

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
APPROPRIATIONS BILL BY  
CHAIRPERSON RAECKER)

**A BILL FOR**

1 An Act relating to public funding and regulatory matters and  
2 making, reducing, and transferring appropriations and  
3 revising fund amounts and including effective, retroactive,  
4 and other applicability date provisions, and making  
5 penalties applicable.  
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I  
TAX RELIEF FUND

Section 1. Section 8.55, subsection 2, Code 2011, is amended to read as follows:

2. a. The maximum balance of the fund is the amount equal to two and one-half percent of the adjusted revenue estimate for the fiscal year. If the amount of moneys in the Iowa economic emergency fund is equal to the maximum balance, moneys in excess of this amount shall be transferred to the ~~general~~ tax relief fund.

b. Notwithstanding paragraph "a", any moneys in excess of the maximum balance in the economic emergency fund after the distribution of the surplus in the general fund of the state at the conclusion of each fiscal year shall not be transferred to the ~~general~~ tax relief fund of the state but shall be transferred to the senior living trust fund. The total amount appropriated, reverted, or transferred, in the aggregate, under this paragraph, section 8.57, subsection 2, and any other law providing for an appropriation or reversion or transfer of an appropriation to the credit of the senior living trust fund, for all fiscal years beginning on or after July 1, 2004, shall not exceed the amount specified in section 8.57, subsection 2, paragraph "c".

Sec. 2. NEW SECTION. 8.57E Tax relief fund.

1. The tax relief fund is created. The fund shall be separate from the general fund of the state and the balance in the fund shall not be considered part of the balance of the general fund of the state. The moneys credited to the fund are not subject to section 8.33 and shall not be transferred, used, obligated, appropriated, or otherwise encumbered except as provided in this section.

2. Moneys in the tax relief fund shall only be used as pursuant to appropriations made by the general assembly to reduce taxes.

3. a. Moneys in the fund may be used for cash flow purposes

1 during a fiscal year provided that any moneys so allocated are  
2 returned to the fund by the end of that fiscal year.

3 *b.* Except as provided in section 8.58, the tax relief fund  
4 shall be considered a special account for the purposes of  
5 section 8.53 in determining the cash position of the general  
6 fund of the state for the payment of state obligations.

7 4. Notwithstanding section 12C.7, subsection 2, interest  
8 or earnings on moneys deposited in the tax relief fund shall  
9 be credited to the fund.

10 Sec. 3. Section 8.58, Code 2011, is amended to read as  
11 follows:

12 **8.58 Exemption from automatic application.**

13 1. To the extent that moneys appropriated under section  
14 8.57 do not result in moneys being credited to the general  
15 fund under section 8.55, subsection 2, moneys appropriated  
16 under section 8.57 and moneys contained in the cash reserve  
17 fund, rebuild Iowa infrastructure fund, environment first  
18 fund, ~~and~~ Iowa economic emergency fund, and tax relief fund  
19 shall not be considered in the application of any formula,  
20 index, or other statutory triggering mechanism which would  
21 affect appropriations, payments, or taxation rates, contrary  
22 provisions of the Code notwithstanding.

23 2. To the extent that moneys appropriated under section  
24 8.57 do not result in moneys being credited to the general fund  
25 under section 8.55, subsection 2, moneys appropriated under  
26 section 8.57 and moneys contained in the cash reserve fund,  
27 rebuild Iowa infrastructure fund, environment first fund, ~~and~~  
28 Iowa economic emergency fund, and tax relief fund shall not be  
29 considered by an arbitrator or in negotiations under chapter  
30 20.

31 Sec. 4. TAX RELIEF FUND — LEGISLATIVE INTENT. It is the  
32 intent of the general assembly to enact appropriations from the  
33 tax relief fund created by this division of this Act pursuant  
34 to tax relief legislation which shall be proposed by the  
35 standing committees on ways and means of the senate and house

1 of representatives.

2 Sec. 5. EFFECTIVE DATE AND APPLICABILITY.

3 1. This division of this Act, being deemed of immediate  
4 importance, takes effect upon enactment.

5 2. The amendment in this division to section 8.55, providing  
6 for transfer of moneys from the Iowa economic emergency fund  
7 to the tax relief fund instead of the general fund of the state  
8 applies to transfers made from the Iowa economic emergency  
9 fund on or after the effective date of this division and shall  
10 be incorporated in the state general expenditure limitation  
11 calculated for the fiscal year beginning July 1, 2011.

12 DIVISION II

13 UNIFORM PROVISIONS

14 Sec. 6. GROUP HEALTH INSURANCE PREMIUM COSTS FOR STATE  
15 EMPLOYEES.

16 1. The state's executive and judicial branch authorities  
17 responsible for negotiating the collective bargaining  
18 agreements entered into under chapter 20 shall engage in  
19 discussions with the applicable state employee organizations  
20 to renegotiate provisions involving health insurance coverage  
21 of state employees and their families in order to achieve cost  
22 savings for the state. The discussions shall include but  
23 are not limited to a requirement for a state employee who is  
24 covered by a collective bargaining agreement and is a member of  
25 state group health insurance plan for employees of the state  
26 established under chapter 509A to pay at least fifty dollars  
27 per month of the total premium for such health plan coverage  
28 for single persons or increase the amount paid per month for  
29 family coverage by the same amount that would be paid for the  
30 single persons coverage.

31 2. If collective bargaining agreements are renegotiated  
32 to achieve cost savings pursuant to subsection 1, the cost  
33 savings provisions shall also apply to state employees who are  
34 not covered by collective bargaining as provided in chapter  
35 20 and are members of a state group health insurance plan for

1 employees of the state established under chapter 509A.

2 3. Beginning on the effective date of this section or  
3 March 1, 2011, whichever is earlier, a state legislator or  
4 legislative staff member who is a member of a state group  
5 health insurance plan for employees of the state established  
6 under chapter 509A shall pay at least fifty dollars per month  
7 of the total premium for such health care coverage for single  
8 persons or increase the amount paid per month for family  
9 coverage by the same amount that would be paid for the single  
10 persons coverage. The payment amount shall be determined  
11 by the legislative council, subject to the minimum amount  
12 specified in this subsection.

13 Sec. 7. STATE AGENCY OFFICE SUPPLIES, OUTSIDE SERVICES  
14 PURCHASE, EQUIPMENT PURCHASES, PRINTING AND BINDING,  
15 INFORMATION TECHNOLOGY, AND MARKETING.

16 1. For the purposes of this section, "department" means the  
17 same as defined in section 8.2.

18 2. a. For the period beginning on the effective date of  
19 this section through the close of the fiscal year ending on  
20 June 30, 2011, each state department shall be subject to a  
21 limitation on expenditures made on or after the effective date  
22 of this section for office supplies, outside services purchase,  
23 purchases of equipment, office equipment, and equipment  
24 noninventory, printing and binding, information technology, and  
25 marketing in accordance with this section.

26 b. The limitation shall be equal to 50 percent of the  
27 unexpended or unencumbered amount that a department has  
28 budgeted or otherwise designated for purposes of office  
29 supplies, outside services purchase, purchases of equipment,  
30 office equipment, and equipment noninventory, printing and  
31 binding, information technology, and marketing from the  
32 appropriations made from all sources for the fiscal year  
33 beginning July 1, 2010, and ending June 30, 2011, to the  
34 department from all sources, as of the effective date of this  
35 section.

1 c. If another provision of this Act directs a department  
2 to apply a limitation on expenditures made for information  
3 technology or reduces the information technology portion of  
4 an appropriation made to the department, such limitation or  
5 reduction shall be in lieu of the limitation on expenditures  
6 for information technology otherwise applicable under this  
7 subsection.

8 3. For the period beginning on the effective date of this  
9 section through the close of the fiscal year ending on June 30,  
10 2011, out-of-state travel by an employee of a department, which  
11 travel is funded in whole or in part by an appropriation from  
12 the general fund of the state, shall not be authorized unless  
13 a waiver for the travel is approved by the executive council.  
14 The executive council shall adopt waiver criteria based on the  
15 relative importance of the travel to fulfilling statutorily  
16 required duties, the potential for the travel to bring cost  
17 savings or enhanced revenues for the state, and other means  
18 to determine whether the benefit or potential benefit of the  
19 travel significantly outweighs the potential cost.

20 4. The committees on appropriations of the senate and  
21 house of representatives shall recommend legislation applying  
22 a directive for the executive branch to implement a master  
23 marketing contract for state agencies that commences on or  
24 before July 1, 2011.

25 Sec. 8. REVENUE ESTIMATING CONFERENCE MEETING. Upon the  
26 request of the speaker of the house of representatives or  
27 the majority leader of the senate, the revenue estimating  
28 conference shall meet on a date in February or March 2011, as  
29 specified in the request. At this meeting, in addition to the  
30 estimates normally agreed to at the meetings of the conference,  
31 the conference shall also agree on estimates for fiscal year  
32 2012-2013.

33 Sec. 9. Section 7E.3, Code 2011, is amended by adding the  
34 following new subsection:

35 NEW SUBSECTION. 5. *Adult unauthorized aliens.* Unless

1 expressly authorized by federal or state law, ensure that the  
2 public benefits administered by the department or independent  
3 agency are not provided to adults who are unauthorized aliens  
4 not lawfully present in the United States.

5 Sec. 10. NEW SECTION. **8A.440 Group health insurance premium**  
6 **costs.**

7 1. Collective bargaining agreements entered into pursuant  
8 to chapter 20 for state employees shall provide that a state  
9 employee covered by that agreement who is a member of a  
10 state group health insurance plan for employees of the state  
11 established under chapter 509A shall pay at least fifty dollars  
12 per month of the total premium for such insurance for single  
13 persons or increase the amount paid per month for family  
14 coverage by the same amount that would be paid for the single  
15 persons coverage.

16 2. A state employee not covered by a collective bargaining  
17 agreement as provided in chapter 20 who is a member of a  
18 state group health insurance plan for employees of the state  
19 established under chapter 509A shall pay the same amount per  
20 month of the total premium for such insurance as is paid under  
21 the collective bargaining agreement that covers the greatest  
22 number of state employees in the state government entity  
23 employing the state employee.

24 Sec. 11. Section 68B.8, Code 2011, is amended by adding the  
25 following new unnumbered paragraph:

26 NEW UNNUMBERED PARAGRAPH. A state agency of the executive  
27 branch of state government shall not employ a person through  
28 the use of its public funds whose position with the agency is  
29 primarily representing the agency relative to the passage,  
30 defeat, approval, or modification of legislation that is being  
31 considered by the general assembly.

32 Sec. 12. APPLICABILITY. The provision of this division  
33 of this Act enacting section 8A.440, applies to collective  
34 bargaining agreements entered into on or after the effective  
35 date of this division of this Act.

1     Sec. 13. EFFECTIVE UPON ENACTMENT. This division of this  
2 Act, being deemed of immediate importance, takes effect upon  
3 enactment.

4                                   DIVISION III

5                                   ADMINISTRATION AND REGULATION

6     Sec. 14. JOINT APPROPRIATIONS SUBCOMMITTEE ON  
7 ADMINISTRATION AND REGULATION REQUIREMENTS. The joint  
8 appropriations subcommittee on administration and regulation  
9 shall develop and, on or before April 4, 2011, shall submit  
10 recommended implementation provisions to the general assembly's  
11 committees on appropriations in proposed legislation concerning  
12 all of the following:

13     1. Eliminating and selling the pool of state-owned  
14 passenger vehicles located in Polk county for temporary  
15 assignment to multiple drivers of a department or agency that  
16 is located within Polk county. The recommendations shall not  
17 encompass vehicles assigned for law enforcement purposes or for  
18 specialized use by the department of natural resources.

19     2. Outsourcing state vehicle leasing through a private  
20 entity to fill the needs addressed by the vehicles subject to  
21 sale under subsection 1.

22     Sec. 15. DEPARTMENT OF ADMINISTRATIVE SERVICES —  
23 STATE-OWNED PASSENGER VEHICLES.

24     1. Consistent with the requirements of section 8A.361, for  
25 the period beginning on the effective date of this section  
26 and ending June 30, 2011, the department of administrative  
27 services shall be the sole department authorized to operate a  
28 pool of passenger vehicles located in Polk county for temporary  
29 assignment to multiple drivers of a state department or agency  
30 that is located within Polk county. For that period, the  
31 department shall not purchase new passenger vehicles for the  
32 pool.

33     2. For purposes of this section, "passenger vehicles"  
34 means United States environmental protection agency designated  
35 compact sedans, compact wagons, midsize sedans, midsize



1 wagons, full-size sedans, and passenger minivans. "Passenger  
2 vehicles" does not mean utility vehicles, vans other than  
3 passenger minivans, fire trucks, ambulances, motor homes,  
4 buses, medium-duty and heavy-duty trucks, heavy construction  
5 equipment, and other highway maintenance vehicles, vehicles  
6 assigned for law enforcement purposes, vehicles assigned for  
7 specialized use by the department of natural resources, and any  
8 other classes of vehicles of limited application approved by  
9 the director of the department of administrative services.

E 0001-01-01  
10 Sec. 16. DEPARTMENT OF ADMINISTRATIVE SERVICES — OFFICE  
11 SPACE — COST-BENEFIT ANALYSIS. Following the filing of the  
12 cost-benefit analysis required pursuant to 2010 Iowa Acts,  
13 chapter 1184, section 49, the department of administrative  
14 services shall locate state employees in office space in the  
15 most cost-efficient manner possible. However, the department  
16 shall not pay penalties for the early termination of a lease  
17 for office space outside of the capitol complex.

E 0001-01-01  
18 Sec. 17. SALE OR LEASE OF IOWA COMMUNICATIONS NETWORK. The  
19 Iowa telecommunications and technology commission shall  
20 implement a request for proposals process to sell or lease the  
21 Iowa communications network. The request for proposals shall  
22 provide for the sale to be concluded or the lease to commence  
23 during the fiscal year beginning July 1, 2011. The commission  
24 shall condition the sale or lease of the Iowa communications  
25 network with terms that will allow existing authorized users of  
26 the network to continue such use at a lower overall long-term  
27 cost when compared to the anticipated operation and maintenance  
28 costs if state ownership and control were to continue. The  
29 commission shall submit periodic status reports to the general  
30 assembly at three-month intervals, beginning on October 1,  
31 2011, regarding progress made toward selling or leasing the  
32 network.

E 0001-01-01  
33 Sec. 18. 2010 Iowa Acts, chapter 1189, section 7, is amended  
34 to read as follows:

35 SEC. 7. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There

1 is appropriated from the general fund of the state to the  
2 Iowa ethics and campaign disclosure board for the fiscal year  
3 beginning July 1, 2010, and ending June 30, 2011, the following  
4 amount, or so much thereof as is necessary, for the purposes  
5 designated:

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

9 .....	\$	537,256
10 .....		<u>475,608</u>
11 .....	FTEs	5.00
12 .....		<u>4.00</u>

13 Sec. 19. 2010 Iowa Acts, chapter 1193, section 29, is  
14 amended to read as follows:

15 SEC. 29. DEPARTMENT OF ADMINISTRATIVE SERVICES —  
16 INFORMATION TECHNOLOGY. There is appropriated from the general  
17 fund of the state to the department of administrative services  
18 for the fiscal year beginning July 1, 2010, and ending June 30,  
19 2011, the following amount, or so much thereof as is necessary,  
20 to be used for the purposes designated:

21 For implementing 2010 Iowa Acts, Senate File 2088, division  
22 I, including salaries, support, maintenance, and miscellaneous  
23 purposes:

24 ..... \$ 2,300,000

25 1. For the period beginning on the effective date of this  
26 section through June 30, 2011, the department of administrative  
27 services shall be subject to a limitation on expenditures made  
28 for information technology procurement equal to 50 percent  
29 of the unexpended or unencumbered amount remaining from the  
30 appropriation made in this section, as of the effective date of  
31 this section.

32 2. Notwithstanding any provision to the contrary,  
33 commencing with the fiscal year beginning July 1, 2011, the  
34 department of management shall designate the department of  
35 administrative services as the provider for information

E 0001-01-01

1 technology services for purposes of providing such services to  
2 agencies and other governmental entities with the following  
3 exceptions:

4 a. The office of the governor or the office of an elective  
5 constitutional or statutory officer.

6 b. The general assembly, or any office or unit under its  
7 administrative authority.

8 c. The judicial branch, as provided in section 602.1102.

9 d. A political subdivision of the state or its offices  
10 or units, including but not limited to a county, city, or  
11 community college.

12 e. The state board of regents and institutions operated  
13 under the authority of the state board of regents.

14 f. The department of public defense, including both the  
15 military division and the homeland security and emergency  
16 management division.

17 3. Pursuant to the procedures provided in section 8A.202,  
18 an agency or other governmental entity may seek a waiver from  
19 receiving information technology services from the department  
20 of administrative services.

21 Sec. 20. EFFECTIVE UPON ENACTMENT. This division of this  
22 Act, being deemed of immediate importance, takes effect upon  
23 enactment.

24 DIVISION IV

25 AGRICULTURE AND NATURAL RESOURCES

26 Sec. 21. DEPARTMENT OF NATURAL RESOURCES — REAL PROPERTY  
27 ACQUISITION CURTAILED.

28 1. Notwithstanding any provision to the contrary, for the  
29 period beginning on the effective date of this section through  
30 the close of the fiscal year ending on June 30, 2011, the  
31 department of natural resources shall not enter into a new  
32 arrangement to acquire or otherwise control real property.

33 2. For the purposes of this section, "new arrangement" means  
34 an obligation entered into on or after the effective date of  
35 this section. An obligation includes but is not limited to

1 an agreement, contract, lease-purchase arrangement, or any  
2 other instrument leading to state ownership or control of real  
3 property that was not previously owned or controlled by the  
4 state. "New arrangement" does not include a real property  
5 acquisition or control project for which an appropriation to  
6 the department was encumbered prior to the effective date of  
7 this section.

8 3. This section, being deemed of immediate importance,  
9 takes effect upon enactment.

10 DIVISION V

11 ECONOMIC DEVELOPMENT

12 Sec. 22. STATE RECORDS STORAGE. The department of cultural  
13 affairs shall, within six months of the effective date of this  
14 section, find different storage space for the storage of state  
15 records.

16 Sec. 23. Section 15.108, subsection 5, paragraph c, Code  
17 2011, is amended to read as follows:

18 c. Coordinate and develop with the department of  
19 transportation, the department of natural resources, the  
20 department of cultural affairs, ~~the generation Iowa commission,~~  
21 the vision Iowa board, other state agencies, and local and  
22 regional entities public interpretation, marketing, and  
23 education programs that encourage Iowans and out-of-state  
24 visitors to participate in the recreational and leisure  
25 opportunities available in Iowa. The department shall  
26 establish and administer a program that helps connect both  
27 Iowa residents and residents of other states to new and  
28 existing Iowa experiences as a means to enhance the economic,  
29 social, and cultural well-being of the state. The program  
30 shall include a broad range of new opportunities, both rural  
31 and urban, including main street destinations, green space  
32 initiatives, and artistic and cultural attractions.

33 Sec. 24. 2010 Iowa Acts, chapter 1184, section 43, is  
34 amended to read as follows:

35 SEC. 43. SAVE OUR SMALL BUSINESSES FUND APPROPRIATION.

1     1. There is appropriated from the school infrastructure  
2 fund created in section 12.82 to the department of economic  
3 development for deposit in the save our small businesses fund  
4 for the fiscal year beginning July 1, 2010, and ending June 30,  
5 2011, the following amount, or so much thereof as is necessary,  
6 to be used for the purposes designated:

7     For purposes of providing financial assistance under the  
8 save our small businesses program under section 15.301:  
9 ..... \$ 5,000,000

10     Of the moneys appropriated pursuant to this section, the  
11 department may allocate an amount not to exceed two percent of  
12 the moneys appropriated for purposes of retaining the services  
13 of an organization designated pursuant to section 15.301,  
14 subsection 2, paragraph "b".

15     2. On the effective date of this section of this 2011 Iowa  
16 Act, any unobligated and unencumbered moneys appropriated in  
17 this section shall revert to the school infrastructure fund.

18     Sec. 25. 2010 Iowa Acts, chapter 1186, section 1, subsection  
19 11, is amended to read as follows:

20     11. For membership in North America's supercorridor  
21 coalition:  
22 ..... \$ 50,000

23     Beginning July 1, 2011, the department shall not renew  
24 membership in North America's supercorridor coalition.

25     Sec. 26. REPEAL. Sections 15.300 and 15.301, Code 2011,  
26 are repealed.

27     Sec. 27. REPEAL. Section 15.421, Code 2011, is repealed.

28     Sec. 28. GREAT PLACES PROGRAM.

29     1. For the period beginning on the effective date of this  
30 section through the close of the fiscal year ending on June 30,  
31 2011, the department of cultural affairs shall be subject to a  
32 limitation on expenditures made on or after the effective date  
33 of this section for purposes of the great places program in  
34 accordance with this section.

35     2. The limitation shall be equal to any unexpended or

1 unencumbered amount that the department has budgeted or  
2 otherwise designated for purposes of the great places program,  
3 from the appropriations made for the fiscal year beginning July  
4 1, 2010, and ending June 30, 2011, to the department from all  
5 sources, as of the effective date of this section.

6 Sec. 29. LOANS — CONTINUED EFFECT. Loans awarded from  
7 the save our small business fund pursuant to section 15.301,  
8 prior to the effective date of this section, shall continue as  
9 provided by the terms of the loans and shall be administered by  
10 the department of economic development.

11 Sec. 30. EFFECTIVE UPON ENACTMENT. This division of this  
12 Act, being deemed of immediate importance, takes effect upon  
13 enactment.

14 DIVISION VI  
15 EDUCATION

16 Sec. 31. 2010 Iowa Acts, chapter 1183, section 6, subsection  
17 1, is amended to read as follows:

18 1. GENERAL ADMINISTRATION

19 For salaries, support, maintenance, miscellaneous purposes,  
20 and for not more than the following full-time equivalent  
21 positions:

22 .....	\$	7,096,482
23 .....		<u>7,037,482</u>
24 .....	FTEs	83.67

25 Sec. 32. 2010 Iowa Acts, chapter 1183, section 6, subsection  
26 17, is amended to read as follows:

27 17. CORE CURRICULUM AND CAREER INFORMATION AND  
28 DECISION-MAKING SYSTEM

29 For purposes of implementing the statewide core curriculum  
30 for school districts and accredited nonpublic schools and a  
31 state-designated career information and decision-making system:

32 .....	\$	<del>1,901,556</del>
33 .....		<u>75,556</u>

34 It is the intent of the general assembly that the  
35 standing committees on education of the senate and house of

1 representatives shall consider and propose legislation to amend  
2 Iowa law regarding the statewide core curriculum, to take  
3 effect on or before July 1, 2011.

4 UNIVERSITY OF IOWA

5 Sec. 33. 2010 Iowa Acts, chapter 1183, section 10,  
6 subsection 2, paragraph a, is amended to read as follows:

7 a. General university, including lakeside laboratory

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

11	.....	\$217,638,034
12		<u>215,732,011</u>
13	.....	FTEs 5,058.55

14 IOWA STATE UNIVERSITY

15 Sec. 34. 2010 Iowa Acts, chapter 1183, section 10,  
16 subsection 3, paragraph a, is amended to read as follows:

17 a. General university

18 For salaries, support, maintenance, equipment, miscellaneous  
19 purposes, and for not more than the following full-time  
20 equivalent positions:

21	.....	\$170,536,017
22		<u>170,386,017</u>
23	.....	FTEs 3,647.42

24 UNIVERSITY OF NORTHERN IOWA

25 Sec. 35. 2010 Iowa Acts, chapter 1183, section 10,  
26 subsection 4, paragraph a, is amended to read as follows:

27 a. General university

28 For salaries, support, maintenance, equipment, miscellaneous  
29 purposes, and for not more than the following full-time  
30 equivalent positions:

31	.....	\$ 77,549,809
32		<u>77,470,734</u>
33	.....	FTEs 1,447.50

34 Sec. 36. LIBRARY ACQUISITION AND INFORMATION TECHNOLOGY  
35 EXPENDITURES — STATE BOARD OF REGENTS.

1 1. For the period beginning on the effective date of this  
2 section through the close of the fiscal year ending on June  
3 30, 2011, the state board of regents shall be subject to a  
4 limitation on expenditures made on or after the effective date  
5 of this section for library acquisitions at all libraries, and  
6 for information technology at the university of Iowa, the Iowa  
7 state university of science and technology, and the university  
8 of northern Iowa.

9 2. The limitation shall be equal to 50 percent of the  
10 unexpended or unencumbered amount that the state board of  
11 regents has budgeted or otherwise designated for purposes of  
12 library acquisitions, and for information technology from  
13 the appropriations made to the state board of regents from  
14 all sources, as of the effective date of this section. The  
15 appropriations made for such universities from the general  
16 fund of the state in 2010 Iowa Acts, chapter 1183, section 10,  
17 have been reduced in this Act to reflect the limitation on  
18 expenditures required by this section.

19 Sec. 37. LIBRARY ACQUISITION FUNDING — DEPARTMENT OF  
20 EDUCATION — STATE LIBRARY.

21 1. For the period beginning on the effective date of this  
22 section through the close of the fiscal year ending on June  
23 30, 2011, the department of education shall be subject to a  
24 limitation on expenditures made on or after the effective date  
25 of this section for library acquisitions at the state library  
26 including digital acquisitions.

27 2. The limitation shall be equal to 50 percent of the  
28 unexpended or unencumbered amount that the department of  
29 education has budgeted or otherwise designated for purposes of  
30 library acquisitions, including digital acquisitions, from the  
31 appropriations made to the department from all sources, as of  
32 the effective date of this section.

33 Sec. 38. REGENTS UNIVERSITY LEAVE LIMITATION. For the  
34 period beginning on the effective date of this section and  
35 ending June 30, 2012, the state board of regents shall not



1 approve paid leaves of absence granted pursuant to section  
2 262.9, subsection 14, for any faculty member.

E 0001-01-01  
3 Sec. 39. STATEWIDE VOLUNTARY PRESCHOOL. It is the intent  
4 of the general assembly to fill the needs addressed by the  
5 statewide preschool program for four-year-old children repealed  
6 by this division by expanding the preschool tuition assistance  
7 provided as part of the school ready children grant program  
8 administered through the early childhood Iowa initiative under  
9 chapter 256I.

E 0001-01-01  
10 Sec. 40. TUITION GRANT PROGRAM REVISIONS — REGENTS  
11 ADMINISTRATIVE FUNCTIONS.

12 1. The standing committees on education of the senate and  
13 house of representatives shall recommend legislation to be  
14 effective July 1, 2011, revising the tuition grant program  
15 provisions administered by the college student aid commission  
16 under chapter 261 so that the annual grant amount awarded under  
17 the program is determined after the other aid available to  
18 the student has been determined. The committees shall also  
19 consider providing tuition grants based upon a sliding scale  
20 that provides greater amounts for those with lower incomes  
21 and lesser amounts for those with greater incomes. The joint  
22 appropriations subcommittee on education shall consider such  
23 legislation in recommending an amount to appropriate for  
24 tuition grants for fiscal year 2011-2012.

25 2. The joint appropriations subcommittee on education shall  
26 implement provisions to consolidate administrative functions at  
27 the state board of regents and the institutions under the board  
28 in order to reduce the amount that would otherwise be budgeted  
29 for administrative functions for the fiscal year beginning July  
30 1, 2011, and each fiscal year thereafter.

E 2011-07-01  
31 Sec. 41. Section 237A.21, subsection 3, paragraph p, Code  
32 2011, is amended by striking the paragraph.

E 2011-07-01  
33 Sec. 42. Section 237A.22, subsection 1, paragraphs f and g,  
34 Code 2011, are amended to read as follows:

35 *f.* Make recommendations for improving collaborations between

1 the child care programs involving the department and programs  
2 supporting the education and development of young children  
3 including but not limited to the federal head start program,  
4 ~~the statewide preschool program for four-year-old children~~  
5 and the early childhood, at-risk, and other early education  
6 programs administered by the department of education.

7 *g.* Make recommendations for eliminating duplication and  
8 otherwise improving the eligibility determination processes  
9 used for the state child care assistance program and other  
10 programs supporting low-income families, including but not  
11 limited to the federal head start, early head start, and even  
12 start programs; the early childhood, at-risk, and ~~preschool~~  
13 prekindergarten programs administered by the department of  
14 education; the family and self-sufficiency grant program; and  
15 the family investment program.

16 Sec. 43. Section 256.11, subsection 1, paragraph c, Code  
17 2011, is amended by striking the paragraph.

18 Sec. 44. Section 257.16, subsection 1, Code 2011, is amended  
19 to read as follows:

20 1. There is appropriated each year from the general fund  
21 of the state an amount necessary to pay the foundation aid  
22 under this chapter, ~~the preschool foundation aid under chapter~~  
23 ~~256C~~, supplementary aid under section 257.4, subsection 2, and  
24 adjusted additional property tax levy aid under section 257.15,  
25 subsection 4.

26 Sec. 45. Section 257.35, Code 2011, is amended by adding the  
27 following new subsection:

28 NEW SUBSECTION. 5A. Notwithstanding subsection 1, and in  
29 addition to the reduction applicable pursuant to subsection  
30 2, the state aid for area education agencies and the portion  
31 of the combined district cost calculated for these agencies  
32 for the fiscal year beginning July 1, 2010, and ending June  
33 30, 2011, and subsequent fiscal years, shall be reduced by the  
34 department of management by ten million dollars. The reduction  
35 for each area education agency shall be prorated based on the

1 reduction that the agency received in the fiscal year beginning  
2 July 1, 2003.

3 Sec. 46. Section 272.2, subsection 18, Code 2011, is amended  
4 to read as follows:

5 18. May adopt rules for practitioners who are not eligible  
6 for a statement of professional recognition under subsection  
7 10, but have received a baccalaureate degree and provide a  
8 service to students at any or all levels from prekindergarten  
9 through grade twelve for a school district, accredited  
10 nonpublic school, or area education agency, ~~or preschool~~  
11 ~~program established pursuant to chapter 256C.~~

12 Sec. 47. Section 285.1, subsection 1, paragraph a,  
13 subparagraph (3), Code 2011, is amended to read as follows:

14 (3) Children attending prekindergarten programs offered or  
15 sponsored by the district or nonpublic school and approved by  
16 the department of education or department of human services  
17 ~~or children participating in preschool in an approved local~~  
18 ~~program under chapter 256C~~ may be provided transportation  
19 services. However, transportation services provided to  
20 nonpublic school children are not eligible for reimbursement  
21 under this chapter.

22 Sec. 48. REPEAL. Chapter 256C, Code 2011, is repealed.

23 Sec. 49. EFFECTIVE DATES.

24 1. The sections of this division of this Act amending Code  
25 sections 237A.21, 237A.22, 256.11, 257.16, 257.35, 272.2, and  
26 285.1 and repealing Code chapter 256C, take effect July 1,  
27 2011, and apply to budget years beginning on or after July 1,  
28 2011.

29 2. The provisions of this division of this Act other than  
30 those addressed by subsection 1, being deemed of immediate  
31 importance, take effect upon enactment.

32 DIVISION VII

33 HEALTH AND HUMAN SERVICES

34 Sec. 50. Section 217.6, Code 2011, is amended by adding the  
35 following new unnumbered paragraph:

1 NEW UNNUMBERED PARAGRAPH. The rules and regulations  
2 adopted for the public benefits and programs administered by  
3 the department of human services shall apply the residency  
4 eligibility restrictions required by federal and state law.

5 Sec. 51. DEPARTMENT ON AGING — PLAN FOR REDUCTION IN  
6 NUMBER OF AREA AGENCIES ON AGING. The department on aging  
7 shall develop a plan for reducing the number of area agencies  
8 on aging in the state to not more than five, to be effective  
9 beginning July 1, 2011. The department shall submit the plan  
10 to the standing committees on human resources of the senate  
11 and house of representatives and the joint appropriations  
12 subcommittee on health and human services on or before February  
13 25, 2011.

14 Sec. 52. JOINT APPROPRIATIONS SUBCOMMITTEE ON HEALTH  
15 AND HUMAN SERVICES. The joint appropriations subcommittee  
16 on health and human services shall develop and include in  
17 appropriations legislation a new reimbursement methodology for  
18 juvenile shelter care providers for use beginning July 1, 2011.  
19 The new reimbursement methodology shall end the practice of  
20 providing reimbursement for unused shelter care beds.

21 HEALTH CARE COVERAGE COMMISSION

22 Sec. 53. 2009 Iowa Acts, chapter 183, section 65, subsection  
23 3, is amended to read as follows:

24 3. There is appropriated from the human services  
25 reinvestment fund for the fiscal year beginning July 1, 2009,  
26 and ending June 30, 2010, the following amount to be used for  
27 the following designated purpose:

28 For the legislative services agency to be used for costs  
29 associated with the legislative health care coverage commission  
30 created in 2009 Iowa Acts, Senate File 389, if enacted, or a  
31 similar legislative commission:

32 ..... \$ ~~315,000~~  
33 148,000

34 Notwithstanding section 8.33, moneys appropriated in this  
35 subsection that remain unencumbered or unobligated at the close

1 of the fiscal year shall not revert but shall remain available  
2 for expenditure for the purposes designated until the close of  
3 the fiscal year that begins July 1, 2010.

4 ADDICTIVE DISORDERS

5 Sec. 54. 2010 Iowa Acts, chapter 1192, section 2, subsection  
6 1, unnumbered paragraph 1, is amended to read as follows:

7 For reducing the prevalence of use of tobacco, alcohol, and  
8 other drugs, and treating individuals affected by addictive  
9 behaviors, including gambling, and for not more than the  
10 following full-time equivalent positions:

11 .....	\$ <del>28,974,840</del>
12 .....	<u>26,574,840</u>
13 .....	FTEs 18.00

14 Sec. 55. 2010 Iowa Acts, chapter 1192, section 2, subsection  
15 1, paragraph a, is amended to read as follows:

16 a. Of the funds appropriated in this subsection, ~~\$7,438,282~~  
17 \$5,038,282 shall be used for the tobacco use prevention and  
18 control initiative, including efforts at the state and local  
19 levels, as provided in chapter 142A.

20 (1) The director of public health shall dedicate sufficient  
21 resources to promote and ensure retailer compliance with  
22 tobacco laws and ordinances relating to persons under 18  
23 years of age, and shall prioritize the state's compliance in  
24 the allocation of available funds to comply with 42 U.S.C.  
25 § 300x-26 and section 453A.2.

26 (2) Of the full-time equivalent positions authorized in  
27 this subsection, 2.00 full-time equivalent positions shall  
28 be utilized to provide for enforcement of tobacco laws,  
29 regulations, and ordinances.

30 (3) Of the funds allocated in this lettered paragraph,  
31 ~~\$1,796,508~~ \$1,197,672 shall be used for youth programs designed  
32 to achieve the goals of the initiative, that are directed by  
33 youth participants for youth pursuant to section 142A.9.

34 (4) For the period beginning on the effective date of  
35 this subparagraph through the close of the fiscal year ending

1 on June 30, 2011, except for activities provided during the  
 2 period through a contract or other legally binding obligation  
 3 entered into prior to the period that cannot be canceled  
 4 without penalty, the department shall cancel smoking cessation  
 5 and prevention efforts funded in whole or in part under this  
 6 paragraph "a". The efforts subject to this subparagraph  
 7 shall include but are not limited to the just eliminate  
 8 lies initiative and other expenditures relating to the youth  
 9 programs addressed in subparagraph (3) and the quitline  
 10 Iowa initiative. The joint appropriations subcommittee on  
 11 health and human services, in consultation with the standing  
 12 committees on human resources of the senate and house of  
 13 representatives, shall recommend legislation to revise the  
 14 youth programs addressed by subparagraph (3) effective July 1,  
 15 2011, in order to eliminate unnecessary, wasteful expenditures.

HEALTHY CHILDREN AND FAMILIES

17 Sec. 56. 2010 Iowa Acts, chapter 1192, section 2, subsection  
 18 4, unnumbered paragraph 1, is amended to read as follows:

19 For strengthening the health care delivery system at the  
 20 local level, and for not more than the following full-time  
 21 equivalent positions:

22 .....	\$ 5,503,037
23 .....	<u>5,398,037</u>
24 .....	FTEs 21.00

25 Sec. 57. 2010 Iowa Acts, chapter 1192, section 2, subsection  
 26 4, paragraph h, subparagraph (1), amended to read as follows:

27 (1) Of the funds appropriated in this subsection, ~~\$180,000~~  
 28 \$120,000 shall be used for continued implementation of  
 29 the recommendations of the direct care worker task force  
 30 established pursuant to, based upon the report submitted to  
 31 the governor and the general assembly in December 2006. The  
 32 department may use a portion of the funds allocated in this  
 33 paragraph for an additional position to assist in the continued  
 34 implementation.

35 Sec. 58. 2010 Iowa Acts, chapter 1192, section 2, subsection

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1 4, paragraph i, subparagraph (1), is amended to read as  
2 follows:

3 (1) Of the funds appropriated in this subsection, ~~\$135,000~~  
4 \$90,000 shall be used for allocation to an independent  
5 statewide direct care worker association for education,  
6 outreach, leadership development, mentoring, and other  
7 initiatives intended to enhance the recruitment and retention  
8 of direct care workers in health and long-term care.

9 HEALTHY AGING — PUBLIC PROTECTION

10 Sec. 59. 2010 Iowa Acts, chapter 1192, section 2,  
11 subsections 5 and 8, are amended to read as follows:

12 5. HEALTHY AGING

13 To provide public health services that reduce risks and  
14 invest in promoting and protecting good health over the  
15 course of a lifetime with a priority given to older Iowans and  
16 vulnerable populations:

17 ..... \$ ~~8,045,779~~  
18 7,745,779

19 a. Of the funds appropriated in this subsection, ~~\$2,209,696~~  
20 \$2,127,316 shall be used for local public health nursing  
21 services.

22 b. Of the funds appropriated in this subsection, ~~\$5,836,083~~  
23 5,618,463 shall be used for home care aide services.

24 8. PUBLIC PROTECTION

25 For protecting the health and safety of the public through  
26 establishing standards and enforcing regulations, and for not  
27 more than the following full-time equivalent positions:

28 ..... \$ ~~3,287,987~~  
29 3,237,987

30 ..... FTEs 130.00

31 a. Of the funds appropriated in this subsection, not more  
32 than \$471,690 shall be credited to the emergency medical  
33 services fund created in section 135.25. Moneys in the  
34 emergency medical services fund are appropriated to the  
35 department to be used for the purposes of the fund.

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1 b. Of the funds appropriated in this subsection, \$234,229  
2 shall be used for sexual violence prevention programming  
3 through a statewide organization representing programs serving  
4 victims of sexual violence through the department's sexual  
5 violence prevention program. The amount allocated in this  
6 lettered paragraph shall not be used to supplant funding  
7 administered for other sexual violence prevention or victims  
8 assistance programs.

9 c. Of the funds appropriated in this subsection, not more  
10 than \$485,520 shall be used for the state poison control  
11 center.

12 ~~d. Of the funds appropriated in this subsection, \$50,000~~  
13 ~~shall be used for education, testing, training, and other costs~~  
14 ~~to conform the requirements for certification of emergency~~  
15 ~~medical care providers with national standards.~~

16 FAMILY PLANNING WAIVER

17 Sec. 60. 2010 Iowa Acts, chapter 1192, section 11,  
18 subsection 24, is amended to read as follows:

19 24. a. The department of human services shall amend  
20 the medical assistance waiver for the Iowa family planning  
21 network to continue the current waiver with the following  
22 modifications, to be effective ~~July 1, 2011~~ as soon as  
23 federal approval can be obtained, which provide for all of the  
24 following:

25 (1) Coverage for women who meet all of the following  
26 criteria:

27 (a) Are uninsured or have health insurance coverage that  
28 does not include coverage for benefits provided under the Iowa  
29 family planning network.

30 (b) Have income of up to ~~300~~ 133 percent of the federal  
31 poverty level.

32 (c) Are under 55 years of age.

33 (2) Coverage of pregnancy prevention services for men who  
34 meet the income, age, and insurance coverage specifications  
35 described in subparagraph (1).



1 b. Implementation of this subsection is contingent upon  
2 approval of the medical assistance waiver for the Iowa family  
3 planning network by the centers for Medicare and Medicaid  
4 services of the United States department of health and human  
5 services and upon availability of funding as determined by the  
6 director of the department of human services.

7 c. Of the funds appropriated in this section, \$25,000 shall  
8 be used for administrative costs for renewal and modification  
9 of the Iowa family planning network waivers as provided in this  
10 subsection.

11 CHILD AND FAMILY SERVICES — SHELTER CARE

12 Sec. 61. 2010 Iowa Acts, chapter 1192, section 19,  
13 subsection 1, is amended to read as follows:

14 1. There is appropriated from the general fund of the  
15 state to the department of human services for the fiscal year  
16 beginning July 1, 2010, and ending June 30, 2011, the following  
17 amount, or so much thereof as is necessary, to be used for the  
18 purpose designated:

19 For child and family services:

20 ..... \$ 79,593,023  
21 79,127,023

22 Sec. 62. 2010 Iowa Acts, chapter 1192, section 19,  
23 subsection 7, paragraph a, is amended to read as follows:

24 a. Notwithstanding section 234.35 or any other provision  
25 of law to the contrary, state funding for shelter care shall  
26 be limited to ~~\$7,894,147~~ \$7,428,147. The department may  
27 continue or amend shelter care provider contracts to include  
28 the child welfare emergency services for children that were  
29 implemented pursuant to 2008 Iowa Acts, chapter 1187, section  
30 16, subsection 7. An appropriate amount of the funds allocated  
31 in this subsection may be used for wraparound and emergency  
32 services to prevent the need for shelter care services,  
33 including such services for children who have an immediate  
34 need for shelter care services but are ineligible due to  
35 income, status, or other requirement. The funding shall be

1 expended by providers in a manner that does not impinge upon  
2 the availability of beds for eligible children.

3 Sec. 63. EFFECTIVE UPON ENACTMENT. This division of this  
4 Act, being deemed of immediate importance, takes effect upon  
5 enactment.

6 DIVISION VIII

7 INFRASTRUCTURE AND TRANSPORTATION

8 Sec. 64. LIVING ROADWAY TRUST FUND.

9 1. For the period beginning on the effective date of this  
10 section through the close of the fiscal year ending on June  
11 30, 2011, the department of transportation shall be subject to  
12 a limitation on expenditures made on or after the effective  
13 date of this section for purposes of the integrated roadside  
14 vegetation management coordinator and support as described in  
15 section 314.21, subsection 3, paragraph "a", subparagraph (1),  
16 in accordance with this section.

17 2. The limitation shall be equal to any unexpended or  
18 unencumbered amount that the department has budgeted or  
19 otherwise designated for purposes of section 314.21, subsection  
20 3, paragraph "a", subparagraph (1), from the moneys allocated  
21 for the fiscal year beginning July 1, 2010, and ending June 30,  
22 2011, to the department from all sources, as of the effective  
23 date of this section.

24 Sec. 65. Section 16.194A, subsection 2, Code 2011, is  
25 amended by striking the subsection.

26 Sec. 66. Section 28I.4, subsection 1, Code 2011, is amended  
27 to read as follows:

28 1. The commission shall have the power and duty to make  
29 comprehensive studies and plans for the development of the  
30 area it serves which will guide the unified development of  
31 the area and which will eliminate planning duplication and  
32 promote economy and efficiency in the coordinated development  
33 of the area and the general welfare, convenience, safety, and  
34 prosperity of its people. The plan or plans collectively  
35 shall be known as the regional or metropolitan development

1 plan. The plans for the development of the area may include  
2 but shall not be limited to recommendations with respect to  
3 existing and proposed highways, bridges, airports, streets,  
4 parks and recreational areas, schools and public institutions  
5 and public utilities, public open spaces, and sites for public  
6 buildings and structures; districts for residence, business,  
7 industry, recreation, agriculture, and forestry; water supply,  
8 sanitation, drainage, protection against floods and other  
9 disasters; areas for housing developments, slum clearance  
10 and urban renewal and redevelopment; location of private  
11 and public utilities, including but not limited to sewerage  
12 and water supply systems; and such other recommendations  
13 concerning current and impending problems as may affect the  
14 area served by the commission. Time and priority schedules and  
15 cost estimates for the accomplishment of the recommendations  
16 may also be included in the plans. ~~The plans shall be made~~  
17 ~~with consideration of the smart planning principles under~~  
18 ~~section 18B.1.~~ The plans shall be based upon and include  
19 appropriate studies of the location and extent of present  
20 and anticipated populations; social, physical, and economic  
21 resources, problems and trends; and governmental conditions and  
22 trends. The commission is also authorized to make surveys,  
23 land-use studies, and urban renewal plans, provide technical  
24 services and other planning work for the area it serves and  
25 for cities, counties, and other political subdivisions in the  
26 area. A plan or plans of the commission may be adopted, added  
27 to, and changed from time to time by a majority vote of the  
28 planning commission. The plan or plans may in whole or in part  
29 be adopted by the governing bodies of the cooperating cities  
30 and counties as the general plans of such cities and counties.  
31 The commission may also assist the governing bodies and other  
32 public authorities or agencies within the area it serves  
33 in carrying out any regional plan or plans, and assist any  
34 planning commission, board or agency of the cities and counties  
35 and political subdivisions in the preparation or effectuation

1 of local plans and planning consistent with the program of the  
2 commission. The commission may cooperate and confer, as far as  
3 possible, with planning agencies of other states or of regional  
4 groups of states adjoining its area.

E 0001-01-01 5 Sec. 67. Section 329.3, Code 2011, is amended to read as  
6 follows:

7 **329.3 Zoning regulations — powers granted.**

8 Every municipality having an airport hazard area within  
9 its territorial limits may adopt, administer, and enforce  
10 in the manner and upon the conditions prescribed by this  
11 chapter, zoning regulations for such airport hazard area,  
12 which regulations may divide such area into zones and, within  
13 such zones, specify the land uses permitted, and regulate  
14 and restrict, for the purpose of preventing airport hazards,  
15 the height to which structures and trees may be erected or  
16 permitted to grow. ~~Regulations adopted under this chapter  
17 shall be made with consideration of the smart planning  
18 principles under section 18B.1.~~

E 0001-01-01 19 Sec. 68. Section 335.5, subsections 3 and 4, Code 2011, are  
20 amended by striking the subsections.

E 0001-01-01 21 Sec. 69. Section 335.8, subsection 2, Code 2011, is amended  
22 by striking the subsection.

E 0001-01-01 23 Sec. 70. Section 414.3, subsections 3 and 4, Code 2011, are  
24 amended by striking the subsections.

E 0001-01-01 25 Sec. 71. Section 414.6, subsection 2, Code 2011, is amended  
26 by striking the subsection.

E 0001-01-01 27 Sec. 72. REPEAL. Chapter 18B, Code 2011, is repealed.

E 0001-01-01 28 Sec. 73. REPEAL. 2010 Iowa Acts, chapter 1184, section 25,  
29 is repealed.

E 0001-01-01 30 Sec. 74. RECISION OF AWARDS. Any award to a city or county  
31 that applies smart planning principles and guidelines pursuant  
32 to sections 18B.1 and 18B.2, Code 2011, granted from moneys  
33 appropriated pursuant to 2010 Iowa Acts, chapter 1184, section  
34 10, subsection 4, paragraph "b", for which a contract has  
35 not been entered into by the effective date of this section,

1 shall be rescinded. The Iowa jobs board shall not award any  
2 additional such grants on or after the effective date of this  
3 section.

4 Sec. 75. 2010 Iowa Acts, chapter 1184, section 1, subsection  
5 1, paragraph c, unnumbered paragraph 1, is amended to read as  
6 follows:

7 For the state's share of support in conjunction with the  
8 city of Des Moines and local area businesses to provide a  
9 free shuttle service to the citizens of Iowa that includes  
10 transportation between the capitol complex and the downtown  
11 Des Moines area, notwithstanding section 8.57, subsection 6,  
12 paragraph "c":

13 ..... \$ 200,000  
14 ..... 125,000

15 Sec. 76. 2010 Iowa Acts, chapter 1184, section 1, subsection  
16 7, paragraph c, is amended to read as follows:

17 c. For costs associated with the hiring and employment of an  
18 asset manager at Honey creek resort state park, notwithstanding  
19 section 8.57, subsection 6, paragraph "c":

20 ..... \$ 100,000  
21 ..... 26,200

22 ~~The department shall issue a request for proposals to~~  
23 ~~competitively procure the services of an asset manager which~~  
24 ~~shall be selected by the natural resource commission. The~~  
25 ~~asset manager shall have hospitality management experience~~  
26 ~~of at least five years including at least three years asset~~  
27 ~~management experience in a setting similar in size and quality~~  
28 ~~to the Honey creek resort state park with a similar type of~~  
29 ~~market. The duties and job responsibilities of the asset~~  
30 ~~manager shall include but are not limited to reviewing and~~  
31 ~~commenting on the resort's sales and marketing plan, providing~~  
32 ~~for the operation of the resort in a manner consistent with~~  
33 ~~the requirements and limitations set forth in the resort's~~  
34 ~~operating agreement, monitoring and supervising the resort~~  
35 ~~including site visits, and negotiating and recommending an~~

1 ~~annual operating budget and budget plan. The asset manager~~  
2 ~~shall report to bond counsel, the governor, the Honey creek~~  
3 ~~authority, the department of natural resources, and the~~  
4 ~~legislative services agency.~~

5 Sec. 77. 2009 Iowa Acts, chapter 184, section 1, subsection  
6 12, paragraph a, as amended by 2010 Iowa Acts, chapter 1184,  
7 section 71, is amended to read as follows:

8 a. For deposit in the passenger rail service revolving  
9 fund created in section 327J.2, notwithstanding section 8.57,  
10 subsection 6, paragraph "c":

11 ..... \$ 3,000,000  
12 302,007

13 Sec. 78. 2010 Iowa Acts, chapter 1184, section 2, subsection  
14 3, is amended to read as follows:

15 3. DEPARTMENT OF TRANSPORTATION

16 For deposit into the passenger rail service revolving  
17 fund created in section 327J.2 for matching federal funding  
18 available through the federal Passenger Rail Investment  
19 and Improvement Act of 2008 for passenger rail service,  
20 notwithstanding section 8.57, subsection 6, paragraph "c":

21 FY 2011-2012..... \$ 6,500,000  
22 0

23 ~~It is the intent of the general assembly to fund up to~~  
24 ~~\$20 million over a four-year period to fully fund the state~~  
25 ~~commitment for matching federal funding available through the~~  
26 ~~federal Passenger Rail Investment and Improvement Act of 2008.~~

27 Sec. 79. 2010 Iowa Acts, chapter 1184, section 16, is  
28 amended to read as follows:

29 SEC. 16. There is appropriated from the Iowa comprehensive  
30 petroleum underground storage tank fund to the department of  
31 transportation for the fiscal year beginning July 1, 2010, and  
32 ending June 30, 2011, the following amount, or so much thereof  
33 as is necessary, to be used for the purposes designated:

34 Notwithstanding section 455G.3, subsection 1, for deposit in  
35 the passenger rail service revolving fund created in section

1 327J.2:

2 ..... \$ 2,000,000

3 500,000

4 ~~Such funds shall be coupled with the remaining unobligated~~  
5 ~~balance of up to one million five hundred thousand dollars from~~  
6 ~~the appropriation made in 2009 Iowa Acts, chapter 184, section~~  
7 ~~1, subsection 12, paragraph "a", for a total commitment of~~  
8 ~~three million five hundred thousand dollars for the fiscal year~~  
9 ~~beginning July 1, 2010, and ending June 30, 2011, for matching~~  
10 ~~federal funding available through the Passenger Rail Investment~~  
11 ~~and Improvement Act of 2008.~~

12 Sec. 80. 2008 Iowa Acts, chapter 1179, section 1, subsection  
13 13, paragraph c, as amended by 2009 Iowa Acts, chapter 184,  
14 section 22, is amended by striking the paragraph.

15 Sec. 81. EFFECTIVE UPON ENACTMENT. This division of this  
16 Act, being deemed of immediate importance, takes effect upon  
17 enactment.

18 DIVISION IX  
19 JUSTICE SYSTEM

20 Sec. 82. CONSOLIDATION OF CHIEF JUVENILE COURT OFFICER  
21 POSITION. The judiciary committees of the senate and house of  
22 representatives shall recommend legislation to be effective  
23 July 1, 2011, providing for a single chief juvenile court  
24 officer position for the state instead of a chief officer for  
25 each judicial district. The joint appropriations subcommittee  
26 on the justice system shall consider such legislation in  
27 recommending an amount to appropriate for the judicial branch  
28 for fiscal year 2011-2012.

29 Sec. 83. 2010 Iowa Acts, chapter 1185, section 1, subsection  
30 1, paragraph a, is amended by adding the following new  
31 unnumbered paragraph:

32 NEW UNNUMBERED PARAGRAPH. In cases that are not considered  
33 unusually complicated pursuant to the rules adopted by the  
34 state public defender where either the state public defender  
35 approves a claim in excess of a fee limitation established

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1 under section 13B.4, subsection 4, or upon the court ordering  
2 the state public defender to approve such a claim in excess  
3 of the fee limitations, an amount equal to the portion of the  
4 claim in excess of the fee limitation approved by the state  
5 public defender or ordered by the court shall be transferred  
6 by the judicial branch from the moneys appropriated in this  
7 lettered paragraph to the revolving fund created in section  
8 602.1302. Notwithstanding section 602.1302, the judicial  
9 branch shall transfer moneys credited to the revolving fund  
10 pursuant to this unnumbered paragraph to the state public  
11 defender to be credited to the indigent defense fund created  
12 in section 815.11. Moneys credited to the indigent defense  
13 fund pursuant to this unnumbered paragraph shall be used to  
14 reimburse the state public defender by applying the same  
15 procedures used to reimburse the state public defender for  
16 attorney fees paid pursuant to section 600A.6B.

17 Sec. 84. 2010 Iowa Acts, chapter 1190, section 10, is  
18 amended to read as follows:

19 SEC. 10. STATE PUBLIC DEFENDER. There is appropriated from  
20 the general fund of the state to the office of the state public  
21 defender of the department of inspections and appeals for the  
22 fiscal year beginning July 1, 2010, and ending June 30, 2011,  
23 the following amounts, or so much thereof as is necessary, to  
24 be allocated as follows for the purposes designated:

25 1. For salaries, support, maintenance, miscellaneous  
26 purposes, and for not more than the following full-time  
27 equivalent positions:

28 ..... \$ 21,743,182  
29 ..... FTEs 203.00

30 2. For the fees of court-appointed attorneys for indigent  
31 adults and juveniles, in accordance with section 232.141 and  
32 chapter 815:

33 ..... \$ ~~15,680,929~~  
34 ..... 31,680,929

35 Sec. 85. EFFECTIVE UPON ENACTMENT. This division of this

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1 Act, being deemed of immediate importance, takes effect upon  
2 enactment.

3

DIVISION X

4

POWER FUND — OFFICE OF ENERGY INDEPENDENCE

5

Sec. 86. REPEAL. Chapter 469, Code 2011, is repealed.

6

Sec. 87. TRANSITION PROVISIONS — DEPARTMENTAL

7 AUTHORITY. Beginning on the effective date of this section,  
8 the department of natural resources shall assume the duties of  
9 the office of energy independence until otherwise determined  
10 by the general assembly. During the 2011 session of the  
11 Eighty-fourth General Assembly, the joint appropriations  
12 subcommittee on agriculture and natural resources shall include  
13 Code provisions relating to the repeal of chapter 469 and the  
14 transfer of departmental authority from the office of energy  
15 independence to another state entity in a proposed committee  
16 on appropriations bill.

17

Sec. 88. TRANSITION PROVISIONS — CONTINUATION OF GRANTS.

18

1. Any moneys remaining in any account or fund under the  
19 control of the office of energy independence on the effective  
20 date of this division relative to the provisions of this  
21 division shall be transferred to a comparable fund or account  
22 under the control of the department of natural resources for  
23 such purposes, until otherwise determined by the general  
24 assembly. Notwithstanding section 8.33, the moneys transferred  
25 in accordance with this subsection shall not revert to the  
26 account or fund from which appropriated or transferred.

27

2. Any license, permit, or contract issued or entered  
28 into by the office of energy independence relative to the  
29 provisions of this division in effect on the effective date  
30 of this division shall continue in full force and effect  
31 pending transfer of such licenses, permits, or contracts to the  
32 department of natural resources, until otherwise determined by  
33 the general assembly.

34

3. Grants or loans awarded from the Iowa power fund pursuant  
35 to section 469.9 prior to the effective date of this division

1 shall continue as provided by the terms of the grants or  
2 loans and shall be administered by the department of natural  
3 resources, until otherwise determined by the general assembly.

4 4. Federal funds utilized by the director of the office  
5 of energy independence prior to the effective date of this  
6 division to employ personnel necessary to administer the  
7 provisions of this division shall be applicable to the transfer  
8 of such personnel from the office of energy independence to  
9 the department of natural resources, or other state agency as  
10 determined by the general assembly.

11 Sec. 89. EFFECTIVE UPON ENACTMENT. This division of this  
12 Act, being deemed of immediate importance, takes effect upon  
13 enactment.

14 DIVISION XI

15 REBUILD IOWA OFFICE

16 Sec. 90. Section 16.191, subsection 2, paragraph e, Code  
17 2011, is amended to read as follows:

18 ~~e. The executive director of the rebuild Iowa office~~  
19 ~~or the director's designee until June 30, 2011, and then~~  
20 the administrator of the homeland security and emergency  
21 management division of the department of public defense or the  
22 administrator's designee.

23 Sec. 91. Section 29C.20B, subsection 1, Code 2011, is  
24 amended to read as follows:

25 1. ~~The rebuild Iowa office shall work with the department~~  
26 of human services and nonprofit, voluntary, and faith-based  
27 organizations active in disaster recovery and response  
28 in coordination with the homeland security and emergency  
29 management division shall work to establish a statewide  
30 system of disaster case management to be activated following  
31 the governor's proclamation of a disaster emergency or the  
32 declaration of a major disaster by the president of the  
33 United States for individual assistance purposes. Under the  
34 system, the department of human services shall coordinate  
35 case management services locally through local committees as

1 established in each local emergency management commission's  
2 emergency plan. ~~Beginning July 1, 2011, the department of~~  
3 ~~human services shall assume the duties of the rebuild Iowa~~  
4 ~~office under this subsection.~~

5 Sec. 92. Section 29C.20B, subsection 2, unnumbered  
6 paragraph 1, Code 2011, is amended to read as follows:

7 The department of human services, in conjunction with  
8 ~~the rebuild Iowa office,~~ the homeland security and emergency  
9 management division, and an Iowa representative to the national  
10 voluntary organizations active in disaster, shall adopt rules  
11 pursuant to chapter 17A to create coordination mechanisms  
12 and standards for the establishment and implementation of  
13 a statewide system of disaster case management which shall  
14 include at least all of the following:

15 Sec. 93. Section 103A.8C, subsection 1, Code 2011, is  
16 amended to read as follows:

17 1. The commissioner, after consulting with and receiving  
18 recommendations from the department of public defense, and  
19 the department of natural resources, ~~and the rebuild Iowa~~  
20 ~~office,~~ shall adopt rules pursuant to chapter 17A specifying  
21 standards and requirements for design and construction of safe  
22 rooms and storm shelters. In developing these standards, the  
23 commissioner shall consider nationally recognized standards.  
24 The standards and requirements shall be incorporated into the  
25 state building code established in section 103A.7, but shall  
26 not be interpreted to require the inclusion of a safe room or  
27 storm shelter in a building construction project unless such  
28 inclusion is expressly required by another statute or by a  
29 federal statute or regulation. However, if a safe room or  
30 storm shelter is included in any building construction project  
31 which reaches the design development phase on or after January  
32 1, 2011, compliance with the standards developed pursuant to  
33 this section shall be required.

34 Sec. 94. Section 466B.3, subsection 4, paragraph n, Code  
35 2011, is amended by striking the paragraph.

1     Sec. 95. 2009 Iowa Acts, chapter 169, section 10, subsection  
2 6, is amended to read as follows:

3     6. This section is repealed ~~June 30, 2011~~ on the effective  
4 date of this section of this 2011 Iowa Act.

5     Sec. 96. 2010 Iowa Acts, chapter 1189, section 28, is  
6 amended to read as follows:

7     SEC. 28. REBUILD IOWA OFFICE.

8     1. There is appropriated from the general fund of the state  
9 to the rebuild Iowa office for the fiscal year beginning July  
10 1, 2010, and ending June 30, 2011, the following amount, or  
11 so much thereof as is necessary, to be used for the purposes  
12 designated:

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

16 .....	\$	647,014
17 .....		<u>531,014</u>
18 .....	FTEs	12.00

19     It is the intent of the general assembly that the rebuild  
20 Iowa office shall be repealed effective June 30, 2011, and  
21 shall not receive an appropriation from the general fund of the  
22 state after that date.

23     2. a. Of the moneys appropriated in this section, \$50,000  
24 shall be transferred to the homeland security and emergency  
25 management division of the department of public defense for  
26 purposes of assuming the duties of the rebuild Iowa office.

27     b. For purposes of assuming the duties of the rebuild Iowa  
28 office, the homeland security and emergency management division  
29 of the department of public defense shall be authorized an  
30 additional 0.5 FTEs above those otherwise authorized to the  
31 division.

32     c. This subsection shall take effect on the effective date  
33 of this section of this 2011 Iowa Act.

34     Sec. 97. REBUILD IOWA OFFICE ELIMINATION — TRANSFER OF  
35 DUTIES. Beginning on the effective date of this division

1 of this Act, the homeland security and emergency management  
2 division of the department of public defense shall assume all  
3 duties of the rebuild Iowa office.

4 Sec. 98. EFFECTIVE UPON ENACTMENT. This division of this  
5 Act, being deemed of immediate importance, takes effect upon  
6 enactment.

7 DIVISION XII

8 GROW IOWA VALUES FUND AND PROGRAM

9 Sec. 99. Section 15.103, subsection 6, Code 2011, is amended  
10 to read as follows:

11 6. As part of the organizational structure of the  
12 department, the board shall establish a due diligence  
13 committee and a loan and credit guarantee committee composed  
14 of members of the board. The committees shall serve in an  
15 advisory capacity to the board and shall carry out any duties  
16 assigned by the board in relation to programs administered  
17 by the department. The loan and credit guarantee committee  
18 shall advise the board on the winding up of loan guarantees  
19 made under the loan and credit guarantee program established  
20 pursuant to section 15E.224, Code 2009, and on the proper  
21 amount of the allocation described in section 15G.111,  
22 subsection 4, paragraph "g".

23 Sec. 100. Section 15.104, subsection 1, Code 2011, is  
24 amended by striking the subsection.

25 Sec. 101. Section 15.104, subsection 8, paragraphs b and i,  
26 Code 2011, are amended by striking the paragraphs.

27 Sec. 102. Section 15.104, subsection 8, paragraph j, Code  
28 2011, is amended to read as follows:

29 *j. Renewable fuel programs.* A detailed accounting of  
30 expenditures in support of renewable fuel infrastructure  
31 programs, as provided in sections 15G.203 and 15G.204. The  
32 ~~renewable fuel infrastructure board established in section~~  
33 ~~15G.202 shall approve that portion of the department's annual~~  
34 ~~report regarding projects supported from the grow Iowa values~~  
35 ~~fund created in section 15G.111. This paragraph is repealed on~~

1 July 1, 2012.

2 Sec. 103. Section 15.327, Code 2011, is amended by adding  
3 the following new subsections:

4 NEW SUBSECTION. 01. "*Base employment level*" means the  
5 number of full-time equivalent positions at a business,  
6 as established by the department and a business using the  
7 business's payroll records, as of the date a business applies  
8 for financial assistance under the program.

9 NEW SUBSECTION. 3A. "*County wage*" means the average hourly  
10 compensation rates, excluding the value of nonwage benefits for  
11 comparable jobs, from the most recent four quarters of wage  
12 and employment information from the quarterly covered wage and  
13 employment data report issued by the department of workforce  
14 development.

15 NEW SUBSECTION. 7A. "*Full-time equivalent position*" means  
16 a non-part-time position for the number of hours or days per  
17 week considered to be full-time work for the kind of service  
18 or work performed for an employer. Typically, a full-time  
19 equivalent position requires two thousand eighty hours of work  
20 in a calendar year, including all paid holidays, vacations,  
21 sick time, and other paid leave.

22 NEW SUBSECTION. 7B. "*Maintenance period*" means the period  
23 of time between the project completion date and maintenance  
24 period completion date.

25 NEW SUBSECTION. 12A. "*Regional wage*" means the average  
26 hourly compensation rates, excluding the value of nonwage  
27 benefits for comparable jobs, from the most recent four  
28 quarters of wage and employment information from the quarterly  
29 covered wage and employment data report issued by the  
30 department of workforce development.

31 Sec. 104. Section 15.327, subsections 1, 4, 7, 8, 10, 12,  
32 and 13, Code 2011, are amended by striking the subsections and  
33 inserting in lieu thereof the following:

34 1. "*Benefit*" means nonwage compensation provided to an  
35 employee. Benefits typically include medical and dental

1 insurance plans, pension, retirement, and profit-sharing plans,  
2 child care services, life insurance coverage, vision insurance  
3 coverage, disability insurance coverage, and any other nonwage  
4 compensation as determined by the board.

5 4. "*Created job*" means a new, permanent, full-time  
6 equivalent position added to a business's payroll in excess of  
7 the business's base employment level.

8 7. "*Fiscal impact ratio*" means a ratio calculated by  
9 estimating the amount of taxes to be received from a business  
10 by the state and dividing the estimate by the estimated cost  
11 to the state of providing certain financial incentives to  
12 the business, reflecting a ten-year period of taxation and  
13 incentives and expressed in terms of current dollars. For  
14 purposes of the program, "*fiscal impact ratio*" does not include  
15 taxes received by political subdivisions.

16 8. "*Maintenance period completion date*" means the date on  
17 which the maintenance period ends.

18 10. "*Project completion date*" means the date by which  
19 a recipient of financial assistance has agreed to meet all  
20 the terms and obligations contained in an agreement with the  
21 department as described in section 15.330.

22 12. "*Qualifying wage threshold*" means the county wage or the  
23 regional wage, as calculated pursuant to subsections 3A and  
24 12A, whichever is lower.

25 13. "*Retained job*" means a full-time equivalent position,  
26 in existence at the time an employer applies for financial  
27 assistance which remains continuously filled or authorized  
28 to be filled as soon as possible and which is at risk of  
29 elimination if the project for which the employer is seeking  
30 assistance does not proceed.

31 Sec. 105. Section 15.329, subsection 2, Code 2011, is  
32 amended to read as follows:

33 2. A business providing a sufficient package of benefits to  
34 each employee holding a created or retained job shall qualify  
35 for a credit against the qualifying wage threshold requirements

1 described in subsection 1, paragraph "c". The credit shall be  
2 calculated and applied in the following manner: ~~described in~~  
3 ~~section 15G.112, subsection 4, paragraph "b".~~

4 a. By multiplying the qualifying wage threshold of  
5 the county in which the business is located by one and  
6 three-tenths.

7 b. By multiplying the result of paragraph "a" by one-tenth.

8 c. The amount of the result of paragraph "b" shall be  
9 credited against the amount of the one hundred thirty percent  
10 qualifying wage threshold requirement that the business is  
11 required to meet under subsection 1, paragraph "c".

12 d. The credit shall not be applied against the one hundred  
13 percent of qualifying wage threshold requirement described in  
14 subsection 1, paragraph "c".

15 Sec. 106. Section 15.330, subsection 4, Code 2011, is  
16 amended to read as follows:

17 4. A project completion date, a maintenance period  
18 completion date, the number of jobs to be created or retained,  
19 or certain other terms and obligations described in ~~section~~  
20 ~~15G.112, subsection 1, paragraph "d"~~ an agreement, as the  
21 department deems necessary in order to make the requirements in  
22 project agreements uniform. The department, with the approval  
23 of the board, may adopt rules as necessary for making such  
24 requirements uniform. Such rules shall be in compliance with  
25 the provisions of this part ~~and with the provisions of chapter~~  
26 ~~15G.~~

27 Sec. 107. Section 15.335A, subsection 1, unnumbered  
28 paragraph 1, Code 2011, is amended to read as follows:

29 Tax incentives are available to eligible businesses as  
30 provided in this section. The incentives are based upon the  
31 number of jobs created or retained that pay at least one  
32 hundred thirty percent of the qualifying wage threshold as  
33 computed pursuant to ~~section 15G.112~~ 15.329, subsection 4 1,  
34 and the amount of the qualifying investment made according to  
35 the following schedule:



1     Sec. 108. Section 15.335A, subsection 2, paragraphs b, c, f,  
2 and g, Code 2011, are amended by striking the paragraphs.

3     Sec. 109. Section 15.335A, subsection 5, Code 2011, is  
4 amended to read as follows:

5     5. The department shall negotiate the amount of tax  
6 incentives provided to an applicant under the program  
7 in accordance with this section ~~and section 15G.112, as~~  
8 ~~applicable.~~

9     Sec. 110. Section 15A.7, subsection 3, Code 2011, is amended  
10 to read as follows:

11     3. That the employer shall agree to pay wages for the jobs  
12 for which the credit is taken of at least the county wage or  
13 the regional wage, as calculated by ~~the department~~ pursuant to  
14 ~~section 15G.112, subsection 3~~ 15.327, subsections 3A and 12A,  
15 whichever is lower. Eligibility for the supplemental credit  
16 shall be based on a one-time determination of starting wages by  
17 the community college.

18     Sec. 111. Section 15E.193, subsection 1, paragraphs b  
19 through d, Code 2011, are amended to read as follows:

20     **b.** (1) The business shall provide a sufficient package of  
21 benefits to each employee holding a created or retained job.  
22 For purposes of this paragraph, "*created job*" and "*retained job*"  
23 have the same meaning as defined in section ~~15G.101~~ 15.327.

24     (2) The board, upon the recommendation of the department,  
25 shall adopt rules determining what constitutes a sufficient  
26 package of benefits.

27     **c.** The business shall pay a wage that is at least ninety  
28 percent of the qualifying wage threshold. For purposes of this  
29 paragraph, "*qualifying wage threshold*" has the same meaning as  
30 defined in section ~~15G.101~~ 15.327.

31     **d.** Creates or retains at least ten full-time equivalent  
32 positions and maintains them until the maintenance period  
33 completion date. For purposes of this paragraph, "*maintenance*  
34 *period completion date*" and "*full-time equivalent position*" have  
35 the same meanings as defined in section ~~15G.101~~ 15.327.

1     Sec. 112. Section 15E.231, unnumbered paragraph 1, Code  
2 2011, is amended to read as follows:

3     ~~In order for an~~ An economic development region ~~to receive~~  
4 ~~moneys under the grow Iowa values financial assistance program~~  
5 ~~established in section 15G.112,~~ an shall establish a regional  
6 development plan. An economic development region's regional  
7 development plan must be approved by the department. An  
8 economic development region shall consist of not less than  
9 three counties, unless two contiguous counties have a combined  
10 population of at least three hundred thousand based on the  
11 most recent federal decennial census. An economic development  
12 region shall establish a focused economic development effort  
13 that shall include a regional development plan relating to one  
14 or more of the following areas:

15     Sec. 113. Section 15E.232, subsections 1, 3, 4, 5, 6, and 7,  
16 Code 2011, are amended by striking the subsections.

17     Sec. 114. Section 15E.351, subsection 1, Code 2011, is  
18 amended to read as follows:

19     1. The department shall establish and administer a business  
20 accelerator program to provide financial assistance for  
21 the establishment and operation of a business accelerator  
22 for technology-based, value-added agricultural, information  
23 solutions, alternative and renewable energy including the  
24 alternative and renewable energy sectors listed in section  
25 476.42, subsection 1, paragraph "a", or advanced manufacturing  
26 start-up businesses or for a satellite of an existing business  
27 accelerator. The program shall be designed to foster the  
28 accelerated growth of new and existing businesses through the  
29 provision of technical assistance. ~~The department, subject to~~  
30 ~~the approval of the economic development board, may provide~~  
31 ~~financial assistance under this section from moneys allocated~~  
32 ~~for regional financial assistance pursuant to section 15G.111,~~  
33 ~~subsection 9.~~

34     Sec. 115. Section 159A.6B, subsection 2, Code 2011, is  
35 amended to read as follows:

1 2. The office may execute contracts in order to provide  
2 technical support and outreach services for purposes of  
3 assisting and educating interested persons as provided in this  
4 section. The office may also contract with a consultant to  
5 provide part or all of these services. The office may require  
6 that a person receiving assistance pursuant to this section  
7 contribute up to fifty percent of the amount required to  
8 support the costs of contracting with the consultant to provide  
9 assistance to the person. ~~The office shall assist the person~~  
10 ~~in completing any technical information required in order to~~  
11 ~~receive assistance by the department of economic development~~  
12 ~~pursuant to the value-added agriculture component of the grow~~  
13 ~~Iowa values financial assistance program established pursuant~~  
14 ~~to section 15G.112.~~

15 Sec. 116. Section 455B.104, subsection 2, Code 2011, is  
16 amended by striking the subsection.

17 Sec. 117. 2010 Iowa Acts, chapter 1184, section 26, is  
18 amended to read as follows:

19 SEC. 26. GROW IOWA VALUES FUND.

20 1. There is appropriated from the rebuild Iowa  
21 infrastructure fund to the department of economic development  
22 for deposit in the grow Iowa values fund, for the fiscal year  
23 beginning July 1, 2010, and ending June 30, 2011, the following  
24 amount, notwithstanding section 8.57, subsection 6, paragraph  
25 "c":

26 ..... \$ 38,000,000

27 2. On the effective date of this section of this 2011 Iowa  
28 Act, any unobligated and unencumbered moneys appropriated in  
29 this section and section 27 of this 2010 Iowa Act, shall revert  
30 to the rebuild Iowa infrastructure fund.

31 Sec. 118. 2010 Iowa Acts, chapter 1184, section 27, is  
32 amended to read as follows:

33 SEC. 27. GROW IOWA VALUES FUND APPROPRIATION REDUCTION.

34 1. In lieu of the \$50,000,000 appropriated for the fiscal  
35 year beginning July 1, 2010, and ending June 30, 2011, from

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1 the grow Iowa values fund to the department of economic  
2 development pursuant to section 15G.111, subsection 3, there is  
3 appropriated from the grow Iowa values fund to the department  
4 of economic development for the fiscal year beginning July 1,  
5 2010, and ending June 30, 2011, \$38,000,000 for the purposes of  
6 making expenditures pursuant to chapter 15G.

7 2. On the effective date of this section of this 2011 Iowa  
8 Act, an entity receiving moneys appropriated pursuant to this  
9 section, with the exception of moneys allocated pursuant to  
10 section 28, subsections 2 and 5, of this 2010 Iowa Act, shall  
11 cease obligating or encumbering such moneys.

12 Sec. 119. REPEAL. Section 15E.233, Code 2011, is repealed.

13 Sec. 120. REPEAL. Sections 15G.101 and 15G.109 through  
14 15G.115, Code 2011, are repealed.

15 Sec. 121. REPEAL. Section 266.19, Code 2011, is repealed.

16 Sec. 122. REPEAL. Section 455B.433, Code 2011, is repealed.

17 Sec. 123. EFFECTIVE DATE. The provisions of this division  
18 of this Act amending 2010 Iowa Acts, chapter 1184, being deemed  
19 of immediate importance, take effect upon enactment.

20 DIVISION XIII

21 COUNTY MENTAL HEALTH  
22 AND DISABILITY SERVICES

23 Sec. 124. COUNTY WAITING LISTS.

24 1. There is appropriated from the general fund of the  
25 state to the department of human services for the fiscal year  
26 beginning July 1, 2010, and ending June 30, 2011, the following  
27 amount, or so much thereof as is necessary, to be used for the  
28 purposes designated:

29 To be credited to the risk pool in the property tax relief  
30 fund created in chapter 426B and expended as provided in this  
31 section:

32 ..... \$ 25,000,000

33 2. The amount appropriated in this section is appropriated  
34 from the risk pool to the department of human services for  
35 distribution as provided in this section. Notwithstanding

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

6 3. a. For the purposes of this section, "services fund"  
7 means a county's mental health, mental retardation, and  
8 developmental disabilities services fund created in section  
9 331.424A.

10 b. The risk pool board shall implement a process for  
11 distribution of the amount appropriated in this section to  
12 counties to be used to provide eligibility for services and  
13 other support payable from the counties' services funds for  
14 persons who are eligible under county management plan but  
15 due to insufficient funding are on a waiting list for the  
16 services and other support. The period addressed by the  
17 funding appropriated in this section begins on or after the  
18 effective date of this section and ends June 30, 2012. Of the  
19 amount appropriated in this section, up to \$5,000,000 shall be  
20 targeted to expand medical assistance program waiver slots for  
21 those waivers for which counties pay the nonfederal share of  
22 the costs.

23 c. The general assembly finds that as of the time of  
24 enactment of this section, the funding appropriated in this  
25 section is sufficient to eliminate the need for continuing  
26 or reinstating waiting lists during the period addressed  
27 by the appropriation. However, the process implemented by  
28 the risk pool board shall ensure there is adequate funding so  
29 that a person made eligible for services and other support  
30 from the waiting list would not be required to return to the  
31 waiting list if a later projection indicates the funding is  
32 insufficient to cover for the entire period all individuals  
33 removed from the waiting list pursuant to this section.

34 d. The funding provided in this section is intended to  
35 provide necessary services for adults in need of mental health,

1 mental retardation, or developmental disabilities services  
2 until improvements to the current system can be developed and  
3 enacted.

4 Sec. 125. ADULT MENTAL HEALTH AND DISABILITY SERVICE SYSTEM  
5 REFORM.

6 1. The general assembly finds there is need to reform the  
7 adult mental health and disability services system administered  
8 by counties to address the needs of persons with mental  
9 illness, mental retardation, or developmental disabilities.  
10 Issues with the current system include the following:

11 a. Lack of a set of core services uniformly available  
12 throughout the state.

13 b. Lack of uniformity in service expenditures throughout  
14 the state.

15 c. Disparity in county levy rates for the services funds for  
16 this system.

17 d. The need to improve the array of community-based services  
18 and services to avoid the use or continued use of crisis  
19 services.

20 e. The need to expand the availability of dual diagnosis  
21 mental health and substance abuse services.

22 f. The need to improve the consistency of services available  
23 to both youth and adult populations.

24 g. The need to address the medical assistance (Medicaid)  
25 program changes in the federal Patient Protection and  
26 Affordable Care Act (PPACA) that will greatly expand the  
27 program's eligibility for persons in the service system  
28 beginning in calendar year 2014.

29 h. Dissatisfaction with using county of legal settlement  
30 determinations to determine county and state financial  
31 responsibility for services.

32 2. In order to address the issues identified in subsection  
33 1, the committees on human resources, appropriations, and ways  
34 and means of the senate and house of representatives shall  
35 propose legislation to address the following actions by the

1 dates indicated:

2 a. Phase-in of the state fully assuming the nonfederal  
3 share of the costs for Medicaid program services now borne by  
4 counties by the implementation date of the Medicaid eligibility  
5 changes under PPACA.

6 b. Provide property tax relief and equity by having the  
7 state assume a greater role in funding the adult mental health  
8 and disability services system from counties by July 1, 2012,  
9 when the repeals contained in this division of this Act take  
10 effect.

11 c. Shift the balance of responsibilities for the services  
12 system between the state and counties so that the state  
13 ensures greater uniformity and there is sufficient size to  
14 develop effective services while maintaining the county role of  
15 bringing local resources together in unique ways that best meet  
16 the needs of clients, by implementing a new regional structure  
17 by July 1, 2012, when the repeals contained in this division  
18 of this Act take effect.

19 Sec. 126. Section 331.424A, Code 2011, is amended by adding  
20 the following new subsection:

21 NEW SUBSECTION. 6. This section is repealed July 1, 2012.

22 Sec. 127. Section 331.438, Code 2011, is amended by adding  
23 the following new subsection:

24 NEW SUBSECTION. 5. This section is repealed July 1, 2012.

25 Sec. 128. Section 331.439, Code 2011, is amended by adding  
26 the following new subsection:

27 NEW SUBSECTION. 10. This section is repealed July 1, 2012.

28 Sec. 129. Section 331.440, Code 2011, is amended by adding  
29 the following new subsection:

30 NEW SUBSECTION. 7. This section is repealed July 1, 2012.

31 Sec. 130. NEW SECTION. **426B.6 Future repeal.**

32 This chapter is repealed July 1, 2012.

33 Sec. 131. **CONFORMING PROVISIONS.** The legislative services  
34 agency shall prepare a study bill for consideration by the  
35 committees on human resources of the senate and house of

1 representatives for the 2012 legislative session, providing  
2 conforming Code changes for implementation of the repeal  
3 provisions contained in this division of this Act.

4 Sec. 132. EFFECTIVE UPON ENACTMENT. This division of this  
5 Act, being deemed of immediate importance, takes effect upon  
6 enactment.

7 EXPLANATION

8 This bill relates to public funding and regulatory matters  
9 and makes, reduces, and transfers appropriations and revises  
10 fund amounts. The bill is organized into divisions.

11 TAX RELIEF FUND. This division creates the tax relief fund  
12 in new Code section 8.57E. The fund is to be used to make  
13 appropriations providing tax relief. Legislative intent is  
14 provided to enact appropriations for purposes of tax relief  
15 pursuant to recommendations made by the general assembly's  
16 standing committees on ways and means.

17 Code section 8.55 is amended to provide that when the Iowa  
18 economic emergency fund achieves its maximum balance the excess  
19 funds are transferred to the tax relief fund instead of the  
20 general fund of the state.

21 Code section 8.58, exempting the balances in existing  
22 reserve funds from being considered in the application of any  
23 formula, index, or other statutory triggering mechanism which  
24 would affect appropriations, payments, or taxation rates, and  
25 by an arbitrator or collective bargaining negotiation under  
26 Code chapter 20, is amended by adding the new tax relief fund  
27 to the list.

28 The division takes effect upon enactment, applies to  
29 transfers made from the Iowa economic emergency fund to the tax  
30 relief fund on or after the effective date, and such transfers  
31 are required to be incorporated in the state general fund  
32 expenditure limitation calculated for fiscal year 2011-2012.

33 UNIFORM PROVISIONS. This division includes requirements  
34 applicable across state government.

35 Along with new Code section 8A.440, which is also included



1 in this division, a temporary law provision requires the  
2 state's executive and judicial branch authorities responsible  
3 for collective bargaining negotiations with applicable state  
4 employee organizations, to discuss health insurance coverage  
5 of state employees and their families in order to renegotiate  
6 such coverage to achieve cost savings for the state. One of  
7 the options to be discussed is a required monthly payment by  
8 employees of at least \$50 of the cost of single coverage or a  
9 like increase in the employee cost for family coverage.

10 Executive branch agencies are made subject to a limitation  
11 on expenditures for office supplies, outside services purchase,  
12 equipment purchases, information technology, and marketing  
13 equal to 50 percent of the unexpended or unencumbered balances  
14 remaining from the amounts budgeted for such purposes for the  
15 remainder of fiscal year 2010-2011. If another provision  
16 of the bill directs an agency to apply a limitation on  
17 expenditures made for information technology or reduces the  
18 information technology portion of an appropriation made to the  
19 agency, that limitation or reduction applies in lieu of the  
20 limitation on expenditures for information technology otherwise  
21 applicable under this provision. In addition, authorization  
22 of out-of-state travel paid for in whole or in part from the  
23 general fund of the state for the remainder of fiscal year  
24 2010-2011 is prohibited, unless a waiver is approved by the  
25 executive council.

26 The revenue estimating conference is required to meet in  
27 February or March 2011 upon request of the speaker of the house  
28 or senate majority leader. In addition, to regularly issued  
29 estimates, the conference is required to provide estimates for  
30 fiscal year 2012-2013.

31 Code section 7E.3, relating to the powers and duties of the  
32 heads of state departments and independent agencies, is amended  
33 to include a duty to ensure the public benefits administered  
34 by the department or agency are not provided to adults who are  
35 unauthorized aliens not lawfully present in the United States.

1 New Code section 8A.440 requires state employees included  
2 in or not covered by collective bargaining as provided in Code  
3 chapter 20 to pay at least \$50 per month of the total premium  
4 for state group health insurance for single persons. The  
5 requirement applies to state employees covered by collective  
6 bargaining agreements entered into on or after the effective  
7 date of the division. Current law does not specify a minimum  
8 required premium payment.

9 Code section 68B.8 is amended to prohibit a state agency  
10 of the executive branch of state government from employing a  
11 person whose position with the agency is primarily representing  
12 the agency relative to the passage, defeat, approval, or  
13 modification of legislation that is being considered by the  
14 general assembly. A person who knowingly and intentionally  
15 violates this new provision as provided under Code section  
16 68B.34 is guilty of a serious misdemeanor and may be  
17 reprimanded, suspended, or dismissed from the person's position  
18 or otherwise sanctioned. A serious misdemeanor is punishable  
19 by confinement for not more than one year and a fine of at least  
20 \$315 but not more than \$1,875.

21 The division takes effect upon enactment.

22 ADMINISTRATION AND REGULATION. This division includes  
23 provisions applicable to administration and regulatory state  
24 agencies.

25 The joint appropriations subcommittee on administration and  
26 regulation is required to submit by April 4, 2010, proposed  
27 legislation to the committees on appropriations providing  
28 for eliminating and selling the pool of general use vehicles  
29 maintained in Polk county and outsourcing state vehicle leasing  
30 to a private entity. Until the close of fiscal year, the  
31 department of administrative services is designated as the sole  
32 department to operate the vehicle pool and is prohibited from  
33 purchasing new passenger vehicles for the pool.

34 The division includes a requirement for the department  
35 of administrative services to locate state employees in

1 office space in the most cost-efficient manner possible. The  
2 department is prohibited from paying penalties for the early  
3 termination of a lease for office space outside of the capitol  
4 complex.

5 The bill requires the Iowa telecommunications and technology  
6 commission to implement a request for proposals process to sell  
7 or lease the Iowa communications network. The bill requires  
8 the sale to be concluded or the lease to commence during the  
9 fiscal year beginning July 1, 2011.

10 The department's technology service purchasing for the  
11 remainder of fiscal year 2010-2011 is limited to 50 percent of  
12 the unexpended amount remaining as of the division's effective  
13 date.

14 The department of management is directed to designate the  
15 department of administrative services as the sole provider for  
16 information technology services for purposes of providing such  
17 services to agencies and other governmental entities, with  
18 certain specified exceptions.

19 The appropriation made to the Iowa ethics and campaign  
20 disclosure board in 2010 Iowa Acts, chapter 1189, section 7,  
21 for fiscal year 2010-2011, is reduced.

22 AGRICULTURE AND NATURAL RESOURCES. This division addresses  
23 agriculture and natural resources.

24 The department of natural resources is prohibited from  
25 entering into any new arrangement to acquire or control new  
26 property, as defined by the bill, for the period from the  
27 provision's effective date through the close of fiscal year  
28 2010-2011. The provision takes effect upon enactment.

29 ECONOMIC DEVELOPMENT. This division addresses economic  
30 development.

31 The division requires the department of cultural affairs to,  
32 within six months of the effective date of this Code section,  
33 find new storage space for the storage of state records.

34 The save our small business fund and program in Code sections  
35 15.300 and 15.301 are repealed and moneys appropriated to the

1 fund are eliminated. However, following the repeal, loans  
2 awarded from the fund prior to the repeal are continued as  
3 provided by the terms of the loans.

4 A limitation is applied to the moneys expended by the  
5 department of cultural affairs for purposes of the great  
6 places program. The limitation is equal to any unexpended or  
7 unencumbered amount on the effective date of the division.

8 The division repeals Code section 15.421, which relates to  
9 the generation Iowa commission.

10 2010 Iowa Acts, chapter 1186, is amended to require the  
11 department of transportation, after July 1, 2011, to not renew  
12 membership in North America's supercorridor coalition.

13 The division takes effect upon enactment.

14 EDUCATION. This division addresses education.

15 An appropriation made to the department of education in 2010  
16 Iowa Acts, chapter 1183, is amended to reduce the amount for  
17 general administration.

18 The funding for implementation of the statewide core  
19 curriculum for schools and for the career information and  
20 decision-making system are eliminated and legislative intent is  
21 stated for amending the law relating to the curriculum.

22 For the period beginning on the effective date of this  
23 section through the close of FY 2010-2011, library acquisition  
24 and information technology expenditures are limited at all  
25 libraries at the university of Iowa, Iowa state university of  
26 science and technology, and the university of northern Iowa.  
27 The limitation is equal to 50 percent of the unexpended or  
28 unencumbered amount that the universities under state board  
29 of regents have budgeted or otherwise designated for purposes  
30 of such acquisitions from the appropriations made to the  
31 universities from all sources, as of the effective date of this  
32 division. The division states that appropriations made to the  
33 universities from the general fund of the state in 2010 Iowa  
34 Acts, chapter 1183, are amended in this bill to reflect the  
35 expenditure limitation.

1 A similar library acquisition limitation is applied to the  
2 state library under the department of education.

3 For the period beginning on enactment and ending June 30,  
4 2012, the state board of regents is prohibited from approving  
5 paid leaves of absence, also known as professional development  
6 assignments sabbaticals, for any faculty member.

7 The statewide voluntary preschool program in Code chapter  
8 256C is repealed effective July 1, 2011, along with the  
9 associated school aid funding provisions. A statement of  
10 legislative intent calls for filling the needs addressed by the  
11 program through expansion of the preschool tuition assistance  
12 program provided through the school ready children grant  
13 program administered under the early childhood Iowa initiative.  
14 The bill makes conforming amendments.

15 The standing committees on education of the senate and house  
16 of representatives are required to recommend legislation to  
17 be effective July 1, 2011, revising the tuition grant program  
18 provisions administered by the college student aid commission  
19 under chapter 261 so that the annual grant amount awarded  
20 under the program is determined after the other aid available  
21 to the student has been determined. The committees are also  
22 required to consider providing need-based tuition grants based  
23 upon a sliding scale that provides greater amounts for those  
24 with lower incomes and lesser amounts for those with greater  
25 incomes.

26 The joint appropriations subcommittee on education  
27 is required to consider the recommended legislation in  
28 recommending an amount to appropriate for tuition grants for  
29 fiscal year 2011-2012. The joint subcommittee is also required  
30 to implement provisions to consolidate administrative functions  
31 at the state board of regents and the institutions under the  
32 board in order to reduce the amount that would otherwise  
33 be budgeted for administrative functions for fiscal year  
34 2011-2012.

35 Code section 257.35 is amended to reduce area education

1 agencies budgets for fiscal year 2010-2011 and subsequent  
2 fiscal years by \$10 million.

3 The division takes effect upon enactment except as otherwise  
4 provided.

5 HEALTH AND HUMAN SERVICES. This division addresses health  
6 and human services programs.

7 Code section 217.6, relating to rules and regulations of  
8 the department of human services, is amended to require those  
9 adopted for the public benefits administered by the department  
10 to apply the residency eligibility restrictions required by  
11 federal and state law.

12 The department on aging is required to submit a plan by  
13 February 25, 2011, to various legislative committees to reduce  
14 the number of area agencies on aging to not more than five  
15 effective July 1, 2011.

16 The joint appropriations subcommittee on health and human  
17 services is directed to develop and include in appropriations  
18 legislation a new reimbursement methodology for juvenile  
19 shelter care providers for use beginning July 1, 2011. The new  
20 reimbursement methodology is required to end the practice of  
21 providing reimbursement for unused shelter care beds.

22 The appropriation made in 2009 Iowa Acts, chapter 183, for  
23 the costs of the legislative health care coverage commission  
24 is reduced.

25 Appropriations and allocations made to the department of  
26 public health in 2010 Iowa Acts, chapter 1192, for addictive  
27 disorders, community capacity, healthy aging, and public  
28 protection, are reduced. The department is specifically  
29 required to cancel smoking cessation and prevention efforts,  
30 including the initiative just eliminate lies and other  
31 youth programs and the quitline Iowa initiative. The joint  
32 appropriations subcommittee on health and human services is  
33 required to consult with the standing committees on human  
34 resources to recommend legislation to revise the youth programs  
35 effective July 1, 2011, in order to eliminate unnecessary and

1 wasteful expenditures.

2 Family planning waiver provisions under the Medicaid program  
3 are revised in 2010 Iowa Acts, chapter 1192, section 11, to  
4 reduce income eligibility from the current 200 percent to  
5 133 percent of the federal poverty level, as soon as federal  
6 approval can be obtained.

7 The division takes effect upon enactment.

8 INFRASTRUCTURE AND TRANSPORTATION. This division includes  
9 provisions involving infrastructure and transportation  
10 appropriations.

11 The section addressing the living roadway trust fund  
12 limits moneys expended by the department of transportation  
13 for purposes of the integrated roadside vegetation management  
14 coordinator and support. The limit is equal to any unexpended  
15 or unencumbered amount remaining on the effective date of the  
16 division.

17 2010 Iowa Acts, chapter 1184, eliminates an appropriation  
18 from the rebuild Iowa infrastructure fund to the department of  
19 natural resources for FY 2010-2011 for purposes of an asset  
20 manager at Honey creek resort state park.

21 Code chapter 18B, relating to land use smart planning, is  
22 repealed. The division also eliminates the Iowa smart planning  
23 task force. Any award to a city or county that applies smart  
24 planning principles and guidelines pursuant to Code sections  
25 18B.1 and 18B.23, Code 2011, granted from moneys appropriated  
26 to the Iowa jobs board for a disaster prevention program  
27 that provides grants to cities and counties applying smart  
28 planning principles and guidelines, for which a contract has  
29 not been entered into by the effective date of the division, is  
30 rescinded. Additional such awards cannot be granted after the  
31 effective date of the division.

32 An appropriation for purposes of a free shuttle service in  
33 Des Moines is reduced.

34 Three appropriations related to passenger rail service made  
35 in 2009 Iowa Acts, chapter 184 and 2010 Iowa Acts, chapter

1 1184, along with a statement of legislative intent to provide  
2 funding of up to \$20 million over a four-year period to match  
3 federal funds, are eliminated or reduced.

4 An appropriation is eliminated that was made in 2008 Iowa  
5 Acts, chapter 1179, for fiscal year 2008-2009 from the rebuild  
6 Iowa infrastructure fund to the department of transportation  
7 for purposes of a depot and platform to accommodate future  
8 Amtrak service from Dubuque to Chicago.

9 The division takes effect upon enactment.

10 JUSTICE SYSTEM. This division addresses the justice system  
11 and provides a fiscal year 2010-2011 supplemental appropriation  
12 for the state public defender for indigent defense.

13 The appropriation made to the judicial branch in 2010 Iowa  
14 Acts, chapter 1185, is amended to require the judicial branch  
15 to transfer money from the appropriation to the state public  
16 defender for deposit into the indigent defense fund when an  
17 attorney fee claim exceeds the fee limitations established in  
18 Code section 13B.4 if the case is not unusually complicated as  
19 defined under 493 IAC 12.5(4). After the immediate effective  
20 date of this amendment, in each case where the state public  
21 defender approves or the court orders an attorney fee claim in  
22 excess of the fee limitations and the case is not unusually  
23 complicated, the judicial branch is required to transfer an  
24 amount equal to the portion of the fee claim in excess of the  
25 fee limitations to the jury and witness fee fund established in  
26 Code section 602.1302 for transfer to the state public defender  
27 and eventual deposit into the indigent defense fund. The  
28 transfers in this division are in response to *Simmons v. State*  
29 *Public Defender*, No. 07-0870 (Iowa 2010).

30 The judiciary committees of the senate and house of  
31 representatives are required to recommend legislation to be  
32 effective July 1, 2011, providing for a single chief juvenile  
33 court officer position for the state instead of a chief  
34 officer for each judicial district. The joint appropriations  
35 subcommittee on justice system is required to consider



1 the recommended legislation in recommending an amount to  
2 appropriate for the judicial branch for fiscal year 2011-2012.

3 This division takes effect upon enactment.

4 POWER FUND. This division addresses the power fund and the  
5 office of energy independence.

6 Code chapter 469 is repealed, which provides for the  
7 establishment and administration of the office of energy  
8 independence, the Iowa power fund, and related renewable energy  
9 and energy efficiency projects.

10 The division provides that the department of natural  
11 resources shall assume the duties of the office of energy  
12 independence until otherwise determined by the general  
13 assembly. During the 2011 Legislative Session of the  
14 Eighty-fourth General Assembly, the joint appropriations  
15 subcommittee on agriculture and natural resources shall include  
16 Code provisions relating to the transfer of departmental  
17 authority from the office of energy independence to another  
18 state entity in a proposed committee on appropriations bill.

19 Transition provisions are included regarding the transfer of  
20 moneys retained in any account or fund under the control of the  
21 office of energy independence on the division's effective date,  
22 the continuation of any license, permit, or contract issued  
23 or entered into by the office in effect on the division's  
24 effective date, and the continuation of grants or loans awarded  
25 from the Iowa power fund prior to the division's effective  
26 date. Transition provisions are also included relating to the  
27 transfer of federal funds being utilized by the director of  
28 the office prior to the division's effective date to employ  
29 personnel necessary to administer the provisions of the  
30 division to the department or other state agency as determined  
31 by the general assembly.

32 The division takes effect upon enactment.

33 REBUILD IOWA OFFICE. This division addresses the rebuild  
34 Iowa office.

35 Currently, the rebuild Iowa office is scheduled to be

1 repealed on June 30, 2011. This division changes the repeal  
2 date to be effective upon enactment and makes conforming  
3 amendments. All duties of the office are transferred to the  
4 homeland security and emergency management division of the  
5 department of public defense.

6 This division takes effect upon enactment.

7 GROW IOWA VALUES FUND AND PROGRAM. This division addresses  
8 the grow Iowa values fund.

9 This division repeals Code sections related to the grow  
10 Iowa values fund and financial assistance program and makes  
11 conforming amendments. The division amends two 2010 Iowa Acts  
12 provisions to prohibit the department of economic development  
13 from further obligating any moneys appropriated for purposes  
14 of the grow Iowa values fund for fiscal year 2010-2011 and  
15 requires that unobligated and unencumbered moneys shall revert  
16 to the rebuild Iowa infrastructure fund, which take effect upon  
17 enactment.

18 COUNTY MENTAL HEALTH AND DISABILITY SERVICES. This division  
19 relates to the county administered system for adult mental  
20 health, mental retardation, and developmental disabilities  
21 services.

22 An appropriation is made from the general fund of the state  
23 to the risk pool for such county services to be used for the  
24 period beginning on the effective date of the division through  
25 June 30, 2012, to pay for the service costs of eligible persons  
26 who are on a county waiting list for the services.

27 Legislative purpose and findings are stated in a section  
28 addressing reform of the county administered system. The  
29 standing committees on human resources, appropriations, and  
30 ways and means of the senate and house of representatives are  
31 directed to propose legislation necessary to implement various  
32 actions by dates specified in the section and to address the  
33 Code repeals contained in the division.

34 The following Code provisions are repealed on July 1, 2012:  
35 section 331.424A, establishing county mental health, mental

1 retardation, and developmental disabilities services funds and  
2 authorizing levies for the funds; section 331.438, outlining  
3 requirements for county mental health, mental retardation, and  
4 developmental disabilities services expenditures and joint  
5 state-county planning, implementing, and funding; section  
6 331.439, requiring county management plans and other provisions  
7 regarding county eligibility for state property tax relief and  
8 allowed growth funding; section 331.440, providing for creation  
9 of the county central point of coordination process and county  
10 management of state case services; and chapter 426B, relating  
11 to property tax relief funding for the county administered  
12 services, risk pool funding, and related provisions.

13 The legislative services agency is directed to prepare  
14 legislation to conform other Code provisions to the repeals  
15 contained in the division.

16 The division takes effect upon enactment.

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