
FISCAL UPDATE Article

Fiscal Services Division

February 21, 2024



Ground Floor, State Capitol Building

Des Moines, Iowa 50319

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EXECUTIVE COUNCIL MEETING — FEBRUARY 5, 2024

Meeting. The Executive Council met on Monday, February 5, 2024. The following are agenda items approved by the Council:

- The Council approved meeting minutes for the Executive Council meeting held on January 9, 2024.
- The Council approved one request from Dennis Harper, Iowa Department of Homeland Security and Emergency Management, to allocate an additional \$5.7 million pursuant to Iowa Code section [29C.6\(17\)](#) for [Presidential Disaster Declaration DR-4483](#).
- The Council approved a request from the Department of Justice, Attorney General's Office, for approximately \$31,000 pursuant to Iowa Code section [7D.10](#) for court costs and expenses incurred in prosecuting civil commitments under Iowa Code chapter [229A](#) for the Sexually Violent Predator (SVP) program.
- The Council approved a request from the Department of Justice, Attorney General's Office, for retention of special counsel at a rate of \$400 per hour pursuant to Iowa Code section [13.7](#) to represent District Judges of the Fifth Judicial District of Iowa, Judge David Nelmark and Judge Scott Beattie, in the matter of *McCleary v. Nelmark* in the United States District Court of Montana.
- The Council approved a request from the Department of Justice, Attorney General's Office, for retention of special counsel pursuant to Iowa Code section 13.7 at a rate governed by a separate contingent fee agreement under Iowa Code section [23B.3](#) to represent Iowa with respect to investigations into and possible litigation of certain business practices of Meta Platforms, Inc.; Snap, Inc.; and Alphabet Inc.
- The Council approved a request from the Department of Justice, Attorney General's Office, for retention of special counsel at a rate of \$350 per hour pursuant to Iowa Code section 13.7 to represent Seventh District Court Judge Marlita Greve in the matter of *McKenrick v. State of Iowa*.
- The Council approved a request from the Department of Revenue to expend \$130,000 from the litigation expense fund to cover potential expenses for the third quarter of the 2024 fiscal year.
- The Council approved an emergency allocation of \$117,000 to the Department of Corrections (DOC) for repair costs as a result of water damage caused by a failed hot water tank.
- The Council approved payment of cost items totaling approximately \$8,000 for the following:
 - \$100 from Iowa PBS for legal fees.
 - \$3,000 from the Attorney General's Office's Forfeiture Fund for legal fees.
 - \$2,000 from the Unclaimed Property Fund for legal fees.
 - \$3,000 from the Second Injury Fund for legal fees.
- The Council approved a conveyance of property request from the Iowa Armory Board for the transfer of 0.71 acres of land in Polk County pursuant to Iowa Code section [29A.57\(2\)](#).
- The Council took note of the following information items:
 - There was a quarterly update on State aid allocations pursuant to Iowa Code section [29C.20](#).
 - The Civil Reparations Trust Fund balance as of January 16, 2024, is approximately \$1.0 million.

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