  
97 10 DEPARTMENT OF ADMINISTRATIVE SERVICES. There is appropriated  
97 11 from the cash reserve fund created in section 8.56 to the

CODE: Permits the calculation of the Unemployment Trust Fund to be made August 15 of each year, instead of June 30, if the balance of the Fund would be higher on the later date.

Cash Reserve Fund appropriation for FY 2011 to the DAS for Terrace Hill operations.

97 12 department of administrative services for the fiscal year  
 97 13 beginning July 1, 2010, and ending June 30, 2011, the following  
 97 14 amount, or so much thereof as is necessary, to be used for the  
 97 15 purposes designated:  
 97 16 For salaries, support, maintenance, and miscellaneous  
 97 17 purposes necessary for the operation of Terrace Hill:  
 97 18 ..... \$ 168,494

DETAIL: The funds will be used for maintenance of the Terrace Hill grounds. In prior years, the Terrace Hill operations were funded through an appropriation to the Governor's Office.

97 19 Sec. 199. TERRACE HILL == GENERAL FUND == DEPARTMENT OF  
 97 20 ADMINISTRATIVE SERVICES. There is appropriated from the  
 97 21 general fund of the state to the department of administrative  
 97 22 services for the fiscal year beginning July 1, 2009, and ending  
 97 23 June 30, 2010, the following amount, or so much thereof as is  
 97 24 necessary, to be used for the purposes designated:  
 97 25 For salaries, support, maintenance, and miscellaneous  
 97 26 purposes necessary for the operation of Terrace Hill, and for  
 97 27 not more than the following full=time equivalent positions:  
 97 28 ..... \$ 263,329  
 97 29 ..... FTEs 6.38

General Fund appropriation for FY 2011 to the DAS for Terrace Hill operations.

DETAIL: The funds will be used for maintenance of the Terrace Hill grounds. The Department is also receiving an appropriation of \$168,494 from the Cash Reserve Fund for Terrace Hill operations, resulting in total appropriations of \$431,823 for FY 2011. In prior years, the Terrace Hill operations were funded through an appropriation to the Governor's Office.

97 30 Sec. 200. TERRACE HILL QUARTERS. The amount appropriated  
 97 31 from the general fund of the state to the offices of the  
 97 32 governor and the lieutenant governor for Terrace Hill quarters  
 97 33 pursuant to 2010 Iowa Acts, Senate File 2367, for the fiscal  
 97 34 year beginning July 1, 2010, and ending June 30, 2011, is  
 97 35 reduced by \$263,329. The number of full=time equivalent  
 98 1 positions authorized pursuant to 2010 Iowa Acts, Senate File  
 98 2 2367, for purposes of Terrace Hill quarters for the fiscal year  
 98 3 beginning July 1, 2010, and ending June 30, 2011, is reduced by  
 98 4 8.12 full=time equivalent positions.

Reduces the FY 2011 General Fund appropriation made in SF 2367 (FY 2011 Administration and Regulation Appropriations Act) to the Governor's Office for Terrace Hill by \$263,329 and 8.12 FTE positions.

DETAIL: Senate File 2367 appropriates \$394,291 and 10.00 FTE positions to fund the operations at Terrace Hill. This reduction leaves \$130,962 of funding and 1.88 FTE positions for the interior operations of the Terrace Hill Quarters.

98 5 DIVISION XIX  
 98 6 HEALTH CARE PROGRAMS AND APPROPRIATIONS

98 7 Sec. 201. Section 249J.7, Code 2009, is amended to read as  
 98 8 follows:  
 98 9 249J.7 Expansion population provider network.

CODE: Repeals amendments to Code Section 249J.7, from two separate Acts and combines the rewrite of the Section into this Act.

98 10 1. a. Expansion population members shall only be eligible  
 98 11 to receive expansion population services through a provider  
 98 12 included in the expansion population provider network. Except  
 98 13 as otherwise provided in this chapter, the expansion population  
 98 14 provider network shall be limited to a publicly owned acute  
 98 15 care teaching hospital located in a county with a population  
 98 16 over three hundred fifty thousand, the university of Iowa  
 98 17 hospitals and clinics, and the state hospitals for persons  
 98 18 with mental illness designated pursuant to section 226.1 with  
 98 19 the exception of the programs at such state hospitals for  
 98 20 persons with mental illness that provide substance abuse  
 98 21 treatment, serve geriatric psychiatric patients, or treat sexually  
 98 22 violent predators and a regional provider network utilizing  
 98 23 the federally qualified health centers or federally qualified  
 98 24 health center look-alikes in the state, to provide primary care  
 98 25 to members .

98 26 b. (1) The department shall develop a plan to phase-in  
 98 27 the regional provider network by determining the most highly  
 98 28 underserved areas on a statewide and regional basis, and  
 98 29 targeting these areas for prioritization in implementing the  
 98 30 regional provider network. In developing the phase-in plan  
 98 31 the department shall consult with the medical assistance  
 98 32 projections and assessment council created in section 249J.20.  
 98 33 Any plan developed shall be approved by the council prior  
 98 34 to implementation. The phase-in of the regional provider  
 98 35 network shall be implemented in a manner that ensures that  
 99 1 program expenditures do not exceed budget neutrality limits and  
 99 2 funded program capacity, and that ensures compliance with the  
 99 3 eligibility maintenance of effort requirements of the federal  
 99 4 American Recovery and Reinvestment Act of 2009.

99 5 (2) Payment shall only be made to designated participating  
 99 6 primary care providers for eligible primary care services  
 99 7 provided to a member.

99 8 (3) The department shall adopt rules pursuant to chapter  
 99 9 17A, in collaboration with the medical home advisory  
 99 10 council established pursuant to section 135.159, specifying  
 99 11 requirements for medical homes including certification, with

DETAIL: The following changes are made to Code Section 249J.7:

- Adds Federally Qualified Health Centers (FQHC) to the list of IowaCare Providers for primary care.
- Requires the DHS to develop a plan to expand primary care to FQHCs starting with the most underserved areas in the State and provide a medical home.
- Permits the Department to designate other providers to provide primary and specialty care within available funding.
- Specifies that Broadlawns and the University of Iowa Hospitals and Clinics (UIHC) are the only providers for Polk County residents until capacity is reached.
- Requires the DHS to use up to \$7.3 million in Certified Public Expenditures at the UIHC to provide primary and specialty care. The savings is to be used to reimburse physicians at the UIHC and provide funding for a regional provider network.
- Requires the DHS is to adopt rules establishing a transfer protocol to be used by IowaCare providers.

99 12 which regional provider network participating providers shall  
99 13 comply, as appropriate.

99 14 (4) The department may also designate other private  
99 15 providers and hospitals to participate in the regional provider  
99 16 network, to provide primary and specialty care, subject to the  
99 17 availability of funds.

99 18 (5) Notwithstanding any provision to the contrary, the  
99 19 department shall develop a methodology to reimburse regional  
99 20 provider network participating providers designated under this  
99 21 subsection.

99 22 c. Tertiary care shall only be provided to eligible  
99 23 expansion population members residing in any county in the  
99 24 state at the university of Iowa hospitals and clinics.

99 25 d. Until such time as the publicly owned acute care  
99 26 teaching hospital located in a county with a population over  
99 27 three hundred fifty thousand notifies the department that  
99 28 such hospital has reached service capacity, the hospital and  
99 29 the university of Iowa hospitals and clinics shall remain the  
99 30 only expansion population providers for the residents of such  
99 31 county.

99 32 2. Expansion population services provided to expansion  
99 33 population members by ~~providers included in the expansion~~  
99 34 ~~population provider network~~ the publicly owned acute care  
99 35 teaching hospital located in a county with a population  
100 1 over three hundred fifty thousand and the university of Iowa  
100 2 hospitals and clinics shall be payable at the full benefit  
100 3 recipient rates.

100 4 3. Providers included in the expansion population provider  
100 5 network shall submit clean claims within twenty days of the  
100 6 date of provision of an expansion population service to an  
100 7 expansion population member.

100 8 4. Unless otherwise prohibited by law, a provider under  
100 9 the expansion population provider network may deny care to  
100 10 an individual who refuses to apply for coverage under the  
100 11 expansion population.

100 12 5. Notwithstanding the provision of section 347.16,  
100 13 subsection 2, requiring the provision of free care and



100 14 treatment to the persons described in that subsection, the  
100 15 publicly owned acute care teaching hospital described in  
100 16 subsection 1 may require any sick or injured person seeking  
100 17 care or treatment at that hospital to be subject to financial  
100 18 participation, including but not limited to copayments  
100 19 or premiums, and may deny nonemergent care or treatment  
100 20 to any person who refuses to be subject to such financial  
100 21 participation.

100 22 6. The department shall utilize up to seven million three  
100 23 hundred thousand dollars in certified public expenditures at  
100 24 the university of Iowa hospitals and clinics to maximize the  
100 25 availability of state funding to provide necessary access  
100 26 to both primary and specialty physician care to expansion  
100 27 population members. The resulting savings to the state  
100 28 shall be utilized to reimburse physician services provided  
100 29 to expansion population members at the university of Iowa  
100 30 hospitals and clinics and to reimburse providers designated  
100 31 to participate in the regional provider network for services  
100 32 provided to expansion population members.

100 33 7. The department shall adopt rules to establish clinical  
100 34 transfer and referral protocols to be used by providers  
100 35 included in the expansion population provider network.

101 1 Sec. 202. 2010 Iowa Acts, Senate File 2156, section 5, if  
101 2 enacted, is repealed.

CODE: Repeals amendments to Code Section 249J.7 from Section 5 of SF 2156 (IowaCare Program Act).

DETAIL: Senate File 2156 was signed by the Governor on April 21, 2010.

101 3 Sec. 203. 2010 Iowa Acts, Senate File 2356, section 2,  
101 4 amending section 249J.7, if enacted, is repealed.

CODE: Repeals amendments to Iowa Code Section 249J.7, from Section 25 of SF 2356 (IowaCare Program Provisions Act).

DETAIL: Senate File 2356 was signed by the Governor on April 14, 2010.

101 5 Sec. 204. 2010 Iowa Acts, House File 2526, section 11,  
101 6 subsection 13, if enacted, is amended to read as follows:  
101 7 13. The university of Iowa hospitals and clinics shall

CODE: Amends HF 2526 (FY 2011 Health and Human Services Appropriations Act) to permit the UIHC to use up to \$9,900,000 for indigent patient care.

101 8 either certify public expenditures or transfer to the medical  
 101 9 assistance appropriation an amount equal to provide the  
 101 10 nonfederal share for increased medical assistance payments for  
 101 11 inpatient hospital services of ~~\$7,500,000~~ up to \$9,900,000 .  
 101 12 The university of Iowa hospitals and clinics shall receive and  
 101 13 retain 100 percent of the total increase in medical assistance  
 101 14 payments.

DETAIL: No new State funding is provided. The UIHC is using existing expenditures to draw down additional federal funds.

101 15 Sec. 205. 2010 Iowa Acts, House File 2526, section 41,  
 101 16 subsection 3, unnumbered paragraph 2, if enacted, is amended  
 101 17 to read as follows:  
 101 18 For salaries, support, maintenance, equipment, and  
 101 19 miscellaneous purposes for the provision of medical and  
 101 20 surgical treatment of indigent patients, for provision of  
 101 21 services to members of the expansion population pursuant to  
 101 22 chapter 249J, and for medical education:  
 101 23 ..... \$ ~~12,000,000~~  
 101 24 14,000,000

CODE: Appropriates an additional \$2,000,000 from the IowaCare Account for salaries and support of the IowaCare Program at the UIHC.

101 25 Sec. 206. 2010 Iowa Acts, House File 2526, section 41,  
 101 26 subsection 6, if enacted, is amended to read as follows:  
 101 27 ~~6. Contingent upon enactment of 2010 Iowa Acts, Senate File~~  
 101 28 ~~2356, there is appropriated from the IowaCare account created~~  
 101 29 ~~in section 249J.24 to the department of human services for the~~  
 101 30 ~~fiscal year beginning July 1, 2010, and ending June 30, 2011,~~  
 101 31 ~~the following amount, or so much thereof as is necessary to be~~  
 101 32 ~~used for the purposes designated:~~  
 101 33 ~~For payment to nonparticipating providers for covered~~  
 101 34 ~~services provided in accordance with section 249J.24A:~~  
 101 35 ..... \$ ~~2,000,000~~

CODE: Deappropriates the appropriation from the IowaCare Account to the IowaCare Nonparticipating Provider Reimbursement Fund.

DETAIL: This appropriation will now be funded at the same level by the State proceeds from the Hospital Health Care Access Assessment.

102 1 Sec. 207. HOSPITAL HEALTH CARE ACCESS TRUST FUND ==  
 102 2 APPROPRIATIONS. There is appropriated from the hospital  
 102 3 health care access trust fund created in section 249M.4, if  
 102 4 enacted by 2010 Iowa Acts, Senate File 2388, to the department  
 102 5 of human services for the fiscal year beginning July 1, 2010,  
 102 6 and ending June 30, 2011, the following amounts, or so much

Hospital Health Care Access Trust Fund appropriation to the DHS for the Medicaid Program. This appropriation is contingent on enactment of SF 2388 (FY 2011 Health Care Access Assessment Act).

DETAIL: This is a new appropriation for FY 2011.

PG LN	House File 2531	Explanation
102 7	thereof as is necessary, for the purposes designated:	NOTE: Senate File 2388 was signed by the Governor on April 14, 2010.
102 8	1. For the medical assistance program:	
102 9	..... \$ 39,406,000	
102 10	Of the funds appropriated in this subsection, \$20,542,883	Allocates \$20,542,883 from the Hospital Health Care Access Trust Fund appropriation to Medicaid for reimbursement to the Upper Payment Limit (UPL) of the 34 prospective payment hospitals under the Medicaid program.
102 11	shall be used for reimbursement of hospitals under the medical	
102 12	assistance program in accordance with section 249M.4, if	
102 13	enacted by 2010 Iowa Acts, Senate File 2388.	
102 14	2. For deposit in the nonparticipating provider	Hospital Health Care Access Trust Fund appropriation to the DHS for the Nonparticipating Provider Reimbursement Fund. This appropriation is contingent on enactment of SF 2388 (FY 2011 Health Care Access Assessment Act).
102 15	reimbursement fund created in section 249J.24A for the purposes	
102 16	of the fund:	
102 17	..... \$ 594,000	
		DETAIL: This is a new appropriation for FY 2011.
		NOTE: Senate File 2388 was signed by the Governor on April 14, 2010.
102 18	Sec. 208. NONPARTICIPATING PROVIDER REIMBURSEMENT FUND	Nonparticipating Provider Reimbursement Fund appropriation to the DHS to reimburse nonparticipating providers.
102 19	== APPROPRIATION. Contingent upon enactment of 2010 Iowa	
102 20	Acts, Senate File 2388, there is appropriated from the	DETAIL: This is a new appropriation for FY 2011.
102 21	nonparticipating provider reimbursement fund created in section	
102 22	249J.24A to the department of human services for the fiscal	
102 23	year beginning July 1, 2010, and ending June 30, 2011, the	
102 24	following amount, or so much thereof as is necessary, for the	
102 25	purposes designated:	
102 26	To reimburse nonparticipating providers in accordance with	
102 27	section 249J.24A:	
102 28	..... \$ 2,000,000	
102 29	Sec. 209. MEDICAL ASSISTANCE PROGRAM == APPROPRIATION	Reduces the General Fund Medicaid appropriation in HF 2526 (FY 2011 Health and Human Services Appropriations Act) by \$18,863,117 for FY 2011.
102 30	REDUCTION. Contingent upon enactment of 2010 Iowa Acts, Senate	
102 31	File 2388, the appropriation from the general fund of the state	
102 32	to the department of human services for the medical assistance	
102 33	program for the fiscal year beginning July 1, 2010, and ending	
102 34	June 30, 2011, as specified in 2010 Iowa Acts, House File 2526,	
102 35	section 11, if enacted, is reduced by \$18,863,117.	

103 1 Sec. 210. CONTINGENT IMPLEMENTATION. Implementation of the  
103 2 provisions of this division of this Act making appropriations  
103 3 from the hospital health care access trust fund and the  
103 4 nonparticipating provider reimbursement fund and reducing the  
103 5 medical assistance program appropriation are contingent upon  
103 6 the department of human services receiving approval of the  
103 7 requests relating to medical assistance waivers and state plan  
103 8 amendments necessary to implement the hospital health care  
103 9 access trust fund if enacted by 2010 Iowa Acts, Senate File  
103 10 2388.

All provisions in this Division making appropriations are contingent on enactment and approval of SF 2388 by the Centers for Medicare and Medicaid Services.

103 11 DIVISION XX  
103 12 WAIVER OF PENALTIES AND INTEREST

103 13 Sec. 211. WAIVER OF PENALTIES AND INTEREST ==  
103 14 DISASTER=RELATED LOSSES == REFUNDS.  
103 15 1. Notwithstanding sections 421.8, 421.27, and 422.25, if a  
103 16 taxpayer has filed a return for tax year 2008 relying in good  
103 17 faith on the expectation that the state of Iowa would conform  
103 18 to the federal treatment of disaster=related casualty losses  
103 19 under section 165(h) of the Internal Revenue Code, as modified  
103 20 by the Heartland Disaster Relief Act of 2008, Pub. L. No.  
103 21 110=343, in computing net income for state tax purposes, the  
103 22 director of revenue shall, for any taxpayer amending the return  
103 23 in the time permitted by statute, waive any penalty or interest  
103 24 due as a result of either a failure to timely pay the tax due or  
103 25 the filing of a defective or incorrect return.  
103 26 2. If, prior to the effective date of this division of this  
103 27 Act, a taxpayer paid penalties or interest as a result of a  
103 28 good=faith reliance on the state conforming to section 165(h)  
103 29 of the Internal Revenue Code, the department of revenue shall  
103 30 refund such penalties and interest to the taxpayer.

CODE: Waives the application of penalty and interest charged to taxpayers that filed 2008 Iowa income tax returns claiming a 2008 disaster casualty loss deduction that was not allowed under Iowa tax law. Applies only to penalty and interest charges. Requires refunds to taxpayers for penalty and interest already paid. This provision is effective on enactment and applies only to tax year 2008.

FISCAL IMPACT: The estimated fiscal impact is a reduction in General Fund receipts of approximately \$100,000 in FY 2010 and \$112,000 in FY 2011.

103 31 Sec. 212. EFFECTIVE UPON ENACTMENT AND RETROACTIVE  
103 32 APPLICABILITY. This division of this Act, being deemed of  
103 33 immediate importance, takes effect upon enactment and applies  
103 34 retroactively to January 1, 2008, for tax years beginning on or

This Division is effective on enactment and applies only to tax year 2008.

PG LN

House File 2531

Explanation

---

103 35 after that date and before January 1, 2009.

# EXECUTIVE SUMMARY GOVERNMENT REORGANIZATION AND EFFICIENCY ACT

SENATE FILE 2088

## FUNDING SUMMARY AND FISCAL IMPACT

- **APPROPRIATIONS:** This Act appropriates \$1.7 million from the General Fund for FY 2011. This Act authorizes 23.0 new FTE positions. For additional detail see the attached tracking document.
- **REVENUES:** This Act generates additional General Fund revenue estimated at \$21.9 million for FY 2011 and \$7.8 million for FY 2012.
- **EXPENDITURES:** This Act impacts General Fund expenditures as follows:
  - **FY 2010** – an estimated decrease in expenditures of \$102,000.
  - **FY 2011** – an estimated decrease in expenditures of \$50.3 million.
  - **FY 2012** – an estimated decrease in expenditures of \$27.0 million.
- **OVERALL IMPACT TO THE GENERAL FUND:** When the overall appropriations, revenue increases, and expenditure changes are totaled, the overall impact to the General Fund is as follows:
  - **FY 2010** – an estimated savings to the General Fund of \$102,000.
  - **FY 2011** – an estimated savings to the General Fund of \$70.5 million.
  - **FY 2012** – an estimated savings to the General Fund of \$34.7 million.
- **NOTE:** The overall impact summary for the General Fund ties to the overall totals at the bottom of the spreadsheet on the next three pages and includes expenditures, revenues, and appropriations.
- **OVERALL IMPACT TO OTHER FUNDS:** The overall impact to other funds (including local government savings), when appropriations, revenue increases, and expenditure changes are totaled, is as follows:
  - **FY 2010** – an estimated savings of \$21,000.
  - **FY 2011** – an estimated savings of \$55.7 million.
  - **FY 2012** – an estimated savings of \$34.2 million.
- **NOTE:** The overall impact summary for other funds ties to the overall totals at the bottom of the spreadsheet on the next three pages and includes expenditures, revenues, and appropriations.
- **NOTE:** Other items related to reorganization were included in HF 2531 (FY 2011 Standings Appropriations Act) and SF 2062 (Early Retirement Incentive Act). House File 2531 appropriates \$2.3 million to the Department of Administrative Services (DAS) for technology procurement to result in a portion of the estimated savings in SF 2088. House File 2531 makes a \$260,000 Cash Reserve Fund appropriation to replace the initial savings that were decreased from the DAS General Fund appropriation in SF 2367 (Administration and Regulation Appropriations Act).
- This Act was approved by the General Assembly on March 2, 2010, and signed by the Governor on March 10, 2010.

## ENACTMENT DATE

**Fiscal Impact Summary**  
**Senate File 2088 - Government Reorganization and Efficiency Act - Final Action**  
**EXPENDITURE CHANGES**

Bill Division	Description	Fiscal Impact - FY 2010		Fiscal Impact - FY 2011		Fiscal Impact - FY 2012	
		State GF	Other Funds	State GF	Other Funds	State GF	Other Funds
I	DAS Digital Government	\$ 0	\$ 0	\$ -1,000,000	\$ 0	\$ -1,800,000	\$ 0
II	DAS Electronic Records Study	0	0	minimal	minimal	minimal	minimal
III	Publication Modernization (see Revenue Changes for this item)	0	0	0	0	0	0
IV	State Budgeting and Personnel	0	0	-14,500,000	-10,700,000	0	0
V	Span of Control	0	0	-15,500,000	-24,100,000	-1,900,000	-2,900,000
VI	Board of Regents - Cooperative Purchasing	0	0	unknown	0	unknown	0
VII	DAS Centralized Purchasing	0	0	-7,500,000	-7,500,000	-7,500,000	-7,500,000
VIII	Require EFT for all State Employees	0	0	-45,000	-71,000	-45,000	-71,000
VIII	DAS Operations - Lease Consolidation	-102,000	-21,000	-108,000	-24,000	-98,000	-4,000
XII	Close ABD Warehouse on Fridays	0	0	-20,000	0	-20,000	0
XII	Tobacco Retail Compliance Checks	0	0	0	0	0	0
XIV	Human Rights Reorganization	0	0	minimal	minimal	minimal	minimal
XVI	DOM Financial Administration Reorganization	0	0	-260,000	0	0	0
XVIII	Eliminates Renewable Fuels Advisory Committee	0	0	minimal	minimal	minimal	minimal
XVIII	Grape and Wine Commission	0	0	minimal	minimal	minimal	minimal
XIX	Eliminates Sustainable Natural Resource Funding Advisory Committee	0	0	minimal	minimal	minimal	minimal
XIX	Eliminates Upland Game Bird Committee	0	0	minimal	minimal	minimal	minimal
XIX	Eliminates Climate Change Advisory Council	0	0	minimal	minimal	minimal	minimal
XXI	DED Boards Elimination	0	0	0	-10,000	0	-10,000
XXII	Housing Programs from DED to IFA	0	0	0	unknown	0	unknown
XXIII	Area Education Agency (AEA) Transition (Sec. 269)	0	0	0	0	0	0
XXIII	Eliminates Learning Tech. Com. and Ag Ed Advisory Council (Sec. 274)	0	0	-3,000	0	-3,000	0
XXIV	Early Childhood Iowa Initiative (Sec. 278)	0	0	minimal	0	minimal	0
XXV	Community College Accreditation (Sec. 311)	0	0	unknown	0	unknown	0
XXVI	Eliminate Advisory Committee on Postsecondary Registration (Sec. 315)	0	0	-3,600	0	-3,600	0
XXVII	Eliminates Medical Profession on State Commission of Libraries (Sec. 317)	0	0	minimal	0	minimal	0
XXVIII	Library Districts	0	0	0	0	0	0
XXIX	Increased Efficiencies at the DHS (Sec. 335)	0	0	minimal	minimal	minimal	minimal
XXIX	Pharmaceutical Improvements (Sec. 336)	0	0	unknown	0	unknown	0
XXX	Child Support Payor Transfer	0	0	-23,000	0	-23,000	0
XXXI	False Claims Act	0	0	unknown	unknown	unknown	unknown
XXXII	Medicaid Preferred Drug List (Sec. 348)	0	0	-156,000	0	-187,000	0
XXXII	Medicaid Mental Health Drug Changes (Sec. 349)	0	0	-200,000	0	-479,000	0
XXXIII	Medicaid Chronic Disease Management	0	0	-2,700,000	0	-6,500,000	0
XXXIV	Medicaid HCBS Waiver Review*	0	0	-1,900,000	-2,800,000	-2,200,000	-3,200,000
XXXV	Medicaid - Transfer of Assets	0	0	-586,000	0	-772,000	0
XXXVI	Child Care Advisory Committee	0	0	0	0	0	0
XXXVII	MH/MR/DD/BI Commission Duties	0	0	0	0	0	0
XXXIX	MH/MR/DD/BI Services	0	0	0	0	0	0

# Fiscal Impact Summary

## Senate File 2088 - Government Reorganization and Efficiency Act - Final Action

### EXPENDITURE CHANGES

Bill Division	Description	Fiscal Impact - FY 2010		Fiscal Impact - FY 2011		Fiscal Impact - FY 2012	
		State GF	Other Funds	State GF	Other Funds	State GF	Other Funds
XXXIX	MH/MR/DD/BI Commission and Waiver Name Change	0	0	0	0	0	0
XL	Consolidation-Council on Human Services	0	0	0	0	0	0
--- XLI	Repeal of Health Advisory Bodies	0	0	0	0	0	0
XLII	DHS - Field Services Organization	0	0	0	0	0	0
XLIII	Family Support Subsidy Program	0	0	-355,000	0	-121,800	0
--- XLIV	DHS - Level of Care Evaluation	0	0	-105,000	0	-105,000	0
XLV	DHS - HCBS Transportation	0	0	0	0	0	0
XLVI	Electronic Funds Transfers in DHS	0	0	0	0	0	0
--- XLVII	Adoption Subsidy Program - DHS	0	0	-145,800	0	0	0
XLVIII	Veterans County Grant Program	0	0	0	0	0	0
XLIX	Reduce Board of Corrections Meetings (Sec. 410)	0	0	-6,400	0	-6,400	0
--- XLIX	Close Farm 1 and 3 (Sec. 412)	0	0	-1,451,000	0	-1,451,000	0
--- L	Eliminate Indigent Defense Advisory Council (Sec. 414)	0	0	0	0	0	0
--- L	Reduction in Indigent Defense (Sec. 415)**	0	0	-3,753,000	0	-3,753,000	0
--- LI	Additional Cost to DNR for ILEA Training	0	0	2,300	0	2,300	0
--- LI	Additional Cost to DOT for ILEA Training	0	0	0	9,200	0	9,200
--- LI	Local government savings for ILEA training costs*	0	0	0	-455,000	0	-455,000
--- LII	State Government Efficiency Review Committee	0	0	minimal	minimal	minimal	minimal
--- LIII	Boards and Commissions - Establishment Criteria	0	0	0	0	0	0
	TOTAL	\$ -102,000	\$ -21,000	\$ -50,318,500	\$ -45,650,800	\$ -26,965,500	\$ -14,130,800

\*Other funds savings represents savings to local government.

\*\*Net savings is less because of appropriations to the Public Defender's Office. See tracking document.

### REVENUE CHANGES

Bill Division	Description	Fiscal Impact - FY 2010		Fiscal Impact - FY 2011		Fiscal Impact - FY 2012	
		State GF	Other Funds	State GF	Other Funds	State GF	Other Funds
III	Publication Modernization	\$ 0	\$ 0	\$ 360,000	\$ 0	\$ 0	\$ 0
VIII	DAS Operations - Sale of Real Property	0	0	13,800,000	0	0	0
--- IX	Class A Micro-distilleries On-site Sales	0	0	0	0	0	0
--- X	Charity Beer and Wine Auction Permit	0	0	12,000	0	14,000	0
--- XI	High Alcohol Content Beer Sales	0	0	0	0	0	0
--- XIII	Allow for Direct Shipment of Wine (Native wine)	0	0	375,000	0	412,500	0
--- XV	Lower Threshold for Gambling Setoffs	0	0	4,600,000	0	4,600,000	0
--- XVII	Hire Five New Revenue Examiners	0	0	2,700,000	0	2,700,000	0
--- XVII	Add an FTE to GEMS	0	0	0	10,000,000	0	20,000,000
--- XVIII	Organic Agriculture Fees - Dept of Ag keeps fee increase	0	0	0	33,000	0	33,000
--- XLIX	New Disciplinary Fee (Sec. 411)	0	0	6,000	0	6,000	0
--- LI	Tuition receipts to be retained by DPS	0	0	0	46,000	0	46,000
--- LI	ILEA Charge DOT and DNR Full Cost of Training	0	0	0	11,500	0	11,500
--- LI	ILEA Pilot Training Project	0	0	25,000	0	25,000	0
	TOTAL	\$ 0	\$ 0	\$ 21,878,000	\$ 10,090,500	\$ 7,757,500	\$ 20,090,500



# Fiscal Impact Summary

## Senate File 2088 - Government Reorganization and Efficiency Act - Final Action

SF 2088 - Final Action	Fiscal Impact - FY 2010		Fiscal Impact - FY 2011		Fiscal Impact - FY 2012	
	State GF	Other Funds	State GF	Other Funds	State GF	Other Funds
Total Savings (Expenditure Changes Total above)	\$ 102,000	\$ 21,000	\$ 50,318,500	\$ 45,650,800	\$ 26,965,500	\$ 14,130,800
Total Additional Revenue (Revenue Changes Total above)	0	0	21,878,000	10,090,500	7,757,500	20,090,500
Appropriations (tracking)	0	0	-1,700,000	0	0	0
Total Impact	<u>\$ 102,000</u>	<u>\$ 21,000</u>	<u>\$ 70,496,500</u>	<u>\$ 55,741,300</u>	<u>\$ 34,723,000</u>	<u>\$ 34,221,300</u>

NOTE: The overall impact does not reflect changes to SF 2088 made in other legislation.

Senate File 2088 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
1	3	40201	Amends	Sec. Various	Information Technology Services
11	34	24	Amends	Sec. 7A.11A	Electronic Records
12	26	26-58	Amends	Sec. Various	Publication Modernization
33	3	59-66	Amends	Sec. Various	State Budgeting and Personnel
36	8	67-69	Amends	Sec. Various	Span of Control Requirements
40	12	70	Adds	Sec. 262.9B(1)	Regents Cooperative Purchasing
40	29	70	Adds	Sec. 262.9B(2)	Regents Cooperative Purchasing
41	21	70	Adds	Sec. 262.9B(3)	Regents Cooperation for Information Technology
42	2	70	Adds	Sec. 262.9B(4)	Regents Cooperative Purchasing Plan
42	12	70	Adds	Sec. 262.9B(5)	Regents Cooperative Purchasing Report
42	22	71-77	Amends	Sec. Various	Purchasing
46	15	Sec. 77-78	Amends	Sec. Various	State Employee Electronic Fund Transfers
48	34	83-84	Amends	Sec. Various	Micro-distilled Spirit Permits
51	7	85-86	Amends	Sec. Various	Charity Beer and Wine Auction Permits
53	7	87-96	Amends	Sec. Various	High Alcoholic Content Beer Permits
57	4	99-100	Amends	Sec. Various	Out-of-state Shipment of Wine
59	20	101-170	Amends	Sec. Various	Department of Human Rights Organization
86	7	171-174	Amends	Sec. Various	Gambling Setoffs
87	27	175-234	Amends	Sec. Various	State Financial Duties
116	32	237-251	Amends	Sec. Various	Renewable Fuels and Coproducts Advisory Committee
120	1	252	Strikes	Sec. All, Chapter 175A	Grape and Wine Development Commission Elimination
120	2	253	Nwthstnd	Sec. 190C.5	Organic Advisory Council Fees
120	27	255-257	Amends	Sec. Various	Natural Resource and Game Bird Advisory Committees Elimination
121	11	258-260	Amends	Sec. Various	Climate Change Advisory Council Elimination
121	30	261-264	Amends	Sec. Various	Elimination of Economic Development-related Entities

Page #	Line #	Bill Section	Action	Code Section	Description
123	12	265-268	Amends	Sec. Various	Shelter Assistance and Housing Funding
124	20	269	Adds	Sec. 256.9(59), Code Supplement 2009	State and Federal Guidance and Standards
124	25	270	Adds	Sec. 273.2(8 and 9), Code Supplement 2009	AEA Boards
125	17	271	Amends	Sec. 273.10(2), Code Supplement 2009	Evaluation of AEA Performance
125	35	272	Adds	Sec. 273.11(2j)	Early Childhood Service Coordination
126	5	273	Adds	Sec. 273.15(1-5)	AEA Advisory Group
127	21	274-277	Repeals	Sec. 280.20(3); Sec. All, Chapter 280A, and Sec. 256.32	Agricultural Education Advisory Council and Learning Technology Commission
127	30	278	Adds	Sec. 256I.1	Early Childhood Iowa - Definitions
128	16	279	Adds	Sec. 256I.2	Early Childhood Iowa - Desires Results, Purpose, and Primary Focus
129	10	280	Adds	Sec. 256I.3	Early Childhood Iowa - State Board Established
130	34	281	Adds	Sec. 256I.4	Early Childhood Iowa State Board Duties
134	34	282	Adds	Sec. 256I.5	Early Childhood Iowa Coordination Staff
136	24	283	Adds	Sec. 256I.6	Early Childhood Iowa Areas
137	21	284	Adds	Sec. 256I.7	Early Childhood Iowa Area Boards Created
138	19	285	Adds	Sec. 256I.8	Early Childhood Iowa Area Board Duties
140	19	286	Adds	Sec. 256I.9	School Ready Children Grant Program
143	3	287	Adds	Sec. 256I.10	Early Childhood Iowa Internet Site
143	29	288	Adds	Sec. 256I.11	Early Childhood Iowa Fund
145	30	289	Adds	Sec. 256I.12	Early Childhood Stakeholders Alliance
147	23	290	Amends	Sec. 135.106(3)	Technical Change
148	14	291	Amends	Sec. 135.119(2d), Code Supplement 2009	Technical Change
148	27	292	Amends	Sec. 135.159(3i), Code Supplement 2009	Technical Change
149	5	293	Amends	Sec. 142A.4(8), Code Supplement 2009	Technical Change
149	12	294	Amends	Sec. 142A.8(2)	Technical Change

Page #	Line #	Bill Section	Action	Code Section	Description
149	23	295	Amends	Sec. 216A.140(5j), Code Supplement 2009	Technical Change
149	27	296	Amends	Sec. 217.42(1)	Technical Change
150	18	297	Amends	Sec. 232.188(4c)	Technical Change
150	27	298	Amends	Sec. 237A.21(3n), Code Supplement 2009	Technical Change
150	31	299	Amends	Sec. 237A.21(3q), Code Supplement 2009	Technical Change
150	35	300	Amends	Sec. 237A.22(1j), Code Supplement 2009	Technical Change
151	5	301	Amends	Sec. 237A.26(8)	Technical Change
151	20	302	Amends	Sec. 237A.30(1)	Technical Change
151	28	303	Amends	Sec. 256C.3(3e)	Technical Change
152	6	304	Amends	Sec. 256C.3(4a)	Technical Change
152	27	305	Amends	Sec. 256C.4(2b)	Technical Change
153	7	306	Amends	Sec. 279.60	Technical Change
153	34	307	Amends	Sec. 915.35(4b), Code Supplement 2009	Technical Change
154	19	308	Repeals	Sec. 135.173 and 135.174; Chapter 28	Early Childhood Iowa Council and Community Empowerment Initiative Repealed
154	22	309	Nwthstnd	Sec. 25B.2(3)	Unfunded State Mandates - Early Childhood Iowa Initiative
156	15	313	Nwthstnd	Sec. 260C.48(2)	Community College Faculty Workload Standard
156	25	314	Amends	Sec. 261.2(7)(b), Code Supplement 2009	Eliminates Recommendation by the Iowa Coordinating Council for Post-High School Education
157	4	315	Repeals	Sec. 261B.10, Code Supplement 2009	Advisory Committee on Postsecondary Registration Repeal
157	8	316	Amends	Sec. 256.51(1a)	State Library - Technical Change
157	13	317	Amends	Sec. 256.52(1)	Commission of Libraries Appointees
157	27	318	Amends	Sec. 256.52(3d)	State Library - Technical Change
157	33	319	Amends	Sec. 256.54	State Library - Technical Change
158	2	320	Repeals	Sec. 256.54(1)	Requirements for State Medical Library
158	9	322	Amends	Sec. 336.2	Petition for Establishment of a Library District

Page #	Line #	Bill Section	Action	Code Section	Description
158	25	323	Amends	Sec. 336.4	Membership of Board of Library Trustees
159	7	324	Amends	Sec. 336.5	Vacancies on Board of Library Trustees
159	31	325	Amends	Sec. 336.8	Powers of a Board of Library Trustees
161	22	326	Amends	Sec. 336.10	Library Fund
162	11	327	Amends	Sec. 336.11	Board of Library Trustees Annual Report
162	28	328	Amends	Sec. 336.12	Board of Library Trustees - Real Estate Acquisition
163	1	329	Amends	Sec. 336.13	Maintenance of Public Library
163	35	330	Amends	Sec. 336.15	Library District - Technical Change
164	9	331	Amends	Sec. 336.16	Library District - Technical Change
165	14	332	Amends	Sec. 336.18(4c and d)	Library District - Technical Change
165	23	333	Adds	Sec. 336.19	Contracts for Use of Public Library
166	12	334	Repeals	Sec. 336.6, 336.9, and 336.17	Library District - Technical Change
167	6	337	Amends	Sec. 252D.17	Child Support Payors
167	20	338-345	Adds	Sec. All, Chapter 685	False Claims Act
194	25	347	Amends	Sec. 249A.20A(4)	Mental Health Drugs Prior Authorization
196	27	352	Amends	Sec. 249F.1(2)(a)	Medicaid Divestiture of Assets
197	30	354-361	Amends	Sec. Various	Child Care Advisory Committee
204	3	362-373	Amends	Sec. Various	Mental Health and Disability Commission Duties
221	6	382-390	Amends	Sec. Various	Mental Health Commission and Waiver Name Change
224	25	391.1	Adds	Sec. 217.3A(1)	Council on Human Services - Advisory Committees
224	32	391.2	Adds	Sec. 217.3A(2)	Child Abuse Prevention Advisory Committee
225	19	391.3	Adds	Sec. 217.3A(3)(a)	Child Support Advisory Committee
226	18	391.4	Adds	Sec. 217.3A(4)	Child Welfare Advisory Committee
227	9	392	Repeals	Sec. 235A.1(3)(4), Code Supplement 2009	Child Abuse Prevention Program Advisory Council
227	11	393	Repeals	Sec. 234.3 and 252B.18	Child Welfare Advisory Committee, Child Support Advisory Committee
227	22	395	Amends	Sec. 135.29(3)	State Substitute Decision-Making Board
228	1	396	Amends	Sec. 135.107(5)(a), 2009 Code Supplement	Center for Rural Health and Primary Care Advisory Committee

Page #	Line #	Bill Section	Action	Code Section	Description
228	27	397	Repeals	Sec. 136C.3(2)(b), Code Supplement 2009	Technical Advisory Committee for Radiation Machines and Radioactive Materials
228	29	398	Amends	Sec. 691.6(3), Code Supplement 2009	State Medical Examiner
228	34	399	Repeals	Sec. 135.28, 135N.1, 135N.2, 135N.3, 135N.4, 135N.5, 135N.6, and 142C.16	State Substitute Decision-Making Board, Hemophilia Advisory Committee, Anatomical Gift Public Awareness Advisory Committee
229	8	401	Amends	Sec. 217.42(1)	Department of Human Services - Field Services Organization
230	4	403	Amends	Sec. 225C.37, Code Supplement 2009	Family Support Subsidy Program
230	34	406	Amends	Sec. 217.6	DHS Electronic Document Submissions
231	8	407	Adds	Sec. 217.24	DHS Electronic Funds Transfer
231	24	409	Amends	Sec. 35A.16(3)(a), Code Supplement 2009	Veteran County Grant Program Report
232	1	410	Amends	Sec. 904.106	Board of Corrections Meetings
232	12	411	Adds	Sec. 904.505	Corrections Disciplinary Fee
232	31	414	Amends	Sec. 13B.2A	Indigent Defense Board
233	25	416	Amends	Sec. 80.13	Iowa Law Enforcement Academy
234	2	417	Amends	Sec. 80B.11B(2)(a and b)	Iowa Law Enforcement Academy Charges
234	15	417	Amends	Sec. 80B.11B(2)(c and d)	Iowa Law Enforcement Academy Charges
234	23	418	Amends	Sec. 80B.11E(1)	Law Enforcement Academy Tuition Charge Authority
235	12	420	Adds	Sec. 2.69	State Government Efficiency Committee
236	28	421	Adds	Sec. 69.16D	Creation of New Boards and Commissions Criteria

1 1 DIVISION I  
1 2 GOVERNMENT INFORMATION TECHNOLOGY SERVICES

1 3 Section 1. Section 8A.104, subsection 12, Code 2009, is  
1 4 amended by striking the subsection.  
1 5 Sec. 2. Section 8A.111, subsection 3, Code 2009, is amended  
1 6 by striking the subsection.  
1 7 Sec. 3. Section 8A.111, subsection 5, Code 2009, is amended  
1 8 by striking the subsection.  
1 9 Sec. 4. Section 8A.201, subsection 1, Code 2009, is amended  
1 10 to read as follows:  
1 11 1. "Information technology" means computing and electronics  
1 12 applications used to process and distribute information in  
1 13 digital and other forms and includes information technology  
1 14 devices, information technology services, infrastructure  
1 15 services, and value-added services.  
1 16 Sec. 5. Section 8A.201, Code 2009, is amended by adding the  
1 17 following new subsection:  
1 18 NEW SUBSECTION . 3A. "Infrastructure services" includes all  
1 19 of the following:  
1 20 a. Data centers used to support mainframe and other  
1 21 computers and their associated components including servers,  
1 22 information networks, storage systems, redundant or backup  
1 23 power systems, redundant data communications connections,  
1 24 environmental controls, and security devices.  
2 1 b. Servers, mainframes, or other centralized processing  
2 2 systems.  
2 3 c. Storage systems, including but not limited to disk, tape,  
2 4 optical, and other structured repositories for storing digital  
2 5 information.  
2 6 d. Computer networks commonly referred to as local area  
2 7 networks.  
2 8 e. Network services, including equipment and software  
2 9 which support local area networks, campus area networks, wide  
2 10 area networks, and metro area networks. Network services  
2 11 also include data network services such as routers, switches,  
2 12 firewalls, virtual private networks, intrusion detection

CODE: Requires all State agencies (excluding the Board of Regents and the Department of Public Defense) including Iowa Public Television, the Department of Transportation Mobile Radio Network, the Department of Public Safety Law Enforcement Communications, the Iowa Communications Network, and the Iowa Lottery to obtain services relating to information technology (IT) from the Department of Administrative Services (DAS). The IT services include data centers, servers and mainframes, local area networks, cyber security, and disaster recovery technology.

This Division calls for the appointment of a new Chief Information Officer (CIO) by the Governor to be affiliated with the Department of Management (DOM). A 10-member Technology Advisory Council is established (replacing the Technology Governance Board) to advise the CIO concerning IT services. Agencies are allowed to seek a waiver for any IT services if the agency can provide the technology more economically, it is in the best interest of the State, or would jeopardize federal funding.

A participating agency may appeal the CIO's decision on a waiver request within seven days of decision. The Director, with consultation of the Technology Advisory Council, will respond within 14 days following the receipt of the appeal.

Requires the CIO to conduct a study of the fees charged electronically by State agencies with the goal of encouraging the elimination of the fees where possible. The CIO is required to submit a report to the General Assembly by January 15, 2011.

FISCAL IMPACT: This Division will require an initial investment of \$4.3 million over the next three fiscal years: \$2.3 million for FY 2011; \$1.5 million for FY 2012; and \$0.5 million for FY 2013.

Savings are expected to be \$10.0 million over the next three fiscal years (approximately \$3.3 million per year) and \$10.0 million in annual savings in each subsequent fiscal year.

2 13 systems, access control, internet protocol load balancers,  
 2 14 event logging and correlation, and content caching. Network  
 2 15 services do not include services provided by the Iowa  
 2 16 communications network pursuant to chapter 8D or by the public  
 2 17 broadcasting division of the department of education.  
 2 18 f. Groupware applications used to facilitate collaboration,  
 2 19 communication, and workflow, including electronic mail,  
 2 20 directory services, calendaring and scheduling, and imaging  
 2 21 systems.  
 2 22 g. Information technology help desk services.  
 2 23 h. Cyber security functions and equipment.  
 2 24 i. Digital printing and printing procurement services.  
 2 25 j. Data warehouses, including services that assist in  
 2 26 managing and locating digital information.  
 2 27 k. Disaster recovery technology and services.  
 2 28 l. Other similar or related services as determined by the  
 2 29 chief information officer.  
 2 30 Sec. 6. Section 8A.201, subsection 4, Code 2009, is amended  
 2 31 by striking the subsection and inserting in lieu thereof the  
 2 32 following:  
 2 33 4. "Participating agency" means any state agency, except  
 2 34 the state board of regents and institutions operated under the  
 2 35 authority of the state board of regents.  
 3 1 Sec. 7. Section 8A.201, subsection 5, Code 2009, is amended  
 3 2 to read as follows:  
 3 3 5. "Technology ~~governance board~~ advisory council" means the  
 3 4 ~~board~~ council established in section 8A.204.  
 3 5 Sec. 8. NEW SECTION . 8A.201A Chief information officer  
 3 6 appointed.  
 3 7 1. A chief information officer shall be appointed by the  
 3 8 governor to serve at the pleasure of the governor and is  
 3 9 subject to confirmation by the senate. If the office becomes  
 3 10 vacant, the vacancy shall be filled in the same manner as  
 3 11 provided for the original appointment. The chief information  
 3 12 officer position is attached to the department of management.  
 3 13 2. The person appointed as the chief information officer  
 3 14 for the state shall be professionally qualified by education  
 3 15 and have no less than five years' experience in the field of

The overall net impact of this Division will be savings to the General Fund of \$1.0 million for FY 2011, \$1.8 million for FY 2012, \$3.8 million for FY 2013, and \$10.0 million annually for FY 2014 and subsequent years.

NOTE: House File 2531 (Standings Appropriations Act) appropriated \$2.3 million to the DAS for technology procurement to result in a portion of the estimated savings.



3 16 information technology, and a working knowledge of financial  
3 17 management. The chief information officer shall not be  
3 18 a member of any local, state, or national committee of a  
3 19 political party, an officer or member of a committee in  
3 20 any partisan political club or organization, or hold or be  
3 21 a candidate for a paid elective public office. The chief  
3 22 information officer is subject to the restrictions on political  
3 23 activity provided in section 8A.416.

3 24 Sec. 9. Section 8A.202, subsection 2, paragraph g, Code  
3 25 2009, is amended to read as follows:

3 26 g. Coordinating and managing the acquisition of information  
3 27 technology services by participating agencies in furtherance of  
3 28 the purposes of this chapter. The department shall institute  
3 29 procedures to ensure effective and efficient compliance  
3 30 with the applicable standards established pursuant to this  
3 31 subchapter. ~~This subchapter shall not be construed to prohibit~~  
3 32 ~~or limit a participating agency from entering into an agreement~~  
3 33 ~~or contract for information technology with a qualified private~~  
3 34 ~~entity.~~

3 35 Sec. 10. Section 8A.202, Code 2009, is amended by adding the  
4 1 following new subsection:

4 2 NEW SUBSECTION . 4A. Waivers.

4 3 a. The department shall adopt rules allowing for  
4 4 participating agencies to seek a temporary or permanent waiver  
4 5 from any of the requirements of this subchapter concerning  
4 6 the acquisition, utilization, or provision of information  
4 7 technology. The rules shall provide that a waiver may be  
4 8 granted upon a written request by a participating agency and  
4 9 approval of the chief information officer. A waiver shall only  
4 10 be approved if the participating agency shows that a waiver  
4 11 would be in the best interests of the state.

4 12 b. Prior to approving or denying a request for a waiver, the  
4 13 chief information officer shall consider all of the following:

4 14 (1) Whether the failure to grant a waiver would violate  
4 15 any state or federal law; or any published policy, standard,  
4 16 or requirement established by a governing body other than the  
4 17 department.

4 18 (2) Whether the waiver would result in the duplication of

---

4 19 existing services, resources, or support.

4 20 (3) Whether the waiver would obstruct the state's

4 21 information technology strategic plan, enterprise architecture,

4 22 security plans, or any other information technology policy,

4 23 standard, or requirement.

4 24 (4) Whether the waiver would result in excessive

4 25 expenditures or expenditures above market rates.

4 26 (5) The life cycle of the system or application for which

4 27 the waiver is requested.

4 28 (6) Whether the participating agency can show that it can

4 29 obtain or provide the information technology more economically

4 30 than the information technology can be provided by the

4 31 department. For purposes of determining if the participating

4 32 agency can obtain or provide the information technology more

4 33 economically, the chief information officer shall consider

4 34 the impact on other participating agencies if the waiver is

4 35 approved or denied.

5 1 (7) Whether the failure to grant a waiver would jeopardize

5 2 federal funding.

5 3 c. Rules adopted pursuant to this subsection relating to a

5 4 request for a waiver, at a minimum, shall provide for all of

5 5 the following:

5 6 (1) The request shall be in writing and signed by the head

5 7 of the participating agency seeking the waiver.

5 8 (2) The request shall include a reference to the specific

5 9 policy, standard, or requirement for which the waiver is

5 10 submitted.

5 11 (3) The request shall include a statement of facts including

5 12 a description of the problem or issue prompting the request;

5 13 the participating agency's preferred solution; an alternative

5 14 approach to be implemented by the participating agency intended

5 15 to satisfy the waived policy, standard, or requirement; the

5 16 business case for the alternative approach; the economic

5 17 justification for the waiver or a statement as to why the

5 18 waiver is in the best interests of the state; the time period

5 19 for which the waiver is requested; and any other information

5 20 deemed appropriate.

5 21 d. A participating agency may appeal the decision of the

---

5 22 chief information officer to the director within seven calendar  
5 23 days following the decision of the chief information officer.  
5 24 The director, after consultation with the technology advisory  
5 25 council, shall respond within fourteen days following the  
5 26 receipt of the appeal.

5 27 e. The department of public defense, including both the  
5 28 military division and the homeland security and emergency  
5 29 management division, shall not be required to obtain any  
5 30 information technology services pursuant to this subchapter  
5 31 for the department of public defense or its divisions that is  
5 32 provided by the department pursuant to this chapter without the  
5 33 consent of the adjutant general.

5 34 Sec. 11. Section 8A.203, unnumbered paragraph 1, Code 2009,  
5 35 is amended to read as follows:

6 1 The chief information officer, in consultation with  
6 2 the director, shall do all of the following as it relates to  
6 3 information technology services:

6 4 Sec. 12. Section 8A.203, subsection 1, Code 2009, is amended  
6 5 to read as follows:

6 6 ~~1. Prescribe and adopt~~ Advise the director concerning the  
6 7 adoption of information technology standards and rules.

6 8 Sec. 13. Section 8A.203, Code 2009, is amended by adding the  
6 9 following new subsections:

6 10 NEW SUBSECTION . 6. Coordinate the internal operations  
6 11 of the department as they relate to information technology  
6 12 and develop and implement policies and procedures designed to  
6 13 ensure the efficient administration of the department as they  
6 14 relate to information technology.

6 15 NEW SUBSECTION . 7. Recommend to the director for adoption  
6 16 rules deemed necessary for the administration of this  
6 17 subchapter in accordance with chapter 17A.

6 18 NEW SUBSECTION . 8. Advise the director concerning  
6 19 contracts for the receipt and provision of information  
6 20 technology services as deemed necessary.

6 21 NEW SUBSECTION . 9. Exercise and perform such other  
6 22 powers and duties related to information technology as may be  
6 23 delegated by the director or as may be prescribed by law.

6 24 Sec. 14. Section 8A.204, Code 2009, is amended by striking

---

6 25 the section and inserting in lieu thereof the following:  
6 26 8A.204 Technology advisory council.  
6 27 1. Definitions. For purposes of this section, unless the  
6 28 context otherwise requires:  
6 29 a. "Large agency" means a participating agency with more  
6 30 than seven hundred full-time, year-round employees.  
6 31 b. "Medium-sized agency" means a participating agency with  
6 32 at least seventy or more full-time, year-round employees, but  
6 33 not more than seven hundred permanent employees.  
6 34 c. "Small agency" means a participating agency with less  
6 35 than seventy full-time, year-round employees.  
7 1 2. Membership.  
7 2 a. The technology advisory council is composed of ten  
7 3 members as follows:  
7 4 (1) The chief information officer.  
7 5 (2) The director of the department of management, or the  
7 6 director's designee.  
7 7 (3) Eight members appointed by the governor as follows:  
7 8 (a) Three representatives from large agencies.  
7 9 (b) Two representatives from medium-sized agencies.  
7 10 (c) One representative from a small agency.  
7 11 (d) Two public members who are knowledgeable and have  
7 12 experience in information technology matters.  
7 13 b. (1) Members appointed pursuant to paragraph "a",  
7 14 subparagraph (3), shall serve two-year staggered terms. The  
7 15 department shall provide, by rule, for the commencement of the  
7 16 term of membership for the nonpublic members. The terms of  
7 17 the public members shall be staggered at the discretion of the  
7 18 governor.  
7 19 (2) Sections 69.16, 69.16A, and 69.19 shall apply to the  
7 20 public members of the council.  
7 21 (3) Public members appointed by the governor are subject to  
7 22 senate confirmation.  
7 23 (4) Public members appointed by the governor may be eligible  
7 24 to receive compensation as provided in section 7E.6.  
7 25 (5) Members shall be reimbursed for actual and necessary  
7 26 expenses incurred in performance of the members' duties.  
7 27 (6) A director, deputy director, or employee with

7 28 information technology expertise of an agency is preferred as  
7 29 an appointed representative for each of the agency categories  
7 30 of membership pursuant to paragraph "a", subparagraph (3).

7 31 c. The technology advisory council annually shall elect a  
7 32 chair and a vice chair from among the members of the council,  
7 33 by majority vote, to serve one=year terms.

7 34 d. A majority of the members of the council shall constitute  
7 35 a quorum.

8 1 e. Meetings of the council shall be held at the call of the  
8 2 chairperson or at the request of three members.

8 3 3. Powers and duties of the council. The powers and  
8 4 duties of the technology advisory council as they relate to  
8 5 information technology services shall include but are not  
8 6 limited to all of the following:

8 7 a. Advise the chief information officer in developing and  
8 8 adopting information technology standards pursuant to sections  
8 9 8A.203 and 8A.206 applicable to all agencies.

8 10 b. Make recommendations to the chief information officer  
8 11 regarding all of the following:

8 12 (1) Technology utility services to be implemented by the  
8 13 department.

8 14 (2) Improvements to information technology service  
8 15 levels and modifications to the business continuity plan for  
8 16 information technology operations developed by the department  
8 17 for agencies, and to maximize the value of information  
8 18 technology investments by the state.

8 19 (3) Technology initiatives for the executive branch.

8 20 c. Advise the department regarding rates to be charged  
8 21 for access to and for value=added services performed through  
8 22 lowAccess.

8 23 Sec. 15. Section 8A.205, subsection 2, paragraph f, Code  
8 24 2009, is amended by striking the paragraph and inserting in  
8 25 lieu thereof the following:

8 26 f. Assist participating agencies in converting printed  
8 27 government materials to electronic materials which can be  
8 28 accessed through an internet searchable database.

8 29 g. Encourage participating agencies to utilize a print  
8 30 on demand strategy to reduce publication overruns, excessive

8 31 inventory, and obsolete printed materials.  
8 32 Sec. 16. Section 8A.206, subsection 1, Code 2009, is amended  
8 33 to read as follows:  
8 34 1. The department, ~~in conjunction~~ after consultation with  
8 35 the technology ~~governance board~~ advisory council, shall develop  
9 1 and adopt information technology standards applicable to the  
9 2 procurement of information technology by all participating  
9 3 agencies. Such standards, unless waived by the department  
9 4 pursuant to section 8A.202, subsection 4A, shall apply to all  
9 5 information technology procurements for participating agencies.  
9 6 Sec. 17. Section 8A.207, Code 2009, is amended by adding the  
9 7 following new subsection:  
9 8 NEW SUBSECTION . 2A. The department shall develop policies  
9 9 and procedures that apply to all information technology goods  
9 10 and services acquisitions, and shall ensure the compliance  
9 11 of all participating agencies. The department shall also be  
9 12 the sole provider of infrastructure services for participating  
9 13 agencies.  
9 14 Sec. 18. Section 8A.221, Code 2009, is amended by striking  
9 15 the section and inserting in lieu thereof the following:  
9 16 8A.221 lowAccess == duties and responsibilities.  
9 17 1. lowAccess. The department shall establish lowAccess as  
9 18 a service to the citizens of this state that is the gateway  
9 19 for one=stop electronic access to government information and  
9 20 transactions, whether federal, state, or local. Except as  
9 21 provided in this section, lowAccess shall be a state=funded  
9 22 service providing access to government information and  
9 23 transactions. The department, in establishing the fees for  
9 24 value=added services, shall consider the reasonable cost of  
9 25 creating and organizing such government information through  
9 26 lowAccess.  
9 27 2. Duties. The department shall do all of the following:  
9 28 a. Establish rates to be charged for access to and for  
9 29 value=added services performed through lowAccess.  
9 30 b. Approve and establish the priority of projects  
9 31 associated with lowAccess. The determination may also include  
9 32 requirements concerning funding for a project proposed by  
9 33 a political subdivision of the state or an association,

---

9 34 the membership of which is comprised solely of political  
9 35 subdivisions of the state. Prior to approving a project  
10 1 proposed by a political subdivision, the department shall  
10 2 verify that all of the following conditions are met:  
10 3 (1) The proposed project provides a benefit to the state.  
10 4 (2) The proposed project, once completed, can be shared  
10 5 with and used by other political subdivisions of the state, as  
10 6 appropriate.  
10 7 (3) The state retains ownership of any final product or is  
10 8 granted a permanent license to the use of the product.  
10 9 c. Establish expected outcomes and effects of the use of  
10 10 lowAccess and determine the manner in which such outcomes are  
10 11 to be measured and evaluated.  
10 12 d. Establish the lowAccess total budget request and  
10 13 ensure that such request reflects the priorities and goals of  
10 14 lowAccess as established by the department.  
10 15 e. Advocate for access to government information and  
10 16 services through lowAccess and for data privacy protection,  
10 17 information ethics, accuracy, and security in lowAccess  
10 18 programs and services.  
10 19 f. Receive status and operations reports associated with  
10 20 lowAccess.  
10 21 3. Data purchasing. This section shall not be construed  
10 22 to impair the right of a person to contract to purchase  
10 23 information or data from the Iowa court information system  
10 24 or any other governmental entity. This section shall not be  
10 25 construed to affect a data purchase agreement or contract in  
10 26 existence on April 25, 2000.  
10 27 Sec. 19. Section 8A.224, subsection 1, Code Supplement  
10 28 2009, is amended to read as follows:  
10 29 1. An lowAccess revolving fund is created in the state  
10 30 treasury. The revolving fund shall be administered by the  
10 31 department and shall consist of moneys collected by the  
10 32 department as fees, moneys appropriated by the general  
10 33 assembly, and any other moneys obtained or accepted by the  
10 34 department for deposit in the revolving fund. The proceeds  
10 35 of the revolving fund are appropriated to and shall be used  
11 1 by the department to maintain, develop, operate, and expand

11 2 lowAccess consistent with this subchapter, and for the support  
11 3 of activities of the technology ~~governance board~~ advisory  
11 4 council pursuant to section 8A.204.  
11 5 Sec. 20. REPEAL. Section 8A.223, Code 2009, is repealed.  
11 6 Sec. 21. DEPARTMENT OF ADMINISTRATIVE SERVICES INFORMATION  
11 7 TECHNOLOGY == UTILIZATION BY LEGISLATIVE AND JUDICIAL  
11 8 BRANCH. The department of administrative services shall  
11 9 consult with and explore opportunities with the legislative  
11 10 and judicial branches of government relative to the providing  
11 11 of information technology services to those branches of  
11 12 government.  
11 13 Sec. 22. CHIEF INFORMATION OFFICER == CONVENIENCE FEE  
11 14 STUDY. The chief information officer of the state shall  
11 15 conduct a study concerning convenience or other handling fees  
11 16 charged by state agencies by credit or debit card or other  
11 17 electronic means of payment. The goal of the study would be to  
11 18 encourage the elimination of such fees wherever possible. The  
11 19 department shall determine the extent and amount of the fees  
11 20 charged, revenues generated by those fees, and explore ways to  
11 21 reduce or eliminate the fees. The chief information officer  
11 22 shall submit a report to the general assembly by January 15,  
11 23 2011, concerning the results of the study, including any  
11 24 recommendations for legislative consideration.  
11 25 Sec. 23. STATE AGENCY ELECTRONIC RENEWAL NOTICES. State  
11 26 agencies, as defined in section 8A.101, should, to the greatest  
11 27 extent possible, utilize electronic mail or similar electronic  
11 28 means to notify holders of licenses or permits issued by that  
11 29 state agency that the license or permit needs to be renewed.  
11 30 The chief information officer of the state shall assist state  
11 31 agencies in implementing the directive in this section.

11 32 DIVISION II  
11 33 ELECTRONIC RECORDS

11 34 Sec. 24. Section 7A.11A, Code 2009, is amended to read as  
11 35 follows:

CODE: Eliminates the requirement for agencies to deliver one printed copy of reports to the General Assembly, but maintains the



12 1 7A.11A Reports to the general assembly.  
 12 2 All reports required to be filed with the general assembly by  
 12 3 a state department or agency shall be filed by delivering ~~one~~  
 12 4 ~~printed copy~~ and one copy in electronic format as prescribed by  
 12 5 the secretary of the senate and the chief clerk of the house.  
 12 6 Sec. 25. STUDY == CREATION, STORAGE, AND RETENTION OF  
 12 7 ELECTRONIC RECORDS == STATE AGENCIES. The departments of  
 12 8 administrative services and cultural affairs, in consultation  
 12 9 with the state records commission, shall conduct a study on and  
 12 10 make recommendations for the creation, storage, and retention  
 12 11 of state agency records in an electronic format and shall  
 12 12 submit a report containing the recommendations to the general  
 12 13 assembly by December 15, 2010. In conducting the study, the  
 12 14 departments shall collect and assess information from each  
 12 15 state agency that includes an inventory of each agency's  
 12 16 records including the types of agency records as well as agency  
 12 17 records series retention and disposition schedules. The  
 12 18 assessment shall include agency records identified as having  
 12 19 permanent historical value by the state records commission.  
 12 20 The departments shall also describe in the report what  
 12 21 efficiencies and cost-saving efforts could be achieved through  
 12 22 the creation, storage, and maintenance of such records in an  
 12 23 electronic format.

12 24 DIVISION III

12 25 PUBLICATION MODERNIZATION

12 26 Sec. 26. Section 2.42, subsection 13, Code 2009, is amended  
 12 27 to read as follows:  
 12 28 13. To establish policies with regard to ~~the publishing~~  
 12 29 ~~of printed and electronic versions of legal publications~~  
 12 30 ~~as provided in chapters 2A and 2B, including the Iowa~~  
 12 31 ~~administrative code, the Iowa administrative bulletin, the~~  
 12 32 ~~Iowa Code, the Iowa Code Supplement, and the Iowa Acts Acts,~~  
 12 33 Iowa Code, Code Supplement, Iowa administrative bulletin,  
 12 34 Iowa administrative code, and Iowa court rules , or any part

requirement that reports be submitted in electronic form to the Secretary of the Senate and Chief Clerk of the House.

This Division requires the DAS, the Department of Cultural Affairs (DCA), and the State Records Commission to conduct a study concerning creation, storage, and retention of State records in electronic format. The report must be submitted to the General Assembly by December 15, 2010.

FISCAL IMPACT: This Division will not have a significant impact on the State.

CODE: Provides for an electronic format for various documents issued by the Legislative Services Agency (LSA), including the Code, Administrative Bulletin, Administrative Code, Code Supplement, Session Laws (Iowa Acts), Official Register, and Court Rules. Specifies that a publication provided by the Legislative Services Agency is the official and authoritative version of the publication. Specifies duties of the Iowa Code Editor and the Administrative Code Editor. Requires department rule notices to be provided to the Chairpersons and Ranking Members of the appropriate standing committees of the General Assembly beginning January 11, 2011.

12 35 of those publications. The publishing policies may include,  
 13 1 but are not limited to: the style and format to be used; the  
 13 2 frequency of publication; the contents of the publications;  
 13 3 the numbering ~~system~~ systems to be used in the Iowa Code, the  
 13 4 ~~Iowa Code Supplement, and the Iowa Acts~~ ; the preparation of  
 13 5 editorial comments or notations; the correction of errors;  
 13 6 the type of print or electronic media and data processing  
 13 7 software to be used; the number of ~~printed~~ volumes to be  
 13 8 published; recommended revisions of the Iowa Code, the Iowa  
 13 9 ~~Code Supplement, and the Iowa Acts~~ ; the letting of contracts  
 13 10 for the publication of the Iowa administrative code, the Iowa  
 13 11 ~~administrative bulletin, the Iowa court rules, the Iowa Code,~~  
 13 12 ~~the Iowa Code Supplement, and the Iowa Acts~~ ; the pricing of  
 13 13 the publications to which section 22.3 does not apply; access  
 13 14 to, and the use, reproduction, legal protection, sale or  
 13 15 distribution, and pricing of related data processing software  
 13 16 consistent with chapter 22; and any other matters deemed  
 13 17 necessary to the publication of uniform and understandable  
 13 18 publications.

13 19 Sec. 27. Section 2A.1, subsection 2, paragraph d, Code 2009,  
 13 20 is amended to read as follows:

13 21 d. Publication of the official legal publications of  
 13 22 the state, including but not limited to the Iowa Acts, Iowa  
 13 23 Code, ~~Iowa Code Supplement, Iowa Acts, Iowa court rules,~~ Iowa  
 13 24 administrative bulletin, ~~and~~ Iowa administrative code , and  
 13 25 Iowa court rules as provided in chapter 2B. The legislative  
 13 26 services agency shall do all of the following:

13 27 (1) Designate a legal publication described in chapter 2B as  
 13 28 an official legal publication. The legislative services agency  
 13 29 may also designate a legal publication as an unofficial legal  
 13 30 publication. The legislative services agency may use the great  
 13 31 seal of the state of Iowa as provided in section 1A.1 or other  
 13 32 symbol to identify an official or unofficial legal publication.

13 33 (2) Provide for citing official legal publications as  
 13 34 provided in chapter 2B.

13 35 Sec. 28. Section 2A.5, subsection 1, Code 2009, is amended  
 14 1 to read as follows:

14 2 1. The legislative services agency shall publish the

FISCAL IMPACT: As a result of this change, the LSA will print fewer copies of the Code and will reduce the number of copies that are currently provided free of charge. This Division is estimated to provide increased revenue of \$360,000 to the General Fund in FY 2011 and FY 2013.

14 3 official legal publications of the state as provided in chapter  
14 4 2B. The legislative services agency shall have legal custody  
14 5 of the publications and shall provide for the warehousing,  
14 6 sale, and distribution of the publications. The legislative  
14 7 services agency shall retain or cause to be retained a  
14 8 number of old editions of the publications but may otherwise  
14 9 distribute or cause to be distributed old editions of the  
14 10 publications to any person upon payment by the person of any  
14 11 distribution costs. This section and chapter 2B do not require  
14 12 the legislative services agency to publish a publication in  
14 13 both a printed and electronic version.  
14 14 Sec. 29. Section 2A.5, subsection 2, paragraph b, Code 2009,  
14 15 is amended to read as follows:  
14 16 b. The ~~Iowa~~ Code Supplement.  
14 17 Sec. 30. Section 2A.5, subsection 3, Code 2009, is amended  
14 18 to read as follows:  
14 19 3. The legislative services agency shall in each  
14 20 odd-numbered year compile for publication ~~and distribute in~~  
14 21 ~~odd-numbered years~~ a printed or electronic version of the Iowa  
14 22 official register for distribution as soon as practicable .  
14 23 The register shall contain historical, political, and other  
14 24 information and statistics of general value but shall not  
14 25 contain information or statistics of a partisan character. The  
14 26 ~~print~~ printed and electronic versions of the register need  
14 27 not contain the same information and statistics but shall be  
14 28 published to provide the greatest access to such information  
14 29 and statistics at the most reasonable cost as determined by the  
14 30 legislative services agency. The different versions of the  
14 31 register may be distributed free of charge, may be distributed  
14 32 free of charge except for postage and handling charges, or  
14 33 may be sold at a price to be established by the legislative  
14 34 services agency.  
14 35 Sec. 31. Section 2A.6, Code 2009, is amended to read as  
15 1 follows:  
15 2 2A.6 Special distribution of legal publications  
15 3 ~~= restrictions on free distributions .~~  
15 4 1. The legislative services agency shall make ~~free~~  
15 5 ~~distribution of the~~ available electronic or printed versions

15 6 of the official legal publications listed in section 2A.5,  
15 7 ~~subsection 2~~, subject to payment of any routine distribution  
15 8 ~~costs such as but not limited to mailing and handling costs~~, to  
15 9 the three branches of state government, to elected county  
15 10 officers, to county and city assessors, to Iowa's congressional  
15 11 delegation, to federal courts in Iowa and federal judges and  
15 12 magistrates for Iowa, and to state and university depository  
15 13 libraries, the library of Congress, and the library of the  
15 14 United States supreme court. ~~Only such officers, offices, and~~  
15 15 ~~agencies entitled to or receiving free copies during the fiscal~~  
15 16 ~~year beginning July 1, 2002, and ending June 30, 2003, shall~~  
15 17 ~~be entitled to continue to receive free copies in subsequent~~  
15 18 ~~years, except that successor and new officers, offices, and~~  
15 19 ~~agencies shall receive a reasonable number of free copies as~~  
15 20 ~~determined by the legislative services agency. Such officers,~~  
15 21 ~~offices, and agencies shall annually review the number of~~  
15 22 ~~copies received in the prior year to determine if the number of~~  
15 23 ~~copies received can be reduced and shall submit the information~~  
15 24 ~~in a report to the legislative services agency. The number of~~  
15 25 ~~copies received, once reduced, shall not be increased to the~~  
15 26 ~~previous level without the express consent of the legislative~~  
15 27 ~~services agency.~~  
15 28 2. ~~Each officer, office, or agency receiving one or more~~  
15 29 ~~free copies of a publication under this section shall only~~  
15 30 ~~receive up to the number of copies indicated free at the time~~  
15 31 ~~of initial distribution. If an officer, office, or agency~~  
15 32 ~~receiving one or more free copies of a publication under~~  
15 33 ~~this section desires additional copies beyond the number~~  
15 34 ~~initially received, the officer, office, or agency must request~~  
15 35 ~~the additional copies and pay the normal charge for such~~  
16 1 ~~publication.~~  
16 2 3. ~~If a version of a publication provided under this~~  
16 3 ~~section is available in an electronic format, the legislative~~  
16 4 ~~services agency may establish policies providing for the~~  
16 5 ~~substitution of an electronic version for the printed version~~  
16 6 ~~of the publication, and for the amount of payment, if any,~~  
16 7 ~~required for the electronic publication. The payment amount~~  
16 8 ~~shall not be more than established pursuant to section 2A.5 for~~

16 9 ~~the same publication. For the Iowa administrative code and~~  
16 10 ~~its supplements, the legislative services agency may provide~~  
16 11 ~~that the distribution requirement of this section is met by~~  
16 12 ~~distributing relevant portions of the Iowa administrative code~~  
16 13 ~~or its supplements in either a printed or electronic format.~~  
16 14 4. 2. Notwithstanding any provision of this section to the  
16 15 ~~contrary, the~~ The legislative services agency may review the  
16 16 publication costs and offsetting sales revenues relating to  
16 17 legal publications in electronic and printed formats ,and may .  
16 18 If a legal publication is available in an electronic version,  
16 19 the legislative services agency may provide the version free  
16 20 of charge or may charge a fee for any mailing or handling costs  
16 21 in the distribution of the electronic version or may charge a  
16 22 fee for an electronic version which includes programming not  
16 23 originally part of the stored information, including but not  
16 24 limited to search and retrieval functions. The legislative  
16 25 services agency shall establish policies requiring payment for  
16 26 any printed versions of the official legal publications from  
16 27 ~~persons otherwise entitled to receive them at no cost or at~~  
16 28 ~~a price covering distribution costs to whom the legislative~~  
16 29 ~~services agency is obligated to make the legal publications~~  
16 30 ~~available pursuant to subsection 1. The payment amount shall~~  
16 31 ~~not be more than established pursuant to section 2A.5 for the~~  
16 32 ~~same publication.~~  
16 33 Sec. 32. Section 2B.5, subsections 1 and 2, Code 2009,  
16 34 are amended by striking the subsections and inserting in lieu  
16 35 thereof the following:  
17 1 1. Publish the Iowa administrative bulletin and the Iowa  
17 2 administrative code as provided in section 2B.5A.  
17 3 2. Publish the Iowa court rules as provided in section  
17 4 2B.5B.  
17 5 Sec. 33. Section 2B.5, subsection 3, Code 2009, is amended  
17 6 to read as follows:  
17 7 3. ~~Cause to be published annually a~~ Publish annually an  
17 8 electronic or printed edition of the roster of state officials.  
17 9 The roster of state officials shall include a correct list of  
17 10 state officers and deputies; members of boards and commissions;  
17 11 justices of the supreme court, judges of the court of appeals,

17 12 and judges of the district courts including district associate  
17 13 judges and judicial magistrates; and members of the general  
17 14 assembly. The office of the governor shall cooperate in the  
17 15 preparation of the list.  
17 16 Sec. 34. NEW SECTION . 2B.5A Iowa administrative bulletin  
17 17 and Iowa administrative code.  
17 18 1. The legislative services agency shall control and  
17 19 maintain in a secure electronic repository custodial  
17 20 information used to produce the Iowa administrative bulletin  
17 21 and the Iowa administrative code.  
17 22 2. In consultation with the administrative rules  
17 23 coordinator, the administrative code editor shall prescribe  
17 24 a uniform style and form required for a person filing a  
17 25 document for publication in the Iowa administrative bulletin  
17 26 or the Iowa administrative code, including but not limited  
17 27 to a rulemaking document. A rulemaking document includes a  
17 28 notice of intended action as provided in section 17A.4 or an  
17 29 adopted rule for filing as provided in section 17A.5. The  
17 30 rulemaking document shall correlate each rule to the uniform  
17 31 numbering system established by the administrative code editor.  
17 32 The administrative code editor shall provide for electronic  
17 33 publication of the Iowa administrative bulletin and the Iowa  
17 34 administrative code. The administrative code editor shall  
17 35 review all submitted documents for style and form and notify  
18 1 the administrative rules coordinator if a rulemaking document  
18 2 is not in proper style or form, and may return or revise a  
18 3 document which is not in proper style and form. The style  
18 4 and form prescribed shall require that a rulemaking document  
18 5 include a reference to the statute which the rules are intended  
18 6 to implement.  
18 7 3. a. The administrative code editor may omit from the Iowa  
18 8 administrative bulletin or the Iowa administrative code any  
18 9 document for publication in the Iowa administrative bulletin or  
18 10 the Iowa administrative code, if the administrative code editor  
18 11 determines that its publication would be unduly cumbersome,  
18 12 expensive, or otherwise inexpedient. The person filing the  
18 13 document for publication shall provide the administrative  
18 14 code editor with an electronic version of the document. The

18 15 administrative code editor shall publish the document on the  
18 16 general assembly's internet site, and publish a notice in the  
18 17 Iowa administrative bulletin or the Iowa administrative code  
18 18 stating the specific subject matter of the omitted document and  
18 19 how the omitted document may be accessed.

18 20 b. The administrative code editor shall omit or cause to be  
18 21 omitted from the Iowa administrative code any rule or portion  
18 22 of a rule nullified by the general assembly pursuant to Article  
18 23 III, section 40, of the Constitution of the State of Iowa.

18 24 4. The administrative code editor who receives a  
18 25 publication from an agency because the publication is  
18 26 referenced in the Iowa administrative bulletin or Iowa  
18 27 administrative code shall make the publication available to the  
18 28 public pursuant to section 17A.6.

18 29 5. The administrative code editor shall publish the Iowa  
18 30 administrative bulletin in accordance with section 2.42 at  
18 31 least every other week, unless the administrative code editor  
18 32 and the administrative rules review committee determine  
18 33 that an alternative publication schedule is preferable. The  
18 34 administrative code editor shall provide for the arrangement of  
18 35 the contents of the Iowa administrative bulletin.

19 1 a. The Iowa administrative bulletin shall contain all of the  
19 2 following:

19 3 (1) Rulemaking documents, including notices of intended  
19 4 action as provided in section 17A.4, and rules adopted and  
19 5 effective immediately upon filing and rules adopted and filed  
19 6 as provided in section 17A.5.

19 7 (2) Resolutions nullifying administrative rules passed by  
19 8 the general assembly pursuant to Article III, section 40 of the  
19 9 Constitution of the State of Iowa.

19 10 (3) All proclamations and executive orders of the governor  
19 11 which are general and permanent in nature.

19 12 (4) Other materials deemed fitting and proper by the  
19 13 administrative rules review committee.

19 14 (5) Items required to be published by statute.

19 15 (6) A comprehensive method to search and identify its  
19 16 contents. An electronic version may include search and  
19 17 retrieval programming and index.

---

19 18 b. The Iowa administrative bulletin may contain all of the  
19 19 following:  
19 20 (1) A preface.  
19 21 (2) A rulemaking schedule.  
19 22 (3) The agenda for the next meeting of the administrative  
19 23 rules review committee as provided in section 17A.8, if  
19 24 available.  
19 25 (4) A schedule of known public hearings.  
19 26 (5) A list of agencies referenced by agency identification  
19 27 number.

19 28 6. The administrative code editor shall publish the Iowa  
19 29 administrative code in accordance with section 2.42 at least  
19 30 every other week, unless the administrative code editor and  
19 31 the administrative rules review committee determine that an  
19 32 alternative publication schedule is preferable. However, the  
19 33 legislative services agency may publish supplements in lieu of  
19 34 the Iowa administrative code. The administrative code editor  
19 35 shall provide for the arrangement of the Iowa administrative  
20 1 code.

20 2 a. The Iowa administrative code shall include all of the  
20 3 following:  
20 4 (1) Rules of general application adopted and filed with  
20 5 the administrative code editor by state agencies. However,  
20 6 the administrative code editor may delete a rule from the Iowa  
20 7 administrative code if the agency that adopted the rule has  
20 8 ceased to exist, no successor agency has jurisdiction over the  
20 9 rule, and no statutory authority exists supporting the rule.  
20 10 (2) A comprehensive method to search and identify its  
20 11 contents, including rules.  
20 12 (a) An electronic version may include search and retrieval  
20 13 programming and index.  
20 14 (b) A print edition may include an index.

20 15 b. The Iowa administrative code may include all of the  
20 16 following:  
20 17 (1) A preface.  
20 18 (2) Uniform rules on agency procedure.

20 19 Sec. 35. NEW SECTION . 2B.5B Iowa court rules.

20 20 1. The legislative services agency shall control and



---

20 21 maintain in a secure electronic repository custodial  
20 22 information used to produce the Iowa court rules.  
20 23 2. The administrative code editor, upon direction by  
20 24 the Iowa supreme court and in accordance with the policies  
20 25 of the legislative council pursuant to section 2.42 and the  
20 26 legislative services agency pursuant to section 2A.1, shall  
20 27 prescribe a uniform style and form required for filing a  
20 28 document for publication in the Iowa court rules. The document  
20 29 shall correlate each rule to the uniform numbering system.  
20 30 The administrative code editor shall provide for electronic  
20 31 publication of the Iowa court rules. The administrative code  
20 32 editor shall review all submitted documents for style and form  
20 33 and notify the Iowa supreme court if a rulemaking document  
20 34 is not in proper style or form, and may return or revise a  
20 35 document which is not in proper style and form.

21 1 3. a. The administrative code editor shall publish the  
21 2 Iowa court rules in accordance with section 2.42. However, the  
21 3 legislative services agency may publish supplements in lieu of  
21 4 the Iowa court rules. The administrative code editor shall  
21 5 provide for arrangement of the Iowa court rules in consultation  
21 6 with the Iowa supreme court.

21 7 b. The Iowa court rules shall include all of the following:  
21 8 (1) Rules prescribed by the supreme court, which may include  
21 9 the Iowa rules of civil procedure, the Iowa rules of criminal  
21 10 procedure, the Iowa rules of evidence, the Iowa rules of  
21 11 appellate procedure, the Iowa rules of professional conduct,  
21 12 and the Iowa code of judicial conduct.

21 13 (2) A comprehensive method to search and identify its  
21 14 contents, including court rules.

21 15 (a) An electronic version may include search and retrieval  
21 16 programming and index.

21 17 (b) A print version shall include an index.

21 18 c. The Iowa court rules may include all of the following:  
21 19 (1) A preface.

21 20 (2) Tables, including tables of corresponding rule numbers.

21 21 Sec. 36. Section 2B.6, subsections 2 and 3, Code 2009,  
21 22 are amended by striking the subsections and inserting in lieu  
21 23 thereof the following:

21 24 2. Provide for the publication of all of the following:

21 25 a. The Iowa Acts as provided in section 2B.10.

21 26 b. The Iowa Code or Code Supplement, as provided in section

21 27 2B.12.

21 28 Sec. 37. Section 2B.10, Code 2009, is amended to read as

21 29 follows:

21 30 2B.10 Iowa Acts.

21 31 1. The legislative services agency shall control and

21 32 maintain in a secure electronic repository custodial

21 33 information used to produce the Iowa Acts.

21 34 2. The legislative services agency shall publish the annual

21 35 edition of the Iowa Acts as soon as possible after the final

22 1 adjournment of a regular session of the general assembly. The

22 2 legislative services agency may also publish an updated edition

22 3 of the Iowa Acts or a supplement to the Iowa Acts after a

22 4 special session of the general assembly.

22 5 ~~4. 3. a.~~ The arrangement of the Acts and resolutions,

22 6 ~~and the size, style, type, binding, general arrangement, and~~

22 7 ~~tables of the Iowa Acts , appearance, and contents of the Iowa~~

22 8 ~~Acts shall be printed and published in the manner determined~~

22 9 ~~by the Iowa Code editor in accordance with the policies set~~

22 10 ~~by the~~ of the legislative council and legislative services

22 11 agency as provided in section 2.42.

22 12 ~~2. b. Chapters of~~ The bills and joint resolutions of the

22 13 Iowa Acts may be arranged by chapter, numbered from one for the

22 14 first regular session shall be numbered from one and chapters

22 15 of the second regular session shall be and numbered from one

22 16 thousand one for the second regular session .

22 17 4. The Iowa Acts shall include all of the following:

22 18 a. A preface.

22 19 b. A table of contents.

22 20 ~~3. c.~~ A list of elective state officers and deputies,

22 21 supreme court justices, judges of the court of appeals,

22 22 ~~and members of the general assembly shall be published annually~~

22 23 ~~with the Iowa Acts , and members of Iowa's congressional~~

22 24 delegation .

22 25 ~~4. d.~~ A statement of the condition of the state treasury

22 26 ~~shall be included, as provided by Article III, section 18,~~

22 27 of the Constitution of the State of Iowa. The statement shall  
22 28 be furnished to the legislative services agency by the director  
22 29 of the department of administrative services.  
22 30 e. An analysis of its chapters.  
22 31 f. The text of bills that have been enacted and joint  
22 32 resolutions that have been enacted or passed by the general  
22 33 assembly, including text indicating items disapproved in  
22 34 appropriation bills.  
22 35 g. Messages transmitted by the governor disapproving items  
23 1 in appropriation bills.  
23 2 h. A notation of the filing of an estimate of a state  
23 3 mandate prepared by the legislative services agency pursuant  
23 4 to section 25B.5.  
23 5 i. Tables including any analysis of tables.  
23 6 j. A comprehensive method to search and identify its  
23 7 contents, including the text of bills that have been enacted  
23 8 and joint resolutions that have been enacted or passed by the  
23 9 general assembly.  
23 10 (1) An electronic version may include search and retrieval  
23 11 programming and an index and a summary index.  
23 12 (2) A print version may include an index and a summary  
23 13 index.  
23 14 k. Other reference material as determined by the Iowa Code  
23 15 editor in accordance with any policies of the legislative  
23 16 council.  
23 17 5. The enrolling clerks of the house and senate shall  
23 18 arrange for the Iowa Code editor to receive suitable copies of  
23 19 all Acts and resolutions as soon as they are enrolled.  
23 20 ~~6. A notation of the filing of an estimate of a state~~  
23 21 ~~mandate prepared by the legislative services agency pursuant to~~  
23 22 ~~section 25B.5 shall be included in the Iowa Acts with the text~~  
23 23 ~~of an enacted bill or joint resolution containing the state~~  
23 24 ~~mandate.~~  
23 25 Sec. 38. Section 2B.12, subsections 1 and 2, Code 2009, are  
23 26 amended to read as follows:  
23 27 1. The legislative services agency shall control and  
23 28 maintain in a secure electronic repository custodial  
23 29 information used to publish the Iowa Code.

23 30 1- ~~2. A new Iowa Code shall be issued~~ The legislative  
23 31 services agency shall publish an annual edition of the Iowa  
23 32 Code as soon as possible after the final adjournment of the  
23 33 ~~second~~ a regular session of the a general assembly. A However,  
23 34 the legislative services agency may publish a new Code  
23 35 ~~Supplement shall be issued~~ in lieu of the Iowa Code as soon as  
24 1 possible after the first final adjournment of a regular session  
24 2 of the a general assembly. A The legislative services agency  
24 3 may publish a new edition of the Iowa Code or Code Supplement  
24 4 ~~may be issued~~ as soon as possible after the final adjournment  
24 5 of a special session of the general assembly or as required by  
24 6 the legislative council .  
24 7 2- ~~The entire Iowa Code shall be maintained on a computer~~  
24 8 ~~database which shall be updated as soon as possible after~~  
24 9 ~~each session of the general assembly. The Iowa Code and Code~~  
24 10 ~~Supplement shall be prepared and printed on a good quality~~  
24 11 ~~of paper in one or more volumes, in the manner determined by~~  
24 12 ~~the Iowa Code editor in accordance with the policies of the~~  
24 13 ~~legislative council, as provided in section 2.42.~~  
24 14 Sec. 39. Section 2B.12, subsection 5, Code 2009, is amended  
24 15 by striking the subsection.  
24 16 Sec. 40. Section 2B.12, subsection 6, unnumbered paragraph  
24 17 1, Code 2009, is amended to read as follows:  
24 18 The Iowa Code ~~published after the second regular session of~~  
24 19 ~~the general assembly~~ shall include all of the following :  
24 20 Sec. 41. Section 2B.12, subsection 6, paragraph a, Code  
24 21 2009, is amended by striking the paragraph.  
24 22 Sec. 42. Section 2B.12, subsection 6, paragraph h, Code  
24 23 2009, is amended by striking the paragraph and inserting in  
24 24 lieu thereof the following:  
24 25 h. The arrangement of the Code into distinct units, as  
24 26 established by the legislative services agency, which may  
24 27 include titles, subunits of titles, chapters, subunits of  
24 28 chapters, and sections, and subunits of sections. The distinct  
24 29 units shall be numbered and may include names.  
24 30 Sec. 43. Section 2B.12, subsection 6, paragraph j, Code  
24 31 2009, is amended to read as follows:  
24 32 j. A comprehensive ~~index and a summary index covering~~ method

24 33 to search and identify its contents, including the text of the  
24 34 Constitution and statutes of the State of Iowa.  
24 35 (1) An electronic version may include search and retrieval  
25 1 programming, analysis of titles and chapters, and an index and  
25 2 a summary index.  
25 3 (2) A print version shall include an analysis of titles and  
25 4 chapters, and an index and a summary index.  
25 5 Sec. 44. Section 2B.12, Code 2009, is amended by adding the  
25 6 following new subsection:  
25 7 NEW SUBSECTION . 6A. The Iowa Code may include all of the  
25 8 following:  
25 9 a. A preface.  
25 10 b. A description of citations to statutes.  
25 11 c. Abbreviations to other publications which may be referred  
25 12 to in the Iowa Code.  
25 13 d. Appropriate historical references or source notes.  
25 14 e. An analysis of the Code by titles and chapters.  
25 15 f. Other reference materials as determined by the Iowa  
25 16 Code editor in accordance with any policies of the legislative  
25 17 council.  
25 18 Sec. 45. Section 2B.12, subsections 7 and 8, Code 2009, are  
25 19 amended to read as follows:  
25 20 7. ~~The A Code Supplement published after the first regular~~  
25 21 ~~session of the general assembly shall include all of the~~  
25 22 ~~following :~~  
25 23 a. ~~All of the~~ The text of statutes of Iowa of a general  
25 24 and permanent nature ~~which that~~ that were enacted ~~or amended~~ during  
25 25 ~~that the preceding regular or special~~ session, except as  
25 26 provided in subsection 3 ~~, and~~ ; an indication of all sections  
25 27 repealed during that session ~~;~~ ; and any amendments to the  
25 28 Constitution of the State of Iowa approved by the voters ~~at~~  
25 29 ~~the preceding general election~~ since the adjournment of the  
25 30 previous regular session of the general assembly .  
25 31 b. A chapter title and number for each chapter or part of a  
25 32 chapter included.  
25 33 c. ~~An index covering the material included~~ A comprehensive  
25 34 method to search and identify its contents, including the text  
25 35 of statutes and the Constitution of the State of Iowa .

26 1 (1) An electronic version may include search and retrieval  
26 2 programming and an index and a summary index.  
26 3 (2) A print version may include an index and a summary  
26 4 index.  
26 5 8. A The Iowa Code or Code Supplement may include  
26 6 appropriate tables showing the disposition of Acts of the  
26 7 general assembly, the corresponding sections from edition  
26 8 to edition of a an Iowa Code or Code Supplement, and other  
26 9 reference material as determined by the Iowa Code editor in  
26 10 accordance with policies of the legislative council.  
26 11 Sec. 46. Section 2B.13, subsection 1, unnumbered paragraph  
26 12 1, Code 2009, is amended to read as follows:  
26 13 The Iowa Code editor in preparing the copy for an edition  
26 14 of the Iowa Code or ~~Iowa~~ Code Supplement shall not alter the  
26 15 sense, meaning, or effect of any Act of the general assembly,  
26 16 but may:  
26 17 Sec. 47. Section 2B.13, subsection 2, paragraph f, Code  
26 18 2009, is amended to read as follows:  
26 19 f. Perform any other editorial tasks required or authorized  
26 20 by section ~~47A.6~~ 2B.5A .  
26 21 Sec. 48. Section 2B.13, subsections 3, 4, 5, and 7, Code  
26 22 2009, are amended to read as follows:  
26 23 3. a. The Iowa Code editor may, in preparing the copy for  
26 24 an edition of the Iowa Code or ~~Iowa~~ Code Supplement, establish  
26 25 standards for and change capitalization, spelling, and  
26 26 punctuation in any ~~Code~~ provision for purposes of uniformity  
26 27 and consistency in ~~Code~~ language.  
26 28 b. The administrative code editor may establish standards  
26 29 for capitalization, spelling, and punctuation for purposes of  
26 30 uniformity and consistency in the Iowa administrative code.  
26 31 4. a. The Iowa Code editor shall seek direction from  
26 32 the senate committee on judiciary and the house committee  
26 33 on judiciary when making Iowa Code or ~~Iowa~~ Code Supplement  
26 34 changes ~~, and the~~ .  
26 35 b. The administrative code editor shall seek direction  
27 1 from the administrative rules review committee and  
27 2 the administrative rules coordinator when making Iowa  
27 3 administrative code changes, which appear to require

27 4 substantial editing and which might otherwise be interpreted to  
27 5 exceed the scope of the authority granted in this section.  
27 6 5. The Iowa Code editor may prepare and publish comments  
27 7 deemed necessary for a proper explanation of the manner  
27 8 of printing a section or chapter of the Iowa Code or Code  
27 9 Supplement . The Iowa Code editor shall maintain a record of  
27 10 all of the corrections made under subsection 1. The Iowa Code  
27 11 editor shall also maintain a separate record of the changes  
27 12 made under subsection 1, paragraphs "b" through "h". The  
27 13 records shall be available to the public.  
27 14 7. a. The effective date of all editorial changes in an  
27 15 edition of the Iowa Code or Iowa Code Supplement is the date  
27 16 of the Iowa Code editor's approval of the final press proofs  
27 17 for the statutory text contained within that publication. The  
27 18 effective date of all editorial changes for the or an edition  
27 19 of the Iowa administrative code is the its publication date  
27 20 those changes are published in the Iowa administrative code . A  
27 21 publication date is the date the publication is conclusively  
27 22 presumed to be complete, incorporating all revisions or  
27 23 editorial changes.  
27 24 b. The publication date for the publications are as follows:  
27 25 (1) For the Iowa Code or Code Supplement, the publication  
27 26 date is the first day of the next regular session of the  
27 27 general assembly convened pursuant to Article III, section  
27 28 2, of the Constitution of the State of Iowa. However, the  
27 29 legislative services agency may establish an alternative  
27 30 publication date, which may be the date that the publication is  
27 31 first available to the public accessing the general assembly's  
27 32 internet site. The legislative services agency shall provide  
27 33 notice of such an alternative publication date on the general  
27 34 assembly's internet site.  
27 35 (2) The publication date for the Iowa administrative code  
28 1 is the date that it is first available to the public accessing  
28 2 the general assembly's internet site according to a publication  
28 3 schedule provided in section 2B.5A.  
28 4 c. A publication designated by the legislative services  
28 5 agency as unofficial shall not be used to establish a  
28 6 publication date.

---

28 7 Sec. 49. Section 2B.17, Code 2009, is amended by striking  
28 8 the section and inserting in lieu thereof the following:  
28 9 2B.17 Official legal publications == citations.  
28 10 1. An official legal publication designated as such by  
28 11 the legislative services agency as provided in sections 2.42  
28 12 and 2A.1, is the official and authoritative version of the  
28 13 statutes, administrative rules, or court rules of the state of  
28 14 Iowa.  
28 15 2. a. The codified version of the state's constitution  
28 16 shall be known as the Constitution of the State of Iowa.  
28 17 b. For statutes, the official versions of publications  
28 18 shall be known as the Iowa Acts, the Iowa Code, and the Code  
28 19 Supplement.  
28 20 c. For administrative rules, the official versions of the  
28 21 publications shall be known as the Iowa Administrative Bulletin  
28 22 and the Iowa Administrative Code.  
28 23 d. For court rules, the official version of the publication  
28 24 shall be known as the Iowa Court Rules.  
28 25 3. The legislative services agency may adopt a style manual  
28 26 providing a uniform system of citing the codified Constitution  
28 27 of the State of Iowa and the official versions of publications  
28 28 listed in subsection 2, including by reference to commonly  
28 29 accepted legal sources. The legislative services agency  
28 30 style manual may provide for a different form of citation  
28 31 for electronic and printed versions of the same publication.  
28 32 Nothing in this section affects rules for style and format  
28 33 adopted pursuant to section 2.42.  
28 34 4. The codified Constitution of the State of Iowa, and  
28 35 statutes enacted and joint resolutions enacted or passed by the  
29 1 general assembly shall be cited as follows:  
29 2 a. The codified Constitution of the State of Iowa shall  
29 3 be cited as the Constitution of the State of Iowa, with a  
29 4 reference identifying the preamble or boundaries, or article,  
29 5 section, and subunit of a section. Subject to the legislative  
29 6 services agency style manual, the Constitution of the State of  
29 7 Iowa may be cited as the Iowa Constitution.  
29 8 b. The Iowa Acts shall be cited as the Iowa Acts with  
29 9 a reference identifying the year of the publication in



29 10 conformance with section 2.2, and the chapter of a bill  
29 11 enacted or joint resolution enacted or passed during a regular  
29 12 session, or in the alternative the bill or joint resolution  
29 13 chamber designation, and the section of the chapter or bill  
29 14 or subunit of a section. A bill or joint resolution enacted  
29 15 or passed during a special session shall be cited by the  
29 16 extraordinary session designation in conformance with section  
29 17 2.2. If the Iowa Acts have not been published, a bill or joint  
29 18 resolution may be cited by its bill or joint resolution chamber  
29 19 designation.

29 20 c. The Iowa Code shall be cited as the Iowa Code. The Code  
29 21 Supplement shall be cited as the Code Supplement. Subject  
29 22 to the legislative services agency style manual, the Iowa  
29 23 Code may be cited as the Code of Iowa or Code and the Code  
29 24 Supplement may be cited as the Iowa Code Supplement, with  
29 25 references identifying parts of the publication, including  
29 26 but not limited to title or chapter, section, or subunit of a  
29 27 section. If the citation refers to a past edition of the Iowa  
29 28 Code or Code Supplement, the citation shall identify the year  
29 29 of publication.

29 30 5. Administrative rules shall be cited as follows:

29 31 a. The Iowa Administrative Bulletin shall be cited as  
29 32 the IAB, with references identifying the volume number which  
29 33 may be based on a fiscal year cycle, the issue number, and  
29 34 the ARC number assigned to the rulemaking document by the  
29 35 administrative rules coordinator pursuant to section 17A.4.

30 1 Subject to the legislative services agency style manual, the  
30 2 citation may also include the publication's page number.

30 3 b. The Iowa Administrative Code shall be cited as the IAC,  
30 4 with references to an agency's identification number placed at  
30 5 the beginning of the citation and with references to parts of  
30 6 the publication, including but not limited to chapter, rule, or  
30 7 subunit of a rule.

30 8 6. The Iowa Court Rules shall be cited as the Iowa Court  
30 9 Rules, with references to the rule number and to subunits  
30 10 of the publication, which may include but are not limited  
30 11 to the Iowa Rules of Civil Procedure, the Iowa Rules of  
30 12 Criminal Procedure, the Iowa Rules of Evidence, the Iowa

30 13 Rules of Appellate Procedure, the Iowa Rules of Professional  
30 14 Conduct, and the Iowa Code of Judicial Conduct. Subject to  
30 15 the legislative services agency style manual, the names of the  
30 16 rules may be abbreviated.

30 17 Sec. 50. NEW SECTION . 2B.18 Iowa Code editor and  
30 18 administrative code editor == custody and authentication.

30 19 1. The Iowa Code editor is the custodian of the official  
30 20 legal publications known as the Iowa Acts, Iowa Code, and  
30 21 Code Supplement. The Iowa Code editor may attest to and  
30 22 authenticate any portion of such official legal publication  
30 23 for purposes of admitting a portion of the official legal  
30 24 publication in any court or office of any state, territory, or  
30 25 possession of the United States or in a foreign jurisdiction.

30 26 2. The administrative code editor is the custodian of the  
30 27 official legal publications known as the Iowa administrative  
30 28 bulletin, the Iowa administrative code, and the Iowa court  
30 29 rules. The administrative code editor may attest to and  
30 30 authenticate any portion of such official legal publication  
30 31 for purposes of admitting a portion of the official legal  
30 32 publication in any court or office of any state, territory, or  
30 33 possession of the United States or in a foreign jurisdiction.

30 34 Sec. 51. Section 7.17, subsection 2, Code 2009, is amended  
30 35 by striking the subsection.

31 1 Sec. 52. Section 17A.4, subsection 1, paragraph a, Code  
31 2 2009, is amended to read as follows:

31 3 a. Give notice of its intended action by submitting  
31 4 the notice to the administrative rules coordinator and  
31 5 the administrative code editor. The administrative rules  
31 6 coordinator shall assign an ARC number to each rulemaking  
31 7 document. The administrative code editor shall publish  
31 8 each notice meeting the requirements of this chapter in the  
31 9 Iowa administrative bulletin created pursuant to section  
31 10 ~~47A.6~~ 2B.5A . The agency shall also submit a copy of the notice  
31 11 to the chairpersons and ranking members of the appropriate  
31 12 standing committees of the general assembly for additional  
31 13 study. Any notice of intended action shall be published at  
31 14 least thirty-five days in advance of the action. The notice  
31 15 shall include a statement of either the terms or substance of

31 16 the intended action or a description of the subjects and issues  
31 17 involved, and the time when, the place where, and the manner in  
31 18 which interested persons may present their views.

31 19 Sec. 53. Section 17A.6, Code 2009, is amended by striking  
31 20 the section and inserting in lieu thereof the following:

31 21 17A.6 Publications.

31 22 1. The administrative code editor shall publish the Iowa  
31 23 administrative bulletin and the Iowa administrative code as  
31 24 provided in section 2B.5A.

31 25 2. An agency which adopts standards by reference to  
31 26 another publication shall deliver an electronic copy of  
31 27 the publication, or the relevant part of the publication,  
31 28 containing the standards to the administrative code editor  
31 29 who shall publish it on the general assembly's internet site.  
31 30 If an electronic copy of the publication is not available,  
31 31 the agency shall deliver a printed copy of the publication to  
31 32 the administrative code editor who shall deposit the copy in  
31 33 the state law library where it shall be made available for  
31 34 inspection and reference.

31 35 Sec. 54. Section 89.5, subsection 3, unnumbered paragraph  
32 1 1, Code 2009, is amended to read as follows:

32 2 A rule adopted pursuant to this chapter which adopts  
32 3 standards by reference to another publication shall be exempt  
32 4 from the requirements of section ~~47A.6~~ 2B.5A , subsection 4, if  
32 5 the following conditions exist:

32 6 Sec. 55. Section 89A.3, subsection 5, unnumbered paragraph  
32 7 1, Code Supplement 2009, is amended to read as follows:

32 8 A rule adopted pursuant to this section which adopts  
32 9 standards by reference to another publication shall be exempt  
32 10 from the requirements of section ~~47A.6~~ 2B.5A , subsection 4, if  
32 11 the following conditions exist:

32 12 Sec. 56. Section 256.53, Code 2009, is amended to read as  
32 13 follows:

32 14 256.53 State publications.

32 15 Upon issuance of a state publication in any format, a  
32 16 state agency shall ~~deposit with~~ provide the division with  
32 17 an electronic version of the publication at no cost to the  
32 18 division, ~~seventy-five copies of the publication or a lesser~~

32 19 number if specified by the division, except as provided in  
32 20 section 2A.6 .  
32 21 Sec. 57. Section 267.6, Code 2009, is amended to read as  
32 22 follows:  
32 23 267.6 Iowa administrative procedure Act.  
32 24 The provisions of chapter 17A shall not apply to the council  
32 25 or any actions taken by it, except that any recommendations  
32 26 adopted by the council pursuant to section 267.5, subsection  
32 27 3, and any rules adopted by the council shall be adopted,  
32 28 amended, or repealed only after compliance with the provisions  
32 29 of sections 17A.4 , and 17A.5, and ~~17A.6~~ the publication  
32 30 requirements in section 2B.5A .  
32 31 Sec. 58. APPLICABILITY. The amendment to section 17A.4 in  
32 32 this division of this Act, establishing requirements for an  
32 33 agency to submit copies of rule notices to the chairpersons  
32 34 and ranking members of the appropriate standing committees, is  
32 35 applicable beginning January 11, 2011.

33 1 DIVISION IV

33 2 STATE BUDGETING AND PERSONNEL

33 3 Sec. 59. Section 8.36A, subsection 2, Code 2009, is amended  
33 4 to read as follows:  
33 5 2. a. If a department or establishment has reached or  
33 6 anticipates reaching the full-time equivalent position level  
33 7 authorized for the department but determines that conversion  
33 8 of a contract position to a full-time equivalent position  
33 9 would result in cost savings while providing comparable or  
33 10 better services, the department or establishment may request  
33 11 the director of the department of management to approve the  
33 12 conversion and addition of the full-time equivalent position.  
33 13 The request shall be accompanied by evidence demonstrating how  
33 14 the cost savings and service quality will be achieved through  
33 15 the conversion. If approved by the director of the department  
33 16 of management, the department's or establishment's authorized  
33 17 full-time equivalent position level shall be increased

CODE: Prohibits a department from converting and full-time equivalent (FTE) position to a contract position without approval of the Director of the DOM unless it is determined the contract position would result in a cost saving while providing comparable service. Limits the carried forward funds for operational appropriations permitted to be encumbered for training to internet-based training costs. Requires the DAS to adopt administrative rules for job sharing, telecommuting, and flex-time. Requires the judicial district department of correctional services to utilize the State accounting system (I3). Requires departments to track separately expenditures for contract services and employee training and submit the information semi-annually to the LSA. Requires departments to decrease FTE positions that have been vacant for at least six months. Requires funding in a department's adopted budget designated for FTE positions be used for only those costs. Requires each appropriations subcommittee of the General Assembly to annually review department fees.

33 18 accordingly and the revised level shall be reported to the  
 33 19 fiscal committee of the legislative council and the legislative  
 33 20 services agency.  
 33 21 b. A department or establishment shall not convert a  
 33 22 full-time equivalent position authorized for the department  
 33 23 or establishment to a contract position and shall not use  
 33 24 appropriated moneys for such a contract position unless the  
 33 25 department or establishment receives approval from the director  
 33 26 of the department of management to convert the full-time  
 33 27 equivalent position to a contract position. The director of  
 33 28 the department of management shall not approve the conversion  
 33 29 unless the department or establishment submits sufficient  
 33 30 evidence that the conversion would result in cost savings while  
 33 31 providing comparable or better services.

33 32 Sec. 60. Section 8.62, subsection 2, Code Supplement 2009,  
 33 33 is amended to read as follows:

33 34 2. Notwithstanding the provisions of section 8.33 or any  
 33 35 other provision of law to the contrary, if on June 30 of a  
 34 1 fiscal year, a balance of an operational appropriation remains  
 34 2 unexpended or unencumbered, not more than fifty percent of  
 34 3 the balance may be encumbered by the agency to which the  
 34 4 appropriation was made and used as provided in this section and  
 34 5 the remaining balance shall be deposited in the cash reserve  
 34 6 fund created in section 8.56. Moneys encumbered under this  
 34 7 section shall only be used by the agency during the succeeding  
 34 8 fiscal year for internet-based employee training, technology  
 34 9 enhancement, or purchases of goods and services from Iowa  
 34 10 prison industries. Unused moneys encumbered under this section  
 34 11 shall be deposited in the cash reserve fund on June 30 of the  
 34 12 succeeding fiscal year.

34 13 Sec. 61. Section 8A.413, Code Supplement 2009, is amended by  
 34 14 adding the following new subsection:

34 15 NEW SUBSECTION . 24. For the development and operation of  
 34 16 programs to promote job sharing, telecommuting, and flex-time  
 34 17 opportunities for employment within the executive branch.

34 18 Sec. 62. COMMUNITY=BASED CORRECTIONS == STATE ACCOUNTING  
 34 19 SYSTEM. Each judicial district department of correctional  
 34 20 services shall utilize the state accounting system for purposes

FISCAL IMPACT: Potential impact includes:

- **Elimination of FTE Positions:** For FY 2011, this Division could potentially reduce State agencies' General Fund budgets by up to \$14.5 million and eliminate 255.0 FTE positions. The eliminated salaries would be transferred to the General Fund and be reflected as a reversion. In addition, this Division could reduce non-General Fund budgets by \$10.7 million and 176.0 FTE positions. The eliminated salaries would be transferred to the original funding source.

Currently, State agencies have the flexibility to move budgeted expenditures between expenditure classes, including salaries and benefits, in order to accommodate operational needs throughout the fiscal year. It is common for agencies to leave positions vacant in order to fund other unanticipated expenditures. In FY 2011, it is probable that requests for supplemental appropriations will increase as agencies will not have the flexibility to use funds budgeted for salaries and benefits for other operational cost increases.

Beyond FY 2011, this Division does not require the salary dollars that are associated with a vacant position eliminated after six months to be transferred to the original funding source. Departments have the authority to revise their budgets and move budgeted funds between expenditure classes. It is very likely that departments would revise their budgets prior to losing a position and any associated funds.

- **DAS Employee Programs:** The requirements in this Division relating to the DAS implementing programs to promote job-sharing, telecommuting, and flex-time opportunities within the Executive Branch may reduce State agencies' expenditures; however, the savings cannot be determined at this time.
- **State Accounting Procedures:** The provisions in this Division requiring the Judicial District Departments to use the State accounting system and all State agencies to separately track budgeted and actual expenditures for contract services and employee training will not be significant.

34 21 of tracking both appropriations and expenditures. Each  
34 22 judicial district department shall coordinate its accounting  
34 23 activities with the department of management for purposes of  
34 24 implementing the requirements of this section.  
34 25 Sec. 63. STATE AGENCY EFFICIENCY EFFORTS.  
34 26 1. LEAN EFFORTS. State agencies shall budget for and plan  
34 27 to conduct lean events as described in section 8.70. Each  
34 28 state agency shall coordinate its activities with the office  
34 29 of lean enterprise created in section 8.70 in developing plans  
34 30 to conduct lean events.  
34 31 2. SHARED RESOURCES. State agencies are encouraged to  
34 32 share resources and services, including staff, training, and  
34 33 educational services, to the greatest extent possible in order  
34 34 to best fulfill the duties of each agency at the least cost.  
34 35 Sec. 64. CONTRACT SERVICES == TRAINING.  
35 1 1. Each department, as defined in section 8.2, shall  
35 2 separately track the budget and actual expenditures for  
35 3 contract services and for employee training for each  
35 4 appropriation line item.  
35 5 2. The terms of the contracts for contracted services  
35 6 entered into or revised during the fiscal year shall  
35 7 incorporate quality assurance and cost control measures.  
35 8 3. The employee training tracking information shall be  
35 9 further divided into training categories. Each department's  
35 10 report on training tracking shall specifically address the use  
35 11 of electronically based training.  
35 12 4. Each department shall report to the legislative services  
35 13 agency on January 15 and July 15 of each year concerning  
35 14 the budget, expenditure, quality assurance, and cost control  
35 15 information addressed by this section for the previous six  
35 16 calendar months.  
35 17 Sec. 65. FULL=TIME EQUIVALENT POSITIONS == VACANCIES ==  
35 18 FUNDING. For the fiscal year beginning July 1, 2010, and  
35 19 ending June 30, 2011, the following shall apply:  
35 20 1. If a full=time equivalent position authorized for a  
35 21 department or establishment remains vacant for a period of  
35 22 at least six months, the department's or establishment's  
35 23 authorized full=time equivalent position level shall

- **LEAN Process:** Requiring State agencies to conduct events through the Office of Lean Enterprise may increase operational efficiencies; however, the savings cannot be determined.

NOTE: Section 62 of this Division was amended in SF 2378 (Justice System Appropriations Act) to clarify that the CBC District Departments are to report their financial data using the State budget system.

35 24 be decreased accordingly. However, the department or  
35 25 establishment may request the director of the department of  
35 26 management to reauthorize the full-time equivalent position if  
35 27 the department or establishment can establish that the position  
35 28 is difficult to fill and is critical for fulfilling the duties  
35 29 of the department or establishment.

35 30 2. Moneys appropriated to a department or establishment  
35 31 and designated by the department or establishment in the  
35 32 department's or establishment's adopted budget in the state  
35 33 accounting system for full-time equivalent positions shall only  
35 34 be used for full-time equivalent positions and shall not be  
35 35 used for other purposes.

36 1 Sec. 66. JOINT APPROPRIATIONS SUBCOMMITTEES == REVIEW OF  
36 2 AGENCY FEES. Each joint appropriations subcommittee of the  
36 3 general assembly shall examine and review on an annual basis  
36 4 the fees charged by state agencies under the purview of that  
36 5 joint appropriations subcommittee.

36 6 DIVISION V

36 7 SPAN OF CONTROL

36 8 Sec. 67. Section 8A.402, subsection 2, paragraph g, Code  
36 9 Supplement 2009, is amended to read as follows:  
36 10 g. (1) (a) Consult with the department of management  
36 11 and discuss and collaborate with executive branch agencies to  
36 12 implement and maintain a policy for incrementally increasing  
36 13 the aggregate ratio in the number of employees per  
36 14 ~~supervisor~~ supervisory employee in executive branch agencies  
36 15 ~~to be fourteen employees for one supervisor~~ . For purposes of  
36 16 determining the effects of the policy on the state employee  
36 17 workforce, the base date of July 1, 2008, shall be used and  
36 18 the target date for full implementation shall be July 1, 2011.  
36 19 The target aggregate ratio of supervisory employees to other  
36 20 employees shall be as follows:  
36 21 (i) For the fiscal year beginning July 1, 2010, one to  
36 22 fourteen.

CODE: Requires an employee to supervisor span of control of 1:14 for FY 2011 and 1:15 for FY 2012. Defines "supervisory employee." Permits a supervisory employee in the Department of Public Safety to replace or bump a junior employee not being laid off if the supervisory employee is qualified for that position. Permits exceptions of policy by the Executive Council when a ratio is mandated by a federal requirement. Permits Executive Branch agencies to apply for a waiver from the FY 2012 ratio (1:15) under certain circumstances to a five-person review board composed of the DOM Director or designee, three department directors or designees designated by the Governor, and the American Federation of State, County, and Municipal Employees (AFSCME). Requires the Board of Regents to develop a policy regarding the employee to supervisor target aggregate ratio at each institution of 1:15. This Division is effective on enactment.

FISCAL IMPACT: This Division is estimated to result in net salary savings of \$15.5 million to the General Fund and \$24.1 million to non

36 23 (ii) For the fiscal year beginning July 1, 2011, one to  
 36 24 fifteen.  
 36 25 (b) For the purposes of this paragraph "g", "supervisory  
 36 26 employee" means a public employee who is not a member of a  
 36 27 collective bargaining unit and who has authority, in the  
 36 28 interest of a public employer, to hire, transfer, suspend, lay  
 36 29 off, recall, promote, discharge, assign, reward, or discipline  
 36 30 other public employees, to direct such public employees, or  
 36 31 to adjust the grievances of such public employees, or to  
 36 32 effectively recommend any such action.  
 36 33 (c) In this paragraph "g", executive branch agencies, except  
 36 34 the department of public safety, shall not grant a supervisory  
 36 35 employee with the right to replace or bump a junior employee  
 37 1 not being laid off for a position for which the supervisory  
 37 2 employee is qualified.  
 37 3 ~~(b)~~ (d) The policy shall allow appropriation units  
 37 4 with twenty-eight or fewer full-time equivalent employee  
 37 5 positions to apply for an exception to the policy through the  
 37 6 executive council. The policy shall allow for exceptions  
 37 7 when the supervisory employee ratio is mandated by a federal  
 37 8 requirement.  
 37 9 (e) (i) Beginning July 1, 2011, the policy shall allow  
 37 10 a director of an executive branch agency who believes that  
 37 11 the agency will not be able to reach the applicable target  
 37 12 aggregate ratio to apply for a waiver of that requirement  
 37 13 through a five-person review board. In applying for a waiver,  
 37 14 the director shall provide detailed documentation to the board  
 37 15 describing the efforts that the executive branch agency has  
 37 16 made in attempting to meet the applicable target aggregate  
 37 17 ratio provided in this paragraph "g". The review board shall  
 37 18 consist of the director of the department of management or  
 37 19 a designee of the director, three agency directors or the  
 37 20 designees of those directors as designated by the governor,  
 37 21 and one public member selected by the employee organization  
 37 22 representing the greatest number of executive branch employees.  
 37 23 However, if a department represented on the review board seeks  
 37 24 a waiver, the member representing the department shall not  
 37 25 participate in the decision on whether to grant a waiver for

General Fund sources in FY 2011. Additional savings of \$1.9 million to the General Fund and \$2.9 million to non-General Fund sources are estimated for FY 2012. This Division is not expected to have a significant fiscal impact on the Board of Regents institutions.

NOTE: Section 71 of this Division was amended in SF 2378 (Justice System Appropriations Act) to clarify the waiver process for State agencies to purchase products from Iowa Prison Industries.



37 26 that department.  
37 27 (ii) Prior to determining whether to grant a waiver, the  
37 28 review board shall make an initial determination of whether the  
37 29 executive branch agency has provided sufficient information  
37 30 to conduct a review. If not, the review board shall deny  
37 31 the request and notify the executive branch agency of the  
37 32 information needed to consider the request for waiver. If a  
37 33 waiver is granted, the review board shall limit the waiver to  
37 34 only those operations within an executive branch agency in  
37 35 which adequate justification for granting a waiver has been  
38 1 established.  
38 2 (f) The policy shall provide that if layoffs are  
38 3 implemented, the number of middle management position layoffs  
38 4 shall correspond to the relative number of direct service  
38 5 position layoffs.  
38 6 (g) The policy shall improve on the system in effect as  
38 7 of the base date by specifically defining and accounting for  
38 8 supervisory employee span of control.  
38 9 (h) The policy shall provide that in calculating the span  
38 10 of control ratio for an executive branch agency, unfunded  
38 11 full-time equivalent positions shall not be utilized.  
38 12 ~~(e)~~ (i) The department shall present an interim report  
38 13 to the governor and general assembly on or before April 1,  
38 14 2010, annual updates on or before April 1 subsequently, and a  
38 15 final report on or before April 1, 2014 2012 , detailing the  
38 16 effects of the policy on the composition of the workforce, cost  
38 17 savings, government efficiency, and outcomes.  
38 18 ~~(d)~~ (j) The policy developed pursuant to this paragraph "g"  
38 19 shall not encompass employees under the state board of regents ,  
38 20 the department of human services, or a judicial district  
38 21 department of correctional services . However, the department  
38 22 of administrative services shall work with the state board of  
38 23 regents, the department of human services, and the judicial  
38 24 district departments of correctional services to advance the  
38 25 policy as a goal for the supervisory staff of these units of  
38 26 state government.  
38 27 (2) Evaluate the state's systems for job classification of  
38 28 executive branch employees in order to ensure the existence

38 29 of technical skill-based career paths for such employees  
38 30 which do not depend upon an employee gaining supervisory  
38 31 responsibility for advancement, and which provide incentives  
38 32 for such employees to broaden their knowledge and skill base.  
38 33 The evaluation shall include but is not limited to a review of  
38 34 the classifications for all positions and providing options  
38 35 for eliminating obsolete, duplicative, or unnecessary job  
39 1 classifications. The department shall present interim reports  
39 2 to the general assembly on or before January 15, 2010, and  
39 3 January 14, 2011, concerning the department's progress in  
39 4 completing the evaluation and associated outcomes.  
39 5 Sec. 68. NEW SECTION . 262.9C Span of control policy.  
39 6 1. The state board of regents shall develop and maintain a  
39 7 policy regarding the aggregate ratio of the number of employees  
39 8 per supervisory employee at each of the institutions under  
39 9 the control of the board subject to the requirements of this  
39 10 section.  
39 11 2. The target span of control aggregate ratio of supervisory  
39 12 employees to other employees shall be one to fifteen. The  
39 13 target span of control ratio shall not apply to employees  
39 14 involved with direct patient care, faculty, and employees in  
39 15 other areas of the institutions that must maintain different  
39 16 span of control ratios due to federal or state regulations.  
39 17 3. For the purposes of this section, "supervisory employee"  
39 18 means a public employee who is not a member of a collective  
39 19 bargaining unit and who has authority, in the interest of a  
39 20 public employer, to hire, transfer, suspend, lay off, recall,  
39 21 promote, discharge, assign, reward, or discipline other public  
39 22 employees, to direct such public employees, or to adjust  
39 23 the grievances of such public employees, or to effectively  
39 24 recommend any such action.  
39 25 4. The policy shall allow departments within an institution  
39 26 under the control of the state board of regents with  
39 27 twenty-eight or fewer full-time equivalent employee positions  
39 28 to be granted an exception to the policy by the board.  
39 29 Departments applying for an exception shall file a statement of  
39 30 need with the applicable institutional human resources office  
39 31 and the office shall make a recommendation to the state board

39 32 of regents.  
39 33 5. The state board of regents shall present an interim  
39 34 report to the governor and general assembly on or before April  
39 35 1, 2010, with annual updates detailing the effects of the  
40 1 policy on the composition of the workforce, cost savings,  
40 2 efficiencies, and outcomes. In addition, the report and  
40 3 annual updates shall identify those departments within each  
40 4 institution under the control of the board granted an exception  
40 5 by the board to the policy as provided in this section.  
40 6 Sec. 69. EFFECTIVE UPON ENACTMENT. This division of this  
40 7 Act, being deemed of immediate importance, takes effect upon  
40 8 enactment.

40 9 DIVISION VI  
40 10 BOARD OF REGENTS == COOPERATIVE  
40 11 PURCHASING

40 12 Sec. 70. NEW SECTION . 262.9B Cooperative purchasing.  
40 13 1. Overview. The state board of regents for institutions  
40 14 under its control shall coordinate interagency cooperation with  
40 15 state agencies, as defined in section 8A.101, in the area of  
40 16 purchasing and information technology with the goal of annually  
40 17 increasing the amount of joint purchasing. The board and the  
40 18 institutions under the control of the board shall engage the  
40 19 department of administrative services, the chief information  
40 20 officer of the state, and other state agencies authorized to  
40 21 purchase goods and services in pursuing mutually beneficial  
40 22 activities relating to purchasing items and acquiring  
40 23 information technology. The board and the institutions shall  
40 24 explore ways to leverage resources, identify cost savings,  
40 25 implement efficiencies, and improve effectiveness without  
40 26 compromising the mission of the board and the institutions  
40 27 under the control of the board relative to students and  
40 28 research commitments.

CODE: Requires the Board of Regents and Regents institutions to cooperate with the DAS, the Chief Information Officer, and other State agencies in the areas of joint purchasing and information technology and to explore ways to leverage resources, identify cost savings, implement efficiencies, and improve effectiveness.

FISCAL IMPACT: The cost savings for this provision are unknown.

40 29 2. Purchasing.

CODE: Requires the Board of Regents and Regents institutions to

40 30 a. The board shall direct the institutions under its control  
 40 31 to cooperate with the department of administrative services and  
 40 32 other state agencies authorized to purchase goods and services  
 40 33 in efforts to collaboratively purchase goods and services that  
 40 34 result in mutual cost savings and efficiency improvements.  
 40 35 b. The board and the institutions under its control shall  
 41 1 assist the department of administrative services by doing the  
 41 2 following:  
 41 3 (1) Identifying best practices that produce cost savings  
 41 4 and improve state government processes.  
 41 5 (2) Exploring joint purchases of general use items that  
 41 6 result in mutual procurement of quality goods and services at  
 41 7 the lowest reasonable cost.  
 41 8 (3) Exploring flexibility, administrative relief, and  
 41 9 transformational changes through procurement technology.  
 41 10 c. The board shall convene at least quarterly an interagency  
 41 11 purchasing group meeting including the institutions under  
 41 12 its control, the department of administrative services, the  
 41 13 department of transportation, and any other state agency  
 41 14 authorized to purchase goods and services, for the purposes of  
 41 15 timely cooperation in purchasing goods and services and for  
 41 16 the identification of practical measures that improve state  
 41 17 agency performance of programs and operations, reduce total  
 41 18 costs of state government operations, increase productivity,  
 41 19 improve services and make state government more responsive and  
 41 20 accountable to the public.

41 21 3. Information technology.

41 22 a. The board shall direct institutions under its control  
 41 23 to cooperate with the chief information officer of the state  
 41 24 in efforts to cooperatively obtain information technology  
 41 25 and related services that result in mutual cost savings  
 41 26 and efficiency improvements, and shall seek input from the  
 41 27 department of administrative services and the chief information  
 41 28 officer of the state regarding specific areas of potential  
 41 29 cooperation between the institutions under the control of the  
 41 30 board and the department of administrative services.

cooperate with other State agencies and:

- Identify best practices to produce cost savings and improve processes.
- Explore joint purchases to procure quality goods at the lowest reasonable price.
- Explore flexibility, administrative relief, and transformational change by using procurement technology.

At least four times per year, requires the Board to convene an interagency purchasing group meeting with the DAS, the Department of Transportation (DOT), and other State agencies to cooperate in purchases of goods and services, improve performance, reduce costs, improve productivity and services, and make State government more responsive and accountable to the public.

FISCAL IMPACT: The cost savings for this provision are unknown.

CODE: Requires the Board of Regents and Regents institutions to cooperate with the Chief Information Officer of the State to cooperatively obtain information technology and services for mutual cost savings and seek input from the Chief Information Officer and the DAS regarding areas of potential cooperation.

Requires the Board to convene an interagency information technology group at least quarterly for timely cooperation.

41 31 b. The board shall convene at least quarterly an interagency  
41 32 information technology group meeting including the institutions  
41 33 under its control, the state chief information officer and  
41 34 any other agency authorized to purchase goods and services,  
41 35 for purposes of timely cooperation in obtaining information  
42 1 technology and related services.

42 2 4. Cooperative purchasing plan. The board shall, before  
42 3 July 1 of each year, prepare a plan that identifies specific  
42 4 areas of cooperation between the institutions under its  
42 5 control, the department of administrative services, and the  
42 6 chief information officer of the state, that will be addressed  
42 7 for the next fiscal year including timelines for implementing,  
42 8 analyzing, and evaluating each of the areas of cooperation.  
42 9 The plan shall also identify the potential for greater  
42 10 interinstitutional cooperation in areas that would result in a  
42 11 net cost savings.

CODE: Requires the Board of Regents to prepare a plan identifying specific areas of interagency cooperation for the next fiscal year by July 1, including timelines, analysis and evaluation, and areas that will result in cost savings.

42 12 5. Report. The board shall, on or before November 1, submit  
42 13 a report to the general assembly and the governor providing  
42 14 information on the cooperative purchasing plan prepared  
42 15 for that fiscal year by the board and on the results of the  
42 16 quarterly interagency meetings, including the specific cost  
42 17 savings or efficiency gains that have resulted from utilization  
42 18 of cooperative efforts and the implementation of identified  
42 19 best practices.

CODE: Requires the Board of Regents to report to the General Assembly by November 1 on the cooperative purchasing plan and the results of the quarterly interagency meetings.

42 20 DIVISION VII  
42 21 DEPARTMENT OF ADMINISTRATIVE SERVICES == PURCHASING

42 22 Sec. 71. Section 8A.302, subsection 1, Code 2009, is amended  
42 23 to read as follows:  
42 24 1. Providing a system of uniform standards and  
42 25 specifications for purchasing. When the system is developed,  
42 26 all items of general use shall be purchased by state

CODE: This Division exempts the Board of Regents from purchasing outside the DAS. Permits the DAS to authorize the DOT, the Department of the Blind, or other agencies exempted by law from centralized purchasing if the DAS determines that it is in the best interest of the State. This Division requires all agencies to obtain

42 27 agencies through the department, except items used by  
 42 28 the state ~~department of transportation~~, board of regents  
 42 29 and institutions under the control of the state board of  
 42 30 regents ; However, the department may authorize the department  
 42 31 of transportation, the department for the blind, and any other  
 42 32 agencies otherwise exempted by law from centralized purchasing,  
 42 33 to directly purchase items used by those agencies without going  
 42 34 through the department, if the department of administrative  
 42 35 services determines such purchasing is in the best interests  
 43 1 of the state . However, items of general use may be purchased  
 43 2 through the department by any governmental entity.  
 43 3 Sec. 72. Section 8A.311, subsection 10, paragraph a, Code  
 43 4 2009, is amended to read as follows:  
 43 5 a. The director shall adopt rules providing that any state  
 43 6 agency may, upon request and approval by the department ,  
 43 7 purchase directly from a vendor if the direct purchasing is  
 43 8 ~~as economical or more economical than purchasing through the~~  
 43 9 ~~department, or upon a showing~~ if the agency shows that direct  
 43 10 purchasing by the state agency would be in the best interests  
 43 11 of the state due to an immediate or emergency need . ~~The rules~~  
 43 12 ~~shall include a provision permitting a state agency to purchase~~  
 43 13 ~~directly from a vendor, on the agency's own authority , or if~~  
 43 14 the purchase will not exceed ten thousand dollars and the  
 43 15 purchase ~~will~~ would contribute to the agency complying with ~~or~~  
 43 16 ~~exceeding~~ the targeted small business procurement goals under  
 43 17 sections 73.15 through 73.21.  
 43 18 Sec. 73. NEW SECTION . 8A.311A Centralized purchasing.  
 43 19 1. The department may designate goods and services of  
 43 20 general use that agencies shall, and governmental subdivisions  
 43 21 may, purchase pursuant to a master contract established by the  
 43 22 department for that good or service. The department shall  
 43 23 establish a master contract subject to the requirements of  
 43 24 this section if the department determines that a high=quality  
 43 25 good or service can be acquired by agencies and governmental  
 43 26 subdivisions at lower cost through the establishment of a  
 43 27 master contract.  
 43 28 2. The department shall establish a master contract  
 43 29 pursuant to this section on a competitive basis, and the

approval from the DAS to purchase directly from a vendor. However,  
 a waiver may be granted if purchasing from a vendor is more  
 economical.

This Division requires agencies to purchase goods and services  
 pursuant to a master contract negotiated by the DAS. The DAS will  
 negotiate master contracts if it determines that high-quality goods or  
 services can be acquired at a lower cost through negotiation of a  
 master contract. Authorizes the DAS to permit agencies to purchase  
 goods or services directly from vendors if it is more economical or in  
 the best interests of the State without the master contract. The  
 Director of DAS will collaborate and cooperate with the Board of  
 Regents and other exempted agencies to explore joint purchases of  
 general use items and obtain goods and services at the lowest cost.

This Division requires agencies to report to the DAS concerning what  
 the agency plans to buy on an annual basis, and efforts to standardize  
 purchasing and services within their own agency.

FISCAL IMPACT: This Division is estimated to save the agencies that  
 are funded from the General Fund \$7.5 million in FY 2011 and \$7.5  
 million in FY 2012. This Division is estimated to save the DOT \$7.5  
 million in FY 2011 and \$7.5 million in FY 2012.

43 30 purchase of a good or service pursuant to the contract shall be  
43 31 deemed to satisfy any otherwise applicable competitive bidding  
43 32 requirements.

43 33 3. Upon the establishment of a master contract for a good or  
43 34 service pursuant to this section, an agency shall purchase the  
43 35 good or service pursuant to the contract, and shall not expend  
44 1 money to purchase the good or service directly from a vendor  
44 2 and not through the contract, unless any of the following  
44 3 applies:

44 4 a. The department determines, upon a request by the agency,  
44 5 that the agency can satisfy the requirements for purchase of  
44 6 the good or service directly from a vendor as provided in  
44 7 section 8A.311, subsection 10, paragraph "a".

44 8 b. The agency is purchasing the good or service pursuant  
44 9 to another contract in effect on the effective date of the  
44 10 master contract. However, the agency shall terminate the  
44 11 other contract if the contract permits the termination of the  
44 12 contract without penalty and the agency shall not renew the  
44 13 other contract beyond the current term of the other contract.

44 14 Sec. 74. Section 8A.312, Code 2009, is amended to read as  
44 15 follows:

44 16 8A.312 Cooperative purchasing.

44 17 ~~The director may purchase items through the state department~~  
44 18 ~~of transportation, institutions under the control of the state~~  
44 19 ~~board of regents, and any other agency specifically exempted~~  
44 20 ~~by law from centralized purchasing as well as from other~~  
44 21 ~~interstate and intergovernmental entities . These state~~  
44 22 ~~agencies shall upon request furnish the director with a list~~  
44 23 ~~of and specifications for all items of office equipment,~~  
44 24 ~~furniture, fixtures, motor vehicles, heavy equipment, and other~~  
44 25 ~~related items to be purchased during the next quarter and~~  
44 26 ~~the date by which the director must file with the agency the~~  
44 27 ~~quantity of items to be purchased by the state agency for the~~  
44 28 ~~department. The department shall collaborate and cooperate~~  
44 29 ~~with the state board of regents and institutions under the~~  
44 30 ~~control of the state board of regents, as provided in section~~  
44 31 ~~262.9B, and any other state agency exempt from centralized~~  
44 32 ~~purchasing to explore joint purchases of general use items that~~

44 33 present opportunities to obtain quality goods and services at  
44 34 the lowest reasonable cost. ~~The department shall be liable~~  
44 35 ~~to the state agency for the proportionate costs the items~~  
45 1 ~~purchased for the department bear to the total purchase price.~~  
45 2 ~~When items purchased have been delivered, the state agency~~  
45 3 ~~shall notify the director and after receipt of the purchase~~  
45 4 ~~price shall release the items to the director or upon the~~  
45 5 ~~director's order.~~  
45 6 Sec. 75. Section 307.21, subsection 1, paragraph d, Code  
45 7 Supplement 2009, is amended to read as follows:  
45 8 d. Provide centralized purchasing services for the  
45 9 department, ~~in cooperation with~~ if authorized by the department  
45 10 of administrative services. The administrator shall, when  
45 11 the price is reasonably competitive and the quality as  
45 12 intended, purchase soybean-based inks and plastic products with  
45 13 recycled content, including but not limited to plastic garbage  
45 14 can liners, and shall purchase these items in accordance  
45 15 with the schedule established in section 8A.315. However,  
45 16 the administrator need not purchase garbage can liners in  
45 17 accordance with the schedule if the liners are utilized by a  
45 18 facility approved by the environmental protection commission  
45 19 created under section 455A.6, for purposes of recycling. For  
45 20 purposes of this section, "recycled content" means that the  
45 21 content of the product contains a minimum of thirty percent  
45 22 postconsumer material.  
45 23 Sec. 76. STATE GOVERNMENT PURCHASING EFFORTS == DEPARTMENT  
45 24 OF ADMINISTRATIVE SERVICES. In order to facilitate efficient  
45 25 and cost-effective purchasing, the department of administrative  
45 26 services shall do the following:  
45 27 1. Require state agencies to provide the department a report  
45 28 regarding planned purchases on an annual basis and to report  
45 29 on an annual basis regarding efforts to standardize products  
45 30 and services within their own agencies and with other state  
45 31 agencies.  
45 32 2. Require state employees who conduct bids for services to  
45 33 receive training on an annual basis about procurement rules and  
45 34 regulations and procurement best practices.  
45 35 3. Identify procurement compliance employees within the



46 1 department.  
46 2 4. Review the process and basis for establishing  
46 3 departmental fees for purchasing.  
46 4 5. Establish a work group to collaborate on best practices  
46 5 to implement the best cost savings for the state concerning  
46 6 purchasing.  
46 7 6. Explore interstate and intergovernmental purchasing  
46 8 opportunities and encourage the legislative and judicial  
46 9 branches to participate in consolidated purchasing and  
46 10 efficiencies wherever possible.  
46 11 7. Expand the use of procurement cards throughout state  
46 12 government to facilitate purchasing of items by state agencies.

46 13 DIVISION VIII

46 14 DEPARTMENT OF ADMINISTRATIVE SERVICES == OPERATIONS

46 15 Sec. 77. Section 8A.104, Code 2009, is amended by adding the  
46 16 following new subsection:  
46 17 NEW SUBSECTION . 12A. Examine and develop best practices  
46 18 for the efficient operation of government and encourage state  
46 19 agencies to adopt and implement these practices.  
46 20 Sec. 78. NEW SECTION . 8A.459 State employee pay and  
46 21 allowances == electronic funds transfer.

46 22 Effective July 1, 2011, notwithstanding any provision of  
46 23 law to the contrary, all pay and allowances to state employees  
46 24 shall be paid via electronic funds transfer, unless otherwise  
46 25 provided pursuant to a collective bargaining agreement. A  
46 26 state employee may elect to receive pay and allowances as  
46 27 paper warrants in lieu of electronic funds transfers, but the  
46 28 department shall charge an administrative fee for processing  
46 29 such paper warrants. However, the department may, for good  
46 30 cause shown, waive the administrative fee. The fee may be  
46 31 automatically deducted from the state employee's pay and  
46 32 allowances before the warrant is issued to the state employee.

CODE: Requires all pay and allowances to State employees to be paid via electronic funds transfer (EFT) unless the employee is currently under a collective bargaining agreement that provides otherwise. State employees may elect to receive paper warrants, but would be charged an administrative fee. Individual departments may waive the fee if good cause is shown.

FISCAL IMPACT: The estimated annual savings to the General Fund is \$45,000 and the estimated annual savings to non-General Fund sources is \$71,000.

46 33 Sec. 79. DEPARTMENT OF ADMINISTRATIVE SERVICES ==

Requires the DAS and the DOM to examine the process by which

46 34 STREAMLINED HIRING. The department of administrative services  
 46 35 shall, in consultation with the department of management,  
 47 1 examine the process by which state agencies hire personnel  
 47 2 with the goal of simplifying and reducing the steps needed  
 47 3 for state agencies to hire personnel. The department shall  
 47 4 provide information to the general assembly concerning steps  
 47 5 taken to implement a more streamlined hiring process and any  
 47 6 recommendations for legislative action.

State agencies hire personnel with the goal of reducing steps needed for agencies to hire personnel. Requires the DAS to report to the General Assembly concerning findings and recommendations for legislative action.

FISCAL IMPACT: No significant impact.

47 7 Sec. 80. DEPARTMENT OF ADMINISTRATIVE SERVICES == REAL  
 47 8 ESTATE AND LEASE MANAGEMENT.

Requires the DAS to conduct a property inventory and a review of State office leases. Requires the DAS to recommend the sale of property and explore options for selling State property and lease back to the State.

47 9 1. REAL ESTATE AUDIT. The department of administrative  
 47 10 services shall complete an inventory of surplus and unused  
 47 11 state properties, including properties owned or under the  
 47 12 control of the department of transportation, and recommend  
 47 13 which assets could be sold at a premium price. State historic  
 47 14 buildings would not be eligible for sale and only those assets  
 47 15 identified as being surplus and no longer related to their  
 47 16 mission would be eligible for sale.

FISCAL IMPACT: This item is estimated to result in savings to the General Fund of \$102,000 for FY 2010, \$108,000 for FY 2011, and \$98,000 for FY 2012. The estimated savings to non-General Fund sources is \$21,000 for FY 2010, \$24,000 for FY 2011, and \$4,000 for FY 2012.

47 17 2. LEASE AUDIT. The department of administrative services  
 47 18 shall conduct a thorough review of all state office leases  
 47 19 and wherever possible, require state agencies to consolidate  
 47 20 office spaces that are rented from private sector landlords.  
 47 21 In addition, the department should work directly with all state  
 47 22 agencies to begin renegotiating office leases to obtain more  
 47 23 favorable lease terms.

47 24 3. SALE AND LEASEBACK OF STATE OFFICE BUILDING ASSETS. The  
 47 25 department of administrative services shall explore potential  
 47 26 opportunities for state agencies to sell some properties to a  
 47 27 private sector owner and then lease them back.

47 28 4. REPORT. The department shall submit a report to  
 47 29 the general assembly by January 1, 2011, concerning the  
 47 30 requirements of this section. The report shall, if applicable,  
 47 31 identify any statutory barriers for pursuing efforts described  
 47 32 in this section and shall include in the report its findings  
 47 33 and any recommendations for legislative action.

47 34 Sec. 81. STATE BOARD OF REGENTS == REAL ESTATE AUDIT. The  
47 35 state board of regents shall complete an inventory of real  
48 1 estate property owned or leased by the state board of regents  
48 2 and institutions under the control of the state board of  
48 3 regents, including information regarding the current and  
48 4 intended use of the property. The board shall submit a report  
48 5 to the general assembly and governor by January 1, 2011,  
48 6 detailing the real estate property owned or leased by the state  
48 7 board of regents and institutions under the control of the  
48 8 state board of regents.

Requires the Board of Regents to complete an audit of the real estate property owned and leased by Regents institutions and report to the General Assembly and the Governor by January 1, 2011.

48 9 Sec. 82. DEPARTMENT OF ADMINISTRATIVE SERVICES ==  
48 10 SALE OF REAL PROPERTY.

48 11 1. During the fiscal year beginning July 1, 2010, and ending  
48 12 June 30, 2011, the department of administrative services,  
48 13 in collaboration with the department of human services  
48 14 and the department of corrections, shall identify and sell  
48 15 real property under the control of the departments that is  
48 16 not necessary to further the mission of the department of  
48 17 human services and the department of corrections and that  
48 18 will maximize the return to the state. Notwithstanding any  
48 19 provision of law to the contrary, moneys received for the sale  
48 20 of property pursuant to this subsection shall be deposited in  
48 21 the general fund of the state.

48 22 2. During the fiscal year beginning July 1, 2010, and  
48 23 ending June 30, 2011, the department of administrative services  
48 24 shall, pursuant to the real estate and lease management review  
48 25 conducted by the department as provided in this Act, identify  
48 26 and sell or sell and lease back real property under the control  
48 27 of the department that will maximize the return to the state.  
48 28 Notwithstanding any provision of law to the contrary, moneys  
48 29 received for the sale of property pursuant to this subsection  
48 30 shall be deposited in the general fund of the state.

CODE: Requires the DAS with the Department of Human Services (DHS) and the Department of Corrections (DOC) to sell property no longer necessary for the DHS or the DOC. Requires the DAS to sell property under its control to maximize the return to the State. Requires revenue from the sales to be deposited in the General Fund.

FISCAL IMPACT: It is estimated that \$13.8 million will be generated by the sale of these properties in FY 2011.

48 31 DIVISION IX  
48 32 ALCOHOLIC BEVERAGES

## 48 33 DIVISION == MICRO=DISTILLERIES

48 34 Sec. 83. Section 123.32, subsection 1, Code Supplement  
48 35 2009, is amended to read as follows:

49 1 1. Filing of application. An application for a class "A",  
49 2 class "B", class "C", or class "E" liquor control license, for  
49 3 a class "A" micro=distilled spirits permit, for a retail beer  
49 4 permit as provided in sections 123.128 and 123.129, or for a  
49 5 class "B", class "B" native, or class "C" native retail wine  
49 6 permit as provided in section 123.178, 123.178A, or 123.178B,  
49 7 accompanied by the necessary fee and bond, if required, shall  
49 8 be filed with the appropriate city council if the premises for  
49 9 which the license or permit is sought are located within the  
49 10 corporate limits of a city, or with the board of supervisors  
49 11 if the premises for which the license or permit is sought are  
49 12 located outside the corporate limits of a city. An application  
49 13 for a class "D" liquor control license and for a class "A"  
49 14 beer or class "A" wine permit, accompanied by the necessary  
49 15 fee and bond, if required, shall be filed with the division,  
49 16 which shall proceed in the same manner as in the case of an  
49 17 application approved by local authorities.

49 18 Sec. 84. NEW SECTION . 123.43A Micro=distilled spirits ==  
49 19 permit.

49 20 1. For the purposes of this section, unless the context  
49 21 other requires:

49 22 a. "Micro=distillery" means a business with an operational  
49 23 still which, combining all production facilities of the  
49 24 business, produces and manufactures less than fifty thousand  
49 25 proof gallons of distilled spirits on an annual basis.

49 26 b. "Micro=distilled spirits" means distilled spirits  
49 27 fermented, distilled, or, for a period of two years, barrel  
49 28 matured on the licensed premises of the micro=distillery where  
49 29 fermented, distilled, or matured. "Micro=distilled spirits"  
49 30 also includes blended or mixed spirits comprised solely of  
49 31 spirits fermented, distilled, or, for a period of two years,  
49 32 barrel matured at a micro=distillery.

49 33 2. Subject to rules of the division, a micro=distillery

CODE: Establishes the Class A Micro-distilled spirit permit. Micro-Distilleries in the State are permitted to sell 1.5 liters per person per day of micro-distilled spirits on the business premises. Establishes a Class A Micro-distilled spirit permit to be issued and renewed annually for \$500.

FISCAL IMPACT: Micro-distilleries will sell at the current market level and retain excess profit internally. The fiscal impact to the General Fund is estimated to be minimal.

---

49 34 holding a class "A" micro=distilled spirits permit pursuant  
49 35 to this section may sell or offer for sale micro=distilled  
50 1 spirits. As provided in this section, sales may be made at  
50 2 retail for off=premises consumption when sold on the premises  
50 3 of the micro=distillery that manufactures micro=distilled  
50 4 spirits. All sales shall be made through the state's wholesale  
50 5 distribution system.

50 6 3. A micro=distillery shall not sell more than one and  
50 7 one=half liters per person per day, of micro=distilled spirits  
50 8 on the premises of the micro=distillery. In addition, a  
50 9 micro=distillery shall not directly ship micro=distilled  
50 10 spirits for sale at retail. The micro=distillery shall  
50 11 maintain records of individual purchases of micro=distilled  
50 12 spirits at the micro=distillery for three years.

50 13 4. A micro=distillery shall not sell micro=distilled  
50 14 spirits other than as permitted in this chapter and shall not  
50 15 allow micro=distilled spirits sold to be consumed upon the  
50 16 premises of the micro=distillery. However, as a part of a  
50 17 micro=distillery tour, micro=distilled spirits of no more than  
50 18 two ounces per person per day may be sampled on the premises  
50 19 where fermented, distilled, or matured, when no charge is made  
50 20 for the sampling.

50 21 5. A class "A" micro=distilled spirits permit for a  
50 22 micro=distillery shall be issued and renewed annually upon  
50 23 payment of a fee of five hundred dollars.

50 24 6. The sale of micro=distilled spirits to the division for  
50 25 wholesale disposition and sale by the division shall be subject  
50 26 to the requirements of this chapter regarding such disposition  
50 27 and sale.

50 28 7. The division shall issue no more than three permits under  
50 29 this section to a person. In addition, a micro=distillery  
50 30 issued a permit under this section shall file with the  
50 31 division all documents filed by the micro=distillery with the  
50 32 alcohol and tobacco tax and trade bureau of the United States  
50 33 department of the treasury, including all production, storage,  
50 34 and processing reports.

50 35 8. Micro=distilled spirits purchased at a micro=distillery  
51 1 shall not be consumed within three hundred feet of a

51 2 micro=distillery or on any property owned, operated, or  
51 3 controlled by a micro=distillery.

51 4 DIVISION X  
51 5 ALCOHOLIC BEVERAGES DIVISION == CHARITY BEER AND WINE AUCTION  
51 6 PERMIT

51 7 Sec. 85. NEW SECTION . 123.173A Charity beer and wine  
51 8 auction permit.

51 9 1. For purposes of this section, "authorized nonprofit  
51 10 entity" includes a nonprofit entity which has a principal office  
51 11 in the state, a nonprofit corporation organized under chapter  
51 12 504, or a foreign corporation as defined in section 504.141,  
51 13 whose income is exempt from federal taxation under section  
51 14 501(c) of the Internal Revenue Code.

51 15 2. An authorized nonprofit entity may, upon application to  
51 16 the division and receipt of a charity beer and wine auction  
51 17 permit from the division, conduct a charity auction which  
51 18 includes beer and wine. The application shall specify the  
51 19 date and time when the charity beer and wine auction is to be  
51 20 conducted and the premises in this state where the charity beer  
51 21 and wine auction is to be physically conducted. The applicant  
51 22 shall certify that the objective of the charity beer and wine  
51 23 auction is to raise funds solely to be used for educational,  
51 24 religious, or charitable purposes and that the entire proceeds  
51 25 from the charity beer and wine auction are to be expended for  
51 26 any of the purposes described in section 423.3, subsection 78.

51 27 3. An authorized nonprofit entity shall be eligible  
51 28 to receive only two charity beer and wine auction permits  
51 29 during a calendar year and each charity beer and wine auction  
51 30 permit shall be valid for a period not to exceed thirty=six  
51 31 consecutive hours.

51 32 4. The authorized nonprofit entity conducting the charity  
51 33 beer and wine auction shall obtain the beer and wine to be  
51 34 auctioned at the charity beer and wine auction from an Iowa  
51 35 retail beer permittee or an Iowa retail wine permittee, or

CODE: Establishes the Charity Beer and Wine Auction Permit for authorized nonprofit entities to raise funds solely for educational, religious, or charitable purposes within the State. Beer and wine sold at the auction is for off-premises consumption only. The purchaser is prohibited from taking possession of the beer or wine until the event is concluded. The fee for the Charity Beer and Wine Auction Permit is \$100.

FISCAL IMPACT: This Division is estimated to generate \$12,000 in revenue to the General Fund in FY 2011 and \$14,000 in FY 2012.

52 1 may receive donations of beer or wine to be auctioned at  
52 2 the charity beer and wine auction from persons who purchased  
52 3 the donated beer or wine from an Iowa retail beer permittee  
52 4 or an Iowa retail wine permittee and who present a receipt  
52 5 documenting the purchase at the time the beer or wine is  
52 6 donated. The authorized nonprofit entity conducting the  
52 7 charity beer and wine auction shall retain a copy of the  
52 8 receipt for a period of one year from the date of the charity  
52 9 beer and wine auction.

52 10 5. Persons shall be physically present at the charity beer  
52 11 and wine auction to be eligible to bid on beer and wine sold at  
52 12 the charity auction.

52 13 6. The beer and wine sold at the charity beer and wine  
52 14 auction shall be in original containers for consumption off  
52 15 of the premises where the charity beer and wine auction is  
52 16 conducted. No other alcoholic beverage may be sold by the  
52 17 charity beer and wine auction permittee at the charity beer and  
52 18 wine auction. A purchaser of beer or wine at a charity beer  
52 19 and wine auction shall not take possession of the beer or wine  
52 20 until the person is leaving the event. A purchaser of beer  
52 21 or wine at a charity beer and wine auction shall not open the  
52 22 container or consume or permit the consumption of the beer or  
52 23 wine purchased on the premises where the charity beer and wine  
52 24 auction is conducted. A purchaser of beer or wine at a charity  
52 25 beer and wine auction shall not resell the beer or wine.

52 26 7. A liquor control licensee, beer permittee, or wine  
52 27 permittee shall not purchase beer or wine at a charity beer  
52 28 and wine auction. The charity beer and wine auction may be  
52 29 conducted on a premises for which a class "B" liquor control  
52 30 license or class "C" liquor control license has been issued,  
52 31 provided that the liquor control licensee does not participate  
52 32 in the charity beer and wine auction, supply beer or wine to be  
52 33 auctioned at the charity beer and wine auction, or receive any  
52 34 of the proceeds of the charity beer and wine auction.

52 35 Sec. 86. Section 123.179, Code 2009, is amended by adding  
53 1 the following new subsection:  
53 2 NEW SUBSECTION . 5. The fee for a charity beer and wine  
53 3 auction permit is one hundred dollars.

53 4 DIVISION XI  
53 5 ALCOHOLIC BEVERAGES DIVISION == HIGH  
53 6 ALCOHOL BEER

53 7 Sec. 87. Section 123.3, subsection 5, Code 2009, is amended  
53 8 to read as follows:

53 9 5. "Alcoholic liquor" or "intoxicating liquor" means the  
53 10 varieties of liquor defined in subsections 3 and 33 which  
53 11 contain more than five percent of alcohol by weight, beverages  
53 12 made as described in subsection 7 which beverages contain  
53 13 more than five percent of alcohol by weight but which are not  
53 14 wine as defined in subsection 37 or high alcoholic content  
53 15 beer as defined in subsection 14A , and every other liquid or  
53 16 solid, patented or not, containing spirits and every beverage  
53 17 obtained by the process described in subsection 37 containing  
53 18 more than seventeen percent alcohol by weight or twenty=one  
53 19 and twenty=five hundredths percent of alcohol by volume, and  
53 20 susceptible of being consumed by a human being, for beverage  
53 21 purposes. Alcohol manufactured in this state for use as fuel  
53 22 pursuant to an experimental distilled spirits plant permit or  
53 23 its equivalent issued by the federal bureau of alcohol, tobacco  
53 24 and firearms is not an "alcoholic liquor".

53 25 Sec. 88. Section 123.3, Code 2009, is amended by adding the  
53 26 following new subsection:

53 27 NEW SUBSECTION . 14A. "High alcoholic content beer" means  
53 28 beer which contains more than five percent of alcohol by  
53 29 weight, but not more than twelve percent of alcohol by weight,  
53 30 that is made by the fermentation of an infusion in potable  
53 31 water of barley, malt, and hops, with or without unmalted  
53 32 grains or decorticated and degerminated grains.

53 33 Sec. 89. Section 123.124, Code 2009, is amended to read as  
53 34 follows:

53 35 123.124 Permits == classes.

54 1 Permits for the manufacture and sale, or sale of beer shall  
54 2 be divided into ~~four~~ six classes, known as class "A", special  
54 3 class "A", class "AA", special class "AA", class "B", or  
54 4 class "C" permits. A class "A" permit allows the holder to

CODE: Creates two new classes of beer permits: Class AA and Special Class AA. Class AA allows the holder to manufacture high alcoholic content beer and sell it at wholesale. Defines high alcoholic content beer as beer that contains more than 5.0% but less than 12.0% alcohol by weight and includes definitions of fermentation, barley, and hops. Special Class AA permits manufacturing of high alcoholic content beer that can be consumed on the premises of a Class C liquor control license holder or Class B Beer Permit (i.e. brewpubs) holder. The annual permit fee for a Class AA or Special Class AA permit is \$500.

FISCAL IMPACT: This Division will not have a significant fiscal impact. The Alcoholic Beverages Division (ABD) will lose approximately \$200,000 in gross revenue from its sale of high proof beer. However, it is estimated this revenue decrease will be offset by decreased operational cost for warehousing beer and increased revenue generated by the new license/permit revenue.



54 5 manufacture and sell beer at wholesale. A holder of a special  
54 6 class "A" permit may only manufacture beer to be consumed on  
54 7 the licensed premises for which the person also holds a class  
54 8 "C" liquor control license or class "B" beer permit and to be  
54 9 sold to a class "A" permittee for resale purposes. A class  
54 10 "AA" permit allows the holder to manufacture and sell high  
54 11 alcoholic content beer at wholesale. A holder of a special  
54 12 class "AA" permit may only manufacture high alcoholic content  
54 13 beer to be consumed on the licensed premises for which the  
54 14 person also holds a class "C" liquor control license or class  
54 15 "B" beer permit and to be sold to a class "AA" permittee for  
54 16 resale purposes. A class "B" permit allows the holder to sell  
54 17 beer to consumers at retail for consumption on or off the  
54 18 premises. A class "C" permit allows the holder to sell beer to  
54 19 consumers at retail for consumption off the premises.  
54 20 Sec. 90. Section 123.125, Code 2009, is amended to read as  
54 21 follows:  
54 22 123.125 Issuance of permits.  
54 23 The administrator shall issue class "A", special class "A",  
54 24 class "AA", special class "AA", class "B", and class "C" beer  
54 25 permits and may suspend or revoke permits for cause as provided  
54 26 in this chapter.  
54 27 Sec. 91. Section 123.127, subsection 1, unnumbered  
54 28 paragraph 1, Code Supplement 2009, is amended to read as  
54 29 follows:  
54 30 A class "A" or class "AA" permit shall be issued by the  
54 31 administrator to any person who:  
54 32 Sec. 92. Section 123.127, subsection 2, Code Supplement  
54 33 2009, is amended to read as follows:  
54 34 2. An applicant for a special class "A" or special class  
54 35 "AA" permit shall comply with the requirements for a class "A"  
55 1 or class "AA" permit , as applicable, and shall also state on  
55 2 the application that the applicant holds or has applied for a  
55 3 class "C" liquor control license or class "B" beer permit.  
55 4 Sec. 93. Section 123.130, unnumbered paragraph 1, Code  
55 5 2009, is amended to read as follows:  
55 6 Any person holding a class "A" permit issued by the division  
55 7 shall be authorized to manufacture and sell, or sell at

55 8 wholesale, beer for consumption off the premises, such sales  
55 9 within the state to be made only to persons holding subsisting  
55 10 class "A", "B", or "C" permits, or liquor control licenses  
55 11 issued in accordance with the provisions of this chapter. ~~The~~  
55 12 ~~holder of a class "A" permit may manufacture beer of more than~~  
55 13 ~~five percent alcohol by weight for shipment outside this state~~  
55 14 ~~only. However, a~~ A class "A", class "AA", or special class  
55 15 "AA" permit does not grant authority to manufacture wine as  
55 16 defined in section 123.3, subsection 37.  
55 17 Sec. 94. Section 123.134, Code 2009, is amended by adding  
55 18 the following new subsection:  
55 19 NEW SUBSECTION . 1A. The annual permit fee for a class "AA"  
55 20 or special class "AA" permit is five hundred dollars.  
55 21 Sec. 95. Section 123.135, subsection 1, Code 2009, is  
55 22 amended to read as follows:  
55 23 1. A manufacturer, brewer, bottler, importer, or vendor  
55 24 of beer or any agent thereof desiring to ship or sell beer,  
55 25 or have beer brought into this state for resale by a class  
55 26 "A" permittee shall first make application for and be issued  
55 27 a brewer's certificate of compliance by the administrator  
55 28 for that purpose. The certificate of compliance expires at  
55 29 the end of one year from the date of issuance and shall be  
55 30 renewed for a like period upon application to the administrator  
55 31 unless otherwise revoked for cause. Each application for a  
55 32 certificate of compliance or renewal of a certificate shall be  
55 33 accompanied by a fee of ~~one~~ five hundred dollars payable to the  
55 34 division. Each holder of a certificate of compliance shall  
55 35 furnish the information in the form the administrator requires.  
56 1 ~~A brewer whose plant is located in Iowa and who otherwise holds~~  
56 2 ~~a class "A" beer permit to sell beer at wholesale is exempt~~  
56 3 ~~from the fee, but not from the terms and conditions of the~~  
56 4 ~~permit. The holder of a special class "A" permit is exempt~~  
56 5 ~~from the requirements of this section.~~  
56 6 Sec. 96. EFFECTIVE UPON ENACTMENT. This division of this  
56 7 Act, being deemed of immediate importance, takes effect upon  
56 8 enactment.

---

56 10 ALCOHOLIC BEVERAGES DIVISION == OPERATIONS

56 11 Sec. 97. ALCOHOLIC BEVERAGES DIVISION == STATE WAREHOUSE  
56 12 FRIDAY CLOSURE. For the fiscal period beginning July 1, 2010,  
56 13 and ending June 30, 2015, the administrator of the alcoholic  
56 14 beverages division of the department of commerce as created  
56 15 in chapter 123, shall, pursuant to the authority provided in  
56 16 section 123.21, close the main state warehouse every Friday.  
56 17 However, the administrator may keep the warehouse open on  
56 18 designated Fridays if the administrator determines that  
56 19 anticipated sales on that Friday justify keeping the state  
56 20 warehouse open. The administrator may extend the closure  
56 21 authorized pursuant to this section to the succeeding fiscal  
56 22 year. This section does not repeal any authority previously  
56 23 granted to the division in chapter 123.

Requires the ABD to close the main State warehouse most Fridays.

FISCAL IMPACT: This requirement is expected to save the General Fund \$20,000 annually.

56 24 Sec. 98. TOBACCO RETAIL COMPLIANCE CHECKS. The terms  
56 25 of a chapter 28D agreement entered into between the division  
56 26 of tobacco use prevention and control of the Iowa department  
56 27 of public health and the alcoholic beverages division of the  
56 28 department of commerce, governing compliance checks conducted  
56 29 to ensure licensed retail tobacco outlet conformity with  
56 30 tobacco laws, regulations, and ordinances relating to persons  
56 31 under eighteen years of age, shall restrict the number of such  
56 32 checks to one check per retail outlet, and one additional check  
56 33 for any retail outlet found to be in violation during the first  
56 34 check, for the fiscal year beginning July 1, 2010, and ending  
56 35 June 30, 2011.

Limits the number of tobacco retail compliance checks that the ABD can perform in FY 2011 to one check per retail outlet and one follow-up check for those that are not compliant during the first check.

DETAIL: There is no fiscal impact for this Section. It is estimated that it will cost the ABD \$189,000 to conduct compliance checks and follow-up checks on tobacco sales permit holders in FY 2011. This is an increase of \$14,000 compared to FY 2010; however, the Division will absorb the additional cost.

57 1 DIVISION XIII  
57 2 ALCOHOLIC BEVERAGES DIVISION == DIRECT  
57 3 SHIPMENT OF WINE

57 4 Sec. 99. Section 123.173, subsection 1, Code 2009, is  
57 5 amended to read as follows:

CODE: Authorizes the direct shipment of wine from out-of-state manufacturers to residents of Iowa. The wine manufacturer must

57 6 1. ~~Permits~~ Except as provided in section 123.187,  
 57 7 ~~permits~~ exclusively for the sale or manufacture and sale of  
 57 8 wine shall be divided into four classes, and shall be known as  
 57 9 class "A", "B", "B" native, or "C" native wine permits.  
 57 10 Sec. 100. Section 123.187, Code 2009, is amended by striking  
 57 11 the section and inserting in lieu thereof the following:  
 57 12 123.187 Direct shipment of wine == licenses and requirements.  
 57 13 1. A wine manufacturer licensed or permitted pursuant  
 57 14 to laws regulating alcoholic beverages in this state or  
 57 15 another state may apply for a wine direct shipper license, as  
 57 16 provided in this section. For the purposes of this section,  
 57 17 a "wine manufacturer" means a person who processes the fruit,  
 57 18 vegetables, dandelions, clover, honey, or any combination of  
 57 19 these ingredients, by fermentation into wines.  
 57 20 2. a. The administrator shall issue a wine direct  
 57 21 shipper license to a wine manufacturer who submits a written  
 57 22 application for the license on a form to be established by  
 57 23 the administrator by rule, accompanied by a true copy of the  
 57 24 manufacturer's current alcoholic beverage license or permit  
 57 25 and a copy of the manufacturer's winery license issued by the  
 57 26 federal alcohol and tobacco tax and trade bureau.  
 57 27 b. An application submitted pursuant to paragraph "a" shall  
 57 28 be accompanied by a license fee in the amount of twenty=five  
 57 29 dollars.  
 57 30 c. An application submitted pursuant to paragraph "a"  
 57 31 shall also be accompanied by a bond in the amount of five  
 57 32 thousand dollars in the form prescribed and furnished by the  
 57 33 division with good and sufficient sureties to be approved by  
 57 34 the division conditioned upon compliance with this chapter.  
 57 35 d. A license issued pursuant to this section may be renewed  
 58 1 annually by resubmitting the information required in paragraph  
 58 2 "a", accompanied by the twenty=five dollar license fee.  
 58 3 3. The direct shipment of wine pursuant to this  
 58 4 section shall be subject to the following requirements and  
 58 5 restrictions:  
 58 6 a. Wine may only be shipped by a wine direct shipper  
 58 7 licensee to a resident of this state who is at least twenty=one  
 58 8 years of age, for the resident's personal use and consumption

obtain a wine direct shipper license from the ABD at a cost of \$25 annually and pay gallonage tax. The language requires no more than 18 liters of wine per month be shipped to an Iowa resident 21 years of age or older.

FISCAL IMPACT: This Division is estimated to generate additional revenue of \$375,000 to the General Fund for FY 2011 and \$412,500 for FY 2012.

58 9 and not for resale.

58 10 b. Wine subject to direct shipping shall be properly  
58 11 registered with the federal alcohol and tobacco tax and trade  
58 12 bureau, and fermented on the winery premises of the wine direct  
58 13 shipper licensee.

58 14 c. All containers of wine shipped directly to a resident  
58 15 of this state shall be conspicuously labeled with the words  
58 16 CONTAINS ALCOHOL: SIGNATURE OF PERSON AGE 21 OR OLDER  
REQUIRED

58 17 FOR DELIVERY or shall be conspicuously labeled with alternative  
58 18 wording preapproved by the administrator.

58 19 d. All containers of wine shipped directly to a resident of  
58 20 this state shall be shipped by an alcohol carrier licensed as  
58 21 provided in subsection 6.

58 22 4. Shipment of wine pursuant to this subsection does not  
58 23 require a refund value for beverage container control purposes  
58 24 under chapter 455C.

58 25 5. A wine direct shipper licensee shall be deemed to  
58 26 have consented to the jurisdiction of the division or any  
58 27 other agency or court in this state concerning enforcement  
58 28 of this section and any related laws, rules, or regulations.  
58 29 A licensee shall permit the division to perform an audit of  
58 30 shipping records upon request.

58 31 6. a. Wine subject to direct shipment within this state  
58 32 pursuant to this section shall be delivered only by a carrier  
58 33 having obtained from the division an alcohol carrier license.  
58 34 An alcohol carrier license shall be issued upon payment of  
58 35 a one hundred dollar license fee, and shall be subject to  
59 1 requirements, and issued pursuant to application forms, to be  
59 2 determined by the administrator by rule.

59 3 b. An alcohol carrier licensee shall not deliver wine to  
59 4 any person under twenty-one years of age, or to any person  
59 5 who either is or appears to be in an intoxicated state or  
59 6 condition. A licensee shall obtain valid proof of identity and  
59 7 age prior to delivery, and shall obtain the signature of an  
59 8 adult as a condition of delivery.

59 9 c. An alcohol carrier licensee shall maintain records of  
59 10 wine shipped which include the license number and name of

59 11 the wine manufacturer, quantity of wine shipped, recipient's  
 59 12 name and address, and an electronic or paper form of signature  
 59 13 from the recipient of the wine. Records shall be submitted  
 59 14 to the division on a monthly basis in a form and manner to be  
 59 15 determined by the division by rule.  
 59 16 7. A violation of this section shall subject a licensee to  
 59 17 the penalty provisions of section 123.39.

59 18 DIVISION XIV  
 59 19 DEPARTMENT OF HUMAN RIGHTS == REORGANIZATION

59 20 Sec. 101. Section 216A.1, Code 2009, is amended to read as  
 59 21 follows:  
 59 22 216A.1 Department of human rights == purpose .  
 59 23 1. A department of human rights is created, with the  
 59 24 following divisions and offices :  
 59 25 a. Division of community advocacy and services, with the  
 59 26 following offices:  
 59 27 1- ~~(1) Division~~ Office of Latino affairs.  
 59 28 2- ~~(2) Division~~ Office on the status of women.  
 59 29 3- ~~(3) Division~~ Office of persons with disabilities.  
 59 30 4- ~~Division of community action agencies.~~  
 59 31 5- ~~(4) Division~~ Office of deaf services.  
 59 32 6- ~~Division of criminal and juvenile justice planning.~~  
 59 33 7- ~~(5) Division~~ Office on the status of  
 59 34 ~~African-Americans~~ African Americans .  
 59 35 8- ~~(6) Division on the status of lowans~~ Office of Asian and  
 60 1 Pacific Islander ~~heritage~~ affairs .  
 60 2 9- ~~(7) Division on~~ Office of Native American affairs.  
 60 3 b. Division of community action agencies.  
 60 4 c. Division of criminal and juvenile justice planning.  
 60 5 2. The purpose of the department is to ensure basic  
 60 6 rights, freedoms, and opportunities for all by empowering  
 60 7 underrepresented lowans and eliminating economic, social, and  
 60 8 cultural barriers.  
 60 9 Sec. 102. Section 216A.2, Code 2009, is amended by striking

CODE: Reorganizes the Department of Human Rights (DHR) into three divisions:

- Division of Community Advocacy and Services
- Division of Criminal and Juvenile Justice Planning
- Division of Community Action Agencies

The Department is currently comprised of seven separate divisions. This Division limits all commissions within the Division of Community Advocacy and Services to seven members. Duties and responsibilities between the offices and commissions are assigned to the entire Department.

This Division creates the Human Rights Board that will consist of nine voting members and five nonvoting members. The duties of the Board include development and implementation of a plan to remove barriers for underrepresented populations; approve, disapprove, or modify the Department budget; adopt administrative rules; and submit a report to the General Assembly and Governor by November 1 of each year.

FISCAL IMPACT: This Division will have a minimal fiscal impact to the General Fund.

---

60 10 the section and inserting in lieu thereof the following:  
60 11 216A.2 Appointment of department director, deputy director,  
60 12 and administrators == duties.  
60 13 1. The governor shall appoint a director of the department  
60 14 of human rights, subject to confirmation by the senate pursuant  
60 15 to section 2.32. The department director shall serve at the  
60 16 pleasure of the governor and is exempt from the merit system  
60 17 provisions of chapter 8A, subchapter IV. The governor shall  
60 18 set the salary of the department director within the ranges set  
60 19 by the general assembly.  
60 20 2. The director is the chief administrative officer of  
60 21 the department and in that capacity administers the programs  
60 22 and services of the department in compliance with applicable  
60 23 federal and state laws and regulations. The duties of the  
60 24 director include preparing a budget, establishing an internal  
60 25 administrative structure, and employing personnel.  
60 26 3. The department director shall appoint the administrators  
60 27 of the divisions within the department and all other personnel  
60 28 deemed necessary for the administration of this chapter.  
60 29 The department director shall establish the duties of the  
60 30 administrators of the divisions within the department.  
60 31 4. The department director shall do all of the following:  
60 32 a. Manage the internal operations of the department and  
60 33 establish guidelines and procedures to promote the orderly and  
60 34 efficient administration of the department.  
60 35 b. Prepare a budget for the department, subject to the  
61 1 budget requirements pursuant to chapter 8, for approval by the  
61 2 board.  
61 3 c. Coordinate and supervise personnel services and shared  
61 4 administrative support services to assure maximum support and  
61 5 assistance to the divisions.  
61 6 d. Serve as an ex officio member of all commissions or  
61 7 councils within the department.  
61 8 e. Serve as an ex officio, nonvoting member of the human  
61 9 rights board.  
61 10 f. Solicit and accept gifts and grants on behalf of the  
61 11 department and each commission or council and administer such  
61 12 gifts and grants in accordance with the terms thereof.

---

61 13 g. Enter into contracts with public and private individuals  
61 14 and entities to conduct the business and achieve the objectives  
61 15 of the department and each commission or council.  
61 16 h. Issue an annual report to the governor and general  
61 17 assembly no later than November 1 of each year concerning  
61 18 the operations of the department. However, the division of  
61 19 criminal and juvenile justice planning and the division of  
61 20 community action agencies shall submit annual reports as  
61 21 specified in this chapter.  
61 22 i. Seek to implement the comprehensive strategic plan  
61 23 approved by the board under section 216A.3.  
61 24 Sec. 103. Section 216A.3, Code 2009, is amended by striking  
61 25 the section and inserting in lieu thereof the following:  
61 26 216A.3 Human rights board.  
61 27 1. A human rights board is created within the department of  
61 28 human rights.  
61 29 2. The board shall consist of fourteen members, including  
61 30 nine voting members and five nonvoting members and determined  
61 31 as follows:  
61 32 a. The voting members shall consist of nine voting members  
61 33 selected by each of the permanent commissions within the  
61 34 department, and two voting members, appointed by the governor.  
61 35 For purposes of this paragraph "a", "permanent commissions"  
62 1 means the commission of Latino affairs, commission on the  
62 2 status of women, commission of persons with disabilities,  
62 3 commission on community action agencies, commission of deaf  
62 4 services, criminal and juvenile justice planning advisory  
62 5 council, commission on the status of African Americans,  
62 6 commission of Asian and Pacific Islander affairs, and  
62 7 commission of Native American affairs. The term of office for  
62 8 voting members is four years.  
62 9 b. The nonvoting members shall consist of the department  
62 10 director, two state representatives, one appointed by the  
62 11 speaker of the house of representatives and one by the minority  
62 12 leader of the house of representatives, and two state senators,  
62 13 one appointed by the majority leader of the senate and one by  
62 14 the minority leader of the senate.  
62 15 3. A majority of the members of the board shall constitute



62 16 a quorum, and the affirmative vote of two-thirds of the voting  
62 17 members is necessary for any substantive action taken by the  
62 18 board. The board shall select a chairperson from the voting  
62 19 members of the board. The board shall meet not less than four  
62 20 times a year.

62 21 4. The board shall have the following duties:

62 22 a. Develop and monitor implementation of a comprehensive  
62 23 strategic plan to remove barriers for underrepresented  
62 24 populations and, in doing so, to increase Iowa's productivity  
62 25 and inclusivity, including performance measures and benchmarks.

62 26 b. Approve, disapprove, amend, or modify the budget  
62 27 recommended by the department director for the operation of  
62 28 the department, subject to the budget requirements pursuant to  
62 29 chapter 8.

62 30 c. Adopt administrative rules pursuant to chapter 17A,  
62 31 upon the recommendation of the department director, for the  
62 32 operation of the department.

62 33 d. By November 1 of each year, approve the department report  
62 34 to the general assembly and the governor that covers activities  
62 35 during the preceding fiscal year.

63 1 Sec. 104. Section 216A.4, Code 2009, is amended by adding  
63 2 the following new subsections:

63 3 NEW SUBSECTION . 0A. "Board" means human rights board.

63 4 NEW SUBSECTION . 3. "Underrepresented" means the historical  
63 5 marginalization of populations or groups in the United States  
63 6 and Iowa, including but not limited to African Americans, Asian  
63 7 and Pacific Islanders, persons who are deaf or hard of hearing,  
63 8 persons with disabilities, Latinos, Native Americans, women,  
63 9 persons who have low socioeconomic status, at-risk youth, and  
63 10 adults or juveniles with a criminal history.

63 11 Sec. 105. NEW SECTION . 216A.7 Access to information.

63 12 Upon request of the director or a commission, council, or  
63 13 administrator of a division of the department, all boards,  
63 14 agencies, departments, and offices of the state shall make  
63 15 available nonconfidential information, records, data, and  
63 16 statistics which are relevant to the populations served by the  
63 17 offices, councils, and commissions of the department.

63 18 Sec. 106. Section 216A.11, subsection 1, Code 2009, is

63 19 amended by striking the subsection.  
63 20 Sec. 107. Section 216A.11, subsection 3, Code 2009, is  
63 21 amended to read as follows:  
63 22 3. "~~Division~~" "Office" means the ~~division~~ office of Latino  
63 23 affairs of the department of human rights.  
63 24 Sec. 108. Section 216A.12, Code Supplement 2009, is amended  
63 25 to read as follows:  
63 26 216A.12 Commission of Latino affairs ~~== terms~~  
63 27 ~~== compensation established~~ .  
63 28 1. The commission of Latino affairs consists of  
63 29 ~~nine~~ seven members, appointed by the governor , and subject  
63 30 to confirmation by the senate pursuant to section 2.32 .  
63 31 Commission members shall be appointed in compliance with  
63 32 sections 69.16 and 69.16A ~~and with consideration given~~  
63 33 ~~to geographic residence and density of Latino population~~  
63 34 ~~represented by each member~~ . Commission members shall reside  
63 35 in the state.  
64 1 2. The members of the commission shall be appointed during  
64 2 the month of June and shall serve for staggered four=year terms  
64 3 ~~of two years~~ commencing July 1 of ~~each odd=numbered~~ the year  
64 4 of appointment . Members appointed shall continue to serve  
64 5 until their respective successors are appointed. Vacancies  
64 6 in the membership of the commission shall be filled by the  
64 7 original appointing authority and in the manner of the original  
64 8 appointments. Members shall receive actual expenses incurred  
64 9 while serving in their official capacity. Members may also be  
64 10 eligible to receive compensation as provided in section 7E.6.  
64 11 3. The commission shall select from its membership a  
64 12 chairperson and other officers as it deems necessary and shall  
64 13 meet at least quarterly each fiscal year. A majority of the  
64 14 members currently appointed to the commission shall constitute  
64 15 a quorum and the affirmative vote of a majority of the  
64 16 currently appointed members is necessary for any substantive  
64 17 action taken by the commission. A member shall not vote on any  
64 18 action if the member has a conflict of interest on the matter  
64 19 and a statement by the member of a conflict of interest shall  
64 20 be conclusive for this purpose.  
64 21 Sec. 109. Section 216A.13, Code 2009, is amended by striking

---

64 22 the section and inserting in lieu thereof the following:  
64 23 216A.13 Commission of Latino affairs == duties.  
64 24 The commission shall have the following duties:  
64 25 1. Study the opportunities for and changing needs of the  
64 26 Latino population of this state.  
64 27 2. Serve as liaison between the department of human rights  
64 28 and the public, sharing information and gathering constituency  
64 29 input.  
64 30 3. Recommend to the board the adoption of rules pursuant to  
64 31 chapter 17A as it deems necessary.  
64 32 4. Recommend legislative and executive action to the  
64 33 governor and general assembly.  
64 34 5. Establish advisory committees, work groups, or other  
64 35 coalitions as appropriate.

65 1 Sec. 110. Section 216A.14, Code 2009, is amended by striking  
65 2 the section and inserting in lieu thereof the following:  
65 3 216A.14 Office of Latino affairs == duties.  
65 4 The office of Latino affairs is established and shall do the  
65 5 following:  
65 6 1. Serve as the central permanent agency to advocate for  
65 7 Latino persons.  
65 8 2. Coordinate and cooperate with the efforts of state  
65 9 departments and agencies to serve the needs of Latino persons  
65 10 in participating fully in the economic, social, and cultural  
65 11 life of the state, and by providing direct assistance to those  
65 12 who request it.  
65 13 3. Develop, coordinate, and assist other public  
65 14 organizations which serve Latino persons.  
65 15 4. Serve as an information clearinghouse on programs and  
65 16 agencies operating to assist Latino persons.

65 17 Sec. 111. Section 216A.15, subsections 1 through 9, Code  
65 18 2009, are amended by striking the subsections and inserting in  
65 19 lieu thereof the following:  
65 20 1. Study the opportunities for and changing needs of the  
65 21 Latino population of this state.  
65 22 2. Serve as liaison between the office and the public,  
65 23 sharing information and gathering constituency input.  
65 24 3. Recommend to the board for adoption rules pursuant

---

65 25 to chapter 17A as it deems necessary for the commission and  
65 26 office.

65 27 4. Recommend to the department director policies and  
65 28 programs for the office.

65 29 5. Establish advisory committees, work groups, or other  
65 30 coalitions as appropriate.

65 31 Sec. 112. Section 216A.51, subsection 1, Code 2009, is  
65 32 amended by striking the subsection.

65 33 Sec. 113. Section 216A.51, subsection 3, Code 2009, is  
65 34 amended to read as follows:

65 35 3. ~~"Division"~~ "Office" means the ~~division~~ office on the  
66 1 status of women of the department of human rights.

66 2 Sec. 114. Section 216A.52, Code 2009, is amended by striking  
66 3 the section and inserting in lieu thereof the following:

66 4 216A.52 Office on the status of women.

66 5 The office on the status of women is established, and shall  
66 6 do the following:

66 7 1. Serve as the central permanent agency to advocate for  
66 8 women and girls.

66 9 2. Coordinate and cooperate with the efforts of state  
66 10 departments and agencies to serve the needs of women and girls  
66 11 in participating fully in the economic, social, and cultural  
66 12 life of the state, and provide direct assistance to individuals  
66 13 who request it.

66 14 3. Serve as a clearinghouse on programs and agencies  
66 15 operating to assist women and girls.

66 16 4. Develop, coordinate, and assist other public or private  
66 17 organizations which serve women and girls.

66 18 Sec. 115. Section 216A.53, Code 2009, is amended by striking  
66 19 the section and inserting in lieu thereof the following:

66 20 216A.53 Commission on the status of women established.

66 21 1. The commission on the status of women is established and  
66 22 shall consist of seven voting members who shall be appointed by  
66 23 the governor, subject to confirmation by the senate pursuant  
66 24 to section 2.32, and shall represent a cross section of the  
66 25 citizens of the state. All members shall reside in the state.

66 26 2. The term of office for voting members is four years.

66 27 Terms shall be staggered. Members whose terms expire may be

66 28 reappointed. Vacancies in voting membership positions on  
66 29 the commission shall be filled for the unexpired term in the  
66 30 same manner as the original appointment. Voting members of  
66 31 the commission may receive a per diem as specified in section  
66 32 7E.6 and shall be reimbursed for actual expenses incurred  
66 33 while serving in their official capacity, subject to statutory  
66 34 limits.

66 35 3. Members of the commission shall appoint a chairperson and  
67 1 vice chairperson and any other officers as the commission deems  
67 2 necessary. The commission shall meet at least quarterly during  
67 3 each fiscal year. A majority of the voting members currently  
67 4 appointed to the commission shall constitute a quorum. A  
67 5 quorum of the members shall be required for the conduct of  
67 6 business of the commission and the affirmative vote of a  
67 7 majority of the currently appointed voting members is necessary  
67 8 for any substantive action taken by the commission. A member  
67 9 shall not vote on any action if the member has a conflict of  
67 10 interest on the matter and a statement by the member of a  
67 11 conflict of interest shall be conclusive for this purpose.

67 12 Sec. 116. Section 216A.54, Code 2009, is amended by striking  
67 13 the section and inserting in lieu thereof the following:  
67 14 216A.54 Commission powers and duties.

67 15 The commission shall have the following powers and duties:

67 16 1. Study the opportunities for and changing needs of the  
67 17 women and girls of this state.

67 18 2. Serve as liaison between the office and the public,  
67 19 sharing information and gathering constituency input.

67 20 3. Recommend to the board the adoption of rules pursuant  
67 21 to chapter 17A as it deems necessary for the commission and  
67 22 office.

67 23 4. Recommend legislative and executive action to the  
67 24 governor and general assembly.

67 25 5. Establish advisory committees, work groups, or other  
67 26 coalitions as appropriate.

67 27 Sec. 117. Section 216A.71, subsection 1, Code 2009, is  
67 28 amended by striking the subsection.

67 29 Sec. 118. Section 216A.71, subsection 3, Code 2009, is  
67 30 amended to read as follows:

---

67 31 3. "~~Division~~" "Office" means the ~~division~~ office of persons  
67 32 with disabilities of the department of human rights.  
67 33 Sec. 119. Section 216A.72, Code 2009, is amended by striking  
67 34 the section and inserting in lieu thereof the following:  
67 35 216A.72 Office of persons with disabilities.  
68 1 The office of persons with disabilities is established, and  
68 2 shall do all of the following:  
68 3 1. Serve as the central permanent agency to advocate for  
68 4 persons with disabilities.  
68 5 2. Coordinate and cooperate with the efforts of state  
68 6 departments and agencies to serve the needs of persons with  
68 7 disabilities in participating fully in the economic, social,  
68 8 and cultural life of the state, and provide direct assistance  
68 9 to individuals who request it.  
68 10 3. Develop, coordinate, and assist other public or private  
68 11 organizations which serve persons with disabilities.  
68 12 4. Serve as an information clearinghouse on programs and  
68 13 agencies operating to assist persons with disabilities.  
68 14 Sec. 120. Section 216A.74, Code Supplement 2009, is amended  
68 15 by striking the section and inserting in lieu thereof the  
68 16 following:  
68 17 216A.74 Commission of persons with disabilities established.  
68 18 1. The commission of persons with disabilities is  
68 19 established and shall consist of seven voting members appointed  
68 20 by the governor subject to confirmation by the senate pursuant  
68 21 to section 2.32. A majority of the commission shall be persons  
68 22 with disabilities. All members shall reside in the state.  
68 23 2. Members of the commission shall serve four=year  
68 24 staggered terms which shall begin and end pursuant to section  
68 25 69.19. Members whose terms expire may be reappointed.  
68 26 Vacancies on the commission shall be filled for the unexpired  
68 27 term in the same manner as the original appointment. Voting  
68 28 members shall receive actual expenses incurred while serving  
68 29 in their official capacity, subject to statutory limits.  
68 30 Voting members may also be eligible to receive compensation as  
68 31 provided in section 7E.6.  
68 32 3. Members of the commission shall appoint a chairperson.  
68 33 The commission shall meet at least quarterly during each fiscal

68 34 year. A majority of the voting members currently appointed  
68 35 to the commission shall constitute a quorum. A quorum shall  
69 1 be required for the conduct of business of the commission and  
69 2 the affirmative vote of a majority of the currently appointed  
69 3 voting members is necessary for any substantive action taken by  
69 4 the commission. A member shall not vote on any action if the  
69 5 member has a conflict of interest on the matter and a statement  
69 6 by the member of a conflict of interest shall be conclusive for  
69 7 this purpose.

69 8 Sec. 121. Section 216A.75, Code 2009, is amended by striking  
69 9 the section and inserting in lieu thereof the following:

69 10 216A.75 Commission powers and duties.

69 11 The commission shall have the following powers and duties:

69 12 1. Study the opportunities for and changing needs of persons  
69 13 with disabilities in this state.

69 14 2. Serve as liaisons between the office and the public,  
69 15 sharing information and gathering constituency input.

69 16 3. Recommend to the board the adoption of rules pursuant  
69 17 to chapter 17A as it deems necessary for the commission and  
69 18 office.

69 19 4. Recommend legislative and executive action to the  
69 20 governor and general assembly.

69 21 5. Establish advisory committees, work groups, or other  
69 22 coalitions as appropriate.

69 23 Sec. 122. Section 216A.92, Code 2009, is amended by striking  
69 24 the section and inserting in lieu thereof the following:

69 25 216A.92 Division of community action agencies.

69 26 1. The division of community action agencies is  
69 27 established. The purpose of the division of community action  
69 28 agencies is to strengthen, supplement, and coordinate efforts  
69 29 to develop the full potential of each citizen by recognizing  
69 30 certain community action agencies and supporting certain  
69 31 community-based programs delivered by community action  
69 32 agencies.

69 33 2. The division shall do all of the following:

69 34 a. Provide financial assistance for community action  
69 35 agencies to implement community action programs, as permitted  
70 1 by the community service block grant and subject to the funding

---

70 2 made available for the program.

70 3 b. Administer the community services block grant, the

70 4 low-income energy assistance block grants, department of energy

70 5 funds for weatherization, and other possible funding sources.

70 6 If a political subdivision is the community action agency,

70 7 the financial assistance shall be allocated to the political

70 8 subdivision.

70 9 c. Implement accountability measures for its programs and

70 10 require regular reporting on the measures by the community

70 11 action agencies.

70 12 d. Issue an annual report to the governor and general

70 13 assembly by July 1 of each year.

70 14 Sec. 123. Section 216A.92A, subsection 1, paragraph c, Code

70 15 2009, is amended to read as follows:

70 16 c. One-third of the members shall be persons who, according

70 17 to federal guidelines, have incomes at or below one hundred

70 18 eighty-five percent of poverty level.

70 19 Sec. 124. Section 216A.92A, subsection 3, Code 2009, is

70 20 amended to read as follows:

70 21 3. The commission shall select from its membership a

70 22 chairperson and other officers as it deems necessary. The

70 23 commission shall meet no less than four times per year. A

70 24 majority of the members of the commission shall constitute a

70 25 quorum.

70 26 Sec. 125. Section 216A.92B, Code 2009, is amended by

70 27 striking the section and inserting in lieu thereof the

70 28 following:

70 29 216A.92B Commission powers and duties.

70 30 The commission shall have the following powers and duties:

70 31 1. Recommend to the board the adoption of rules pursuant

70 32 to chapter 17A as it deems necessary for the commission and

70 33 division.

70 34 2. Supervise the collection of data regarding the scope of

70 35 services provided by the community action agencies.

71 1 3. Serve as liaisons between the division and the public,

71 2 sharing information and gathering constituency input.

71 3 4. Make recommendations to the governor and the general

71 4 assembly for executive and legislative action designed to



71 5 improve the status of low-income persons in the state.  
71 6 5. Establish advisory committees, work groups, or other  
71 7 coalitions as appropriate.  
71 8 Sec. 126. Section 216A.93, Code 2009, is amended to read as  
71 9 follows:  
71 10 216A.93 Establishment of community action agencies.  
71 11 The division shall recognize and assist in the designation  
71 12 of certain community action agencies to assist in the  
71 13 delivery of community action programs. These programs shall  
71 14 include ~~;~~ but not be limited to ~~;~~ outreach, community services  
71 15 block grant, low-income energy assistance, and weatherization  
71 16 programs. If a community action agency is in effect and  
71 17 currently serving an area, that community action agency shall  
71 18 become the designated community action agency for that area.  
71 19 ~~If there is not a designated community action agency in the~~  
71 20 ~~area a city council or county board of supervisors or any~~  
71 21 ~~combination of one or more councils or boards may establish~~  
71 22 ~~a community action agency and may apply to the division for~~  
71 23 ~~recognition. The council or board or the combination may adopt~~  
71 24 ~~an ordinance or resolution establishing a community action~~  
71 25 ~~agency if a community action agency has not been designated.~~  
71 26 ~~It is the purpose of the division of community action agencies~~  
71 27 ~~to strengthen, supplement, and coordinate efforts to develop~~  
71 28 ~~the full potential of each citizen by recognizing certain~~  
71 29 ~~community action agencies and the continuation of certain~~  
71 30 ~~community-based programs delivered by community action~~  
71 31 ~~agencies. If any geographic area of the state ceases to be~~  
71 32 ~~served by a designated community action agency, the division~~  
71 33 ~~may solicit applications and assist the governor in designating~~  
71 34 ~~a community action agency for that area in accordance with~~  
71 35 ~~current community services block grant requirements.~~  
72 1 Sec. 127. Section 216A.94, subsection 2, Code 2009, is  
72 2 amended to read as follows:  
72 3 2. Notwithstanding subsection 1, a public agency  
72 4 shall establish an advisory board ~~or may contract with a~~  
72 5 ~~delegate agency~~ to assist the governing board in meeting  
72 6 the requirements of section 216A.95. The advisory board ~~or~~  
72 7 ~~delegate agency board~~ shall be composed of the same type

72 8 of membership as a board of directors for community action  
72 9 agencies under subsection 1. ~~However, the public agency acting~~  
72 10 ~~as~~ In addition, the advisory board of the community action  
72 11 agency shall have the sole authority to determine annual  
72 12 program budget requests.

72 13 Sec. 128. Section 216A.95, subsection 1, Code 2009, is  
72 14 amended by striking the subsection and inserting in lieu  
72 15 thereof the following:

72 16 1. The governing board or advisory board shall fully  
72 17 participate in the development, planning, implementation, and  
72 18 evaluation of programs to serve low-income communities.

72 19 Sec. 129. Section 216A.96, subsection 1, Code 2009, is  
72 20 amended by striking the subsection and inserting in lieu  
72 21 thereof the following:

72 22 1. Plan and implement strategies to alleviate the  
72 23 conditions of poverty and encourage self-sufficiency for  
72 24 citizens in its service area and in Iowa. In doing so,  
72 25 an agency shall plan for a community action program by  
72 26 establishing priorities among projects, activities, and areas  
72 27 to provide for the most efficient use of possible resources.

72 28 Sec. 130. Section 216A.96, subsection 4, Code 2009, is  
72 29 amended to read as follows:

72 30 4. Encourage and support self-help, volunteer, business,  
72 31 labor, and other groups and organizations to assist public  
72 32 officials and agencies in supporting a community action program  
72 33 ~~which results in the additional use of~~ by providing private  
72 34 ~~resources while~~ developing new employment opportunities,  
72 35 ~~encouraging investments which have an impact on reducing~~  
73 1 ~~poverty among the poor~~ in areas of concentrated poverty, and  
73 2 providing methods by which low-income persons can work with  
73 3 private organizations, businesses, and institutions in seeking  
73 4 solutions to problems of common concern.

73 5 Sec. 131. Section 216A.97, Code 2009, is amended to read as  
73 6 follows:

73 7 216A.97 Administration.

73 8 A community action agency or a delegate agency may  
73 9 administer the components of a community action program  
73 10 when the program is consistent with plans and purposes and

73 11 applicable law. The community action programs may be projects  
73 12 which are eligible for assistance from any source. The  
73 13 programs shall be developed to meet local needs and may be  
73 14 designed to meet eligibility standards of a federal or state  
73 15 program ~~providing assistance to a plan to meet local needs~~ .

73 16 Sec. 132. Section 216A.98, Code 2009, is amended to read as  
73 17 follows:

73 18 216A.98 Audit.

73 19 Each community action agency shall be audited annually but  
73 20 shall not be required to obtain a duplicate audit to meet the  
73 21 requirements of this section. In lieu of an audit by the  
73 22 auditor of state, the community action agency may contract with  
73 23 or employ a certified public accountant to conduct the audit,  
73 24 pursuant to the applicable terms and conditions prescribed by  
73 25 sections 11.6 and 11.19 and an audit format prescribed by the  
73 26 auditor of state. Copies of each audit shall be furnished to  
73 27 the division ~~within three months following the annual audit in~~  
73 28 a manner prescribed by the division .

73 29 Sec. 133. Section 216A.102, subsection 3, Code 2009, is  
73 30 amended to read as follows:

73 31 3. Under rules developed by the division of community action  
73 32 agencies of the department of human rights and adopted by  
73 33 the board , the fund may be used to negotiate reconnection of  
73 34 essential utility services with the energy provider.

73 35 Sec. 134. Section 216A.104, subsections 4 and 5, Code 2009,  
74 1 are amended by striking the subsections.

74 2 Sec. 135. Section 216A.107, subsection 2, Code Supplement  
74 3 2009, is amended to read as follows:

74 4 2. Unless otherwise provided by law, terms of members,  
74 5 election of officers, and other procedural matters shall be  
74 6 as determined by the council. A quorum shall be required for  
74 7 the conduct of business of the council and the affirmative  
74 8 vote of a majority of the currently appointed voting members  
74 9 is necessary for any substantive action taken by the council.  
74 10 A member shall not vote on any action if the member has a  
74 11 conflict of interest on the matter and a statement by the  
74 12 member of a conflict of interest shall be conclusive for this  
74 13 purpose.

74 14 Sec. 136. Section 216A.111, subsection 1, Code 2009, is  
74 15 amended by striking the subsection.

74 16 Sec. 137. Section 216A.111, subsection 3, Code 2009, is  
74 17 amended to read as follows:

74 18 3. "~~Division~~" "Office" means the ~~division~~ office of deaf  
74 19 services of the department of human rights.

74 20 Sec. 138. Section 216A.112, Code 2009, is amended by  
74 21 striking the section and inserting in lieu thereof the  
74 22 following:

74 23 216A.112 Office of deaf services.

74 24 The office of deaf services is established, and shall do all  
74 25 of the following:

74 26 1. Serve as the central permanent agency to advocate for  
74 27 persons who are deaf or hard of hearing.

74 28 2. Coordinate and cooperate with the efforts of state  
74 29 departments and agencies to serve the needs of persons who are  
74 30 deaf or hard of hearing in participating fully in the economic,  
74 31 social, and cultural life of the state, and provide direct  
74 32 assistance to individuals who request it.

74 33 3. Develop, coordinate, and assist other public or private  
74 34 organizations which serve persons who are deaf or hard of  
74 35 hearing.

75 1 4. Serve as an information clearinghouse on programs and  
75 2 agencies operating to assist persons who are deaf or hard of  
75 3 hearing.

75 4 Sec. 139. Section 216A.113, Code 2009, is amended by  
75 5 striking the section and inserting in lieu thereof the  
75 6 following:

75 7 216A.113 Deaf services commission established.

75 8 1. The commission on the deaf is established, and shall  
75 9 consist of seven voting members appointed by the governor,  
75 10 subject to confirmation by the senate pursuant to section  
75 11 2.32. Membership of the commission shall include at least four  
75 12 members who are deaf and who cannot hear human speech with or  
75 13 without use of amplification and at least one member who is  
75 14 hard of hearing. All members shall reside in Iowa.

75 15 2. Members of the commission shall serve four=year  
75 16 staggered terms which shall begin and end pursuant to section

---

75 17 69.19. Members whose terms expire may be reappointed.  
75 18 Vacancies on the commission may be filled for the remainder  
75 19 of the term in the same manner as the original appointment.  
75 20 Members shall receive actual expenses incurred while serving in  
75 21 their official capacity, subject to statutory limits. Members  
75 22 may also be eligible to receive compensation as provided in  
75 23 section 7E.6.

75 24 3. Members of the commission shall appoint a chairperson  
75 25 and vice chairperson and other officers as the commission  
75 26 deems necessary. The commission shall meet at least quarterly  
75 27 during each fiscal year. A majority of the members currently  
75 28 appointed to the commission shall constitute a quorum. A  
75 29 quorum shall be required for the conduct of business of the  
75 30 commission and the affirmative vote of a majority of the  
75 31 currently appointed members is necessary for any substantive  
75 32 action taken by the commission. A member shall not vote on any  
75 33 action if the member has a conflict of interest on the matter  
75 34 and a statement by the member of a conflict of interest shall  
75 35 be conclusive for this purpose.

76 1 Sec. 140. Section 216A.114, Code 2009, is amended by  
76 2 striking the section and inserting in lieu thereof the  
76 3 following:

76 4 216A.114 Commission powers and duties.

76 5 The commission shall have the following powers and duties:

76 6 1. Study the changing needs and opportunities for the deaf  
76 7 and hard-of-hearing people in this state.

76 8 2. Serve as a liaison between the office and the public,  
76 9 sharing information and gathering constituency input.

76 10 3. Recommend to the board for adoption rules pursuant  
76 11 to chapter 17A as it deems necessary for the commission and  
76 12 office.

76 13 4. Recommend legislative and executive action to the  
76 14 governor and general assembly.

76 15 5. Establish advisory committees, work groups, or other  
76 16 coalitions as appropriate.

76 17 Sec. 141. NEW SECTION . 216A.131A Division of criminal and  
76 18 juvenile justice planning.

76 19 The division of criminal and juvenile justice planning is

---

76 20 established to fulfill the responsibilities of this subchapter,  
76 21 including the duties specified in sections 216A.135, 216A.136,  
76 22 216A.137, 216A.138, and 216A.139.

76 23 Sec. 142. Section 216A.132, subsection 1, unnumbered  
76 24 paragraph 1, Code 2009, is amended to read as follows:  
76 25 A criminal and juvenile justice planning advisory council is  
76 26 established consisting of twenty=three members who shall all  
76 27 reside in the state .

76 28 Sec. 143. Section 216A.132, subsection 1, paragraph b, Code  
76 29 2009, is amended to read as follows:  
76 30 b. The departments of human services, corrections,  
76 31 and public safety, the ~~division~~ office on the status of  
76 32 ~~African-Americans~~ African Americans , the Iowa department of  
76 33 public health, the chairperson of the board of parole, the  
76 34 attorney general, the state public defender, the governor's  
76 35 office of drug control policy, and the chief justice of the  
77 1 supreme court shall each designate a person to serve on the  
77 2 council. The person appointed by the Iowa department of public  
77 3 health shall be from the departmental staff who administer the  
77 4 comprehensive substance abuse program under chapter 125.

77 5 Sec. 144. Section 216A.132, Code 2009, is amended by adding  
77 6 the following new subsection:  
77 7 NEW SUBSECTION . 3. Members of the council shall appoint  
77 8 a chairperson and vice chairperson and other officers as the  
77 9 council deems necessary. A majority of the voting members  
77 10 currently appointed to the council shall constitute a quorum.  
77 11 A quorum shall be required for the conduct of business of the  
77 12 council and the affirmative vote of a majority of the currently  
77 13 appointed members is necessary for any substantive action taken  
77 14 by the council. A member shall not vote on any action if the  
77 15 member has a conflict of interest on the matter and a statement  
77 16 by the member of a conflict of interest shall be conclusive for  
77 17 this purpose.

77 18 Sec. 145. Section 216A.133, subsection 5, Code 2009, is  
77 19 amended to read as follows:  
77 20 5. Administer federal funds and funds appropriated by  
77 21 the state or that are otherwise available in compliance with  
77 22 applicable laws, regulations, and other requirements for

77 23 purposes of study, research, investigation, planning, and  
77 24 implementation in the areas of criminal and juvenile justice.  
77 25 Sec. 146. Section 216A.133, Code 2009, is amended by adding  
77 26 the following new subsections:  
77 27 NEW SUBSECTION . 8. Provide input to the department director  
77 28 in the development of budget recommendations for the division.  
77 29 NEW SUBSECTION . 9. Serve as liaison between the division  
77 30 and the public, sharing information and gathering constituency  
77 31 input.  
77 32 NEW SUBSECTION . 10. Recommend to the board for adoption  
77 33 rules pursuant to chapter 17A as it deems necessary for the  
77 34 council and division.  
77 35 NEW SUBSECTION . 11. Recommend legislative and executive  
78 1 action to the governor and general assembly.  
78 2 NEW SUBSECTION . 12. Establish advisory committees, work  
78 3 groups, or other coalitions as appropriate.  
78 4 Sec. 147. Section 216A.138, subsection 8, Code 2009, is  
78 5 amended by striking the subsection.  
78 6 Sec. 148. Section 216A.141, subsection 1, Code 2009, is  
78 7 amended by striking the subsection.  
78 8 Sec. 149. Section 216A.141, subsection 3, Code 2009, is  
78 9 amended to read as follows:  
78 10 3. "Division" "Office" means the division office on the  
78 11 status of ~~African-Americans~~ African Americans of the department  
78 12 of human rights.  
78 13 Sec. 150. Section 216A.142, Code 2009, is amended by  
78 14 striking the section and inserting in lieu thereof the  
78 15 following:  
78 16 216A.142 Commission on the status of African Americans  
78 17 established.  
78 18 1. The commission on the status of African Americans is  
78 19 established and shall consist of seven members appointed by  
78 20 the governor, subject to confirmation by the senate. All  
78 21 members shall reside in Iowa. At least five members shall be  
78 22 individuals who are African American.  
78 23 2. Terms of office are staggered four=year terms. Members  
78 24 whose terms expire may be reappointed. Vacancies on the  
78 25 commission shall be filled for the remainder of the term of and

78 26 in the same manner as the original appointment. The commission  
78 27 shall meet quarterly and may hold special meetings on the call  
78 28 of the chairperson. The members of the commission shall be  
78 29 reimbursed for actual expenses while engaged in their official  
78 30 duties. Members may also be eligible to receive compensation  
78 31 as provided in section 7E.6.

78 32 3. Members of the commission shall appoint a chairperson  
78 33 and vice chairperson and other officers as the commission  
78 34 deems necessary. A majority of members of the commission  
78 35 shall constitute a quorum. A quorum shall be required for the  
79 1 conduct of business of the commission and the affirmative vote  
79 2 of a majority of the currently appointed members is necessary  
79 3 for any substantive action taken by the commission. A member  
79 4 shall not vote on any action if the member has a conflict of  
79 5 interest on the matter and a statement by the member of a  
79 6 conflict of interest shall be conclusive for this purpose.

79 7 Sec. 151. Section 216A.143, Code 2009, is amended by  
79 8 striking the section and inserting in lieu thereof the  
79 9 following:

79 10 216A.143 Commission powers and duties.

79 11 The commission shall have the following powers and duties:

79 12 1. Study the opportunities for and changing needs of the  
79 13 African American community in this state.

79 14 2. Serve as liaison between the office and the public,  
79 15 sharing information and gathering constituency input.

79 16 3. Recommend to the board for adoption rules pursuant  
79 17 to chapter 17A as it deems necessary for the commission and  
79 18 office.

79 19 4. Recommend executive and legislative action to the  
79 20 governor and general assembly.

79 21 5. Establish advisory committees, work groups, or other  
79 22 coalitions as appropriate.

79 23 Sec. 152. Section 216A.146, Code 2009, is amended by  
79 24 striking the section and inserting in lieu thereof the  
79 25 following:

79 26 216A.146 Office on the status of African Americans.

79 27 The office on the status of African Americans is established  
79 28 and shall do the following:



---

79 29 1. Serve as the central permanent agency to advocate for  
79 30 African Americans.

79 31 2. Coordinate and cooperate with the efforts of state  
79 32 departments and agencies to serve the needs of African  
79 33 Americans in participating fully in the economic, social, and  
79 34 cultural life of the state, and provide direct assistance to  
79 35 individuals who request it.

80 1 3. Develop, coordinate, and assist other public or private  
80 2 organizations which serve African Americans.

80 3 4. Serve as an information clearinghouse on programs and  
80 4 agencies operating to assist African Americans.

80 5 Sec. 153. Section 216A.151, subsection 1, Code 2009, is  
80 6 amended by striking the subsection.

80 7 Sec. 154. Section 216A.151, subsection 3, Code 2009, is  
80 8 amended to read as follows:

80 9 3. "Commission" means the commission ~~on the status of~~  
80 10 ~~Iowans~~ of Asian and Pacific Islander heritage affairs .

80 11 Sec. 155. Section 216A.151, subsection 4, Code 2009, is  
80 12 amended to read as follows:

80 13 4. "~~Division~~" "Office" means the ~~division on the status of~~  
80 14 ~~Iowans~~ office of Asian and Pacific Islander heritage affairs of  
80 15 the department of human rights.

80 16 Sec. 156. Section 216A.152, Code 2009, is amended by  
80 17 striking the section and inserting in lieu thereof the  
80 18 following:

80 19 216A.152 Commission of Asian and Pacific Islander affairs  
80 20 established.

80 21 1. The commission of Asian and Pacific Islander affairs is  
80 22 established and shall consist of seven members appointed by the  
80 23 governor, subject to confirmation by the senate. Members shall  
80 24 be appointed representing every geographical area of the state  
80 25 and ethnic groups of Asian and Pacific Islander heritage. All  
80 26 members shall reside in Iowa.

80 27 2. Terms of office are four years and shall begin and end  
80 28 pursuant to section 69.19. Members whose terms expire may be  
80 29 reappointed. Vacancies on the commission may be filled for the  
80 30 remainder of the term of and in the same manner as the original  
80 31 appointment. Members shall receive actual expenses incurred

---

80 32 while serving in their official capacity, subject to statutory  
80 33 limits. Members may also be eligible to receive compensation  
80 34 as provided in section 7E.6.

80 35 3. Members of the commission shall appoint a chairperson  
81 1 and vice chairperson and other officers as the commission deems  
81 2 necessary. The commission shall meet at least quarterly during  
81 3 each fiscal year. A majority of the members of the commission  
81 4 shall constitute a quorum. A quorum shall be required for the  
81 5 conduct of business of the commission and the affirmative vote  
81 6 of a majority of the currently appointed members is necessary  
81 7 for any substantive action taken by the commission. A member  
81 8 shall not vote on any action if the member has a conflict of  
81 9 interest on the matter and a statement by the member of a  
81 10 conflict of interest shall be conclusive for this purpose.

81 11 Sec. 157. Section 216A.153, Code 2009, is amended by  
81 12 striking the section and inserting in lieu thereof the  
81 13 following:

81 14 216A.153 Commission powers and duties.

81 15 The commission shall have the following powers and duties:

81 16 1. Study the opportunities for and changing needs of the  
81 17 Asian and Pacific Islander persons in this state.

81 18 2. Serve as liaison between the office and the public,  
81 19 sharing information and gathering constituency input.

81 20 3. Recommend to the board for adoption rules pursuant  
81 21 to chapter 17A as it deems necessary for the commission and  
81 22 office.

81 23 4. Recommend legislative and executive action to the  
81 24 governor and general assembly.

81 25 5. Establish advisory committees, work groups, or other  
81 26 coalitions as appropriate.

81 27 Sec. 158. Section 216A.154, Code 2009, is amended by  
81 28 striking the section and inserting in lieu thereof the  
81 29 following:

81 30 216A.154 Office of Asian and Pacific Islander affairs.

81 31 The office of Asian and Pacific Islander affairs is  
81 32 established and shall do the following:

81 33 1. Serve as the central permanent agency to advocate for  
81 34 lowans of Asian and Pacific Islander heritage.

81 35 2. Coordinate and cooperate with the efforts of state  
82 1 departments and agencies to serve the needs of lowans of Asian  
82 2 and Pacific Islander heritage in participating fully in the  
82 3 economic, social, and cultural life of the state, and provide  
82 4 direct assistance to individuals who request it.  
82 5 3. Develop, coordinate, and assist other public or private  
82 6 organizations which serve lowans of Asian and Pacific Islander  
82 7 heritage.  
82 8 4. Serve as an information clearinghouse on programs  
82 9 and agencies operating to assist lowans of Asian and Pacific  
82 10 Islander heritage.  
82 11 Sec. 159. Section 216A.161, subsection 1, Code 2009, is  
82 12 amended by striking the subsection.  
82 13 Sec. 160. Section 216A.161, subsection 2, Code 2009, is  
82 14 amended to read as follows:  
82 15 2. "Commission" means the commission ~~on~~ of Native American  
82 16 affairs.  
82 17 Sec. 161. Section 216A.161, subsection 3, Code 2009, is  
82 18 amended to read as follows:  
82 19 3. "~~Division~~" "Office" means the ~~division on~~ office  
82 20 of Native American affairs of the department of human rights.  
82 21 Sec. 162. Section 216A.162, subsection 1, Code 2009, is  
82 22 amended to read as follows:  
82 23 1. A commission ~~on~~ of Native American affairs is established  
82 24 consisting of eleven voting members appointed by the governor,  
82 25 subject to confirmation by the senate. ~~The members of the~~  
82 26 ~~commission shall appoint one of the members to serve as~~  
82 27 ~~chairperson of the commission.~~  
82 28 Sec. 163. Section 216A.162, Code 2009, is amended by adding  
82 29 the following new subsection:  
82 30 NEW SUBSECTION . 4. Members of the commission shall appoint  
82 31 one of their members to serve as chairperson and may appoint  
82 32 such other officers as the commission deems necessary. The  
82 33 commission shall meet at least four times per year and shall  
82 34 hold special meetings on the call of the chairperson. The  
82 35 members of the commission shall be reimbursed for actual  
83 1 expenses while engaged in their official duties. A member  
83 2 may also be eligible to receive compensation as provided in

---

83 3 section 7E.6. A majority of the members of the commission  
83 4 shall constitute a quorum. A quorum shall be required for the  
83 5 conduct of business of the commission and the affirmative vote  
83 6 of a majority of the currently appointed members is necessary  
83 7 for any substantive action taken by the commission. A member  
83 8 shall not vote on any action if the member has a conflict of  
83 9 interest on the matter and a statement by the member of a  
83 10 conflict of interest shall be conclusive for this purpose.

83 11 Sec. 164. Section 216A.165, subsections 1 through 9, Code  
83 12 2009, are amended by striking the subsections and inserting in  
83 13 lieu thereof the following:

83 14 1. Study the opportunities for and changing needs of Native  
83 15 American persons in this state.

83 16 2. Serve as a liaison between the department and the public,  
83 17 sharing information and gathering constituency input.

83 18 3. Recommend to the board for adoption rules pursuant  
83 19 to chapter 17A as it deems necessary for the commission and  
83 20 office.

83 21 4. Recommend legislative and executive action to the  
83 22 governor and general assembly.

83 23 5. Establish advisory committees, work groups, or other  
83 24 coalitions as appropriate.

83 25 Sec. 165. Section 216A.166, Code 2009, is amended by  
83 26 striking the section and inserting in lieu thereof the  
83 27 following:

83 28 216A.166 Office of Native American affairs.

83 29 The office of Native American affairs is established and  
83 30 shall do the following:

83 31 1. Serve as the central permanent agency to advocate for  
83 32 Native Americans.

83 33 2. Coordinate and cooperate with the efforts of state  
83 34 departments and agencies to serve the needs of Native Americans  
83 35 in participating fully in the economic, social, and cultural  
84 1 life of the state, and provide direct assistance to individuals  
84 2 who request it.

84 3 3. Develop, coordinate, and assist other public or private  
84 4 organizations which serve Native Americans.

84 5 4. Serve as an information clearinghouse on programs and

84 6 agencies operating to assist Native Americans.

84 7 Sec. 166. Section 216A.167, subsections 1 and 2, Code 2009,  
84 8 are amended by striking the subsections.

84 9 Sec. 167. Section 216A.167, subsection 3, unnumbered  
84 10 paragraph 1, Code 2009, is amended to read as follows:

84 11 The commission and office shall not have the authority to do  
84 12 any of the following:

84 13 Sec. 168. REPEAL. Sections 216A.16, 216A.17, 216A.55,  
84 14 216A.56, 216A.57, 216A.58, 216A.59, 216A.60, 216A.73, 216A.76,  
84 15 216A.77, 216A.78, 216A.79, 216A.101, 216A.103, 216A.115,  
84 16 216A.116, 216A.117, 216A.134, 216A.144, 216A.145, 216A.147,  
84 17 216A.148, 216A.149, 216A.155, 216A.156, 216A.157, 216A.158,  
84 18 216A.159, 216A.160, 216A.164, 216A.168, 216A.169, and 216A.170,  
84 19 Code 2009, are repealed.

84 20 Sec. 169. DEPARTMENT OF HUMAN RIGHTS REORGANIZATION ==  
84 21 TRANSITION PROVISIONS.

84 22 1. Except for the department director, no other employee  
84 23 of the department of human rights shall be appointed by the  
84 24 governor. Those persons now occupying positions that were  
84 25 previously appointed by the governor shall be retained but  
84 26 shall be subject to the merit system and state human resource  
84 27 management system as provided by sections 8A.412 and 8A.413.

84 28 2. Through December 31, 2010, the department director shall  
84 29 be granted reasonable flexibility within the department's  
84 30 appropriation and allotted full-time equivalent positions to  
84 31 reassign, retrain, or reclassify personnel as deemed necessary  
84 32 in order to most effectively and efficiently carry out the  
84 33 department's mission. Any personnel in the state merit system  
84 34 of employment who are transferred from one work unit to another  
84 35 due to the effect of this division of this Act shall be so

85 1 transferred without any loss in salary, benefits, or accrued  
85 2 years of service.

85 3 3. In regard to updating references and format in the Iowa  
85 4 administrative code in order to correspond to the transferring  
85 5 of the authority to adopt rules from the previous divisions  
85 6 of the department of human rights to the department of human  
85 7 rights as established by this division of this Act, the  
85 8 administrative rules coordinator and the administrative rules

85 9 review committee, in consultation with the administrative code  
85 10 editor, shall jointly develop a schedule for the necessary  
85 11 updating of the Iowa administrative code.  
85 12 4. Current contracts that bind any division of the  
85 13 department of human rights shall be honored by the department,  
85 14 or expediently and judiciously amended if changes in the name  
85 15 of the contractor must be made before the expiration of the  
85 16 contract.  
85 17 5. All client and organizational files in the possession  
85 18 of any office subsumed within the division of community  
85 19 advocacy and services as enacted by this division of this Act  
85 20 will become the property of the office that will serve that  
85 21 population.  
85 22 6. Any replacement of signs, logos, stationery, insignia,  
85 23 uniforms, and related items that is made due to the effect of  
85 24 this division of this Act shall if possible be done as part of  
85 25 the normal replacement cycle for such items.  
85 26 7. The governor, in consultation with the director of  
85 27 the department of human rights, shall establish a process  
85 28 to implement the requirements of this division of this Act  
85 29 and shall have the authority to terminate and modify the  
85 30 terms of office of voting members of the commissions and the  
85 31 council within the department of human rights in order to  
85 32 effectuate the requirements of this division of this Act. New  
85 33 appointments or reappointments to the commissions and the  
85 34 council as required by this division of this Act shall be made  
85 35 to effectuate the requirement, if applicable, that members  
86 1 shall serve for staggered four-year terms.  
86 2 Sec. 170. EFFECTIVE UPON ENACTMENT. This division of this  
86 3 Act, being deemed of immediate importance, takes effect upon  
86 4 enactment.

86 5 DIVISION XV  
86 6 GAMBLING SETOFFS

86 7 Sec. 171. Section 99D.28, subsection 1, Code 2009, is

CODE: A debtor to the State that wins money on a wager at a

86 8 amended to read as follows:  
 86 9 1. A licensee or a person acting on behalf of a licensee  
 86 10 shall be provided electronic access to the names of the  
 86 11 persons indebted to a claimant agency pursuant to the process  
 86 12 established pursuant to section 99D.7, subsection 23. The  
 86 13 electronic access provided by the claimant agency shall include  
 86 14 access to the names of the debtors, their social security  
 86 15 numbers, and any other information that assists the licensee  
 86 16 in identifying the debtors. If the name of a debtor provided  
 86 17 to the licensee through electronic access is retrieved by  
 86 18 the licensee and the winnings are equal to or greater than  
 86 19 ~~ten~~ one thousand two hundred dollars per occurrence, the  
 86 20 retrieval of such a name shall constitute a valid lien upon and  
 86 21 claim of lien against the winnings of the debtor whose name  
 86 22 is electronically retrieved from the claimant agency. If a  
 86 23 debtor's winnings are equal to or greater than ~~ten~~ one thousand  
 86 24 two hundred dollars per occurrence, the full amount of the debt  
 86 25 shall be collectible from any winnings due the debtor without  
 86 26 regard to limitations on the amounts that may be collectible in  
 86 27 increments through setoff or other proceedings.  
 86 28 Sec. 172. Section 99D.28, subsection 7, Code 2009, is  
 86 29 amended to read as follows:  
 86 30 7. A claimant agency or licensee, acting in good faith,  
 86 31 shall not be liable to any person for actions taken ~~to comply~~  
 86 32 ~~with~~ pursuant to this section.  
 86 33 Sec. 173. Section 99F.19, subsection 1, Code 2009, is  
 86 34 amended to read as follows:  
 86 35 1. A licensee or a person acting on behalf of a licensee  
 87 1 shall be provided electronic access to the names of the  
 87 2 persons indebted to a claimant agency pursuant to the process  
 87 3 established pursuant to section 99F.4, subsection 26. The  
 87 4 electronic access provided by the claimant agency shall include  
 87 5 access to the names of the debtors, their social security  
 87 6 numbers, and any other information that assists the licensee  
 87 7 in identifying the debtors. If the name of a debtor provided  
 87 8 to the licensee through electronic access is retrieved by  
 87 9 the licensee and the winnings are equal to or greater than  
 87 10 ~~ten~~ one thousand two hundred dollars per occurrence, the

racetrack, excursion gambling boat, or gambling structure in Iowa is  
 subject to a setoff for winnings that meet a \$1,200 threshold.

FISCAL IMPACT: This Division will generate an estimated \$4.6  
 million annually to the General Fund beginning in FY 2011.

87 11 retrieval of such a name shall constitute a valid lien upon and  
87 12 claim of lien against the winnings of the debtor whose name  
87 13 is electronically retrieved from the claimant agency. If a  
87 14 debtor's winnings are equal to or greater than ~~ten~~ one thousand  
87 15 two hundred dollars per occurrence, the full amount of the debt  
87 16 shall be collectible from any winnings due the debtor without  
87 17 regard to limitations on the amounts that may be collectible in  
87 18 increments through setoff or other proceedings.  
87 19 Sec. 174. Section 99F.19, subsection 7, Code 2009, is  
87 20 amended to read as follows:  
87 21 7. A claimant agency or licensee, acting in good faith,  
87 22 shall not be liable to any person for actions taken ~~to comply~~  
87 23 ~~with~~ pursuant to this section.

87 24 DIVISION XVI  
87 25 DEPARTMENT OF MANAGEMENT == FINANCIAL ADMINISTRATION  
87 26 REORGANIZATION

87 27 Sec. 175. NEW SECTION . 8.71 Definitions.  
87 28 As used in this section and sections 8.72 through 8.89,  
87 29 unless the context otherwise requires:  
87 30 1. "Agency" or "state agency" means a unit of state  
87 31 government, which is an authority, board, commission,  
87 32 committee, council, department, or independent agency as  
87 33 defined in section 7E.4, including but not limited to each  
87 34 principal central department enumerated in section 7E.5.  
87 35 However, "agency" or "state agency" does not mean any of the  
88 1 following:  
88 2 a. The office of the governor or the office of an elective  
88 3 constitutional or statutory officer.  
88 4 b. The general assembly, or any office or unit under its  
88 5 administrative authority.  
88 6 c. The judicial branch, as provided in section 602.1102.  
88 7 d. A political subdivision of the state or its offices  
88 8 or units, including but not limited to a county, city, or  
88 9 community college.

CODE: Transfers the financial administration responsibility for the State from the DAS to the DOM.

FISCAL IMPACT: This transfer is expected to save \$260,000 in FY 2011.

NOTE: House File 2531 (Standing Appropriations Act) eliminates this transfer and the responsibility is retained with the DAS. House File 2531 makes a \$260,000 Cash Reserve Fund appropriation to replace the initial savings reduction of \$260,000 to the DAS General Fund appropriation in SF 2367 (Administration and Regulation Appropriations Act).



---

88 10 2. "Department" means the department of management.  
88 11 3. "Director" means the director of the department of  
88 12 management or the director's designee.  
88 13 Sec. 176. NEW SECTION . 8.72 Financial administration  
88 14 duties.  
88 15 The department shall provide for the efficient management  
88 16 and administration of the financial resources of state  
88 17 government and shall have and assume the following powers and  
88 18 duties:  
88 19 1. Centralized accounting and payroll system. To assume the  
88 20 responsibilities related to a centralized accounting system  
88 21 for state government and to establish a centralized payroll  
88 22 system for all state agencies. However, the state board of  
88 23 regents and institutions under the control of the state board  
88 24 of regents shall not be required to utilize the centralized  
88 25 payroll system.  
88 26 2. Setoff procedures. To establish and maintain a setoff  
88 27 procedure as provided in section 8.74.  
88 28 3. Cost allocation system. To establish a cost allocation  
88 29 system as provided in section 8.75.  
88 30 4. Collection and payment of funds == monthly payments. To  
88 31 control the payment of all moneys into the state treasury,  
88 32 and all payments from the state treasury by the preparation  
88 33 of appropriate warrants, or warrant checks, directing such  
88 34 collections and payment, and to advise the treasurer of state  
88 35 monthly in writing of the amount of public funds not currently  
89 1 needed for operating expenses. Whenever the state treasury  
89 2 includes state funds that require distribution to counties,  
89 3 cities, or other political subdivisions of this state, and the  
89 4 counties, cities, and other political subdivisions certify to  
89 5 the director that warrants will be stamped for lack of funds  
89 6 within the thirty=day period following certification, the  
89 7 director may partially distribute the funds on a monthly basis.  
89 8 Whenever the law requires that any funds be paid by a specific  
89 9 date, the director shall prepare a final accounting and shall  
89 10 make a final distribution of any remaining funds prior to that  
89 11 date.  
89 12 5. Preaudit system. To establish and fix a reasonable

89 13 imprest cash fund for each state department and institution  
89 14 for disbursement purposes where needed. These revolving  
89 15 funds shall be reimbursed only upon vouchers approved by the  
89 16 director. It is the purpose of this subsection to establish a  
89 17 preaudit system of settling all claims against the state, but  
89 18 the preaudit system is not applicable to any of the following:

89 19     a. Institutions under the control of the state board of  
89 20 regents.

89 21     b. The state fair board as established in chapter 173.

89 22     c. The Iowa dairy industry commission as established in  
89 23 chapter 179, the Iowa beef cattle producers association as  
89 24 established in chapter 181, the Iowa pork producers council  
89 25 as established in chapter 183A, the Iowa egg council as  
89 26 established in chapter 184, the Iowa turkey marketing council  
89 27 as established in chapter 184A, the Iowa soybean association  
89 28 as provided in chapter 185, and the Iowa corn promotion board  
89 29 as established in chapter 185C.

89 30     6. Audit of claims. To set rules and procedures for the  
89 31 preaudit of claims by individual agencies or organizations.  
89 32 The director reserves the right to refuse to accept incomplete  
89 33 or incorrect claims and to review, preaudit, or audit claims  
89 34 as determined by the director.

89 35     7. Contracts. To certify, record, and encumber all formal  
90 1 contracts to prevent overcommitment of appropriations and  
90 2 allotments.

90 3     8. Accounts. To keep the central budget and proprietary  
90 4 control accounts of the general fund of the state and special  
90 5 funds, as defined in section 8.2, of the state government.  
90 6 Upon elimination of the state deficit under generally accepted  
90 7 accounting principles, including the payment of items budgeted  
90 8 in a subsequent fiscal year which under generally accepted  
90 9 accounting principles should be budgeted in the current fiscal  
90 10 year, the recognition of revenues received and expenditures  
90 11 paid and transfers received and paid within the time period  
90 12 required pursuant to section 8.33 shall be in accordance with  
90 13 generally accepted accounting principles. Budget accounts  
90 14 are those accounts maintained to control the receipt and  
90 15 disposition of all funds, appropriations, and allotments.

---

90 16 Proprietary accounts are those accounts relating to assets,  
90 17 liabilities, income, and expense. For each fiscal year, the  
90 18 financial position and results of operations of the state shall  
90 19 be reported in a comprehensive annual financial report prepared  
90 20 in accordance with generally accepted accounting principles, as  
90 21 established by the governmental accounting standards board.

90 22 8A. Budget database. To develop and make available to the  
90 23 public a searchable budget database.

90 24 9. Fair board and state board of regents. To control  
90 25 the financial operations of the state fair board and the  
90 26 institutions under the state board of regents:

90 27 a. By charging all warrants issued to the respective  
90 28 educational institutions and the state fair board to an advance  
90 29 account to be further accounted for and not as an expense which  
90 30 requires no further accounting.

90 31 b. By charging all collections made by the educational  
90 32 institutions and state fair board to the respective advance  
90 33 accounts of the institutions and state fair board, and by  
90 34 crediting all such repayment collections to the respective  
90 35 appropriations and special funds.

91 1 c. By charging all disbursements made to the respective  
91 2 allotment accounts of each educational institution or state  
91 3 fair board and by crediting all such disbursements to the  
91 4 respective advance and inventory accounts.

91 5 d. By requiring a monthly abstract of all receipts and  
91 6 of all disbursements, both money and stores, and a complete  
91 7 account current each month from each educational institution  
91 8 and the state fair board.

91 9 10. Entities representing agricultural producers. To control  
91 10 the financial operations of the Iowa dairy industry commission  
91 11 as provided in chapter 179, the Iowa beef cattle producers  
91 12 association as provided in chapter 181, the Iowa pork producers  
91 13 council as provided in chapter 183A, the Iowa egg council as  
91 14 provided in chapter 184, the Iowa turkey marketing council  
91 15 as provided in chapter 184A, the Iowa soybean association as  
91 16 provided in chapter 185, and the Iowa corn promotion board as  
91 17 provided in chapter 185C.

91 18 11. Custody of records. To have the custody of all books,

---

91 19 papers, records, documents, vouchers, conveyances, leases,  
91 20 mortgages, bonds, and other securities appertaining to the  
91 21 fiscal affairs and property of the state, which are not  
91 22 required to be kept in some other office.

91 23 12. Interest of the permanent school fund. To transfer the  
91 24 interest of the permanent school fund to the credit of the  
91 25 interest for Iowa schools fund.

91 26 13. Forms. To prescribe all accounting and business  
91 27 forms and the system of accounts and reports of financial  
91 28 transactions by all departments and agencies of the state  
91 29 government other than those of the legislative branch.

91 30 14. Federal cash management and improvement act  
91 31 administrator.

91 32 a. To serve as administrator for state actions relating to  
91 33 the federal Cash Management and Improvement Act of 1990, Pub.  
91 34 L. No. 101=453, as codified in 31 U.S.C. 6503. The director  
91 35 shall perform the following duties relating to the federal law:

92 1 (1) Act as the designated representative of the state in the  
92 2 negotiation and administration of contracts between the state  
92 3 and federal government relating to the federal law.

92 4 (2) Modify the centralized statewide accounting system  
92 5 and develop, or require to be developed by the appropriate  
92 6 departments of state government, the reports and procedures  
92 7 necessary to complete the managerial and financial reports  
92 8 required to comply with the federal law.

92 9 b. There is annually appropriated from the general fund  
92 10 of the state to the department an amount sufficient to pay  
92 11 interest costs that may be due the federal government as a  
92 12 result of implementation of the federal law. This paragraph  
92 13 does not authorize the payment of interest from the general  
92 14 fund of the state for any department of administrative  
92 15 services' revolving, trust, or special fund of the department  
92 16 of administrative services where monthly interest earnings  
92 17 accrue to the credit of the department of administrative  
92 18 services' revolving, trust, or special fund. For any  
92 19 department of administrative services' revolving, trust, or  
92 20 special fund where monthly interest is accrued to the credit of  
92 21 the fund, the director may authorize a supplemental expenditure

92 22 to pay interest costs from the individual fund which are due  
92 23 the federal government as a result of implementation of the  
92 24 federal law.

92 25 Sec. 177. NEW SECTION . 8.73 Rules == deposit of  
92 26 departmental moneys.

92 27 The director shall prescribe by rule the manner and methods  
92 28 by which all departments and agencies of the state that  
92 29 collect money for and on behalf of the state shall cause the  
92 30 money to be deposited with the treasurer of state or in a  
92 31 depository designated by the treasurer of state. All such  
92 32 moneys collected shall be deposited at such times and in such  
92 33 depositories to permit the state of Iowa to deposit the funds  
92 34 in a manner consistent with the state's investment policies.

92 35 All such moneys shall be promptly deposited, as directed, even  
93 1 though the individual amount remitted may not be correct. If  
93 2 any individual amount remitted is in excess of the amount  
93 3 required, the department or agency receiving the same shall  
93 4 refund the excess amount. If the individual amount remitted is  
93 5 insufficient, the person, firm, or corporation concerned shall  
93 6 be immediately billed for the amount of the deficiency.

93 7 Sec. 178. NEW SECTION . 8.74 Setoff procedures.

93 8 1. Definitions. As used in this section, unless the context  
93 9 otherwise requires:

93 10 a. "Collection entity" means the department of management  
93 11 and any other state agency that maintains a separate accounting  
93 12 system and elects to establish a debt collection setoff  
93 13 procedure for collection of debts owed to the state or its  
93 14 agencies.

93 15 b. "Person" does not include a state agency.

93 16 c. "Qualifying debt" includes but is not limited to the  
93 17 following:

93 18 (1) Any debt, which is assigned to the department of human  
93 19 services, or which the child support recovery unit is otherwise  
93 20 attempting to collect, or which the foster care recovery unit  
93 21 of the department of human services is attempting to collect  
93 22 on behalf of a child receiving foster care provided by the  
93 23 department of human services.

93 24 (2) An amount that is due because of a default on a

---

93 25 guaranteed student or parental loan under chapter 261.  
93 26 (3) Any debt which is in the form of a liquidated sum due,  
93 27 owing, and payable to the clerk of the district court.  
93 28 d. "State agency" means a board, commission, department,  
93 29 including the department of administrative services, or other  
93 30 administrative office or unit of the state of Iowa or any  
93 31 other state entity reported in the Iowa comprehensive annual  
93 32 financial report, or a political subdivision of the state, or  
93 33 an office or unit of a political subdivision. "State agency"  
93 34 does include the clerk of the district court as it relates to  
93 35 the collection of a qualifying debt. "State agency" does not  
94 1 include the general assembly or the governor.  
94 2 2. Setoff procedure. The collection entity shall establish  
94 3 and maintain a procedure to set off against any claim owed to  
94 4 a person by a state agency any liability of that person owed  
94 5 to a state agency, a support debt being enforced by the child  
94 6 support recovery unit pursuant to chapter 252B, or such other  
94 7 qualifying debt. The procedure shall only apply when at the  
94 8 discretion of the director it is feasible. The procedure shall  
94 9 meet the following conditions:  
94 10 a. Before setoff, a person's liability to a state agency and  
94 11 the person's claim on a state agency shall be in the form of a  
94 12 liquidated sum due, owing, and payable.  
94 13 b. Before setoff, the state agency shall obtain and forward  
94 14 to the collection entity the full name and social security  
94 15 number of the person liable to it or to whom a claim is owing  
94 16 who is a natural person. If the person is not a natural person,  
94 17 before setoff, the state agency shall forward to the collection  
94 18 entity the information concerning the person as the collection  
94 19 entity shall, by rule, require. The collection entity  
94 20 shall cooperate with other state agencies in the exchange of  
94 21 information relevant to the identification of persons liable  
94 22 to or of claimants of state agencies. However, the collection  
94 23 entity shall provide only relevant information required by a  
94 24 state agency. The information shall be held in confidence  
94 25 and used for the purpose of setoff only. Section 422.72,  
94 26 subsection 1, does not apply to this paragraph.  
94 27 c. Before setoff, a state agency shall, at least annually,

---

94 28 submit to the collection entity the information required  
94 29 by paragraph "b" along with the amount of each person's  
94 30 liability to and the amount of each claim on the state agency.  
94 31 The collection entity may, by rule, require more frequent  
94 32 submissions.

94 33 d. Before setoff, the amount of a person's claim on a state  
94 34 agency and the amount of a person's liability to a state agency  
94 35 shall constitute a minimum amount set by rule of the collection  
95 1 entity.

95 2 e. Upon submission of an allegation of liability by a state  
95 3 agency, the collection entity shall notify the state agency  
95 4 whether the person allegedly liable is entitled to payment from  
95 5 a state agency, and, if so entitled, shall notify the state  
95 6 agency of the amount of the person's entitlement and of the  
95 7 person's last address known to the collection entity. Section  
95 8 422.72, subsection 1, does not apply to this paragraph.

95 9 f. (1) Upon notice of entitlement to a payment, the state  
95 10 agency shall send written notification to that person of the  
95 11 state agency's assertion of its rights to all or a portion of  
95 12 the payment and of the state agency's entitlement to recover  
95 13 the liability through the setoff procedure, the basis of  
95 14 the assertion, the opportunity to request that a jointly or  
95 15 commonly owned right to payment be divided among owners, and  
95 16 the person's opportunity to give written notice of intent  
95 17 to contest the amount of the allegation. The state agency  
95 18 shall send a copy of the notice to the collection entity. A  
95 19 state agency subject to chapter 17A shall give notice, conduct  
95 20 hearings, and allow appeals in conformity with chapter 17A.

95 21 (2) However, upon submission of an allegation of the  
95 22 liability of a person which is owing and payable to the  
95 23 clerk of the district court and upon the determination by  
95 24 the collection entity that the person allegedly liable is  
95 25 entitled to payment from a state agency, the collection entity  
95 26 shall send written notification to the person which states the  
95 27 assertion by the clerk of the district court of rights to all  
95 28 or a portion of the payment, the clerk's entitlement to recover  
95 29 the liability through the setoff procedure, the basis of the  
95 30 assertions, the person's opportunity to request within fifteen

95 31 days of the mailing of the notice that the collection entity  
95 32 divide a jointly or commonly owned right to payment between  
95 33 owners, the opportunity to contest the liability to the clerk  
95 34 by written application to the clerk within fifteen days of the  
95 35 mailing of the notice, and the person's opportunity to contest  
96 1 the collection entity's setoff procedure.  
96 2 g. Upon the timely request of a person liable to a state  
96 3 agency or of the spouse of that person and upon receipt of the  
96 4 full name and social security number of the person's spouse,  
96 5 a state agency shall notify the collection entity of the  
96 6 request to divide a jointly or commonly owned right to payment.  
96 7 Any jointly or commonly owned right to payment is rebuttably  
96 8 presumed to be owned in equal portions by its joint or common  
96 9 owners.  
96 10 h. The collection entity shall, after the state agency has  
96 11 sent notice to the person liable or, if the liability is owing  
96 12 and payable to the clerk of the district court, the collection  
96 13 entity has sent notice to the person liable, set off the amount  
96 14 owed to the agency against any amount which a state agency owes  
96 15 that person. The collection entity shall refund any balance  
96 16 of the amount to the person. The collection entity shall  
96 17 periodically transfer amounts set off to the state agencies  
96 18 entitled to them. If a person liable to a state agency gives  
96 19 written notice of intent to contest an allegation, a state  
96 20 agency shall hold a refund or rebate until final disposition  
96 21 of the allegation. Upon completion of the setoff, a state  
96 22 agency shall notify in writing the person who was liable or,  
96 23 if the liability is owing and payable to the clerk of the  
96 24 district court, shall comply with the procedures as provided  
96 25 in paragraph "j".  
96 26 i. The department of revenue's existing right to credit  
96 27 against tax due or to become due under section 422.73 is not to  
96 28 be impaired by a right granted to or a duty imposed upon the  
96 29 collection entity or other state agency by this section. This  
96 30 section is not intended to impose upon the collection entity or  
96 31 the department of revenue any additional requirement of notice,  
96 32 hearing, or appeal concerning the right to credit against tax  
96 33 due under section 422.73.



---

96 34 j. If the alleged liability is owing and payable to the  
96 35 clerk of the district court and setoff as provided in this  
97 1 section is sought, all of the following shall apply:  
97 2 (1) The judicial branch shall prescribe procedures to  
97 3 permit a person to contest the amount of the person's liability  
97 4 to the clerk of the district court.  
97 5 (2) The collection entity shall, except for the procedures  
97 6 described in subparagraph (1), prescribe any other applicable  
97 7 procedures concerning setoff as provided in this subsection.  
97 8 (3) Upon completion of the setoff, the collection entity  
97 9 shall file, at least monthly, with the clerk of the district  
97 10 court a notice of satisfaction of each obligation to the  
97 11 full extent of all moneys collected in satisfaction of the  
97 12 obligation. The clerk shall record the notice and enter a  
97 13 satisfaction for the amounts collected and a separate written  
97 14 notice is not required.  
97 15 3. Priority claims. In the case of multiple claims to  
97 16 payments filed under this section, priority shall be given to  
97 17 claims filed by the child support recovery unit or the foster  
97 18 care recovery unit, next priority shall be given to claims  
97 19 filed by the college student aid commission, next priority  
97 20 shall be given to claims filed by the investigations division  
97 21 of the department of inspections and appeals, next priority  
97 22 shall be given to claims filed by a clerk of the district  
97 23 court, and last priority shall be given to claims filed by  
97 24 other state agencies. In the case of multiple claims in which  
97 25 the priority is not otherwise provided by this subsection,  
97 26 priority shall be determined in accordance with rules to be  
97 27 established by the director.  
97 28 4. State reciprocal agreements. The director shall have  
97 29 the authority to enter into reciprocal agreements with the  
97 30 departments of revenue of other states that have enacted  
97 31 legislation that is substantially equivalent to the setoff  
97 32 procedure provided in this section for the recovery of an  
97 33 amount due because of a default on a guaranteed student or  
97 34 parental loan under chapter 261. A reciprocal agreement shall  
97 35 also be approved by the college student aid commission. The  
98 1 agreement shall authorize the department to provide by rule for

98 2 the setoff of state income tax refunds or rebates of defaulters  
98 3 from states with which Iowa has a reciprocal agreement and to  
98 4 provide for sending lists of names of Iowa defaulters to the  
98 5 states with which Iowa has a reciprocal agreement for setoff of  
98 6 that state's income tax refunds.

98 7 5. Agency reimbursements. Under substantive rules  
98 8 established by the director, the department shall seek  
98 9 reimbursement from other state agencies to recover its costs  
98 10 for setting off liabilities.

98 11 Sec. 179. NEW SECTION . 8.75 Cost allocation system ==  
98 12 appropriation.

98 13 The department shall develop and administer an indirect  
98 14 cost allocation system for state agencies. The system shall  
98 15 be based upon standard cost accounting methodologies and shall  
98 16 be used to allocate both direct and indirect costs of state  
98 17 agencies or state agency functions in providing centralized  
98 18 services to other state agencies. A cost that is allocated to  
98 19 a state agency pursuant to this system shall be billed to the  
98 20 state agency and the cost is payable to the general fund of the  
98 21 state. The source of payment for the billed cost shall be any  
98 22 revenue source except for the general fund of the state. If a  
98 23 state agency is authorized by law to bill and recover direct  
98 24 expenses, the state agency shall recover indirect costs in the  
98 25 same manner.

98 26 Sec. 180. NEW SECTION . 8.76 Accounting.

98 27 The director may at any time require any person receiving  
98 28 money, securities, or property belonging to the state, or  
98 29 having the management, disbursement, or other disposition of  
98 30 them, an account of which is kept in the department, to render  
98 31 statements of them and information in reference to them.

98 32 Sec. 181. NEW SECTION . 8.77 Stating account.

98 33 If an officer who is accountable to the state treasury for  
98 34 any money or property neglects to render an account to the  
98 35 director within the time prescribed by law, or if no time is so  
99 1 prescribed, within twenty days after being required to do so by  
99 2 the director, the director shall state an account against the  
99 3 officer from the books of the officer's office, charging ten  
99 4 percent damages on the whole sum appearing due, and interest

---

99 5 at the rate of six percent per annum on the aggregate from the  
99 6 time when the account should have been rendered; all of which  
99 7 may be recovered by action brought on the account, or on the  
99 8 official bond of the officer.

99 9 Sec. 182. NEW SECTION . 8.78 Compelling payment.  
99 10 If an officer fails to pay into the state treasury the amount  
99 11 received by the officer within the time prescribed by law, or  
99 12 having settled with the director, fails to pay the amount found  
99 13 due, the director shall charge the officer with twenty percent  
99 14 damages on the amount due, with interest on the aggregate from  
99 15 the time the amount became due at the rate of six percent per  
99 16 annum, and the whole may be recovered by an action brought on  
99 17 the account, or on the official bond of the officer, and the  
99 18 officer shall forfeit the officer's commission.

99 19 Sec. 183. NEW SECTION . 8.79 Defense to claim.  
99 20 The penal provisions in sections 8.77 and 8.78 are subject  
99 21 to any legal defense which the officer may have against the  
99 22 account as stated by the director, but judgment for costs shall  
99 23 be rendered against the officer in the action, whatever its  
99 24 result, unless the officer rendered an account within the time  
99 25 named in those sections.

99 26 Sec. 184. NEW SECTION . 8.80 Requested credits == oath  
99 27 required.

99 28 When a county treasurer or other receiver of public moneys  
99 29 seeks to obtain credit on the books of the department for  
99 30 payment made to the county treasurer, before giving such credit  
99 31 the director shall require that person to take and subscribe an  
99 32 oath that the person has not used, loaned, or appropriated any  
99 33 of the public moneys for the person's private benefit or for  
99 34 the benefit of any other person.

99 35 Sec. 185. NEW SECTION . 8.81 Requisition for information.  
100 1 In those cases where the director is authorized to call  
100 2 upon persons or officers for information, or statements,  
100 3 or accounts, the director may issue a requisition therefor  
100 4 in writing to the person or officer called upon, allowing  
100 5 reasonable time, which, having been served and return made to  
100 6 the director, as a notice in a civil action, is evidence of the  
100 7 making of the requisition.

---

100 8 Sec. 186. NEW SECTION . 8.82 Limits on claims.  
100 9 The director is limited in authorizing the payment of  
100 10 claims, as follows:  
100 11 1. Funding limit.  
100 12 a. A claim shall not be allowed by the department if the  
100 13 appropriation or fund of certification available for paying the  
100 14 claim has been exhausted or proves insufficient.  
100 15 b. The authority of the director is subject to the following  
100 16 exceptions:  
100 17 (1) Claims by state employees for benefits pursuant to  
100 18 chapters 85, 85A, 85B, and 86 are subject to limitations  
100 19 provided in those chapters.  
100 20 (2) Claims for medical assistance payments authorized under  
100 21 chapter 249A are subject to the time limits imposed by rule  
100 22 adopted by the department of human services.  
100 23 (3) Claims approved by an agency according to the provisions  
100 24 of section 25.2.  
100 25 2. Convention expenses. Claims for expenses in attending  
100 26 conventions, meetings, conferences, or gatherings of members  
100 27 of an association or society organized and existing as a  
100 28 quasi=public association or society outside the state of Iowa  
100 29 shall not be allowed at public expense, unless authorized by  
100 30 the executive council; and claims for these expenses outside  
100 31 of the state shall not be allowed unless the voucher is  
100 32 accompanied by the portion of the minutes of the executive  
100 33 council, certified to by its secretary, showing that the  
100 34 expense was authorized by the council. This section does not  
100 35 apply to claims in favor of the governor, attorney general,  
101 1 utilities board members, or to trips referred to in sections  
101 2 97B.7A and 217.20.  
101 3 3. Payment from fees. Claims for per diem and expenses  
101 4 payable from fees shall not be approved for payment in excess  
101 5 of those fees if the law provides that such expenditures are  
101 6 limited to the special funds collected and deposited in the  
101 7 state treasury.  
101 8 Sec. 187. NEW SECTION . 8.83 Claims == approval.  
101 9 The director before approving a claim on behalf of the  
101 10 department shall determine:

---

101 11 1. That the creation of the claim is clearly authorized by  
101 12 law. Statutes authorizing the expenditure may be referenced  
101 13 through account coding authorized by the director.  
101 14 2. That the claim has been authorized by an officer or  
101 15 official body having legal authority to so authorize and that  
101 16 the fact of authorization has been certified to the director by  
101 17 such officer or official body.  
101 18 3. That all legal requirements have been observed,  
101 19 including notice and opportunity for competition, if required  
101 20 by law.  
101 21 4. That the claim is in proper form as the director may  
101 22 provide.  
101 23 5. That the charges are reasonable, proper, and correct and  
101 24 no part of the claim has been paid.  
101 25 Sec. 188. NEW SECTION . 8.84 Vouchers == interest == payment  
101 26 of claims.  
101 27 1. Before a warrant or its equivalent is issued for  
101 28 a claim payable from the state treasury, the department  
101 29 shall file an itemized voucher showing in detail the items  
101 30 of service, expense, item furnished, or contract for which  
101 31 payment is sought. However, the director may authorize the  
101 32 prepayment of claims when the best interests of the state are  
101 33 served under rules adopted by the director. The claimant's  
101 34 original invoice shall be attached to a department's approved  
101 35 voucher. The director shall adopt rules specifying the  
102 1 form and contents for invoices submitted by a vendor to a  
102 2 department. The requirements apply to acceptance of an invoice  
102 3 by a department. A department shall not impose additional or  
102 4 different requirements on submission of invoices than those  
102 5 contained in rules of the director unless the director exempts  
102 6 the department from the invoice requirements or a part of the  
102 7 requirements upon a finding that compliance would result in  
102 8 poor accounting or management practices.  
102 9 2. Vouchers for postage, stamped envelopes, and postal  
102 10 cards may be audited as soon as an order for them is entered.  
102 11 3. The departments, the general assembly, and the courts  
102 12 shall pay their claims in a timely manner. If a claim  
102 13 for services, supplies, materials, or a contract which is

102 14 payable from the state treasury remains unpaid after sixty  
102 15 days following the receipt of the claim or the satisfactory  
102 16 delivery, furnishing, or performance of the services, supplies,  
102 17 materials, or contract, whichever date is later, the state  
102 18 shall pay interest at the rate of one percent per month on  
102 19 the unpaid amount of the claim. This subsection does not  
102 20 apply to claims against the state under chapters 25 and 669  
102 21 or to claims paid by federal funds. The interest shall be  
102 22 charged to the appropriation or fund to which the claim is  
102 23 certified. Departments may enter into contracts for goods or  
102 24 services on payment terms of less than sixty days if the state  
102 25 may obtain a financial benefit or incentive which would not  
102 26 otherwise be available from the vendor. The department, in  
102 27 consultation with other affected departments, shall develop  
102 28 policies to promote consistency and fiscal responsibility  
102 29 relating to payment terms authorized under this subsection.  
102 30 The director shall adopt rules under chapter 17A relating to  
102 31 the administration of this subsection.

102 32 Sec. 189. NEW SECTION . 8.85 Warrants == form.  
102 33 A warrant shall bear on its face the signature of the  
102 34 director or its facsimile, or the signature of an assistant  
102 35 or its facsimile in case of a vacancy in the office of the  
103 1 director; a proper number, date, amount, and name of payee;  
103 2 a reference to the law under which it is drawn; whether for  
103 3 salaries or wages, services, or supplies, and what kind of  
103 4 supplies; and from what office or department, or for what  
103 5 other general or special purposes; or in lieu thereof, a  
103 6 coding system may be used, which particulars shall be entered  
103 7 in a warrant register kept for that purpose in the order of  
103 8 issuance; and as soon as practicable after issuing a warrant  
103 9 register, the director shall certify a duplicate of it to the  
103 10 treasurer of state.

103 11 Sec. 190. NEW SECTION . 8.86 Required payee.  
103 12 All warrants shall be drawn to the order of the person  
103 13 entitled to payment or compensation, except that when goods  
103 14 or materials are purchased in foreign countries, warrants may  
103 15 be drawn upon the treasurer of state, payable to the bearer  
103 16 for the net amount of invoice and current exchange, and the

103 17 treasurer of state shall furnish a foreign draft payable to the  
103 18 order of the person from whom purchase is made.  
103 19 Sec. 191. NEW SECTION . 8.87 Prohibited payee.  
103 20 In no case shall warrants be drawn in the name of the  
103 21 certifying office, department, board, or institution, or in  
103 22 the name of an employee, except for personal service rendered  
103 23 or expense incurred by the employee, unless express statutory  
103 24 authority exists therefor.  
103 25 Sec. 192. NEW SECTION . 8.88 Claims exceeding  
103 26 appropriations.  
103 27 A claim shall not be allowed when the claim will exceed the  
103 28 amount specifically appropriated for the claim.  
103 29 Sec. 193. NEW SECTION . 8.89 Cancellation of state warrants.  
103 30 On the last business day of each month, the director shall  
103 31 cancel and request the treasurer of state to stop payment on  
103 32 all state warrants which have been outstanding and unredeemed  
103 33 by the treasurer of state for six months or longer.  
103 34 Sec. 194. Section 8.9, subsection 1, Code Supplement 2009,  
103 35 is amended to read as follows:  
104 1 1. The office of grants enterprise management is  
104 2 established in the department of management. The function of  
104 3 the office is to develop and administer a system to track,  
104 4 identify, advocate for, and coordinate nonstate grants as  
104 5 defined in section 8.2, subsections 1 and 3. Staffing for  
104 6 the office of grants enterprise management shall be provided  
104 7 by a facilitator appointed by the director of the department  
104 8 of management. Additional staff may be hired, subject to the  
104 9 availability of funding. Funding for the office is from the  
104 10 appropriation to the department ~~pursuant to section 8A.505,~~  
104 11 ~~subsection 2~~ .  
104 12 Sec. 195. Section 8.31, subsection 4, Code 2009, is amended  
104 13 to read as follows:  
104 14 4. The procedure to be employed in controlling the  
104 15 expenditures and receipts of the state fair board and  
104 16 the institutions under the state board of regents, whose  
104 17 collections are not deposited in the state treasury, is that  
104 18 outlined in section ~~8A.502~~ 8.72 , subsection 9.  
104 19 Sec. 196. Section 8A.102, subsection 2, Code 2009, is

---

104 20 amended to read as follows:

104 21 2. The person appointed as director shall be professionally

104 22 qualified by education and have no less than five years'

104 23 experience in the field of management, public or private sector

104 24 personnel administration including the application of merit

104 25 principles in employment, ~~financial management~~, and policy

104 26 development and implementation. The appointment shall be made

104 27 without regard for political affiliation. The director shall

104 28 not be a member of any local, state, or national committee

104 29 of a political party, an officer or member of a committee in

104 30 any partisan political club or organization, or hold or be a

104 31 candidate for a paid elective public office. The director is

104 32 subject to the restrictions on political activity provided

104 33 in section 8A.416. The governor shall set the salary of the

104 34 director within pay grade nine.

104 35 Sec. 197. Section 8A.103, unnumbered paragraph 1, Code

105 1 2009, is amended to read as follows:

105 2 The department is created for the purpose of managing and

105 3 coordinating the major resources of state government including

105 4 the human, ~~financial~~, physical, and information resources of

105 5 state government.

105 6 Sec. 198. Section 8A.104, subsection 12, Code 2009, is

105 7 amended to read as follows:

105 8 12. Serve as the chief information officer for the

105 9 state. However, the director may designate a person in the

105 10 department to serve in this capacity at the discretion of

105 11 the director. If the director designates a person to serve

105 12 as chief information officer, the person designated shall be

105 13 professionally qualified by education and have no less than

105 14 five years' experience in the ~~fields~~ field of information

105 15 technology and ~~financial management~~.

105 16 Sec. 199. Section 8A.111, subsection 11, Code 2009, is

105 17 amended by striking the subsection.

105 18 Sec. 200. Section 8A.204, subsection 3, paragraph b, Code

105 19 2009, is amended to read as follows:

105 20 b. Work with the department of management ~~and the state~~

105 21 ~~accounting enterprise of the department, pursuant to section~~

105 22 ~~8A.502~~, to maintain the relevancy of the central budget and



105 23 proprietary control accounts of the general fund of the state  
105 24 and special funds to information technology, as those terms are  
105 25 defined in section 8.2, of state government.  
105 26 Sec. 201. Section 8A.323, subsection 5, Code 2009, is  
105 27 amended to read as follows:  
105 28 5. Any fine that remains unpaid upon becoming delinquent  
105 29 may be collected by the department pursuant to the setoff  
105 30 procedures provided for in section ~~8A.504~~ 8.74 . For purposes  
105 31 of this subsection, a fine becomes delinquent if it has not  
105 32 been paid within thirty days of the date of the issuance of the  
105 33 parking citation, unless a written request for a hearing is  
105 34 filed as provided pursuant to the rules of the department. If  
105 35 an appeal is filed and the citation is upheld, the fine becomes  
106 1 delinquent ten days after the issuance of the final decision on  
106 2 the appeal or thirty=one days after the date of the issuance of  
106 3 the parking citation, whichever is later.  
106 4 Sec. 202. Section 11.2, subsection 1, paragraph b, Code  
106 5 2009, is amended to read as follows:  
106 6 b. Provided further, that a preliminary audit of the  
106 7 educational institutions and the state fair board shall be made  
106 8 periodically, at least quarterly, to check the monthly reports  
106 9 submitted to the director of the department of administrative  
106 10 services as required by section ~~8A.502~~ 8.72 , subsection 9, and  
106 11 that a final audit of such state agencies shall be made at the  
106 12 close of each fiscal year.  
106 13 Sec. 203. Section 25.2, subsection 5, Code 2009, is amended  
106 14 to read as follows:  
106 15 5. Outstanding state warrants that have been canceled  
106 16 pursuant to section ~~8A.519~~ 8.89 and were charged to the general  
106 17 fund of the state or another state funding source shall be  
106 18 addressed as provided in section 556.2C.  
106 19 Sec. 204. Section 96.11, subsection 16, Code 2009, is  
106 20 amended to read as follows:  
106 21 16. Reimbursement of setoff costs. The department shall  
106 22 include in the amount set off in accordance with section  
106 23 ~~8A.504~~ 8.74 , for the collection of an overpayment created  
106 24 pursuant to section 96.3, subsection 7, or section 96.16,  
106 25 subsection 4, an additional amount for the reimbursement of

---

106 26 setoff costs incurred by the department of administrative  
106 27 services.  
106 28 Sec. 205. Section 97B.7A, subsection 5, Code 2009, is  
106 29 amended to read as follows:  
106 30 5. Travel. In the administration of the investment of  
106 31 moneys in the retirement fund, employees of the system and  
106 32 members of the board may travel outside the state for the  
106 33 purpose of meeting with investment firms and consultants and  
106 34 attending conferences and meetings to fulfill their fiduciary  
106 35 responsibilities. This travel is not subject to section  
107 1 ~~8A.512~~ 8.82 , subsection 2.  
107 2 Sec. 206. Section 99D.2, subsection 3, Code 2009, is amended  
107 3 to read as follows:  
107 4 3. "Claimant agency" means a state agency as defined  
107 5 in section ~~8A.504~~ 8.74 , subsection 1, or the state court  
107 6 administrator as defined in section 602.1101.  
107 7 Sec. 207. Section 99D.28, subsection 2, Code 2009, is  
107 8 amended to read as follows:  
107 9 2. The licensee is authorized and directed to withhold  
107 10 any winnings of a debtor which are paid out directly by the  
107 11 licensee subject to the lien created by this section and  
107 12 provide notice of such withholding to the winner when the  
107 13 winner appears and claims winnings in person. The licensee  
107 14 shall pay the funds over to the collection entity which  
107 15 administers the setoff program pursuant to section ~~8A.504~~ 8.74 .  
107 16 Sec. 208. Section 99F.1, subsection 4, Code 2009, is amended  
107 17 to read as follows:  
107 18 4. "Claimant agency" means a state agency as defined  
107 19 in section ~~8A.504~~ 8.74 , subsection 1, or the state court  
107 20 administrator as defined in section 602.1101.  
107 21 Sec. 209. Section 99F.19, subsection 2, Code 2009, is  
107 22 amended to read as follows:  
107 23 2. The licensee is authorized and directed to withhold  
107 24 any winnings of a debtor which are paid out directly by the  
107 25 licensee subject to the lien created by this section and  
107 26 provide notice of such withholding to the winner when the  
107 27 winner appears and claims winnings in person. The licensee  
107 28 shall pay the funds over to the collection entity which

107 29 administers the setoff program pursuant to section ~~8A.504~~ 8.74 .  
107 30 Sec. 210. Section 99G.38, subsection 3, Code 2009, is  
107 31 amended to read as follows:  
107 32 3. The state of Iowa offset program, as provided in section  
107 33 ~~8A.504~~ 8.74 , shall be available to the authority to facilitate  
107 34 receipt of funds owed to the authority.  
107 35 Sec. 211. Section 217.34, Code 2009, is amended to read as  
108 1 follows:  
108 2 217.34 Debt setoff.  
108 3 The investigations division of the department of inspections  
108 4 and appeals and the department of human services shall provide  
108 5 assistance to set off against a person's or provider's income  
108 6 tax refund or rebate any debt which has accrued through written  
108 7 contract, subrogation, departmental recoupment procedures,  
108 8 or court judgment and which is in the form of a liquidated  
108 9 sum due and owing the department of human services. The  
108 10 department of inspections and appeals, with approval of the  
108 11 department of human services, shall adopt rules under chapter  
108 12 17A necessary to assist the department of ~~administrative~~  
108 13 ~~services~~ management in the implementation of the setoff under  
108 14 section ~~8A.504~~ 8.74 in regard to money owed to the state  
108 15 for public assistance overpayments. The department of human  
108 16 services shall adopt rules under chapter 17A necessary to  
108 17 assist the department of ~~administrative services~~ management in  
108 18 the implementation of the setoff under section ~~8A.504~~ 8.74 , in  
108 19 regard to collections by the child support recovery unit and  
108 20 the foster care recovery unit.  
108 21 Sec. 212. Section 218.58, subsection 5, Code 2009, is  
108 22 amended to read as follows:  
108 23 5. A claim for payment relating to a project shall be  
108 24 itemized on a voucher form pursuant to section ~~8A.514~~ 8.84 ,  
108 25 certified by the claimant and the architect or engineer  
108 26 in charge, and audited and approved by the department of  
108 27 ~~administrative services~~ management . Upon approval by the  
108 28 department of ~~administrative services~~ management , the director  
108 29 of the department of ~~administrative services~~ management shall  
108 30 draw a warrant to be paid by the treasurer of state from funds  
108 31 appropriated for the project. A partial payment made before

108 32 completion of the project does not constitute final acceptance  
108 33 of the work or a waiver of any defect in the work.  
108 34 Sec. 213. Section 218.85, Code 2009, is amended to read as  
108 35 follows:  
109 1 218.85 Uniform system of accounts.  
109 2 The director of human services through the administrators  
109 3 in control of the institutions shall install in all the  
109 4 institutions the most modern, complete, and uniform system of  
109 5 accounts, records, and reports possible. The system shall be  
109 6 prescribed by the director of the department of ~~administrative~~  
109 7 ~~services~~ management as authorized in section ~~8A.502~~ 8.72 ,  
109 8 subsection 13, and, among other matters, shall clearly show  
109 9 the detailed facts relative to the handling and uses of all  
109 10 purchases.  
109 11 Sec. 214. Section 234.8, Code 2009, is amended to read as  
109 12 follows:  
109 13 234.8 Fees for child welfare services.  
109 14 The department of human services may charge a fee for  
109 15 child welfare services to a person liable for the cost of the  
109 16 services. The fee shall not exceed the reasonable cost of the  
109 17 services. The fee shall be based upon the person's ability  
109 18 to pay and consideration of the fee's impact upon the liable  
109 19 person's family and the goals identified in the case permanency  
109 20 plan. The department may assess the liable person for the fee  
109 21 and the means of recovery shall include a setoff against an  
109 22 amount owed by a state agency to the person assessed pursuant  
109 23 to section ~~8A.504~~ 8.74 . In addition the department may  
109 24 establish an administrative process to recover the assessment  
109 25 through automatic income withholding. The department shall  
109 26 adopt rules pursuant to chapter 17A to implement the provisions  
109 27 of this section. This section does not apply to court-ordered  
109 28 services provided to juveniles which are a charge upon the  
109 29 state pursuant to section 232.141 and services for which the  
109 30 department has established a support obligation pursuant to  
109 31 section 234.39.  
109 32 Sec. 215. Section 252B.5, subsection 4, Code Supplement  
109 33 2009, is amended to read as follows:  
109 34 4. Assistance to set off against a debtor's income tax

109 35 refund or rebate any support debt, which is assigned to  
110 1 the department of human services or which the child support  
110 2 recovery unit is attempting to collect on behalf of any  
110 3 individual not eligible as a public assistance recipient, which  
110 4 has accrued through written contract, subrogation, or court  
110 5 judgment, and which is in the form of a liquidated sum due  
110 6 and owing for the care, support, or maintenance of a child.  
110 7 Unless the periodic payment plan provisions for a retroactive  
110 8 modification pursuant to section 598.21C apply, the entire  
110 9 amount of a judgment for accrued support, notwithstanding  
110 10 compliance with a periodic payment plan or regardless of the  
110 11 date of entry of the judgment, is due and owing as of the date  
110 12 of entry of the judgment and is delinquent for the purposes of  
110 13 setoff, including for setoff against a debtor's federal income  
110 14 tax refund or other federal nontax payment. The department  
110 15 of human services shall adopt rules pursuant to chapter  
110 16 17A necessary to assist the department of ~~administrative~~  
110 17 ~~services~~ management in the implementation of the child support  
110 18 setoff as established under section ~~8A.504~~ 8.74 .  
110 19 Sec. 216. Section 261.37, subsection 7, Code 2009, is  
110 20 amended to read as follows:  
110 21 7. To establish an effective system for the collection of  
110 22 delinquent loans, including the adoption of an agreement with  
110 23 the department of ~~administrative services~~ management to set off  
110 24 against a defaulter's income tax refund or rebate the amount  
110 25 that is due because of a default on a guaranteed or parental  
110 26 loan made under this division. The commission shall adopt  
110 27 rules under chapter 17A necessary to assist the department of  
110 28 ~~administrative services~~ management in the implementation of  
110 29 the student loan setoff program as established under section  
110 30 ~~8A.504~~ 8.74 . The commission shall apply administrative wage  
110 31 garnishment procedures authorized under the federal Higher  
110 32 Education Act of 1965, as amended and codified in 20 U.S.C.  
110 33 1071 et seq., for all delinquent loans, including loans  
110 34 authorized under section 261.38, when a defaulter who is  
110 35 financially capable of paying fails to voluntarily enter into a  
111 1 reasonable payment agreement. In no case shall the commission  
111 2 garnish more than the amount authorized by federal law for

111 3 all loans being collected by the commission, including those  
111 4 authorized under section 261.38.  
111 5 Sec. 217. Section 321.11A, subsection 1, paragraph c, Code  
111 6 2009, is amended to read as follows:  
111 7 c. The department of ~~administrative services~~ management for  
111 8 the purpose of administering the setoff program pursuant to  
111 9 section ~~8A.504~~ 8.74 .  
111 10 Sec. 218. Section 321.31, subsection 1, unnumbered  
111 11 paragraph 3, Code 2009, is amended to read as follows:  
111 12 The director shall maintain a records system of delinquent  
111 13 accounts owed to the state using information provided through  
111 14 the computerized data bank established in section 421.17. The  
111 15 department and county treasurers shall use the information  
111 16 maintained in the records system to determine if applicants  
111 17 for renewal of registration have delinquent accounts, charges,  
111 18 fees, loans, taxes, or other indebtedness owed to or being  
111 19 collected by the state as provided pursuant to section  
111 20 ~~8A.504~~ 8.74 . The director, the director of the department of  
111 21 ~~administrative services~~ management , and the director of revenue  
111 22 shall establish procedures for updating the delinquent accounts  
111 23 records to add and remove accounts, as applicable.  
111 24 Sec. 219. Section 321.40, subsection 6, Code Supplement  
111 25 2009, is amended to read as follows:  
111 26 6. The department or the county treasurer shall refuse to  
111 27 renew the registration of a vehicle registered to the applicant  
111 28 if the department or the county treasurer knows that the  
111 29 applicant has a delinquent account, charge, fee, loan, taxes,  
111 30 or other indebtedness owed to or being collected by the state,  
111 31 from information provided pursuant to sections ~~8A.504~~ 8.74 and  
111 32 421.17. An applicant may contest this action by requesting a  
111 33 contested case proceeding from the agency that referred the  
111 34 debt for collection pursuant to section ~~8A.504~~ 8.74 .  
111 35 Sec. 220. Section 331.552, subsection 5, Code 2009, is  
112 1 amended to read as follows:  
112 2 5. Account for, report, and pay into the state treasury any  
112 3 money, property, or securities received on behalf of the state  
112 4 as provided in sections ~~8A.506 to 8A.508~~ 8.76 to 8.78 .  
112 5 Sec. 221. Section 422.12D, subsection 4, Code 2009, is

---

112 6 amended to read as follows:

112 7 4. The department shall adopt rules to implement this

112 8 section. However, before a checkoff pursuant to this section

112 9 shall be permitted, all liabilities on the books of the

112 10 department of ~~administrative services~~ management and accounts

112 11 identified as owing under section ~~8A.504~~ 8.74 and the political

112 12 contribution allowed under section 68A.601 shall be satisfied.

112 13 Sec. 222. Section 422.12K, subsection 2, Code Supplement

112 14 2009, is amended to read as follows:

112 15 2. The director of revenue shall draft the income tax form

112 16 to allow the designation of contributions to the child abuse

112 17 prevention program fund on the tax return. The department of

112 18 revenue, on or before January 31, shall transfer the total

112 19 amount designated on the tax return forms due in the preceding

112 20 calendar year to the child abuse prevention program fund.

112 21 However, before a checkoff pursuant to this section shall be

112 22 permitted, all liabilities on the books of the department of

112 23 ~~administrative services~~ management and accounts identified as

112 24 owing under section ~~8A.504~~ 8.74 and the political contribution

112 25 allowed under section 68A.601 shall be satisfied.

112 26 Sec. 223. Section 422.12L, subsection 2, Code 2009, is

112 27 amended to read as follows:

112 28 2. The director of revenue shall draft the income tax form

112 29 to allow the designation of contributions to the veterans trust

112 30 fund and to the volunteer fire fighter preparedness fund as

112 31 one checkoff on the tax return. The department of revenue,

112 32 on or before January 31, shall transfer one-half of the total

112 33 amount designated on the tax return forms due in the preceding

112 34 calendar year to the veterans trust fund and the remaining

112 35 one-half to the volunteer fire fighter preparedness fund.

113 1 However, before a checkoff pursuant to this section shall be

113 2 permitted, all liabilities on the books of the department of

113 3 ~~administrative services~~ management and accounts identified as

113 4 owing under section ~~8A.504~~ 8.74 and the political contribution

113 5 allowed under section 68A.601 shall be satisfied.

113 6 Sec. 224. Section 422.20, subsection 3, paragraph a, Code

113 7 2009, is amended to read as follows:

113 8 a. Unless otherwise expressly permitted by section

113 9 ~~8A.504~~ 8.74 , section 421.17, subsections 22, 23, and 26,  
113 10 sections 252B.9, 321.120, 421.19, 421.28, 422.72, and 452A.63,  
113 11 and this section, a tax return, return information, or  
113 12 investigative or audit information shall not be divulged to any  
113 13 person or entity, other than the taxpayer, the department, or  
113 14 internal revenue service for use in a matter unrelated to tax  
113 15 administration.  
113 16 Sec. 225. Section 422.72, subsection 3, paragraph a, Code  
113 17 2009, is amended to read as follows:  
113 18 a. Unless otherwise expressly permitted by section  
113 19 ~~8A.504~~ 8.74 , section 421.17, subsections 22, 23, and 26,  
113 20 sections 252B.9, 321.120, 421.19, 421.28, 422.20, and 452A.63,  
113 21 and this section, a tax return, return information, or  
113 22 investigative or audit information shall not be divulged to any  
113 23 person or entity, other than the taxpayer, the department, or  
113 24 internal revenue service for use in a matter unrelated to tax  
113 25 administration.  
113 26 Sec. 226. Section 456A.16, unnumbered paragraph 7, Code  
113 27 2009, is amended to read as follows:  
113 28 The department shall adopt rules to implement this section.  
113 29 However, before a checkoff pursuant to this section shall be  
113 30 permitted, all liabilities on the books of the department of  
113 31 ~~administrative services~~ management and accounts identified as  
113 32 owing under section ~~8A.504~~ 8.74 and the political contribution  
113 33 allowed under section 68A.601 shall be satisfied.  
113 34 Sec. 227. Section 556.2C, subsection 1, paragraph a, Code  
113 35 2009, is amended to read as follows:  
114 1 a. An unpaid, outdated warrant that is canceled pursuant to  
114 2 section ~~8A.519~~ 8.89 shall be included in a list of outstanding  
114 3 state warrants maintained by the director of the department of  
114 4 ~~administrative services~~ management . On or before July 1 of  
114 5 each year, the director of the department of ~~administrative~~  
114 6 ~~services~~ management shall provide the office of the treasurer  
114 7 of state with a consolidated list of such outstanding warrants  
114 8 that have not been previously reported to the office.  
114 9 Sec. 228. Section 602.8102, subsection 58A, Code 2009, is  
114 10 amended to read as follows:  
114 11 58A. Assist the department of ~~administrative services~~



114 12 management in setting off against debtors' income tax refunds  
114 13 or rebates under section ~~8A.504~~ 8.74 , debts which are due,  
114 14 owing, and payable to the clerk of the district court as  
114 15 criminal fines, civil penalties, surcharges, or court costs.  
114 16 Sec. 229. Section 602.8107, subsection 4, paragraph a, Code  
114 17 Supplement 2009, is amended to read as follows:  
114 18 a. This subsection does not apply to amounts collected for  
114 19 victim restitution, the victim compensation fund, the criminal  
114 20 penalty surcharge, sex offender civil penalty, drug abuse  
114 21 resistance education surcharge, the law enforcement initiative  
114 22 surcharge, county enforcement surcharge, amounts collected as  
114 23 a result of procedures initiated under subsection 5 or under  
114 24 section ~~8A.504~~ 8.74 , or fees charged pursuant to section 356.7.  
114 25 Sec. 230. Section 642.2, subsection 4, Code 2009, is amended  
114 26 to read as follows:  
114 27 4. Notwithstanding subsections 2, 3, 6, and 7, any  
114 28 moneys owed to the child support obligor by the state, with  
114 29 the exception of unclaimed property held by the treasurer  
114 30 of state pursuant to chapter 556, and payments owed to the  
114 31 child support obligor through the Iowa public employees'  
114 32 retirement system are subject to garnishment, attachment,  
114 33 execution, or assignment by the child support recovery unit  
114 34 if the child support recovery unit is providing enforcement  
114 35 services pursuant to chapter 252B. Any moneys that are  
115 1 determined payable by the treasurer pursuant to section 556.20,  
115 2 subsection 2, to the child support obligor shall be subject to  
115 3 setoff pursuant to section ~~8A.504~~ 8.74 , notwithstanding any  
115 4 administrative rule pertaining to the child support recovery  
115 5 unit limiting the amount of the offset.  
115 6 Sec. 231. REPEAL. Sections 8A.502, 8A.503, 8A.504, 8A.506,  
115 7 8A.507, 8A.508, 8A.509, 8A.510, 8A.511, 8A.512, 8A.513, 8A.514,  
115 8 8A.515, 8A.516, 8A.517, 8A.518, and 8A.519, Code 2009, are  
115 9 repealed.  
115 10 Sec. 232. REPEAL. Section 8A.505, Code Supplement 2009, is  
115 11 repealed.  
115 12 Sec. 233. DEPARTMENT OF MANAGEMENT == CENTRALIZED  
115 13 PAYROLL SYSTEM. The department of management shall examine  
115 14 the possibility of merging all state payroll systems into

115 15 the centralized payroll system operated by the department.  
 115 16 The department shall consult with those entities of state  
 115 17 government not utilizing the centralized payroll system,  
 115 18 including but not limited to the state department of  
 115 19 transportation, about strategies for encouraging utilization  
 115 20 of the state's centralized payroll system and by identifying  
 115 21 those barriers preventing merging of the payroll systems.  
 115 22 The department shall provide information to the joint  
 115 23 appropriations subcommittee on administration and regulation  
 115 24 concerning efforts by the department to merge payroll systems  
 115 25 and any recommendations for legislative action to encourage, or  
 115 26 eliminate barriers to, the provision of payroll services by the  
 115 27 department to other state agencies.  
 115 28 Sec. 234. DEPARTMENT OF MANAGEMENT == PAYROLL  
 115 29 FREQUENCY. The department of management shall implement to the  
 115 30 greatest extent possible a reduction in the frequency of paying  
 115 31 state employees by paying employees through the payroll system  
 115 32 on a semimonthly instead of a biweekly basis.

115 33 DIVISION XVII  
 115 34 ADMINISTRATION AND REGULATION APPROPRIATIONS

115 35 Sec. 235. DEPARTMENT OF REVENUE == EXAMINERS. There  
 116 1 is appropriated from the general fund of the state to the  
 116 2 department of revenue for the fiscal year beginning July 1,  
 116 3 2010, and ending June 30, 2011, the following amount, or so  
 116 4 much thereof as is necessary, to be used for the purposes  
 116 5 designated:  
 116 6 For salaries, support, maintenance, miscellaneous purposes,  
 116 7 and for not more than the following full-time equivalent  
 116 8 positions:  
 116 9 ..... \$ 325,000  
 116 10 ..... FTEs 5.00  
 116 11 The moneys appropriated in this section shall be utilized by  
 116 12 the department to hire five additional examiners.

General Fund appropriation for FY 2011 to the Department of Revenue for 5.00 FTE examiners.

DETAIL: This is a separate appropriation in addition to the FY 2011 appropriation in SF 2367 (Administration and Regulation Appropriations Act).

FISCAL IMPACT: These additional FTE positions are expected to increase revenue to the General Fund by \$2.7 million annually beginning in FY 2011.

116 13 Sec. 236. DEPARTMENT OF MANAGEMENT == GRANTS ENTERPRISE  
 116 14 MANAGEMENT. There is appropriated from the general fund of  
 116 15 the state to the department of management for the fiscal year  
 116 16 beginning July 1, 2010, and ending June 30, 2011, the following  
 116 17 amount, or so much thereof as is necessary, to be used for the  
 116 18 purposes designated:  
 116 19 For the office of grants enterprise management, including  
 116 20 salaries, support, maintenance, miscellaneous purposes, and for  
 116 21 not more than the following full-time equivalent position:  
 116 22 ..... \$ 175,000  
 116 23 ..... FTEs 1.00  
 116 24 Of the moneys appropriated in this section, \$50,000 shall  
 116 25 be used by the department of management to create and fill  
 116 26 an additional position in the office of grants enterprise  
 116 27 management.

General Fund appropriation to the DOM for the office of grants enterprise management and 1.00 FTE position.

DETAIL: This appropriation is in addition to the DOM appropriation in SF 2367 (Administration and Regulation Appropriations Act). This additional funding is expected to generate \$10.0 million in FY 2011 and \$20.0 million in FY 2012 of other funds that would be used by the various departments that generate the funding.

116 28 DIVISION XVIII  
 116 29 ELIMINATION OF STATE ENTITIES  
 116 30 ENTITIES ASSOCIATED WITH THE DEPARTMENT OF AGRICULTURE AND  
 116 31 LAND STEWARDSHIP

116 32 Sec. 237. Section 159.20, subsection 1, paragraph j, Code  
 116 33 Supplement 2009, is amended to read as follows:  
 116 34 j. Assist the office of renewable fuels and coproducts  
 116 35 ~~and the renewable fuels and coproducts advisory committee~~ in  
 117 1 administering the provisions of chapter 159A.

CODE: Eliminates the Renewable Fuels and Coproducts Advisory Committee in the Department of Agriculture and Land Stewardship.

117 2 Sec. 238. Section 159A.1, subsection 3, Code 2009, is  
 117 3 amended to read as follows:

117 4 3. This state adopts a policy of enhancing agricultural  
 117 5 production by encouraging the development and use of fuels and  
 117 6 coproducts derived from agricultural commodities, as provided  
 117 7 in this chapter, including rules adopted by the office of  
 117 8 renewable fuels and coproducts ~~and the renewable fuels and~~  
 117 9 ~~coproducts advisory committee~~.

FISCAL IMPACT: Fiscal impact is minimal as the Committee has not been meeting due to lack of funding.

117 10 Sec. 239. Section 159A.2, subsection 2, Code 2009, is  
 117 11 amended by striking the subsection.

---

117 12 Sec. 240. Section 159A.3, subsection 2, paragraph h, Code  
117 13 Supplement 2009, is amended by striking the paragraph.  
117 14 Sec. 241. Section 159A.3, subsection 2, paragraph i, Code  
117 15 Supplement 2009, is amended by striking the paragraph.  
117 16 Sec. 242. Section 159A.3, subsection 4, Code Supplement  
117 17 2009, is amended to read as follows:  
117 18 4. The office and state entities, including the department,  
117 19 ~~the committee,~~ the Iowa department of economic development,  
117 20 the state department of transportation, the office of energy  
117 21 independence, and the state board of regents institutions,  
117 22 shall cooperate to implement this section.  
117 23 Sec. 243. Section 159A.6, Code Supplement 2009, is amended  
117 24 to read as follows:  
117 25 159A.6 Education, promotion, and advertising.  
117 26 1. The office shall ~~support~~ do all of the following:  
117 27 a. Support education regarding, and promotion and  
117 28 advertising of, renewable fuels and coproducts. The office  
117 29 shall consult with the Iowa corn growers association and the  
117 30 Iowa soybean association.  
117 31 ~~2- b. The office shall promote~~ Promote the advantages  
117 32 related to the use of renewable fuels as an alternative to  
117 33 nonrenewable fuels. Promotions shall be designed to inform the  
117 34 ultimate consumer of advantages associated with using renewable  
117 35 fuels, and emphasize the benefits to the natural environment.  
118 1 The promotion shall inform consumers at the businesses of  
118 2 retail dealers of motor vehicle fuels.  
118 3 ~~3- c. The committee shall develop~~ Develop standards for  
118 4 decals required pursuant to section 214A.16, which shall be  
118 5 designed to promote the advantages of using renewable fuels.  
118 6 The standards may be incorporated within a model decal adopted  
118 7 ~~by the committee and approved~~ by the office.  
118 8 ~~4- d. The office shall promote~~ Promote the advantages  
118 9 related to the use of coproducts derived from the production  
118 10 of renewable fuels, including the use of coproducts used as  
118 11 livestock feed or meal. Promotions shall be designed to  
118 12 inform the potential purchasers of the advantages associated  
118 13 with using coproducts. The office shall promote advantages  
118 14 associated with using coproducts of ethanol production as

118 15 livestock feed or meal to cattle producers in this state.  
118 16 ~~5-~~ 2. The office may contract to provide all or part of  
118 17 ~~these~~ the services described in subsection 1 .  
118 18 Sec. 244. Section 159A.7, subsection 2, Code Supplement  
118 19 2009, is amended to read as follows:  
118 20 2. Moneys in the fund shall be used only to carry out  
118 21 the provisions of this section and sections 159A.3, ~~159A.4,~~  
118 22 ~~159A.5,~~ 159A.6, 159A.6A, and 159A.6B within the state of Iowa.  
118 23 Sec. 245. Section 214A.1, subsection 7, Code 2009, is  
118 24 amended by striking the subsection.  
118 25 Sec. 246. Section 214A.1, Code 2009, is amended by adding  
118 26 the following new subsection:  
118 27 NEW SUBSECTION . 17A. "Office" means the office of renewable  
118 28 fuels and coproducts created pursuant to section 159A.3.  
118 29 Sec. 247. Section 214A.2, subsection 1, Code Supplement  
118 30 2009, is amended to read as follows:  
118 31 1. The department shall adopt rules pursuant to chapter  
118 32 17A for carrying out this chapter. The rules may include ~~;~~ but  
118 33 are not limited to ~~;~~ specifications relating to motor fuel,  
118 34 including but not limited to renewable fuel such as ethanol  
118 35 blended gasoline, biodiesel, biodiesel blended fuel, and  
119 1 motor fuel components such as an oxygenate. In the interest  
119 2 of uniformity, the department shall adopt by reference other  
119 3 specifications relating to tests and standards for motor fuel  
119 4 including renewable fuel and motor fuel components, established  
119 5 by the United States environmental protection agency and  
119 6 A.S.T.M. international. ~~In adopting standards for a renewable~~  
119 7 ~~fuel, the department shall consult with the committee.~~  
119 8 Sec. 248. Section 422.11N, subsection 4, paragraph b,  
119 9 unnumbered paragraph 2, Code 2009, is amended to read as  
119 10 follows:  
119 11 If the governor finds that exigent circumstances exist, the  
119 12 governor may reduce the applicable biofuel threshold percentage  
119 13 by replacing it with an adjusted biofuel threshold percentage.  
119 14 The governor shall consult with the department of revenue  
119 15 and the office of renewable fuels and coproducts ~~advisory~~  
119 16 ~~committee established pursuant to section 159A.4~~ 159A.3 .  
119 17 The governor shall make the adjustment by giving notice of

119 18 intent to issue a proclamation which shall take effect not  
 119 19 earlier than thirty=five days after publication in the Iowa  
 119 20 administrative bulletin of a notice to issue the proclamation.  
 119 21 The governor shall provide a period of notice and comment in  
 119 22 the same manner as provided in section 17A.4, subsection 1.  
 119 23 The adjusted biofuel threshold percentage shall be effective  
 119 24 for the following determination period.  
 119 25 Sec. 249. Section 469.3, subsection 2, paragraph m, Code  
 119 26 Supplement 2009, is amended to read as follows:  
 119 27 m. Coordinate with other state agencies regarding  
 119 28 implementation of the office of renewable fuels and coproducts  
 119 29 pursuant to section 159A.3, ~~serve on the renewable fuels~~  
 119 30 ~~and coproducts advisory committee~~, and assist in providing  
 119 31 technical assistance to new or existing renewable fuel  
 119 32 production facilities.  
 119 33 Sec. 250. REPEAL. Section 159A.4, Code Supplement 2009, is  
 119 34 repealed.  
 119 35 Sec. 251. REPEAL. Section 159A.5, Code 2009, is repealed.

120 1 Sec. 252. REPEAL. Chapter 175A, Code 2009, is repealed.

CODE: Eliminates the Grape and Wine Development Commission under the Department of Agriculture and Land Stewardship.

FISCAL IMPACT: The fiscal impact is minimal.

120 2 Sec. 253. ORGANIC ADVISORY COUNCIL ==  
 120 3 FEES. Notwithstanding section 190C.5, for the fiscal  
 120 4 year beginning July 1, 2010, and ending June 30, 2011, the  
 120 5 department of agriculture and land stewardship shall increase  
 120 6 all fees that it establishes, imposes, and collects pursuant  
 120 7 to 21 IAC ch. 47 by ten percent. Of the fees collected by  
 120 8 the department, the amount collected representing the ten  
 120 9 percent increase in fees authorized by this section shall not  
 120 10 be deposited in the general fund of the state but shall be  
 120 11 retained by the department for the purposes of the department.

CODE: Increases the fees collected for the Organics Agricultural Program by 10.00% for FY 2011, and permits the Department of Agriculture and Land Stewardship to maintain the increased revenue for administration of the Program.

FISCAL IMPACT: The fiscal impact is minimal. The increased revenue is estimated to be \$33,000 for FY 2011.

120 12 Sec. 254. GRAPE AND WINE DEVELOPMENT FUND. This division

Specifies unobligated funds in the Grape and Wine Development

120 13 of this Act does not affect the expenditure of moneys by the  
 120 14 department of agriculture and land stewardship to satisfy any  
 120 15 obligations or encumbrances of moneys in the grape and wine  
 120 16 development fund created in section 175A.5, if the obligations  
 120 17 or encumbrances were incurred prior to the effective date of  
 120 18 this division of this Act. Moneys credited to the grape and  
 120 19 wine development fund that are unobligated or unencumbered at  
 120 20 the close of the fiscal year ending June 30, 2010, shall be  
 120 21 transferred to the wine gallonage tax fund created in section  
 120 22 123.183 in the same manner as a reversion.

Fund as of June 30, 2010, will be transferred to the Wine Gallonage Tax Fund.

FISCAL IMPACT: Minimal fiscal impact. As of May 27, 2010, the unobligated balance was \$1,807.

120 23 DIVISION XIX  
 120 24 ELIMINATION OF STATE ENTITIES  
 120 25 ENTITIES ASSOCIATED WITH THE DEPARTMENT OF NATURAL  
 RESOURCES'  
 120 26 CONTROL OF THE NATURAL HABITAT

120 27 Sec. 255. 2008 Iowa Acts, chapter 1080, section 1,  
 120 28 subsection 6, is amended to read as follows:  
 120 29 6. This section is repealed on July 1, 2010 the effective  
 120 30 date of this section of this division of this Act .  
 120 31 Sec. 256. REPEAL. 2009 Iowa Acts, chapter 144, section 49,  
 120 32 is repealed.  
 120 33 Sec. 257. EFFECTIVE UPON ENACTMENT. The following  
 120 34 provisions of this division of this Act, being deemed of  
 120 35 immediate importance, take effect upon enactment:  
 121 1 The section of this Act amending 2008 Iowa Acts, chapter  
 121 2 1080, section 1, concerning the sustainable natural resource  
 121 3 funding advisory committee.  
 121 4 The sections of this Act repealing 2009 Iowa Acts, chapter  
 121 5 144, section 49, establishing an upland game bird study  
 121 6 advisory committee.

CODE: Eliminates the Natural Resource Funding Advisory Committee and the Upland Game Bird Study Advisory Committee. These Sections are effective on enactment.

FISCAL IMPACT: Minimal fiscal impact. Both Committees have submitted final reports to the Governor and the General Assembly and no more meetings will be held.

121 7 DIVISION XX  
 121 8 ELIMINATION OF STATE ENTITIES  
 121 9 ENTITIES ASSOCIATED WITH THE DEPARTMENT OF NATURAL

## RESOURCES ==

## 121 10 IOWA CLIMATE CHANGE ADVISORY COUNCIL

121 11 Sec. 258. Section 455B.104, Code Supplement 2009, is  
121 12 amended by adding the following new subsections:  
121 13 NEW SUBSECTION . 3. The department may periodically forward  
121 14 recommendations to the commission designed to encourage the  
121 15 reduction of statewide greenhouse gas emissions.  
121 16 NEW SUBSECTION . 4. By September 1 of each year, the  
121 17 department shall submit a report to the governor and the  
121 18 general assembly regarding the greenhouse gas emissions in the  
121 19 state during the previous calendar year and forecasting trends  
121 20 in such emissions. The first submission by the department  
121 21 shall be filed by September 1, 2011, for the calendar year  
121 22 beginning January 1, 2010.  
121 23 Sec. 259. Section 455B.851, Code 2009, is amended by adding  
121 24 the following new subsection:  
121 25 NEW SUBSECTION . 10. This section is repealed July 1, 2011.  
121 26 Sec. 260. Section 473.7, subsection 12, paragraph b, Code  
121 27 Supplement 2009, is amended by striking the paragraph.

CODE: Eliminates the Climate Change Advisory Council and permits the Department of Natural Resources (DNR) to make recommendations regarding climate change to the Environmental Protection Commission. Requires the Department to submit an annual report to the Governor and the General Assembly regarding greenhouse gas emissions in Iowa during the previous calendar year. The first report is due by September 1, 2011.

## 121 28 DIVISION XXI

## 121 29 ECONOMIC DEVELOPMENT == COMMITTEES AND COUNCILS

121 30 Sec. 261. Section 15.108, subsection 7, paragraph h, Code  
121 31 2009, is amended by striking the paragraph.  
121 32 Sec. 262. Section 15G.115, subsections 2 and 3, Code  
121 33 Supplement 2009, are amended to read as follows:  
121 34 2. a. Each application from a business for financial  
121 35 assistance under the grow Iowa values financial assistance  
122 1 program shall be reviewed by the due diligence committee  
122 2 established by the board pursuant to section 15.103, subsection  
122 3 6. The due diligence committee shall make a recommendation on  
122 4 each application to the board.  
122 5 ~~b. Each application from a business for financial assistance~~  
122 6 ~~under the value-added agriculture component of the grow Iowa~~

CODE: Repeals the Small Business Advisory Council and the Department of Economic Development (DED) assistance for the Council. Eliminates the duties of the Agricultural Products Advisory Council as it relates to financial assistance under the Value-Added Agriculture Component of the Grow Iowa Values Fund. Eliminates the DED's Microenterprise Development Advisory Committee.

DETAIL: The Due Diligence Committee will still be responsible for making recommendations regarding applications for assistance under the Value-Added Agriculture Component of the Grow Iowa Values Fund.

FISCAL IMPACT: The Microenterprise Development Advisory



122 7 values financial assistance program shall be reviewed by the  
 122 8 agricultural products advisory council established in section  
 122 9 15.203, which shall make a recommendation on each application  
 122 10 to the board.  
 122 11 ~~e.~~ b. Each application for financial assistance from funds  
 122 12 allocated by the department for deposit in the innovation  
 122 13 and commercialization development fund pursuant to section  
 122 14 15G.111, subsection 10, shall be reviewed by the technology  
 122 15 commercialization committee established in section 15.116,  
 122 16 which shall make a recommendation on each application to the  
 122 17 board.  
 122 18 3. In overseeing the administration of the grow Iowa values  
 122 19 fund and grow Iowa values financial assistance program pursuant  
 122 20 to this chapter, the board shall do all of the following:  
 122 21 a. At the first scheduled meeting of the board after the  
 122 22 start of a new fiscal year, take final action on all of the  
 122 23 following:  
 122 24 (1) The department's recommendations for the annual fiscal  
 122 25 year allocation of moneys in the fund, as provided in section  
 122 26 15G.111, subsection 4. The board may adjust the allocation of  
 122 27 moneys during the fiscal year as necessary.  
 122 28 (2) The department's recommendations for the allocation  
 122 29 of moneys among the program components referred to in section  
 122 30 15G.112, subsection 1, paragraph "b". The board may adjust the  
 122 31 allocation of moneys during the fiscal year as necessary.  
 122 32 b. Consider the recommendation of the due diligence  
 122 33 committee ~~and the agricultural products advisory council~~ on  
 122 34 each application for financial assistance, as described in  
 122 35 subsection 2, and take final action on each application.  
 123 1 c. Take final action on the required plans for proposed  
 123 2 expenditures submitted by the entities receiving moneys  
 123 3 allocated under section 15G.111, subsections 5 through 8.  
 123 4 d. Take final action on any rules recommended by the  
 123 5 department for the implementation of the provisions of this  
 123 6 chapter.  
 123 7 Sec. 263. REPEAL. Section 15.114, Code 2009, is repealed.  
 123 8 Sec. 264. REPEAL. Section 15.203, Code Supplement 2009, is  
 123 9 repealed.

Committee did not have any expenses. The expenses for the two  
 Councils are minimal at a total of approximately \$10,000 from other  
 fund sources, the Strategic Investment Fund and the Value-Added  
 Agriculture Fund.

123 10 DIVISION XXII  
123 11 CONSOLIDATION OF HOUSING PROGRAMS

123 12 Sec. 265. NEW SECTION . 16.41 Shelter assistance fund.  
123 13 1. A shelter assistance fund is created as a revolving  
123 14 fund in the state treasury under the control of the authority  
123 15 consisting of any moneys appropriated by the general assembly  
123 16 and received under section 428A.8 for purposes of the  
123 17 rehabilitation, expansion, or costs of operations of group home  
123 18 shelters for the homeless and domestic violence shelters.  
123 19 2. Of the moneys in the fund, not less than five hundred  
123 20 forty=six thousand dollars shall be spent annually on homeless  
123 21 shelter projects.

123 22 3. Notwithstanding section 8.33, all moneys in the shelter  
123 23 assistance fund which remain unexpended or unobligated at the  
123 24 close of the fiscal year shall not revert to the general fund  
123 25 of the state but shall remain available for expenditure for  
123 26 subsequent fiscal years.

123 27 Sec. 266. Section 428A.8, subsection 2, unnumbered  
123 28 paragraph 1, Code 2009, is amended to read as follows:

123 29 The treasurer of state shall deposit or transfer the  
123 30 receipts paid the treasurer of state pursuant to subsection  
123 31 1 to either the general fund of the state, the housing trust  
123 32 fund created in section 16.181, or the shelter assistance fund  
123 33 created in section ~~45.349~~ 16.41 as follows:

123 34 Sec. 267. REPEAL. Section 15.349, Code 2009, is repealed.

123 35 Sec. 268. DEPARTMENTAL PROGRAM REVIEW == HOUSING PROGRAMS.

124 1 1. The department of economic development and the Iowa  
124 2 finance authority shall conduct a joint review of programs  
124 3 administered by the agencies that relate to housing, including  
124 4 all such federal programs. The joint review of programs shall  
124 5 include a review of all federal moneys received and spent on  
124 6 housing programs. The agencies shall identify all programs  
124 7 that are duplicative of another program and all programs that  
124 8 have purposes similar to that of another program.

124 9 2. The agencies shall produce a report on how best to  
124 10 transfer all responsibilities for housing=related programs from

CODE: Transfers the authority for administration of the Shelter Assistance Fund from the DED to the Iowa Finance Authority (IFA). The DED and the IFA are required to conduct a joint review of the housing-related programs they currently administer, including all federal programs. The joint review is required to include a review of all federal moneys received and spent on housing programs and must identify all programs that are duplicative of another program or which have purposes similar to that of another program. The DED and the IFA are required to produce a report recommending how best to transfer all responsibilities for housing-related programs from the DED to the IFA. The report must be submitted by September 1, 2010, to the Legislature, Governor, and the DOM.

DETAIL: Housing programs are currently administered by the DED and the IFA. The current Code Section 15.349 establishes the Shelter Assistance Fund. Code Section 15.108 provides the DED with authority to expend federal funds and establishes the DED's responsibilities for housing development.

The Iowa DED has operated a number of federal housing programs for many years. Currently, these programs include:

- Housing Fund = Approximately \$17,500,000
- Neighborhood Stabilization Program = \$21,607,197
- Federal Disaster Recovery Funding (CDBG) = \$798,701,825

FISCAL IMPACT: Transferring housing programs from the DED to the IFA does not involve funding from the General Fund; therefore, the transfer will not have an impact on the General Fund. Any administrative efficiencies that may arise from the consolidation of federally-funded programs are unknown until the required review is completed.

124 11 the department of economic development to the Iowa finance  
124 12 authority.  
124 13 3. By September 1, 2010, the agencies shall submit a joint  
124 14 written report to the governor, the department of management,  
124 15 and the general assembly consisting of the information required  
124 16 under this section, a complete list of programs reviewed  
124 17 pursuant to this section, and any other relevant information.

124 18 DIVISION XXIII  
124 19 AREA EDUCATION AGENCIES

124 20 Sec. 269. Section 256.9, Code Supplement 2009, is amended by  
124 21 adding the following new subsection:  
124 22 NEW SUBSECTION . 59. Provide guidance and standards to area  
124 23 education agencies for federal and state education initiatives  
124 24 which the area education agencies must implement statewide.

CODE: Requires the Department of Education to provide guidance and standards to area education agencies (AEAs) for federal and State initiatives.

FISCAL IMPACT: Changes to the AEAs in this Division are not expected to have a significant fiscal impact.

124 25 Sec. 270. Section 273.2, Code Supplement 2009, is amended by  
124 26 adding the following new subsections:  
124 27 NEW SUBSECTION . 8. The area education agency board shall  
124 28 collaborate with the department of education to provide a  
124 29 statewide infrastructure for educational data to create cost  
124 30 efficiencies, provide storage and disaster mitigation, and  
124 31 improve interconnectivity between schools and school districts.  
124 32 In addition, the area education agency boards shall work  
124 33 with the department to provide systemwide coordination in  
124 34 the implementation of the statewide longitudinal data system  
124 35 consistent with the federal American Recovery and Reinvestment  
125 1 Act of 2009. The area education agencies shall provide support  
125 2 to school districts' information technology infrastructure  
125 3 that is consistent with the statewide infrastructure for the  
125 4 educational data collaborative.  
125 5 NEW SUBSECTION . 9. The area education agency boards shall  
125 6 jointly develop a three-year statewide strategic plan that  
125 7 supports goals adopted by the state board of education pursuant

CODE: Requires AEA boards and the Department of Education to collaborate in providing a statewide infrastructure for education data. Requires AEA boards to jointly develop a three-year statewide strategic plan supporting the goals adopted by the State Board of Education and requires the State Board to approve the AEA strategic plan. Requires AEA boards to jointly provide the State Board of Education with annual updates on performance measures.

125 8 to section 256.7, subsection 4, and the accreditation standards  
125 9 established pursuant to section 256.11; establish performance  
125 10 goals; and clearly identify the statewide efforts to improve  
125 11 student learning and create efficiencies in management  
125 12 operations for area education agencies and school districts.  
125 13 The statewide strategic plan shall be approved by the state  
125 14 board of education. The area education agency boards shall  
125 15 jointly provide the state board with annual updates on the  
125 16 performance measures.

125 17 Sec. 271. Section 273.10, subsection 2, Code Supplement  
125 18 2009, is amended to read as follows:  
125 19 2. Prior to a visit to an area education agency, the  
125 20 accreditation team shall have access to that area education  
125 21 agency's program audit report filed with the department. After  
125 22 a visit to an area education agency, the accreditation team  
125 23 shall determine whether the accreditation standards for a  
125 24 program , including but not limited to standards established  
125 25 pursuant to section 256.9, subsection 59, have been met and  
125 26 shall make a report to the director and the state board,  
125 27 together with a recommendation as to whether the programs of  
125 28 the area education agency should receive initial accreditation  
125 29 or remain accredited. The accreditation team shall report  
125 30 strengths and weaknesses, if any, for each accreditation  
125 31 standard and shall advise the area education agency of  
125 32 available resources and technical assistance to further enhance  
125 33 the strengths and improve areas of weakness. An area education  
125 34 agency may respond to the accreditation team's report.

CODE: Requires the Department of Education to evaluate the performance of AEAs in regards to federal and State initiatives.

125 35 Sec. 272. Section 273.11, subsection 2, Code 2009, is  
126 1 amended by adding the following new paragraph:  
126 2 NEW PARAGRAPH . j. Support for early childhood service  
126 3 coordination for families and children to meet health, safety,  
126 4 and learning needs.

CODE: Adds support for early childhood service coordination as part of the AEA accreditation standard.

126 5 Sec. 273. NEW SECTION . 273.15 Advisory group.

CODE: Creates an AEA advisory group for each AEA. Specifies that

126 6 1. The board of directors of each area education agency  
126 7 shall appoint an advisory group to make recommendations on  
126 8 policy, programs, and services to the board. The advisory  
126 9 group shall provide input, feedback, and recommendations to the  
126 10 board regarding projected future needs, and shall provide a  
126 11 review and response to any state-directed study or task force  
126 12 report on area education agency efficiencies or reorganization.  
126 13 2. The advisory group shall consist of the following:  
126 14 a. A minimum of three superintendents employed by school  
126 15 districts served by the area education agency; at least one of  
126 16 whom shall represent a small school district, at least one of  
126 17 whom shall represent a medium-sized school district, and at  
126 18 least one of whom shall represent a large school district.  
126 19 b. A minimum of three principals employed by school  
126 20 districts served by the area education agency; at least one of  
126 21 whom shall represent an elementary school, at least one of whom  
126 22 shall represent a middle school, and at least one of whom shall  
126 23 represent a high school.  
126 24 c. A minimum of four teachers employed by school districts  
126 25 served by the area education agency; at least one of whom shall  
126 26 represent early childhood teachers, at least one of whom shall  
126 27 represent elementary school teachers, at least one of whom  
126 28 shall represent middle school teachers, and at least one of  
126 29 whom shall represent high school teachers. At least one of the  
126 30 teachers appointed shall also represent special education and  
126 31 at least one of the teachers appointed shall represent general  
126 32 education. At least one of the teachers appointed shall  
126 33 represent related personnel, including but not limited to media  
126 34 and technology specialists and counselors.  
126 35 d. A minimum of three parents or guardians of school age  
127 1 children receiving services from the area education agency, at  
127 2 least one of whom shall be the parent or guardian of a child  
127 3 requiring special education.  
127 4 e. One member who represents accredited nonpublic schools  
127 5 located within the boundaries of the area education agency.  
127 6 3. In appointing members of the advisory group pursuant to  
127 7 subsection 2, the area education agency shall collaborate with  
127 8 the superintendents and school boards of the school districts

membership include a minimum of three superintendents, three principals, four teachers, three parents, and a nonpublic school representative. Specifies additional requirements for selected members. Requires that the advisory group meet at least twice annually and submit an annual report to the AEA board of directors.

127 9 served by the area education agency.  
127 10 4. All member appointments made pursuant to subsection  
127 11 2 shall comply with sections 69.16, 69.16A, and 69.16C. In  
127 12 addition, every reasonable effort shall be made to appoint  
127 13 members to provide balanced representation based on age,  
127 14 experience, ethnicity, district size, and geography.  
127 15 5. The advisory group shall meet at least twice annually and  
127 16 shall submit its recommendations in a report to the board of  
127 17 directors of the area education agency at least once annually.  
127 18 The report shall be timely submitted to allow for consideration  
127 19 of the recommendations prior to program planning and budgeting  
127 20 for the following fiscal year.

127 21 Sec. 274. Section 280.20, subsection 3, Code 2009, is  
127 22 amended by striking the subsection.  
127 23 Sec. 275. REPEAL. Sections 280A.1, 280A.3, 280A.4, and  
127 24 280A.5, Code 2009, are repealed.  
127 25 Sec. 276. REPEAL. Section 280A.2, Code Supplement 2009, is  
127 26 repealed.  
127 27 Sec. 277. REPEAL. Section 256.32, Code 2009, is repealed.

CODE: Eliminates the Agricultural Education Advisory Council and the Learning Technology Commission.

FISCAL IMPACT: The Department of Education expended approximately \$3,000 annually to support the Agriculture Education Advisory Council. No funding was appropriated in FY 2010 for the Learning Technology Commission. It is estimated that elimination of these two groups will reduce State expenditures by \$3,000 annually.

127 28 DIVISION XXIV  
127 29 EARLY CHILDHOOD IOWA INITIATIVE

127 30 Sec. 278. NEW SECTION . 256I.1 Definitions.  
127 31 For the purposes of this chapter, unless the context  
127 32 otherwise requires:  
127 33 1. "Department" means the department of management.  
127 34 2. "Desired results" means the set of desired results for  
127 35 improving the quality of life in this state for young children  
128 1 and their families identified in section 256I.2.  
128 2 3. "Early care", "early care services", or "early care  
128 3 system" means the programs, services, support, or other  
128 4 assistance made available to a parent or other person who is  
128 5 involved with addressing the health and education needs of a

CODE: Specifies definitions for the Early Childhood Iowa Initiative.

FISCAL IMPACT: None of the changes in this Division are expected to have a significant impact to level of funding currently provided by the General Fund.

128 6 child from zero through age five. "Early care", "early care  
128 7 services", or "early care system" includes but is not limited to  
128 8 public and private efforts and formal and informal settings.  
128 9 4. "Early childhood Iowa area" means a geographic area  
128 10 designated in accordance with this chapter.  
128 11 5. "Early childhood Iowa area board" or "area board"  
128 12 means the board for an early childhood Iowa area created in  
128 13 accordance with this chapter.  
128 14 6. "Early childhood Iowa state board" or "state board" means  
128 15 the early childhood Iowa state board created in section 256I.3.

128 16 Sec. 279. NEW SECTION . 256I.2 Desired results == purpose  
128 17 and scope.

128 18 1. It is intended that through the early childhood Iowa  
128 19 initiative every community in Iowa will develop the capacity  
128 20 and commitment for using local, informed decision making to  
128 21 achieve the following set of desired results for improving the  
128 22 quality of life in this state for young children and their  
128 23 families:

- 128 24 a. Healthy children.
- 128 25 b. Children ready to succeed in school.
- 128 26 c. Safe and supportive communities.
- 128 27 d. Secure and nurturing families.
- 128 28 e. Secure and nurturing early learning environments.

128 29 2. The purpose of creating the early childhood Iowa  
128 30 initiative is to empower individuals, communities, and state  
128 31 level partners to achieve the desired results. The desired  
128 32 results will be achieved as private and public entities work  
128 33 collaboratively. This initiative creates a partnership between  
128 34 communities and state level partners to support children zero  
128 35 through age five and their families. The role of the early  
129 1 childhood Iowa state board, area boards, and other state and  
129 2 local government agencies is to provide support, leadership,  
129 3 and facilitation of the growth of individual, community, and  
129 4 state responsibility in addressing the desired results.

129 5 3. To achieve the desired results, the initiative's primary  
129 6 focus shall be on the efforts of the state and communities to

CODE: Specifies the desired results, purpose, and primary focus for the Early Childhood Iowa Initiative.

DETAILS: The Early Childhood Iowa Initiative is a restructuring of the Community Empowerment Initiative in Code Chapter 28 (repealed in this Act). The restructuring is intended to incorporate features of the existing Early Childhood Iowa Council, established in Code Section 135.173 (also repealed in this Act).

The five desired results and primary focus described in this Section are the same as those delineated for the Community Empowerment Initiative.

129 7 work together to improve the efficiency and effectiveness of  
129 8 early care, education, health, and human services provided to  
129 9 families with children from zero through age five.

129 10 Sec. 280. NEW SECTION . 256I.3 Early childhood Iowa state  
129 11 board created.

129 12 1. The early childhood Iowa state board is created to  
129 13 promote a vision for a comprehensive early care, education,  
129 14 health, and human services system in this state. The board  
129 15 shall oversee state and local efforts. The vision shall be  
129 16 achieved through strategic planning, funding identification,  
129 17 guidance, and decision-making authority to assure collaboration  
129 18 among state and local early care, education, health, and human  
129 19 services systems.

129 20 2. a. The board shall consist of twenty-one voting  
129 21 members with fifteen citizen members and six state agency  
129 22 members. The six state agency members shall be the directors  
129 23 or their designees of the following departments: economic  
129 24 development, education, human rights, human services, public  
129 25 health, and workforce development. The designees of state  
129 26 agency directors shall be selected on an annual basis. The  
129 27 citizen members shall be appointed by the governor, subject to  
129 28 confirmation by the senate. The governor's appointments of  
129 29 citizen members shall be made in a manner so that each of the  
129 30 state's congressional districts is represented by at least two  
129 31 citizen members and so that all the appointments as a whole  
129 32 reflect the ethnic, cultural, social, and economic diversity of  
129 33 the state. A member of the state board shall not be a provider  
129 34 of services or other entity receiving funding through the early  
129 35 childhood Iowa initiative or be employed by such a provider or  
130 1 other entity.

130 2 b. The governor's appointees shall be selected from  
130 3 individuals nominated by area boards. The nominations shall  
130 4 reflect the range of interests represented on the area boards  
130 5 so that the governor is able to appoint one or more members  
130 6 each for early care, education, health, human services,  
130 7 business, faith, and public interests. At least one of the

CODE: Establishes the Early Childhood Iowa State Board; designates membership; establishes an appointment process and member terms; and provides for reimbursement of expenses, election of officers, and regular meetings.

DETAIL: The Early Childhood Iowa State Board will have a total of 21 voting members, one less citizen member than the current Iowa Empowerment Board. The other provisions are not substantially different from those for the current Board.



130 8 citizen members shall be a service consumer or the parent of a  
130 9 service consumer. The term of office of the citizen members  
130 10 is three years. A citizen member vacancy on the board shall be  
130 11 filled in the same manner as the original appointment for the  
130 12 balance of the unexpired term.  
130 13 3. Citizen members shall be reimbursed for actual and  
130 14 necessary expenses incurred in performance of their duties.  
130 15 Citizen members shall be paid a per diem as specified in  
130 16 section 7E.6.  
130 17 4. In addition to the voting members, the state board shall  
130 18 include four members of the general assembly with not more than  
130 19 one member from each chamber being from the same political  
130 20 party. The two senators shall be appointed one each by the  
130 21 majority leader of the senate and by the minority leader of  
130 22 the senate. The two representatives shall be appointed one  
130 23 each by the speaker of the house of representatives and by the  
130 24 minority leader of the house of representatives. Legislative  
130 25 members shall serve in an ex officio, nonvoting capacity. A  
130 26 legislative member is eligible for per diem and expenses as  
130 27 provided in section 2.10.  
130 28 5. The state board shall elect a chairperson from among the  
130 29 citizen members and may select other officers from the voting  
130 30 members as determined to be necessary by the board. The board  
130 31 shall meet regularly as determined by the board, upon the call  
130 32 of the board's chairperson, or upon the call of a majority of  
130 33 voting members. The board shall meet at least quarterly.

130 34 Sec. 281. NEW SECTION . 256I.4 Early childhood Iowa state  
130 35 board duties.

131 1 The state board shall perform the following duties:

131 2 1. Provide oversight of early childhood Iowa areas.

131 3 2. Manage and coordinate the provision of grant funding and  
131 4 other moneys made available to early childhood Iowa areas by  
131 5 combining all or portions of appropriations or other revenues  
131 6 as authorized by law.

131 7 3. Approve the geographic boundaries for the early  
131 8 childhood Iowa areas throughout the state and approve any

CODE: Specifies the duties of the Early Childhood Iowa State Board.

DETAIL: These provisions are more detailed than, but similar to, those for the existing Iowa Empowerment Board. One significant change is the authority granted to the new Board to approve geographic boundaries for the local Early Childhood Iowa Areas. This Section also specifies several new measures the Board may address, including the development of integrated data systems.

---

131 9 proposed changes in the boundaries.  
131 10 4. Create a strategic plan that supports a comprehensive  
131 11 system of early care, education, health, and human services.  
131 12 The strategic plan shall be developed with extensive community  
131 13 involvement. The strategic plan shall be annually updated and  
131 14 disseminated to the public. Specific items to be addressed in  
131 15 the strategic plan shall include but are not limited to all of  
131 16 the following:  
131 17 a. Provisions to strengthen the state structure including  
131 18 interagency levels of collaboration, coordination, and  
131 19 integration.  
131 20 b. Provisions for building public=private partnerships.  
131 21 c. Provisions to support consolidating, blending, and  
131 22 redistributing state=administered funding streams and the  
131 23 coordination of federal funding streams. The strategic plan  
131 24 shall also address integration of services provided through  
131 25 area boards, other state and local commissions, committees,  
131 26 and other bodies with overlapping and similar purposes which  
131 27 contribute to redundancy and fragmentation in early care,  
131 28 education, health, and human services programs provided to the  
131 29 public.  
131 30 d. Provisions for improving the efficiency of working with  
131 31 federally mandated bodies.  
131 32 e. Identification of indicators that measure the success of  
131 33 the various strategies that impact communities, families, and  
131 34 children. The indicators shall be developed with input from  
131 35 area boards.  
132 1 5. Adopt common performance measures and data reporting  
132 2 requirements, applicable statewide, for services, programs,  
132 3 and activities provided by area boards. The data from common  
132 4 performance measures and other data shall be posted on the  
132 5 early childhood Iowa internet site and disseminated by other  
132 6 means and shall also be aggregated to provide statewide  
132 7 information.  
132 8 6. Assist with the linkage of child welfare and juvenile  
132 9 justice decategorization projects with early childhood Iowa  
132 10 areas.  
132 11 7. Coordinate and respond to requests from an area board

---

132 12 relating to any of the following:

132 13   a. Waiver of existing rules, federal regulation, or

132 14 amendment of state law, or removal of other barriers.

132 15   b. Pooling and redirecting of existing federal, state, or

132 16 other public or private funds.

132 17   c. Seeking of federal waivers.

132 18   d. Consolidating community-level committees, planning

132 19 groups, and other bodies with common memberships formed in

132 20 response to state requirements.

132 21   8. Develop and implement a levels of excellence rating

132 22 system for use with the state board's designation process for

132 23 area boards. Allow for flexibility and creativity of area

132 24 boards in implementing area board responsibilities and provide

132 25 authority for the area boards to support the communities in the

132 26 areas served. The levels of excellence rating system shall

132 27 utilize a tiered approach for recognizing the performance of

132 28 an area board. The system shall provide for action to address

132 29 poor performing areas as well as higher performing areas.

132 30 Subject to the funding requirements and other requirements

132 31 established in law, if an area board achieves the highest

132 32 rating level, the state board may allow special flexibility

132 33 provisions in regard to the funding appropriated or allocated

132 34 for that area board. The state board shall determine how often

132 35 area boards are reviewed under the system.

133 1   9. Adopt rules pursuant to chapter 17A as necessary for the

133 2 designation, governance, and oversight of area boards and the

133 3 administration of this chapter. The state board shall provide

133 4 for area board input in the rules adoption process.

133 5   10. Develop guidelines for recommended insurance or other

133 6 liability coverage and take other actions to assist area boards

133 7 in acquiring such coverage at a reasonable cost. Moneys

133 8 expended by an area board to acquire necessary insurance or

133 9 other liability coverage shall be considered an administrative

133 10 cost.

133 11   11. In January each year, submit an annual report to the

133 12 governor and general assembly that includes but is not limited

133 13 to all of the following:

133 14   a. Any updates to the strategic plan.

---

133 15 b. The status and results of the early childhood Iowa  
133 16 initiative efforts to engage the public regarding the early  
133 17 care, education, health, human services, and other needs of  
133 18 children zero through age five.

133 19 c. The status and results of the efforts to develop and  
133 20 promote private sector involvement with the early care system.

133 21 d. The status of the early childhood Iowa initiative and  
133 22 the overall early care system in achieving the set of desired  
133 23 results.

133 24 e. The data and common performance measures addressed by  
133 25 the strategic plan, which shall include but is not limited to  
133 26 funding amounts.

133 27 f. The indicators addressed by the strategic plan along with  
133 28 associated data trends and their source.

133 29 12. Integrate statewide quality standards and results  
133 30 indicators adopted by other boards and commissions into the  
133 31 state board's funding requirements for investments in early  
133 32 care, health, education, and human services.

133 33 13. Ensure alignment of other state departments' activities  
133 34 with the strategic plan.

133 35 14. Develop and keep current memoranda of agreements  
134 1 between the state agencies represented on the state board to  
134 2 promote system development and integration and to clarify the  
134 3 roles and responsibilities of partner agencies.

134 4 15. Work with the early childhood Iowa office in building  
134 5 public=private partnerships for promoting the collaborative  
134 6 early care, education, health, and human services system.

134 7 16. Support and align the early childhood Iowa internet site  
134 8 with other agencies and improve internet communication.

134 9 17. Except for the fiscal oversight measures to be adopted  
134 10 by the department, adopt rules to implement this chapter. The  
134 11 rules shall include but are not limited to the following:

134 12 a. Indicators of the effectiveness of early childhood  
134 13 Iowa areas, area boards, and the services provided under the  
134 14 auspices of the area boards. The indicators shall be developed  
134 15 with input from area boards and shall build upon the core  
134 16 indicators of effectiveness for the school ready children grant  
134 17 program.

134 18 b. Minimum standards to further the provision of equal  
134 19 access to services subject to the authority of area boards.  
134 20 c. Core functions for family support services, parent  
134 21 education programs, preschool services provided under a school  
134 22 ready children grant, and other programs and services provided  
134 23 under this chapter. The state board shall also develop  
134 24 guidelines and standards for state-supported family support  
134 25 programs, based upon existing guidelines and standards for the  
134 26 services.  
134 27 18. Address other measures to advance the initiative. The  
134 28 measures may include any of the following:  
134 29 a. Advance the development of integrated data systems.  
134 30 b. Expand efforts to improve quality and utilize  
134 31 evidence-based practices.  
134 32 c. Further develop kindergarten assessment approaches that  
134 33 are tied to state early learning standards.

134 34 Sec. 282. NEW SECTION . 256I.5 Early childhood coordination  
134 35 staff.  
135 1 1. The department shall provide administrative support  
135 2 for implementation of the early childhood Iowa initiative and  
135 3 for the state board. The department shall adopt rules in  
135 4 consultation with the state board to provide fiscal oversight  
135 5 of the initiative. The fiscal oversight measures adopted shall  
135 6 include but are not limited to all of the following:  
135 7 a. Reporting and other requirements to address the financial  
135 8 activities employed by area boards.  
135 9 b. Regular audits and other requirements of fiscal agents  
135 10 for area boards.  
135 11 c. Requirements for area boards to undertake and report  
135 12 on fiscal and performance reviews of the programs, contracts,  
135 13 services, and other functions funded by the area boards.  
135 14 2. An early childhood Iowa office is established in  
135 15 the department to provide leadership for facilitation,  
135 16 communication, and coordination for the early childhood Iowa  
135 17 initiative activities and funding and for improvement of the  
135 18 early care, education, health, and human services systems. An

CODE: Requires the DOM to provide administrative support for the Early Childhood Iowa Initiative and the State Board. Requires the DOM, in consultation with the State Board, to adopt rules to provide fiscal oversight of the Early Childhood Iowa Initiative. Establishes the Early Childhood Iowa Office in the DOM to provide leadership, facilitation, communication, and coordination of activities and funding. Requires the Director of the DOM to appoint an administrator for the Office and that other staff may be designated subject to appropriations for this purpose. Specifies that the other State agencies represented on the State Board may designate additional staff to participate in a technical assistance team with the Early Childhood Iowa Office. Specifies duties of the Early Childhood Iowa Office to provide leadership for comprehensive system development.

DETAIL: The significant changes from the current Community Empowerment Initiative include the authority for the DOM to adopt rules regarding fiscal accountability and the appointment of an administrator by the Director of the Department. Currently, the Facilitator for Community Empowerment is appointed by the Governor, subject to Senate approval.

---

135 19 administrator for the early childhood Iowa office shall be  
135 20 appointed by the director of the department. Other staff may  
135 21 also be designated, subject to appropriation made for this  
135 22 purpose.

135 23 3. The state agencies represented on the state board may  
135 24 designate additional staff, as part of the early childhood  
135 25 Iowa initiative, to work as a technical assistance team with  
135 26 the office in providing coordination and other support to the  
135 27 state's comprehensive early care, education, health, and human  
135 28 services system.

135 29 4. The office shall work with the state and area boards to  
135 30 provide leadership for comprehensive system development. The  
135 31 office shall also do all of the following:

135 32 a. Enter into memoranda of agreement with the departments of  
135 33 economic development, education, human rights, human services,  
135 34 public health, and workforce development to formalize the  
135 35 respective departments' commitments to collaborating with and  
136 1 integrating a comprehensive early care, education, health,  
136 2 and human services system. Items addressed in the memoranda  
136 3 shall include but are not limited to data sharing and providing  
136 4 staffing to the technical assistance team.

136 5 b. Work with private businesses, foundations, and nonprofit  
136 6 organizations to develop sustained funding.

136 7 c. Maintain the internet site in accordance with section  
136 8 256I.10.

136 9 d. Propose any needed revisions to administrative rules  
136 10 based on stakeholder input.

136 11 e. Provide technical support to the state and area boards  
136 12 and to the early childhood Iowa areas through staffing services  
136 13 made available through the state agencies that serve on the  
136 14 state board.

136 15 f. Develop, collect, disseminate, and provide guidance for  
136 16 common performance measures for the programs receiving funding  
136 17 under the auspices of the area boards.

136 18 g. If a disagreement arises within an early childhood Iowa  
136 19 area regarding the interests represented on the area's board,  
136 20 board decisions, or other disputes that cannot be locally  
136 21 resolved, upon request, provide state or regional technical

136 22 assistance as deemed appropriate by the office to assist the  
136 23 area in resolving the disagreement.

136 24 Sec. 283. NEW SECTION . 256I.6 Early childhood Iowa areas.

136 25 1. The purpose of an early childhood Iowa area is to enable  
136 26 local citizens to lead collaborative efforts involving early  
136 27 care, education, health, and human services on behalf of  
136 28 the children, families, and other citizens residing in the  
136 29 area. Leadership functions may include but are not limited  
136 30 to strategic planning for and oversight and managing of such  
136 31 programs and the funding made available to the early childhood  
136 32 Iowa area for such programs from federal, state, local, and  
136 33 private sources. The focus of the area shall be to achieve the  
136 34 desired results and to improve other results for families with  
136 35 young children.

137 1 2. An early childhood Iowa area shall be designated by using  
137 2 existing county boundaries to the extent possible.

137 3 3. The designation of an early childhood Iowa area  
137 4 boundaries and the creation of an area board are both subject  
137 5 to the approval of the state board. The state board shall  
137 6 determine if a proposed area board can efficiently and  
137 7 effectively administer the responsibilities and authority of  
137 8 the area to be served. The state board may apply additional  
137 9 criteria for designating areas and approving area boards, but  
137 10 shall apply all of the following minimum criteria:

137 11 a. An area cannot encompass more than four counties.

137 12 b. The counties encompassing a multicounty area must have  
137 13 contiguous borders.

137 14 c. A single county area shall have a minimum population  
137 15 of children zero through age five in excess of five thousand,  
137 16 based on the most recent population estimates issued by the  
137 17 United States bureau of the census.

137 18 4. If the state board determines exceptional circumstances  
137 19 exist, the state board may waive any of the criteria otherwise  
137 20 specified in subsection 3.

CODE: Establishes Early Childhood Iowa Areas, specifies criteria for establishing boundaries and a process for designation, and authorizes the State Board to waive the criteria in exceptional circumstances.

DETAIL: The specified criteria will likely result in fewer than the current 58 Community Empowerment Areas. A planning group that met in 2009 determined that the criteria would result in approximately 35 Areas, assuming that no waivers are granted.

137 21 Sec. 284. NEW SECTION . 256I.7 Early childhood Iowa area

CODE: Establishes Early Childhood Iowa Area Boards and specifies

137 22 boards created.

137 23 1. a. The early childhood Iowa functions for an area shall

137 24 be performed under the authority of an early childhood Iowa

137 25 area board. The members of an area board shall be elected

137 26 officials or members of the public who are not employed by a

137 27 provider of services to or for the area board. In addition,

137 28 the membership of an area board shall include representation

137 29 from early care, education, health, human services, business,

137 30 and faith interests, and at least one parent, grandparent, or

137 31 guardian of a child from zero through age five. The education,

137 32 health, and human services agencies represented on an area

137 33 board may receive funding from the area board.

137 34 b. Terms of office of area board members shall be not more

137 35 than three years and the terms shall be staggered.

138 1 2. An area board may designate an advisory council

138 2 consisting of persons employed by or otherwise paid to

138 3 represent an entity listed in subsection 1 or other provider

138 4 of service. However, the deliberations of and documents

138 5 considered by such an advisory council shall be public.

138 6 3. An area board shall elect a chairperson from among the

138 7 members who are citizens or elected officials.

138 8 4. An area board is a unit of local government for purposes

138 9 of chapter 670, relating to tort liability of governmental

138 10 subdivisions. For purposes of implementing a formal

138 11 organizational structure, an area board may utilize recommended

138 12 guidelines and bylaws established for this purpose by the state

138 13 board.

138 14 5. All meetings of an area board or any committee or other

138 15 body established by an area board at which public business

138 16 is discussed or formal action taken shall comply with the

138 17 requirements of chapter 21. An area board shall maintain its

138 18 records in accordance with chapter 22.

membership, terms of office, election of officers, and appointment of advisory councils. Specifies that Area Boards are units of local government and that Boards and committees are subject to the open meetings and public records laws.

DETAIL: These provisions do not differ significantly from the existing Community Empowerment Initiative.

138 19 Sec. 285. NEW SECTION . 256I.8 Early childhood Iowa area

138 20 board duties.

138 21 1. An early childhood Iowa area board shall do all of the

138 22 following:

CODE: Specifies the duties of the Early Childhood Iowa Area Boards.

DETAIL: These provisions do not differ significantly from the existing statute and administrative rules for the Community Empowerment



---

138 23 a. Designate a public agency of this state, as defined in Initiative.  
138 24 section 28E.2, a community action agency as defined in section  
138 25 216A.91, an area education agency established under section  
138 26 273.2, or a nonprofit corporation, to be the fiscal agent for  
138 27 grant moneys and for other moneys administered by the area  
138 28 board.

138 29 b. Administer early childhood Iowa grant moneys available  
138 30 from the state to the area board as provided by law and other  
138 31 federal, state, local, and private moneys made available to  
138 32 the area board. Eligibility for receipt of early childhood  
138 33 Iowa grant moneys shall be limited to those early childhood  
138 34 area boards that have developed an approved community plan in  
138 35 accordance with this chapter. An early childhood area board  
139 1 may apply to the state board for any private moneys received  
139 2 by the early childhood Iowa initiative outside of a state  
139 3 appropriation.

139 4 c. Develop a comprehensive community plan for providing  
139 5 services for children from zero through age five. At a  
139 6 minimum, the plan shall do all of the following:

139 7 (1) Describe community and area needs for children from zero  
139 8 through age five as identified through ongoing assessments.

139 9 (2) Describe the current and desired levels of community  
139 10 and area coordination of services for children from zero  
139 11 through age five, including the involvement and specific  
139 12 responsibilities of all related organizations and entities.

139 13 (3) Identify all federal, state, local, and private funding  
139 14 sources including funding estimates available in the early  
139 15 childhood Iowa area that will be used to provide services to  
139 16 children from zero through age five.

139 17 (4) Describe how funding sources will be used  
139 18 collaboratively and the degree to which the sources can be  
139 19 combined to provide necessary services to young children and  
139 20 their families.

139 21 (5) Identify the desired results and the community-wide  
139 22 indicators the area board expects to address through  
139 23 implementation of the comprehensive community plan. The plan  
139 24 shall identify community-specific, quantifiable performance  
139 25 measures to be reported in the area board's annual report and

139 26 integration with the strategic plan adopted by the state board.  
139 27 (6) Describe the current status of support services to  
139 28 prevent the spread of infectious diseases, prevent child  
139 29 injuries, develop health emergency protocols, help with  
139 30 medication, and care for children with special health needs  
139 31 that are being provided to child care facilities registered or  
139 32 licensed under chapter 237A within the early childhood Iowa  
139 33 area.  
139 34 d. Submit an annual report on the effectiveness of the  
139 35 community plan in addressing school readiness and children's  
140 1 health and safety needs to the state board and to the local  
140 2 government bodies in the area. The annual report shall  
140 3 indicate the effectiveness of the area board in addressing  
140 4 state and locally determined goals.  
140 5 e. Function as a coordinating body for services offered  
140 6 by different entities directed to similar purposes within the  
140 7 area.  
140 8 f. Assume other responsibilities established by law or  
140 9 administrative rule.  
140 10 g. Cooperate with the state board, department of education,  
140 11 and school districts and other local education agencies in  
140 12 securing unique student identifiers, in compliance with all  
140 13 applicable federal and state confidentiality provisions.  
140 14 2. An area board may do any of the following:  
140 15 a. Designate one or more committees to assist with area  
140 16 board functions.  
140 17 b. Utilize community bodies for input to the area board and  
140 18 implementation of services.

140 19 Sec. 286. NEW SECTION . 256I.9 School ready children grant  
140 20 program.  
140 21 1. The state board shall develop and promote a school ready  
140 22 children grant program which shall provide for all of the  
140 23 following components:  
140 24 a. Identify the performance measures that will be used to  
140 25 assess the effectiveness of the school ready children grants,  
140 26 including the amount of early intellectual stimulation of very

CODE: Establishes the School Ready Children Grant Program and specifies the components of the Program and criteria for granting funds to the Early Childhood Iowa Area Boards. Limits the carryforward funding from one fiscal year to the next to 20.0% of the annual grant. Specifies that an Area's annual grant will be reduced by the amount of excess carryforward from the previous fiscal year.

DETAIL: The limit on carryforward funding is the same as the current Community Empowerment Program. The rules established for the

---

140 27 young children, the basic skill levels of students entering 140 28 school, the health status of children, the incidence of child 140 29 abuse and neglect, the level of involvement by parents with 140 30 their children, and the degree of quality of an accessibility 140 31 to child care. 140 32     b. Identify guidelines and a process to be used for 140 33 determining the readiness of an early childhood Iowa area board 140 34 for administering a school ready children grant. 140 35     c. Provide for technical assistance concerning funding 141 1 sources, program design, and other pertinent areas. 141 2     2. The state board shall provide maximum flexibility to 141 3 grantees for the use of the grant moneys included in a school 141 4 ready children grant. 141 5     3. A school ready children grant shall, to the extent 141 6 possible, be used to support programs that meet quality 141 7 standards identified by the state board. At a minimum, a grant 141 8 shall be used to provide all of the following: 141 9         a. Preschool services provided on a voluntary basis to 141 10 children deemed at risk. 141 11         b. Family support services and parent education programs 141 12 promoted to parents of children from zero through age five. 141 13 Family support services shall include but are not limited to 141 14 home visitation. Of the funding from all sources that an area 141 15 board designates for family support programs, at least sixty 141 16 percent shall be committed to programs with a home visitation 141 17 component. 141 18         c. Other services to support the strategic plan developed 141 19 by the state board. 141 20         d. Services to improve the quality and availability of 141 21 all types of child care. The services may include but are 141 22 not limited to making nurse consultants available to support 141 23 quality improvement. 141 24     4. a. A school ready children grant shall be awarded to 141 25 an area board annually, as funding is available. Receipt of 141 26 continued funding is subject to submission of the required 141 27 annual report and the state board's determination that the area 141 28 board is measuring, through the use of performance measures and 141 29 community-wide indicators developed by the state board with	existing program provide for the excess carryforward to be deducted from the Area's grant two years hence and for the captured excess to be redistributed to all the Areas using the funding formula. This language requires the excess to be deducted from the Area's grant in the immediately subsequent year and does not specify how the captured excess is to be handled.
--	--

141 30 input from area boards, progress toward and is achieving the  
141 31 desired results and other results identified in the community  
141 32 plan. Each area board shall participate in the levels of  
141 33 excellence rating system to measure the area's success. If  
141 34 the use of performance measures and community-wide indicators  
141 35 does not show that an area board has made progress toward  
142 1 achieving the results identified in the community plan, the  
142 2 state board shall require a plan of corrective action, withhold  
142 3 any increase in funding, or withdraw grant funding.  
142 4 b. The state board shall distribute school ready children  
142 5 grant moneys to area boards with approved comprehensive  
142 6 community plans based upon a determination of an early  
142 7 childhood Iowa area's readiness to effectively utilize the  
142 8 grant moneys. The grant moneys shall be adjusted for other  
142 9 federal and state grant moneys to be received by the area for  
142 10 services to children from zero through age five.  
142 11 c. An area board's readiness shall be determined by  
142 12 evidence of successful collaboration among public and private  
142 13 early care, education, health, and human services interests  
142 14 in the area or a documented program design that supports a  
142 15 strong likelihood of a successful collaboration between these  
142 16 interests. Other criteria which may be used by the state board  
142 17 to determine readiness and funding amounts for an area include  
142 18 one or more of the following:  
142 19 (1) The levels of excellence rating received by the area.  
142 20 (2) Evidence of the area's capacity to successfully  
142 21 implement the services in the area's community plan.  
142 22 (3) Local public and private funding and other resources  
142 23 committed to implementation of the community plan.  
142 24 (4) The adequacy of plans for commitment of local funding  
142 25 and other resources for implementation of the community plan.  
142 26 d. The provisions for distribution of school ready children  
142 27 grant moneys shall be determined by the state board.  
142 28 e. The amount of school ready children grant funding an area  
142 29 board may carry forward from one fiscal year to the succeeding  
142 30 fiscal year shall not exceed twenty percent of the grant amount  
142 31 for the fiscal year. All of the school ready children grant  
142 32 funds received by an area board for a fiscal year which remain

142 33 unencumbered or unobligated at the close of a fiscal year shall  
142 34 be carried forward to the succeeding fiscal year. However, the  
142 35 grant amount for the succeeding fiscal year shall be reduced  
143 1 by the amount in excess of twenty percent of the grant amount  
143 2 received for the fiscal year.

143 3 Sec. 287. NEW SECTION . 256I.10 Early childhood Iowa  
143 4 internet site.  
143 5 1. The department shall provide for the operation of an  
143 6 internet site for purposes of widely distributing information  
143 7 regarding early care, education, health, and human services and  
143 8 other information provided by the departments represented on  
143 9 the state board and the public and private agencies addressing  
143 10 the comprehensive system for such services.  
143 11 2. Information provided on the internet site shall include  
143 12 but is not limited to all of the following:  
143 13 a. Information about the early childhood Iowa initiative for  
143 14 state and local use. The information shall include data from  
143 15 the indicators of success and performance measures adopted by  
143 16 the state board and fiscal information and other data developed  
143 17 by the department.  
143 18 b. A link to a special internet site directed to parents,  
143 19 including parent-specific information on early care, education,  
143 20 health, and human services and links to other resources  
143 21 available on the internet and from other sources.  
143 22 c. Program standards for early care, education, health, and  
143 23 human services that have been approved by state agencies.  
143 24 3. The department shall provide to the state board  
143 25 information regarding the extent and frequency of usage of the  
143 26 internet site or sites and this information shall be included  
143 27 in the board's annual report to the governor and general  
143 28 assembly.

CODE: Requires the DOM to provide for the operation of an Early Childhood Iowa Internet site and specifies certain content.

DETAIL: These provisions do not differ significantly from the Community Empowerment Initiative.

143 29 Sec. 288. NEW SECTION . 256I.11 Early childhood Iowa fund.  
143 30 1. An early childhood Iowa fund is created in the state  
143 31 treasury. The moneys credited to the fund are not subject to

CODE: Establishes the Early Childhood Iowa Fund in the State Treasury and specifies the use of funds appropriated to the Early Childhood Iowa Initiative.

143 32 section 8.33 and moneys in the fund shall not be transferred,  
143 33 used, obligated, appropriated, or otherwise encumbered except  
143 34 as provided by law. Notwithstanding section 12C.7, subsection  
143 35 2, interest or earnings on moneys deposited in the fund shall  
144 1 be credited to the fund.

144 2 2. A school ready children grants account is created in  
144 3 the fund under the authority of the director of the department  
144 4 of education. Moneys credited to the account are appropriated  
144 5 to and shall be distributed by the department in the form  
144 6 of grants to early childhood Iowa areas pursuant to criteria  
144 7 established by the state board in accordance with law.

144 8 3. Unless a different amount is authorized by law, up  
144 9 to three percent of the school ready children grant moneys  
144 10 distributed to an area board may be used by the area board for  
144 11 administrative costs.

144 12 4. a. An early childhood programs grants account is  
144 13 created in the fund under the authority of the director of the  
144 14 department of human services. Moneys credited to the account  
144 15 are appropriated to and shall be distributed by the department  
144 16 of human services in the form of grants to early childhood Iowa  
144 17 areas pursuant to criteria established by the state board in  
144 18 accordance with law. The criteria shall include but are not  
144 19 limited to a requirement that an early childhood Iowa area must  
144 20 be designated by the state board in order to be eligible to  
144 21 receive an early childhood programs grant.

144 22 b. The maximum funding amount an early childhood Iowa area  
144 23 is eligible to receive from the early childhood programs grant  
144 24 account for a fiscal year shall be determined by applying  
144 25 the area's percentage of the state's average monthly family  
144 26 investment program population in the preceding fiscal year to  
144 27 the total amount credited to the account for the fiscal year.

144 28 c. An early childhood Iowa area receiving funding from  
144 29 the early childhood programs grant account shall comply with  
144 30 any federal reporting requirements associated with the use  
144 31 of that funding and other results and reporting requirements  
144 32 established by the state board. The department of human  
144 33 services shall provide technical assistance in identifying and  
144 34 meeting the federal requirements. The availability of funding

DETAIL: These provisions do not differ significantly from the Community Empowerment Initiative, except that the DOM is authorized to use a portion of funding appropriated to the DHS for provision of technical assistance. Existing law authorizes the DHS to use the funding for provision of technical assistance.

144 35 provided from the account is subject to changes in federal  
145 1 requirements and amendments to Iowa law.  
145 2 d. The moneys distributed from the early childhood programs  
145 3 grant account shall be used by early childhood Iowa areas  
145 4 for the purposes of enhancing quality child care capacity in  
145 5 support of parent capability to obtain or retain employment.  
145 6 The moneys shall be used with a primary emphasis on low-income  
145 7 families and children from zero to age five. Moneys shall be  
145 8 provided in a flexible manner and shall be used to implement  
145 9 strategies identified by the early childhood Iowa area to  
145 10 achieve such purposes. The department of management may use  
145 11 a portion of the funding appropriated to the department under  
145 12 this subsection for provision of technical assistance and  
145 13 other support to the early childhood Iowa areas developing and  
145 14 implementing strategies with grant moneys distributed from the  
145 15 account.  
145 16 e. Moneys from a federal block grant that are credited  
145 17 to the early childhood programs grant account but are not  
145 18 distributed to an early childhood Iowa area or otherwise remain  
145 19 unobligated or unexpended at the end of the fiscal year shall  
145 20 revert to the fund created in section 8.41 to be available for  
145 21 appropriation by the general assembly in a subsequent fiscal  
145 22 year.  
145 23 5. A first years first account is created in the fund under  
145 24 the authority of the department of management. The account  
145 25 shall consist of gift or grant moneys obtained from any source,  
145 26 including but not limited to the federal government. Moneys  
145 27 credited to the account are appropriated to the department to  
145 28 be used for the early childhood-related purposes for which the  
145 29 moneys were received.

145 30 Sec. 289. NEW SECTION . 256I.12 Early childhood stakeholders  
145 31 alliance.  
145 32 1. Alliance created. An early childhood stakeholders  
145 33 alliance is created to support the state board in addressing  
145 34 the early care, health, and education systems that affect  
145 35 children ages zero through five in Iowa.

CODE: Establishes the Early Childhood Stakeholders Alliance to support the State Board and provide broad input into the development of a high-quality early childhood system. Specifies membership, operating procedures, and duties. Requires the DOM to provide staff support to the Alliance.

146 1 2. Purpose. The purpose of the early childhood stakeholders  
146 2 alliance is to oversee and provide broad input into the  
146 3 development of a high quality Iowa early childhood system  
146 4 that meets the needs of children zero through age five and  
146 5 their families and integrates the early care, health, and  
146 6 education systems. The alliance shall advise the governor,  
146 7 general assembly, state board, and other public and private  
146 8 policy bodies and service providers in coordinating activities  
146 9 throughout the state to fulfill its purpose.

146 10 3. Vision statement. All system development activities  
146 11 addressed by the early childhood stakeholders alliance shall be  
146 12 aligned around the following vision statement for the children  
146 13 of Iowa: "Every child, beginning at birth, will be healthy and  
146 14 successful."

146 15 4. Membership. The early childhood stakeholders alliance  
146 16 membership shall include a representative of any organization  
146 17 that touches the lives of young children in the state zero  
146 18 through age five, has endorsed the purpose and vision statement  
146 19 for the alliance, has endorsed the guiding principles adopted  
146 20 by the alliance for the early childhood system, and has  
146 21 formally asked to be a member and remains actively engaged  
146 22 in alliance activities. The alliance shall work to ensure  
146 23 there is geographic, cultural, and ethnic diversity among the  
146 24 membership.

146 25 5. Procedure. Except as otherwise provided by law, the  
146 26 early childhood stakeholders alliance shall determine its own  
146 27 rules of procedure and operating provisions.

146 28 6. Steering committee. The early childhood stakeholders  
146 29 alliance shall operate with a steering committee to organize,  
146 30 manage, and coordinate the activities of the alliance and its  
146 31 component groups. The steering committee may act on behalf of  
146 32 the alliance as necessary. The steering committee membership  
146 33 shall consist of the co-chairpersons of the alliance's  
146 34 component groups, the administrator of the early childhood Iowa  
146 35 office, and other leaders designated by the alliance.

147 1 7. Component groups. The early childhood stakeholders  
147 2 alliance shall maintain component groups to address the  
147 3 key components of the Iowa early childhood system. Each

DETAIL: The Alliance is a new feature and not part of the current  
Community Empowerment Initiative.



147 4 component group shall have one private and one public agency  
147 5 co=chairperson. The alliance may change the component groups  
147 6 as deemed necessary by the alliance. Initially, there shall be  
147 7 a component group for each of the following:  
147 8 a. Governance planning and administration.  
147 9 b. Professional development.  
147 10 c. Public engagement.  
147 11 d. Quality services and programs.  
147 12 e. Resources and funding.  
147 13 f. Results accountability.  
147 14 8. Duties. The early childhood stakeholders alliance duties  
147 15 shall include but are not limited to all of the following  
147 16 regarding the Iowa early childhood system:  
147 17 a. Coordinate with the early childhood Iowa state board.  
147 18 b. Serve as the state advisory council required under the  
147 19 federal Improving Head Start for School Readiness Act of 2007,  
147 20 Pub. L. No. 110=134, as designated by the governor.  
147 21 9. Staffing. Staff support for the early childhood  
147 22 stakeholders alliance shall be provided by the department.

147 23 Sec. 290. Section 135.106, subsection 3, Code 2009, is  
147 24 amended to read as follows:  
147 25 3. It is the intent of the general assembly to provide  
147 26 communities with the discretion and authority to redesign  
147 27 existing local programs and services targeted at and assisting  
147 28 families expecting babies and families with children who  
147 29 are newborn through five years of age. The Iowa department  
147 30 of public health, department of human services, department  
147 31 of education, and other state agencies and programs, as  
147 32 appropriate, shall provide technical assistance and support  
147 33 to communities desiring to redesign their local programs and  
147 34 shall facilitate the consolidation of existing state funding  
147 35 appropriated and made available to the community for family  
148 1 support services. Funds which are consolidated in accordance  
148 2 with this subsection shall be used to support the redesigned  
148 3 service delivery system. In redesigning services, communities  
148 4 are encouraged to implement a single uniform family risk

CODE: Technical change.

148 5 assessment mechanism and shall demonstrate the potential for  
148 6 improved outcomes for children and families. Requests by local  
148 7 communities for the redesigning of services shall be submitted  
148 8 to the Iowa department of public health, department of human  
148 9 services, and department of education, and are subject to the  
148 10 approval of the early childhood Iowa empowerment state board  
148 11 in consultation with the departments, based on the practices  
148 12 utilized with ~~community empowerment~~ early childhood Iowa areas  
148 13 under chapter ~~28~~ 256I .

148 14 Sec. 291. Section 135.119, subsection 2, paragraph d, Code  
148 15 Supplement 2009, is amended to read as follows:  
148 16 d. The program plan shall incorporate a multiyear,  
148 17 collaborative approach for implementation of the plan. The  
148 18 plan shall address how to involve those who regularly work  
148 19 with parents and persons responsible for the care of a  
148 20 child, including but not limited to child abuse prevention  
148 21 programs, child care resource and referral programs, child  
148 22 care providers, family support programs, programs receiving  
148 23 funding through the ~~community empowerment~~ early childhood  
148 24 Iowa initiative, public and private schools, health care  
148 25 providers, local health departments, birth centers, and  
148 26 birthing hospitals.

CODE: Technical change.

148 27 Sec. 292. Section 135.159, subsection 3, paragraph i, Code  
148 28 Supplement 2009, is amended to read as follows:  
148 29 i. For children, coordinate with and integrate guidelines,  
148 30 data, and information from existing newborn and child health  
148 31 programs and entities, including but not limited to the healthy  
148 32 opportunities for parents to experience success = healthy  
148 33 families Iowa program, the ~~community empowerment program~~ early  
148 34 childhood Iowa initiative , the center for congenital and  
148 35 inherited disorders screening and health care programs,  
149 1 standards of care for pediatric health guidelines, the office  
149 2 of multicultural health established in section 135.12, the oral  
149 3 health bureau established in section 135.15, and other similar

CODE: Technical change.

149 4 programs and services.

149 5 Sec. 293. Section 142A.4, subsection 8, Code Supplement  
149 6 2009, is amended to read as follows:  
149 7 8. Assist with the linkage of the initiative with child  
149 8 welfare and juvenile justice decategorization projects,  
149 9 education programming, ~~community empowerment~~ early childhood  
149 10 Iowa areas, and other programs and services directed to youth  
149 11 at the state and community level.

CODE: Technical change.

149 12 Sec. 294. Section 142A.8, subsection 2, Code 2009, is  
149 13 amended to read as follows:  
149 14 2. A community partnership area shall encompass a  
149 15 county or multicounty area, school district or multischool  
149 16 district area, economic development enterprise zone that  
149 17 meets the requirements of an urban or rural enterprise  
149 18 community under ~~Title~~ Tit. XIII of the federal Omnibus Budget  
149 19 Reconciliation Act of 1993, or ~~community empowerment~~ early  
149 20 childhood Iowa area, in accordance with criteria adopted by  
149 21 the commission for appropriate population levels and size of  
149 22 geographic areas.

CODE: Technical change.

149 23 Sec. 295. Section 216A.140, subsection 5, paragraph j, Code  
149 24 Supplement 2009, is amended to read as follows:  
149 25 j. ~~Office of community empowerment~~ Early childhood Iowa  
149 26 office in the department of management.

CODE: Technical change.

149 27 Sec. 296. Section 217.42, subsection 1, Code 2009, is  
149 28 amended to read as follows:  
149 29 1. The organizational structure to deliver the department's  
149 30 field services shall be based upon service areas. The service  
149 31 areas shall serve as a basis for providing field services to  
149 32 persons residing in the counties comprising the service area.  
149 33 The service areas shall be those designated by the department  
149 34 effective January 1, 2002. In determining the service areas,

CODE: Technical change.

149 35 the department shall consider other geographic service areas  
 150 1 including but not limited to judicial districts and ~~community~~  
 150 2 ~~empowerment~~ early childhood lowa areas. The department shall  
 150 3 consult with the county boards of supervisors in a service  
 150 4 area with respect to the selection of the service area manager  
 150 5 responsible for the service area who is initially selected for  
 150 6 the service area designated effective January 1, 2002, and any  
 150 7 service area manager selected for the service area thereafter.  
 150 8 Following establishment of the service areas effective January  
 150 9 1, 2002, if a county seeks to change the boundaries of a  
 150 10 service area, the change shall only take place if the change is  
 150 11 mutually agreeable to the department and all affected counties.  
 150 12 If it is necessary for the department to significantly modify  
 150 13 its field operations or the composition of a designated service  
 150 14 area, or if it is necessary for the department to change the  
 150 15 number of offices operating less than full-time, the department  
 150 16 shall consult with the affected counties prior to implementing  
 150 17 such action.

150 18 Sec. 297. Section 232.188, subsection 4, paragraph c, Code  
 150 19 2009, is amended to read as follows:  
 150 20 c. A decategorization governance board shall coordinate  
 150 21 the project's planning and budgeting activities with the  
 150 22 departmental service area manager for the county or counties  
 150 23 comprising the project area and the ~~community empowerment~~ early  
 150 24 childhood lowa area board or boards for the ~~community~~  
 150 25 ~~empowerment~~ early childhood lowa area or areas within which the  
 150 26 decategorization project is located.

CODE: Technical change.

150 27 Sec. 298. Section 237A.21, subsection 3, paragraph n, Code  
 150 28 Supplement 2009, is amended to read as follows:  
 150 29 n. One designee of the ~~community empowerment office~~ early  
 150 30 childhood lowa office of the department of management.

CODE: Technical change.

150 31 Sec. 299. Section 237A.21, subsection 3, paragraph q, Code

CODE: Technical change.

150 32 Supplement 2009, is amended to read as follows:

150 33 q. One person who represents the early childhood Iowa

150 34 ~~council~~ state board created in section ~~435.173~~ 256I.3 .

150 35 Sec. 300. Section 237A.22, subsection 1, paragraph j, Code

CODE: Technical change.

151 1 Supplement 2009, is amended to read as follows:

151 2 j. Advise and assist the early childhood Iowa ~~council~~ state

151 3 board in developing the strategic plan required pursuant to

151 4 section ~~435.173~~ 256I.4 .

151 5 Sec. 301. Section 237A.26, subsection 8, Code 2009, is

CODE: Technical change.

151 6 amended to read as follows:

151 7 8. For purposes of improving the quality and consistency

151 8 of data collection, consultation, and other support to child

151 9 care home and child development home providers, a resource and

151 10 referral services agency grantee shall coordinate and assist

151 11 with publicly and privately funded efforts administered at

151 12 the community level to provide the support. The support and

151 13 efforts addressed by a grantee may include but are not limited

151 14 to community=funded child care home and child development home

151 15 consultants. Community members involved with the assistance

151 16 may include but are not limited to the efforts of ~~a community~~

151 17 ~~empowerment~~ an early childhood Iowa area board under chapter

151 18 ~~28~~ 256I , and of community representatives of education, health,

151 19 human services, business, faith, and public interests.

151 20 Sec. 302. Section 237A.30, subsection 1, Code 2009, is

CODE: Technical change.

151 21 amended to read as follows:

151 22 1. The department shall work with the ~~community empowerment~~

151 23 ~~office of~~ early childhood Iowa office in the department of

151 24 management established in section ~~28.3~~ 256I.5 and the state

151 25 child care advisory council in designing and implementing a

151 26 voluntary quality rating system for each provider type of child

151 27 care facility.

151 28 Sec. 303. Section 256C.3, subsection 3, paragraph e, Code

CODE: Technical change.

151 29 2009, is amended to read as follows:  
151 30 e. Collaboration with participating families, early care  
151 31 providers, and community partners including but not limited to  
151 32 ~~community empowerment~~ early childhood iowa area boards, head  
151 33 start programs, shared visions and other programs provided  
151 34 under the auspices of the child development coordinating  
151 35 council, licensed child care centers, registered child  
152 1 development homes, area education agencies, child care resource  
152 2 and referral services provided under section 237A.26, early  
152 3 childhood special education programs, services funded by  
152 4 ~~Title Tit.~~ I of the federal Elementary and Secondary Education  
152 5 Act of 1965, and family support programs.

152 6 Sec. 304. Section 256C.3, subsection 4, paragraph a, Code  
152 7 2009, is amended to read as follows:  
152 8 a. Methods of demonstrating community readiness to  
152 9 implement high=quality instruction in a local program  
152 10 shall be identified. The potential provider shall submit  
152 11 a collaborative program proposal that demonstrates the  
152 12 involvement of multiple community stakeholders including  
152 13 but not limited to, and only as applicable, parents, the  
152 14 school district, accredited nonpublic schools and faith=based  
152 15 representatives, the area education agency, the ~~community~~  
152 16 ~~empowerment~~ early childhood iowa area board, representatives  
152 17 of business, head start programs, shared visions and other  
152 18 programs provided under the auspices of the child development  
152 19 coordinating council, center=based and home=based providers  
152 20 of child care services, human services, public health, and  
152 21 economic development programs. The methods may include but are  
152 22 not limited to a school district providing evidence of a public  
152 23 hearing on the proposed programming and written documentation  
152 24 of collaboration agreements between the school district,  
152 25 existing community providers, and other community stakeholders  
152 26 addressing operational procedures and other critical measures.

CODE: Technical change.

152 27 Sec. 305. Section 256C.4, subsection 2, paragraph b, Code

CODE: Technical change.

152 28 2009, is amended to read as follows:  
152 29 b. The enrollment count of eligible students shall not  
152 30 include a child who is included in the enrollment count  
152 31 determined under section 257.6 or a child who is served by  
152 32 a program already receiving state or federal funds for the  
152 33 purpose of the provision of four-year-old preschool programming  
152 34 while the child is being served by the program. Such preschool  
152 35 programming includes but is not limited to child development  
153 1 assistance programs provided under chapter 256A, special  
153 2 education programs provided under section 256B.9, school ready  
153 3 children grant programs and other programs provided under  
153 4 chapter ~~28~~ 256I , and federal head start programs and the  
153 5 services funded by ~~Title~~ Tit. I of the federal Elementary and  
153 6 Secondary Education Act of 1965.

153 7 Sec. 306. Section 279.60, Code 2009, is amended to read as  
153 8 follows:  
153 9 279.60 Kindergarten assessment == access to data == reports.  
153 10 Each school district shall administer the dynamic indicators  
153 11 of basic early literacy skills kindergarten benchmark  
153 12 assessment or other kindergarten benchmark assessment adopted  
153 13 by the department of education in consultation with the early  
153 14 childhood Iowa ~~empowerment~~ state board to every kindergarten  
153 15 student enrolled in the district not later than the date  
153 16 specified in section 257.6, subsection 1. The school district  
153 17 shall also collect information from each parent, guardian,  
153 18 or legal custodian of a kindergarten student enrolled in the  
153 19 district, including but not limited to whether the student  
153 20 attended preschool, factors identified by the early ~~care~~  
153 21 ~~staff~~ childhood Iowa office pursuant to section ~~28-3~~ 256I.5 ,  
153 22 and other demographic factors. Each school district shall  
153 23 report the results of the assessment and the preschool  
153 24 information collected to the department of education in the  
153 25 manner prescribed by the department not later than January 1 of  
153 26 that school year. The ~~early care staff designated pursuant to~~  
153 27 ~~section 28-3~~ early childhood Iowa office in the department of  
153 28 management shall have access to the raw data. The department

CODE: Technical change.

153 29 shall review the information submitted pursuant to this section  
153 30 and shall submit its findings and recommendations annually  
153 31 in a report to the governor, the general assembly, the early  
153 32 childhood iowa empowerment state board, and the ~~community~~  
153 33 ~~empowerment~~ early childhood iowa area boards.

153 34 Sec. 307. Section 915.35, subsection 4, paragraph b, Code  
153 35 Supplement 2009, is amended to read as follows:  
154 1 b. A child protection assistance team may also consult  
154 2 with or include juvenile court officers, medical and mental  
154 3 health professionals, physicians or other hospital-based health  
154 4 professionals, court-appointed special advocates, guardians ad  
154 5 litem, and members of a multidisciplinary team created by the  
154 6 department of human services for child abuse investigations. A  
154 7 child protection assistance team may work cooperatively with  
154 8 the ~~local community empowerment~~ early childhood iowa area  
154 9 board established under ~~section 28.6~~ chapter 256I. The child  
154 10 protection assistance team shall work with the department  
154 11 of human services in accordance with section 232.71B,  
154 12 subsection 3, in developing the protocols for prioritizing  
154 13 the actions taken in response to child abuse reports and for  
154 14 law enforcement agencies working jointly with the department  
154 15 at the local level in processes for child abuse reports. The  
154 16 department of justice may provide training and other assistance  
154 17 to support the activities of a child protection assistance  
154 18 team.

CODE: Technical change.

154 19 Sec. 308. REPEALS.  
154 20 1. Sections 135.173 and 135.174, Code 2009, are repealed.  
154 21 2. Chapter 28, Code and Code Supplement 2009, is repealed.

CODE: Repeals the existing statutes for Early Childhood Iowa and the Community Empowerment Initiative.

154 22 Sec. 309. IMPLEMENTATION OF ACT. Section 25B.2, subsection  
154 23 3, shall not apply to this division of this Act.

CODE: Specifies that the Early Childhood Iowa Area Boards must fulfill State mandates regardless of whether State funding is appropriated.

154 24 Sec. 310. TRANSITION.

Specifies a method of transition from the current Community



154 25 1. The initial membership of the early childhood Iowa  
 154 26 state board shall be composed of the membership of the Iowa  
 154 27 empowerment board.

154 28 2. Effective on or after July 1, 2011, as determined by  
 154 29 the early childhood Iowa state board created pursuant to this  
 154 30 division of this Act, the designations granted by the Iowa  
 154 31 empowerment board to community empowerment areas and community  
 154 32 empowerment area boards under chapter 28, Code 2009, are  
 154 33 withdrawn. However, subject to the approval of the early  
 154 34 childhood Iowa state board in accordance with the area board  
 154 35 designation criteria established by this division of this Act,  
 155 1 all or a portion of the membership of a community empowerment  
 155 2 area board may be redesignated to serve as the membership of  
 155 3 the initial early childhood Iowa area board for the relevant  
 155 4 early childhood Iowa area to be served. Subject to rules  
 155 5 to be adopted by the state board addressing redesignation of  
 155 6 community empowerment areas as early childhood Iowa areas,  
 155 7 existing multicounty community empowerment area boards may  
 155 8 choose to be redefined as early childhood Iowa area boards.

155 9 3. Until the early childhood Iowa state board has adopted  
 155 10 administrative rules to implement the provisions of chapter  
 155 11 256I, as enacted by this division of this Act, the department  
 155 12 of management shall apply the relevant rules adopted to  
 155 13 implement the community empowerment initiative under chapter  
 155 14 28, Code 2009. The state board shall also adopt rules  
 155 15 addressing transition of contracts entered into by community  
 155 16 empowerment area boards that include provisions in effect on  
 155 17 or after July 1, 2012.

155 18 4. The department of management and the early childhood  
 155 19 Iowa board shall implement requirements for school ready  
 155 20 children grant funds or other state, federal, or other funds  
 155 21 in possession of a community empowerment area remaining  
 155 22 unobligated or unexpended to be remitted to the successor  
 155 23 early childhood Iowa area board designated to serve that area.  
 155 24 The requirements shall include measures to ensure there is  
 155 25 continuity of services in the transition from the community  
 155 26 empowerment initiative to the early childhood Iowa initiative.

Empowerment Initiative to the new Early Childhood Iowa Initiative,  
 including:

- Requires the initial membership of the Early Childhood Iowa State Board to be composed of the membership of the existing Iowa Empowerment Board.
- The designations of Community Empowerment Area Boards will be withdrawn effective July 1, 2011, or later as determined by the State Board.
- Until the State Board has adopted administrative rules to implement the new Initiative, the DOM is required to apply the relevant existing Community Empowerment rules.
- Requires the State Board to adopt rules to address the transition of ongoing contracts entered into by Community Empowerment Area Boards.

Requires the DOM and the State Board to implement requirements for State, federal, or other funds in possession of Community Empowerment Area Boards to be remitted to the successor Early Childhood Iowa Area Boards and to ensure continuity of services.

155 27 DIVISION XXV  
155 28 COMMUNITY COLLEGE ACCREDITATION

155 29 Sec. 311. DEPARTMENT OF EDUCATION == COMMUNITY COLLEGE  
155 30 ACCREDITATION RECOMMENDATIONS IMPLEMENTATION REVIEW. The  
155 31 department of education shall review and evaluate the  
155 32 implementation of the recommendations submitted on January 22,  
155 33 2010, by the community college accreditation advisory committee  
155 34 in its final report to the general assembly. The department  
155 35 shall submit its findings and recommendations to the general  
156 1 assembly on or before December 31, 2010.

Requires the Department of Education to review and evaluate the implementation of the recommendations submitted by the Community College Accreditation Advisory Committee in the final report. Requires the Department to submit findings and recommendations to the General Assembly on or before December 31, 2010.

FISCAL IMPACT: The fiscal impact, if any, of the statutory changes regarding community colleges in this Division cannot be estimated.

156 2 Sec. 312. DEPARTMENT OF EDUCATION == COMMUNITY COLLEGE  
156 3 ACCREDITATION ADVISORY COMMITTEE == INSTRUCTIONAL HOURS  
156 4 STUDY. The department of education shall convene a working  
156 5 group, whose members shall include at a minimum the members  
156 6 of the community college accreditation advisory committee and  
156 7 the community college faculty advisory committee. The working  
156 8 group shall solicit comments from each of the community college  
156 9 quality faculty committees. The working group shall study  
156 10 the maximum academic credit hour per school term workload  
156 11 appropriate for an instructor beyond the standard workload.  
156 12 The working group shall submit its findings and recommendations  
156 13 to the state board of education and the general assembly on or  
156 14 before December 31, 2010.

Requires the Department of Education to convene a working group to study the maximum academic credit hour workload per school term for community college instructors and submit findings and recommendations to the State Board of Education and the General Assembly on or before December 31, 2010.

156 15 Sec. 313. COMMUNITY COLLEGE ACADEMIC WORKLOAD EXCEPTION  
156 16 == FISCAL YEAR 2010=2011. Notwithstanding section 260C.48,  
156 17 subsection 2, a faculty member who has in previous fiscal  
156 18 years exceeded the eighteen credit hour standard set pursuant  
156 19 to section 260C.48, subsection 2, may continue to exceed the  
156 20 eighteen credit hour workload standard for the 2010=2011 fiscal  
156 21 year if the faculty member elects to teach beyond the eighteen  
156 22 credit hour workload standard.

CODE: Permits community college faculty that have previously exceeded the credit hour workload standard to continue to do so for FY 2011 if they so choose.

156 23 DIVISION XXVI

## 156 24 REGISTRATION OF POSTSECONDARY SCHOOLS

156 25 Sec. 314. Section 261.2, subsection 7, paragraph b, Code  
156 26 Supplement 2009, is amended to read as follows:  
156 27 b. The commission ~~may require a school seeking registration~~  
156 28 ~~under chapter 261B to provide copies of its application to the~~  
156 29 ~~Iowa coordinating council for post-high school education. The~~  
156 30 ~~commission may consider comments from the council that are~~  
156 31 ~~received by the commission within ninety days of the filing of~~  
156 32 ~~the application. However, if the council meets to consider~~  
156 33 ~~comments for submission to the commission, the meeting shall be~~  
156 34 ~~open to the public and subject to the provisions of chapter 21.~~  
156 35 ~~The commission shall post an application on the commission's~~  
157 1 internet site and shall render a decision on an application for  
157 2 registration within one hundred eighty days of the filing of  
157 3 the application.

CODE: Eliminates the option that the College Student Aid Commission may require colleges or universities seeking registration in the State to provide copies of applications to the Iowa Coordinating Council for Post-High School Education so the Council can make recommendations to the Commission. Requires the Commission to post applications on its website.

157 4 Sec. 315. REPEAL. Section 261B.10, Code Supplement 2009,  
157 5 is repealed.

CODE: Repeals the Advisory Committee on Postsecondary Registration.

DETAIL: This is a seven-member committee that typically meets four times per year. Annual travel costs are approximately \$1,800; meal expenses cost approximately \$1,400; and Commissioner per diems cost \$400 for an annual total cost of \$3,600. These costs are paid from the College Student Aid Commission's administrative budget. Senate File 2376 (Education Appropriations Act) reduces the appropriation for the Commission's administration by a corresponding amount.

FISCAL IMPACT: Elimination of the Committee is estimated to result in General Fund savings of \$3,600 per year.

157 6 DIVISION XXVII  
157 7 DIVISION OF LIBRARIES AND INFORMATION SERVICES

157 8 Sec. 316. Section 256.51, subsection 1, paragraph a, Code

CODE: Technical change.

157 9 2009, is amended to read as follows:

157 10 a. Determine policy for providing information service to the  
157 11 three branches of state government and to the legal and medical  
157 12 ~~communities~~ community in this state.

157 13 Sec. 317. Section 256.52, subsection 1, Code 2009, is  
157 14 amended to read as follows:

157 15 1. The state commission of libraries consists of one member  
157 16 appointed by the supreme court, the director of the department  
157 17 of education, or the director's designee, and six members  
157 18 appointed by the governor to serve four-year terms beginning  
157 19 and ending as provided in section 69.19. ~~Of the~~ The governor's  
157 20 appointees, ~~one member shall be from the medical profession~~  
157 21 ~~and five members selected at large. Not more than three of~~  
157 22 ~~the members appointed by the governor shall be of the same~~  
157 23 ~~gender.~~ The members shall be reimbursed for their actual  
157 24 expenditures necessitated by their official duties. Members  
157 25 may also be eligible for compensation as provided in section  
157 26 7E.6.

CODE: Eliminates the requirement that the Governor's appointees to the State Commission of Libraries include a medical professional.

DETAIL: The State Library no longer maintains a State Medical Library.

FISCAL IMPACT: This fiscal impact is expected to be minimal.

157 27 Sec. 318. Section 256.52, subsection 3, paragraph d, Code  
157 28 2009, is amended to read as follows:

157 29 d. Appoint and approve the technical, professional,  
157 30 ~~excepting the medical librarian and the law librarian,~~  
157 31 secretarial, and clerical staff necessary to accomplish the  
157 32 purposes of the division subject to chapter 8A, subchapter IV.

CODE: Technical change.

157 33 Sec. 319. Section 256.54, unnumbered paragraph 1, Code  
157 34 2009, is amended to read as follows:

157 35 The state library includes , but is not limited to , ~~a medical~~  
158 1 ~~library,~~ a law library, and the state data center.

CODE: Technical change.

158 2 Sec. 320. Section 256.54, subsection 1, Code 2009, is  
158 3 amended by striking the subsection.

CODE: Eliminates specific requirements for the State Medical Library.

158 4 Sec. 321. EFFECTIVE UPON ENACTMENT. This division of this  
 158 5 Act, being deemed of immediate importance, takes effect upon  
 158 6 enactment.

The changes regarding the elimination of the State Medical Library are effective on enactment.

158 7 DIVISION XXVIII  
 158 8 LIBRARY DISTRICTS

158 9 Sec. 322. Section 336.2, unnumbered paragraphs 2 and 6, Code  
 158 10 2009, are amended to read as follows:  
 158 11 Eligible electors residing within the proposed district in a  
 158 12 number not less than five percent of those voting for president  
 158 13 of the United States or governor, as the case may be, within  
 158 14 the district at the last general election may petition the  
 158 15 board of supervisors of the county, or the city council, for  
 158 16 the establishment of the library district. The petition shall  
 158 17 clearly designate the area to be included in the district, the  
 158 18 total number of board members, and how representation on the  
 158 19 board shall be divided among the jurisdictions .  
 158 20 After the establishment of a library district other areas  
 158 21 may be included ~~by mutual agreement~~ subject to the approval of  
 158 22 the board of trustees of the library district and the governing  
 158 23 ~~body~~ passage of a referendum by the electors of the area sought  
 158 24 to be included.

CODE: Specifies requirements to petition for establishment of a library district. Requires passage of a referendum to add areas to a library district.

FISCAL IMPACT: Statutory changes regarding library districts in this Division are not expected to have a fiscal impact.

158 25 Sec. 323. Section 336.4, Code 2009, is amended to read as  
 158 26 follows:  
 158 27 336.4 Library trustees.  
 158 28 In any area in which a library district has been established  
 158 29 in accordance with this chapter, a board of library trustees,  
 158 30 consisting of five, seven, or nine ~~electors of~~ members who  
 158 31 resident within the library district, shall be appointed by the  
 158 32 ~~board of supervisors of any county or city~~ governing bodies of  
 158 33 the jurisdictions comprising the library district.  
 158 34 ~~Membership on the library board shall be apportioned between~~  
 158 35 ~~the rural and city areas of the district in proportion to~~

CODE: Specifies the membership of a board of library trustees. Eliminates requirements related to apportionment between rural and urban areas of a district and between two or more cities and/or counties.

159 1 ~~the population in each of such areas. In the event the~~  
 159 2 ~~library district is composed of two or more counties, two~~  
 159 3 ~~or more cities, or any combination of counties and cities,~~  
 159 4 ~~representation on the library board shall be equitably divided~~  
 159 5 ~~between or among the counties and cities in proportion to the~~  
 159 6 ~~population in each of the counties and cities.~~

159 7 Sec. 324. Section 336.5, Code 2009, is amended to read as  
 159 8 follows:  
 159 9 336.5 Terms == vacancies .  
 159 10 1. Of said the trustees so appointed in accordance with  
 159 11 section 336.4 on boards to consist consisting of nine members,  
 159 12 three shall hold office for two years, three for four years,  
 159 13 and three for six years; on boards to consist consisting of  
 159 14 seven members, two shall hold office for two years, two  
 159 15 for four years, and three for six years; and on boards to  
 159 16 consist consisting of five members, one shall hold office for  
 159 17 two years, two for four years, and two for six years, from the  
 159 18 first day of July following their appointment in each case.  
 159 19 At their the first meeting they of the board, members shall  
 159 20 cast lots for their respective terms, reporting the result of  
 159 21 such lot to the board of supervisors the governing body of each  
 159 22 jurisdiction forming the library district . All subsequent  
 159 23 appointments, whatever the size of the board, shall be for  
 159 24 terms of six years each.  
 159 25 2. A vacancy exists when a member ceases to be a resident  
 159 26 of the jurisdiction the member represents or is absent for six  
 159 27 consecutive regular meetings of the board.  
 159 28 3. Vacancies shall be filled for unexpired terms by the  
 159 29 governing body of the taxing unit of the district jurisdiction  
 159 30 represented by the retiring member vacancy .

CODE: Specifies that a vacancy on a board of library trustees exists when a member ceases to be a resident or is absent for six consecutive regular meetings.

159 31 Sec. 325. Section 336.8, Code 2009, is amended to read as  
 159 32 follows:  
 159 33 336.8 Powers.  
 159 34 ~~Said~~ The board of library trustees shall have and exercise

CODE: Technical changes. Requires a board of library trustees to keep a record of proceedings. Authorizes a board of library trustees to make agreements with local county historical associations.

159 35 the following powers:

160 1 1. To meet and ~~organize by the election of one of their~~  
160 2 ~~number as~~ elect from among its members a president of the  
160 3 ~~board, and by the election of a secretary and such other~~  
160 4 ~~officers as the board may deem necessary.~~

160 5 2. To direct and control all affairs of the library  
160 6 district, as well as to have charge ; and supervision of the  
160 7 public library ; and its rooms, appurtenances , and fixtures ,~~and~~  
160 8 ~~rooms containing the same, directing and controlling all the~~  
160 9 ~~affairs of such library .~~

160 10 3. To employ a librarian, and authorize the librarian to  
160 11 employ such assistants and employees as may be necessary for  
160 12 the proper management of ~~said the library , and district. The~~  
160 13 board shall fix their the compensation ; but, prior of such  
160 14 employees. Prior to such employment, the compensation of  
160 15 such the librarian, assistants, and employees shall be fixed  
160 16 ~~for the term of employment by a majority of the members of~~  
160 17 ~~said the board voting in favor thereof .~~

160 18 4. To remove ~~such , by a two-thirds vote of the board,~~  
160 19 the librarian, and provide procedures for the removal  
160 20 of assistants ; or employees by a vote of two-thirds of such  
160 21 ~~board for misdemeanor, incompetency, or inattention to the~~  
160 22 duties of such employment duty .

160 23 5. To authorize the librarian to select and make purchases  
160 24 of books, pamphlets, magazines, periodicals, papers, maps,  
160 25 journals, furniture, fixtures, stationery technology , and  
160 26 supplies for such the library district .

160 27 6. To authorize the use of ~~such libraries by school~~  
160 28 ~~corporations or the public library~~ by nonresidents of the area  
160 29 which is taxed to support ~~such libraries the public library and~~  
160 30 ~~to fix charges therefor for library services .~~

160 31 7. To make and adopt, amend, modify, or repeal bylaws,  
160 32 rules ; and regulations, not inconsistent with law, for  
160 33 the care, use, government, and management of ~~such the~~  
160 34 public library and the business of said the board, fixing and  
160 35 enforcing penalties for the violation thereof violations . The  
161 1 board shall keep a record of its proceedings.

161 2 8. To have exclusive control of ~~the expenditures~~ all funds

161 3 allocated for public library purposes , as provided by law,  
 161 4 and of the expenditures of all moneys available by gift or  
 161 5 otherwise for the erection of public library buildings , and all  
 161 6 other moneys belonging to the public library, including fines  
 161 7 and rental fees collected, under the rules of the board . The  
 161 8 board shall keep a record of its proceedings.  
 161 9 9. To accept gifts of any real property, personal property,  
 161 10 or mixed property, and devises and bequests, including trust  
 161 11 funds; to take the title to said the property in the name of  
 161 12 said the public library; to execute deeds and bills of sale  
 161 13 for the conveyance of said the property; and to expend the  
 161 14 funds received by them generated from such the gifts, for the  
 161 15 improvement of said the public library.  
 161 16 10. To make agreements with local county historical  
 161 17 associations to set apart the necessary room and to care for  
 161 18 articles that come into the possession of the association. The  
 161 19 board may purchase necessary receptacles and materials for  
 161 20 the preservation and protection of articles which are of an  
 161 21 historical and educational nature.

161 22 Sec. 326. Section 336.10, Code 2009, is amended to read as  
 161 23 follows:

161 24 336.10 Library fund.

161 25 1. All moneys ~~received and set apart~~ appropriated or  
 161 26 received for the maintenance of the public library shall  
 161 27 be deposited in the treasury of the county or city, as  
 161 28 determined by the board of library trustees, and ~~paid out upon~~  
 161 29 ~~warrants drawn by the county or city auditor upon requisition~~  
 161 30 ~~of expenditures shall be paid by the treasurer of the county~~  
 161 31 ~~or city in which the moneys are deposited on warrants ordered~~  
 161 32 ~~by the board of trustees, signed by its the board's president~~  
 161 33 and secretary.

161 34 ~~Provided that where a free public library is maintained~~  
 161 35 ~~jointly by two or more counties or cities or any combination of~~  
 162 1 ~~counties and cities, the library trustees may elect a library~~  
 162 2 ~~treasurer, and it shall be the duty of the city and county~~  
 162 3 ~~treasurers to pay over to the library treasurer any and all~~

CODE: Technical changes.



162 4 ~~library taxes that may be collected by them monthly.~~  
162 5 2. The library treasurer of the county or city in  
162 6 which the public library moneys are deposited pursuant to  
162 7 subsection 1 shall be required to furnish a bond conditioned  
162 8 as provided by section 64.2 in an amount as agreed upon by the  
162 9 participating boards of supervisors and city councils and the  
162 10 cost shall be paid by the participating counties and cities.

162 11 Sec. 327. Section 336.11, Code 2009, is amended to read as  
162 12 follows:

CODE: Technical changes.

162 13 336.11 Annual report.

162 14 The board of ~~library~~ trustees shall, ~~immediately~~  
162 15 ~~after~~ within ninety days after the close of each fiscal  
162 16 year, submit a report to the ~~board of supervisors, and the~~  
162 17 ~~city council, as appropriate, a report containing~~ governing  
162 18 bodies of the respective jurisdictions comprising the  
162 19 library district. The report shall contain a statement  
162 20 of the condition of the library, the number of books and  
162 21 other resources added ~~thereto~~, the number of books and  
162 22 other resources circulated, the number of books and other  
162 23 resources not returned or lost, the amount of fines collected,  
162 24 and the amount of money expended in the maintenance ~~thereof~~ of  
162 25 the public library during such the preceding fiscal year,  
162 26 together with such further any other information as it may  
162 27 ~~deem~~ the board deems important.

162 28 Sec. 328. Section 336.12, Code 2009, is amended to read as  
162 29 follows:

CODE: Technical changes.

162 30 336.12 Real estate acquired.

162 31 ~~In any county or city in which a free library has been~~  
162 32 ~~established, the~~ The board of library trustees may purchase  
162 33 real estate in the name of the county or city library  
162 34 district for the location of public library buildings and  
162 35 branch libraries, and for the purpose of enlarging the grounds.

163 1 Sec. 329. Section 336.13, Code 2009, is amended to read as

CODE: Technical changes.

163 2 follows:  
163 3 336.13 Maintenance expense on proportionate basis.  
163 4 1. The maintenance of a public library established in  
163 5 accordance with this chapter shall be on the basis of each  
163 6 participating unit bearing its share of the total cost  
163 7 in proportion to its population as compared to the total  
163 8 population of the library district.  
163 9 2. The board of library trustees shall make an estimate  
163 10 of the amount necessary for the maintenance of the library,  
163 11 the sources of direct library revenue, and the amount to be  
163 12 contributed from taxes or other revenues by the participating  
163 13 city or county and hold a hearing on the estimate after notice  
163 14 of the hearing is published as provided in section 331.305 or  
163 15 section 362.3, as appropriate. On or before January 10 of  
163 16 each year, the board of library trustees shall transmit the  
163 17 estimate in dollars to the ~~board of supervisors and to the~~  
163 18 ~~cities governing bodies of the jurisdictions~~ participating in  
163 19 the library district. ~~The unincorporated area of each county~~  
163 20 ~~in the library district shall be considered as a separate~~  
163 21 ~~supporting unit.~~ Each board of supervisors participating shall  
163 22 review the estimate and appropriate for library purposes its  
163 23 share ~~in~~ from the county rural services fund budget. Each city  
163 24 council participating shall review the estimate for the city  
163 25 and appropriate for library purposes its share ~~in~~ from the  
163 26 city general fund budget. Each participating city or county  
163 27 shall contribute its share from taxation or from other sources  
163 28 available for library purposes on an equitable basis. With  
163 29 approval of a city council, the county treasurer may withhold a  
163 30 reasonable portion of the taxes collected for a city to meet  
163 31 the city's contribution for library purposes and deliver a  
163 32 receipt to the city clerk for the amount withheld.  
163 33 This section shall not affect the taxing authority provided  
163 34 under section 256.69.

163 35 Sec. 330. Section 336.15, Code 2009, is amended to read as  
164 1 follows:  
164 2 336.15 Existing contracts assumed.

CODE: Technical changes.

164 3 Whenever a library district is established in accordance  
164 4 with this chapter, its board of trustees shall assume all the  
164 5 obligations of the existing library service contracts made by  
164 6 ~~cities, townships, school corporations, or counties to receive~~  
164 7 ~~library service from free public libraries~~ jurisdictions  
164 8 participating in the library district .

164 9 Sec. 331. Section 336.16, Code 2009, is amended to read as  
164 10 follows:

CODE: Technical changes.

164 11 336.16 Withdrawal from district == termination.

164 12 1. A city may withdraw from the library district upon a  
164 13 majority vote in favor of withdrawal by the electorate of the  
164 14 city in an election held on a motion by the city council. The  
164 15 election shall be held simultaneously with a general or city  
164 16 election. Notice of a favorable vote to withdraw shall be  
164 17 sent by certified mail to the board of library trustees of  
164 18 the library district and the county auditor or city clerk, as  
164 19 appropriate, prior to January 10, and the withdrawal shall be  
164 20 effective on July 1.

164 21 2. A county may withdraw from the district after a majority  
164 22 of the voters of the unincorporated area of the county voting  
164 23 on the issue favor the withdrawal. The board of supervisors  
164 24 shall call for the election which shall be held at the next  
164 25 general election.

164 26 3. A city or county election shall not be called until a  
164 27 hearing has been held on the proposal to submit a proposition  
164 28 of withdrawal to an election. A hearing may be held only after  
164 29 public notice published as provided in section 362.3 in the  
164 30 case of a city or section 331.305 in the case of a county. A  
164 31 copy of the notice submitted for publication shall be mailed  
164 32 to the public library on or before the date of publication.

164 33 The proposal presented at the hearing must include a plan  
164 34 for continuing adequate library service with or without all  
164 35 participants and the respective allocated costs and levels of  
165 1 service shall be stated. At the hearing, any interested person  
165 2 shall be given a reasonable time to be heard, either for or  
165 3 against the withdrawal or the plan to accompany it.

165 4     4. A library district may be terminated if a majority of  
165 5 the electors of the unincorporated area of the county and the  
165 6 cities included in the library district voting on the issue  
165 7 favor the termination. ~~The election shall be held upon motion~~  
165 8 ~~of the board of supervisors and simultaneously with a general~~  
165 9 ~~or other county election.~~ If the vote favors termination, the  
165 10 termination shall be effective on the succeeding July 1.  
165 11     5. An election for withdrawal from or termination of a  
165 12 library district shall not be held more than once each four  
165 13 years.

165 14     Sec. 332. Section 336.18, subsection 4, paragraphs c and d,  
165 15 Code 2009, are amended to read as follows:  
165 16     c. If a majority of those voting upon the question favors  
165 17 it, the board of supervisors shall ~~within thirty days appoint~~  
165 18 ~~a board of library trustees from residents of the petitioning~~  
165 19 ~~area. Vacancies shall be filled by the board.~~  
165 20     d. ~~The board of trustees may contract with any~~ a library  
165 21 for library use or service for the benefit of the residents and  
165 22 area represented by it.

CODE: Technical changes.

165 23     Sec. 333. NEW SECTION . 336.19 Contracts for use of public  
165 24 library.  
165 25     1. Contracting. The board of library trustees may contract  
165 26 with any other board of trustees of a free public library  
165 27 or any other city, school corporation, institution of higher  
165 28 learning, township, or county, or with the trustees of any  
165 29 county library district for the use of the library by their  
165 30 respective residents.  
165 31     2. Termination. A contract entered into pursuant to  
165 32 subsection 1 may be terminated as follows:  
165 33     a. By mutual consent of the contracting parties.  
165 34     b. By a majority vote of the electors represented by either  
165 35 of the contracting parties. Upon a written petition of a  
166 1 number of eligible electors equaling five percent or more of  
166 2 the number of electors voting at the last general election

CODE: Authorizes a board of library trustees to contract with other local boards for use of the library. Specifies how such contracts may be terminated.

166 3 within the jurisdiction of the contracting party, a termination  
166 4 proposition shall be submitted to the electors by the governing  
166 5 body of the contracting party. The petition shall be presented  
166 6 to the governing body not less than forty days prior to the  
166 7 next general election or special election held throughout the  
166 8 jurisdiction of the party seeking to terminate the contract.  
166 9 The proposition shall be submitted at the next general election  
166 10 or next special election held throughout the jurisdiction of  
166 11 the party seeking to terminate the contract.

166 12 Sec. 334. REPEAL. Sections 336.6, 336.9, and 336.17, Code  
166 13 2009, are repealed.

CODE: Repeals provisions that are now addressed elsewhere in statute.

166 14 DIVISION XXIX  
166 15 HEALTH AND HUMAN SERVICES PROGRAM EFFICIENCIES

166 16 Sec. 335. DIRECTIVE FOR INCREASED EFFICIENCIES IN HUMAN  
166 17 SERVICES PROGRAMS. The department of human services shall  
166 18 develop and implement strategies to increase efficiencies by  
166 19 reducing paperwork, decreasing staff time, and providing more  
166 20 streamlined services to the public relative to programs under  
166 21 the purview of the department. Such strategies may include  
166 22 but are not limited to simplifying and reducing duplication in  
166 23 eligibility determinations among programs by utilizing the same  
166 24 eligibility processes across programs to the extent allowed by  
166 25 federal law. The department shall provide a progress report  
166 26 to the joint appropriations subcommittee on health and human  
166 27 services on an annual basis.

Requires the DHS to develop and implement strategies to increase efficiencies.

FISCAL IMPACT: Although no fiscal impact can be determined, it is assumed the DHS will free up staff time because of increased efficiency and less duplication. The DHS may also realize minimal savings.

166 28 Sec. 336. PHARMACEUTICAL IMPROVEMENTS. The department  
166 29 of human services, department of public health, department  
166 30 of corrections, department of management, and any  
166 31 other appropriate agency shall review the provision of  
166 32 pharmaceuticals to populations they serve and programs under  
166 33 their respective purview to determine efficiencies in the

Requires the Departments of Human Services, Public Health, Corrections, Management, and any other appropriate agency to identify strategies to improve efficiencies in pharmaceuticals, including changes to State law or approval from the federal government.

The DOC is in the process of creating a centralized pharmacy for the

166 34 purchase of pharmaceuticals. The departments shall develop  
 166 35 strategies to implement efficiencies and reduce costs to the  
 167 1 state, and shall determine any changes in state law or approval  
 167 2 from the federal government necessary to implement any strategy  
 167 3 identified.

prison system, using generics as a base for its formulary. Any substitutes of name brand medications are to be documented.

Over the past several years, most, if not all, of these agencies (including University of Iowa Hospitals and Clinics) have worked together on an intermittent basis to address pharmacy costs. Most cost savings ideas have been hampered by federal regulations regarding the specific populations of the individual agencies. For example, DOC is at a higher cost than DHS for the same medicine, because one population is criminals while the other is civilians.

FISCAL IMPACT: The fiscal impact cannot be determined. It is anticipated any savings would be generated after FY 2012, when any potential changes to State law or federal regulations would take effect.

167 4 DIVISION XXX  
 167 5 CHILD SUPPORT

167 6 Sec. 337. Section 252D.17, Code 2009, is amended by adding  
 167 7 the following new subsection:  
 167 8 NEW SUBSECTION . 13. The department shall establish  
 167 9 criteria and a phased-in schedule to require, no later than  
 167 10 June 30, 2015, payors of income to electronically transmit  
 167 11 the amounts withheld under an income withholding order. The  
 167 12 department shall assist payors of income in complying with  
 167 13 the required electronic transmission, and shall adopt rules  
 167 14 setting forth procedures for use in electronic transmission of  
 167 15 funds, and exemption from use of electronic transmission taking  
 167 16 into consideration any undue hardship electronic transmission  
 167 17 creates for payors of income.

CODE: Requires businesses that collect child support payments from employees and transmit them to the State to do so through electronic means with exceptions in cases when it may cause a hardship.

DETAIL: Currently only 56.0% of support payments are transmitted electronically where businesses are filing 97.0% of their returns electronically. The DHS has both an electronic funds transfer option and a website available for easy electronic transfer.

FISCAL IMPACT: This change is estimated to save the General Fund \$23,000 annually in processing costs beginning in FY 2011.

167 18 DIVISION XXXI  
 167 19 FALSE CLAIMS ACT

167 20 Sec. 338. NEW SECTION . 685.1 Definitions.  
 167 21 1. "Claim" means any request or demand, whether pursuant to

CODE: Creates a new Iowa Code Chapter, False Claims Act, that is an attempt to secure a larger recovery for the State (10.00%) under

167 22 a contract or otherwise, for money or property and whether the  
 167 23 state has title to the money or property, which is presented  
 167 24 to an officer, employee, agent, or other representative of the  
 167 25 state or to a contractor, grantee, or other person if the money  
 167 26 or property is to be spent or used on the state's behalf or to  
 167 27 advance a state program or interest, and if the state provides  
 167 28 any portion of the money or property which is requested or  
 167 29 demanded, or if the state will reimburse directly or indirectly  
 167 30 such contractor, grantee, or other person for any portion of  
 167 31 the money or property which is requested or demanded. "Claim"  
 167 32 does not include any requests or demands for money or property  
 167 33 that the state has paid to an individual as compensation for  
 167 34 state employment or as an income subsidy with no restrictions  
 167 35 on that individual's use of the money or property.

168 1 2. "Custodian" means the custodian, or any deputy custodian,  
 168 2 designated by the attorney general under section 685.6.

168 3 3. "Documentary material" includes the original or any copy  
 168 4 of any book, record, report, memorandum, paper, communication,  
 168 5 tabulation, chart, or other document, or data compilations  
 168 6 stored in or accessible through computer or other information  
 168 7 retrieval systems, together with instructions and all other  
 168 8 materials necessary to use or interpret such data compilations,  
 168 9 and any product of discovery.

168 10 4. "False claims law" means this chapter.

168 11 5. "False claims law investigation" means any inquiry  
 168 12 conducted by a false claims law investigator for the purpose of  
 168 13 ascertaining whether any person is or has been engaged in any  
 168 14 violation of a false claims law.

168 15 6. "False claims law investigator" means any attorney or  
 168 16 investigator employed by the department of justice who is  
 168 17 charged with the duty of enforcing or carrying into effect  
 168 18 any false claims law, or any officer or employee of the  
 168 19 state acting under the direction and supervision of such  
 168 20 attorney or investigator in connection with a false claims law  
 168 21 investigation.

168 22 7. a. "Knowing" or "knowingly" means that a person with  
 168 23 respect to information, does any of the following:  
 168 24 (1) Has actual knowledge of the information.

Medicaid fraud actions. The language is broader than Medicaid fraud. The Act provides a procedure for the State and private individuals to bring an action for fraud against a person that may result in financial loss to the government.

Any State statute must be reviewed by the federal Department of Health and Human Services before it can be implemented. The language will not be reviewed until it has been enacted and the review may take at least a year. This will result in implementation being delayed the first year. If the language is rejected, the General Assembly must approve new legislation to attempt to get federal approval. Several states have had their statutes rejected. Iowa currently operates under the federal False Claims Act.

FISCAL IMPACT: The net fiscal impact cannot be determined at this time. Any recoveries under the Medicaid fraud provisions may be offset by increased costs to State agencies for collection actions. Any receipts for FY 2011 will be for a partial year, because no action can be taken until the language is approved by the federal government.

168 25 (2) Acts in deliberate ignorance of the truth or falsity of  
168 26 the information.

168 27 (3) Acts in reckless disregard of the truth or falsity of  
168 28 the information.

168 29 b. "Knowing" or "knowingly" does not require proof of  
168 30 specific intent to defraud.

168 31 8. "Material" means having a natural tendency to influence,  
168 32 or be capable of influencing, the payment or receipt of money  
168 33 or property.

168 34 9. "Obligation" means an established duty, whether or  
168 35 not fixed, arising from an express or implied contractual,  
169 1 grantor=grantee, or licensor=licensee relationship, from a  
169 2 fee=based or similar relationship, from statute or regulation,  
169 3 or from the retention of any overpayment.

169 4 10. "Official use" means any use that is consistent with  
169 5 the law, and the regulations and policies of the department of  
169 6 justice, including use, in connection with internal department  
169 7 of justice memoranda and reports; communications between  
169 8 the department of justice and a federal, state, or local  
169 9 government agency or a contractor of a federal, state, or local  
169 10 government agency, undertaken in furtherance of a department  
169 11 of justice investigation or prosecution of a case; interviews  
169 12 of any qui tam plaintiff or other witness; oral examinations;  
169 13 depositions; preparation for and response to civil discovery  
169 14 requests; introduction into the record of a case or proceeding;  
169 15 applications, motions, memoranda and briefs submitted to a  
169 16 court or other tribunal; and communications with government  
169 17 investigators, auditors, consultants and experts, the counsel  
169 18 of other parties, and arbitrators and mediators, concerning an  
169 19 investigation, case, or proceeding.

169 20 11. "Original source" means an individual who has direct  
169 21 and independent knowledge of the information on which the  
169 22 allegations are based and has voluntarily provided the  
169 23 information to the state before filing an action under section  
169 24 685.3 which is based on the information.

169 25 12. "Person" means any natural person, partnership,  
169 26 corporation, association, or other legal entity, including any  
169 27 state or political subdivision of the state.



---

169 28 13. "Product of discovery" includes all of the following:  
169 29 a. The original or duplicate of any deposition,  
169 30 interrogatory, document, thing, result of the inspection of  
169 31 land or other property, examination, or admission, which  
169 32 is obtained by any method of discovery in any judicial or  
169 33 administrative proceeding of an adversarial nature.  
169 34 b. Any digest, analysis, selection, compilation, or  
169 35 derivation of any item listed in paragraph "a".  
170 1 c. Any index or other manner of access to any item listed  
170 2 in paragraph "a".  
170 3 14. "Qui tam plaintiff" means a private plaintiff who brings  
170 4 an action under this chapter on behalf of the state.  
170 5 Sec. 339. NEW SECTION . 685.2 Acts subjecting person to  
170 6 treble damages, costs, and civil penalties == exceptions.  
170 7 1. A person who commits any of the following acts is liable  
170 8 to the state for a civil penalty of not less than five thousand  
170 9 dollars and not more than ten thousand dollars, plus three  
170 10 times the amount of damages which the state sustains because of  
170 11 the act of that person:  
170 12 a. Knowingly presents, or causes to be presented, a false or  
170 13 fraudulent claim for payment or approval.  
170 14 b. Knowingly makes, uses, or causes to be made or used, a  
170 15 false record or statement material to a false or fraudulent  
170 16 claim.  
170 17 c. Conspires to commit a violation of paragraph "a", "b",  
170 18 "d", "e", "f", or "g".  
170 19 d. Has possession, custody, or control of property or money  
170 20 used, or to be used, by the state and knowingly delivers,  
170 21 or causes to be delivered, less than all of that money or  
170 22 property.  
170 23 e. Is authorized to make or deliver a document certifying  
170 24 receipt of property used, or to be used, by the state and,  
170 25 intending to defraud the state, makes or delivers the receipt  
170 26 without completely knowing that the information on the receipt  
170 27 is true.  
170 28 f. Knowingly buys, or receives as a pledge of an obligation  
170 29 or debt, public property from an officer or employee of the  
170 30 state, or a member of the Iowa national guard, who lawfully may

---

170 31 not sell or pledge property.  
170 32 g. Knowingly makes, uses, or causes to be made or used, a  
170 33 false record or statement material to an obligation to pay or  
170 34 transmit money or property to the state, or knowingly conceals  
170 35 or knowingly and improperly avoids or decreases an obligation  
171 1 to pay or transmit money or property to the state.  
171 2 2. Notwithstanding subsection 1, the court may assess  
171 3 not less than two times the amount of damages which the  
171 4 state sustains because of the act of the person described in  
171 5 subsection 1, if the court finds all of the following:  
171 6 a. The person committing the violation furnished officials  
171 7 of the state responsible for investigating false claims  
171 8 violations with all information known to such person about the  
171 9 violation within thirty days after the date on which the person  
171 10 first obtained the information.  
171 11 b. The person fully cooperated with the state investigation  
171 12 of such violation.  
171 13 c. At the time the person furnished the state with the  
171 14 information about the violation, a criminal prosecution, civil  
171 15 action, or administrative action had not commenced under this  
171 16 chapter with respect to such violation, and the person did not  
171 17 have actual knowledge of the existence of an investigation into  
171 18 such violation.  
171 19 3. A person violating this section shall also be liable to  
171 20 the state for the costs of a civil action brought to recover  
171 21 any such penalty or damages.  
171 22 4. Any information furnished pursuant to subsection 2 is  
171 23 deemed confidential information exempt from disclosure pursuant  
171 24 to chapter 22.  
171 25 5. This section shall not apply to claims, records, or  
171 26 statements made under Tit. X relating to state revenue and  
171 27 taxation.  
171 28 Sec. 340. NEW SECTION . 685.3 Investigations and  
171 29 prosecutions == powers of prosecuting authority == civil actions  
171 30 by individuals as qui tam plaintiffs and as private citizens ==  
171 31 jurisdiction of courts.  
171 32 1. The attorney general shall diligently investigate a  
171 33 violation under section 685.2. If the attorney general finds

171 34 that a person has violated or is violating section 685.2, the  
171 35 attorney general may bring a civil action under this section  
172 1 against that person.

172 2 2. a. A person may bring a civil action for a violation of  
172 3 this chapter for the person and for the state, in the name of  
172 4 the state. The person bringing the action shall be referred  
172 5 to as the qui tam plaintiff. Once filed, the action may be  
172 6 dismissed only if the court and the attorney general provide  
172 7 written consent to the dismissal and the reasons for such  
172 8 consent.

172 9 b. A copy of the complaint and written disclosure of  
172 10 substantially all material evidence and information the person  
172 11 possesses shall be served on the attorney general pursuant to  
172 12 the Iowa rules of civil procedure. The complaint shall also  
172 13 be filed in camera, shall remain under seal for at least sixty  
172 14 days, and shall not be served on the defendant until the court  
172 15 so orders. The state may elect to intervene and proceed with  
172 16 the action within sixty days after the state receives both the  
172 17 complaint and the material evidence and the information.

172 18 c. The state may, for good cause shown, move the court for  
172 19 extensions of the time during which the complaint remains under  
172 20 seal under paragraph "b". Any such motions may be supported by  
172 21 affidavits or other submissions in camera. The defendant shall  
172 22 not be required to respond to any complaint filed under this  
172 23 section until twenty days after the complaint is unsealed and  
172 24 served upon the defendant pursuant to rule 1.302 of the Iowa  
172 25 rules of civil procedure.

172 26 d. Before the expiration of the sixty-day period or any  
172 27 extensions obtained under paragraph "c", the state shall do one  
172 28 of the following:

172 29 (1) Proceed with the action, in which case the action shall  
172 30 be conducted by the state.

172 31 (2) Notify the court that the state declines to take over  
172 32 the action, in which case the qui tam plaintiff shall have the  
172 33 right to conduct the action.

172 34 e. When a person brings an action under this section, no  
172 35 person other than the state may intervene or bring a related  
173 1 action based on the facts underlying the pending action.

173 2 3. a. If the state proceeds with the action, the state  
173 3 shall have the primary responsibility for prosecuting the  
173 4 action, and shall not be bound by an act of the qui tam  
173 5 plaintiff. Such qui tam plaintiff shall have the right to  
173 6 continue as a party to the action, subject to the limitations  
173 7 specified in paragraph "b".

173 8 b. (1) The state may move to dismiss the action,  
173 9 notwithstanding the objections of the qui tam plaintiff if the  
173 10 qui tam plaintiff has been notified by the state of the filing  
173 11 of the motion and the court has provided the qui tam plaintiff  
173 12 with an opportunity for a hearing on the motion.

173 13 (2) The state may settle the action with the defendant  
173 14 notwithstanding the objections of the qui tam plaintiff if  
173 15 the court determines, after a hearing, that the proposed  
173 16 settlement is fair, adequate, and reasonable under all of the  
173 17 circumstances. Upon a showing of good cause, such hearing may  
173 18 be held in camera.

173 19 (3) Upon a showing by the state that unrestricted  
173 20 participation during the course of the litigation by the  
173 21 qui tam plaintiff would interfere with or unduly delay the  
173 22 state's prosecution of the case, or would be repetitious,  
173 23 irrelevant, or for purposes of harassment, the court may, in  
173 24 its discretion, impose limitations on the qui tam plaintiff's  
173 25 participation, including but not limited to any of the  
173 26 following:

173 27 (a) Limiting the number of witnesses the qui tam plaintiff  
173 28 may call.

173 29 (b) Limiting the length of the testimony of such witnesses.

173 30 (c) Limiting the qui tam plaintiff's cross-examination of  
173 31 witnesses.

173 32 (d) Otherwise limiting the participation by the qui tam  
173 33 plaintiff in the litigation.

174 1 (4) Upon a showing by the defendant that unrestricted  
174 2 participation during the course of the litigation by the qui  
174 3 tam plaintiff would be for purposes of harassment or would  
174 4 cause the defendant undue burden or unnecessary expense, the  
174 5 court may limit the participation by the qui tam plaintiff in  
174 6 the litigation.

174 5 c. If the state elects not to proceed with the action, the  
174 6 qui tam plaintiff shall have the right to conduct the action.  
174 7 If the state so requests, the state shall be served with copies  
174 8 of all pleadings filed in the action and shall be supplied  
174 9 with copies of all deposition transcripts at the state's  
174 10 expense. When a qui tam plaintiff proceeds with the action,  
174 11 the court, without limiting the status and rights of the qui  
174 12 tam plaintiff, may permit the state to intervene at a later  
174 13 date upon a showing of good cause.

174 14 d. Whether or not the state proceeds with the action,  
174 15 upon a showing by the state that certain actions of discovery  
174 16 by the qui tam plaintiff would interfere with the state's  
174 17 investigation or prosecution of a criminal or civil matter  
174 18 arising out of the same facts, the court may stay such  
174 19 discovery for a period of not more than sixty days. Such a  
174 20 showing shall be conducted in camera. The court may extend  
174 21 the sixty-day period upon a further showing in camera that  
174 22 the state has pursued the criminal or civil investigation  
174 23 or proceedings with reasonable diligence and any proposed  
174 24 discovery in the civil action will interfere with the ongoing  
174 25 criminal or civil investigation or proceedings.

174 26 e. Notwithstanding subsection 2, the state may elect to  
174 27 pursue the state's claim through any alternate remedy available  
174 28 to the state, including any administrative proceeding to  
174 29 determine a civil penalty. If any such alternate remedy is  
174 30 pursued in another proceeding, the qui tam plaintiff shall have  
174 31 the same rights in such proceeding as such qui tam plaintiff  
174 32 would have had if the action had continued under this section.  
174 33 Any finding of fact or conclusion of law made in such other  
174 34 proceeding that has become final, shall be conclusive as to all  
174 35 such parties to an action under this section. For purposes  
175 1 of this paragraph, a finding or conclusion is final if it has  
175 2 been finally determined on appeal to the appropriate court of  
175 3 the state, if all time for filing such an appeal with respect  
175 4 to the finding or conclusion has expired, or if the finding or  
175 5 conclusion is not subject to judicial review.

175 6 4. a. (1) If the state proceeds with an action brought by  
175 7 a qui tam plaintiff under subsection 2, the qui tam plaintiff

175 8 shall, subject to subparagraph (2), receive at least fifteen  
175 9 percent but not more than twenty=five percent of the proceeds  
175 10 of the action or settlement of the claim, depending upon the  
175 11 extent to which the qui tam plaintiff substantially contributed  
175 12 to the prosecution of the action.

175 13 (2) If the action is one which the court finds to be  
175 14 based primarily on disclosures of specific information, other  
175 15 than information provided by the qui tam plaintiff, relating  
175 16 to allegations or transactions in a criminal, civil, or  
175 17 administrative hearing, or in a legislative, administrative  
175 18 or state auditor report, hearing, audit, or investigation, or  
175 19 from the news media, the court may award an amount the court  
175 20 considers appropriate, but in no case more than ten percent  
175 21 of the proceeds, taking into account the significance of the  
175 22 information and the role of the qui tam plaintiff in advancing  
175 23 the case to litigation.

175 24 (3) Any payment to a qui tam plaintiff under subparagraph  
175 25 (1) or (2) shall be made from the proceeds. Any such qui tam  
175 26 plaintiff shall also receive an amount for reasonable expenses  
175 27 which the appropriate court finds to have been necessarily  
175 28 incurred, plus reasonable attorney fees and costs. All  
175 29 such expenses, fees, and costs shall be awarded against the  
175 30 defendant.

175 31 b. If the state does not proceed with an action under this  
175 32 section, the qui tam plaintiff or person settling the claim  
175 33 shall receive an amount which the court decides is reasonable  
175 34 for collecting the civil penalty and damages. The amount shall  
175 35 be not less than twenty=five percent and not more than thirty  
176 1 percent of the proceeds of the action or settlement and shall  
176 2 be paid out of such proceeds. Such qui tam plaintiff or person  
176 3 shall also receive an amount for reasonable expenses which the  
176 4 court finds to have been necessarily incurred, plus reasonable  
176 5 attorney fees and costs. All such expenses, fees, and costs  
176 6 shall be awarded against the defendant.

176 7 c. Whether or not the state proceeds with the action, if the  
176 8 court finds that the action was brought by a qui tam plaintiff  
176 9 who planned and initiated the violation of section 685.2 upon  
176 10 which the action was brought, the court may, to the extent the

176 11 court considers appropriate, reduce the share of the proceeds  
176 12 of the action which the qui tam plaintiff would otherwise  
176 13 receive under paragraph "a" or "b", taking into account the role  
176 14 of that qui tam plaintiff in advancing the case to litigation  
176 15 and any relevant circumstances pertaining to the violation. If  
176 16 the qui tam plaintiff is convicted of criminal conduct arising  
176 17 from the qui tam plaintiff's role in the violation of section  
176 18 685.2, the qui tam plaintiff shall be dismissed from the civil  
176 19 action and shall not receive any share of the proceeds of  
176 20 the action. Such dismissal shall not prejudice the right of  
176 21 the state to continue the action represented by the attorney  
176 22 general.

176 23 d. If the state does not proceed with the action and the  
176 24 qui tam plaintiff conducts the action, the court may award to  
176 25 the defendant reasonable attorney fees and expenses if the  
176 26 defendant prevails in the action and the court finds that the  
176 27 claim of the qui tam plaintiff was clearly frivolous, clearly  
176 28 vexatious, or brought primarily for purposes of harassment.

176 29 5. a. A court shall not have jurisdiction over an action  
176 30 brought by a former or present member of the Iowa national  
176 31 guard under this chapter against a member of the Iowa national  
176 32 guard arising out of such person's services in the Iowa  
176 33 national guard.

176 34 b. A qui tam plaintiff shall not bring an action under  
176 35 subsection 2 which is based upon allegations or transactions  
177 1 which are the subject of a civil suit or an administrative  
177 2 civil penalty proceeding in which the state is already a party.

177 3 c. A court shall not have jurisdiction over an action under  
177 4 this section based upon the public disclosure of allegations or  
177 5 transactions in a criminal, civil, or administrative hearing,  
177 6 or in a legislative, administrative, or state auditor report,  
177 7 hearing, audit, or investigation, or from the news media,  
177 8 unless the action is brought by the attorney general or the qui  
177 9 tam plaintiff is an original source of the information.

177 10 d. The state is not liable for expenses which a person  
177 11 incurs in bringing an action under this section.

177 12 6. Any employee, contractor, or agent who is discharged,  
177 13 demoted, suspended, threatened, harassed, or in any other

177 14 manner discriminated against in the terms and conditions of  
177 15 employment because of lawful acts performed by the employee,  
177 16 contractor, or agent on behalf of the employee, contractor,  
177 17 or agent or associated others in furtherance of other efforts  
177 18 to stop a violation of this chapter, shall be entitled to all  
177 19 relief necessary to make the employee, contractor, or agent  
177 20 whole. Such relief shall include reinstatement with the same  
177 21 seniority status such employee, contractor, or agent would have  
177 22 had but for the discrimination, two times the amount of back  
177 23 pay, interest on the back pay, and compensation for any special  
177 24 damages sustained as a result of the discrimination, including  
177 25 litigation costs and reasonable attorney fees. An employee,  
177 26 contractor, or agent may bring an action in the appropriate  
177 27 district court of the state for the relief provided in this  
177 28 subsection.

177 29 Sec. 341. NEW SECTION . 685.4 Procedure == statute of  
177 30 limitations.

177 31 1. A subpoena requiring the attendance of a witness at a  
177 32 trial or hearing conducted under this chapter may be served at  
177 33 any place in the state, or through any means authorized in the  
177 34 Iowa rules of civil procedure.

177 35 2. A civil action under this chapter may not be brought  
178 1 more than six years after the date on which the violation of  
178 2 section 685.2 is committed, or more than three years after  
178 3 the date when facts material to the right of action are known  
178 4 or reasonably should have been known by the official of state  
178 5 charged with responsibility to act in the circumstances, but  
178 6 in no event more than ten years after the date on which the  
178 7 violation is committed, whichever occurs last.

178 8 3. If the state elects to intervene and proceed with an  
178 9 action brought under this chapter, the state may file its  
178 10 own complaint or amend the complaint of a qui tam plaintiff  
178 11 to clarify or add detail to the claims in which the state  
178 12 is intervening and to add any additional claims with respect  
178 13 to which the state contends it is entitled to relief. For  
178 14 statute of limitations purposes, any such state pleading shall  
178 15 relate back to the filing date of the complaint of the qui tam  
178 16 plaintiff who originally brought the action, to the extent that



178 17 the claim of the state arises out of the conduct, transactions,  
178 18 or occurrences set forth, or attempted to be set forth, in the  
178 19 prior complaint of that person.

178 20 4. In any action brought under section 685.3, the state  
178 21 shall prove all essential elements of the cause of action,  
178 22 including damages, by a preponderance of the evidence.

178 23 5. Notwithstanding any other provision of law, the Iowa  
178 24 rules of criminal procedure, or the Iowa rules of evidence,  
178 25 a final judgment rendered in favor of the state in any  
178 26 criminal proceeding charging fraud or false statements,  
178 27 whether upon a verdict after trial or upon a plea of guilty or  
178 28 nolo contendere, shall estop the defendant from denying the  
178 29 essential elements of the offense in any action which involves  
178 30 the same transaction as in the criminal proceeding and which  
178 31 is brought under section 685.3.

178 32 Sec. 342. NEW SECTION . 685.5 Jurisdiction.

178 33 1. Any action under section 685.3 may be brought in any  
178 34 county in which the defendant or, in the case of multiple  
178 35 defendants, any one defendant can be found, resides, transacts  
179 1 business, or in which any act proscribed by section 685.2  
179 2 occurred. An original notice as required by the Iowa rules of  
179 3 civil procedure shall be issued by the appropriate district  
179 4 court and served in accordance with the Iowa rules of civil  
179 5 procedure.

179 6 2. A seal on the action ordered by the court under section  
179 7 685.3 shall not preclude the state, local government, or  
179 8 the qui tam plaintiff from serving the complaint, any other  
179 9 pleadings, or the written disclosure of substantially all  
179 10 material evidence and information possessed by the qui  
179 11 tam plaintiff on the law enforcement authorities that are  
179 12 authorized under the law of the state or local government  
179 13 to investigate and prosecute such actions on behalf of  
179 14 such governments, except that such seal applies to the law  
179 15 enforcement authorities so served to the same extent as the  
179 16 seal applies to other parties in the action.

179 17 Sec. 343. NEW SECTION . 685.6 Civil investigative demands.

179 18 1. Issuance and service.

179 19 a. If the attorney general, or a designee, for the purposes

179 20 of this section, has reason to believe that any person may be  
179 21 in possession, custody, or control of any documentary material  
179 22 or information relevant to a false claims law investigation,  
179 23 the attorney general, or a designee, may, before commencing a  
179 24 civil proceeding under section 685.3, subsection 1, or other  
179 25 false claims law, or making an election under section 685.3,  
179 26 subsection 2, issue in writing and cause to be served upon  
179 27 such person, a civil investigative demand requiring any of the  
179 28 following of such person:  
179 29 (1) To produce such documentary material for inspection and  
179 30 copying.  
179 31 (2) To answer in writing, written interrogatories with  
179 32 respect to such documentary material or information.  
179 33 (3) To give oral testimony concerning such documentary  
179 34 material or information.  
179 35 (4) To furnish any combination of such material, answers,  
180 1 or testimony.  
180 2 b. The attorney general may delegate the authority to issue  
180 3 civil investigative demands under this subsection. If a civil  
180 4 investigative demand is an express demand for any product of  
180 5 discovery, the attorney general, a deputy attorney general,  
180 6 or an assistant attorney general shall cause to be served, in  
180 7 any manner authorized by this section, a copy of such demand  
180 8 upon the person from whom the discovery was obtained and shall  
180 9 notify the person to whom such demand is issued of the date on  
180 10 which such copy was served. Any information obtained by the  
180 11 attorney general or a designee of the attorney general under  
180 12 this section may be shared with any qui tam plaintiff if the  
180 13 attorney general or designee determines it is necessary as part  
180 14 of any false claims law investigation.  
180 15 2. Contents and deadlines.  
180 16 a. Each civil investigative demand issued under subsection 1  
180 17 shall state the nature of the conduct constituting the alleged  
180 18 violation of a false claims law which is under investigation,  
180 19 and the applicable provision of law alleged to be violated.  
180 20 b. If such demand is for the production of documentary  
180 21 material, the demand shall provide all of the following:  
180 22 (1) Describe each class of documentary material to be

---

180 23 produced with such definiteness and certainty as to permit such  
180 24 material to be fairly identified.

180 25 (2) Prescribe a return date for each such class which will  
180 26 provide a reasonable period of time within which the material  
180 27 so demanded may be assembled and made available for inspection  
180 28 and copying.

180 29 (3) Identify the false claims law investigator to whom such  
180 30 material shall be made available.

180 31 c. If such demand is for answers to written interrogatories,  
180 32 the demand shall provide for all of the following:

180 33 (1) Set forth with specificity the written interrogatories  
180 34 to be answered.

180 35 (2) Prescribe dates at which time answers to written  
181 1 interrogatories shall be submitted.

181 2 (3) Identify the false claims law investigator to whom such  
181 3 answers shall be submitted.

181 4 d. If such demand is for the giving of oral testimony, the  
181 5 demand shall provide for all of the following:

181 6 (1) Prescribe a date, time, and place at which oral  
181 7 testimony shall be commenced.

181 8 (2) Identify a false claims law investigator who shall  
181 9 conduct the examination and the custodian to whom the  
181 10 transcript of such examination shall be submitted.

181 11 (3) Specify that such attendance and testimony are  
181 12 necessary to the conduct of the investigation.

181 13 (4) Notify the person receiving the demand of the right to  
181 14 be accompanied by an attorney and any other representative.

181 15 (5) Describe the general purpose for which the demand is  
181 16 being issued and the general nature of the testimony, including  
181 17 the primary areas of inquiry, which will be taken pursuant to  
181 18 the demand.

181 19 e. Any civil investigative demand issued under this section  
181 20 which is an express demand for any product of discovery shall  
181 21 not be returned or returnable until twenty days after a copy  
181 22 of such demand has been served upon the person from whom the  
181 23 discovery was obtained.

181 24 f. The date prescribed for the commencement of oral  
181 25 testimony pursuant to a civil investigative demand issued under

181 26 this section shall be a date which is not less than seven days  
181 27 after the date on which demand is received, unless the attorney  
181 28 general or an assistant attorney general designated by the  
181 29 attorney general determines that exceptional circumstances are  
181 30 present which warrant the commencement of such testimony within  
181 31 a lesser period of time.

181 32 g. The attorney general shall not authorize the issuance  
181 33 under this section of more than one civil investigative  
181 34 demand for oral testimony by the same person, unless the  
181 35 person requests otherwise or unless the attorney general,  
182 1 after investigation, notifies that person in writing that an  
182 2 additional demand for oral testimony is necessary.

182 3 3. Protected material or information.

182 4 a. A civil investigative demand issued under subsection 1  
182 5 shall not require the production of any documentary material,  
182 6 the submission of any answers to written interrogatories, or  
182 7 the giving of any oral testimony if such material, answers, or  
182 8 testimony would be protected from disclosure under any of the  
182 9 following:

182 10 (1) The standards applicable to subpoenas or subpoenas  
182 11 duces tecum issued by a court of the state to aid in a grand  
182 12 jury investigation.

182 13 (2) The standards applicable to discovery requests under  
182 14 the Iowa rules of civil procedure, to the extent that the  
182 15 application of such standards to any such demand is appropriate  
182 16 and consistent with the provisions and purposes of this  
182 17 section.

182 18 b. Any such demand which is an express demand for any  
182 19 product of discovery, supersedes any inconsistent order, rule,  
182 20 or provision of law, other than this section, preventing or  
182 21 restraining disclosure of such product of discovery to any  
182 22 person. Disclosure of any product of discovery pursuant to  
182 23 any such express demand does not constitute a waiver of any  
182 24 right or privilege which the person making such disclosure may  
182 25 be entitled to invoke to resist discovery of trial preparation  
182 26 materials.

182 27 4. Service.

182 28 a. Any civil investigative demand issued under subsection

---

182 29 1 may be served by a false claims law investigator, or by any  
182 30 official authorized to issue civil investigative demands.  
182 31 b. Service of any civil investigative demand issued under  
182 32 subsection 1 or of any petition filed under subsection 9 may  
182 33 be made upon a partnership, corporation, association, or other  
182 34 legal entity by any of the following methods:  
182 35 (1) Delivering an executed copy of such demand or petition  
183 1 to any partner, executive officer, managing agent, or general  
183 2 agent of the partnership, corporation, association, or entity,  
183 3 or to any agent authorized by appointment or by law to receive  
183 4 service of process on behalf of such partnership, corporation,  
183 5 association, or entity.  
183 6 (2) Delivering an executed copy of such demand or  
183 7 petition to the principal office or place of business of the  
183 8 partnership, corporation, association, or entity.  
183 9 (3) Depositing an executed copy of such demand or petition  
183 10 in the United States mails by registered or certified mail,  
183 11 with a return receipt requested, addressed to such partnership,  
183 12 corporation, association, or entity at its principal office or  
183 13 place of business.  
183 14 c. Service of any such demand or petition may be made upon  
183 15 any natural person by any of the following methods:  
183 16 (1) Delivering an executed copy of such demand or petition  
183 17 to the person.  
183 18 (2) Depositing an executed copy of such demand or petition  
183 19 in the United States mails by registered or certified mail,  
183 20 with a return receipt requested, addressed to the person at the  
183 21 person's residence or principal office or place of business.  
183 22 d. A verified return by the individual serving any civil  
183 23 investigative demand issued under subsection 1 or any petition  
183 24 filed under subsection 9 setting forth the manner of such  
183 25 service shall be proof of such service. In the case of  
183 26 service by registered or certified mail, such return shall be  
183 27 accompanied by the return post office receipt of delivery of  
183 28 such demand.  
183 29 5. Documentary material.  
183 30 a. The production of documentary material in response to  
183 31 a civil investigative demand served under this section shall

---

183 32 be made under a sworn certificate, in such form as the demand  
183 33 designates, by the following persons, as applicable:

183 34 (1) In the case of a natural person, the person to whom the  
183 35 demand is directed.

184 1 (2) In the case of a person other than a natural person, a  
184 2 person having knowledge of the facts and circumstances relating  
184 3 to such production and authorized to act on behalf of such  
184 4 person.

184 5 b. The certificate shall state that all of the documentary  
184 6 material required by the demand and in the possession, custody,  
184 7 or control of the person to whom the demand is directed has  
184 8 been produced and made available to the false claims law  
184 9 investigator identified in the demand.

184 10 c. Any person upon whom any civil investigative demand for  
184 11 the production of documentary material has been served under  
184 12 this section shall make such material available for inspection  
184 13 and copying to the false claims law investigator identified in  
184 14 such demand at the principal place of business of such person,  
184 15 or at such other place as the false claims law investigator  
184 16 and the person agree and prescribe in writing, or as the court  
184 17 may direct under subsection 9. Such material shall be made  
184 18 available on the return date specified in such demand, or  
184 19 on such later date as the false claims law investigator may  
184 20 prescribe in writing. Such person may, upon written agreement  
184 21 between the person and the false claims law investigator,  
184 22 substitute copies for originals of all or any part of such  
184 23 material.

184 24 6. Interrogatories.

184 25 a. Each interrogatory in a civil investigative demand served  
184 26 under this section shall be answered separately and fully  
184 27 in writing under oath and shall be submitted under a sworn  
184 28 certificate, in such form as the demand designates, by the  
184 29 following persons, as applicable:

184 30 (1) In the case of a natural person, the person to whom the  
184 31 demand is directed.

184 32 (2) In the case of a person other than a natural person, the  
184 33 person or persons responsible for answering each interrogatory.

184 34 b. If any interrogatory is objected to, the reasons for

184 35 the objection shall be stated in the certificate instead of  
185 1 an answer. The certificate shall state that all information  
185 2 required by the demand and in the possession, custody, control,  
185 3 or knowledge of the person to whom the demand is directed has  
185 4 been submitted. To the extent that any information is not  
185 5 furnished, the information shall be identified and reasons  
185 6 set forth with particularity regarding the reasons why the  
185 7 information was not furnished.

185 8 7. Oral examinations.

185 9 a. The examination of any person pursuant to a civil  
185 10 investigative demand for oral testimony served under this  
185 11 section shall be taken before an officer authorized to  
185 12 administer oaths and affirmations by the laws of this state  
185 13 or of the place where the examination is held. The officer  
185 14 before whom the testimony is to be taken shall put the witness  
185 15 on oath or affirmation and shall, personally or by someone  
185 16 acting under the direction of the officer and in the officer's  
185 17 presence, record the testimony of the witness. The testimony  
185 18 shall be taken stenographically and shall be transcribed.  
185 19 When the testimony is fully transcribed, the officer before  
185 20 whom the testimony is taken shall promptly transmit a copy  
185 21 of the transcript of the testimony to the custodian. This  
185 22 subsection shall not preclude the taking of testimony by any  
185 23 means authorized by, and in a manner consistent with, the Iowa  
185 24 rules of civil procedure.

185 25 b. The false claims law investigator conducting the  
185 26 examination shall exclude from the place where the examination  
185 27 is held all persons except the person giving the testimony, the  
185 28 attorney for and any other representative of the person giving  
185 29 the testimony, the attorney for the state, any person who may  
185 30 be agreed upon by the attorney for the state and the person  
185 31 giving the testimony, the officer before whom the testimony is  
185 32 to be taken, and any stenographer taking such testimony.

185 33 c. The oral testimony of any person taken pursuant to a  
185 34 civil investigative demand served under this section shall be  
185 35 taken in any state in which such person resides, is found, or  
186 1 transacts business, or in such other place as may be agreed  
186 2 upon by the false claims law investigator conducting the

---

186 3 examination and such person.

186 4 d. When the testimony is fully transcribed, the false claims  
186 5 law investigator or the officer before whom the testimony is  
186 6 taken shall afford the witness, who may be accompanied by  
186 7 counsel, a reasonable opportunity to examine and read the  
186 8 transcript, unless such examination and reading are waived  
186 9 by the witness. Any changes in form or substance which  
186 10 the witness desires to make shall be entered and identified  
186 11 upon the transcript by the officer or the false claims law  
186 12 investigator, with a statement of the reasons given by the  
186 13 witness for making such changes. The transcript shall then be  
186 14 signed by the witness, unless the witness in writing waives  
186 15 the signing, is ill, cannot be found, or refuses to sign. If  
186 16 the transcript is not signed by the witness within thirty days  
186 17 after being afforded a reasonable opportunity to examine the  
186 18 transcript, the officer or the false claims law investigator  
186 19 shall sign the transcript and state on the record the fact of  
186 20 the waiver, illness, absence of the witness, or the refusal  
186 21 to sign, together with the reasons, if any, for the waiver,  
186 22 illness, absence, or refusal.

186 23 e. The officer before whom the testimony is taken shall  
186 24 certify on the transcript that the witness was sworn by  
186 25 the officer and that the transcript is a true record of the  
186 26 testimony given by the witness, and the officer or false claims  
186 27 law investigator shall promptly deliver the transcript, or  
186 28 send the transcript by registered or certified mail, to the  
186 29 custodian.

186 30 f. Upon payment of reasonable charges for a copy, the false  
186 31 claims law investigator shall furnish a copy of the transcript  
186 32 to the witness only, except that the attorney general, the  
186 33 deputy attorney general, or an assistant attorney general  
186 34 may, for good cause, limit such witness to inspection of the  
186 35 official transcript of the witness' testimony.

187 1 g. (1) Any person compelled to appear for oral testimony  
187 2 under a civil investigative demand issued under subsection  
187 3 1 may be accompanied, represented, and advised by counsel.  
187 4 Counsel may advise such person, in confidence, with respect  
187 5 to any question asked of such person. Such person or counsel



---

187 6 may object on the record to any question, in whole or in  
187 7 part, and shall briefly state for the record the reason  
187 8 for the objection. An objection may be made, received, and  
187 9 entered upon the record when it is claimed that such person is  
187 10 entitled to refuse to answer the question on the grounds of any  
187 11 constitutional or other legal right or privilege, including  
187 12 the privilege against self-incrimination. Such person may not  
187 13 otherwise object to or refuse to answer any question, and may  
187 14 not directly or through counsel otherwise interrupt the oral  
187 15 examination. If such person refuses to answer any question, a  
187 16 petition may be filed in the district court of the state under  
187 17 subsection 9 for an order compelling such person to answer such  
187 18 question.

187 19 (2) If such person refuses to answer any question on the  
187 20 grounds of the privilege against self-incrimination, the  
187 21 testimony of such person may be compelled in accordance with  
187 22 applicable law.

187 23 h. Any person appearing for oral testimony under a civil  
187 24 investigative demand issued under subsection 1 shall be  
187 25 entitled to the same fees and allowances which are paid to  
187 26 witnesses in the district courts of the state.

187 27 8. Custodians of documents, answers, and transcripts.

187 28 a. The attorney general shall designate a false claims  
187 29 law investigator to serve as custodian of documentary  
187 30 material, answers to interrogatories, and transcripts of oral  
187 31 testimony received under this section, and shall designate  
187 32 such additional false claims law investigators as the attorney  
187 33 general determines from time to time to be necessary to serve  
187 34 as deputies to the custodian.

187 35 b. (1) A false claims law investigator who receives  
188 1 any documentary material, answers to interrogatories, or  
188 2 transcripts of oral testimony under this section shall transmit  
188 3 them to the custodian. The custodian shall take physical  
188 4 possession of such material, answers, or transcripts and shall  
188 5 be responsible for their use and for the return of documentary  
188 6 material under paragraph "d".

188 7 (2) The custodian may cause the preparation of such copies  
188 8 of such documentary material, answers to interrogatories, or

---

188 9 transcripts of oral testimony as may be required for official  
188 10 use by any false claims law investigator, or other officer or  
188 11 employee of the department of justice. Such material, answers,  
188 12 and transcripts may be used by any such authorized false claims  
188 13 law investigator or other officer or employee in connection  
188 14 with the taking of oral testimony under this section.

188 15 (3) Except as otherwise provided in this subsection,  
188 16 documentary material, answers to interrogatories, or  
188 17 transcripts of oral testimony, or copies of documentary  
188 18 materials, answers or transcripts, while in the possession of  
188 19 the custodian, shall not be available for examination by any  
188 20 individual other than a false claims law investigator or other  
188 21 officer or employee of the department of justice authorized  
188 22 under subparagraph (2). This prohibition on the availability  
188 23 of material, answers, or transcripts shall not apply if consent  
188 24 is given by the person who produced such material, answers,  
188 25 or transcripts, or, in the case of any product of discovery  
188 26 produced pursuant to an express demand for such material,  
188 27 consent is given by the person from whom the discovery was  
188 28 obtained. Nothing in this subparagraph is intended to prevent  
188 29 disclosure to the general assembly, including any committee or  
188 30 subcommittee of the general assembly, or to any other agency  
188 31 of the state for use by such agency in furtherance of its  
188 32 statutory responsibilities.

188 33 (4) While in the possession of the custodian and under such  
188 34 reasonable terms and conditions as the attorney general shall  
188 35 prescribe all of the following shall apply, as applicable:

189 1 (a) Documentary material and answers to interrogatories  
189 2 shall be available for examination by the person who produced  
189 3 such material or answers, or by a representative of that person  
189 4 authorized by that person to examine such material and answers.

189 5 (b) Transcripts of oral testimony shall be available for  
189 6 examination by the person who produced such testimony, or by  
189 7 a representative of that person authorized by that person to  
189 8 examine such transcripts.

189 9 c. If an attorney of the department of justice has  
189 10 been designated to appear before any court, grand jury,  
189 11 state agency, or federal agency in any case or proceeding,

---

189 12 the custodian of any documentary material, answers to  
189 13 interrogatories, or transcripts of oral testimony received  
189 14 under this section may deliver to such attorney such material,  
189 15 answers, or transcripts for official use in connection with  
189 16 any such case or proceeding as such attorney determines to be  
189 17 required. Upon the completion of any such case or proceeding,  
189 18 such attorney shall return to the custodian any such material,  
189 19 answers, or transcripts delivered which have not passed into  
189 20 the control of such court, grand jury, or agency through  
189 21 introduction into the record of such case or proceeding.  
189 22 d. If any documentary material has been produced by any  
189 23 person in the course of any false claims law investigation  
189 24 pursuant to a civil investigative demand under this section,  
189 25 and any case or proceeding before the court or grand jury  
189 26 arising out of such investigation, or any proceeding before  
189 27 any state agency or federal agency involving such material,  
189 28 has been completed, or a case or proceeding in which such  
189 29 material may be used has not been commenced within a reasonable  
189 30 time after completion of the examination and analysis of all  
189 31 documentary material and other information assembled in the  
189 32 course of such investigation, the custodian shall, upon written  
189 33 request of the person who produced such material, return to  
189 34 such person any such material, other than copies furnished  
189 35 to the false claims law investigator under subsection 5 or  
190 1 made for the department of justice under paragraph "b" which  
190 2 has not passed into the control of any court, grand jury, or  
190 3 agency through introduction into the record of such case or  
190 4 proceeding.  
190 5 e. (1) In the event of the death, disability, or separation  
190 6 from service in the department of justice of the custodian  
190 7 of any documentary material, answers to interrogatories, or  
190 8 transcripts of oral testimony produced pursuant to a civil  
190 9 investigative demand under this section, or in the event of the  
190 10 official relief of such custodian from responsibility for the  
190 11 custody and control of such material, answers, or transcripts,  
190 12 the attorney general shall promptly do all of the following:  
190 13 (a) Designate another false claims law investigator to  
190 14 serve as custodian of such material, answers, or transcripts.

190 15 (b) Transmit in writing to the person who produced such  
190 16 material, answers, or testimony notice of the identity and  
190 17 address of the successor designated.

190 18 (2) Any person who is designated to be a successor under  
190 19 this paragraph "e" shall have, with regard to such material,  
190 20 answers, or transcripts, the same duties and responsibilities  
190 21 as were imposed by this section upon that person's predecessor  
190 22 in office, except that the successor shall not be held  
190 23 responsible for any default or dereliction which occurred  
190 24 before that designation.

190 25 9. Judicial proceedings.

190 26 a. If a person fails to comply with any civil investigative  
190 27 demand issued under subsection 1, or if satisfactory copying or  
190 28 reproduction of any material requested in such demand cannot be  
190 29 completed and such person refuses to surrender such material,  
190 30 the attorney general may file, in the district court of the  
190 31 state for any county in which such person resides, is found,  
190 32 or transacts business, and serve upon such person, a petition  
190 33 for an order of such court for the enforcement of the civil  
190 34 investigative demand.

190 35 b. (1) A person who has received a civil investigative  
191 1 demand issued under subsection 1 may file, in the district  
191 2 court of the state for the county within which such person  
191 3 resides, is found, or transacts business, and serve upon the  
191 4 false claims law investigator identified in such demand, a  
191 5 petition for an order of the court to modify or set aside such  
191 6 demand. In the case of a petition addressed to an express  
191 7 demand for any product of discovery, a petition to modify or  
191 8 set aside such demand may be brought only in the district  
191 9 court of the state for the county in which the proceeding in  
191 10 which such discovery was obtained is or was last pending. Any  
191 11 petition under this paragraph shall be filed in accordance with  
191 12 the following, as applicable:

191 13 (a) Within twenty days after the date of service of the  
191 14 civil investigative demand, or at any time before the return  
191 15 date specified in the demand, whichever date is earlier.

191 16 (b) Within such longer period as may be prescribed in  
191 17 writing by any false claims law investigator identified in the

191 18 demand.

191 19 (2) The petition shall specify each ground upon which the  
191 20 petitioner relies in seeking relief under subparagraph (1), and  
191 21 may be based upon any failure of the demand to comply with the  
191 22 provisions of this section or upon any constitutional or other  
191 23 legal right or privilege of such person. During the pendency  
191 24 of the petition in the court, the court may stay, as it deems  
191 25 proper, the running of the time allowed for compliance with  
191 26 the demand, in whole or in part, except that the person filing  
191 27 the petition shall comply with any portions of the demand not  
191 28 sought to be modified or set aside.

191 29 c. (1) In the case of any civil investigative demand issued  
191 30 under subsection 1 which is an express demand for any product  
191 31 of discovery, the person from whom such discovery was obtained  
191 32 may file, in the district court of the state for the county  
191 33 in which the proceeding in which such discovery was obtained  
191 34 is or was last pending, and serve upon any false claims law  
191 35 investigator identified in the demand and upon the recipient  
192 1 of the demand, a petition for an order of such court to modify  
192 2 or set aside those portions of the demand requiring production  
192 3 of any such product of discovery. Any petition under this  
192 4 subparagraph shall be filed in accordance with the following,  
192 5 as applicable:

192 6 (a) Within twenty days after the date of service of the  
192 7 civil investigative demand, or at any time before the return  
192 8 date specified in the demand, whichever date is earlier.

192 9 (b) Within such longer period as may be prescribed in  
192 10 writing by any false claims law investigator identified in the  
192 11 demand.

192 12 (2) The petition shall specify each ground upon which the  
192 13 petitioner relies in seeking relief under subparagraph (1), and  
192 14 may be based upon any failure of the portions of the demand  
192 15 from which relief is sought to comply with the provisions of  
192 16 this section, or upon any constitutional or other legal right  
192 17 or privilege of the petitioner. During the pendency of the  
192 18 petition, the court may stay, as it deems proper, compliance  
192 19 with the demand and the running of the time allowed for  
192 20 compliance with the demand.

---

192 21 d. At any time during which any custodian is in custody  
192 22 or control of any documentary material or answers to  
192 23 interrogatories produced, or transcripts of oral testimony  
192 24 given, by any person in compliance with any civil investigative  
192 25 demand issued under subsection 1, such person, and in the  
192 26 case of an express demand for any product of discovery, the  
192 27 person from whom such discovery was obtained, may file, in the  
192 28 district court of state for the judicial district within which  
192 29 the office of such custodian is located, and serve upon such  
192 30 custodian, a petition for an order of such court to require  
192 31 the performance by the custodian of any duty imposed upon the  
192 32 custodian by this section.

192 33 e. If a petition is filed in any district court of the state  
192 34 under this subsection, such court shall have jurisdiction to  
192 35 hear and determine the matter so presented, and to enter such  
193 1 order or orders as may be required to carry out the provisions  
193 2 of this section. Any final order so entered shall be subject  
193 3 to appeal in accordance with the Iowa rules of civil procedure.  
193 4 Any disobedience of any final order entered under this section  
193 5 by any court shall be punished as a contempt of the court.

193 6 f. The Iowa rules of civil procedure shall apply to any  
193 7 petition under this subsection, to the extent that such rules  
193 8 are not inconsistent with the provisions of this section.

193 9 10. Disclosure exemption. Any documentary material, answers  
193 10 to written interrogatories, or oral testimony provided under  
193 11 any civil investigative demand issued under subsection 1 shall  
193 12 be deemed confidential and exempt from disclosure under chapter  
193 13 22.

193 14 Sec. 344. NEW SECTION . 685.7 Rulemaking authority.  
193 15 The attorney general may adopt such rules and regulations as  
193 16 are necessary to effectuate the purposes of this chapter.

193 17 Sec. 345. ANNUAL REPORTING REQUIREMENT. On the thirtieth  
193 18 day after the effective date of this division of this Act,  
193 19 and on the anniversary of the effective date of this division  
193 20 of this Act each year thereafter, the attorney general shall  
193 21 submit to the chairpersons and ranking members of the house and  
193 22 senate committees on judiciary, the legislative caucus staffs,  
193 23 and the legislative services agency, in electronic format, a

193 24 report containing all of the following information:  
 193 25 1. The number of cases the attorney general filed during the  
 193 26 previous calendar year under this chapter.  
 193 27 2. The number of cases qui tam plaintiffs filed under  
 193 28 this chapter during the previous calendar year, including  
 193 29 those cases that remain under seal, and specifying all of the  
 193 30 following for the cases:  
 193 31 a. The state or federal court in which each case was filed  
 193 32 and the total number filed in each court.  
 193 33 b. The state program or agency involved in each case.  
 193 34 c. The number of cases filed by qui tam plaintiffs who  
 193 35 previously filed an action based on the same or similar  
 194 1 transaction or allegation under the federal False Claims Act or  
 194 2 the false claims act of another state.  
 194 3 3. The amount recovered by the state in the form of  
 194 4 settlement, damages, penalties, and litigation costs, if known,  
 194 5 and specifying the following for each case:  
 194 6 a. The case number and parties for each case in which there  
 194 7 was a recovery.  
 194 8 b. The amount of funds recovered respectively for damages,  
 194 9 penalties, and litigation costs.  
 194 10 c. The percentage of the recovery and the amount that the  
 194 11 state paid to any qui tam plaintiff.

194 12 Sec. 346. DEPARTMENT OF JUSTICE == FALSE CLAIMS ACT  
 194 13 ENFORCEMENT. There is appropriated from the general fund of  
 194 14 the state to the department of justice for the fiscal year  
 194 15 beginning July 1, 2010, and ending June 30, 2011, the following  
 194 16 amount, or so much thereof as is necessary, to be used for the  
 194 17 purposes designated:  
 194 18 For the general office of the attorney general, including  
 194 19 salaries, support, maintenance, miscellaneous purposes, and for  
 194 20 not more than the following full-time equivalent positions:  
 194 21 ..... \$ 60,000  
 194 22 ..... FTEs 1.00

General Fund appropriation to the Office of the Attorney General for enforcement of the False Claims Act.

DETAIL: This is a new appropriation for FY 2011.

194 23 DIVISION XXXII

## 194 24 MEDICAID PRESCRIPTION DRUGS

194 25 Sec. 347. Section 249A.20A, subsection 4, Code 2009, is  
194 26 amended to read as follows:  
194 27 4. With the exception of drugs prescribed for the treatment  
194 28 of human immunodeficiency virus or acquired immune deficiency  
194 29 syndrome, transplantation, or cancer ~~and drugs prescribed~~  
194 30 ~~for mental illness~~ with the exception of drugs and drug  
194 31 compounds that do not have a significant variation in a  
194 32 therapeutic profile or side effect profile within a therapeutic  
194 33 class, prescribing and dispensing of prescription drugs not  
194 34 included on the preferred drug list shall be subject to prior  
194 35 authorization.

CODE: Removes Medicaid drugs prescribed for mental illness from the list of drugs that are exempt from prior authorization when the drug is not on the preferred drug list.

## 195 1 Sec. 348. MEDICAID NONPREFERRED DRUG LIST PRESCRIBING.

195 2 1. The department shall adopt rules pursuant to chapter 17A  
195 3 to restrict physicians and other prescribers to prescribing  
195 4 not more than a 72-hour or three-day supply of a prescription  
195 5 drug not included on the medical assistance preferred drug list  
195 6 while seeking approval to continue prescribing the medication.  
195 7 2. Notwithstanding subsection 1, the department shall  
195 8 adopt rules pursuant to chapter 17A to restrict a physician or  
195 9 other prescriber prescribing a chemically unique mental health  
195 10 prescription drug to prescribing not more than a seven-day  
195 11 supply of the prescription drug while requesting approval to  
195 12 continue to prescribe the medication. The rules shall provide  
195 13 that if an approval or disapproval is not received by the  
195 14 physician or other prescriber within 48 hours of the request,  
195 15 the request is deemed approved.

Requires the DHS to adopt rules to restrict physicians and other prescribers to a maximum of three days of prescription drugs that are not on the Medicaid Preferred Drug List (PDL) while seeking approval to continue the medication.

DETAIL: The DHS currently allows physicians to prescribe a one-time 30-day supply of prescription drugs while they are waiting for prior authorization if a drug is not on the PDL. Federal law requires only an emergency three-day supply while waiting for approval. Currently, the average wait time to receive prior authorization is two business hours.

FISCAL IMPACT: Reducing the length of a prescription from 30 days to three days is estimated to save the General Fund \$156,000 in FY 2011 and \$187,000 in FY 2012.

195 16 Sec. 349. MEDICAID MENTAL HEALTH MEDICATIONS. The  
195 17 department shall adopt rules pursuant to chapter 17A to require  
195 18 that unless the manufacturer of a chemically unique mental  
195 19 health prescription drug enters into a contract to provide the  
195 20 state with a supplemental rebate, the drug may be placed on  
195 21 the nonpreferred drug list and subject to prior authorization

Requires the DHS to adopt rules to place chemically unique mental health drugs on the nonpreferred drug list and require prior authorization if the drug does not receive supplemental rebates. This Section is to be implemented January 1, 2011.

DETAIL: It is the current policy of the DHS to put all chemically



195 22 before a medical assistance program recipient is able to obtain  
195 23 the drug. The department shall consult with the national  
195 24 alliance on mental illness, Iowa chapter, and other mental  
195 25 health patient organizations in the development of the rules  
195 26 and the development of associated formularies. The rules shall  
195 27 provide that a medical assistance program recipient whose  
195 28 drug regimen is established prior to January 1, 2011, on a  
195 29 chemically unique mental health prescription drug that would  
195 30 otherwise be placed on the nonpreferred drug list and subject  
195 31 to prior authorization under this section, shall be exempt from  
195 32 the restrictions of this section. The department shall not  
195 33 adopt rules under this section by emergency rulemaking pursuant  
195 34 to section 17A.4, subsection 3, and section 17A.5, subsection  
195 35 2, paragraph "b". The rules adopted pursuant to this section  
196 1 shall not take effect prior to January 1, 2011.

unique mental health drugs on the PDL, even if they don't receive any rebates for the drugs.

FISCAL IMPACT: By requiring only mental health drugs that receive supplemental rebates to be placed on the PDL, it is estimated to save the State \$200,000 in FY 2011 and \$479,000 in FY 2012.

196 2 DIVISION XXXIII  
196 3 MEDICAID DISEASE MANAGEMENT

196 4 Sec. 350. MEDICAID DISEASE MANAGEMENT FOR CHILDREN. The  
196 5 department of human services shall design and implement a  
196 6 disease management program for children to address the most  
196 7 prevalent chronic diseases among children in Iowa. The program  
196 8 may include technology-based disease management, in-person or  
196 9 telephonic care management, self-management strategies, and  
196 10 health literacy education and training.

Requires the DHS to design and implement a chronic disease management program for children.

DETAIL: By implementing a chronic disease management program, Iowa can assure that providers are using best practices to treat patients. A number of other states have implemented similar programs and it has been shown to save significant amounts of money.

FISCAL IMPACT: This change is estimated to save the State \$2.7 million in FY 2011 and \$6.5 million in FY 2012.

196 11 DIVISION XXXIV  
196 12 MEDICAID HOME AND COMMUNITY-BASED SERVICES WAIVER  
PAYMENTS

196 13 Sec. 351. MEDICAID HOME AND COMMUNITY-BASED SERVICES WAIVER

Requires the DHS to set a trigger for review of payments for services

196 14 PAYMENTS == REVIEW. The department of human services shall  
 196 15 evaluate payment records and determine the proper mechanism to  
 196 16 trigger a review of payments for services provided under each  
 196 17 home and community-based services waiver that are in excess of  
 196 18 the median amount for payments through the applicable waiver.  
 196 19 Following development of the trigger mechanism, the department  
 196 20 shall require advance approval for services for which payment  
 196 21 is projected to exceed the median as applicable to each  
 196 22 waiver. The use of trigger mechanism and the approval process  
 196 23 is intended to preserve necessary services while preventing  
 196 24 overuse of services.

provided under the Home and Community-Based Services (HCBS) waivers. After the development of the trigger mechanism, the DHS must require advanced approval for services when the payment is projected to exceed the median.

DETAIL: Payments for waiver services tend to vary greatly, with the median value of payments for the Intellectual Disability Waiver being \$16,953. By evaluating all of the costs above the median for each waiver, the State should be able to identify unnecessary services.

FISCAL IMPACT: This change is estimated to have a net savings to the General Fund of \$1.9 million in FY 2011 and \$2.2 million in FY 2012. This change will also save counties \$2.8 million in FY 2011 and \$3.2 million in FY 2012.

196 25 DIVISION XXXV  
 196 26 DIVESTITURE == MEDICAID PROGRAM

196 27 Sec. 352. Section 249F.1, subsection 2, paragraph a, Code  
 196 28 2009, is amended to read as follows:  
 196 29 a. "Transfer of assets" means any transfer or assignment  
 196 30 of a legal or equitable interest in property, as defined in  
 196 31 section 702.14, from a transferor to a transferee for less than  
 196 32 fair consideration, made while the transferor is receiving  
 196 33 medical assistance or within five years prior to application  
 196 34 for medical assistance by the transferor. Any such transfer  
 196 35 or assignment is presumed to be made with the intent, on the  
 197 1 part of the transferee ; transferor; or another person acting  
 197 2 on behalf of a transferor who is an actual or implied agent,  
 197 3 guardian, attorney-in-fact, or person acting as a fiduciary ,  
 197 4 of enabling the transferor to obtain or maintain eligibility  
 197 5 for medical assistance or of impacting the recovery or payment  
 197 6 of a medical assistance debt . This presumption is rebuttable  
 197 7 only by clear and convincing evidence that the transferor's  
 197 8 eligibility or potential eligibility for medical assistance or  
 197 9 the impact on the recovery or payment of a medical assistance

CODE: Strengthens the Medicaid law to increase recoveries of improperly claimed Medicaid benefits and prevent ineligible individuals from receiving these benefits.

DETAIL: It is illegal for individuals to transfer assets to another person for the sole purpose of qualifying for Medicaid. By hiring additional FTE positions to review possible Medicaid fraud, the State could collect assets owed and deter people from defrauding the State in the future with a cost/benefit ratio of two to one.

FISCAL IMPACT: It is assumed that after hiring additional employees to investigate fraud and abuse, the State would see a net savings to the General Fund of \$586,000 in FY 2011 and \$772,000 in FY 2012.

NOTE: Senate File 2367 (Administration and Regulation Appropriations Act) appropriates additional funding of \$350,000 and 6.00 FTE positions to the Investigations Division of the Department of Inspections and Appeals to increase recoveries of improperly claimed Medicaid benefits.

197 10 debt was no part of the transferee's reason of the transferee;  
197 11 transferor; or other person acting on behalf of a transferor  
197 12 who is an actual or implied agent, guardian, attorney-in-fact,  
197 13 or person acting as a fiduciary for making or accepting the  
197 14 transfer or assignment. A transfer of assets includes a  
197 15 transfer of an interest in the transferor's home, domicile, or  
197 16 land appertaining to such home or domicile while the transferor  
197 17 is receiving medical assistance, unless otherwise exempt under  
197 18 paragraph "b".  
197 19 Sec. 353. Section 249F.1, subsection 2, paragraph b,  
197 20 subparagraph (6), Code 2009, is amended to read as follows:  
197 21 (6) Transfers of assets that would, at the time of the  
197 22 transferor's application for medical assistance, have been  
197 23 exempt from consideration as a resource if retained by the  
197 24 transferor, pursuant to 42 U.S.C. 1382b(a), as implemented  
197 25 by regulations adopted by the secretary of the United States  
197 26 department of health and human services , excluding the home and  
197 27 land appertaining to the home .

197 28 DIVISION XXXVI  
197 29 CHILD CARE ADVISORY COMMITTEE

197 30 Sec. 354. NEW SECTION . 135.173A Child care advisory  
197 31 committee.  
197 32 1. The early childhood Iowa council shall establish a state  
197 33 child care advisory committee as part of the council. The  
197 34 advisory committee shall advise and make recommendations to the  
197 35 governor, general assembly, department of human services, and  
198 1 other state agencies concerning child care.  
198 2 2. The membership of the advisory committee shall consist of  
198 3 a broad spectrum of parents and other persons from across the  
198 4 state with an interest in or involvement with child care.  
198 5 3. Except as otherwise provided, the voting members of  
198 6 the advisory committee shall be appointed by the council  
198 7 from a list of names submitted by a nominating committee to  
198 8 consist of one member of the advisory committee, one member

CODE: Requires the Early Childhood Iowa Council to establish a State Child Care Advisory Committee. Specifies membership and duties of the Committee. Makes technical changes to Code cites for the name of the existing State Child Care Advisory Council to Committee. Provides for the transition of membership from the Council to the Committee. The Division is effective July 1, 2011.

FISCAL IMPACT: None.

---

198 9 of the department of human services' child care staff, three  
198 10 consumers of child care, and one member of a professional child  
198 11 care organization. Two names shall be submitted for each  
198 12 appointment. The voting members shall be appointed for terms  
198 13 of three years.

198 14 4. The voting membership of the advisory committee shall be  
198 15 appointed in a manner so as to provide equitable representation  
198 16 of persons with an interest in child care and shall include all  
198 17 of the following:

- 198 18 a. Two parents of children served by a registered child  
198 19 development home.
- 198 20 b. Two parents of children served by a licensed center.
- 198 21 c. Two not=for=profit child care providers.
- 198 22 d. Two for=profit child care providers.
- 198 23 e. One child care home provider.
- 198 24 f. Three child development home providers.
- 198 25 g. One child care resource and referral service grantee.
- 198 26 h. One nongovernmental child advocacy group representative.
- 198 27 i. One designee of the department of human services.
- 198 28 j. One designee of the Iowa department of public health.
- 198 29 k. One designee of the department of education.
- 198 30 l. One head start program provider.
- 198 31 m. One person who is a business owner or executive officer  
198 32 from nominees submitted by the Iowa chamber of commerce  
198 33 executives.
- 198 34 n. One designee of the community empowerment office of the  
198 35 department of management.
- 199 1 o. One person who is a member of the Iowa afterschool  
199 2 alliance.
- 199 3 p. One person who is part of a local program implementing  
199 4 the statewide preschool program for four=year=old children  
199 5 under chapter 256C.
- 199 6 q. One person who represents the early childhood Iowa  
199 7 council.

199 8 5. In addition to the voting members of the advisory  
199 9 committee, the membership shall include four legislators as  
199 10 ex officio, nonvoting members. The four legislators shall  
199 11 be appointed one each by the majority leader of the senate,

---

199 12 the minority leader of the senate, the speaker of the house  
199 13 of representatives, and the minority leader of the house of  
199 14 representatives for terms as provided in section 69.16B.  
199 15 6. In fulfilling the advisory committee's role, the  
199 16 committee shall do all of the following:  
199 17 a. Consult with the department of human services and make  
199 18 recommendations concerning policy issues relating to child  
199 19 care.  
199 20 b. Advise the department of human services concerning  
199 21 services relating to child care, including but not limited to  
199 22 any of the following:  
199 23 (1) Resource and referral services.  
199 24 (2) Provider training.  
199 25 (3) Quality improvement.  
199 26 (4) Public-private partnerships.  
199 27 (5) Standards review and development.  
199 28 (6) The federal child care and development block grant,  
199 29 state funding, grants, and other funding sources for child  
199 30 care.  
199 31 c. Assist the department of human services in developing an  
199 32 implementation plan to provide seamless service to recipients  
199 33 of public assistance, which includes child care services.  
199 34 For the purposes of this subsection, "seamless service"  
199 35 means coordination, where possible, of the federal and state  
200 1 requirements which apply to child care.  
200 2 d. Advise and provide technical services to the director of  
200 3 the department of education or the director's designee relating  
200 4 to prekindergarten, kindergarten, and before and after school  
200 5 programming and facilities.  
200 6 e. Make recommendations concerning child care expansion  
200 7 programs that meet the needs of children attending a core  
200 8 education program by providing child care before and after the  
200 9 core program hours and during times when the core program does  
200 10 not operate.  
200 11 f. Make recommendations for improving collaborations  
200 12 between the child care programs involving the department of  
200 13 human services and programs supporting the education and  
200 14 development of young children including but not limited to the

---

200 15 federal head start program, the statewide preschool program for  
200 16 four-year-old children and the early childhood, at-risk, and  
200 17 other early education programs administered by the department  
200 18 of education.

200 19 g. Make recommendations for eliminating duplication and  
200 20 otherwise improving the eligibility determination processes  
200 21 used for the state child care assistance program and other  
200 22 programs supporting low-income families, including but not  
200 23 limited to the federal head start, early head start, and even  
200 24 start programs; the early childhood, at-risk, and preschool  
200 25 programs administered by the department of education; the  
200 26 family and self-sufficiency grant program; and the family  
200 27 investment program.

200 28 h. Make recommendations as to the most effective and  
200 29 efficient means of managing the state and federal funding  
200 30 available for the state child care assistance program.

200 31 i. Review program data from the department of human services  
200 32 and other departments concerning child care as deemed to be  
200 33 necessary by the advisory committee, although a department  
200 34 shall not provide personally identifiable data or information.

200 35 j. Advise and assist the early childhood Iowa council in  
201 1 developing the strategic plan required pursuant to section  
201 2 135.173.

201 3 7. The department of human services shall provide  
201 4 information to the advisory committee semiannually on all of  
201 5 the following:

201 6 a. Federal, state, local, and private revenues and  
201 7 expenditures for child care, including but not limited to  
201 8 updates on the current and future status of the revenues and  
201 9 expenditures.

201 10 b. Financial information and data relating to regulation of  
201 11 child care by the department of human services and the usage of  
201 12 the state child care assistance program.

201 13 c. Utilization and availability data relating to child care  
201 14 regulation, quantity, and quality from consumer and provider  
201 15 perspectives.

201 16 d. Statistical and demographic data regarding child care  
201 17 providers and the families utilizing child care.

201 18 e. Statistical data regarding the processing time for  
201 19 issuing notices of decision to state child care assistance  
201 20 applicants and for issuing payments to child care providers.  
201 21 8. The advisory committee shall coordinate with the early  
201 22 childhood Iowa council its reporting annually in December  
201 23 to the governor and general assembly concerning the status  
201 24 of child care in the state, providing findings, and making  
201 25 recommendations. The annual report may be personally presented  
201 26 to the general assembly's standing committees on human  
201 27 resources by a representative of the advisory committee.  
201 28 Sec. 355. Section 237A.1, subsection 16, Code 2009, is  
201 29 amended to read as follows:  
201 30 16. "State child care advisory ~~council~~" committee" means  
201 31 the state child care advisory ~~council~~ committee established  
201 32 pursuant to ~~sections 237A.21 and 237A.22~~ section 135.173A .  
201 33 Sec. 356. Section 237A.12, subsection 3, Code 2009, is  
201 34 amended to read as follows:  
201 35 3. Rules relating to fire safety for child care centers  
202 1 shall be adopted under this chapter by the state fire marshal  
202 2 in consultation with the department. Rules adopted by the  
202 3 state fire marshal for a building which is owned or leased by a  
202 4 school district or accredited nonpublic school and used as a  
202 5 child care facility shall not differ from standards adopted by  
202 6 the state fire marshal for school buildings under chapter 100.  
202 7 Rules relating to sanitation shall be adopted by the department  
202 8 in consultation with the director of public health. All rules  
202 9 shall be developed in consultation with the state child care  
202 10 advisory ~~council~~ committee . The state fire marshal shall  
202 11 inspect the facilities.  
202 12 Sec. 357. Section 237A.25, subsection 1, Code 2009, is  
202 13 amended to read as follows:  
202 14 1. The department shall develop consumer information  
202 15 material to assist parents in selecting a child care provider.  
202 16 In developing the material, the department shall consult with  
202 17 department of human services staff, department of education  
202 18 staff, the state child care advisory ~~council~~ committee , the  
202 19 Iowa empowerment board, and child care resource and referral  
202 20 services. In addition, the department may consult with other

202 21 entities at the local, state, and national level.  
202 22 Sec. 358. Section 237A.30, subsection 1, Code 2009, is  
202 23 amended to read as follows:  
202 24 1. The department shall work with the community empowerment  
202 25 office of the department of management established in section  
202 26 28.3 and the state child care advisory ~~council~~ committee in  
202 27 designing and implementing a voluntary quality rating system  
202 28 for each provider type of child care facility.  
202 29 Sec. 359. Section 256.9, subsection 32, paragraph b, Code  
202 30 Supplement 2009, is amended to read as follows:  
202 31 b. Standards and materials developed shall include  
202 32 materials which employ developmentally appropriate practices  
202 33 and incorporate substantial parental involvement. The  
202 34 materials and standards shall include alternative teaching  
202 35 approaches including collaborative teaching and alternative  
203 1 dispute resolution training. The department shall consult  
203 2 with the child development coordinating council, the state  
203 3 child care advisory ~~council~~ committee established pursuant  
203 4 to section 135.173A, the department of human services,  
203 5 the state board of regents center for early developmental  
203 6 education, the area education agencies, the department of  
203 7 ~~child~~ human development and family studies in the college of  
203 8 ~~family and consumer~~ human sciences at Iowa state university of  
203 9 science and technology, the early childhood elementary division  
203 10 of the college of education at the university of Iowa, and the  
203 11 college of education at the university of northern Iowa, in  
203 12 developing these standards and materials.  
203 13 Sec. 360. REPEAL. Sections 237A.21 and 237A.22, Code  
203 14 Supplement 2009, are repealed.  
203 15 Sec. 361. IMPLEMENTATION == EFFECTIVE DATE.  
203 16 1. The early childhood Iowa council shall develop a  
203 17 legislation proposal identifying memberships slots for  
203 18 the state child care advisory committee as created by this  
203 19 division of this Act. The proposal shall ensure that there  
203 20 is appropriate representation for the various types of child  
203 21 care arrangements available in the state and for expertise.  
203 22 The proposal shall be submitted to the governor and general  
203 23 assembly on or before December 15, 2010.



203 24 2. If a provision of this Act or another enactment of  
203 25 the Eighty=third General Assembly repeals section 135.173  
203 26 and creates the early childhood Iowa state board in new Code  
203 27 chapter 256I, the early childhood Iowa state board shall  
203 28 fulfill the responsibilities assigned to the early childhood  
203 29 Iowa council in subsection 1 and the department of education  
203 30 shall propose corrective legislation for the provisions of  
203 31 this division of this Act in accordance with section 2.16 for  
203 32 consideration by the Eighty=fourth General Assembly, 2011  
203 33 Regular Session.  
203 34 3. The provisions of this division of this Act other than  
203 35 this section take effect July 1, 2011.

204 1 DIVISION XXXVII

204 2 MH/MR/DD/BI COMMISSION DUTIES

204 3 Sec. 362. Section 229.24, subsection 3, unnumbered  
204 4 paragraph 1, Code 2009, is amended to read as follows:  
204 5 If all or part of the costs associated with hospitalization  
204 6 of an individual under this chapter are chargeable to a  
204 7 county of legal settlement, the clerk of the district court  
204 8 shall provide to the county of legal settlement and to the  
204 9 county in which the hospitalization order is entered ~~in a~~  
204 10 ~~form prescribed by the mental health, mental retardation,~~  
204 11 ~~developmental disabilities, and brain injury commission,~~ the  
204 12 following information pertaining to the individual which would  
204 13 be confidential under subsection 1:  
204 14 Sec. 363. Section 230A.2, Code 2009, is amended to read as  
204 15 follows:  
204 16 230A.2 Services offered.  
204 17 A community mental health center established or operating  
204 18 as authorized by section 230A.1 may offer to residents of the  
204 19 county or counties it serves any or all of the mental health  
204 20 services defined by ~~the mental health, mental retardation,~~  
204 21 ~~developmental disabilities, and brain injury commission~~ in the  
204 22 comprehensive state mental health and disability services plan

CODE: Updates statutory language regarding mental health, mental retardation, developmental disability, and brain injury (MH/MR/DD/BI) services. The majority of the changes conform statutory language to the current practices of the Commission and the DHS.

FISCAL IMPACT: None.

204 23 under section 225C.6B .  
204 24 Sec. 364. Section 230A.15, Code 2009, is amended to read as  
204 25 follows:  
204 26 230A.15 Comprehensive community mental health program.  
204 27 A community mental health center established or operating  
204 28 as authorized by section 230A.1, or which a county or group  
204 29 of counties has agreed to establish or support pursuant  
204 30 to that section, may with approval of the board or boards  
204 31 of supervisors of the county or counties supporting or  
204 32 establishing the center, undertake to provide a comprehensive  
204 33 community mental health program for the county or counties.  
204 34 A center providing a comprehensive community mental health  
204 35 program shall, at a minimum, make available to residents of the  
205 1 county or counties it serves all of the ~~comprehensive~~ mental  
205 2 health services described in the comprehensive state mental  
205 3 health and disability services plan under section 225C.6B .  
205 4 Sec. 365. Section 331.438, subsection 1, paragraph b, Code  
205 5 2009, is amended to read as follows:  
205 6 b. "Qualified mental health, mental retardation, and  
205 7 developmental disabilities services" means the services  
205 8 ~~specified on forms issued in the rules adopted by the county~~  
205 9 ~~finance committee following consultation with the state~~  
205 10 commission for administering the services fund, pursuant to  
205 11 section 331.424A .  
205 12 Sec. 366. Section 331.438, subsection 4, paragraph b, Code  
205 13 2009, is amended to read as follows:  
205 14 b. The state commission shall do all of the following:  
205 15 (1) ~~Identify~~ Receive and review reports from the department  
205 16 of human services identifying characteristics of the  
205 17 ~~service~~ county services system, including amounts expended,  
205 18 equity of funding among counties, funding sources, provider  
205 19 types, service availability, and equity of service availability  
205 20 among counties and among persons served.  
205 21 ~~(2) Assess the accuracy and uniformity of recordkeeping and~~  
205 22 ~~reporting in the service system.~~  
205 23 ~~(3) Identify for each county the factors associated with~~  
205 24 ~~inflationary growth of the service system.~~  
205 25 ~~(4) Identify opportunities for containing service system~~

205 26 growth.  
205 27 (5) (2) Consider proposals for revising ~~service~~ county  
205 28 services system administrative rules.  
205 29 (6) Consider provisions and adopt rules for counties to  
205 30 implement a central point of coordination to plan, budget,  
205 31 and monitor county expenditures for the service system. The  
205 32 provisions shall provide options for counties to implement  
205 33 the central point of coordination in collaboration with other  
205 34 counties.  
205 35 (7) Develop criteria for annual county mental health,  
206 1 mental retardation, and developmental disabilities plans.  
206 2 (8) (3) Adopt administrative rules identifying qualified  
206 3 mental health, mental retardation, and developmental  
206 4 disabilities service expenditures for purposes of state payment  
206 5 pursuant to subsection 4 relating to county management plans .  
206 6 (9) Adopt rules for the county central point of coordination  
206 7 and clinical assessment processes required under section  
206 8 331.440 and other rules necessary for the implementation of  
206 9 county management plans and expenditure reports required for  
206 10 state payment pursuant to section 331.439.  
206 11 (10) Consider recommendations to improve the programs and  
206 12 cost-effectiveness of state and county contracting processes  
206 13 and procedures, including strategies for negotiations relating  
206 14 to managed care. The recommendations implemented by the  
206 15 commission for the state and county regarding managed care  
206 16 shall include but are not limited to standards for limiting  
206 17 excess costs and profits, and for restricting cost shifting  
206 18 under a managed care system.  
206 19 (11) (4) Provide input, when appropriate, to the director  
206 20 of human services in any decision involving administrative  
206 21 rules which were adopted by the department of human services  
206 22 pertaining to the mental illness, mental retardation, and  
206 23 developmental disabilities services system administered by  
206 24 counties.  
206 25 (12) Identify the fiscal impact of existing or proposed  
206 26 legislation and administrative rules on state and county  
206 27 expenditures.  
206 28 (13) Adopt administrative rules providing statewide

206 29 ~~standards and a monitoring methodology to determine whether~~  
206 30 ~~cost-effective individualized services are available as~~  
206 31 ~~required pursuant to section 331.439, subsection 1, paragraph~~  
206 32 ~~"b".~~  
206 33 (14) (5) Consider recommendations for and adopt  
206 34 administrative rules establishing statewide minimum standards  
206 35 for services and other support required to be available to  
207 1 persons covered by a county management plan under section  
207 2 331.439.  
207 3 (15) (6) Consider recommendations for measuring and  
207 4 improving the quality of state and county mental health, mental  
207 5 retardation, and developmental disabilities services and other  
207 6 support.  
207 7 (16) ~~Develop a procedure for each county to disclose to~~  
207 8 ~~the department of human services information approved by the~~  
207 9 ~~commission concerning the mental health, mental retardation,~~  
207 10 ~~developmental disabilities, and brain injury services provided~~  
207 11 ~~to the individuals served through the county central point~~  
207 12 ~~of coordination process. The procedure shall incorporate~~  
207 13 ~~protections to ensure that if individually identified~~  
207 14 ~~information is disclosed, it is disclosed and maintained in~~  
207 15 ~~compliance with applicable Iowa and federal confidentiality~~  
207 16 ~~laws, including but not limited to federal Health Insurance~~  
207 17 ~~Portability and Accountability Act, Pub. L. No. 104-191,~~  
207 18 ~~requirements.~~  
207 19 Sec. 367. Section 331.439, subsection 1, unnumbered  
207 20 paragraph 1, Code 2009, is amended to read as follows:  
207 21 The state payment to eligible counties under this section  
207 22 shall be made as provided in sections 331.438 and 426B.2. A  
207 23 county is eligible for the state payment, as defined in section  
207 24 331.438, for a fiscal year if the director of human services ;  
207 25 ~~in consultation with the state commission,~~ determines for a  
207 26 specific fiscal year that all of the following conditions are  
207 27 met:  
207 28 Sec. 368. Section 331.439, subsection 1, paragraph a, Code  
207 29 2009, is amended to read as follows:  
207 30 a. The county accurately reported by December 1 the  
207 31 county's expenditures for mental health, mental retardation,

207 32 and developmental disabilities services and the information  
207 33 required under section 225C.6A, subsection 2 3 , paragraph  
207 34 "c", for the previous fiscal year ~~on forms prescribed by~~ in  
207 35 accordance with rules adopted by the state commission. If  
208 1 the department determines good cause exists, the department  
208 2 may extend a deadline otherwise imposed under this chapter,  
208 3 chapter 225C, or chapter 426B for a county's reporting  
208 4 concerning mental health, mental retardation, or developmental  
208 5 disabilities services or related revenues and expenditures.  
208 6 Sec. 369. Section 331.439, subsection 1, paragraph b,  
208 7 unnumbered paragraph 1, Code 2009, is amended to read as  
208 8 follows:  
208 9 The county developed and implemented a county management  
208 10 plan for the county's mental health, mental retardation, and  
208 11 developmental disabilities services system in accordance with  
208 12 the provisions of this paragraph "b". The plan shall comply  
208 13 with the administrative rules adopted for this purpose by the  
208 14 state commission and is subject to the approval of the director  
208 15 of human services in consultation with the state commission.  
208 16 The plan shall include a description of the county's service  
208 17 management provision for mental health, mental retardation, and  
208 18 developmental disabilities services. For mental retardation  
208 19 and developmental disabilities service management, the plan  
208 20 shall describe the county's development and implementation of a  
208 21 ~~managed~~ system of cost-effective individualized services and  
208 22 shall comply with the provisions of paragraph "f". The goal  
208 23 of this part of the plan shall be to assist the individuals  
208 24 served to be as independent, productive, and integrated into  
208 25 the community as possible. The service management provisions  
208 26 for mental health shall comply with the provisions of paragraph  
208 27 "e". A county is subject to all of the following provisions  
208 28 in regard to the county's services system management plan and  
208 29 planning process:  
208 30 Sec. 370. Section 331.439, subsection 1, paragraph b,  
208 31 subparagraphs (2) and (3), Code 2009, are amended to read as  
208 32 follows:  
208 33 (2) For informational purposes, the county shall submit a  
208 34 management plan review to the department of human services by

208 35 December 1 of each year. The annual review shall incorporate  
209 1 an analysis of the data associated with the services  
209 2 system managed during the preceding fiscal year by the county  
209 3 or by a ~~managed-care~~ private entity on behalf of the county.  
209 4 The annual review shall also identify measurable outcomes  
209 5 and results showing the county's progress in fulfilling  
209 6 the purposes listed in paragraph "c", and in achieving the  
209 7 disability services outcomes and indicators identified by the  
209 8 commission pursuant to section 225C.6.  
209 9 (3) For informational purposes, every three years the  
209 10 county shall submit to the department of human services a  
209 11 three=year strategic plan. The strategic plan shall describe  
209 12 how the county will proceed to attain the plan's goals and  
209 13 objectives, and the measurable outcomes and results necessary  
209 14 for moving the county's ~~service~~ services system toward an  
209 15 individualized, community=based focus in accordance with  
209 16 paragraph "c". The three=year strategic plan shall be  
209 17 submitted by April 1, 2000, and by April 1 of every third year  
209 18 thereafter.  
209 19 Sec. 371. Section 331.439, subsection 1, paragraphs c, e,  
209 20 and f, Code 2009, are amended to read as follows:  
209 21 c. The county implements its county management plan under  
209 22 paragraph "b" and other service management functions in a  
209 23 manner that seeks to achieve all of the following purposes  
209 24 identified in section 225C.1 for persons who are covered by the  
209 25 plan or are otherwise subject to the county's ~~service~~ services  
209 26 system management functions:  
209 27 (1) The ~~service~~ services system seeks to empower persons  
209 28 to exercise their own choices about the amounts and types of  
209 29 services and other support received.  
209 30 (2) The ~~service~~ services system seeks to empower the persons  
209 31 to accept responsibility, exercise choices, and take risks.  
209 32 (3) The ~~service~~ services system seeks to provide services  
209 33 and other support that are individualized, provided to produce  
209 34 results, flexible, and cost=effective.  
209 35 (4) The ~~service~~ services system seeks to provide services  
210 1 and other ~~supports~~ support in a manner which supports the  
210 2 ability of the persons to live, learn, work, and recreate in

210 3 communities of their choice.

210 4 e. (1) For mental health service management, the county  
210 5 may either directly implement a system of service management  
210 6 and contract with service providers, or contract with a  
210 7 private entity to manage the county services system, provided  
210 8 all requirements of this lettered paragraph are met by the  
210 9 private entity. The mental health ~~service management~~ services  
210 10 system shall incorporate a central point of coordination and  
210 11 clinical assessment process developed in accordance with the  
210 12 provisions of section 331.440.

210 13 (2) ~~A managed care~~ The county services system for mental  
210 14 health proposed by a county shall include but is not limited  
210 15 to all of the following elements which shall be specified in  
210 16 administrative rules adopted by the state commission:

210 17 (a) The enrollment and eligibility process.

210 18 (b) The scope of services included.

210 19 (c) The method of plan administration.

210 20 (d) The process for managing utilization and access to  
210 21 services and other assistance.

210 22 (e) The quality assurance process.

210 23 (f) The risk management provisions and fiscal viability of  
210 24 the provisions, if the county contracts with a private ~~managed~~  
210 25 ~~care~~ entity.

210 26 f. For mental retardation and developmental disabilities  
210 27 services management, the county must either develop and  
210 28 implement a ~~managed~~ system of care which addresses a full  
210 29 array of appropriate services and cost-effective delivery of  
210 30 services by contracting directly with service providers or  
210 31 ~~contract~~ by contracting with a state-approved managed care  
210 32 ~~contractor or contractors~~ private entity to manage the county  
210 33 services system . ~~Any system or contract implemented under~~  
210 34 ~~this paragraph~~ The county services system shall incorporate a  
210 35 central point of coordination and clinical assessment process  
211 1 developed in accordance with the provisions of section 331.440.

211 2 The elements of ~~the county managed system of care~~ a county  
211 3 services system shall be specified in rules developed by the  
211 4 department of human services in consultation with and adopted  
211 5 by the state commission.

211 6 Sec. 372. Section 331.439, subsection 3, paragraph b, Code  
211 7 2009, is amended to read as follows:  
211 8 b. Based upon information contained in county management  
211 9 plans and budgets and proposals made by representatives of  
211 10 counties, the state commission shall recommend an allowed  
211 11 growth factor adjustment to the governor by November 15  
211 12 for the fiscal year which commences two years from the  
211 13 beginning date of the fiscal year in progress at the time the  
211 14 recommendation is made. The allowed growth factor adjustment  
211 15 ~~shall~~ may address various costs including but not limited to  
211 16 the costs associated with new consumers of service, service  
211 17 cost inflation, and investments for economy and efficiency. In  
211 18 developing the service cost inflation recommendation, the state  
211 19 commission shall consider the cost trends indicated by the  
211 20 gross expenditure amount reported in the expenditure reports  
211 21 submitted by counties pursuant to subsection 1, paragraph  
211 22 "a". The governor shall consider the state commission's  
211 23 recommendation in developing the governor's recommendation for  
211 24 an allowed growth factor adjustment for such fiscal year. The  
211 25 governor's recommendation shall be submitted at the time the  
211 26 governor's proposed budget for the succeeding fiscal year is  
211 27 submitted in accordance with chapter 8.

211 28 Sec. 373. Section 331.439, subsection 7, Code 2009, is  
211 29 amended to read as follows:  
211 30 7. A county shall annually report data concerning the  
211 31 county's services system managed by in accordance with the  
211 32 county management plan . At a minimum, the data reported shall  
211 33 indicate the number of different individuals who utilized  
211 34 services in a fiscal year and the various types of services.  
211 35 Data reported under this subsection shall be submitted with  
212 1 the county's expenditure report required under subsection 1,  
212 2 paragraph "a".  
212 3 DIVISION XXXVIII  
212 4 MH/MR/DD/BI SERVICES

212 5 Sec. 374. Section 225C.4, subsection 1, paragraph a, Code  
212 6 2009, is amended to read as follows:  
212 7 a. Prepare and administer the comprehensive mental health  
212 8 and disability services plan as provided in section 225C.6B,



212 9 including state mental health and mental retardation plans  
212 10 for the provision of disability services within the state and  
212 11 ~~prepare and administer~~ the state developmental disabilities  
212 12 plan. The administrator shall consult with the Iowa department  
212 13 of public health, the state board of regents or a body  
212 14 designated by the board for that purpose, the department  
212 15 of management or a body designated by the director of the  
212 16 department for that purpose, the department of education, the  
212 17 department of workforce development and any other appropriate  
212 18 governmental body, in order to facilitate coordination of  
212 19 disability services provided in this state. The state mental  
212 20 health and mental retardation plans shall be consistent with  
212 21 the state health plan, and shall incorporate county disability  
212 22 services plans.

212 23 Sec. 375. Section 225C.6, subsections 1 and 3, Code 2009,  
212 24 are amended to read as follows:

212 25 1. To the extent funding is available, the commission shall  
212 26 perform the following duties:

212 27 a. Advise the administrator on the administration of the  
212 28 overall state disability services system.

212 29 b. Adopt necessary rules pursuant to chapter 17A which  
212 30 relate to disability programs and services, including but not  
212 31 limited to definitions of each disability included within the  
212 32 term "disability services" as necessary for purposes of state,  
212 33 county, and regional planning, programs, and services.

212 34 c. Adopt standards for community mental health centers,  
212 35 services, and programs as recommended under section 230A.16.

213 1 The ~~commission~~ administrator shall determine whether to grant,  
213 2 deny, or revoke the accreditation of the centers, services, and  
213 3 programs.

213 4 d. Adopt standards for ~~the care of and services to persons~~  
213 5 ~~with mental illness and mental retardation residing in county~~  
213 6 ~~care facilities recommended under section 227.4~~ the provision  
213 7 under medical assistance of individual case management  
213 8 services .

213 9 e. Unless another governmental body sets standards for a  
213 10 service available to persons with disabilities, adopt state  
213 11 standards for that service. ~~The commission shall provide that~~

213 12 ~~a service provider's compliance with standards for a service~~  
213 13 ~~set by a nationally recognized body shall be deemed to be in~~  
213 14 ~~compliance with the state standards adopted by the commission~~  
213 15 ~~for that service. The commission shall adopt state standards~~  
213 16 ~~for those residential and community-based providers of services~~  
213 17 ~~to persons with mental illness or developmental disabilities~~  
213 18 ~~that are not otherwise subject to licensure by the department~~  
213 19 ~~of human services or department of inspections and appeals,~~  
213 20 ~~including but not limited to remedial services payable under~~  
213 21 ~~the medical assistance program and other services payable from~~  
213 22 ~~funds credited to a county mental health, mental retardation,~~  
213 23 ~~and developmental disabilities services fund created in section~~  
213 24 ~~331.424A. In addition, the~~ The commission shall review the  
213 25 licensing standards used by the department of human services  
213 26 or department of inspections and appeals for those facilities  
213 27 providing disability services ~~to persons with mental illness~~  
213 28 ~~or developmental disabilities~~ .  
213 29 f. Assure that proper reconsideration and appeal procedures  
213 30 are available to persons aggrieved by decisions, actions, or  
213 31 circumstances relating to accreditation.  
213 32 g. Adopt necessary rules for awarding grants from the state  
213 33 and federal government as well as other moneys that become  
213 34 available to the division for grant purposes.  
213 35 h. Annually submit to the governor and the general assembly:  
214 1 (1) A report concerning the activities of the commission.  
214 2 (2) Recommendations formulated by the commission for  
214 3 changes in law.  
214 4 i. By January 1 of each odd-numbered year, submit to the  
214 5 governor and the general assembly an evaluation of:  
214 6 (1) The extent to which services to persons with  
214 7 disabilities are actually available to persons in each county  
214 8 in the state and the quality of those services.  
214 9 (2) The effectiveness of the services being provided by  
214 10 disability service providers in this state and by each of the  
214 11 state mental health institutes established under chapter 226  
214 12 and by each of the state resource centers established under  
214 13 chapter 222.  
214 14 j. Advise the administrator, the council on human services,

214 15 the governor, and the general assembly on budgets and  
214 16 appropriations concerning disability services.  
214 17 k. Coordinate activities with the governor's developmental  
214 18 disabilities council and the mental health planning council,  
214 19 created pursuant to federal law . Work with other state  
214 20 agencies on coordinating, collaborating, and communicating  
214 21 concerning activities involving persons with disabilities.  
214 22 ~~l. Establish standards for the provision under medical~~  
214 23 ~~assistance of individual case management services. The~~  
214 24 ~~commission shall determine whether to grant, deny, or revoke~~  
214 25 ~~the accreditation of the services.~~  
214 26 ~~m.~~ l. Identify basic financial eligibility standards for  
214 27 disability services. The standards shall include but are not  
214 28 limited to the following:  
214 29 (1) A financial eligibility standard providing that a  
214 30 person with an income equal to or less than one hundred fifty  
214 31 percent of the federal poverty level, as defined by the most  
214 32 recently revised poverty income guidelines published by the  
214 33 United States department of health and human services, is  
214 34 eligible for disability services paid with public funding.  
214 35 However, a county may apply a copayment requirement for a  
215 1 particular disability service to a person with an income  
215 2 equal to or less than one hundred fifty percent of the  
215 3 federal poverty level, provided the disability service and  
215 4 the copayment amount both comply with rules adopted by the  
215 5 commission applying uniform standards with respect to copayment  
215 6 requirements. A person with an income above one hundred fifty  
215 7 percent of the federal poverty level may be eligible subject  
215 8 to a copayment or other cost-sharing arrangement subject to  
215 9 limitations adopted in rule by the commission.  
215 10 (2) A requirement that a person who is eligible for  
215 11 federally funded services and other support must apply for the  
215 12 services and support.  
215 13 (3) Resource limitations that are derived from the federal  
215 14 supplemental security income program limitations. A person  
215 15 with resources above the federal supplemental security income  
215 16 program limitations may be eligible subject to limitations  
215 17 adopted in rule by the commission. If a person does not

215 18 qualify for federally funded services and other support  
215 19 but meets income, resource, and functional eligibility  
215 20 requirements, the following types of resources shall be  
215 21 disregarded:  
215 22 (a) A retirement account that is in the accumulation stage.  
215 23 (b) A burial, medical savings, or assistive technology  
215 24 account.  
215 25 ~~n. m.~~ Identify disability services outcomes and indicators  
215 26 to support the ability of eligible persons with a disability to  
215 27 live, learn, work, and recreate in communities of the persons'  
215 28 choice. The identification duty includes but is not limited to  
215 29 responsibility for identifying, collecting, and analyzing data  
215 30 as necessary to issue reports on outcomes and indicators at the  
215 31 county and state levels.  
215 32 ~~o. Prepare five-year plans based upon the county management~~  
215 33 ~~plans developed pursuant to section 331.439.~~  
215 34 ~~p. Work with other state agencies on coordinating,~~  
215 35 ~~collaborating, and communicating concerning activities~~  
216 1 ~~involving persons with disabilities.~~  
216 2 ~~q. Perform analyses and other functions associated with~~  
216 3 ~~a redesign of the mental health and developmental disability~~  
216 4 ~~services systems for adults and for children.~~  
216 5 3. If the executive branch creates a committee, task force,  
216 6 council, or other advisory body to consider ~~mental health~~  
216 7 ~~and developmental disabilities~~ disability services policy ;  
216 8 ~~services~~, or program options involving children or adult  
216 9 consumers, the commission is designated to receive and consider  
216 10 any report, findings, recommendations, or other work product  
216 11 issued by such body. The commission may address the report,  
216 12 findings, recommendations, or other work product in fulfilling  
216 13 the commission's functions and to advise the department,  
216 14 council on human services, governor, and general assembly  
216 15 concerning disability services.  
216 16 Sec. 376. Section 225C.6A, Code 2009, is amended to read as  
216 17 follows:  
216 18 225C.6A Mental health, developmental disability, and brain  
216 19 injury service system redesign ~~implementation~~ .  
216 20 1. ~~Purpose. It is the intent of the general assembly~~

216 21 to implement a redesign of the mental health, developmental  
216 22 disability, and brain injury service system over a period of  
216 23 years in order to transition to a coordinated system for lowans  
216 24 with mental illness, mental retardation or other developmental  
216 25 disabilities, or brain injury. Because of the significance of  
216 26 the redesign to the persons who may be affected by it and the  
216 27 degree of uncertainty regarding the extent of funding changes  
216 28 necessary for implementation, the department and the commission  
216 29 shall not implement a redesign provision through rulemaking or  
216 30 other means unless specific statutory authority provides for  
216 31 the provision's implementation.

216 32 2. Initial activities. For the fiscal years beginning  
216 33 July 1, 2004, and July 1, 2005, the The commission shall do  
216 34 the following relating to redesign of the disability services  
216 35 system in the state :

217 1 a- 1. Identify sources of revenue to support statewide  
217 2 delivery of core disability services to eligible disability  
217 3 populations.

217 4 b. ~~Further develop adult disability services system redesign~~  
217 5 ~~proposals and propose a redesign of the children's disability~~  
217 6 ~~service system. The redesign of the children's system shall~~  
217 7 ~~address issues associated with an individual's transition~~  
217 8 ~~between the two systems.~~

217 9 2. Ensure there is a continuous improvement process for  
217 10 development and maintenance of the disability services system  
217 11 for adults and children. The process shall include but is not  
217 12 limited to data collection and reporting provisions.

217 13 c-(1) 3. a. Plan, collect, and analyze data as necessary  
217 14 to issue cost estimates for serving additional populations and  
217 15 providing core disability services statewide. The department  
217 16 shall maintain compliance with applicable federal and state  
217 17 privacy laws to ensure the confidentiality and integrity of  
217 18 individually identifiable disability services data. The  
217 19 department shall regularly assess the status of the compliance  
217 20 in order to assure that data security is protected.

217 21 (2) b. In implementing a system under this paragraph  
217 22 "c" subsection for collecting and analyzing state, county,  
217 23 and private contractor data, the department shall establish a

217 24 client identifier for the individuals receiving services. The  
217 25 client identifier shall be used in lieu of the individual's  
217 26 name or social security number. The client identifier shall  
217 27 consist of the last four digits of an individual's social  
217 28 security number, the first three letters of the individual's  
217 29 last name, the individual's date of birth, and the individual's  
217 30 gender in an order determined by the department.

217 31 ~~(3)~~ c. Each county shall report to the department annually  
217 32 on or before December 1, for the preceding fiscal year the  
217 33 following information for each individual served: demographic  
217 34 information, expenditure data, and data concerning the services  
217 35 and other support provided to each individual, as specified in  
218 1 administrative rule adopted by the commission.

218 2 ~~d. With consumer input, identify and propose standardized~~  
218 3 ~~functional assessment tools and processes for use in the~~  
218 4 ~~eligibility determination process when eligibility for a~~  
218 5 ~~particular disability population group is implemented. The~~  
218 6 ~~tools and processes shall be integrated with those utilized~~  
218 7 ~~for the medical assistance program under chapter 249A. For~~  
218 8 ~~the initial diagnostic criteria, the commission shall consider~~  
218 9 ~~identifying a qualifying functional assessment score and any~~  
218 10 ~~of the following diagnoses: mental illness, chronic mental~~  
218 11 ~~illness, mental retardation, developmental disability, or brain~~  
218 12 ~~injury.~~

218 13 ~~e. The commission shall adopt a multiyear plan for~~  
218 14 ~~developing and providing the data, cost projections, revenue~~  
218 15 ~~requirements, and other information needed to support decision~~  
218 16 ~~making concerning redesign provisions. The information shall~~  
218 17 ~~be provided as part of the commission's regular reports to the~~  
218 18 ~~governor and general assembly or more often as determined to be~~  
218 19 ~~appropriate by the commission.~~

218 20 ~~f. Propose case rates for disability services.~~

218 21 ~~g.~~ 4. Work with county representatives and other qualified  
218 22 persons to develop an implementation plan for replacing the  
218 23 county of legal settlement approach to determining service  
218 24 system funding responsibilities with an approach based upon  
218 25 residency. The plan shall address a statewide standard for  
218 26 proof of residency, outline a plan for establishing a data

218 27 system for identifying residency of eligible individuals,  
218 28 address residency issues for individuals who began residing in  
218 29 a county due to a court order or criminal sentence or to obtain  
218 30 services in that county, recommend an approach for contesting  
218 31 a residency determination, and address other implementation  
218 32 issues.

218 33 Sec. 377. Section 225C.6B, subsection 1, Code 2009, is  
218 34 amended to read as follows:

218 35 1. Intent.

219 1 a. The general assembly intends for the state to implement  
219 2 a comprehensive, continuous, and integrated state mental  
219 3 health and disability services plan in accordance with  
219 4 the requirements of sections 225C.4 and 225C.6 and other  
219 5 provisions of this chapter, by increasing the department's  
219 6 responsibilities in the development, funding, oversight, and  
219 7 ongoing leadership of mental health and disability services in  
219 8 this state.

219 9 b. In order to further the purposes listed in  
219 10 ~~sections~~ section 225C.1 ~~and 225C.27~~ and in other provisions  
219 11 of this chapter, the general assembly intends that efforts  
219 12 focus on the goal of making available a comprehensive array  
219 13 of high=quality, evidence=based consumer and family=centered  
219 14 mental health and disability services and other support in the  
219 15 least restrictive, community=based setting appropriate for a  
219 16 consumer.

219 17 c. In addition, it is the intent of the general assembly  
219 18 to promote policies and practices that achieve for consumers  
219 19 the earliest possible detection of mental health problems and  
219 20 the need for disability services and for early intervention;  
219 21 to stress that all health care programs address mental  
219 22 health disorders with the same urgency as physical health  
219 23 disorders; to promote the policies of all public programs  
219 24 that serve adults and children with mental disorders or with  
219 25 a need for disability services , including but not limited to  
219 26 child welfare, Medicaid, education, housing, criminal and  
219 27 juvenile justice, substance abuse treatment, and employment  
219 28 services; to consider the special mental health and disability  
219 29 services needs of adults and children; and to promote recovery

219 30 and resiliency as expected outcomes for all consumers.  
219 31 Sec. 378. Section 225C.6B, subsection 2, Code 2009, is  
219 32 amended by striking the subsection and inserting in lieu  
219 33 thereof the following:  
219 34 2. Comprehensive plan. The division shall develop a  
219 35 comprehensive written five=year state mental health and  
220 1 disability services plan with annual updates and readopt  
220 2 the plan every five years. The plan shall describe the key  
220 3 components of the state's mental health and disability services  
220 4 system, including the services that are community=based, state  
220 5 institution=based, or regional or state=based. The five=year  
220 6 plan and each update shall be submitted annually to the  
220 7 commission on or before October 30 for review and approval.  
220 8 Sec. 379. Section 225C.21, subsection 2, Code 2009, is  
220 9 amended to read as follows:  
220 10 2. The commission shall adopt rules pursuant to chapter 17A  
220 11 establishing minimum standards for supported community living  
220 12 services. The ~~commission~~ administrator shall determine whether  
220 13 to grant, deny, or revoke approval for any supported community  
220 14 living service.  
220 15 Sec. 380. Section 225C.52, subsection 1, Code 2009, is  
220 16 amended to read as follows:  
220 17 1. Establishing a comprehensive community=based mental  
220 18 health services system for children and youth is part of  
220 19 fulfilling the requirements of the division and the commission  
220 20 to facilitate a comprehensive, continuous, and integrated state  
220 21 mental health and disability services plan in accordance with  
220 22 sections 225C.4, 225C.6, and 225C.6A, and other provisions  
220 23 of this chapter. The purpose of establishing the children's  
220 24 system is to improve access for children and youth with  
220 25 serious emotional disturbances and youth with other qualifying  
220 26 mental health disorders to mental health treatment, services,  
220 27 and other support in the least restrictive setting possible  
220 28 so the children and youth can live with their families  
220 29 and remain in their communities. The children's system is  
220 30 also intended to meet the needs of children and youth who  
220 31 have mental health disorders that co=occur with substance  
220 32 abuse, mental retardation, developmental disabilities, or



220 33 other disabilities. The children's system shall emphasize  
220 34 community=level collaborative efforts between children and  
220 35 youth and the families and the state's systems of education,  
221 1 child welfare, juvenile justice, health care, substance abuse,  
221 2 and mental health.  
221 3 Sec. 381. REPEAL. Section 225C.27, Code 2009, is repealed.

221 4 DIVISION XXXIX  
221 5 MH/MR/DD/BI COMMISSION AND WAIVER NAME CHANGE

221 6 Sec. 382. Section 225C.2, subsection 3, Code 2009, is  
221 7 amended to read as follows:  
221 8 3. "Commission" means the mental health ~~, mental retardation,~~  
221 9 ~~developmental disabilities, and brain injury~~ and disability  
221 10 services commission.

221 11 Sec. 383. Section 225C.5, subsection 1, unnumbered  
221 12 paragraph 1, Code Supplement 2009, is amended to read as  
221 13 follows:  
221 14 A mental health ~~, mental retardation, developmental~~  
221 15 ~~disabilities, and brain injury~~ and disability services  
221 16 commission is created as the state policy=making body for the  
221 17 provision of services to persons with mental illness, mental  
221 18 retardation or other developmental disabilities, or brain  
221 19 injury. The commission's voting members shall be appointed  
221 20 to three=year staggered terms by the governor and are subject  
221 21 to confirmation by the senate. Commission members shall be  
221 22 appointed on the basis of interest and experience in the fields  
221 23 of mental health, mental retardation or other developmental  
221 24 disabilities, and brain injury, in a manner so as to ensure  
221 25 adequate representation from persons with disabilities and  
221 26 individuals knowledgeable concerning disability services. The  
221 27 department shall provide staff support to the commission, and  
221 28 the commission may utilize staff support and other assistance  
221 29 provided to the commission by other persons. The commission  
221 30 shall meet at least four times per year. The membership of the  
221 31 commission shall consist of the following persons who, at the

CODE: Updates statutory language regarding the name change of  
the MH/MR/DD/BI Commission and waiver.

FISCAL IMPACT: None.

221 32 time of appointment to the commission, are active members of  
221 33 the indicated groups:  
221 34 Sec. 384. Section 249A.12, subsection 4, paragraph b, Code  
221 35 2009, is amended to read as follows:  
222 1 b. ~~Effective July 1, 1995, the~~ The state shall be  
222 2 responsible for all of the nonfederal share of medical  
222 3 assistance home and community=~~based~~ services waivers  
222 4 for persons with ~~mental retardation~~ intellectual  
222 5 disabilities services provided to minors and a county is not  
222 6 required to reimburse the department and shall not be billed  
222 7 for the nonfederal share of the costs of the services.  
222 8 Sec. 385. Section 249A.12, subsection 5, paragraph a,  
222 9 unnumbered paragraph 1, Code 2009, is amended to read as  
222 10 follows:  
222 11 The mental health ~~, mental retardation, developmental~~  
222 12 ~~disabilities, and brain injury~~ and disability services  
222 13 commission shall recommend to the department the actions  
222 14 necessary to assist in the transition of individuals being  
222 15 served in an intermediate care facility for persons with  
222 16 mental retardation, who are appropriate for the transition,  
222 17 to services funded under a medical assistance home and  
222 18 community=~~based~~ services waiver for persons with ~~mental~~  
222 19 ~~retardation~~ intellectual disabilities in a manner which  
222 20 maximizes the use of existing public and private facilities.  
222 21 The actions may include but are not limited to submitting any  
222 22 of the following or a combination of any of the following  
222 23 as a request for a revision of the medical assistance home  
222 24 and community=~~based~~ services waiver for persons with ~~mental~~  
222 25 ~~retardation in effect as of June 30, 1996~~ intellectual  
222 26 disabilities :  
222 27 Sec. 386. Section 249A.12, subsection 5, paragraph a,  
222 28 subparagraph (1), Code 2009, is amended to read as follows:  
222 29 (1) Allow for the transition of intermediate care  
222 30 facilities for persons with mental retardation licensed under  
222 31 chapter 135C ~~as of June 30, 1996~~ , to services funded under the  
222 32 medical assistance home and community=~~based~~ services waiver for  
222 33 persons with ~~mental retardation~~ intellectual disabilities . The  
222 34 request shall be for inclusion of additional persons under the

222 35 waiver associated with the transition.  
223 1 Sec. 387. Section 249A.12, subsection 6, paragraphs a and b,  
223 2 Code 2009, are amended to read as follows:  
223 3 a. ~~Effective July 1, 2003, the~~ The provisions of the  
223 4 home and community=based services waiver for persons with  
223 5 ~~mental retardation~~ intellectual disabilities shall include  
223 6 adult day care, prevocational, and transportation services.  
223 7 Transportation shall be included as a separately payable  
223 8 service.  
223 9 b. The department of human services shall seek federal  
223 10 approval to amend the home and community=based services  
223 11 waiver for persons with ~~mental retardation~~ intellectual  
223 12 disabilities to include day habilitation services. Inclusion  
223 13 of day habilitation services in the waiver shall take effect  
223 14 upon receipt of federal approval ~~and no later than July 1,~~  
223 15 ~~2004~~ .  
223 16 Sec. 388. Section 423.3, subsection 18, paragraph f,  
223 17 subparagraph (6), Code Supplement 2009, is amended to read as  
223 18 follows:  
223 19 (6) ~~MR~~ Intellectual disabilities waiver service providers,  
223 20 described in 441 IAC 77.37.

223 21 Sec. 389. MENTAL HEALTH, MENTAL RETARDATION, DEVELOPMENTAL  
223 22 DISABILITIES, AND BRAIN INJURY COMMISSION TERMINOLOGY CHANGES

==

223 23 CODE EDITOR'S DIRECTIVE.

223 24 1. Sections 230A.16, 230A.17, 230A.18, 249A.12, 331.438,  
223 25 and 426B.4, Code 2009, and sections 249A.4, 249A.31, and  
223 26 426B.5, Code Supplement 2009, are amended by striking the term  
223 27 "mental health, mental retardation, developmental disabilities,  
223 28 and brain injury commission" and inserting in lieu thereof the  
223 29 term "mental health and disability services commission".  
223 30 2. This division of this Act changes the name of the mental  
223 31 health, mental retardation, developmental disabilities, and  
223 32 brain injury commission to the mental health and disability

223 33 services commission. The Code editor shall correct any  
223 34 references to the term "mental health, mental retardation,  
223 35 developmental disabilities, and brain injury commission"  
224 1 anywhere else in the Iowa Code or Iowa Code Supplement, in any  
224 2 bills awaiting codification, in this Act, and in any bills  
224 3 enacted by the Eighty=third General Assembly, 2010 Regular  
224 4 Session, or any extraordinary session.

224 5 Sec. 390. HOME AND COMMUNITY=BASED SERVICES WAIVER FOR  
224 6 PERSONS WITH MENTAL RETARDATION TERMINOLOGY CHANGES ==  
224 7 CODE EDITOR'S DIRECTIVE.

224 8 1. Sections 135C.6, 219.1, 249A.26, and 249A.30, Code 2009,  
224 9 are amended by striking the term "waiver for persons with  
224 10 mental retardation" and inserting in lieu thereof the term  
224 11 "waiver for persons with intellectual disabilities".  
224 12 2. This division of this Act changes the name of the home  
224 13 and community=based services waiver for persons with mental  
224 14 retardation under the medical assistance program to the waiver  
224 15 for persons with intellectual disabilities. The Code editor  
224 16 shall correct any references to the term "waiver for persons  
224 17 with mental retardation" or other forms of the term anywhere  
224 18 else in the Iowa Code or Iowa Code Supplement, in any bills  
224 19 awaiting codification, in this Act, and in any bills enacted by  
224 20 the Eighty=third General Assembly, 2010 Regular Session, or any  
224 21 extraordinary session.

224 22 DIVISION XL  
224 23 CONSOLIDATION OF ADVISORY  
224 24 BODIES == COUNCIL ON HUMAN SERVICES

224 25 Sec. 391. NEW SECTION . 217.3A Advisory committees.  
224 26 1. General. The council on human services shall establish  
224 27 and utilize the advisory committees identified in this section  
224 28 and may establish and utilize other advisory committees. The

CODE: Permits the Council on Human Services to establish advisory committees under the purview of the Council. Requires the Council to establish specific provisions for any advisory committee that is created.

224 29 council shall establish appointment provisions, membership  
224 30 terms, operating guidelines, and other operational requirements  
224 31 for committees established pursuant to this section.

FISCAL IMPACT: None.

224 32 2. Child abuse prevention. The council shall establish a  
224 33 child abuse prevention program advisory committee to support  
224 34 the child abuse prevention program implemented in accordance  
224 35 with section 235A.1. The duties of the advisory committee  
225 1 shall include all of the following:  
225 2 a. Advise the director of human services and the  
225 3 administrator of the division of the department of human  
225 4 services responsible for child and family programs regarding  
225 5 expenditures of funds received for the child abuse prevention  
225 6 program.  
225 7 b. Review the implementation and effectiveness of  
225 8 legislation and administrative rules concerning the child abuse  
225 9 prevention program.  
225 10 c. Recommend changes in legislation and administrative rules  
225 11 to the general assembly and the appropriate administrative  
225 12 officials.  
225 13 d. Require reports from state agencies and other entities as  
225 14 necessary to perform its duties.  
225 15 e. Receive and review complaints from the public concerning  
225 16 the operation and management of the child abuse prevention  
225 17 program.  
225 18 f. Approve grant proposals.

CODE: Requires the Council on Human Services to establish a child abuse prevention program advisory committee under the purview of the Council and provides for the duties of the committee.

DETAIL: The current Child Abuse Prevention Program Advisory Council will be re-established as an advisory committee under the purview of the Council of Human Services. It is assumed that the Council's operations will not be affected by the change.

FISCAL IMPACT: None.

225 19 3. a. The council shall establish a child support advisory  
225 20 committee.  
225 21 (1) Members of the advisory committee shall include at least  
225 22 one district judge and representatives of custodial parent  
225 23 groups, noncustodial parent groups, the general assembly, the  
225 24 office of citizens' aide, the Iowa state bar association, the  
225 25 Iowa county attorneys association, and other constituencies  
225 26 which have an interest in child support enforcement issues,  
225 27 appointed by the respective entity.

CODE: Requires the Council on Human Services to establish a child support advisory committee under the purview of the Council and provides for the duties of the committee.

DETAIL: The current Child Support Advisory Committee under the DHS will be re-established as an advisory committee under the purview of the Council of Human Services. It is assumed that the Committee's operations will not be affected by the change.

FISCAL IMPACT: None.

225 28 (2) The legislative members of the advisory committee shall  
225 29 be appointed as follows: one senator each by the majority  
225 30 leader of the senate, after consultation with the president  
225 31 of the senate, and by the minority leader of the senate, and  
225 32 one member of the house of representatives each by the speaker  
225 33 of the house of representatives, after consultation with the  
225 34 majority leader of the house of representatives, and by the  
225 35 minority leader of the house of representatives.  
226 1 b. The legislative members of the advisory committee shall  
226 2 serve for terms as provided in section 69.16B. Appointments  
226 3 shall comply with sections 69.16 and 69.16A. Vacancies shall  
226 4 be filled by the original appointing authority and in the  
226 5 manner of the original appointments.  
226 6 c. The child support advisory committee shall assist the  
226 7 department in all of the following activities:  
226 8 (1) Review of existing child support guidelines and  
226 9 recommendations for revision.  
226 10 (2) Examination of the operation of the child support system  
226 11 to identify program improvements or enhancements which would  
226 12 increase the effectiveness of securing parental support and  
226 13 parental involvement.  
226 14 (3) Recommendation of legislation which would clarify and  
226 15 improve state law regarding support for children.  
226 16 d. The committee shall receive input from the public  
226 17 regarding any child support issues.

226 18 4. Child welfare.  
226 19 a. The council shall establish a child welfare advisory  
226 20 committee to advise the department of human services on  
226 21 programmatic and budgetary matters related to the provision  
226 22 or purchase of child welfare services. The committee shall  
226 23 meet to review departmental budgets, policies, and programs,  
226 24 and proposed budgets, policies, and programs, and to make  
226 25 recommendations and suggestions to make the state child welfare  
226 26 budget, programs, and policies more effective in serving  
226 27 families and children.  
226 28 b. The membership of the advisory committee shall

CODE: Requires the Council on Human Services to establish a child welfare advisory council under the purview of the Council and provides for the duties of the committee.

DETAIL: The current Child Welfare Advisory Committee under the DHS Child and Family Services budget will be re-established as an advisory committee under the purview of the Council of Human Services. It is assumed that the Committee's operations will not be affected by the change.

FISCAL IMPACT: None.

226 29 include representatives of child welfare service providers,  
226 30 juvenile court services, the Iowa foster and adoptive parent  
226 31 association, the child advocacy board, the coalition for  
226 32 family and children's services in Iowa, children's advocates,  
226 33 service consumers, and others who have training or knowledge  
226 34 related to child welfare services. In addition, four members  
226 35 shall be legislators, all serving as ex officio, nonvoting  
227 1 members, with one each appointed by the speaker of the house  
227 2 of representatives, the minority leader of the house of  
227 3 representatives, the majority leader of the senate, and the  
227 4 minority leader of the senate. The director of human services  
227 5 and the administrator of the division of the department of  
227 6 human services responsible for child welfare services, or their  
227 7 designees, shall also be ex officio, nonvoting members, and  
227 8 shall serve as resource persons to the advisory committee.

227 9 Sec. 392. Section 235A.1, subsections 3 and 4, Code  
227 10 Supplement 2009, are amended by striking the subsections.

CODE: Repeals the Child Abuse Prevention Program Advisory Council.

FISCAL IMPACT: None.

227 11 Sec. 393. REPEAL. Sections 234.3 and 252B.18, Code 2009,  
227 12 are repealed.

CODE: Repeals the Child Welfare Advisory Committee and the Child Support Advisory Committee.

FISCAL IMPACT: None.

227 13 Sec. 394. IMPLEMENTATION. In establishing the child abuse  
227 14 prevention program, child support, and child welfare advisory  
227 15 committees and appointing members, the council on human  
227 16 services shall consider reappointing those individuals who  
227 17 were serving as members of the child abuse prevention advisory  
227 18 council, the child support advisory committee, and the child  
227 19 welfare advisory committee as of June 30, 2009.

Requires the Council on Human Services to consider reappointment of members on the existing advisory committees when establishing the new child abuse prevention program, child support, and child welfare advisory committees.

FISCAL IMPACT: None.

## 227 21 HEALTH ADVISORY BODIES

227 22 Sec. 395. Section 135.29, subsection 3, Code 2009, is  
227 23 amended to read as follows:  
227 24 3. The local substitute medical decision-making board and  
227 25 its members shall not be held liable, jointly or severally,  
227 26 for any actions or omissions taken or made in the official  
227 27 discharge of their duties, except those acts or omissions  
227 28 constituting willful or wanton misconduct. A physician or  
227 29 other health care provider who acts on a decision or directive  
227 30 of the local substitute medical decision-making board or  
227 31 ~~state substitute medical decision-making board~~ shall not be  
227 32 held liable for any damages resulting from that act, unless  
227 33 such physician's or other health care provider's actions  
227 34 or omissions constitute negligence in the practice of the  
227 35 profession or occupation, or willful or wanton misconduct.

CODE: Removes the State Substitute Decision-Making Board from Code Section 135.29(3) relating to Local Substitute Decision-Making Board due to its repeal in Section 399 of this Act.

FISCAL IMPACT: None.

228 1 Sec. 396. Section 135.107, subsection 5, paragraph a, Code  
228 2 Supplement 2009, is amended to read as follows:  
228 3 a. There is established an advisory committee to the  
228 4 center for rural health and primary care consisting of one  
228 5 representative, approved by the respective agency, of each of  
228 6 the following agencies: the department of agriculture and  
228 7 land stewardship, the Iowa department of public health, the  
228 8 department of inspections and appeals, the national institute  
228 9 for rural health policy, the rural health resource center, the  
228 10 institute of agricultural medicine and occupational health,  
228 11 and the Iowa state association of counties. The governor  
228 12 shall appoint two representatives of consumer groups active in  
228 13 rural health issues and a representative of each of two farm  
228 14 organizations active within the state, a representative of  
228 15 an agricultural business in the state, a representative of a  
228 16 critical needs hospital, a practicing rural family physician,  
228 17 a practicing rural physician assistant, a practicing rural  
228 18 advanced registered nurse practitioner, and a rural health  
228 19 practitioner who is not a physician, physician assistant, or

CODE: Adds one representative of a critical needs hospital to the membership of the Advisory Committee to the Center for Rural Health and Primary Care.

FISCAL IMPACT: None.



228 20 advanced registered nurse practitioner, as members of the  
228 21 advisory committee. The advisory committee shall also include  
228 22 as members two state representatives, one appointed by the  
228 23 speaker of the house of representatives and one by the minority  
228 24 leader of the house, and two state senators, one appointed  
228 25 by the majority leader of the senate and one by the minority  
228 26 leader of the senate.

228 27 Sec. 397. Section 136C.3, subsection 2, paragraph b, Code  
228 28 Supplement 2009, is amended by striking the paragraph.

CODE: Repeals the Technical Advisory Committee for Radiation Machines and Radioactive Materials.

FISCAL IMPACT: None. The Advisory Committee was not actively meeting.

228 29 Sec. 398. Section 691.6, subsection 3, Code Supplement  
228 30 2009, is amended to read as follows:  
228 31 3. To adopt rules pursuant to chapter 17A, and subject to  
228 32 the approval of the director of public health ~~with the advice~~  
228 33 ~~and approval of the state medical examiner advisory council.~~

CODE: Removes the requirement that the Office of the State Medical Examiner seek advice and approval of administrative rules from the State Medical Examiner Advisory Council.

FISCAL IMPACT: None.

228 34 Sec. 399. REPEAL. Sections 135.28, 135N.1, 135N.2, 135N.3,  
228 35 135N.4, 135N.5, 135N.6, and 142C.16, Code 2009, are repealed.

CODE: Repeals the State Substitute Decision-Making Board, the Hemophilia Advisory Committee, and the Anatomical Gift Public Awareness Advisory Committee.

FISCAL IMPACT: This Section will not have a fiscal impact. The State Substitute Decision-Making Board is not actively meeting. The Hemophilia Advisory Committee's funding was eliminated in FY 2010. The Anatomical Gift Public Awareness Advisory Committee meets infrequently and is funded by a private donation that will now be directed to the Department of Public Health (DPH) staff that will absorb the Committee's work.

NOTE: House File 2526 (Health and Human Services Appropriations Act) reinstates the Hemophilia Advisory Committee and requires the Committee to coordinate with the Congenital and Inherited Disease Advisory Council.

229 1 Sec. 400. ELIMINATION OF SWIMMING POOL ADVISORY  
229 2 COMMITTEE. On or before July 1, 2010, the department of  
229 3 public health shall no longer operate any advisory committee  
229 4 on swimming pools created by the department for purposes of  
229 5 chapter 135I.

Prohibits the DPH from operating the Swimming Pool Advisory Committee or any other advisory committee related to Iowa Code Chapter 135I.

FISCAL IMPACT: This Section will not have a fiscal impact. The Swimming Pool Advisory Committee was not actively meeting.

229 6 DIVISION XLII  
229 7 DEPARTMENT OF HUMAN SERVICES == FIELD SERVICES ORGANIZATION

229 8 Sec. 401. Section 217.42, subsection 1, Code 2009, is  
229 9 amended to read as follows:  
229 10 1. The organizational structure to deliver the department's  
229 11 field services shall be based upon service areas designated by  
229 12 the department . The service areas shall serve as a basis for  
229 13 providing field services to persons residing in the counties  
229 14 comprising the service area. ~~The service areas shall be those~~  
229 15 ~~designated by the department effective January 1, 2002. In~~  
229 16 ~~determining the service areas, the department shall consider~~  
229 17 ~~other geographic service areas including but not limited to~~  
229 18 ~~judicial districts and community empowerment areas. The~~  
229 19 ~~department shall consult with the county boards of supervisors~~  
229 20 ~~in a service area with respect to the selection of the service~~  
229 21 ~~area manager responsible for the service area who is initially~~  
229 22 ~~selected for the service area designated effective January 1,~~  
229 23 ~~2002, and any service area manager selected for the service~~  
229 24 ~~area thereafter. Following establishment of the service areas~~  
229 25 ~~effective January 1, 2002, if a county seeks to change the~~  
229 26 ~~boundaries of a service area, the change shall only take place~~  
229 27 ~~if the change is mutually agreeable to the department and all~~  
229 28 ~~affected counties. If it is necessary for the department to~~  
229 29 ~~significantly modify its field operations or the composition~~  
229 30 ~~of a designated service area, or if it is necessary for the~~  
229 31 ~~department to change the number of offices operating less than~~  
229 32 ~~full-time, the department shall consult with the affected~~  
229 33 ~~counties prior to implementing such action.~~

CODE: Permits the DHS to have more flexibility for the organizational structure of the Department.

DETAIL: The Section is effective on enactment.

FISCAL IMPACT: None.

229 34 Sec. 402. EFFECTIVE UPON ENACTMENT. This division of this  
229 35 Act, being deemed of immediate importance, takes effect upon  
230 1 enactment.

230 2 DIVISION XLIII  
230 3 DEPARTMENT OF HUMAN SERVICES == FAMILY SUPPORT SUBSIDY

230 4 Sec. 403. Section 225C.37, Code Supplement 2009, is amended  
230 5 by adding the following new subsection:  
230 6 NEW SUBSECTION . 3. Effective July 1, 2010, the department  
230 7 shall not accept new applications for the family support  
230 8 subsidy program and shall not approve pending applications  
230 9 for the program. Subsidy termination or application denial  
230 10 relating to family members enrolled in the family support  
230 11 subsidy program as of July 1, 2010, is subject to section  
230 12 225C.40.

CODE: Prohibits the DHS from accepting any new enrollments in the Family Support Subsidy (FSS) Program effective July 1, 2010 (FY 2011). The DHS will not be permitted to approve any pending applications for the FSS Program after this date.

FISCAL IMPACT: This Division is estimated to reduce General Fund expenditures for FY 2011 by \$355,000 for subsidy payments to families in the FSS Program compared to FY 2010. For FY 2012, the estimated General Fund expenditure reduction is \$121,800 compared to FY 2011.

230 13 DIVISION XLIV  
230 14 DEPARTMENT OF HUMAN  
230 15 SERVICES == LEVEL OF CARE

230 16 Sec. 404. LEVEL OF CARE EVALUATION. The department of human  
230 17 services shall amend the medical assistance program home and  
230 18 community-based services waiver for persons with intellectual  
230 19 disabilities so that required evaluations performed subsequent  
230 20 to the initial diagnosis of mental retardation are for the  
230 21 purpose of determining the appropriate level of care rather  
230 22 than confirming the original diagnosis.

Requires the DHS to amend the Medicaid HCBS persons with intellectual disabilities waiver to specify that the required evaluations conducted are to determine the level of care rather than confirming the diagnosis.

FISCAL IMPACT: The annual savings from this change is estimated at \$105,000 for the General Fund.

230 23 DIVISION XLV  
230 24 DEPARTMENT OF HUMAN  
230 25 SERVICES == TRANSPORTATION SERVICES

230 26 Sec. 405. INCLUSION OF TRANSPORTATION SERVICES. The  
 230 27 department of human services shall amend the medical  
 230 28 assistance program home and community-based services waiver  
 230 29 for persons with intellectual disabilities as necessary  
 230 30 for employment-related transportation to be covered by the  
 230 31 supported community living services provider.

Requires the DHS to amend the Medicaid HCBS persons with intellectual disabilities waiver to include employment-related transportation provided or arranged by the supported community living services provider.

FISCAL IMPACT: There is no fiscal impact as a result of this change.

230 32 DIVISION XLVI  
 230 33 DEPARTMENT OF HUMAN SERVICES == ELECTRONIC TRANSACTIONS

230 34 Sec. 406. Section 217.6, Code 2009, is amended by adding the  
 230 35 following new unnumbered paragraph:  
 231 1 NEW UNNUMBERED PARAGRAPH If the department of human  
 231 2 services requires or requests a service consumer, service  
 231 3 provider, or other person to maintain required documentation in  
 231 4 electronic form, the department shall accept such documentation  
 231 5 submitted by electronic means and shall not require a physical  
 231 6 copy of the documentation unless required by state or federal  
 231 7 law.

CODE: Prohibits the DHS from requiring submission of a physical copy of documents that they require providers, vendors, or consumers to keep in electronic form, unless required by State or federal law.

FISCAL IMPACT: None.

231 8 Sec. 407. NEW SECTION . 217.24 Payment by electronic funds  
 231 9 transfer.  
 231 10 The department of human services shall continue expanding  
 231 11 the practice of making payments to program participants and  
 231 12 vendors by means of electronic funds transfer. The department  
 231 13 shall seek the capacity for making payment by such means for  
 231 14 all programs administered by the department.

CODE: Requires the DHS to continue to expand the practice of making payments to program participants and vendors by means of electronic funds transfer (EFT) for all of their programs.

FISCAL IMPACT: None.

231 15 DIVISION XLVII  
 231 16 DEPARTMENT OF HUMAN SERVICES == ADOPTION SUBSIDY PROGRAM

231 17 Sec. 408. ADOPTION SUBSIDY PROGRAM RATES. For the  
 231 18 fiscal year beginning July 1, 2010, the maximum payment for

Requires the DHS to cap the maximum legal fee reimbursement at \$500 for the Adoption Subsidy Program for FY 2010.

231 19 nonrecurring expenses shall be limited to \$500 and additional  
231 20 amounts for court costs and other related legal expenses shall  
231 21 no longer be allowed.

DETAIL: This continues the across-the-board (ATB) reduction strategy from FY 2010 in FY 2011. The maximum legal fee reimbursement was reduced from \$700 to \$500.

FISCAL IMPACT: This Section is estimated to result in a reduction of General Fund expenditures for legal fee reimbursements of \$145,800 for FY 2011.

231 22 DIVISION XLVIII

231 23 COUNTY COMMISSIONS OF VETERAN AFFAIRS FUND

231 24 Sec. 409. Section 35A.16, subsection 3, paragraph a, Code  
231 25 Supplement 2009, is amended to read as follows:

231 26 a. If sufficient moneys are available, the department  
231 27 shall annually allocate ten thousand dollars to each county  
231 28 commission of veteran affairs, or to each county sharing the  
231 29 services of an executive director or administrator pursuant  
231 30 to chapter 28E, to be used to provide services to veterans  
231 31 pursuant to section 35B.6. Each county receiving an allocation  
231 32 shall annually report on expenditure of the allocation in a  
231 33 form agreed to by the department and county representatives.

CODE: Requires counties receiving funds from the Veteran County Grant Program from the Department of Veteran Affairs to submit an annual report to the Department regarding expenditure of the funds.

FISCAL IMPACT: None.

231 34 DIVISION XLIX

231 35 DEPARTMENT OF CORRECTIONS

232 1 Sec. 410. Section 904.106, Code 2009, is amended to read as  
232 2 follows:

232 3 904.106 Meetings == expenses.

232 4 The board shall meet at least ~~twelve times a~~ quarterly  
232 5 throughout the year. Special meetings may be called by the  
232 6 chairperson or upon written request of any three members of the  
232 7 board. The chairperson shall preside at all meetings or in the  
232 8 chairperson's absence, the vice chairperson shall preside. The  
232 9 members of the board shall be paid their actual expenses while

CODE: Requires the Board of Corrections to meet at least quarterly. The Board is currently required to meet at least 12 times per year.

FISCAL IMPACT: The estimated savings for FY 2011 are based on FY 2009 actual expenditures of \$9,600 for 12 meetings. The average cost per meeting is \$800. The total savings due to holding fewer Board meetings is estimated at \$6,400 per year for FY 2011 and FY 2012.

232 10 attending the meetings. Each member of the board may also be  
232 11 able to receive compensation as provided in section 7E.6.

232 12 Sec. 411. Section 904.505, Code 2009, is amended by adding  
232 13 the following new subsection:  
232 14 NEW SUBSECTION . 4. The disciplinary rules may impose a  
232 15 reasonable administrative fee for the filing of a report of a  
232 16 major disciplinary rule infraction for which an inmate is found  
232 17 guilty. A fee charged pursuant to this subsection shall be  
232 18 deposited in the general fund of the state.

Permits the DOC to impose a fee for the filing of a major disciplinary report when an inmate is found guilty. Receipts from the fee are deposited in the General Fund.

FISCAL IMPACT: The fee is estimated to generate revenue of \$6,000 in FY 2011 and FY 2012 for the General Fund.

232 19 Sec. 412. CORRECTIONAL FACILITY CLOSURE. The department of  
232 20 corrections shall close by July 1, 2010, farm 1 and by January  
232 21 1, 2011, farm 3, which are satellite facilities of the Iowa  
232 22 state penitentiary, and shall transfer the inmates confined at  
232 23 such facilities to other institutions under the control of the  
232 24 department of corrections.

Requires the DOC to close Farm One by July 1, 2010, and Farm Three by January 1, 2011, at the Iowa State Penitentiary at Fort Madison. Farm One is scheduled to close in FY 2011 because the new maximum security facility is being constructed on that land.

As of January 11, 2010:

- Farm One was at 75.00% of capacity (60 offenders and 80 beds).
- Farm Three was at 54.00% of capacity (54 offenders and 100 beds).
- The prison system was at 111.00% of capacity, with 8,293 offenders and 7,414 beds.

Closing these facilities reduces capacity from 7,414 beds to 7,234 beds. If the population remains stable, the prison system would be operating at 114.6% of capacity.

FISCAL IMPACT: The total savings due to these closures is estimated to be \$1,451,000 annually, as follows:

- Farm One - \$688,000
- Farm Three - \$763,000

This Section is effective on enactment.

232 25 Sec. 413. EFFECTIVE UPON ENACTMENT. The section of this

The provision that requires closure of correctional facilities at Fort

232 26 division of this Act concerning correctional facility closure,  
 232 27 being deemed of immediate importance, takes effect upon  
 232 28 enactment.

Madison is effective on enactment.

232 29 DIVISION L  
 232 30 STATE PUBLIC DEFENDER

232 31 Sec. 414. Section 13B.2A, Code 2009, is amended by striking  
 232 32 the section and inserting in lieu thereof the following:  
 232 33 13B.2A Indigent defense == report == court=appointed counsel  
 232 34 fees.

CODE: Repeals the Indigent Defense Advisory Commission and requires the State Public Defender to file a written report every three years with the Governor and General Assembly relating to the recommendations and activities of the indigent defense system. Currently, the Advisory Commission meets every three years.

232 35 1. The state public defender shall file a written report  
 233 1 every three years with the governor and the general assembly  
 233 2 by January 1 of a year in which a report is due relating to the  
 233 3 recommendations and activities of the state public defender  
 233 4 relating to the state indigent defense system. The first such  
 233 5 report shall be due on January 1, 2012.

FISCAL IMPACT: None.

233 6 2. The report shall contain recommendations to the general  
 233 7 assembly regarding the hourly rates paid to court=appointed  
 233 8 counsel and per case fee limitations. These recommendations  
 233 9 shall be consistent with the constitutional requirement to  
 233 10 provide effective assistance of counsel to those indigent  
 233 11 persons for whom the state is required to provide counsel.

233 12 Sec. 415. PUBLIC DEFENDERS. There is appropriated from the  
 233 13 general fund of the state to the office of the state public  
 233 14 defender of the department of inspections and appeals for the  
 233 15 fiscal year beginning July 1, 2010, and ending June 30, 2011,  
 233 16 the following amount, or so much thereof as is necessary, to be  
 233 17 used for the purposes designated:

General Fund appropriation for FY 2011 to the Department of Inspections and Appeals for the Office of the State Public Defender.

233 18 For additional public defender positions and staff,  
 233 19 including salaries, support, maintenance, and miscellaneous  
 233 20 purposes:

DETAIL: The funds will be used to add staff in four local offices. Three established offices (Iowa City, Cedar Rapids, and Davenport) will each add two local public defenders. The Civil Commitment/Special Defense Unit will add two local public defenders, one secretary, and one investigator. A new local office will be established with 6.00 FTE positions (one supervisor, three local public defenders, one secretary, and one investigator).

233 21 ..... \$ 1,140,000  
 233 22 ..... FTEs 16.00

FISCAL IMPACT: Total savings to General Fund expenditures are estimated at \$3,753,000 annually. The net savings, after deduction of

the additional appropriation, is an estimated \$2,613,000 for FY 2011 as follows:

- Adding positions to the State Public Defender's Office is estimated to save a net \$1,860,000 (an increase of \$640,000 and 8.00 FTE positions to the State Public Defender's Office and a decrease of \$2,500,000 to the Indigent Defense Fund appropriation).
- Creating a local office is estimated to save \$753,000 (increase of \$500,000 and 6.00 FTE positions to the State Public Defender's Office and decrease of \$1,253,000 to the Indigent Defense Fund appropriation).

233 23 DIVISION LI

233 24 IOWA LAW ENFORCEMENT ACADEMY

233 25 Sec. 416. Section 80.13, Code 2009, is amended to read as  
233 26 follows:

233 27 80.13 Training schools.

233 28 The commissioner may hold a training school for peace  
233 29 officer candidates or for peace officers of the department,  
233 30 and may send to recognized training schools peace officers of  
233 31 the department as the commissioner may deem advisable. The  
233 32 ~~expenses~~ candidate shall pay one-third of the costs of such  
233 33 school of training, and the remaining costs shall be paid in  
233 34 ~~the same manner as other expenses paid~~ by the department. The  
233 35 department may pay for all or a portion of the candidate's  
234 1 share of the costs.

CODE: Permits the Department of Public Safety (DPS) to charge one-third of the tuition cost to the candidate for attending the DPS Academy.

DETAIL: The last time DPS held an Academy was November 2008. The Department uses vacancy savings to fund the Academy. The length of the DPS Academy is 20 weeks. The cost for one recruit to attend the DPS Academy in FY 2009 was \$4,000.

FISCAL IMPACT: Each recruit will now pay \$1,300 to attend. This change will generate approximately \$46,000 of revenue annually that will be retained by the DPS to offset expenditures. (NOTE: This item is shown on the financial summary as other funds revenues.)

234 2 Sec. 417. Section 80B.11B, subsection 2, Code 2009, is  
234 3 amended by striking the subsection and inserting in lieu  
234 4 thereof the following:  
234 5 2. The Iowa law enforcement academy shall charge to the

CODE: Permits the Iowa Law Enforcement Academy (ILEA) to charge the Departments of Transportation and Natural Resources the full cost of training.

DETAIL: Since FY 2005, language in the Justice System



234 6 following entities the following costs to provide the basic  
 234 7 training course which is designed to meet the minimum basic  
 234 8 training requirements for a law enforcement officer:  
 234 9 a. To the department of natural resources and the department  
 234 10 of transportation, the total cost.  
 234 11 b. To a candidate from any other state agency or department  
 234 12 of the state, one-third of the total cost, and to the agency or  
 234 13 department the remaining cost. The agency or department may  
 234 14 pay for all or a portion of the candidate's share of the costs.

Appropriation Act allowed the Iowa Law Enforcement Academy (ILEA) to charge more than 50.0% of the cost of tuition to help offset a potential revenue shortfall in the operating budget resulting from a decrease in attendees to the Basic Academy. Prior to this language, 50.0% of the Academy revenue was from tuition and fees and 50.0% was from the General Fund appropriation. Since 2006, the ILEA has been charging agencies approximately 60.0% of the costs associated with training and the remaining 40.0% is funded by the State General Fund appropriation. Under current law, for FY 2011, ILEA will be charging the agencies 67.0% and the remainder will be 33.0% from the State General Fund.

FISCAL IMPACT: The fiscal impact for charging the DOT and DNR the full cost of tuition for the ILEA Academy is an increase in revenue of approximately \$11,500 (\$9,200 other fund expense for the DOT and \$2,300 General Fund expense for the DNR). The fees charged for training are retained by the ILEA. (NOTE: This is reflected in the financial summary as additional other funds revenue of \$11,500 (to be retained by ILEA) and additional other funds expense for the DNR and the DOT.)

234 15 c. For a candidate sponsored by a political subdivision  
 234 16 and hired by the political subdivision, to the political  
 234 17 subdivision, one-third of the total cost; to the candidate,  
 234 18 one-third of the total cost; and to the state, the remainder of  
 234 19 the total cost. The political subdivision may pay for all or a  
 234 20 portion of the candidate's share of the costs.  
 234 21 d. For all other candidates, including a candidate from a  
 234 22 tribal government, to the candidate the total costs.

CODE: Permits the ILEA to charge one-third of the tuition cost to the State, one-third to the local government, and one-third to the candidate.

DETAIL: Under current law, the cost of full tuition for one candidate at the ILEA in FY 2011 will be \$6,900. Currently, ILEA charges local governments 67.0% (\$4,600) of the tuition cost and the remainder of 33.0% (\$2,300) is covered by the ILEA.

FISCAL IMPACT: The savings to local governments will be approximately \$455,000. The candidate will now pay \$2,300 to attend.

234 23 Sec. 418. Section 80B.11E, subsection 1, Code 2009, is  
 234 24 amended to read as follows:  
 234 25 1. Notwithstanding any other provision of law to the  
 234 26 contrary, an individual who is not a certified law enforcement

CODE: This language conforms to changes made in Section 417 as it applies to a sponsored but not yet hired person attending the ILEA.

FISCAL IMPACT: The fiscal impact for this item is included in the

234 27 officer may apply for attendance at the law enforcement academy  
 234 28 ~~at their own expense~~ if such individual is sponsored by a law  
 234 29 enforcement agency that either intends to hire or has hired  
 234 30 the individual as a law enforcement officer on the condition  
 234 31 that the individual meets the minimum eligibility standards  
 234 32 described in subsection 2. The costs for attendance by such  
 234 33 an individual at the law enforcement academy shall be paid as  
 234 34 provided in section 80B.11B.

impact for Section 417.

234 35 Sec. 419. IOWA LAW ENFORCEMENT ACADEMY == PILOT TRAINING  
 235 1 PROGRAM == PRIVATE SECURITY PERSONNEL. The Iowa law  
 235 2 enforcement academy, subject to the approval of the Iowa law  
 235 3 enforcement academy council, shall develop and administer a  
 235 4 pilot program consisting of training seminars for private  
 235 5 security personnel. The pilot program shall consist of fifty  
 235 6 hours of training for each of ten trainees at a cost of fifty  
 235 7 dollars per hour of training. All moneys received from the  
 235 8 training seminars shall be deposited in the general fund of the  
 235 9 state.

Requires the ILEA to develop and administer a pilot program for training private security personnel.

FISCAL IMPACT: The cost to train 10 security personnel at \$50 per hour for 50 hours is \$25,000. This cost will be charged to the participants as a fee and deposited in the General Fund. This will result in additional General Fund revenue of \$25,000 annually.

235 10 DIVISION LII  
 235 11 STATE GOVERNMENT EFFICIENCY REVIEW COMMITTEE

235 12 Sec. 420. NEW SECTION . 2.69 State government efficiency  
 235 13 review committee established.  
 235 14 1. A state government efficiency review committee is  
 235 15 established which shall meet at least every two years to review  
 235 16 the operations of state government. The committee shall meet  
 235 17 as directed by the legislative council.  
 235 18 2. a. The committee shall consist of three members of the  
 235 19 senate appointed by the majority leader of the senate, two  
 235 20 members of the senate appointed by the minority leader of the  
 235 21 senate, three members of the house of representatives appointed  
 235 22 by the speaker of the house of representatives, and two members  
 235 23 of the house of representatives appointed by the minority

CODE: Creates a legislative State Government Efficiency Committee to review State government operations at least every two years. Specifies membership and duties. Requires the first of annual reports by January 1, 2013. Requires administrative assistance from the Legislative Services Agency.

FISCAL IMPACT: The fiscal impact is expected to be minimal.

---

235 24 leader of the house of representatives.

235 25 b. Members shall be appointed prior to January 31 of the

235 26 first regular session of each general assembly and shall serve

235 27 for terms ending upon the convening of the following general

235 28 assembly or when their successors are appointed, whichever is

235 29 later. A vacancy shall be filled in the same manner as the

235 30 original appointment and shall be for the remainder of the

235 31 unexpired term of the vacancy.

235 32 c. The committee shall elect a chairperson and vice

235 33 chairperson.

235 34 3. The members of the committee shall be reimbursed for

235 35 actual and necessary expenses incurred in the performance

236 1 of their duties and shall be paid a per diem as specified

236 2 in section 7E.6 for each day in which they engaged in the

236 3 performance of their duties. However, per diem compensation

236 4 and expenses shall not be paid when the general assembly is

236 5 actually in session at the seat of government. Expenses and

236 6 per diem shall be paid from funds appropriated pursuant to

236 7 section 2.12.

236 8 4. The committee shall do the following:

236 9 a. Review and consider options for reorganizing state

236 10 government to improve efficiency, modernize processes,

236 11 eliminate duplication and outdated processes, reduce costs, and

236 12 increase accountability. The review shall address the expanded

236 13 use of the internet and other technology, and the incorporation

236 14 of productivity improvement measures.

236 15 b. Review recommendations received through a process to

236 16 receive state government efficiency suggestions offered by the

236 17 public and public employees.

236 18 c. Issue a report, including its findings and

236 19 recommendations, to the general assembly.

236 20 5. The first report required by this section shall be

236 21 submitted to the general assembly no later than January 1,

236 22 2013, with subsequent reports developed and submitted by

236 23 January 1 at least every second year thereafter.

236 24 6. Administrative assistance shall be provided by the

236 25 legislative services agency.

236 26 DIVISION LIII  
236 27 BOARDS AND COMMISSIONS == ESTABLISHMENT CRITERIA

236 28 Sec. 421. NEW SECTION . 69.16D Boards and commissions ==  
236 29 criteria for establishing.  
236 30 1. Prior to establishing a new appointive board,  
236 31 commission, committee, or council of the state, the general  
236 32 assembly shall consider all of the following:  
236 33 a. Whether there is an existing board or commission  
236 34 that would be able to perform the duties of the new board,  
236 35 commission, committee, or council.  
237 1 b. The estimated annual cost of the new board, commission,  
237 2 committee, or council, including any additional personnel costs  
237 3 arising out of the creation of the new board, commission,  
237 4 committee, or council.  
237 5 c. Whether a repeal date is needed for the new board,  
237 6 commission, committee, or council. Whenever possible, an  
237 7 appropriate repeal date should be included.  
237 8 2. This section shall apply to appointive boards,  
237 9 commissions, committees, and councils of the state established  
237 10 by the Code on or after July 1, 2010.

CODE: Requires the General Assembly to consider various factors prior to establishing a new statutorily appointed board, commission, committee, or council for those created after July 1, 2010.

# **EXECUTIVE SUMMARY FY 2010 SUPPLEMENTAL APPROPRIATIONS ACT**

**SENATE FILE 2151**

## **FUNDING SUMMARY**

- This Act makes General Fund supplemental appropriations resulting in no net change to the Department of Human Services (DHS). The Act also makes other fund supplemental appropriations of \$12.7 million for FY 2010.
- Senate File 2151 makes numerous changes to utilize FY 2010 General Fund dollars as a match to draw additional federal dollars with funds from the Federal Recovery and Reinvestment Fund (FRRF) which cannot be matched to draw additional federal dollars. The net change in the General Fund and the FRRF is zero. This change is required to make sure the State complies with all federal requirements of ARRA.
- Other fund supplemental appropriations totaling \$12.7 million for FY 2010 include:
  - \$10.2 million from the Emergency Temporary Assistance for Needy Families (TANF) dollars to the Family Investment Program (FIP).
  - \$2.5 million from the IowaCare Account to Broadlawns Medical Center.
- This Act transfers \$1.8 million from the Mental Health Risk Pool to the Mental Health State Cases Program for FY 2010.
- This Act was approved by the General Assembly on February 24, 2010, and signed by the Governor on March 3, 2010.

## **ENACTMENT DATE**

Senate File 2151

Senate File 2151 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
1	1	1	Amends	Sec. 84, Chapter 182, 2009 Iowa Acts	Medical Assistance, hawk-i, hawk-i Expansion appropriations
1	23	2	Amends	Sections 5A.1, Chapter 182, 2009 Iowa Acts	Emergency TANF Appropriation
1	33	2	Amends	Sections 5A.2, Chapter 182, 2009 Iowa Acts	Emergency TANF Appropriation
2	10	2	Amends	Sections 5A.3, Chapter 182, 2009 Iowa Acts	Emergency TANF Appropriation
2	14	3	Amends	Sec. 9, Chapter 182, 2009 Iowa Acts	Medical Assistance Appropriation
2	32	4	Amends	Sec. 9.11, Chapter 182, 2009 Iowa Acts	MHI Medicaid Allocation
3	8	5	Amends	Sec. 9, Chapter 182, 2009 Iowa Acts	Nursing Facility Rebasing
3	14	6	Amends	Sec. 16.1(2), Chapter 182, 2009 Iowa Acts	Child and Family Services Appropriation
3	26	7	Amends	Sec. 16.7, Chapter 182, 2009 Iowa Acts	Shelter Care Allocation
3	35	8	Amends	Sec. 24.1(2), Chapter 182, 2009 Iowa Acts	State Cases Appropriation
4	10	9	Amends	Sec. 27(2), Chapter 182, 2009 Iowa Acts	Field Operations Appropriation
4	25	10	Amends	Sec. 48, Chapter 182, 2009 Iowa Acts	Broadlawns IowaCare Appropriation
5	1	11	Amends	Sec. 61.8(a), Chapter 183, 2009 Iowa Acts	FRRF Medicaid Appropriation
5	12	11	Amends	Sec. 61.8(b), Chapter 183, 2009 Iowa Acts	FRRF Medicaid, hawk-i, and hawk-i Expansion Appropriation
5	24	11	Amends	Sec. 61.8(d), Chapter 183, 2009 Iowa Acts	FRRF Property Tax Relief Fund Appropriation

Page #	Line #	Bill Section	Action	Code Section	Description
6	2	11	Amends	Sec. 61.8(g), Chapter 183, 2009 Iowa Acts	FRRF Field Operations Appropriation
6	18	11	Amends	Sec. 61.8(h), Chapter 183, 2009 Iowa Acts	FRRF Child and Family Services Appropriation
6	23	11	Amends	Sec. 61.8(i), Chapter 183, 2009 Iowa Acts	FRRF State Cases Appropriation

1 1 Section 1. 2008 Iowa Acts, chapter 1188, section 16, as  
 1 2 amended by 2009 Iowa Acts, chapter 182, section 84, is amended  
 1 3 to read as follows:  
 1 4 SEC. 16. MEDICAL ASSISTANCE, HAWK=I, AND HAWK=I EXPANSION  
 1 5 PROGRAMS == COVERING CHILDREN == APPROPRIATION. There  
 1 6 is appropriated from the general fund of the state to the  
 1 7 department of human services for the designated fiscal years,  
 1 8 the following amounts, or so much thereof as is necessary, for  
 1 9 the purpose designated:  
 1 10 To cover children as provided in this Act under the medical  
 1 11 assistance, hawk=i, and hawk=i expansion programs and outreach  
 1 12 under the current structure of the programs:  
 1 13 FY 2008=2009 ..... \$ 4,800,000  
 1 14 FY 2009=2010 ..... \$ ~~4,207,001~~  
 1 15 10,049,532  
 1 16 FY 2010=2011 ..... \$ 24,800,000  
 1 17 The amendment to the amount of the appropriation made in this  
 1 18 section for FY 2009=2010 incorporates the amount of the uniform  
 1 19 reduction made pursuant to executive order number 19 issued  
 1 20 October 8, 2009. Of the funds appropriated for FY 2009=2010,  
 1 21 not more than \$510,249 shall be used for the supplemental  
 1 22 dental services under the hawk=i program.

CODE: Increases the General Fund appropriation for the Medicaid, hawk-i, and hawk-i Expansion Programs by \$6,263,231 compared to the estimated FY 2010 appropriation. There is a corresponding decrease to the Medicaid, hawk-i, and hawk-i Expansion Programs from the Federal Reinvestment and Recovery Fund (FRRF) in this Act. This change also maintains the allocation of \$510,249 for supplemental dental services.

1 23 Sec. 2. 2009 Iowa Acts, chapter 182, is amended by adding  
 1 24 the following new section:  
 1 25 NEW SECTION . SEC. 5A. EMERGENCY CONTINGENCY FUND FOR  
 1 26 TEMPORARY ASSISTANCE FOR NEEDY FAMILIES.  
 1 27 1. There is appropriated from the federal recovery and  
 1 28 reinvestment fund created in section 8.41A to the department  
 1 29 of human services for the fiscal year beginning July 1, 2009,  
 1 30 and ending June 30, 2010, an amount sufficient to fully fund  
 1 31 the family investment program under chapter 239B for the fiscal  
 1 32 year.

CODE: Appropriates sufficient funding in FY 2010 from the FRRF to the Department of Human Services (DHS) to fully fund the Family Investment Program (FIP). It is estimated that the DHS will need approximately \$10.2 million in Emergency TANF Funds to fund the Program.

1 33 2. The appropriation made in this section is from federal  
 1 34 funding available from the emergency contingency fund

CODE: Specifies that the appropriation in this Section is from federal emergency contingency funds for the Temporary Assistance for



1 35 for temporary assistance for needy families state program  
 2 1 established pursuant to the federal American Recovery and  
 2 2 Reinvestment Act of 2009, Pub. L. No. 111=5, 2101. The  
 2 3 funding shall be expended only after the funding appropriated  
 2 4 for the family investment program in section 5 of this Act  
 2 5 has been exhausted. The appropriation shall be expended in  
 2 6 accordance with the federal law making the funding available  
 2 7 and chapter 239B, notwithstanding section 8.41, 2009 Iowa  
 2 8 Acts, chapter 183, section 58, or any other provision to the  
 2 9 contrary.

Needy Families (TANF) Program. The TANF funding may only be expended after all other appropriated funding has been exhausted.

2 10 3. The department shall report quarterly to the legislative  
 2 11 services agency and the department of management concerning the  
 2 12 expenditure of the funding appropriated in this section during  
 2 13 the previous quarter.

CODE: Requires the Department to submit quarterly reports to the Legislative Services Agency and the Department of Management regarding expenditures in this Section.

2 14 Sec. 3. 2009 Iowa Acts, chapter 182, section 9, unnumbered  
 2 15 paragraph 2, as amended by 2009 Iowa Acts, chapter 179, section  
 2 16 84, is amended to read as follows:

2 17 For medical assistance reimbursement and associated costs  
 2 18 as specifically provided in the reimbursement methodologies  
 2 19 in effect on June 30, 2009, except as otherwise expressly  
 2 20 authorized by law, including reimbursement for abortion  
 2 21 services which shall be available under the medical assistance  
 2 22 program only for those abortions which are medically necessary:  
 2 23 ..... \$ ~~681,949,840~~  
 2 24 590,459,096

CODE: Decreases the General Fund appropriation to the Medicaid Program by \$19,637,038 compared to the estimated FY 2010 appropriation. There is a corresponding increase to the Medicaid appropriation from the FRRF in this Act.

2 25 The amendment to the amount of the appropriation made in this  
 2 26 section incorporates the amounts of the uniform reduction made  
 2 27 pursuant to executive order number 19 issued October 8, 2009,  
 2 28 and the transfers made to and from this appropriation pursuant  
 2 29 to the authority in section 8.39 and addressed in the notice of  
 2 30 appropriation transfer from the department of management dated  
 2 31 December 11, 2009.

2 32 Sec. 4. 2009 Iowa Acts, chapter 182, section 9, subsection

CODE: Requires the funds appropriated to the Medicaid Program

2 33 11, is amended to read as follows:  
 2 34 11. Of the funds appropriated to the medical assistance  
 2 35 program in this section 2009 Iowa Acts, chapter 183, section  
 3 1 61, subsection 8, paragraph "a", the following amounts shall be  
 3 2 transferred to appropriations made in this division of this Act  
 3 3 to the state mental health institutes:  
 3 4 a. Cherokee mental health institute ..... \$ 9,098,425  
 3 5 b. Clarinda mental health institute ..... \$ 1,977,305  
 3 6 c. Independence mental health institute ..... \$ 9,045,894  
 3 7 d. Mount Pleasant mental health institute ..... \$ 5,752,587

from the FRRF to be transferred to the four Mental Health Institutes (MHIs) in the amounts specified.

3 8 Sec. 5. 2009 Iowa Acts, chapter 182, section 9, is amended  
 3 9 by adding the following new subsection:  
 3 10 NEW SUBSECTION . 23. Of the funds appropriated in this  
 3 11 section, \$6,000,000 is allocated for rebasing of nursing  
 3 12 facility reimbursement and \$237,173 for interpreter services  
 3 13 associated with 2009 Iowa Acts, chapter 118, section 29.

CODE: Allocates \$6,000,000 to rebase nursing facilities and \$237,173 for Interpreter Services under the Medicaid Program. These Programs previously received allocations from the FRRF appropriation to Medicaid, but have been eliminated in this Act.

3 14 Sec. 6. 2009 Iowa Acts, chapter 182, section 16, subsection  
 3 15 1, unnumbered paragraph 2, is amended to read as follows:  
 3 16 For child and family services:  
 3 17 ..... \$ ~~90,591,451~~  
 3 18 84,032,306  
 3 19 The amendment to the amount of the appropriation made in  
 3 20 this section incorporates the amounts of the uniform reduction  
 3 21 made pursuant to executive order number 19 issued October 8,  
 3 22 2009, and the transfer made to this appropriation pursuant to  
 3 23 the authority in section 8.39 and addressed in the notice of  
 3 24 appropriation transfer from the department of management dated  
 3 25 December 11, 2009.

CODE: Increases the General Fund appropriation for Child and Family Services by \$2,500,000 compared to the estimated FY 2010 appropriation. There is a corresponding decrease to the Child and Family Services appropriation from the FRRF in this Act.

3 26 Sec. 7. 2009 Iowa Acts, chapter 182, section 16, subsection  
 3 27 7, is amended to read as follows:  
 3 28 7. Notwithstanding section 234.35 or any other provision of  
 3 29 law to the contrary, state funding for shelter care shall be

CODE: Increases the General Fund allocation to Shelter Care by \$500,000 compared to the estimated FY 2010 allocation. There is a corresponding decrease from the FRRF in this Act.

3 30 limited to ~~\$7,686,460~~ \$8,186,460 . The department may continue  
 3 31 or amend shelter care provider contracts to include the child  
 3 32 welfare emergency services for children who might otherwise be  
 3 33 served in shelter care that were implemented pursuant to 2008  
 3 34 Iowa Acts, chapter 1187, section 16, subsection 7.

3 35 Sec. 8. 2009 Iowa Acts, chapter 182, section 24, subsection  
 4 1 1, unnumbered paragraph 2, is amended to read as follows:  
 4 2 For distribution to counties for state case services  
 4 3 for persons with mental illness, mental retardation, and  
 4 4 developmental disabilities in accordance with section 331.440:  
 4 5 ..... \$ ~~11,446,288~~  
 4 6 10,008,418  
 4 7 The amendment to the amount of the appropriation made in this  
 4 8 section incorporates the amount of the uniform reduction made  
 4 9 pursuant to executive order number 19 issued October 8, 2009.

CODE: Decreases the General Fund appropriation to the State Cases Program by \$286,789 compared to the estimated FY 2010 appropriation. There is a corresponding increase to the State Cases appropriation from the FRRF in this Act.

4 10 Sec. 9. 2009 Iowa Acts, chapter 182, section 27, unnumbered  
 4 11 paragraph 2, is amended to read as follows:  
 4 12 For field operations, including salaries, support,  
 4 13 maintenance, and miscellaneous purposes, and for not more than  
 4 14 the following full-time equivalent positions:  
 4 15 ..... \$ ~~63,032,831~~  
 4 16 57,410,144  
 4 17 ..... FTEs 2,000.13  
 4 18 The amendment to the amount of the appropriation made in  
 4 19 this section incorporates the amounts of the uniform reduction  
 4 20 made pursuant to executive order number 19 issued October 8,  
 4 21 2009, and the transfer made from this appropriation pursuant to  
 4 22 the authority in section 8.39 and addressed in the notice of  
 4 23 appropriation transfer from the department of management dated  
 4 24 December 23, 2009.

CODE: Increases the General Fund appropriation for Field Operations by \$680,596 compared to the estimated FY 2010 appropriation. There is a corresponding decrease to the Field Operations appropriation from the FRRF in this Act.

4 25 Sec. 10. 2009 Iowa Acts, chapter 182, section 48, is amended  
 4 26 by adding the following new subsection:

CODE: Appropriates \$2,500,000 from the IowaCare Account to Broadlawns Medical Center. This appropriation is to offset lower than anticipated Medicaid Disproportionate Share (DSH) dollars.

4 27 NEW SUBSECTION . 4. There is appropriated from the IowaCare  
 4 28 account created in section 249J.24 to the department of human  
 4 29 services for the fiscal year beginning July 1, 2009, and  
 4 30 ending  
 4 31 June 30, 2010, the following amount, or so much thereof as is  
 4 32 necessary, to be used for the purposes designated:  
 4 33 For distribution to a publicly owned acute care teaching  
 4 34 hospital located in a county with a population over 350,000:  
 4 35 ..... \$ 2,500,000

5 1 Sec. 11. 2009 Iowa Acts, chapter 183, section 61, subsection  
 5 2 8, is amended to read as follows:  
 5 3 8. From funding designated for government stabilization,  
 5 4 for the department of human services:  
 5 5 a. For the medical assistance program:  
 5 6 ..... \$ ~~6,237,173~~  
 5 7 25,874,211  
 5 8 ~~Of the funds appropriated in this lettered paragraph,~~  
 5 9 ~~\$6,000,000 is allocated for rebasing of nursing facility~~  
 5 10 ~~reimbursement and \$237,173 for interpreter services associated~~  
 5 11 ~~with 2009 Iowa Acts, Senate File 389, if enacted.~~

5 12 b. For coverage of children under the medical assistance  
 5 13 and hawk=i programs and for additional coverage provisions for  
 5 14 children under 2009 Iowa Acts, Senate File 389, if enacted:  
 5 15 ..... \$ ~~6,263,231~~  
 5 16 0  
 5 17 ~~Of the funds appropriated in this lettered paragraph,~~  
 5 18 ~~\$510,249 is allocated for supplemental dental services under~~  
 5 19 ~~the hawk=i program.~~

5 20 c. For transfer to the department of public health to be  
 5 21 used for 0.25 full-time equivalent position and other costs  
 5 22 associated with the volunteer health care provider program:  
 5 23 ..... \$ 20,000

CODE: Increases the Medicaid appropriation from the FRRF by \$19,637,038 compared to the estimated FY 2010 appropriation. These funds are to be used for the Medicaid allocation to the MHIs. There is a corresponding decrease to the General Fund appropriation in this Act.

CODE: Eliminates the FRRF appropriation to the Medicaid, hawk-i, and hawk-i Expansion Programs and the allocation for supplemental dental services. There is a corresponding increase to the General Fund Medicaid, hawk-i, and hawk-i Expansion appropriations and the supplemental dental allocation in this Act.

CODE: Restates current law.

5 24 d. For the property tax relief fund in lieu of an equal  
 5 25 amount of the appropriation made from the general fund of the  
 5 26 state in section 426B.1, subsection 2:  
 5 27 ..... \$ 10,480,000  
 5 28 0  
 5 29 Notwithstanding section 426B.1, subsection 2, for the fiscal  
 5 30 year beginning July 1, 2009, the amount of the appropriation  
 5 31 made from the general fund of the state in section 426B.1,  
 5 32 subsection 2, shall be reduced by ~~\$2,964,543~~ \$3,328,089 and the  
 5 33 appropriation made from the property tax relief fund and for  
 5 34 the fiscal year to supplement the medical assistance program  
 5 35 in section 426B.1, subsection 3, shall be reduced by the same  
 6 1 amount.

CODE: Eliminates the FRRF appropriation to the Property Tax Relief Fund. The language makes a corresponding change to the General Fund appropriation to the Property Tax Relief Fund.

6 2 e. For the risk pool created in the property tax relief fund  
 6 3 in accordance with section 426B.5:  
 6 4 ..... \$ 10,000,000  
 6 5 f. For a demonstration project providing health care  
 6 6 coverage premium assistance for direct care workers to  
 6 7 implement recommendations developed pursuant to 2008 Iowa Acts,  
 6 8 chapter 1188, section 72:  
 6 9 ..... \$ 400,000  
 6 10 g. For the department's field operations, if 2009 Iowa Acts,  
 6 11 ~~Senate File 389, chapter 118,~~ is enacted:  
 6 12 ..... ~~\$ 680,596~~  
 6 13 0  
 6 14 The funds appropriated in this lettered paragraph shall be  
 6 15 used for 17.00 additional full-time equivalent positions for  
 6 16 implementation costs associated with 2009 Iowa Acts, ~~Senate~~  
 6 17 ~~File 389, if enacted~~ chapter 118 .

CODE: Eliminates the FRRF appropriation to Field Operations. There is a corresponding increase to the General Fund Field Operations appropriation in this Act.

6 18 h. For child and family services:  
 6 19 ..... \$ 2,500,000  
 6 20 0  
 6 21 ~~Of the amount appropriated in this lettered paragraph,~~  
 6 22 ~~\$500,000 shall be used for additional funding of shelter care.~~

CODE: Eliminates the FRRF appropriation to Child and Family Services and the allocation for Shelter Care. There is a corresponding increase to the General Fund Child and Family Services appropriation and Shelter Care allocation in this Act.

6 23 i. For distribution to counties for state case services  
6 24 for persons with mental illness, mental retardation, and  
6 25 developmental disabilities in accordance with section 331.440,  
6 26 to supplement the amount appropriated in 2009 Iowa Acts,  
6 27 chapter 182, section 24:  
6 28 ..... \$ 286,789

CODE: Appropriates \$286,789 to the State Cases Program from the FRRF for FY 2010. This is a new appropriation. There is a corresponding decrease to the General Fund State Cases appropriation in this Act.

6 29 Sec. 12. RISK POOL == STATE CASE SERVICES. For the fiscal  
6 30 year beginning July 1, 2009, the moneys available in the risk  
6 31 pool created in section 426B.5 that remain unencumbered or  
6 32 unobligated on or after the effective date of this division  
6 33 of this Act and are attributed to appropriations made for the  
6 34 fiscal year beginning July 1, 2009, or a previous fiscal year  
6 35 shall be transferred to the appropriation made in 2009 Iowa  
7 1 Acts, chapter 182, section 24, to be used by the department  
7 2 of human services for distribution to counties for state case  
7 3 services for persons with mental illness, mental retardation,  
7 4 and developmental disabilities for the fiscal year beginning  
7 5 July 1, 2009, and ending June 30, 2010.

Transfers any unobligated funds from the Mental Health Risk Pool to the State Cases Program in the Department of Human Services in FY 2010. It is estimated that there will be \$1,831,098 available for transfer.

7 6 Sec. 13. EFFECTIVE UPON ENACTMENT. This Act, being deemed  
7 7 of immediate importance, takes effect upon enactment.

This Act is effective on enactment.

# EXECUTIVE SUMMARY FY 2010 APPROPRIATIONS ADJUSTMENTS ACT

SENATE FILE 2366

## **FUNDING SUMMARY**

### **DIVISION I**

#### ELDERLY AND DISABLED TAX CREDIT

#### DEPARTMENT OF ADMINISTRATIVE SERVICES

### **DIVISION II**

#### DEPARTMENT OF CORRECTIONS

#### STATE PUBLIC DEFENDER

#### DEPARTMENT OF PUBLIC DEFENSE

#### JUDICIAL BRANCH

### **DIVISION III**

#### DEPARTMENT OF EDUCATION

#### BOARD OF REGENTS

- Makes the following appropriation adjustments:
  - Appropriates FY 2010 General Fund supplementals of \$52.6 million.
  - Deappropriates \$21.5 million from other funding sources.
- Makes a \$1.4 million FY 2010 supplemental appropriation from the General Fund to the Department of Revenue to offset the 10.0% across-the-board reduction to the Elderly and Disabled Tax Credit. (Page 1, Line 3)
- Adds community colleges to the Department of Administrative Services (DAS) setoff procedures for collecting liabilities from claims owed to an individual. (Page 1, Line 16)
- Permits fixtures, equipment, and other unneeded items left in the Mercy Capitol facility to be sold and the proceeds to be applied to operation of the facility. (Page 1, Line 32)
- General Fund supplemental appropriation of \$7.9 million to the Institutions and Community-Based Corrections (CBC) District Departments. These funds are permitted to carry forward to FY 2011. (Page 2, Line 7 through Page 4, Line 22; Page 6, Line 18)
- General Fund supplemental appropriation of \$10.9 million for the Indigent Defense Fund. These funds are permitted to carry forward to FY 2011. (Page 4, Line 23; Page 6, Line 18)
- General Fund supplemental appropriation of \$588,000 to the Military and Homeland Security and Emergency Management Divisions. (Page 5, Line 2 through Page 5, Line 23)
- General Fund deappropriation of \$11.4 million from the Judicial Branch to codify Supreme Court action. (Page 5, Line 24 through Page 6, Line 17)
- General Fund supplemental appropriations of \$10.7 million to ten Department of Education programs:
  - Restores the 10.0% across-the-board (ATB) reduction for selected programs. (Page 7, Line 5 through Page 8, Line 16 and Page 8, Line 27 through Page 9, Line 6)
  - Requires nonreversion of the supplemental appropriation to the Iowa Empowerment Fund for Preschool Tuition Assistance through FY 2011. Permits the supplemental funding for the Preschool Tuition Assistance grant funding distributed to local area boards to be carried forward without a reduction for exceeding the carry forward limitation. (Page 7, Line 15)
  - Restores funding for the Community Colleges to the FY 2006 level. (Page 8, Line 17)
- General Fund supplemental appropriations of \$30.4 million to restore funding for the three Regents universities to the FY 2006 level. (Page 9, Line 19 through Page 9, Line 31)
- General Fund supplemental appropriation of \$922,000 to the Iowa School for the Deaf and the Iowa Braille and Sight Saving School. (Page 9, Line 32 and Page 10, Line 4)

**EXECUTIVE SUMMARY  
FY 2010 APPROPRIATIONS ADJUSTMENTS ACT**

**SENATE FILE 2366**

***DIVISION IV***

**LEGISLATIVE BRANCH**

**STATE-FEDERAL RELATIONS**

**TRANSFERS**

- Increases the FY 2010 reduction to the appropriation for the General Assembly and legislative agencies by \$3.3 million. This equals 10.0% of the FY 2010 appropriation. (Page 10, Line 15)
- Increases the number of FTE positions by 1.0 for a position funded by allocations from other State agencies. (Page 10, Line 23)
- Authorizes transfers made from Iowa College Student Aid Commission Scholarship and Tuition Grant Reserve Fund and the Medicaid Fraud Account. (Page 10, Line 33 to Page 12, Line 7)

***DIVISION V***

**DEPARTMENT OF PUBLIC HEALTH**

- General Fund supplemental appropriations of \$4.4 million to the Department of Public Health (DPH) to replace the reductions in State funding due to Executive Order Number 19. The supplemental appropriations include:
  - \$2.6 million for Addictive Disorders. (Page 12, Line 22)
  - \$329,000 for Healthy Children and Families. (Page 12, Line 28)
  - \$322,000 for Chronic Conditions. (Page 12, Line 33)
  - \$23,000 for Community Capacity. (Page 13, Line 3)
  - \$835,000 for Elderly Wellness. (Page 13, Line 8)
  - \$66,000 for Environmental Hazards. (Page 13, Line 13)
  - \$138,000 for Infectious Diseases. (Page 13, Line 18)
  - \$23,000 for Public Protection. (Page 13, Line 23)
  - \$21,000 for the Center for Congenital and Inherited Disorders Central Registry. (Page 13, Line 28)

***DIVISION VI***

**DEPARTMENT OF HUMAN  
SERVICES**

- General Fund supplemental appropriations of \$100,000 for the Mental Health State Cases Program. (Page 14, Line 10)
- Allocates \$1.0 million from the Juvenile Detention Fund to the Juvenile Delinquent Graduated Services to restore the 10.0% ATB reduction in FY 2010. (Page 14, Line 15)
- Allocates unexpended funding from decategorization projects of \$1.0 million from FY 2009 to the Juvenile Detention Fund to restore the 10.0% ATB reduction in FY 2010. (Page 14, Line 28)



# EXECUTIVE SUMMARY FY 2010 APPROPRIATIONS ADJUSTMENTS ACT

SENATE FILE 2366

## ***DIVISION VII***

### **MEDICAID – NURSING FACILITIES**

- Suspends the Nursing Facility Pay-for-Performance Program. (Page 15, Line 21)
- Modifies the way patient days and bed holds are calculated for non-State owned nursing facilities to revert to original FY 2010 methodology before the 10.0% ATB. (Page 15, Line 29 through Page 17, Line 3)
- Provides a \$2.3 million supplemental appropriation to the nursing facilities to restore up to 2.0% of the 5.0% reduction they received as part of the ATB. (Page 17, Line 4 through Page 17, Line 23)
- Specifies the Division is contingent upon approval of the quality assurance fee by the US Department of Health and Human Services. (Page 17, Line 24)

## ***DIVISION VIII***

### **INFRASTRUCTURE APPROPRIATIONS ADJUSTMENTS FY 2008 RIIF APPROPRIATIONS**

- Generally, these changes represent funding adjustments of \$23.8 million in reductions to appropriations from the Rebuild Iowa Infrastructure Fund (RIIF).
- Reduces the FY 2008 appropriation to the Department of Corrections for lease purchase agreement for an upgrade to the electrical system for Fort Madison from \$333,000 to \$305,000. (Page 18, Line 7)
- Reduces the FY 2008 appropriation the Department of Human Services (DHS) for improvements to nursing home facilities from \$1.0 million to \$200,000. This is in addition to the elimination of the \$600,000 FY 2009 RIIF appropriation for the same purpose, for a total reduction of \$1.4 million. (Page 18, Line 14 and Page 19, Line 10)

### **FY 2009 RIIF APPROPRIATIONS**

- Eliminates the entire FY 2009 appropriation of \$200,000 to the DAS for costs associated with developing a request for proposal for the human resources module of the Integrated Information for Iowa (I/3) System. (Page 18, Line 22)
- Reduces the FY 2009 appropriation to the Department of Corrections for the study related to relocating and expanding the Fifth Judicial District CBC Facility from \$200,000 to \$97,000. (Page 18, Line 31)
- Reduces the FY 2009 appropriation to the Department of Cultural Affairs for the repair of the historic Kimball pipe organ from \$80,000 to \$55,000. (Page 19, Line 3)
- Eliminates the entire FY 2009 appropriation of \$600,000 to the DHS for improvements to nursing home facilities. This is in addition to the reduction of the FY 2008 appropriation for the same purposes for a total reduction of \$1.4 million. (Page 19, Line 10)
- Eliminates the entire FY 2009 appropriation of \$50,000 to the DHS for a child care provider health insurance study. (Page 19, Line 16)
- Reduces the FY 2009 appropriation to the Department of Natural Resources for a grant to the City of Marion to study plasma arc technology from \$150,000 to \$135,000. (Page 19, Line 22)

**EXECUTIVE SUMMARY  
FY 2010 APPROPRIATIONS ADJUSTMENTS ACT**

**SENATE FILE 2366**

***DIVISION VIII (CONTINUED)***

**GROW IOWA VALUES FUND**

- Reduces the FY 2010 appropriation to the Grow Iowa Values Fund from \$45.0 million to \$23.0 million. Other language relating to the Grow Iowa Values Fund appropriation is changed accordingly. (Page 20, Line 5 through Page 21, Line 7)
- Reduces the FY 2010 allocation from the Grow Iowa Values Fund to the Department of Economic Development from \$28.8 million to \$6.8 million to adjust for the overall reduction in the FY 2010 RIIF appropriation to the Grow Iowa Values Fund. (Page 21, Line 8)
- The provisions related to transfers involving the College Student Aid Commission and the Department of Inspections and Appeals are retroactive to December 14, 2009. (Page 11, Line 35)
- This Act is effective on enactment.
- This Act was approved by the General Assembly on March 17, 2010, and signed by the Governor on April 15, 2010.

**RETROACTIVE APPLICABILITY  
DATE**

**EFFECTIVE DATE**

**ENACTMENT DATE**

Senate File 2366 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
1	16	2	Adds	Sec. 8A.504(2)	Community College Setoff Procedures
5	24	7	Amends	Sec. 1.1, Chap. 172 as amended	Judicial Branch Appropriation Decrease
6	18	8	Nwthstnd	Sec. 8.33	Nonreversion of State Public Defender
7	15	9	Nwthstnds	Sec. 8.33 and any other provision of law	Nonreversion of School Ready Children Grants
10	5	11	Nwthstnd	Sec. 8.33	Nonreversion of Higher Education Supplemental Appropriations
10	15	12	Amends	Sec. 3.1, Chap. 179, 2009 Iowa Acts	Reduction to Legislative Branch Appropriation
10	23	13	Amends	Sec. 10.5, Chap. 181, 2009 Iowa Acts	State-Federal Relations FTE Positions Increase
10	33	14	Nwthstnd	Sec. 261.20	Fund Transfer Legalization
14	15	19	Amends	Sec. 19, Chap. 182, 2009 Iowa Acts	Juvenile Detention Home Fund
14	28	19	Amends	Sec. 19, Chap. 182, 2009 Iowa Acts	Juvenile Detention Fund
15	21	20	Amends	Sec. 4.4, Chap. 192, 2001 Iowa Acts	Pay-for-Performance
17	4	22	Nwthstnd	ALL	Nursing Facility Quality Assurance Trust Fund
18	7	24	Amends	Sec. 1.3, Chap. 219, 2007 Iowa Acts	FY 2008 Appropriation Adjustment for DOC
18	14	25	Amends	Sec. 1.7, Chap. 219, 2007 Iowa Acts	FY 2008 Appropriation Adjustment for DHS
18	22	26	Amends	Sec. 1.1, Chap. 1179, 2008 Iowa Acts	FY 2009 Appropriation Adjustment for DAS
18	31	27	Amends	Sec. 1.3, Chap. 1179, 2008 Iowa Acts	FY 2009 Appropriation Adjustment for DOC
19	3	28	Amends	Sec. 1.4, Chap. 1179, 2008 Iowa Acts	FY 2009 Appropriation Adjustment for DCA

Page #	Line #	Bill Section	Action	Code Section	Description
19	10	29	Amends	Sec. 1.7, Chap. 1179, 2008 Iowa Acts	FY 2009 Appropriation Adjustment for DHS
19	16	29	Amends	Sec. 1.7, Chap. 1179, 2008 Iowa Acts	FY 2009 Appropriation Adjustment for DHS
19	22	30	Amends	Sec. 1.9, Chap. 1179, 2008 Iowa Acts	FY 2009 Appropriation Adjustment for DNR
19	30	31	Adds	Sec. 10, Chapter 179, 2009 Iowa Acts and Sec. 8.33	State Training School Repair
20	5	32	Amends	Sec. 5, Chap. 184, 2009 Iowa Acts	FY 2010 Appropriation Adjustment for Grow Iowa Values Fund
20	18	33	Amends	Sec. 7, Chap. 184, 2009 Iowa Acts	FY 2010 Appropriation Adjustment for Grow Iowa Values Fund
20	31	34	Amends	Sec. 8, Chap. 184, 2009 Iowa Acts	Conforming Language for Appropriation Adjustment
21	8	35	Amends	Sec. 8.1, Chap. 184, 2009 Iowa Acts	Reduces Allocation from Grow Iowa Values Fund to DED

1 1 DIVISION I

1 2 ADMINISTRATION AND REGULATION

1 3 Section 1. ELDERLY AND DISABLED TAX CREDIT. After applying  
 1 4 the reduction made pursuant to executive order number 19 issued  
 1 5 October 8, 2009, to the appropriation made for the following  
 1 6 designated purpose, there is appropriated from the general fund  
 1 7 of the state to the department of revenue for the fiscal year  
 1 8 beginning July 1, 2009, and ending June 30, 2010, the following  
 1 9 amount, or so much thereof as is necessary, to be used for the  
 1 10 purpose designated:

1 11 For implementing the elderly and disabled tax credit and  
 1 12 reimbursement pursuant to sections 425.16 through 425.39, to  
 1 13 supplement the amount appropriated in 2009 Iowa Acts, chapter  
 1 14 179, section 9, subsection 2, paragraph "d":  
 1 15 ..... \$ 1,426,000

General Fund supplemental appropriation to the Department of Revenue to backfill the 10.00% across-the-board (ATB) reduction to the General Fund portion of the funding for the Elderly and Disabled Tax Credit and Reimbursement.

1 16 Sec. 2. Section 8A.504, subsection 2, Code 2009, is amended  
 1 17 by adding the following new paragraph:

1 18 NEW PARAGRAPH . k. If the alleged liability is owing and  
 1 19 payable to a community college and setoff pursuant to this  
 1 20 section is sought, both of the following shall apply:

1 21 (1) In addition to satisfying other applicable setoff  
 1 22 procedures established under this subsection, the community  
 1 23 college shall prescribe procedures to permit a person to  
 1 24 contest the amount of the person's liability to the community  
 1 25 college. Such procedures shall be consistent with and ensure  
 1 26 the protection of the person's right of due process under Iowa  
 1 27 law.

1 28 (2) The collection entity shall, except for the procedures  
 1 29 prescribed pursuant to subparagraph (1), prescribe any other  
 1 30 applicable procedures concerning setoff as provided in this  
 1 31 subsection.

CODE: Requires community colleges to prescribe to setoff procedures to permit a person to contest the amount of liability to a community college.

FISCAL IMPACT: No significant impact.

1 32 Sec. 3. FORMER MERCY CAPITOL FACILITIES. The department

Permits the Department of Administrative Services (DAS) to sell

1 33 of administrative services may sell fixtures, equipment, or  
 1 34 other items remaining at the former Mercy capitol facilities  
 1 35 that the department has determined will not be retained for  
 2 1 use by the state. Any proceeds realized from the sale of the  
 2 2 fixtures, equipment, or other items are appropriated to the  
 2 3 department to be used for the costs of occupying and operating  
 2 4 the facilities.

fixtures, equipment, or other items remaining at the Mercy Capitol facility that will not be used by the State. The DAS may retain proceeds from sales for the cost of operating and maintaining the facility.

DETAIL: No significant impact.

2 5 DIVISION II  
 2 6 JUSTICE SYSTEM

2 7 Sec. 4. DEPARTMENT OF CORRECTIONS. After applying the  
 2 8 reduction made pursuant to executive order number 19 issued  
 2 9 October 8, 2009, to the appropriations made for the following  
 2 10 designated purposes, and the transfers made to and from the  
 2 11 appropriations pursuant to the authority in section 8.39  
 2 12 and addressed in the notice of appropriation transfer from  
 2 13 the department of management dated December 23, 2009, there  
 2 14 is appropriated from the general fund of the state to the  
 2 15 department of corrections for the fiscal year beginning July 1,  
 2 16 2009, and ending June 30, 2010, the following amounts, or so  
 2 17 much thereof as is necessary, to supplement the appropriations  
 2 18 made for the following designated purposes:

2 19 1. For the operation of adult correctional institutions in  
 2 20 2009 Iowa Acts, chapter 178, section 3, subsection 1, to be  
 2 21 allocated as follows:

2 22 a. For the operation of the Fort Madison correctional  
 2 23 facility in 2009 Iowa Acts, chapter 178, section 3, subsection  
 2 24 1, paragraph "a":  
 2 25 ..... \$ 764,048

General Fund supplemental appropriation for FY 2010 to the Fort Madison Correctional Facility to partially backfill the 10.00% ATB reduction.

2 26 b. For the operation of the Anamosa correctional facility in

General Fund supplemental appropriation for FY 2010 to the

PG LN

## Senate File 2366

## Explanation

2 27 2009 Iowa Acts, chapter 178, section 3, subsection 1, paragraph	Anamosa Correctional Facility to partially backfill the 10.00% ATB
2 28 "b":	reduction.
2 29 ..... \$ 543,179	
2 30 c. For the operation of the Oakdale correctional facility in	General Fund supplemental appropriation for FY 2010 to the Oakdale
2 31 2009 Iowa Acts, chapter 178, section 3, subsection 1, paragraph	Correctional Facility to partially backfill the 10.00% ATB reduction.
2 32 "c":	
2 33 ..... \$ 2,650,762	
2 34 d. For the operation of the Newton correctional facility in	General Fund supplemental appropriation for FY 2010 to the Newton
2 35 2009 Iowa Acts, chapter 178, section 3, subsection 1, paragraph	Correctional Facility to partially backfill the 10.00% ATB reduction.
3 1 "d":	
3 2 ..... \$ 526,181	
3 3 e. For the operation of the Mt. Pleasant correctional	General Fund supplemental appropriation for FY 2010 to the Mount
3 4 facility in 2009 Iowa Acts, chapter 178, section 3, subsection	Pleasant Correctional Facility to partially backfill the 10.00% ATB
3 5 1, paragraph "e":	reduction.
3 6 ..... \$ 415,980	
3 7 f. For the operation of the Rockwell City correctional	General Fund supplemental appropriation for FY 2010 to the Rockwell
3 8 facility in 2009 Iowa Acts, chapter 178, section 3, subsection	City Correctional Facility to partially backfill the 10.00% ATB reduction.
3 9 1, paragraph "f":	
3 10 ..... \$ 108,833	
3 11 g. For the operation of the Clarinda correctional facility	General Fund supplemental appropriation for FY 2010 to the Clarinda
3 12 in 2009 Iowa Acts, chapter 178, section 3, subsection 1,	Correctional Facility to partially backfill the 10.00% ATB reduction.
3 13 paragraph "g":	
3 14 ..... \$ 451,752	
3 15 h. For the operation of the Mitchellville correctional	General Fund supplemental appropriation for FY 2010 to the
3 16 facility in 2009 Iowa Acts, chapter 178, section 3, subsection	Mitchellville Correctional Facility to partially backfill the 10.00% ATB
3 17 1, paragraph "h":	reduction.
3 18 ..... \$ 169,416	

3 19	i. For the operation of the Fort Dodge correctional facility	General Fund supplemental appropriation for FY 2010 to the Fort
3 20	in 2009 Iowa Acts, chapter 178, section 3, subsection 1,	Dodge Correctional Facility to partially backfill the 10.00% ATB
3 21	paragraph "i":	reduction.
3 22	..... \$ 200,000	
3 23	2. For the judicial district departments of correctional	
3 24	services in 2009 Iowa Acts, chapter 178, section 5, subsection	
3 25	1, to be allocated as follows:	
3 26	a. For the first judicial district department of	General Fund supplemental appropriation for FY 2010 to the First
3 27	correctional services in 2009 Iowa Acts, chapter 178, section	Community-Based Corrections (CBC) to partially backfill the 10.00%
3 28	5, subsection 1, paragraph "a":	ATB reduction.
3 29	..... \$ 110,275	
3 30	b. For the second judicial district department of	General Fund supplemental appropriation for FY 2010 to the Second
3 31	correctional services in 2009 Iowa Acts, chapter 178, section	CBC District Department to partially backfill the 10.00% ATB
3 32	5, subsection 1, paragraph "b":	reduction.
3 33	..... \$ 308,214	
3 34	c. For the third judicial district department of	General Fund supplemental appropriation for FY 2010 to the Third
3 35	correctional services in 2009 Iowa Acts, chapter 178, section	CBC District Department to partially backfill the 10.00% ATB
4 1	5, subsection 1, paragraph "c":	reduction.
4 2	..... \$ 18,010	
4 3	d. For the fourth judicial district department of	General Fund supplemental appropriation for FY 2010 to the Fourth
4 4	correctional services in 2009 Iowa Acts, chapter 178, section	CBC District Department to partially backfill the 10.00% ATB
4 5	5, subsection 1, paragraph "d":	reduction.
4 6	..... \$ 76,117	
4 7	e. For the fifth judicial district department of	General Fund supplemental appropriation for FY 2010 to the Fifth
4 8	correctional services in 2009 Iowa Acts, chapter 178, section	CBC District Department to partially backfill the 10.00% ATB
4 9	5, subsection 1, paragraph "e":	reduction.
4 10	..... \$ 790,020	



4 11 f. For the sixth judicial district department of	General Fund supplemental appropriation for FY 2010 to the Sixth
4 12 correctional services in 2009 Iowa Acts, chapter 178, section	CBC District Department to partially backfill the 10.00% ATB
4 13 5, subsection 1, paragraph "f":	reduction.
4 14 ..... \$ 302,810	
4 15 g. For the seventh judicial district department of	General Fund supplemental appropriation for FY 2010 to the Seventh
4 16 correctional services in 2009 Iowa Acts, chapter 178, section	CBC District Department to partially backfill the 10.00% ATB
4 17 5, subsection 1, paragraph "g":	reduction.
4 18 ..... \$ 24,923	
4 19 h. For the eighth judicial district department of	General Fund supplemental appropriation for FY 2010 to the Eighth
4 20 correctional services in 2009 Iowa Acts, chapter 178, section	CBC District Department to partially backfill the 10.00% ATB
4 21 5, subsection 1, paragraph "h":	reduction.
4 22 ..... \$ 400,850	
4 23 Sec. 5. STATE PUBLIC DEFENDER. After applying the reduction	General Fund supplemental appropriation for FY 2010 to the Indigent
4 24 made pursuant to executive order number 19 issued October 8,	Defense Fund of the Office of the State Public Defender to backfill the
4 25 2009, to the appropriation made for the following designated	10.00% ATB reduction and provide additional funds based on
4 26 purposes, there is appropriated from the general fund of	anticipated expenditures.
4 27 the state to the office of the state public defender of the	
4 28 department of inspections and appeals for the fiscal year	
4 29 beginning July 1, 2009, and ending June 30, 2010, the following	
4 30 amount, or so much thereof as is necessary, to supplement the	
4 31 appropriations made for the following designated purposes:	
4 32 For the fees of court-appointed attorneys for indigent	
4 33 adults and juveniles, in accordance with section 232.141 and	
4 34 chapter 815, in 2009 Iowa Acts, chapter 178, section 10,	
4 35 subsection 2:	
5 1 ..... \$ 10,900,000	
5 2 Sec. 6. DEPARTMENT OF PUBLIC DEFENSE. After applying	
5 3 the reduction made pursuant to executive order number 19	
5 4 issued October 8, 2009, to the appropriations made for the	
5 5 following designated purposes, and the transfers made from	

5 6 the appropriations pursuant to the authority in section 8.39  
5 7 and addressed in the notice of appropriation transfer from  
5 8 the department of management dated December 23, 2009, there  
5 9 is appropriated from the general fund of the state to the  
5 10 department of public defense for the fiscal year beginning July  
5 11 1, 2009, and ending June 30, 2010, the following amounts, or so  
5 12 much thereof as is necessary, to supplement the appropriations  
5 13 made for the following designated purposes:

5 14 1. MILITARY DIVISION

5 15 For salaries, support, maintenance, and miscellaneous  
5 16 purposes, in 2009 Iowa Acts, chapter 178, section 13,  
5 17 subsection 1:

5 18 ..... \$ 526,202

General Fund supplemental appropriation for FY 2010 to the Military Division of the Department of Public Defense to partially backfill the 10.00% ATB reduction.

5 19 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION

5 20 For salaries, support, maintenance, and miscellaneous  
5 21 purposes in 2009 Iowa Acts, chapter 178, section 13, subsection  
5 22 2:

5 23 ..... \$ 61,614

General Fund supplemental appropriation for FY 2010 to the Homeland Security and Emergency Management Division of the Department of Public Defense to partially backfill the 10.00% ATB reduction.

5 24 Sec. 7. 2009 Iowa Acts, chapter 172, section 1, subsection  
5 25 1, as amended by 2009 Iowa Acts, chapter 179, section 66, is  
5 26 amended to read as follows:

5 27 1. There is appropriated from the general fund of the state  
5 28 to the judicial branch for the fiscal year beginning July 1,  
5 29 2009, and ending June 30, 2010, the following amount, or so  
5 30 much thereof as is necessary, to be used for the purposes  
5 31 designated:

5 32 For salaries of supreme court justices, appellate court  
5 33 judges, district court judges, district associate judges,  
5 34 judicial magistrates and staff, state court administrator,  
5 35 clerk of the supreme court, district court administrators,  
6 1 clerks of the district court, juvenile court officers, board of  
6 2 law examiners and board of examiners of shorthand reporters and

CODE: Decreases the FY 2010 General Fund appropriation to the Judicial Branch by 7.10% to codify the Supreme Court's voluntary reduction.

6 3 judicial qualifications commission; receipt and disbursement  
6 4 of child support payments; reimbursement of the auditor  
6 5 of state for expenses incurred in completing audits of the  
6 6 offices of the clerks of the district court during the fiscal  
6 7 year beginning July 1, 2009; and maintenance, equipment, and  
6 8 miscellaneous purposes:  
6 9 ..... \$ ~~160,184,957~~  
6 10 148,811,822

6 11 As a condition of receiving an increase to the appropriation  
6 12 made in this section, the judicial branch shall allocate  
6 13 the first \$5,400,000 of the increased amount as follows:  
6 14 \$4,800,000 for the state's required contribution under section  
6 15 602.9104 to the judicial retirement fund, \$350,000 for court  
6 16 debt collection, and \$250,000 for judicial officer and court  
6 17 employee travel reimbursement for civil trials.

Current law.

6 18 Sec. 8. REVERSION. Notwithstanding section 8.33, moneys  
6 19 appropriated in this division of this Act to the department of  
6 20 corrections and to the department of inspections and appeals  
6 21 for the office of the state public defender that remain  
6 22 unencumbered or unobligated at the close of the fiscal year  
6 23 shall not revert but shall remain available for expenditure  
6 24 for the purposes designated until the close of the succeeding  
6 25 fiscal year.

CODE: Requires any FY 2010 year-end General Fund balances from appropriations made to the Department of Corrections and the Office of the State Public Defender to carry forward to FY 2011.

6 26 DIVISION III  
6 27 EDUCATION

6 28 Sec. 9. DEPARTMENT OF EDUCATION. After applying the  
6 29 reduction made pursuant to executive order number 19 issued  
6 30 October 8, 2009, to the appropriations made for the following  
6 31 designated purposes, and the transfers made to and from the  
6 32 appropriations pursuant to the authority in section 8.39 and  
6 33 addressed in the notices of appropriation transfer from the

6 34 department of management dated December 15, 2009, and December  
 6 35 23, 2009, there is appropriated from the general fund of the  
 7 1 state to the department of education for the fiscal year  
 7 2 beginning July 1, 2009, and ending June 30, 2010, the following  
 7 3 amounts, or so much thereof as is necessary, to supplement the  
 7 4 appropriations made for the following designated purposes:

7 5 1. STATE LIBRARY == ENRICH IOWA PROGRAM

7 6 For the enrich iowa program established under section  
 7 7 256.57, in 2009 Iowa Acts, chapter 177, section 6, subsection  
 7 8 4, paragraph "b":  
 7 9 ..... \$ 179,608

General Fund supplemental appropriation for FY 2010 for the State  
 Library's Enrich Iowa Program to backfill the 10.00% ATB reduction.

7 10 2. IOWA EMPOWERMENT FUND == PRESCHOOL TUITION ASSISTANCE

7 11 For deposit in the school ready children grants account of  
 7 12 the Iowa empowerment fund created in section 28.9, in 2009 Iowa  
 7 13 Acts, chapter 177, section 6, subsection 11, paragraph "a":  
 7 14 ..... \$ 877,215

General Fund supplemental appropriation for FY 2010 for School  
 Ready Children Grants to backfill the 10.00% ATB reduction.

7 15 Notwithstanding section 8.33, moneys appropriated in this  
 7 16 subsection 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. For the purposes of section 28.8,  
 7 20 subsection 5, and section 256I.9, subsection 4, paragraph "e",  
 7 21 as enacted by 2010 Iowa Acts, Senate File 2088, section 286,  
 7 22 or any other provision of law addressing the percentage of  
 7 23 school ready children grant money that can be carried forward  
 7 24 to the succeeding fiscal year without a reduction to subsequent  
 7 25 grant funding, the amount of school ready children grant moneys  
 7 26 distributed to a local area board pursuant to this subsection  
 7 27 that are carried forward by the board to the succeeding fiscal  
 7 28 year shall be disregarded.

CODE: Requires the supplemental funding for School Ready Children  
 Grants not to revert and be carried forward. Future funding is not to  
 be reduced because of carrying these funds forward.

7 29 3. FOUR=YEAR=OLD PRESCHOOL PROGRAM

General Fund supplemental appropriation for FY 2010 for the

7 30	For allocation to eligible school districts for the	Voluntary Four-Year-Old Preschool Program to backfill the 10.00%
7 31	four=year=old preschool program under chapter 256C, in 2009	ATB reduction.
7 32	Iowa Acts, chapter 177, section 6, subsection 14:	
7 33	..... \$ 1,194,569	
7 34	4. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS	General Fund supplemental appropriation for FY 2010 for Textbooks
7 35	To provide moneys for costs of providing textbooks to each	for Nonpublic School Pupils to backfill the 10.00% ATB reduction.
8 1	resident pupil who attends a nonpublic school as authorized	
8 2	by section 301.1, in 2009 Iowa Acts, chapter 177, section 6,	
8 3	subsection 15:	
8 4	..... \$ 62,563	
8 5	5. CORE CURRICULUM AND CAREER INFORMATION AND	General Fund supplemental appropriation for FY 2010 for the Core
8 6	DECISION=MAKING SYSTEM	Curriculum and Career Information and Decision-making System to
8 7	For purposes of implementing the statewide core curriculum	backfill the 10.00% ATB reduction.
8 8	for school districts and accredited nonpublic schools and a	
8 9	state=designated career information and decision=making system	
8 10	in 2009 Iowa Acts, chapter 177, section 6, subsection 17:	
8 11	..... \$ 197,954	
8 12	6. STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM	General Fund supplemental appropriation for FY 2010 for the Student
8 13	For purposes of the student achievement and teacher quality	Achievement and Teacher Quality Program to backfill the 10.00%
8 14	program established pursuant to chapter 284, in 2009 Iowa Acts,	ATB reduction.
8 15	chapter 177, section 6, subsection 18:	
8 16	..... \$ 892,428	
8 17	7. COMMUNITY COLLEGES	General Fund supplemental appropriation for FY 2010 for community
8 18	For general state financial aid to merged areas as defined	colleges.
8 19	in section 260C.2 in accordance with chapters 258 and 260C, in	
8 20	2009 Iowa Acts, chapter 177, section 6, subsection 19:	DETAIL: Increases the FY 2010 funding for community colleges to
8 21	..... \$ 5,943,581	\$149,579,244 when combined with the FY 2010 community colleges
		salaries appropriation. This amount equals the FY 2006 funding level
		for community colleges and is intended to meet maintenance of effort
		requirements for the federal American Recovery and Reinvestment
		Act (ARRA) funding.

8 22 The appropriation made in this subsection shall be allocated  
 8 23 to the merged areas in the same proportion as the allocations  
 8 24 made to the merged areas in accordance with 2009 Iowa Acts,  
 8 25 chapter 177, section 6, subsection 19, bear to the amount  
 8 26 appropriated.

Requires the supplemental funding to be allocated proportionately to the FY 2010 funding received by each community college.

8 27 8. PROGRAMS FOR AT=RISK CHILDREN  
 8 28 For programs for at-risk children in section 279.51, as  
 8 29 limited by 2009 Iowa Acts, chapter 179, section 4, subsection  
 8 30 9:  
 8 31 ..... \$ 1,149,389

General Fund supplemental appropriation for FY 2010 for programs for at-risk children to backfill the 10.00% ATB to the standing General Fund appropriation.

8 32 9. K=12 MANAGEMENT INFORMATION SYSTEM  
 8 33 For the kindergarten to grade twelve management information  
 8 34 system in 2009 Iowa Acts, chapter 179, section 156, subsection  
 8 35 3, paragraph "b":  
 9 1 ..... \$ 23,000

General Fund supplemental appropriation for FY 2010 for the K-12 Management Information System to backfill the 10.00% ATB reduction.

9 2 10. IOWA SENIOR YEAR PLUS PROGRAM  
 9 3 For purposes of implementing the senior year plus program  
 9 4 established pursuant to section 261E.1, in 2008 Iowa Acts,  
 9 5 chapter 1181, section 5, subsection 17:  
 9 6 ..... \$ 140,556

General Fund supplemental appropriation for FY 2010 for the Iowa Senior Year Plus Program to backfill the 10.00% ATB reduction.

9 7 Sec. 10. STATE BOARD OF REGENTS. After applying the  
 9 8 reduction made pursuant to executive order number 19 issued  
 9 9 October 8, 2009, to the appropriations made for the following  
 9 10 designated purposes, and the transfers made to and from the  
 9 11 appropriations pursuant to the authority in section 8.39 and  
 9 12 addressed in the notice of appropriation transfer from the  
 9 13 department of management dated December 23, 2009, there is  
 9 14 appropriated from the general fund of the state to the state  
 9 15 board of regents for the fiscal year beginning July 1, 2009,  
 9 16 and ending June 30, 2010, the following amounts, or so much  
 9 17 thereof as is necessary, to supplement the appropriations made

9 18 for the following designated purposes:

9 19 1. STATE UNIVERSITY OF IOWA  
9 20 For the general university, including lakeside laboratory  
9 21 in 2009 Iowa Acts, chapter 177, section 10, subsection 2,  
9 22 paragraph "a":  
9 23 ..... \$ 14,371,621

General Fund supplemental appropriation for the University of Iowa general education operations.

DETAIL: Increases the FY 2010 funding for the University of Iowa general education operations to \$226,306,403. This amount equals the FY 2006 funding level for the University of Iowa general education operations and is intended to meet maintenance of effort requirements for the federal ARRA funding.

9 24 2. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY  
9 25 For the general university in 2009 Iowa Acts, chapter 177,  
9 26 section 10, subsection 3, paragraph "a":  
9 27 ..... \$ 10,839,521

General Fund supplemental appropriation for the Iowa State University general education operations.

DETAIL: Increases the FY 2010 funding for the Iowa State University general education operations to \$177,328,346. This amount equals the FY 2006 funding level for the Iowa State University general education operations and is intended to meet maintenance of effort requirements for the federal ARRA funding.

9 28 3. UNIVERSITY OF NORTHERN IOWA  
9 29 For the general university in 2009 Iowa Acts, chapter 177,  
9 30 section 10, subsection 4, paragraph "a":  
9 31 ..... \$ 5,227,665

General Fund supplemental appropriation for the University of Northern Iowa general education operations.

DETAIL: Increases the FY 2010 funding for the University of Northern Iowa general education operations to \$80,638,563. This amount equals the FY 2006 funding level for the University of Northern Iowa general education operations and is intended to meet maintenance of effort requirements for the federal ARRA funding.

9 32 4. STATE SCHOOL FOR THE DEAF  
9 33 For the state school for the deaf in 2009 Iowa Acts, chapter  
9 34 177, section 10, subsection 5:  
9 35 ..... \$ 583,902

General Fund supplemental appropriation for FY 2010 for the Iowa School for the Deaf to partially backfill the 10.00% ATB reduction.

10 1 5. IOWA BRAILLE AND SIGHT SAVING SCHOOL  
10 2 For the Iowa braille and sight saving school in 2009 Iowa

General Fund supplemental appropriation for FY 2010 for the Iowa Braille and Sight Saving School to partially backfill the 10.00% ATB

10 3 Acts, chapter 177, section 10, subsection 6:  
 10 4 ..... \$ 337,791

reduction.

10 5 Sec. 11. NONREVERSION. Notwithstanding section 8.33,  
 10 6 moneys appropriated in this division of this Act to the  
 10 7 department of education for community colleges and to the state  
 10 8 board of regents for institutions under the control of the  
 10 9 board that remain unencumbered or unobligated at the close of  
 10 10 the fiscal year shall not revert but shall remain available for  
 10 11 expenditure for the purposes designated until the close of the  
 10 12 succeeding fiscal year.

CODE: Requires nonreversion of the funds appropriated to the community colleges and the Regents institutions.

10 13 DIVISION IV  
 10 14 GENERAL ASSEMBLY AND MISCELLANEOUS

10 15 Sec. 12. 2009 Iowa Acts, chapter 179, section 3, subsection  
 10 16 1, is amended to read as follows:  
 10 17 1. The appropriations made pursuant to section 2.12 for the  
 10 18 expenses of the general assembly and legislative agencies for  
 10 19 the fiscal year beginning July 1, 2009, and ending June 30,  
 10 20 2010, are reduced by the following amount:  
 10 21 ..... \$ 4,439,653  
 10 22 7,780,064

CODE: Reduces the General Fund standing appropriation to the Legislative Branch by \$3,340,411. This is 10.00% of the estimated FY 2010 appropriation.

10 23 Sec. 13. 2009 Iowa Acts, chapter 181, section 10, subsection  
 10 24 5, is amended to read as follows:  
 10 25 5. STATE=FEDERAL RELATIONS  
 10 26 For salaries, support, maintenance, and miscellaneous  
 10 27 purposes for the office for state=federal relations, and for  
 10 28 not more than the following full=time equivalent positions:  
 10 29 ..... \$ 46,620  
 10 30 ..... FTEs 1.00  
 10 31 2.00

CODE: Increases the number of FTE positions for the State-Federal Relations Office.

DETAIL: This is an increase of 1.00 FTE position for FY 2010. The position is funded by allocations from other state agencies.

10 32 TRANSFERS



10 33 Sec. 14. COLLEGE STUDENT AID COMMISSION.  
 10 34 1. Notwithstanding section 261.20, for the fiscal year  
 10 35 beginning July 1, 2009, and ending June 30, 2010, the following  
 11 1 amounts are transferred for distribution to appropriations as  
 11 2 provided in subsection 2:  
 11 3 a. From the scholarship and tuition grant reserve fund  
 11 4 created in section 261.20:  
 11 5 ..... \$ 514,180  
 11 6 b. From moneys from the tuition grant program,  
 11 7 not=for=profit, that would otherwise be deposited in the  
 11 8 scholarship and tuition grant reserve fund:  
 11 9 ..... \$ 228,490  
 11 10 2. The moneys transferred pursuant to subsection 1 are  
 11 11 distributed after applying the reductions made pursuant to  
 11 12 executive order number 19 issued October 8, 2009, as follows:  
 11 13 a. For the Iowa national guard educational assistance  
 11 14 program appropriation made in 2009 Iowa Acts, chapter 177,  
 11 15 section 2, subsection 4:  
 11 16 ..... \$ 241,120  
 11 17 b. For the all Iowa opportunity scholarship program  
 11 18 appropriation made in 2009 Iowa Acts, chapter 177, section 2,  
 11 19 subsection 6:  
 11 20 ..... \$ 250,254  
 11 21 c. For the vocational=technical tuition grants  
 11 22 appropriation made in section 261.25, subsection 3:  
 11 23 ..... \$ 251,296

11 24 Sec. 15. DEPARTMENT OF INSPECTIONS AND APPEALS. There is  
 11 25 transferred from the Medicaid fraud account created in section  
 11 26 249A.7 under the department of inspections and appeals for  
 11 27 the fiscal year beginning July 1, 2009, and ending June 30,  
 11 28 2010, after applying the reduction made pursuant to executive  
 11 29 order number 19 issued October 8, 2009, to the following  
 11 30 appropriation:  
 11 31 For the investigations division of the department of  
 11 32 inspections and appeals in 2009 Iowa Acts, chapter 181, section  
 11 33 13, subsection 3:

CODE: Notwithstanding Section 261.20 to authorize transfers totaling \$742,670 from the Scholarship and Tuition Grant Reserve Fund and the Not-for-Profit Tuition Grant Program to the Iowa National Guard Educational Assistance Program, the All Iowa Opportunity Scholarship Program, and the Vocational-Technical Tuition Grants.

DETAIL: The appropriation transfer was made as a Section 8.39 transfer in December 2009. This language permits the transfer to be made from a reserve fund as opposed to transfers among appropriations.

Transfers \$747,037 from the Medicaid Fraud Account to the Investigation Division of the Department of Inspections and Appeals to offset reductions from the ATB.

11 34 ..... \$ 747,037

11 35 Sec. 16. EFFECTIVE DATE == APPLICABILITY. This section of  
 12 1 this division of this Act providing for transfers involving  
 12 2 the college student aid commission and the department of  
 12 3 inspections and appeals are retroactively applicable to  
 12 4 December 14, 2009, and apply in lieu of the transfers made for  
 12 5 the same purposes by the executive branch, as reported by the  
 12 6 department of management in the transfer notices dated December  
 12 7 14, 2009.

This Division is effective retroactively to December 14, 2009, and is applied in lieu of transfers made for the same purpose by the Executive Branch.

12 8 DIVISION V  
 12 9 HEALTH

12 10 Sec. 17. DEPARTMENT OF PUBLIC HEALTH. After applying the  
 12 11 reduction made pursuant to executive order number 19 issued  
 12 12 October 8, 2009, to the appropriations made for the following  
 12 13 designated purposes, and any transfers made to and from the  
 12 14 appropriations pursuant to the authority in section 8.39  
 12 15 and addressed in the notice of appropriation transfer from  
 12 16 the department of management dated December 23, 2009, there  
 12 17 is appropriated from the general fund of the state to the  
 12 18 department of public health for the fiscal year beginning July  
 12 19 1, 2009, and ending June 30, 2010, the following amounts, or so  
 12 20 much thereof as is necessary, to supplement the appropriations  
 12 21 made for the following designated purposes:

12 22 1. ADDICTIVE DISORDERS

12 23 For reducing the prevalence of use of tobacco, alcohol, and  
 12 24 other drugs, and treating individuals affected by addictive  
 12 25 behaviors, including gambling, in 2009 Iowa Acts, chapter 182,  
 12 26 section 2, subsection 1:

12 27 ..... \$ 2,627,532

General Fund supplemental appropriation to Addictive Disorders.

DETAIL: Increases the FY 2010 funding as follows:

- \$1,275,871 for substance abuse treatment.
- \$163,548 for substance abuse prevention.
- \$350,000 for tobacco use, prevention, and control.

- \$723,010 for gambling treatment.
- \$115,103 for three culturally competent substance abuse treatment pilot projects.

12 28 2. HEALTHY CHILDREN AND FAMILIES

12 29 For promoting the optimum health status for children,  
 12 30 adolescents from birth through 21 years of age, and families,  
 12 31 in 2009 Iowa Acts, chapter 182, section 2, subsection 2:  
 12 32 ..... \$ 329,267

General Fund supplemental appropriation to Healthy Children and Families.

DETAIL: Increases the FY 2010 funding as follows:

- \$257,023 for the Healthy Opportunities for Parents to Experience Success (HOPES) Program.
- \$22,887 for Oral Health services in the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) Program.
- \$546 for the Assuring Better Child (Mental) Health and Development (ABCD) II Program.
- \$14,364 for childhood obesity prevention.
- \$34,447 for the Audiological Services for Kids Program.

12 33 3. CHRONIC CONDITIONS

12 34 For serving individuals identified as having chronic  
 12 35 conditions or special health care needs in 2009 Iowa Acts,  
 13 1 chapter 182, section 2, subsection 3:  
 13 2 ..... \$ 321,643

General Fund supplemental appropriation to Chronic Conditions.

DETAIL: Increases the FY 2010 funding as follows:

- \$56,800 for Child Health Specialty Clinics.
- \$1,750 for muscular dystrophy.
- \$29,271 for birth defects.
- \$24,494 for the AIDS Drug Assistance Program (ADAPT).
- \$55,960 for phenylketonuria (PKU) assistance.
- \$10,512 for the Prescription Drug Donation Program.
- \$31,925 for epilepsy education.
- \$28,000 for the Brain Injury Council.

- \$21,336 for brain injury services.
- \$61,595 for the Comprehensive Cancer Control Program.

13 3 4. COMMUNITY CAPACITY

13 4 For strengthening the health care delivery system at  
13 5 the local level in 2009 Iowa Acts, chapter 182, section 2,  
13 6 subsection 4:

13 7 ..... \$ 23,000

General Fund supplemental appropriation for FY 2010 to Community Capacity for the Governor's Physical Fitness Council.

13 8 5. ELDERLY WELLNESS

13 9 For promotion of healthy aging and optimization of the  
13 10 health of older adults in 2009 Iowa Acts, chapter 182, section  
13 11 2, subsection 5:

13 12 ..... \$ 834,578

General Fund supplemental appropriation to Elderly Wellness.

DETAIL: Increases the FY 2010 funding as follows:

- \$229,208 for Local Public Health Nursing services.
- \$605,370 for Home Care Aide Services.

13 13 6. ENVIRONMENTAL HAZARDS

13 14 For reducing the public's exposure to hazards in the  
13 15 environment, in 2009 Iowa Acts, chapter 182, section 2,  
13 16 subsection 6:

13 17 ..... \$ 65,598

General Fund supplemental appropriation for FY 2010 for reduction of the public's exposure to environmental hazards.

13 18 7. INFECTIOUS DISEASES

13 19 For reducing the incidence and prevalence of communicable  
13 20 diseases, in 2009 Iowa Acts, chapter 182, section 2, subsection  
13 21 7:

13 22 ..... \$ 138,372

General Fund supplemental appropriation to Infectious Diseases.

DETAIL: Increases the FY 2010 funding as follows:

- \$118,967 for the Vaccine Preventable Diseases for Children Program.
- \$6,895 for hepatitis education, treatment, and prevention.
- \$5,920 for prescription services for persons with Chlamydia, Gonorrhea, or latent Tuberculosis.
- \$3,410 for testing services related to sexually transmitted

diseases (STD).

- \$3,180 for treatment for Tuberculosis.

13 23 8. PUBLIC PROTECTION

13 24 For protecting the health and safety of the public through  
 13 25 establishing standards and enforcing regulations, in 2009 Iowa  
 13 26 Acts, chapter 182, section 2, subsection 8:  
 13 27 ..... \$ 23,248

General Fund supplemental appropriation for FY 2010 to Public Protection for children sex violence protection programs to restore the ATB reduction.

13 28 9. CENTER FOR CONGENITAL AND INHERITED DISORDERS CENTRAL  
 13 29 REGISTRY

13 30 For the center for congenital and inherited disorders  
 13 31 central registry to supplement the amount appropriated pursuant  
 13 32 to section 144.13A, subsection 4, paragraph "a":  
 13 33 ..... \$ 20,684

General Fund supplemental appropriation for FY 2010 to the Congenital and Inherited Disorders Central Registry.

13 34 DIVISION VI  
 13 35 HUMAN SERVICES

14 1 Sec. 18. DEPARTMENT OF HUMAN SERVICES == STATE CASES. After  
 14 2 applying the reduction made pursuant to executive order number  
 14 3 19 issued October 8, 2009, to the appropriation made for the  
 14 4 following designated purposes, there is appropriated from the  
 14 5 general fund of the state to the department of human services  
 14 6 for the fiscal year beginning July 1, 2009, and ending June 30,  
 14 7 2010, the following amount, or so much thereof as is necessary,  
 14 8 to supplement the appropriation made for the following  
 14 9 designated purposes:

14 10 For distribution to counties for state case services  
 14 11 for persons with mental illness, mental retardation, and  
 14 12 developmental disabilities in accordance with section 331.440,

General Fund supplemental appropriation for FY 2010 to the Mental Health State Cases Program.

14 13 in 2009 Iowa Acts, chapter 182, section 24, subsection 1:  
 14 14 ..... \$ 100,163

14 15 Sec. 19. 2009 Iowa Acts, chapter 182, section 19, is amended  
 14 16 to read as follows:  
 14 17 SEC. 19. JUVENILE DETENTION HOME FUND. Moneys deposited  
 14 18 in the juvenile detention home fund created in section 232.142  
 14 19 during the fiscal year beginning July 1, 2009, and ending June  
 14 20 30, 2010, are appropriated to the department of human services  
 14 21 for the fiscal year beginning July 1, 2009, and ending June 30,  
 14 22 2010, to be allocated as follows:  
 14 23 1. For funding of core department of human services'  
 14 24 juvenile delinquent graduated sanction services and to replace  
 14 25 a reduction in state funding of such services made pursuant to  
 14 26 executive order number 19 issued October 8, 2009:  
 14 27 ..... \$ 1,000,000

CODE: Directs the first \$1,000,000 allocated by the Department of Human Services (DHS) from the Juvenile Detention Fund to be allocated to the Juvenile Graduated Sanction Services for FY 2010 to replace the ATB reduction.

14 28 2. The remainder for distribution of an amount equal to  
 14 29 a percentage of the costs of the establishment, improvement,  
 14 30 operation, and maintenance of county or multicounty juvenile  
 14 31 detention homes in the fiscal year beginning July 1,  
 14 32 2008. Moneys ~~appropriated~~ allocated for distribution in  
 14 33 accordance with this ~~section~~ subsection shall be allocated  
 14 34 among eligible detention homes, prorated on the basis of an  
 14 35 eligible detention home's proportion of the costs of all  
 15 1 eligible detention homes in the fiscal year beginning July  
 15 2 1, 2008. The percentage figure shall be determined by the  
 15 3 department based on the amount available for distribution for  
 15 4 the fund. Notwithstanding section 232.142, subsection 3, the  
 15 5 financial aid payable by the state under that provision for  
 15 6 the fiscal year beginning July 1, 2009, shall be limited to  
 15 7 the amount ~~appropriated~~ allocated for the purposes of this  
 15 8 ~~section~~ subsection .  
 15 9 Notwithstanding section 232.188, or any other provision of  
 15 10 law to the contrary, the first \$1,000,000 of moneys designated  
 15 11 for decategorization funding projects for the fiscal year

CODE: Amends the requirement that all funds deposited in the Juvenile Detention Fund are to be distributed to the Juvenile Detention Centers to provide for the one-time allocation of \$1,000,000 for the Juvenile Graduated Sanction Services for FY 2010. Allocates unexpended funding from decategorization projects of \$1,000,000 from FY 2009 to the Juvenile Detention Fund to restore the 10.00% ATB reduction in FY 2010. This funding would have otherwise reverted to the General Fund at the end of FY 2010.

15 12 beginning July 1, 2008, remaining unencumbered or unobligated  
15 13 at the close of the fiscal year shall not be used as carryover  
15 14 funding but shall instead be transferred to the juvenile  
15 15 detention home fund and shall be allocated to county and  
15 16 multicounty juvenile detention homes to restore the amount  
15 17 diverted pursuant to subsection 1.

15 18 DIVISION VII  
15 19 HUMAN SERVICES NURSING  
15 20 FACILITY REIMBURSEMENT

15 21 Sec. 20. 2001 Iowa Acts, chapter 192, section 4, subsection  
15 22 4, as amended by 2008 Iowa Acts, chapter 1187, section 33, as  
15 23 amended by 2009 Iowa Acts, chapter 182, section 33, is amended  
15 24 by adding the following new paragraph:  
15 25 NEW PARAGRAPH . i. Pay=for=performance payments shall not  
15 26 be made under this subsection until such time as sufficient  
15 27 funding is available to implement the subsection, as determined  
15 28 by the director of the department of human services.

CODE: Specifies that pay-for-performance bonuses will not be made until funding becomes available.

15 29 Sec. 21. NURSING FACILITY REIMBURSEMENT AND PAYMENT  
15 30 PROCEDURES. Notwithstanding the administrative rule changes  
15 31 made by the department of human services pursuant to executive  
15 32 order number 19 issued October 8, 2009, relating to nursing  
15 33 facility payment procedures, the department shall reinstitute  
15 34 or adopt administrative rules to provide for all of the  
15 35 following:  
16 1 1. For purposes of computation of administrative,  
16 2 environmental, and property expenses, for nonstate owned  
16 3 nursing facilities, patient days shall be inpatient days as  
16 4 determined by 441 IAC 81.6(7), or 85 percent of the licensed  
16 5 capacity of the facility, whichever is greater.  
16 6 2. For purposes of calculation of the capital cost per  
16 7 diem instant relief add=on pursuant to 441 IAC 81.6(16)(h)(9)  
16 8 the total patient days shall be determined using the most  
16 9 current submitted financial and statistical report or using

Modifies the way patient days and bed holds are calculated for non-State owned nursing facilities to revert to original FY 2010 methodology before the ATB.

16 10 the estimated total patient days as reported in the request  
16 11 for the add-on. For purposes of calculating the add-on, total  
16 12 patient days shall be the greater of the estimated annual total  
16 13 patient days or 85 percent of the facility's estimated licensed  
16 14 capacity.

16 15 3. For purposes of reconciliation of the capital cost per  
16 16 diem instant relief add-on pursuant to 441 IAC 81.6(16)(h)(12),  
16 17 for purposes of recalculating the capital cost per diem instant  
16 18 relief add-on, total patient days shall be based on the greater  
16 19 of the number of actual patient days during the period in which  
16 20 the add-on was paid or 85 percent of the facility's actual  
16 21 licensed bed capacity during the period in which the add-on was  
16 22 paid.

16 23 4. For purposes of periods authorized for payment pursuant  
16 24 to 441 IAC 81.10(4), a facility shall hold or reserve a bed  
16 25 for periods the resident is absent overnight for purposes  
16 26 of hospitalization or prescribed therapeutic leave, not to  
16 27 exceed 18 calendar days in any calendar year for prescribed  
16 28 therapeutic leave and not to exceed 10 days in any calendar  
16 29 month due to hospitalization. Beginning December 1, 2009,  
16 30 payment shall not be authorized for reserve or bed hold days  
16 31 and the facility shall no longer count nonpaid reserve or bed  
16 32 hold days in calculating inpatient days for payment at new  
16 33 rates. A medical assistance program payment to the facility  
16 34 shall not be initiated while a resident is on reserve bed days  
16 35 due to hospitalization unless the person was residing in the  
17 1 facility as a private pay resident prior to the hospitalization  
17 2 and returns to the facility as a medical assistance program  
17 3 recipient resident.

17 4 Sec. 22. DEPARTMENT OF HUMAN SERVICES. Notwithstanding any  
17 5 provision to the contrary and subject to the availability of  
17 6 funds, there is appropriated from the quality assurance trust  
17 7 fund created pursuant to section 249L.4, to the department of  
17 8 human services for the fiscal year beginning July 1, 2009, and  
17 9 ending June 30, 2010, no more than the following amount or so  
17 10 much thereof as is necessary to supplement the appropriations

CODE: Quality Assurance Trust Fund supplemental appropriation for  
FY 2010 to the Medicaid Program for Nursing Facility  
Reimbursement.



17 11 made for the following designated purposes:  
 17 12 To supplement the appropriation made for medical assistance  
 17 13 in 2009 Iowa Acts, chapter 182, section 9, to be used for  
 17 14 nursing facility reimbursement under the medical assistance  
 17 15 program, in accordance with 2009 Iowa Acts, chapter 182,  
 17 16 section 32, subsection 1, paragraph "a", and this division of  
 17 17 this Act, and to institute the administrative rules changes as  
 17 18 directed in this division of this Act:  
 17 19 ..... \$ 2,300,000

17 20 The department shall determine the amount of the 5 percent  
 17 21 reduction that can be restored, up to 2 percent, within the  
 17 22 amount of funds available in the trust fund during the fiscal  
 17 23 period specified, and shall adjust rates accordingly.

Requires the Department to determine the funds available and then restore up to 2.0% of the ATB.

#### 17 24 Sec. 23. CONTINGENT IMPLEMENTATION == NOTIFICATION.

17 25 1. Implementation of this division of this Act is contingent  
 17 26 upon the department of human services receiving approval of the  
 17 27 waivers and the medical assistance state plan amendment by the  
 17 28 centers for Medicare and Medicaid services of the United States  
 17 29 department of health and human services relating to the quality  
 17 30 assurance assessment created in chapter 249L. The department  
 17 31 of human services shall notify the chairpersons and ranking  
 17 32 members of the joint appropriations subcommittee on health  
 17 33 and human services, the legislative services agency, and the  
 17 34 legislative caucus staffs upon receipt of such approval.

Specifies that this Division is contingent on approval of the quality assurance assessment fee by the U.S. Department of Health and Human Services. The DHS is required to notify the Chairpersons and Ranking Members of the Health and Human Services Appropriations Subcommittee, the Legislative Services Agency, and caucus staff when approval occurs.

17 35 2. The costs associated with implementation of this Act  
 18 1 shall be funded exclusively through moneys appropriated from  
 18 2 the quality assurance trust fund, and shall result in budget  
 18 3 neutrality to the general fund of the state for the fiscal year  
 18 4 beginning July 1, 2009, and ending June 30, 2010.

Requires the costs associated with implementing this Division to be funded only by receipts from the Quality Assurance Trust Fund.

#### 18 5 DIVISION VIII

This Division provides adjustments to prior appropriations from the

## 18 6 INFRASTRUCTURE APPROPRIATIONS

Rebuild Iowa Infrastructure Fund (RIIF).

18 7 Sec. 24. 2007 Iowa Acts, chapter 219, section 1, subsection  
 18 8 3, paragraph d, is amended to read as follows:  
 18 9 d. For the lease payment under the lease=purchase agreement  
 18 10 to connect the electrical system supporting the special needs  
 18 11 unit at Fort Madison:  
 18 12 ..... \$ ~~333,168~~  
 18 13 305,404

CODE: Deappropriates \$27,764 of the FY 2008 RIIF appropriation to the Department of Corrections for the payment for a lease purchase agreement to upgrade the electrical system for the Fort Madison Special Needs Facility by reducing the amount from \$333,168 to \$305,404.

DETAIL: The FY 2008 appropriation was the last of the funding for the lease purchase agreement with Alliant Energy. The estimated total cost for the improvements at the time of the appropriation was approximately \$1,600,000. Actual expenses reflect \$305,404, so the balance of \$27,764 from the appropriation would have reverted by the end of FY 2011.

18 14 Sec. 25. 2007 Iowa Acts, chapter 219, section 1, subsection  
 18 15 7, is amended to read as follows:  
 18 16 7. DEPARTMENT OF HUMAN SERVICES  
 18 17 For the renovation and construction of certain nursing  
 18 18 facilities, consistent with the provisions of chapter 249K, as  
 18 19 enacted in this Act:  
 18 20 ..... \$ ~~1,000,000~~  
 18 21 200,000

CODE: Deappropriates \$800,000 of the FY 2008 RIIF appropriation to the DHS for the improvements to nursing home facilities.

DETAIL: The Nursing Home Financial Assistance Program was established in HF 911 (FY 2008 Infrastructure Appropriations Act) to support the appropriate number of nursing facility beds for the State's citizens and to financially assist nursing facilities in remaining compliant with applicable health and safety regulations. The DHS received an additional \$600,000 for these purposes in an FY 2009 RIIF appropriation. The FY 2009 appropriation is deappropriated in this Division as well, for a total reduction of \$1,400,000 from the \$1,600,000 appropriated to the DHS for these purposes. According to the infrastructure status reports filed by the DHS in January, the work is complete. The DHS received matching federal funds for the improvements.

18 22 Sec. 26. 2008 Iowa Acts, chapter 1179, section 1, subsection  
 18 23 1, paragraph d, is amended to read as follows:  
 18 24 d. For costs associated with developing the request for  
 18 25 proposals necessary for the procurement and implementation  
 18 26 of a human resources module associated with the integrated

CODE: Deappropriates the entire FY 2009 RIIF appropriation to the DAS for costs associated with developing the request for proposal (RFP) for the human resources module of the Integrated Information for Iowa (I/3) System.

DETAIL: The funds were intended to be used to determine the best

18 27 information for Iowa system, notwithstanding section 8.57,  
 18 28 subsection 6, paragraph "c":  
 18 29 ..... \$ 200,000  
 18 30 0

option for completing and implementing the human resources and payroll functions of the I/3 Budget System. The System integrates data systems of State government including human resources, payroll, benefits, electronic procurement, accounting, and budget. Estimated costs for the human resources module are over \$23,000,000. The RFP will not be needed until the State is able to fund the project fully.

18 31 Sec. 27. 2008 Iowa Acts, chapter 1179, section 1, subsection  
 18 32 3, paragraph c, is amended to read as follows:  
 18 33 c. For a study related to the fifth judicial district  
 18 34 department of correctional services, notwithstanding section  
 18 35 8.57, subsection 6, paragraph "c":  
 19 1 ..... \$ 200,000  
 19 2 96,654

CODE: Deappropriates \$103,346 of the FY 2009 RIF appropriation to the Department of Corrections for the study related to the Fifth Judicial District Community-Based Corrections (CBC) Facility by reducing the amount from \$200,000 to \$96,654.

DETAIL: The study was completed to find a suitable location for the Des Moines CBC facility and to add additional beds. The Facility and Site Study Final Report was submitted December 12, 2008.

19 3 Sec. 28. 2008 Iowa Acts, chapter 1179, section 1, subsection  
 19 4 4, paragraph d, is amended to read as follows:  
 19 5 d. For repairs to the historic Kimball organ located in  
 19 6 Clermont, Iowa, notwithstanding section 8.57, subsection 6,  
 19 7 paragraph "c":  
 19 8 ..... \$ 80,000  
 19 9 55,000

CODE: Deappropriates \$25,000 of the FY 2009 RIF appropriation to the Department of Cultural Affairs for funding repairs to the historic Kimball organ located in Clermont by reducing the amount from \$80,000 to \$55,000.

DETAIL: The funds were used to repair the Kimball pipe organ. The organ was constructed in 1896 and is the largest tubular pneumatic organ in the United States. The work will be completed in spring 2010, but the estimated costs were reduced to \$55,000. In addition to the State funding, the project received a federal Save America's Treasures grant from the Institute of Museum and Library Services.

19 10 Sec. 29. 2008 Iowa Acts, chapter 1179, section 1, subsection  
 19 11 7, paragraphs a and b, are amended to read as follows:  
 19 12 a. For the renovation and construction of certain nursing  
 19 13 facilities, consistent with the provisions of chapter 249K:  
 19 14 ..... \$ 600,000  
 19 15 0

CODE: Deappropriates the entire FY 2009 RIF appropriation to the DHS for the improvements to nursing home facilities.

DETAIL: The Nursing Home Financial Assistance Program was established in HF 911 (FY 2008 Infrastructure Appropriations Act) to support the appropriate number of nursing facility beds for the State's citizens and to financially assist nursing facilities in remaining compliant with applicable health and safety regulations. The DHS

received an additional \$1,000,000 for these purposes in an FY 2008 RIIF appropriation. That FY 2008 appropriation is reduced to \$200,000 in this Division as well, for a total reduction of \$1,400,000 from the \$1,600,000 the DHS for these purposes. According to the infrastructure status reports filed by the DHS in January, the work is complete. The DHS received matching federal funds for the improvements.

19 16 b. For a study of ways to enhance access to health insurance  
 19 17 by registered child development home providers in accordance  
 19 18 with this section, notwithstanding section 8.57, subsection 6,  
 19 19 paragraph "c":  
 19 20 ..... \$ ~~50,000~~  
 19 21 0

CODE: Deappropriates the entire FY 2009 RIIF appropriation to the DHS for a Health Insurance Study for Registered Child Development Home Providers.

DETAIL: This appropriation was intended to study one of several recommendations that resulted from the 2007 Home-based Child Care Interim Study Committee. The Committee reviewed options for increasing the number of regulated home-based child care providers. According to the infrastructure status reports filed by the DHS in January, the State appropriation was to be matched by the local American Federation of State, County, and Municipal Employees (AFSCME), but the union has not given any indication of providing the match. The study will not be completed at this time.

19 22 Sec. 30. 2008 Iowa Acts, chapter 1179, section 1, subsection  
 19 23 9, paragraph c, is amended to read as follows:  
 19 24 c. For a grant to a city with a population of more  
 19 25 than 30,500 but less than 31,500, according to the 2006  
 19 26 estimate issued by the United States bureau of the census,  
 19 27 notwithstanding section 8.57, subsection 6, paragraph "c":  
 19 28 ..... \$ ~~150,000~~  
 19 29 135,000

CODE: Deappropriates \$15,000 of the FY 2009 RIIF appropriation to the Department of Natural Resources for a grant to the City of Marion by reducing the amount from \$150,000 to \$135,000.

DETAIL: The funds were used to conduct a study of the feasibility of using plasma arc and other related energy technology for disposal of solid waste. Plasma arc gasification is a method of waste management that uses high electrical temperatures created by an electrical arc to break down waste into elemental gas. The study will be completed by June 2010. Final estimates for study costs were \$135,000.

19 30 Sec. 31. 2009 Iowa Acts, chapter 179, section 10, is amended  
 19 31 by adding the following new unnumbered paragraph:  
 19 32 NEW UNNUMBERED PARAGRAPH Of the amount appropriated in

CODE: Requires \$883,628 of the FY 2010 appropriation for Performance of Duty to be used to repair storm damage at the State Training School in Eldora. Unused funds carry forward to be used for

19 33 this section, \$883,628 shall be used for storm damage repair  
 19 34 at the state training school in Eldora. Notwithstanding  
 19 35 section 8.33, moneys allocated in this paragraph that remain  
 20 1 unencumbered or unobligated at the close of the fiscal year  
 20 2 shall not revert but shall remain available for expenditure  
 20 3 for the purposes designated until the close of the succeeding  
 20 4 fiscal year.

this purpose in FY 2010.

20 5 Sec. 32. 2009 Iowa Acts, chapter 184, section 5, is amended  
 20 6 to read as follows:

20 7 SEC. 5. Notwithstanding the amount of the standing  
 20 8 appropriation from the rebuild Iowa infrastructure fund  
 20 9 as provided in section 15G.110, subsection 2, there is  
 20 10 appropriated from the rebuild Iowa infrastructure fund to  
 20 11 the department of economic development for deposit into the  
 20 12 grow Iowa values fund, in lieu of the appropriation made in  
 20 13 section 15G.110, subsection 2, for the fiscal year beginning  
 20 14 July 1, 2009, and ending June 30, 2010, the following amount,  
 20 15 notwithstanding section 8.57, subsection 6, paragraph "c":  
 20 16 ..... \$ ~~45,000,000~~  
 20 17 23,000,000

CODE: Deappropriates \$22,000,000 of the FY 2010 RIIF appropriation to the Grow Iowa Values Fund by reducing the amount from \$45,000,000 to \$23,000,000.

DETAIL: The Grow Iowa Values Fund receives a standing appropriation of \$50,000,000 from the General Fund until the scheduled sunset at the end of FY 2015. During the 2008 Legislative Session, SF 2432 (FY 2009 Infrastructure Appropriations Act) moved the \$50,000,000 for the Grow Iowa Values Fund from the General Fund to the RIIF for FY 2009 and FY 2010. During the 2009 Legislative Session, HF 822 (FY 2010 Infrastructure Appropriations Act) reduced the amount to \$45,000,000. According to the Department of Economic Development (DED), a prior appropriation was not fully obligated, so funding will be carried forward to meet the FY 2010 obligations.

20 18 Sec. 33. 2009 Iowa Acts, chapter 184, section 7, is amended  
 20 19 to read as follows:

20 20 SEC. 7. REDUCTION OF THE GROW IOWA VALUES FUND  
 APPROPRIATION  
 20 21 TO THE DEPARTMENT OF ECONOMIC DEVELOPMENT. In lieu of the  
 20 22 fifty million dollars appropriated for the fiscal year  
 20 23 beginning July 1, 2009, and ending June 30, 2010, from the grow  
 20 24 Iowa values fund to the department of economic development  
 20 25 pursuant to section 15G.111, subsection 3, if enacted by 2009  
 20 26 Iowa Acts, Senate File 344, section 2, there is appropriated  
 20 27 from the grow Iowa values fund to the department of economic  
 20 28 development for the fiscal year beginning July 1, 2009, and  
 20 29 ending June 30, 2010, ~~forty-five~~ twenty-three million dollars

CODE: Reduces the appropriation from the Grow Iowa Values Fund to the DED from \$45,000,000 to \$23,000,000 for FY 2010.

DETAIL: This language reflects the reduced amount for the FY 2010 appropriation from the RIIF to the Grow Iowa Values Fund.

20 30 for purposes of making expenditures pursuant to chapter 15G.

20 31 Sec. 34. 2009 Iowa Acts, chapter 184, section 8, unnumbered  
20 32 paragraph 1, is amended to read as follows:

20 33 In lieu of the amounts allocated pursuant to section  
20 34 15G.111, subsections 4 through 10, if enacted by 2009  
20 35 Iowa Acts, Senate File 344, section 2, for the fiscal year  
21 1 beginning July 1, 2009, and ending June 30, 2010, of the  
21 2 ~~forty-five~~ twenty-three million dollars appropriated to the  
21 3 department of economic development pursuant to this division of  
21 4 this Act, the department shall allocate the following amounts  
21 5 for the following purposes as described in section 15G.111,  
21 6 subsections 4 through 10, if enacted by 2009 Iowa Acts, Senate  
21 7 File 344, section 2:

21 8 Sec. 35. 2009 Iowa Acts, chapter 184, section 8, subsection  
21 9 1, is amended to read as follows:

21 10 1. For departmental purposes, ~~twenty-eight~~ six million  
21 11 eight hundred thousand dollars. Of the moneys allocated  
21 12 pursuant to this subsection and in lieu of the two million  
21 13 dollars allocated for deposit in the renewable fuel  
21 14 infrastructure fund under section 15G.111, subsection 4,  
21 15 paragraph "h", if enacted by 2009 Iowa Acts, Senate File 344,  
21 16 section 2, the department shall allocate one million eight  
21 17 hundred thousand dollars for deposit in the renewable fuel  
21 18 infrastructure fund.

CODE: Reduces the FY 2010 allocation to the DED from the standing limited appropriation of the Grow Iowa Values Fund to adjust for the reduction of \$22,000,000 in the FY 2010 appropriation from the RIIF to the Grow Iowa Values Fund.

CODE: Reduces the FY 2010 allocation to the DED for financial assistance programs from \$28,800,000 to \$6,800,000.

DETAIL: The adjusted allocation changes the amount for the DED to be used for financial assistance programs to reflect the adjusted amount for the FY 2010 Grow Iowa Values Fund (GIVF) appropriation. The language retains the \$1,800,000 from the DED allocation that is deposited in the Renewable Fuel Infrastructure Fund. The DED has moneys from a prior appropriation that are unobligated and will supplement the FY 2010 allocation. Specifically, the DED will be able to use \$22,000,000 of a \$25,000,000 carry forward for FY 2010 financial assistance programs, keeping funding for those programs at the original FY 2010 amount.

NOTE: The allocations from the FY 2010 Grow Iowa Values Fund appropriation are not affected by the overall appropriation reduction. These include:

- \$4,500,000 to the Board of Regents.
- \$900,000 for State parks.
- \$900,000 to the Cultural Trust Fund.
- \$6,300,000 to the Workforce Training and Economic Development Fund.

- 
- \$900,000 for regional financial assistance, including \$315,000 transfer to the Iowa State University for establishing small business centers.
  - \$2,700,000 to the Innovation and Commercialization Fund.

21 19 DIVISION IX

21 20 EFFECTIVE DATE

21 21 Sec. 36. EFFECTIVE UPON ENACTMENT. Unless provided  
21 22 otherwise, this Act, being deemed of immediate importance,  
21 23 takes effect upon enactment.

This Act is effective on enactment.

# **Ways and Means Acts – Fiscal Notes**



**General Fund Revenue Report**  
(Dollars in Millions)

Act	Short Title/Provision	Revenue / Tax Type	General Fund Fiscal Impact Estimate		
			FY 2010	FY 2011	FY 2012
SF 2380	Tax Credit Reductions and Review Act	Corporate & Individual Income	\$ 0.000	\$ 4.500	\$ 52.100
SF 2088	Government Reorganization and Efficiency Act - Publication Modernization	Fees	0.000	0.360	0.000
SF 2088	Government Reorganization and Efficiency Act - DAS Sale of Property	Miscellaneous	0.000	13.800	0.000
SF 2088	Government Reorganization and Efficiency Act - Shipment of Wine	Liquor Transfers	0.000	0.375	0.413
SF 2088	Government Reorganization and Efficiency Act - Gambling Setoffs	Miscellaneous	0.000	4.600	4.600
SF 2088	Government Reorganization and Efficiency Act - Additional Revenue Examiners	Corporate & Individual Income	0.000	2.700	2.700
SF 2088	Government Reorganization and Efficiency Act - Disciplinary Filing Fee	Fees	0.000	0.006	0.006
SF 2088	Government Reorganization and Efficiency Act - ILEA Pilot Training Program	Fees	0.000	0.025	0.025
SF 2378	FY 2011 Justice System Appropriations Act - Court Costs and Fine Increases	Fees	0.000	0.000	9.100
SF 2378	FY 2011 Justice System Appropriations Act - DCI Gaming Enforcement	Gaming Receipts	0.000	-8.900	0.000
SF 2383	Debt Collection Act	Fines and Fees	0.000	5.600	4.500
SF 2387	Blood Lab Sales Tax Exemption Act	Sales Tax	0.000	-0.200	-0.420
HF 2531	FY 2011 Standings Appropriation Act - Vets Home Fed Construction Reimbursement.	Miscellaneous	0.000	0.727	0.000
HF 2531	FY 2011 Standings Appropriation Act - Disaster-Related Loss Deduction	Miscellaneous	-0.100	-0.100	0.000
<b>Total Revenue Adjustments</b>			<b>\$ -0.100</b>	<b>\$ 23.493</b>	<b>\$ 73.024</b>

NOTE: Estimates for SF 2387 are contingent on a qualifying blood lab locating in Iowa.

---

**SF 2380** – Tax Credit Reductions and Review ActAnalyst: Jeff Robinson (Phone: 515-281-4614) ([jeff.robinson@legis.state.ia.us](mailto:jeff.robinson@legis.state.ia.us))Fiscal Note Version – Final Version

---

**Senate File 2380:**

- Creates a Legislative Tax Expenditure Committee of the Legislative Council and establishes the membership and duties of the Committee, including a five-year schedule for reviewing existing tax credits beginning in 2011.

**Legislative Tax Expenditure Committee - Schedule of Program Review**

Review Year	Tax Credit Program	Code Citation
2011	High Quality Jobs Program	Sections 15.326 to 15.337
2011	Research Activities Credit	Sections 15.335, 15A.9, 422.10, & 422.33
2011	Franchise Tax Credit	Sections 422.11 & 422.33
2011	Earned Income Credit	Section 422.12B
2012	Iowa Fund of Funds	Sections 15E.61 to 15E.70
2012	Urban Renewal Tax Increment Financing	Section 403.19
2012	Targeted Jobs Withholding Credit	Section 403.19A
2012	Tax Increment Financing-Sales Tax	Section 423B.10
2012	School Tuition Organization Credit	Sections 422.11S & 422.33
2012	Tuition/Textbook Credit	Section 422.12
2013	Child Care and Child Development Credits	Section 422.12C
2013	Endow Iowa Credit	Section 15E.305
2013	Redevelopment Credit	Section 15.293A
2013	Disaster Recovery Housing Credit	Sections 16.211 & 16.212
2013	Film, Television, and Video Credit	Section 15.393
2014	Qualified Business & Seed Capital Credits	Sections 15E.41 to 15E.47
2014	Historic Preservation Credit	Chapter 404A
2014	Wind Energy Credit	Chapter 476B
2014	Renewable Energy Credit	Chapter 476C
2014	Ethanol Promotion Credit	Section 422.11N
2014	E85 Gasoline Credit	Section 422.11O
2014	Biodiesel Blended Fuel Credit	Section 422.11P
2015	Agricultural Asset Transfer Credit	Section 175.37
2015	Claim of Right Credit	Section 422.5
2015	S-Corporation Shareholders Credit	Section 422..8
2015	Minimum Tax Credit	Sections 422.11B, 422.33, & 422.60
2015	Assistive Device Credit	Section 422.33
2015	Charitable Conservation Credit	Sections 422.11W & 422.33
2015	Motor Vehicle Fuel Credit	Section 422.110
2015	New Jobs Credits	Section 422.11A
2015	Enterprise Zone Program	Sections 15E.191 to 15E.198

- Reduces the annual limit on specific tax credit programs administered by the Department of Economic Development from the current \$185.0 million to \$120.0 million. The change is effective for FY 2010.
- Suspends the Film Tax Credit Program by prohibiting the registration of new projects until July 1, 2013.
- Alters the Supplemental Research Activities Credit by increasing the current 6.5% maximum credit to 10.0% for companies with gross annual sales less than \$20.0 million. For companies with higher gross annual sales, the tax credit is reduced from 6.5% to 3.0%. The change impacts only future awards.
- Lowers the annual cap for some tax credit programs and discontinues other tax credit programs. Impacted tax credit programs include:
  - Accelerated Career Education (ACE) Withholding Tax Credit
  - Economic Development Region Revolving Loan Fund Tax Credit
  - Endow Iowa Tax Credit
  - Iowa Fund of Funds Tax Credit
  - Venture Capital Investment Tax Credit
  - Value-added Agricultural Products Refundable Tax Credit
  - Historic Preservation and Cultural & Entertainment District Tax Credit
- Reenacts the Estate Tax to the extent a federal pick-up tax is allowed in the future.
- Requests that the Legislative Council establish 2010 interim committees to study the Enterprise Zone Program and the Industrial New Jobs Training Program (260E) with reports due to the General Assembly by January 15, 2011.

### **Assumptions**

- Division II – Legislative Tax Expenditure Committee – The creation of a Legislative committee will have per diem and other minor administrative costs. It is also assumed that although the Act does not appropriate any funds for technical assistance to the Committee, the review work of the Committee will require significant staff time by the Departments of Revenue and Economic Development, as well as legislative staff. Additional reporting requirements may also be expected of other agencies and local governments. If the review identifies inefficient or ineffective tax preferences and those items are improved or ended, the review could substantially improve the economic efficacy of the State's overall tax incentive policy.
- Division III – Reduction in the Aggregate Annual Allowable Tax Credit Cap – The Act reduces the current annual cap for three major Department of Economic Development (DED) business subsidy programs, Enterprise Zones, High Quality Jobs, and Film Tax Credits. The current annual tax credit cap is \$185.0 million and the Act reduces the cap to \$120.0 million effective for FY 2010. With suspension of the Film Tax Credit program and given the present economic environment, it is assumed for this fiscal impact estimate that the lower cap will have no effect on tax credit awards in FY 2010 or FY 2011, but will reduce overall awards made in FY 2012 and for the foreseeable future by \$65.0 million per year. Since tax credit redemptions are spread over several years after they are awarded, the impact on net General Fund revenue in the initial years is projected to be low.
- Division IV – Suspension of the Film Tax Credit Program – This projection assumes that without legislative action to suspend the Film Tax Credit program and/or lower the current \$185.0 million aggregate tax credit cap, the DED will begin to approve additional film projects in calendar year 2011. This projection further assumes that if a \$120.0 million aggregate cap is enacted, the DED will not resume approving film projects in the foreseeable future.

- Division V – Supplemental Research Activities Credit – The Act enhances the supplemental credit for companies with annual gross sales less than \$20.0 million and reduces the supplemental credit for companies with higher gross sales. The changes will not impact tax credit agreements already in place and there is often a lag between when a project is approved for the supplemental credit and when the credit is actually redeemed. Therefore, the impact on net General Fund revenue is expected to be low in the initial years.
- Division VI – Accelerated Career Education (ACE) Withholding Tax Credit – The maximum annual cap is reduced from \$6.0 million to \$5.4 million. The ACE program is currently not operating at its full \$6.0 million cap and the impact of the lower cap is calculated from projected usage, not from the current cap.
- Division VII – Economic Development Region Revolving Loan Fund Tax Credit – The Act repeals this tax credit.
- Division VIII – Endow Iowa Tax Credit – The maximum annual cap is reduced from \$3.0 million to \$2.7 million.
- Division IX – Fund of Funds Tax Credit – This tax credit ensures that investors in the Fund of Funds will receive their entire investment back, along with an agreed to rate of return when their specified investment in the Fund of Funds is liquidated. If the returns received after the specified investment is liquidated are insufficient to cover the investment, contingent tax credits sufficient to make the investor whole are activated. Since the first investment is not scheduled to be liquidated for several years, the actual amount of tax contingent tax credits that will be necessary is not known. Without the language in the Act, the maximum liability to the State General Fund is \$100.0 million, with a maximum annual redemption of \$20.0 million per year. With the language in the Act, the maximum liability to the State General Fund is \$60.0 million, and the maximum annual redemption remains at \$20 million per year.
- Division X – Venture Capital Investment Tax Credit – The Act repeals this tax credit.
- Division XI – Refundable Value-Added Agriculture Tax Credits – Code Section 15.333(3) allows certain projects approved under the High Quality Jobs Creation Act to receive a portion of their tax credits as refundable tax credits. The maximum annual amount of refundable credits the DED may approve is \$4.0 million. The \$4.0 million awarded by the DED is part of the aggregate tax credit cap (see Division III above). This fiscal estimate assumes that under current law, a sufficient volume of qualified projects will occur each year to fully utilize the refundable \$4.0 million and the refunds will impact the State General Fund in the fiscal year following the award.
- Division XII – Historic Preservation and Cultural and Entertainment District Tax Credit – The maximum annual amount of Historic Preservation Tax Credits that may be awarded for one tax year is reduced from \$50.0 million to \$45.0 million. The change first impacts FY 2013 and the first full year of impact is FY 2014. The tax credits are refundable so the impact of the lower credit limit is immediate.
- Division XIII – Iowa Estate Tax Reenactment – Previously, federal estate tax law allowed states to impose a tax against an estate, with the dollar amount of the state tax reducing the federal estate tax due dollar-for-dollar. This was commonly referred to as the “pick-up tax.” The federal government rescinded the pick-up tax provision in the mid-2000’s as part of a total phase-out of the federal estate tax. The federal estate tax and the corresponding pick-up tax provision are scheduled to return after December 31, 2010. Should this occur, Division XIII would allow the State of Iowa to receive revenue from the pick-up tax without increasing the overall tax on an estate.
- Divisions XIV and XV – Interim Study Committees – Requests that the Legislative Council create two interim study committees, one to evaluate the Enterprise Zone Program and one to evaluate the Industrial New Jobs Training Program (260E).

### **Fiscal Impact**

The following table provides the projected direct impact to net General Fund revenue associated with the tax credit changes contained in the Act.

Estimate of Reduction in Tax Credit Redemptions & Increase in Estate Pick-up Tax Collections - Net General Fund Revenue Increase by Fiscal Year (\$ in millions)					
Bill Division		FY 2011	FY 2012	FY 2013	FY 2014
III	Aggregate Cap at \$120.0 million	\$ 0.0	\$ 0.0	\$ 3.0	\$ 5.4
IV	Film Suspension	0.0	19.0	35.7	24.8
V	Research Activities	0.0	0.0	0.3	1.0
VI	Accelerated Career Education	0.4	0.4	0.4	0.4
VII	Econ. Develop. Region	0.0	0.0	0.0	0.0
VIII	Endow Iowa	0.1	0.2	0.2	0.2
IX	Fund of Funds	0.0	0.0	0.0	0.0
X	Venture Capital Investment	0.0	0.0	0.0	0.0
XI	Value-added Ag Refundable	4.0	4.0	4.0	4.0
XII	Historic Preservation	0.0	0.0	2.3	5.0
XIII	Estate Pick-up Tax	0.0	28.5	46.2	46.9
		\$ 4.5	\$ 52.1	\$ 92.1	\$ 87.7

Longer term, the Act lowers annual tax credit awards and redemptions by approximately \$70.9 million and increases potential annual estate tax revenue by \$47.0 million through reenactment of the estate pick-up tax. The Act also lowers the potential program lifetime liability of the Fund of Funds Tax Credit by \$40.0 million, although that amount is not included in the table below.

Estimate of Reduction in Tax Credit Redemptions & Increase in Estate Pick-up Tax Collections - Net General Fund Revenue Increase (\$ in millions)	
	Max Impact Per FY
Aggregate Cap at \$120.0 million, Value-Added Ag Refundable, and Research Activities Credit Changes	\$ 65.0
Accelerated Career Education	0.6
Endow Iowa	0.3
Historic Preservation	5.0
Estate Pick-up Tax	47.0
	<u>\$ 117.9</u>

In addition, the Act requires a projected \$200,000 to \$300,000 annually in State agency staff time (primarily the Departments of Revenue and Economic Development as well as legislative staff) to provide assistance to the Legislative Tax Expenditure Committee. The Act does not provide funding so the expenditures are assumed to require the utilization of existing agency resources.

### **Funding Source**

All changes to the tax incentive programs contained in the Act impact the State General Fund.

### **Effective Dates**

This Act is effective July 1, 2010. However, the Film Tax Credit suspension (Division IV), Endow Iowa Tax Credit changes (Division VIII), Iowa Fund of Fund changes (Division IX), and Value-Added Agriculture Refundable Tax Credit changes (Division XI) are effective on enactment.

### **Enactment Date**

This Act was approved by the General Assembly on March 22, 2010, and signed by the Governor on April 15, 2010.

### **Sources**

Department of Revenue  
Legislative Services Agency Analysis

---

**SF 2383** – Debt Collection ActAnalyst: Jennifer Acton (Phone: 515-281-7846) ([jennifer.acton@legis.state.ia.us](mailto:jennifer.acton@legis.state.ia.us))Fiscal Note Version – Final Action

---

**Senate File 2383** relates to the collection of debt obligations owed to the State and cities and establishing the Office of the State Debt Coordinator located in the Department of Revenue, providing a fee, and including effective date provisions.

The summary chart below is an estimate of the overall fiscal impact. Not all departments and agencies provided estimates. In addition, some of the concepts contained in SF 2383 will enhance collections; but the additional revenue cannot be estimated. The estimates also took into consideration the amount of debt that may have been collected under another Program.

Of the total revenue estimate, approximately 9.0% includes surcharges that are deposited to the General Fund as well as other funds such as the Crime Victim Compensation Fund and local governments. That amount cannot be estimated.

**Overall Fiscal Impact Summary**

Program	FY 2011		FY 2012	
	Est. Cost	Est. Revenue	Est. Cost	Est. Revenue
Court Debt Set Off Priority	\$ 10,000	unknown	\$ 0	unknown
County Treasurer Vehicle Registration Collections	60,000	unknown	0	unknown
Taxpayer Public/Private Utility Customer Match	0	0	0	1,700,000
State Debt Coordinator	290,000	0	270,000	0
Liens in Civil Action	0	unknown	0	unknown
Debt Settlement Program	0	350,000	0	700,000
Assignment of All Debt to the CCU at 30 Days		2,000,000	0	2,000,000
Assignment of Debt to the CCU for One Year	0	0	0	0
Minimum for County Attorney Collections	0	56,000	0	56,000
Debt to Private Debt Collector	0	unknown	0	unknown
Payment on Date of Imposition	0	unknown	0	unknown
Debt Amnesty Program	750,000	3,200,000	0	0
	<u>\$ 1,110,000</u>	<u>\$ 5,606,000</u>	<u>\$ 270,000</u>	<u>\$ 4,456,000</u>

CCU = Centralized Collections Unit (Department of Revenue)

---

## **Section 1 – Court Debt Priority Ranking For Setoffs**

---

### **Background**

In situations of multiple claims to payments recovered through the Income Setoff Program, after deducting any tax debt owed, priority is given in the following order:

1. Child Support Recovery Unit or Foster Care Recovery Unit
2. College Student Aid Commission
3. Department of Inspections and Appeals
4. Clerk of District Court
5. Other State Agencies

According to the Department of Revenue, this list was established in the 1980s based on the order the agencies signed up for the Program. The Program is currently administered by the Department of Administrative Services (DAS).

This Section moves the Clerk of Court (Judicial Branch) to second position on the priority list.

### **Assumptions**

- The Department of Administrative Services (DAS) offsets the money and returns the funds to the respective department or agency to be applied to the various funding sources.
- In FY 2009, the College Student Aid Commission collected approximately \$535,000 for the student loan program through setoff collections. The majority of the collections were for federal and private loans.
- In FY 2009, the Department of Inspections and Appeals collected approximately \$900,000 through setoff collections for overpayments by the Department of Human Services (DHS) and incorrect payments in DHS assistance programs.
- There will be programming costs to the Department of Administrative Services (DAS) – Information Technology Enterprise (ITE) to modify both the vendor and offset systems.

### **Fiscal Impact**

The fiscal impact to DAS is approximately \$10,000 for programming costs. This Section may result in additional receipts to the General Fund or other funds resulting from the collection of debt, but the amount cannot be estimated. The Judicial Branch has a large number of offsets of varying dollar amounts that may or may not impact the offsets of the College Student Aid Commission and the Department of Inspections and Appeals.



---

## **Sections 2, 4, 5, 7, 14, 15, 23, and 26 – County Treasurer Collection for Vehicle Registrations**

---

### **Background**

County treasurers are required to refuse to renew a vehicle registration if the treasurer knows that the person has a delinquent account, charge, fee, loan, taxes, or other indebtedness owed to or being collected by the State beginning January 1, 2011. The debt has to be paid before the county treasurer can renew the vehicle registration. The Motor Vehicle Division of the Department of Transportation receives 96.0% of its budget from the Road Use Tax Fund (RUTF) and 4.0% from the Primary Road Fund.

These Sections specify it is the intent of the General Assembly that the county treasurers begin collecting delinquent court debt at the time a person renews a motor vehicle registration beginning July 1, 2011. The Judicial Branch is charged with developing a plan to implement this and is required to submit the plan to the General Assembly on or before December 1, 2010.

These Sections allow the Department of Revenue to provide the county treasurers with access to confidential information required for the collection of delinquent taxes and make the county treasurers subject to confidentiality requirements and penalties.

### **Assumptions**

- The Department of Revenue will adopt administrative rules to implement the collection program for county treasurers.
- If the person renewing their vehicle registration chooses to pay their delinquent taxes with the county treasurer, a \$5 processing fee will be charged and deposited in the county general fund.
- In FY 2008, there were approximately 4.1 million vehicles registered in the State of Iowa. This includes automobiles, trucks, motor homes, buses, multi-purpose vehicles, motorcycles, tractor/trucks, and trailers.
- The Department of Transportation information technology programming to implement the program is estimated to include 1,013 hours at a cost of approximately \$55,000. In addition, there is a 10.0% administrative cost of \$5,000.

### **Fiscal Impact**

The Department of Revenue cannot estimate the costs associated with changes to its information systems and collections processes. The Department of Transportation impact for programming is approximately \$60,000 and will be absorbed within the current budget. The Judicial Branch anticipates FY 2012 costs associated with changes to its computer interface but these costs cannot be estimated prior to the completion of the plan in December 2010.

These Sections may result in additional receipts to the General Fund or other funds resulting from the collection of debt, but the amount cannot be estimated. These Sections may also result in additional revenue to county treasurers as a result of the \$5 filing fee, but the amount cannot be estimated.

---

## **Section 6 – Collection of Judgment Debt Owed to Cities**

---

### **Background**

- Court debt owed to cities is deemed delinquent at 30 days.
- At 90 days, this Section permits the cities to contract with a private debt collector.
- Permits an add-on collection fee of up to 25.0%.

### **Fiscal Impact**

This Section may result in additional revenue to cities as a result of contracting with a private debt collector, but the amount cannot be determined.

---

## **Section 8 – Taxpayer Public/Private Utility Customer Match**

---

### **Background**

This Section permits the Department of Revenue to subpoena records of public and private utilities. The records that may be subpoenaed pertain to potential customers of the utility that may owe taxes, penalties, interest, and court debt to the State of Iowa.

This Section states that the public or private utility may not be held liable for good faith and reasonable actions taken when complying with the subpoena.

### **Assumptions**

- This Section is effective January 1, 2011.
- The time required to issue subpoenas, review records, identify potential State debtors, notify the debtor, and collect the debt will exceed six months.

### **Fiscal Impact**

The Department of Revenue estimates that \$1.7 million per year will be collected from State debtors through the additional subpoena powers allowed under the Act. The first fiscal year impacted is FY 2012.

---

## **Sections 9, 13, and 27 – State Debt Coordinator**

---

### **Background**

- Creates the Office of the State Debt Coordinator in the Department of Revenue effective on enactment of the Act.
- The position will be appointed by the Governor and confirmed by the Senate for a four-year term.
- Allows the State Debt Coordinator to adopt administrative rules for the Office.
- Some of the responsibilities of the position include coordinating collection efforts between each branch of government, making recommendations to the General Assembly to improve or increase collections and efficiencies, and managing the Debt Settlement Program, county attorney collections program, and civil liens.
- Repeals the Chapter on January 1, 2014.

### **Assumptions**

- Assumes the Office will consist of the Coordinator, an administrative assistant, and a management analyst.

### **Fiscal Impact**

In FY 2011, costs for the Office of the State Debt Coordinator are estimated to be \$290,000 and 3.0 FTE positions. In FY 2012 and on-going, the costs are estimated to be \$270,000. If more staff positions are added to the Office, costs will increase.

### **Note**

House File 2531 (FY 2011 Standing Appropriations Act) included \$300,000 and 3.0 FTE positions for the Department of Revenue for start-up costs associated with the State Debt Coordinator Office. The Act also included language to transition funding for the Office from debt collection revenue.

---

## **Sections 10 and 13 – Notice of Lien in Civil Action**

---

### **Background**

Permits the State Debt Coordinator to file a lien against a person owing a debt to the State.

Repeals the Chapter on January 1, 2014.

### **Assumptions**

- The Judicial Branch has approximately 75,000 civil filings a year.
- The lien can be applied to any civil action when a litigant has a potential claim against a third party and owes debt to the State.
- The lien can be applied to any judgment or negotiated settlement.

### **Fiscal Impact**

This Section may result in additional receipts to the General Fund or other funds resulting from the collection of debt, but the amount cannot be determined.

---

## **Sections 11, 12, 13, and 26 – Debt Settlement Program**

---

### **Background**

- This Section is effective January 1, 2011, and is repealed on January 1, 2014.
- Debt must be more than four years old and person's income must be at or below 200.0% of the federal poverty level.
- Forgiveness is limited to up to 50.0% of the eligible debt owed.
- Any settlement must be made in a lump sum payment.
- The person is not eligible if another payment plan is in effect.
- The county attorneys and the Centralized Collection Unit (CCU) in the Department of Revenue can offer the Debt Settlement Program.

### **Assumptions**

- Of the \$525.3 million in total court debt, \$47.8 million is more than four years old and owed by people at or below 200.0% of the federal poverty level.
- Assumes that 1.5% of the total will be collected through this Program.

### **Fiscal Impact**

The revenue generated from the Debt Settlement Program is estimated to be approximately \$350,000 in FY 2011 and approximately \$700,000 in FY 2012.

---

## **Section 16 – Assignment of Debt to CCU**

---

### **Background**

Under current law, court debt is owed and payable to the Clerk of District Court (except restitution) and is deemed delinquent if not paid within 30 days after being assessed or 30 days after an installment payment is missed. After 30 days, the debt (at the discretion of the clerk of court) may be assigned to the CCU in the Department of Revenue. If assigned, the debt remains at the CCU for the next 60 days (90 days from the date assessed). Court debt that is 90 days delinquent from the date assessed can be sent to the county attorneys or their designee for collection.

The most active collection period for the CCU is within the first 12 to 15 months of receiving the debt. The CCU works the debt for up to two years and then it is returned to the Judicial Branch. The CCU averages \$1.7 million per month in collections. In FY 2008, the CCU collected \$20.4 million in court debt. In FY 2009, the CCU collected \$19.8 million in court debt. The CCU charges a 10.0% add-on fee to each account and the fee is added by the Judicial Branch to the total when the account is placed with the CCU. If the debt is moved from the CCU to the county attorneys, the 10.0% add-on fee is removed. In FY 2010, account placements are approximately 73.0% of FY 2009 placements. This would suggest a 27.0% decrease in collections; however, collections are actually up 18.0% year-to-date primarily due to accounts placed with the CCU from FY 2008 and FY 2009.

At the end of FY 2009, the Judicial Branch did not send debt to the CCU from a county active in a county attorney collections program. This decision was later revised. In FY 2010, the Judicial Branch was not sending any of the debt to either the CCU or the county attorneys for 90 days from the date of assessment. This decision was also later revised.

Under current practice, debt from counties without an active county attorney collection program is sent to the CCU for collection at 31 days. At 90 days after assessment, the debt from counties with a county attorney collection program is sent to both the county attorneys and the CCU at the same time. Both entities work the debt simultaneously.

### **Assumptions**

- The Judicial Branch is required to send all debt to the CCU at 30 days.
- Debt not assigned to a county with a county attorney collection program will be worked by the CCU for a period of one year.
- The county attorneys will continue to receive the debt at 90 days from the date of assessment (current law).
- Requires a minimum collection of \$25,000 annually by a participating county attorney, including counties participating in 28E agreements.

### **Fiscal Impact**

The revenue generated by requiring all debt to go to the CCU at 30 days is estimated to increase receipts to the General Fund by approximately \$2.0 million compared to current receipts. Allowing the CCU to work debt for up to one year is estimated to maintain the current level of collections.

---

## **Section 20 – Establishes a Minimum for County Attorney Collections at \$25,000**

---

### **Background**

Under current law, the distribution of county attorney collections is based on a threshold formula based on the county population. County attorneys retain 40.0% of the amount collected through the county attorney collections program and the remaining 60.0% is deposited in the State General Fund. Once the county's threshold is met, the county retains an additional 12.0% (total of 52.0%) of the funds collected and the General Fund receives 48.0%. Below is a list of the population thresholds:

- 150,000 or more - \$500,000
- 100,001 to 150,000 - \$400,000
- 50,001 to 100,000 - \$250,000
- 26,001 to 50,000 - \$100,000
- 15,001 to 26,000 - \$50,000
- 15,000 or less - \$25,000

For FY 2010, there are 47 counties participating in collections. Crawford and Carroll counties and Decatur and Wayne counties have entered into 28E agreements. As of February 28, 2010, 11 counties met their required threshold amount.

Of the 45 counties that participated in FY 2009, 15 counties (33.3%) exceeded the threshold. Three counties did not collect any money, one county collected less than \$1,000, and seven counties collected more than \$1,000 but less than \$5,000.

County attorneys do not receive a portion of any amounts collected for victim restitution, the Crime Victim Compensation Fund, the Criminal Penalty Surcharge, the Drug Abuse Resistance Education (DARE) Surcharge, the Law Enforcement Initiative Surcharge, the County Enforcement Surcharge, the \$200 DOT Civil Penalty, or the setoff procedures under Code Section 8A.504 or sheriff fees.

### **Assumptions**

- In FY 2009, there were 23 counties that did not collect more than \$25,000.
- As of February 28, 2010, 19 counties have collected less than \$15,000 with four months left in the fiscal year.
- Debt will remain with the CCU to be worked for an additional 60 days rather than being sent to counties that are not collecting at least \$25,000 in court debt a year.
- Counties that fall below the threshold can re-apply with the State Debt Coordinator to re-enter the program.
- Of the current amount collected, 60.0% already is deposited in the General Fund and the remaining 40.0% is deposited in the county general fund of the collecting county.

### **Fiscal Impact**

The revenue impact is estimated to be approximately \$56,000 to the General Fund.

---

## **Section 21 – Private Debt Collector**

---

### **Background**

The Judicial Branch completed a Request for Information (RFI) to contract with a private debt collector in January 2009 and anticipates issuing a Request for Proposal (RFP) sometime in FY 2010.

### **Assumptions**

- Any debt that is deemed delinquent (30 days) and has been transferred to the CCU but is not in a payment plan with the CCU is required to be sent to a private debt collector after one year.
- The add-on collection fee for a private debt collector is up to 25.0%. This amount is in addition to the total debt owed.

### **Fiscal Impact**

This Section may result in additional receipts to the General Fund or other funds resulting from the collection of debt, but the amount cannot be determined.

---

## **Section 22 – Clarifies Payment of a Fine at the Date of Imposition**

---

### **Background**

Under current law, Code Section 909.3(1) contains language stating that all fines imposed by the Judicial Branch will be paid on the date the fine is imposed.

This Section clarifies current law by directing persons to pay court fines to the Clerk of District Court at the date of imposition.

In FY 2009, 30.0% of the fines imposed were paid within 30 days.

Under current law, Code Section 909.3(2) provides Judges with the discretion to allow an installment plan or to fix a date no more than 120 days into the future for payment of a fine. For good cause, the Judge may extend the payment more than 120 days.

**Assumptions:**

- Judges will be required to instruct the debtor to go to the clerk of court office to pay the debt prior to leaving the courthouse on the day the fine is assessed.
- Judges are allowed to establish installment payment plans no later than 30 days after the fine is imposed.
- The terms and conditions of the installment payment plans will be established by Judicial Rule.

**Fiscal Impact**

This Section may result in additional receipts to the General Fund or other funds resulting from the collection of debt, but the amount cannot be determined.

---

**Sections 23 and 27 – Debt Amnesty Program**

---

**Background**

This Section is effective on enactment and establishes a Debt Amnesty Program in the Department of Revenue for the period of September 1, 2010, through November 30, 2010. This Section requires the Department to submit a report to the General Assembly on January 15, 2011.

This Section outlines the following eligibility requirements:

- A person confined to jail or prison, or under correctional supervision, is not eligible for the Program.
- Debt must be more than four years old.
- Forgiveness is equal to 50.0% of the eligible debt owed.
- Payment must be made in a lump sum.
- The person is not eligible if another payment plan is in effect.

**Assumptions**

- Of the \$525.3 million in total court debt, \$216.1 million is more than four years old.
- Assumes that 1.5% of the total will be collected through this Program.
- The Iowa Lottery Authority will help advertise the Program.
- Due to the State Early Retirement Program, the Department of Revenue will be operating at a reduced staffing level compared to the staffing level in effect when the Department operated the Tax Amnesty Program.
- The Department of Revenue estimates advertising costs totaling \$400,000 and \$350,000 for additional part-time staff and programming costs to administer the Program for three months.

**Fiscal Impact**

The one-time revenue generated from the Debt Amnesty Program is estimated to be approximately \$3.2 million for FY 2011. The cost to administer the Debt Amnesty Program is estimated at \$750,000.

**Funding Source**

House File 2531 (FY 2011 Standing Appropriations Act) included \$300,000 and 3.0 FTE positions for the Department of Revenue for start-up costs associated with the State Debt Coordinator Office. The Act also included language to transition funding for the Office from debt collection revenue.

**Enactment Date**

This Act was approved by the General Assembly on March 27, 2010, and signed by the Governor on April 21, 2010.

**Sources**

Departments of Revenue, Transportation, and Administrative Services  
Judicial Branch  
Criminal and Juvenile Justice Planning Division (CJJP)  
Various Executive Branch Agencies



---

**SF 2387** – Regional Blood Testing Facility Sales Tax Exemption Act

Analyst: Shawn Snyder (Phone: 515-281-7799) ([shawn.snyder@legis.state.ia.us](mailto:shawn.snyder@legis.state.ia.us))

Fiscal Note Version – Final Action

---

**Senate File 2387** authorizes a sales tax exemption for the sales price of reagents and accessory equipment necessary for testing blood at a regional blood testing laboratory that is licensed by the federal food and drug administration beginning on January 1, 2011. The Act additionally requires that if a regional blood testing laboratory does not exist in the State as of January 1, 2011, the sales tax exemption would be repealed.

**Background and Assumptions**

There are currently three non-profit blood centers in Iowa licensed by the federal food and drug administration with total sales/use tax paid for reagents and accessory equipment totaling approximately \$480,000 annually. If a regional blood testing laboratory locates in Iowa, it is assumed that those sales will shift from the three blood centers to the regional blood testing laboratory.

The three blood centers employ 30 professionals with an average annual salary of approximately \$70,000. Additionally, if this sales tax exemption is enacted, Iowa may be selected as a site for a regionalized testing laboratory that could create 30 to 40 new jobs with an average annual salary of approximately \$70,000.

The Department of Economic Development (DED) estimates that as a result of 40 new jobs, State revenues would increase approximately \$220,000 and property tax revenues would increase by approximately \$90,000 annually. The DED has indicated that there will be additional economic activity within the State resulting from the increase in jobs; however that amount is currently unknown.

In addition to the potential of increased jobs, the creation of a new regionalized testing laboratory would have a budget of \$39.0 million, an increase of \$22.0 million over the current budget of the nonprofit blood banks. Assuming that approximately \$2.1 to \$ 3.0 million would be used to fund salaries, the remaining \$19.0 to \$20.0 million may have additional economic and State revenue impact, although that amount is unknown. No additional sales tax revenue would be generated directly from the increased budget.

Additional assumptions include:

- Annual growth of 2.0% in the amount of taxable sales for reagents and accessory equipment.
- A total of 40 new jobs would be created as a result of the regional testing laboratory locating in Iowa beginning in FY 2012.

Additional information: According to the Alliance of Community Blood Centers, one or more of the three non-profit blood centers and 30 professionals may relocate out of state if this exemption is not enacted. The centers are located in Sioux City, Davenport and Des Moines. The fiscal impact does not account for this possible relocation.

### **Fiscal Impact**

If a regional blood testing laboratory does not locate in the State by January 1, 2011, there will be no sales tax reduction as a result of this Act.

If a regional blood testing laboratory locates in Iowa and meets the other specifications in this Act, the estimated decrease in sales/use tax revenue will be approximately \$250,000 (\$208,000 from the General Fund and \$42,000 from the Secure an Advanced Vision for Education Fund) in FY 2011. The estimated sales tax exemption beginning in FY 2012 and future fiscal years would total approximately \$500,000 (\$420,000 from the General Fund and \$84,000 from the Secure an Advanced Vision for Education Fund).

Additionally, if a regional testing laboratory locates in Iowa prior to January 1, 2011, the following potential annual fiscal impact and economic impact will occur beginning in FY 2011 and extend to future fiscal years:

- Additional State income and sales/use tax revenue totaling approximately \$220,000 based on the creation of 40 jobs. There may be additional economic activity resulting from the increase in jobs, but that amount is currently unknown. The statewide model of the Iowa economy utilized by the Department of Economic Development indicates a jobs multiplier of 1.69.
- Potential property tax revenue totaling approximately \$90,000 based on the creation of new jobs beginning in FY 2014. This amount may increase annually and be based on valuation increases and local property tax rates.
- An increased budget for a regional testing laboratory of \$19.0 to \$20.0 million will provide additional economic activity and impact State tax and local revenue but that amount is currently unknown.
- Any State costs associated with the addition of new residents filling newly created jobs are currently unknown.

### **Funding Sources**

The sales tax exemption will reduce General Fund revenues and Secure an Advanced Vision for Education (SAVE) Fund. Any additional State revenues generated as a result of this Act may increase the State General Fund.

### **Effective Date**

This Act is effective July 1, 2010. If no eligible blood laboratory locates in Iowa by January 1, 2011, the Act will be repealed.

### **Enactment Date**

This Act was approved by the General Assembly on March 26, 2010, and signed by the Governor on April 21, 2010.

### **Sources**

Iowa Alliance of Community Blood Centers  
Iowa Department of Economic Development  
LSA Analysis and Calculations

---

**SF 2388** – Health Care Access Assessment Act

Analyst: Jess Benson (Phone: 515-281-4611) ([jess.benson@legis.state.ia.us](mailto:jess.benson@legis.state.ia.us))

Fiscal Note Version – Final Action

---

**Senate File 2388** creates a Hospital Health Care Access Assessment Program and imposes a Hospital Health Care Access Assessment to privately-owned (non-State) hospitals paid on a Prospective Payment System (PPS) basis by Medicare and Medicaid. The assessment is based on 1.26% percent of net patient revenue as specified by the FY 2008 Medicare cost report and effective July 1, 2010, or retroactive to that date, based on approval by the federal Center for Medicare and Medicaid Services. This Act establishes a Hospital Access Trust Fund for the assessment proceeds and establishes a board to make recommendations regarding the Program. This Act provides for reimbursement for PPS hospitals up to the federal Upper Payment Limit (UPL); the rebasing of hospital rates in October of FY 2011 (FY 2012); and annualizes the rebase in FY 2013.

**Assumptions**

- The assessment rate is 1.26% percent of net patient revenue.
- The assessment will generate \$40.0 million in revenue.
- The State will use approximately \$19.5 million of the revenue to reimburse hospitals up to the UPL in FY 2012 and \$25.9 million in FY 2012 and FY 2013. These funds will be matched to draw additional federal revenue.
- The State will use \$4.5 million in FY 2012 and \$6.0 million in FY 2013 to rebase hospitals. Both amounts are capped by this Act.
- Most hospitals will experience a net gain from this Act because the additional Medicaid payments will be more than the assessment paid. However, hospitals with a low percentage of Medicaid will experience a net loss because the Medicaid payments received will not be enough to offset the assessment on non-Medicaid revenue.
- The State share of the Federal Medical Assistance Percentage (FMAP) is projected to be 29.70% for FY 2011; and 37.37% in FY 2012 and FY 2013. This includes the FMAP adjustment in the American Recovery and Reinvestment Act of 2009.

**Fiscal Impact**

The assessment, if approved, is estimated to generate revenue of \$40.0 million annually to the Hospital Access Trust Fund beginning in FY 2011. The net gain to the State after reimbursing hospitals and rebasing is \$19.5 million in FY 2011, \$9.7 million in FY 2012, and \$8.2 million in FY 2013.

The assessment and corresponding reimbursement payments will generate additional federal funds for Iowa as explained in the assumptions. See details in the following chart.

## Hospital Health Care Access Assessment

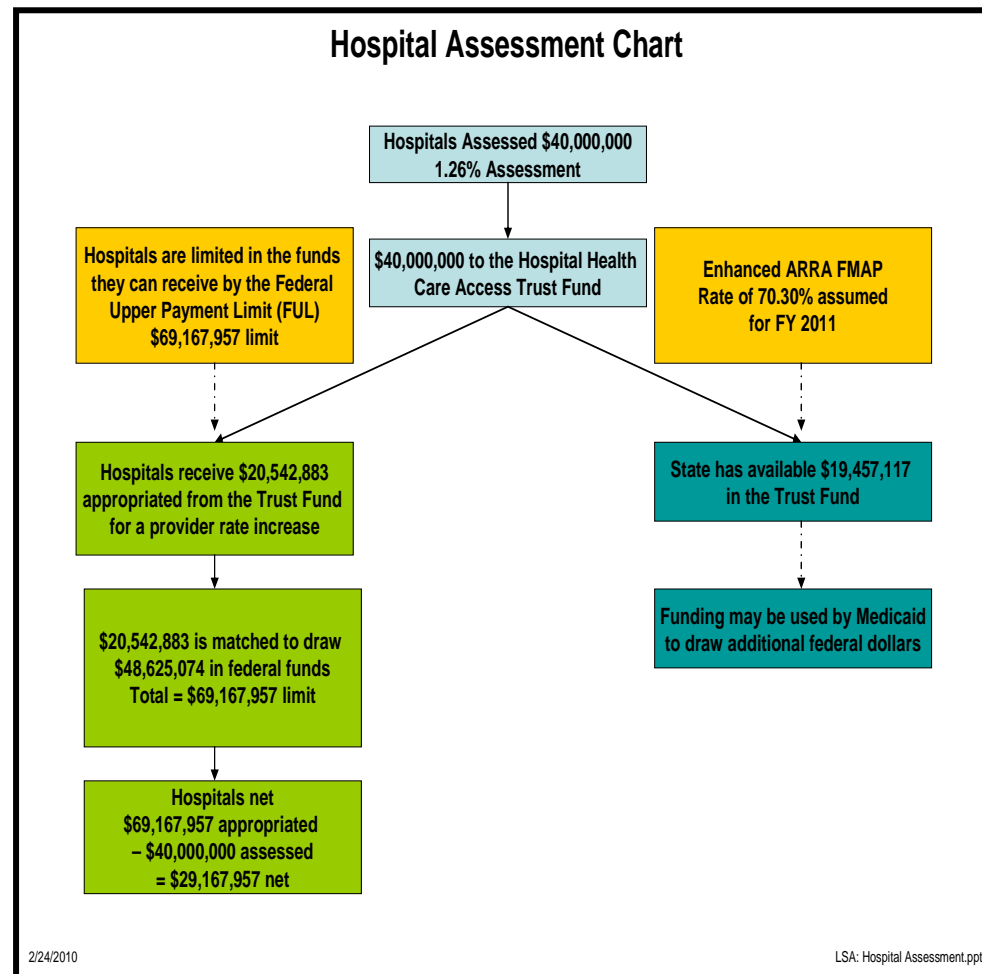
	State	Federal	Assessment
<b>FY 2011 Assumed FMAP</b>	29.70%	70.30%	1.26%
<b>Revenue:</b>	<b>State</b>	<b>Federal</b>	<b>Total</b>
Health Care Access Assessment (1.26%)*	\$ 40,000,000	\$ 0	\$ 40,000,000
<b>Expenditures:</b>			
Reimburse to UPL	\$ 20,542,883	\$ 48,625,074	\$ 69,167,957
<b>Net Gain/Loss**</b>	<u>\$ 19,457,117</u>	<u>\$ -48,625,074</u>	<u>\$ -29,167,957</u>
	State	Federal	Assessment
<b>FY 2012 Assumed FMAP</b>	37.37%	62.63%	1.26%
<b>Revenue:</b>	<b>State</b>	<b>Federal</b>	<b>Total</b>
Health Care Access Assessment (1.26%)*	\$ 40,000,000	\$ 0	\$ 40,000,000
<b>Expenditures:</b>			
Reimburse to UPL	\$ 25,848,066	\$ 43,319,891	\$ 69,167,957
Rebase	4,500,000	7,541,745	12,041,745
<b>Total Hospital Expenditures</b>	<u>30,348,066</u>	<u>50,861,636</u>	<u>81,209,702</u>
<b>Net Gain/Loss**</b>	<u>\$ 9,651,934</u>	<u>\$ -50,861,636</u>	<u>\$ -41,209,702</u>
	State	Federal	Assessment
<b>FY 2013 Assumed FMAP</b>	37.37%	62.63%	1.26%
<b>Revenue:</b>	<b>State</b>	<b>Federal</b>	<b>Total</b>
Health Care Access Assessment (1.26%)*	\$ 40,000,000	\$ 0	\$ 40,000,000
<b>Expenditures:</b>			
Reimburse to UPL	\$ 25,848,066	\$ 43,319,891	\$ 69,167,957
Rebase	6,000,000	10,055,660	16,055,660
<b>Total Hospital Expenditures</b>	<u>31,848,066</u>	<u>53,375,551</u>	<u>85,223,617</u>
<b>Net Gain/Loss**</b>	<u>\$ 8,151,934</u>	<u>\$ -53,375,551</u>	<u>\$ -45,223,617</u>
*The Health Care Access Assessment is subject to change with the addition of two new hospitals and the closing of one. The impact cannot be estimated, but it is expected to be a net gain to the State.			
** Total net loss represents the net loss to the State and federal Governments and is equal to the net gain for the 34 Prospective Payment System hospitals.			

### Enactment Date

This Act was approved by the General Assembly on March 26, 2010, and signed by the Governor on April 14, 2010.

### Sources

Department of Human Services  
Iowa Hospital Association  
LSA Analysis



# **Miscellaneous Acts – Fiscal Notes**

---

**HF 2110** – Unemployment for Military Relocation Act

Analyst: Ron Robinson (Phone: 515-281-6256) ([ron.robinson@legis.state.ia.us](mailto:ron.robinson@legis.state.ia.us))

Fiscal Note Version – Final Action

---

**House File 2110** permits the payment of unemployment benefits to individuals that leave employment because of the relocation of their spouse by the military. An employer's account will not be charged for any benefits paid under this legislation.

**Background**

Employer contributions to the Unemployment Insurance Trust fund are based on a calculation by the Iowa Department of Workforce Development that takes into account, among other things, the amount of money available in the Trust Fund and the utilization of the Trust Fund by the employer's former employees. While the benefits paid under this legislation are not chargeable to an employer, it is possible for payments from the Trust Fund to have an impact on employer contributions.

As of May 2010, there is approximately \$450.8 million combined in the Unemployment Insurance Reserve Fund and in the Unemployment Insurance Trust Fund.

**Assumptions**

- There will be 48 claims for unemployment benefits annually.
- Benefit payments will be \$300 per week for each claimant and the average payments will be for 14 weeks.

**Fiscal Impact**

House File 2110 will increase expenses for the Unemployment Insurance Trust Fund by an estimated \$202,000 annually beginning in FY 2011. Because of the many variables that go into calculating contributions to the Trust Fund, it is not possible to determine what, if any, possible impact the legislation will have on future employer contributions.

**Funding Source**

The source of funding for the new Unemployment Insurance benefit will be from the Unemployment Insurance Trust Fund.

**Enactment Date**

This Act was approved by the General Assembly on March 9, 2010, and signed by the Governor on March 16, 2010.

**Source**

Iowa Department of Workforce Development

---

**HF 2280** – Commercial Animal Establishments Act

Analyst: Debra Kozel (Phone: 515-281-6767) ([deb.kozel@legis.state.ia.us](mailto:deb.kozel@legis.state.ia.us))

Fiscal Note Version – Final Action

---

**House File 2280** changes the regulation of nonagricultural animals by the Department of Agriculture and Land Stewardship (DALs). This includes new definitions, fees, and penalties.

**Background**

**Correctional and Fiscal Information**

- The Care of Animals in Commercial Enterprises Study Committee met on September 29, 2009, and heard testimony on the regulation of nonagricultural animals in Iowa. The Department testified that they employ five inspectors that completed more than 2,400 inspections in FY 2009. This included more than 1,500 inspections in the animal care/commercial animal sector and more than 800 livestock animal inspections.
- The Act changes the fee structure and includes:
  - Certificate of Registration – annual fee of \$75 for an animal pound, animal shelter, or research facility.
  - State license – annual fee of \$175 for a boarding kennel, commercial kennel, or a pet shop.
  - State license or permit – annual fee of \$175 for a commercial breeder or public auction.
  - Requires a federal licensee to obtain a State license or permit.
  - Requires a person owning more than one commercial establishment to obtain a separate State license, certificate of registration, or permit, for each establishment.
  - Specifies fees are collected and maintained by the Department for administration of the Program.
  - Details the standard of care to include adequate feed, water, housing, sanitary control, and grooming practices for the animals and specifies required veterinary care requirements.
- Specifies that a research facility, pet shop, boarding kennel, commercial kennel, dealer, commercial breeder, or public auction cannot purchase a dog or cat from a commercial establishment that is not authorized by the Department.
- Outlines the conditions that allow the Department to inspect a commercial establishment and details the disciplinary actions that include:
  - An establishment can have their authorization revoked for violations under Code Section 717B, related to cruelty of nonagricultural animals or Code Section 714.16, consumer fraud. Also specifies that an owner may be required to complete a continuing education program that is administered by the Department.
  - Establishes civil penalties that will be deposited in the General Fund.
  - Details criminal penalties that include:
    - A person operating but not authorized for a commercial establishment is guilty of a simple misdemeanor and each day not authorized is a separate offense.
    - A person not meeting the standard of care is guilty of a simple misdemeanor.
    - A person not meeting legal requirements can have their authorization suspended or revoked.
    - Allows animals to be euthanized as provided by Department rules.
    - Specifies a dealer cannot knowingly ship a diseased animal.



## Assumptions

### Correctional and Fiscal Information

- In the past four years, there have been two convictions under Code Section 162.13 related to commercial animal establishments. During FY 2009, there were two convictions for animal torture.
- The average State cost for one simple misdemeanor conviction ranges from \$26 (court costs) to \$326 (court costs and indigent defense).
- The Department reported there are 297 State-licensed dealers and 452 federally-licensed dealers. The following table summarizes the estimated revenue from this Act:

Proposed Fee Revenue			
<u>Certificate of Registration Establishment</u>	<u>Fee</u>	<u>Number</u>	<u>Revenue</u>
Pounds	\$ 75	149	\$ 11,175
Private Pound	\$ 75	15	1,125
Animal Shelters	\$ 75	78	5,850
Research Facilities	\$ 75	26	1,950
<b>Total Certificate of Registration Fees</b>			<b><u>\$ 20,100</u></b>
<u>State License or Permit Establishment</u>	<u>Fee</u>	<u>Number</u>	<u>Revenue</u>
State Licensed Commercial Breeder or Dealer	\$ 175	297	\$ 51,975
Federal Licensed Commercial Breeder or Dealer	\$ 175	452	\$ 79,100
Exhibitor of Transporter	\$ 175	40	\$ 7,000
Boarding Kennel	\$ 175	180	\$ 31,500
Commercial Kennel	\$ 175	649	\$ 113,575
Pet Shop	\$ 175	181	\$ 31,675
Public Auction	\$ 175	1	\$ 175
<b>Total State License or Permit Fees</b>			<b><u>\$ 315,000</u></b>
<b>Total Fee Revenue</b>			<b><u>\$ 335,100</u></b>

- The Department estimates expenditures of \$328,000 and 5.0 FTEs to implement this Act for FY 2011. The second year estimate includes a 7.0% increase for salary and benefit costs with total expenditures estimated at \$281,000. The following chart details the expenditures:

<b>HF 2280 Assumptions</b>	<b>FY 2011</b>	<b>FY 2012</b>
Inspector -- 2.00 FTEs	\$ 85,000	\$ 90,000
Compliance Investigator -- 1.00 FTE	59,000	63,000
Office Staff -- 2.00 FTEs	84,000	90,000
<b>Total Staff -- 5.00 FTEs</b>	<b>\$ 228,000</b>	<b>\$ 243,000</b>
Cars -- 3	\$ 51,000	\$ 0
Computer equipment field	8,000	0
Computer equipment office	3,000	0
Other Support	34,000	34,000
Educational meetings	4,000	4,000
	<b>\$ 100,000</b>	<b>\$ 38,000</b>
<b>Total Expenditures</b>	<b>\$ 328,000</b>	<b>\$ 281,000</b>

### **Summary of Impacts**

**Correctional Impact:** The correctional impact of HF 2280 is expected to be minimal.

**Fiscal Impact:** Fee revenue is estimated at \$335,000 for FY 2011 and each year after. Expenditures are estimated at \$328,000 and 5.0 FTEs for FY 2011 and \$281,000 for FY 2012. The following summarizes the expenditures:

<b>HF 2280 Estimate</b>		
	<b>FY 2011</b>	<b>FY 2012</b>
<b>Revenue</b>		
Fee Revenue	\$ 335,000	\$335,000
<b>Total Revenue</b>	<b>\$ 335,000</b>	<b>\$335,000</b>
<b>Expenditures</b>		
Salaries	\$ 228,000	\$ 243,000
Support	34,000	34,000
Computers	11,000	0
Educational Meetings	4,000	4,000
Cars	51,000	0
<b>Total Expenditures</b>	<b>\$ 328,000</b>	<b>\$281,000</b>
<b>Net Impact</b>	<b>\$ 7,000</b>	<b>\$ 54,000</b>
<b>FTE Positions</b>	<b>5.00</b>	<b>5.00</b>

**Enactment Date**

This Act was approved by the General Assembly on February 22, 2010, and signed by the Governor on March 10, 2010.

**Sources**

Department of Agriculture and Land Stewardship

Criminal and Juvenile Justice Planning Division, Department of Human Rights

Legislative Services Agency

**HF 2518** – Public Retirement Systems Act

Analyst: Jennifer Acton (Phone: 515-281-7846) ([jennifer.acton@legis.state.ia.us](mailto:jennifer.acton@legis.state.ia.us))

## Fiscal Note Version – Final Action

**House File 2518** makes various changes to public retirement systems including the Peace Officers' Retirement System (PORS), the Iowa Public Employee Retirement System (IPERS), and the Statewide Fire and Police Retirement System.

## Overall Fiscal Impact Summary of HF 2518

Fiscal Impact Summary											
FY 2011	Employee				Employer					Pension Fund	General Fund
	State	County	City	Other	State	County	City	Other	Total		
POR System	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	(950,000)	\$ 135,000
IPERS	0	0	0	0	0	0	0	0	0	0	0
411 System	0	0	0	0	0	0	0	0	0	0	(753,159)
<b>Total</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>		<b>\$ ( 618,159)</b>
FY 2012	Employee				Employer					Pension Fund	General Fund
	State	County	City	Other	State	County	City	Other	Total		
POR System	\$ 210,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 210,000	(950,000)	\$ 0
IPERS	23,880,068	5,740,600	5,245,008	6,433,601	35,820,103	8,610,899	7,867,512	9,650,402	103,248,193		0
411 System	0	0	0	0	0	0	0	0	0	0	(750,000)
<b>Total</b>	<b>\$ 24,090,068</b>	<b>\$ 5,740,600</b>	<b>\$ 5,245,008</b>	<b>\$ 6,433,601</b>	<b>\$ 35,820,103</b>	<b>\$ 8,610,899</b>	<b>\$ 7,867,512</b>	<b>\$ 9,650,402</b>	<b>\$ 103,458,193</b>		<b>\$ ( 750,000)</b>
FY 2013	Employee				Employer					Pension Fund	General Fund
	State	County	City	Other	State	County	City	Other	Total		
POR System	\$ 210,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 210,000	(950,000)	\$ 5,000,000
IPERS	24,994,472	6,008,494	5,489,775	6,733,836	37,810,108	9,089,283	8,304,596	10,186,536	108,617,100	(1,950,000,000) *	0
411 System	0	0	0	0	0	0	0	0	0	0	(750,000)
<b>Total</b>	<b>\$ 25,204,472</b>	<b>\$ 6,008,494</b>	<b>\$ 5,489,775</b>	<b>\$ 6,733,836</b>	<b>\$ 37,810,108</b>	<b>\$ 9,089,283</b>	<b>\$ 8,304,596</b>	<b>\$ 10,186,536</b>	<b>\$ 108,827,100</b>		<b>\$ 4,250,000</b>

Note

\* Includes \$750.0 million for the reduction in the unfunded actuarial liability (UAL) and a reduction of \$1.2 billion in the present value of future benefits.

---

## ***Division I - Peace Officers Retirement System (PORS)***

---

### ***Section 8 – Increases the employee contribution rate by 0.5% each year for four years beginning July 1, 2011 (FY 2012).***

#### **Assumptions**

1. As of July 1, 2009, there were 662 active members in the PORS and 538 retired members and beneficiaries.
2. As of the July 1, 2009, per the Actuarial Valuation Report for the PORS, covered wages were reported at \$41.9 million.
3. For FY 2010, the contribution rate is 21.00% for the employer and 9.35% for the employee.
4. Under current law, the employer's contribution rate for the PORS is as follows:
  - FY 2011 – 23.0%
  - FY 2012 – 25.0%
  - FY 2013 – 27.0% or the normal contribution rate, whichever is less, for each year on or after July 1, 2012.

#### **Fiscal Impact**

The increase in the employee contribution rate by 0.5% per year for four years beginning July 1, 2011, will result in an estimated increase in contributions of \$210,000 per year for a total of \$840,000 by FY 2015.

#### **0.5% Employee Contribution Rate Increase**

<b>Fiscal Year</b>	<b>Contribution Rate</b>	<b>Increase</b>
2011	9.35%	\$ 0
2012	9.85%	\$ 210,000
2013	10.35%	\$ 420,000
2014	10.85%	\$ 630,000
2015	11.35%	\$ 840,000

Section 7 increases the employer contribution rate as follows:

- FY 2013 – 27.0%
- FY 2014 – 29.0%
- FY 2015 – 31.0%
- FY 2016 – 33.0%
- FY 2017 – 35.0%
- FY 2018 – 37.0% or the normal contribution rate, whichever is less, for each year on or after July 1, 2017.

The 2.0% increase in the employer contribution rate will result in an increase of approximately \$800,000 per year, based on current covered wages. The employer contribution is paid from the State General Fund.

***Sections 10, 11, and 15 – These Sections allow members of PORS to purchase permissive service credit for eligible qualified service based on the actuarial cost of the service minus a credit for contributions made to the 411 System when the person was a member of that System. A report must be filed by July 1, 2011.***

### **Background**

There are five employees in the Department of Public Safety (DPS) with service in the 411 System prior to January 1, 1992, that were not eligible to transfer service credit to the PORS. Portability between the two Systems was not in place until 1996.

Each of these members resigned from the 411 System prior to being vested (15 years at that time). The vesting and refund rules were such at the time that these members were not entitled to any of their contributions. Language was changed after July 1, 1990, to allow any member that terminated service from the 411 System to withdraw their contributions in total from their date of hire through their termination date.

Senate File 2199 (enacted in 2006) allowed the purchase of permissive service credit during the period of July 1, 2006, through June 30, 2007. One of the five employees purchased two years of service totaling \$57,000.

### **Assumptions**

1. The cost to purchase years of service is based on the member's current salary, current age, and date of hire, and will be paid by the member.
2. There are five members with a total of 31 years of service and all eligible years of service will be purchased.
3. There will be a credit for the contributions members did not receive back from the 411 System of approximately \$4,400 for each year of service. The remaining amount will be paid by the member.

### **Fiscal Impact**

The estimated cost of purchasing the years of service, plus interest, is approximately \$1.3 million. The estimated cost to provide a credit for the contributions that the members did not receive back from the 411 System is approximately \$135,000 or \$4,400 in credit for each year of service purchased. The remaining \$1.2 million would be paid by the employees. The estimate is based on the best available calculations and would require an actuarial study.

Section 15 for the purchase of eligible service credit, establishes a standing unlimited appropriation for an amount equal to the portion of the actuarial cost of the permissive service credit purchase for eligible service credit. The cost is estimated to be \$135,000.

***Section 13 – Beginning July 1, 2012 (FY 2013), a General Fund appropriation of \$5.0 million per year is made until the PORS Fund reaches an 85.0% funded ratio.***

**Assumption:** The current funded ratio of the PORS Fund is 69.4%.

**Fiscal Impact:** The fiscal impact is a \$5.0 million appropriation from the General Fund beginning in FY 2013 to the PORS Fund annually until the PORS Fund reaches a funding ratio of at least 85.0%.

***Section 17 - Changes the escalation amount for POR members from compounding each year to a set escalation amount in five year increments.***

#### **Background**

Under current law, after a member retires, an adjustment is applied to the member's pension each July 1. The adjustment is based on the number of years the member has been retired and results in an increase in the monthly pension payment by an amount between \$15 and \$35. Over a 25 year retirement, the adjustment results in a cumulative increase of approximately \$82,500.

The PORS has two cost of living adjustments. One is based on the earnings of a current, active member [Code Section 97A.6(14)(1)(a)] and the second is based on the number of years since retirement [Code Section 97A.6(14)(2)(a)]. Members of the PORS do not receive social security benefits for their PORS covered earnings.

#### **Assumptions**

1. The actuarial value of the escalator is 2.24% of covered wages for the PORS.
2. As of July 1, 2009, per the Actuarial Valuation Report for the PORS, the covered payroll was \$41.9 million.
3. There are currently 538 retired members of the PORS.
4. House File 2518 provides an additional \$15 for the first five years, \$20 for years 6-10, \$25 for years 11-15, \$30 for years 16-20, and \$35 for the remaining five years for an annual total of \$7,500 per employee.

#### **Fiscal Impact**

The change in escalation is a decrease of \$75,000 for a member surviving 25 years beyond their retirement date. The flat escalator language provides the PORS a savings of future benefits payable totaling approximately \$950,000 per year due to the elimination of compounding of the amounts indicated in Code Section 97A.14.

---

### ***Division II - Iowa Public Employee Retirement System (IPERS)***

---

***Sections 19, 21, 22, and 30 – The Act makes the following changes (effective July 1, 2012 (FY 2013)):***

- ***Increases the vesting requirement from four years to seven years.***
- ***Calculates retirement benefits using a member's high five years of salary instead of the current three years.***
- ***Implements a 6.0% per year reduction in retirement benefits for each year the member receives a retirement allowance before age 65 when a member retires prior to normal retirement age.***

## **Background**

Currently members vest at four years of completed service or at age 55 if active (making contributions to the plan). A vested member, meeting retirement eligibility requirements, is entitled to a lifetime retirement benefit based on a formula. Vested members also may purchase service credits. Vested members that leave IPERS covered employment and take a refund receive a portion of the employer's contributions made on their behalf plus interest. A member is always entitled to 100.0% of their own contributions and interest earnings.

Spiking occurs when wages are inflated and, as a result, the retirement benefit increases beyond what it would have been if wages increased incrementally as expected. The spiking control works by comparing the average wage with the wages for next highest year that is outside the average. Currently, the final average wage is compared to 121.0% of the fourth highest year's wages. The recommended change compares the final average wage to 134.0% of the sixth highest year. The benefit calculation uses whichever figure is lower. This continues to allow a wage increase of 10.0% a year.

Current law reduces the benefits of anyone that retires before meeting one of the normal retirement eligibility requirements by 3.0% a year. The current 3.0% a year reduction is figured from the nearest normal retirement eligibility. The recommendation proposes a reduction in benefits of 6.0% per year for a member that retires before meeting one of the normal retirement eligibility requirements. The reduction is applied from age 65.

## **Assumptions**

1. Benefit changes apply only to regular class IPERS members. Regular members include most IPERS members, but do not include sheriffs, deputies, and employees in protection occupations such as correctional officers, town police and firefighters, jailers, emergency medical service providers, and others.
2. Benefit changes are effective July 1, 2012, and are based on an estimated June 30, 2012, estimated valuation using a current valuation model.
3. All actuarial assumptions adopted by the IPERS investment board also apply, such as longevity, the percentage retiring at various ages, and salary increases for active members.
4. A 6.0% adjustment for early retirement reflects the actuarial cost to the system.

## **Fiscal Impact**

The changes:

- Reduce the present value of future benefits by \$1.2 billion.
- Reduce the normal cost rate by 90 basis points or 0.9%. The normal cost rate funds the increase in the present value of benefits that have accrued for service during a year.
- Reduce the unfunded actuarial liability (UAL) by \$750.0 million. The UAL is the difference between the actuarial liability, that portion of the present value of future benefits that will not be paid by future normal costs, and the actuarial value of assets at the same date.



The IPERS cannot provide cost savings for each benefit variable individually as the variables interact with each other and were estimated as a package.

### ***Section 31 – Cancer presumption for members of the IPERS special services groups.***

#### **Background**

- According to the American Cancer Society, within a person's lifetime, men have a one in two chance of developing an invasive cancer and women have a one in three chance. (Similar information regarding infectious diseases was unavailable).
- The IPERS Protection Occupation group includes 7,112 active members. Of these, 37.0% work for the Iowa Department of Corrections, 18.0% are county jailers, 15.0% are police, 13.0% are emergency management services workers, 8.0% are firefighters, and 9.0% include other occupations such as conservation and transportation officers, airport fire and safety officers, and others.

#### **Assumptions**

- The probability of a member becoming disabled is relatively small and the likelihood that the disability falls under the cancer and infectious disease category is even smaller. Few occurrences are expected to occur in future years.
- The additional benefit payable for an in-service retirement is not significantly larger than the benefit payable under an ordinary retirement (60.0% versus 50.0%) and for members with higher years of service (when disability rates are higher), there may be no difference because the full accrued benefit is paid in either scenario.

#### **Fiscal Impact**

##### **Protection Occupation**

The impact is an increase of 0.07 percentage point in the contribution rate. If the FY 2011 contribution rate included the cancer presumption, it would be 16.66% versus 16.59%. With the cost applied 60.0% to the employer and 40.0% to the employee, adding the cancer presumption would have increased the contribution rates in FY 2011 by .042 percentage point for the employer and .028 percentage point for the employee. Since FY 2011 rates have already been set, the change would be included in future actuarial valuations which determine rates.

##### **Sheriffs and Deputies**

The impact is an increase of 0.04 percentage point in the contribution rate. If the FY 2011 contribution rate included the cancer presumption, it would be 17.92% versus 17.88%. With the cost applied 50.0% to the employer and 50.0% to the employee, adding the cancer presumption would have increased the contribution rates in FY 2011 by .02 percentage point for the employer and .02 percentage point for the employee. Since FY 2011 rates have already been set, the change would be included in future actuarial valuations which determine rates.

***Section 33 - Extends the bona fide retirement exception for licensed health care professionals for two years.***

**Background**

Federal tax law requires qualified retirement plans to have a bona fide retirement period, a set time period when retirees demonstrate they ended employment and are entitled to retirement benefits. The standard bona fide retirement period for IPERS is four months. For the first month, a retiree must not work for an IPERS-covered employer, regardless of whether the job is IPERS-covered. A retiree also must stay out of an IPERS-covered job for an additional three months.

Current law allows licensed health care professionals to retire with IPERS benefits and return to work in one month. The exception sunsets June 30, 2010. This recommendation extends the exception for two years.

**Assumptions**

1. A shortened bona fide retirement period may encourage earlier retirements by making it easier for retirees to return to work.
2. Funding is affected when older members re-enter the system compared to younger members with more years to contribute before retirement.
3. The IPERS actuary must complete an experience study of employment and retirement behaviors to determine impact. The study will examine the impact of licensed health care professionals on the actuarial assumptions of expected behavior.

**Fiscal Impact**

1. Of the 14,748 active IPERS members employed by public hospitals, 7,245 are licensed health care professionals (5,348 active and 1,897 inactive). Of the active members, 1,406 are age 55 or older.
2. Based on a study period from July 1, 2004, through June 30, 2009, of the 491 licensed health care professionals that retired, 117 (23.8%) returned to work.
  - Of the 117 retirees that returned to work, 84 (71.8%) did so in less than four months.
  - Of the 84 that returned to work in less than four months, the median age at retirement was 60 with a median final average salary before retirement of \$46,732 and a median annual retirement benefit of \$24,447.
3. The IPERS actuary conducts an experience study every four years. The next study will be completed in the summer of 2010. The IPERS actuary will examine the shortened bona fide retirement period for licensed health care professionals.

***Section 33 - Creates a bona fide retirement exception for members called to State active duty with the National Guard with a retroactive effective date of May 25, 2008.***

**Assumptions**

To date there have been no known bona fide retirement violations as a result of the National Guard calling up members for State active duty.

**Fiscal Impact**

The fiscal impact for the bona fide retirement exception for members called to State active duty with the National Guard is anticipated to be minimal.

EMPLOYER TYPE	ACTIVE	TOTAL WAGES	MEMBER	EMPLOYER	COMBINED	MEMBER	EMPLOYER	COMBINED	DIFFERENCE
	MEMBER		CONTRIBUTION	CONTRIBUTION	RATE	CONTRIBUTION	CONTRIBUTION	RATE	
			4.70%	7.25%	11.95%	5.30%	8.15%	13.45%	
STATE	21,108	\$ 1,259,627,970	\$ 59,202,515	\$ 91,323,028	\$150,525,542	\$ 66,760,282	\$ 102,659,680	\$ 169,419,962	\$ 18,894,420
BOARD OF REGENTS	2,179	55,065,704	2,588,088	3,992,264	6,580,352	2,918,482	4,487,855	7,406,337	825,986
COUNTY	23,272	956,766,600	44,968,030	69,365,579	114,333,609	50,708,630	77,976,478	128,685,108	14,351,495
CITY	23,002	874,168,045	41,085,898	63,377,183	104,463,081	46,330,906	71,244,696	117,575,602	13,112,521
SCHOOL	87,734	3,386,540,773	159,167,416	245,524,206	404,691,622	179,486,661	276,003,073	455,489,734	50,798,112
COMM. COLLEGE	3,409	158,313,898	7,440,753	11,477,758	18,918,511	8,390,637	12,902,583	21,293,219	2,374,708
OTHER	5,535	192,729,963	9,058,308	13,972,922	23,031,231	10,214,688	15,707,492	25,922,180	2,890,945
	166,239	\$ 6,883,212,953	\$ 323,511,009	\$ 499,032,939	\$822,543,948	\$ 364,810,286	\$ 560,981,856	\$ 925,792,142	\$103,248,194
Member Averages		\$ 41,406	\$ 1,946	\$ 3,002	\$ 4,948	\$ 2,194	\$ 3,375	\$ 5,569	

Notes:

OTHER employer type includes municipal utilities, 28E organizations, Area Education Agencies, and miscellaneous small local entities.

## One Percentage Point Increase Per Year

		ACTIVE		MEMBER	EMPLOYER	COMBINED
	EMPLOYER TYPE	MEMBER	TOTAL WAGES	CONTRIBUTION	CONTRIBUTION	RATE
				5.70%	8.75%	14.45%
FY2013	STATE	21,108	\$ 1,310,013,089	\$ 74,670,746	\$ 114,626,145	\$ 189,296,891
FY2013	BOARD OF REGENTS	2,179	57,268,332	3,264,295	5,010,979	8,275,274
FY2013	COUNTY	23,272	995,037,264	56,717,124	87,065,761	143,782,885
FY2013	CITY	23,002	909,134,767	51,820,682	79,549,292	131,369,974
FY2013	SCHOOL	87,734	3,522,002,404	200,754,137	308,175,210	508,929,347
FY2013	COMM. COLLEGE	3,409	164,646,454	9,384,848	14,406,565	23,791,413
FY2013	OTHER	5,535	200,439,161	11,425,032	17,538,427	28,963,459
		<u>166,239</u>	<u>\$ 7,158,541,471</u>	<u>\$ 408,036,864</u>	<u>\$ 626,372,379</u>	<u>\$ 1,034,409,243</u>
Member Averages			\$ 43,062	\$ 2,455	\$ 3,768	\$ 6,222

		ACTIVE		MEMBER	EMPLOYER	COMBINED
	EMPLOYER TYPE	MEMBER	TOTAL WAGES	CONTRIBUTION	CONTRIBUTION	RATE
				6.10%	9.35%	15.45%
FY2014	STATE	21,108	\$ 1,362,413,613	\$ 83,107,230	\$ 127,385,673	\$ 210,492,903
FY2014	BOARD OF REGENTS	2,179	59,559,065	3,633,103	5,568,773	9,201,876
FY2014	COUNTY	23,272	1,034,838,755	63,125,164	96,757,424	159,882,588
FY2014	CITY	23,002	945,500,157	57,675,510	88,404,265	146,079,774
FY2014	SCHOOL	87,734	3,662,882,500	223,435,832	342,479,514	565,915,346
FY2014	COMM. COLLEGE	3,409	171,232,312	10,445,171	16,010,221	26,455,392
FY2014	OTHER	5,535	208,456,728	12,715,860	19,490,704	32,206,564
		<u>166,239</u>	<u>\$ 7,444,883,130</u>	<u>\$ 454,137,871</u>	<u>\$ 696,096,573</u>	<u>\$ 1,150,234,444</u>
Member Averages			\$ 44,784	\$ 2,732	\$ 4,187	\$ 6,919

		ACTIVE		MEMBER	EMPLOYER	COMBINED
	EMPLOYER TYPE	MEMBER	TOTAL WAGES	CONTRIBUTION	CONTRIBUTION	RATE
				6.50%	9.95%	16.45%
FY2015	STATE	21,108	\$ 1,416,910,157	\$ 92,099,160	\$ 140,982,561	\$ 233,081,721
FY2015	BOARD OF REGENTS	2,179	61,941,428	4,026,193	6,163,172	10,189,365
FY2015	COUNTY	23,272	1,076,232,305	69,955,100	107,085,114	177,040,214
FY2015	CITY	23,002	983,320,164	63,915,811	97,840,356	161,756,167
FY2015	SCHOOL	87,734	3,809,397,800	247,610,857	379,035,081	626,645,938
FY2015	COMM. COLLEGE	3,409	178,081,604	11,575,304	17,719,120	29,294,424
FY2015	OTHER	5,535	216,794,997	14,091,675	21,571,102	35,662,777
		<u>166,239</u>	<u>\$ 7,742,678,455</u>	<u>\$ 503,274,100</u>	<u>\$ 770,396,506</u>	<u>\$ 1,273,670,606</u>
Member Averages			\$ 46,576	\$ 3,027	\$ 4,634	\$ 7,662

		ACTIVE		MEMBER	EMPLOYER	COMBINED
	EMPLOYER TYPE	MEMBER	TOTAL WAGES	CONTRIBUTION	CONTRIBUTION	RATE
				6.90%	10.55%	17.45%
FY2016	STATE	21,108	\$ 1,473,586,564	\$ 101,677,473	\$ 155,463,382	\$ 257,140,855
FY2016	BOARD OF REGENTS	2,179	64,419,085	4,444,917	6,796,213	11,241,130
FY2016	COUNTY	23,272	1,119,281,597	77,230,430	118,084,209	195,314,639
FY2016	CITY	23,002	1,022,652,970	70,563,055	107,889,888	178,452,943
FY2016	SCHOOL	87,734	3,961,773,712	273,362,386	417,967,127	691,329,513
FY2016	COMM. COLLEGE	3,409	185,204,869	12,779,136	19,539,114	32,318,250
FY2016	OTHER	5,535	225,466,797	15,557,209	23,786,747	39,343,956
		<u>166,239</u>	<u>\$ 8,052,385,593</u>	<u>\$ 555,614,606</u>	<u>\$ 849,526,680</u>	<u>\$ 1,405,141,286</u>
Member Averages			\$ 48,439	\$ 3,342	\$ 5,110	\$ 8,453

1. All active member counts are based on FY 2009 actuarial data and include all members active anytime during the year.
2. Expected FY 2010 total wages are from Exhibit 11, FY 2009 Valuation report.
3. The FY 2011 through FY 2016 total wages are compounded by 4.0% annually per actuarial assumptions.
4. OTHER employer type includes municipal utilities, 28E organizations, Area Education Agencies, and miscellaneous small local entities.

***Section 36 - Extends the current wage purchase credit rules relative to furloughs for IPERS members for an additional year and allows the rules to apply to union bumping rights with a retroactive effective date of January 1, 2009.***

#### **Background**

This provision allows IPERS members with reduced wages because of a furlough or mandatory unpaid days, or because of bumping within a layoff plan, to make up both the employer and employee contributions to IPERS for that time. When they make up the contributions, IPERS records the wages at the level they would have been without the loss of pay.

#### **Assumptions**

1. Employees near retirement would make up contributions to preserve the wages used in the retirement benefit formula and thus maintain the level of retirement benefits they would have received without the reduction in pay.
2. Employees that are not near retirement will not make up IPERS contributions.

#### **Fiscal Impact**

The cost of extending the current wage purchase credit for furloughs for an additional year and applying it to union bumping rights cannot be determined because IPERS does not know how widespread furloughs will be beyond State government. IPERS does not anticipate major additional costs.

There is a related cost to furloughs because IPERS loses contributions from everyone that is taking a furlough and not retiring. Only those employees retiring will make up lost contributions and will receive a higher benefit because of it.

---

### ***Division III - Municipal Fire and Police Retirement System (411 System)***

---

#### ***Section 54 - Phase-out of the State's contribution to the 411 System.***

#### **Background**

In 1976, the General Assembly enacted benefit improvements under Chapter 411 and provided the improvements be paid for by the following:

- Additional member contributions at the rate of 1.21%.
- State of Iowa contributions to pay for the cost of benefits above the 1.21% to be determined by an actuarial valuation of cost to each of the 87 local systems for 49 cities.

In 1979, the contribution rate paid by the State of Iowa was calculated at an average for all local systems instead of individual city valuations. The rate was set at 3.79% of earnable compensation.

The standing appropriation is capped in Code Section 8.59.

### **Assumptions**

1. If the State's contribution to the benefit plan is eliminated, the city contribution rate (as a percent of earnable compensation) and dollars will increase by the corresponding amount.
2. The FY 2010 General Fund contribution was \$2,503,510 (1.08%). After the 10.0% across-the-board reduction, the amount is \$2,253,159.
3. Assumes a 7.5% return on investments.

### **Fiscal Impact**

#### **Phase Out of the State Contribution to the 411 System**

	<b>411 System</b>	<b>General Fund</b>
	<b>Standing Appropriation</b>	<b>Appropriation Reduction</b>
FY 2010	\$ 2,253,159	\$ 0
FY 2011	\$ 1,500,000	\$ 753,159
FY 2012	\$ 750,000	\$ 750,000
FY 2013	\$ 0	\$ 750,000

#### **Estimated Impact to the Cities Contribution Rate**

<b>Fiscal Year</b>	<b>Current Estimated City Contribution Rate Changes Including the State Appropriation</b>	<b>Estimated City Contribution Rate Changes Without the State Appropriation</b>
2011	19.90%	20.38%
2012	24.91%	25.64%
2013	29.92%	30.90%
2014	35.32%	36.26%
2015	38.55%	39.45%

### **Enactment Date**

This Act was approved by the General Assembly on March 18, 2010, and signed by the Governor on April 23, 2010.

**Funding Source:** The standing unlimited appropriation for the purchase of eligible service credit is estimated to be \$135,000 for FY 2011. Beginning July 1, 2011 (FY 2012), the employee and employer contribution rate increases for the POR System and for IPERS will be paid from the State General Fund. The \$5.0 million per year for the POR System beginning July 1, 2012 (FY 2013) is a standing limited from the State General Fund.

### **Sources**

Iowa Public Employees' Retirement System (IPERS)  
Peace Officers Retirement System (PORS)  
Municipal Police and Fire (411 System)  
League of Cities

---

**SF 2062** – Early Retirement Act

Analyst: Ron Robinson (Phone: 515-281-6256) ([ron.robinson@legis.state.ia.us](mailto:ron.robinson@legis.state.ia.us))

Fiscal Note Version – Final Action

---

**Senate File 2062** establishes a State Employee Retirement Incentive Program for eligible employees of the Executive Branch of the State and makes the Program optional for the Legislative and Judicial Branches, and the Board of Regents institutions. Elected officials and employees eligible for an enhanced Sick Leave Conversion Program under Code Section 70A.23(4) (Sworn Peace Officers) are excluded from participating in the Program. The Program is to be administered by the Department of Administrative Services (DAS). The Act permits eligible employees that have completed an application for benefits under the Iowa Public Employees' Retirement System (IPERS) with an intended first month of entitlement no later than July 2010 to separate from service with the State and receive a benefit under the Program. To receive the incentive benefit, an eligible employee must submit an application to participate in the Program by April 15, 2010, be accepted to participate in the Program by the DAS, separate from State employment by June 24, 2010, and acknowledge the employee's ineligibility to return to employment with the State.

The Act provides two incentives to eligible employees that participate in the Program:

- If the employee has at least 10 years of State employment, \$1,000 will be paid to the employee for each year of State employment up to 25 years. The amount is to be paid in five equal installments each year during September beginning in 2010.
- A participant in the Program (or the surviving spouse) will receive a health insurance contribution benefit to pay the premium cost for eligible State group health insurance for five years following termination from State employment. A participant will receive the health insurance contribution benefit only when the participant is no longer eligible for, or exhausts, the available remaining value of sick leave used to pay the State share for the participant's continuation of State group health insurance coverage as provided in Code Section 70A.23(3).

The Act prohibits Executive Branch agencies, excluding the Board of Regents, from filling vacancies created by employees participating in the Program unless approved by the Department of Management (DOM). In addition, the Act prohibits early retirement participants under this Program from resuming State employment in any capacity.

This Act was effective on February 10, 2010.

**Background**

As of February 1, 2010, there were approximately 6,000 IPERS employees age 55 or older on the Central Payroll System that could qualify to participate. Of those employees, approximately 2,200 are eligible for full retirement benefits by meeting at least one of the following:

- Age and years of service equal at least 88.
- At least age 62 with 20 years of service.
- At least 65 years of age.

The General Assembly has enacted at least three early retirement programs, including:

- Senate File 551 (2<sup>nd</sup> Extraordinary 2001 Session) had 4,289 eligible participants and 594 chose to participate (13.8%). The Act provided for two early termination programs, a Years of Service (YOS) Program and a Sick Leave Program. The YOS Program was optional at the discretion of the State and provided for the payment to people with at least 10 years of service to receive the lesser of the employee's annual salary or \$250 for each quarter year of service. The Sick Leave Program was offered to employees with a total age plus years of service of at least 75. The Program provided for the payment of the lesser of the employee's regular annual salary or the value of the employee's unused sick leave.
- House File 2625 (2<sup>nd</sup> Extraordinary 2002 Session) had 4,564 eligible participants and 148 chose to participate (3.2%). The Act provided for the payment of one-fifth of the value of the employee's accumulated unused sick leave and vacation each year for five years. The sick leave portion was limited to one year's salary. Eligible employees were required to have a combined age and years of service of at least 75.
- House File 2497 (2004 Regular Session) had 5,367 eligible participants and 273 chose to participate (5.1%). The Act provided an incentive to sever employment with the State by paying the employee the lesser of 75.0% of the employee's regular salary or an amount equal to 75.0% of the value of the employee's accumulated sick leave.

Since the second and third programs followed shortly after the first program, it is anticipated the participation rate for the proposed Program will be closer to the first program. It is also anticipated that the potential changes to IPERS legislation and permitting the surviving spouse to continue the health insurance benefit during the term of the Program will increase participation.

For the prior three programs listed above, of the 988 participants on Central Payroll, a total of 397 (40.2%) had been deleted from Central Payroll as of October 31, 2007. It is anticipated the current budget constraints will decrease the number of positions that are backfilled.

The Board of Regents institutions continue to offer early termination incentives. Most of the Board of Regents employees are not covered by IPERS. The Board of Regents institutions do not anticipate any participation.

Under current law, qualified employees that terminate are entitled to payment of up to \$2,000 of unused sick leave, contribution toward health insurance under the Sick Leave Incentive Plan (SLIP), and payment of unused vacation. Therefore, those expenses are not included in these calculations.

### **Assumptions**

- The participation rate will be approximately 900 (15.0%) of the approximately 6,000 identified eligible employees and approximately 405 (45.0%) of the positions will be backfilled over a three-year period.
- Positions that are backfilled will require 80.0% of the current cost of wages and benefits and the costs of the backfilled position will increase 4.5% each year.
- The Legislative Branch will participate and the Judicial Branch will not participate.
- Health insurance costs will increase 12.0% annually.



- There will be no significant administrative costs.
- The mortality of this group of eligible employees is not considered.
- Departments will assume the sick leave, vacation buy-back, and years of service, costs over the next five years at 20.0% each year.
- For Community-Based Corrections (CBCs) the bank balance for vacation was estimated at 157.6 hours and for sick leave it was estimated at 496.0 hours for each position since that data is not on Central Payroll.
- The current annual average wage and benefit costs for the identified eligible employees is approximately \$74,000.

### **Fiscal Impact**

**Senate File 2062** is expected to result in FY 2010 savings of \$973,000 for all funds, including \$439,000 for the General Fund, from salary costs when eligible employees terminate during FY 2010.

Senate File 2062 is also expected to result in future cost savings as follows:

	(dollars in millions)					
	<u>FY 2011</u>	<u>FY 2012</u>	<u>FY 2013</u>	<u>FY 2014</u>	<u>FY 2015</u>	<u>Total</u>
General Fund	\$ 22.8	\$ 17.8	\$ 12.8	\$ 11.4	\$ 10.1	\$ 74.9
Road Use Tax Fund	0.8	0.6	0.5	0.4	0.3	2.6
Primary Road Fund	6.3	5.0	3.6	3.1	2.6	20.6
Federal Funds	9.5	7.5	5.5	4.9	4.4	31.8
Other Funds	14.3	11.3	8.2	7.3	6.4	47.5
<b>Total</b>	<u>\$ 53.7</u>	<u>\$ 42.2</u>	<u>\$ 30.6</u>	<u>\$ 27.1</u>	<u>\$ 23.8</u>	<u>\$ 177.4</u>

**Funding Source:** The source of funding for the new retirement incentives will be from all funding sources used for the payment of employee salaries to the extent that the use of those funds for this purpose are not prohibited.

**Enactment Date:** This Act was approved by the General Assembly on February 4, 2010, and signed by the Governor on February 10, 2010.

### **Sources**

Department of Management  
 Department of Administrative Services  
 Iowa Public Employees' Retirement System  
 Legislative Services Agency

---

**SF 2333** – Dependent Adult Abuse Act

Analyst: Joseph Brandstatter (Phone: 515-281-8223) ([joseph.brandstatter@legis.state.ia.us](mailto:joseph.brandstatter@legis.state.ia.us))

Fiscal Note Version – Final Action

---

**Senate File 2333** establishes explicit qualifications for hospital inspectors. With respect to dependent adult abuse reports in programs and facilities, an inspector of the Department of Inspections and Appeals (DIA) may enter a facility without a warrant and examine all records pertaining to residents, employees, former employees, and the alleged dependent adult abuser. If the inspector knows or learns during the investigation that alleged abuse is suspected, the inspector is required to provide that information to the program or facility. The DIA is required to inform the person suspected of dependent adult abuse of that suspicion and inform the individual about the criminal consequences and their right to have legal council.

Upon the finding of dependent adult abuse, the caretaker may file an appeal request within fifteen days of receiving the notification of abuse. If the request is filed, the caretaker will not be placed on the Dependent Adult Abuse Registry until final agency action is taken. If the appeal is filed within the fifteen day timeframe, the contested case hearing will take place within sixty days. A final decision will be issued forty-five days from the contested case hearing.

The Act requests the Legislative Council to appoint an interim study committee to evaluate due process requirements relating to child abuse and dependent adult abuse.

### **Background**

The Abuse Coordinating Unit schedules two hearings per week and contested case hearings are heard on average six months from the date of the appeal. Either party may request a continuance as well. Requiring compressed turn around time will require additional staffing to be able to prepare the cases in an expedited time frame.

### **Assumptions**

- There were 243 founded cases during FY 2009. The fiscal estimate assumes there will be the same number in FY 2011.
- The DIA will add 5.0 FTE positions to be in compliance to reduce the timeframe of appeals to forty-five days and final decision in sixty days. The new positions will include 2.0 Attorneys, 1.0 Compliance Officer, and 2.0 Administrative Law Judges.
- Additional costs for attorney travel, supplies, and communications would be required.

### **Fiscal Impact**

The additional cost to the General Fund is estimated to be \$497,000 and 5.0 FTE positions for FY 2011 and \$508,000 for FY 2012.

### **Enactment Date**

This Act was approved by the General Assembly on March 22, 2010, and signed by the Governor on April 29, 2010.

### **Source**

Department of Inspections and Appeals

---

**SF 2356** – Health Care Reform ActAnalyst: Deborah Helsen (Phone: 515-281-6764) ([deborah.helsen@legis.state.ia.us](mailto:deborah.helsen@legis.state.ia.us))Jess Benson (Phone: 515-281-4611) ([jess.benson@legis.state.ia.us](mailto:jess.benson@legis.state.ia.us))Fiscal Note Version – Final Action

---

**Senate File 2356** creates an interim study regarding premium assistance for individuals with income between 200.0% and 300.0% of the Federal Poverty Level (FPL). The Act expands the provider network for the current IowaCare Program and directs the Department of Public Health to develop a plan for coordination of care for individuals with diabetes. The Act creates the Iowa Insurance Information Exchange that is established in the Insurance Division of the Department of Commerce.

**Total Fiscal Impact:** The chart below indicates the fiscal impact for this Act.

<b>Senate File 2356</b>	<b>FY 2011</b>	<b>FY 2012</b>
<b>Division I - IowaCare Provider Expansion</b>		
U of I Physicians, Federally Qualified Health Centers, Non Participating Provider Reimbursement	\$ 22,000,000	\$ 22,000,000
Less Certified Public Expenditure Revenue	\$ -22,000,000	\$ -22,000,000
Net Iowa Care Provider Expansion Impact	\$ 0	\$ 0
<b>Division I - Diabetes Coordination of Care</b>		
DPH Staffing	0	0
<b>Total Division I</b>	<u>\$ 0</u>	<u>\$ 0</u>
<b>Division II - Iowa Insurance Division</b>		
Staff for the Exchange	\$ 125,000	\$ 125,000
Develop and Maintain Web Portal	25,000	25,000
<b>Total Division II</b>	<u>\$ 150,000</u>	<u>\$ 150,000</u>
<b>Total</b>	<u><u>\$ 150,000</u></u>	<u><u>\$ 150,000</u></u>

---

**DIVISION I**

---

**IowaCare Program Study**

**Division I** requests the Legislative Council to establish an interim study committee to look at options for establishing a health care premium assistance program for individuals between the ages of 19-64 with income more than 200.0%, but less than 300.0%, of the federal poverty level. The committee is to report findings and recommendations to the General Assembly by December 15, 2010.

**IowaCare Provider Network Expansion**

**Division I** directs the Department to amend the extension proposal for the IowaCare Program to allow members to utilize additional providers including a regional provider network, private providers, and hospitals designated by the Department and requires tertiary care to be provided at the University of Iowa. The Department is to use certified public expenditures at the University of Iowa to leverage additional federal funding.

**Diabetic Registry**

**Division I** directs the Department of Public Health to work with the appropriate entities to develop a plan for coordination of care for individuals with diabetes receiving care through members of the Iowa Collaborative Safety Net Provider Network. This Section provides permission for several activities the Department may consider, such as implementation of a diabetes registry.

**Assumptions****IowaCare Provider Network Expansion**

- Assumes there are approximately 124,000 uninsured adults with income below 200.0% of the FPL.
- Assumes current estimated expenditures for FY 2011 will be \$124.0 million and average enrollment will be 39,500 in FY 2011 and 42,000 in FY 2012.
- Adding a primary care network of Federally Qualified Health Centers (FQHC) will add an additional \$300.0 in cost per member per year.
- Funding for the FQHCs is limited to the additional funding received from the certified public expenditures.
- The State will use \$7.26 million from the University of Iowa Hospitals and Clinics (UIHC) to leverage an additional \$14.74 million in federal funding.
- Assumes \$22.0 million will be divided between physicians at the UIHC, FQHCs, and the IowaCare Nonparticipating Provider Reimbursement Fund.
- Assumes that there is \$22.0 million in State and federal funding under the budget neutrality cap.
- Assumes DHS will implement a waiting list to limit program expenditures within the budget neutrality cap.
- Expansion beyond the budget neutrality cap is subject to federal participation.

**Fiscal Impact****IowaCare Provider Network Expansion**

Leveraging certified public expenditures at the UIHC will generate an additional \$22.0 million in State and federal revenue for the IowaCare Program bringing the program to the budget neutrality cap. With the changes in this Act, the Program will have an additional \$22.0 million in expenditures. The IowaCare provider network expansion has a net impact of zero.

**Diabetes – Plan for Coordination of Care**

This Section will have a minimal impact to the DPH due to staff time dedicated to the development of a plan for the coordination of care for diabetes patients.

---

## **Division II**

---

### **Iowa Insurance Information Exchange**

**Division II** creates the Iowa Insurance Information Exchange under the Insurance Division in the Department of Commerce. The Commissioner of Insurance is directed to work with the existing Legislative Health Care Coverage Commission to develop a plan of operation for the Exchange. The Commissioner is charged with additional duties including, but not limited to:

- Providing an annual report to the General Assembly by December 15 that includes the financial transactions related to the establishment and operation of the Exchange.
- Reporting on the progress of the Exchange at each Commission meeting and providing recommendations as needed.
- Developing and maintaining information for consumers relating to public and private health insurance coverage options on the Insurance Division's website.
- Providing information to taxpayers relating to the costs of public health care programs to the State and utilizing information provided from the Department of Public Health and the Department of Human Services.

### **Assumptions**

- Staffing costs for the Iowa Insurance Division to implement and support the Exchange and the reporting requirements specified in the Act, including support and benefits, will be \$125,000 for 1.5 FTE positions.
- The Insurance Division will implement and maintain information on their website utilizing 0.25 FTE position at a cost of \$25,000.

### **Fiscal Impact**

The fiscal impact of Division II is an estimated cost of \$150,000 for FY 2011 and FY 2012.

Funding Source - There is an appropriation made in HF 2531 (FY 2010 Standing Appropriation Act) from the Iowa Comprehensive Petroleum Underground Storage (UST) Tank Fund of \$150,000 for FY 2011 for the costs of Division II. Senate File 2201 (2010 Insurance Omnibus Act) permits the Commissioner of Insurance, if necessary, to assess the costs of implementing and maintaining the website information to the health insurance carriers that are licensed in the State of Iowa.

### **Enactment Date**

This Act was approved by the General Assembly on March 27, 2010, and signed by the Governor on April 14, 2010.

### **Sources**

Department of Human Services  
Iowa Insurance Division

## 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 the ***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, provides background information, and explains the current situation. In addition, the papers identify affected agencies and the Code 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 2009 Legislative Interim or the 2010 Legislative Session and are available from the Fiscal Services Division or the LSA website: <http://staffweb.legis.state.ia.us/lfb/ireview/ireview.htm>.

- [Community Empowerment](#)
- [Court Debt Collection](#)
- [FY 2011 General Fund Budget Projection](#)
- [Narrowband Mandate and Statewide Interoperability](#)
- [Regents Employees – FY 2001-FY 2010](#)
- [School Aid Funding for FY 2010 and FY 2011](#)

## FISCAL TOPIC SERIES

The Fiscal Services Division developed the ***Fiscal Topic*** series in 2008 to provide succinct overviews of programs, issues, and current developments in State government. Each document is one to two pages in length and includes links to related websites and staff contact information.

The following ***Fiscal Topics*** were published during the 2009 Legislative Interim or the 2010 Legislative Session and are available from the Fiscal Services Division or the LSA website: <http://www.legis.state.ia.us/Fiscal/fiscaltopics/>.

[411 System Deferred Retirement Option Plan](#)

[Across-the-Board Reductions](#)

[Community-Based Corrections](#)

[Community College Revenue](#)

[Criminal Fine Revenue and Surcharge Distribution](#)

[Enhanced 911 Program](#)

[Environment First Fund](#)

[FY 2009 State Gaming Revenues](#)

[History of Changes to Road Funding Distributions in Iowa](#)

[Iowa College Student Aid Commission](#)

[Iowa Mathematics and Science Education Partnership](#)

[IPERS Retirement Dividend Payments](#)

[Iowa Veterans Cemetery](#)

[Legal Representation for Indigent Defendants](#)

[Medicaid HCBS Waivers](#)

[Military Service Member Home Ownership Program](#)

[Peace Officers Retirement Fund](#)

[Regents Universities Total Revenues and Expenditures](#)

[Resource Enhancement and Protection \(REAP\) Fund](#)

[School Aid Formula – Additional Levy Components](#)

[Senior Living Trust Fund](#)

[Shelter Care](#)

[Social Services Emergency Disaster Relief Grant](#)

[Volunteer Fire Departments](#)

# 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 analysts in the Fiscal Services Division 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.

### [Monthly Total Tax Memo](#)

- This memo, issued monthly, provides fiscal analysis of net State total tax receipts for the past 12 months, with comparisons to the previous 12-month period. The source of information is the State accounting system, including non-General Fund accounts. All accounting transactions related to taxes remitted to the State are collected, along with refunds issued against those taxes.

### [Fiscal Update](#)

- This is the Fiscal Services Division's 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](#)

- The appropriations tracking system allows the user to build standard or custom reports to summarize appropriations by committee, bill, fund, and/or department. The LSA also issues standard tracking reports on appropriations bills as part of the NOBA process.

### [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 and provides an appropriations summary and comparison of prior fiscal year appropriations.

# FISCAL SERVICES DIVISION REPORTS

## PERIODIC REPORTS

### Fiscal Topics

- These reports provide succinct overviews of programs, issues, and current developments in State government. Each document is one to two pages in length and includes links to related websites and staff contact information. *Fiscal Topics* are typically published during the Legislative Interim to address items of interest or controversy from the previous Legislative Session.

### Issue Reviews

- As part of the continuing effort to provide legislative oversight, the staff of the Fiscal Services Division monitors a variety of issues that develop in State agencies. Many of these are reported through the *Fiscal Update* newsletter, but some require more detailed review to present sufficient information, and some may require legislative action. To meet this need, the Division has developed an *Issue Review* series that presents selected issues to the Fiscal Committee. Where appropriate, each paper contains a specific issue topic, a brief background on information related to the topic, the current situation, affected agencies, Code authority, alternatives the General Assembly may wish to consider, and budgetary impacts.

### INTERNET ADDRESS

- Visit the Fiscal Services Division website at <http://staffweb.legis.state.ia.us/lfb/>