

## CHAPTER 49

### WALLACE TECHNOLOGY TRANSFER FOUNDATION

*S.F. 335*

**AN ACT** relating to the Wallace technology transfer foundation and providing an effective date.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 15E.152, unnumbered paragraph 3, Code 1993, is amended to read as follows:

The foundation consists of a board of directors, an advisory council, ~~an executive director,~~ and staff.

Sec. 2. Section 15E.153, Code 1993, is amended to read as follows:

#### 15E.153 AUTHORIZED CORPORATION.

A Wallace technology transfer foundation of Iowa shall be incorporated under chapter 504A. The foundation shall not be regarded as a state agency, except for purposes of chapter 17A. A member of the board of directors is not considered a state employee, except for purposes of chapter 669. ~~The executive director is a state employee for purposes of the Iowa public employees' retirement system, state health and dental plans, and other state employee benefits and chapter 669.~~ A natural person employed by the ~~executive director~~ foundation is a state employee for purposes of the Iowa public employees' retirement system, state health and dental plans, and other state employee benefits plans and chapter 669. Chapters 8, 18, 19A, and 20, and other provisions of law that relate to requirements or restrictions dealing with state personnel or state funds do not apply to the foundation, ~~the executive director,~~ and any employees of the board or the foundation, except to the extent provided in this chapter.

Sec. 3. Section 15E.154, Code 1993, is amended by striking the section and inserting in lieu thereof the following:

#### 15E.154 BOARD OF DIRECTORS.

1. The board of directors of the foundation shall consist of nine voting members and nine ex officio nonvoting members as follows:

a. Nine members appointed by the governor and confirmed by the senate pursuant to section 2.32 for the terms determined by the board at its first meeting which shall not exceed three years. Of these nine members, two shall be chosen from the three names submitted by the governing bodies of the three statewide labor organizations representing building trades and manufacturing employees, one shall be chosen from production agriculture, at least one shall be chosen from a food processing business, at least one shall be chosen from a biotechnology business, and at least two shall be chosen from manufacturing businesses. Also, two of these members shall be chosen from businesses with fewer than one hundred employees.

b. The following nine ex officio, nonvoting members with one member appointed by each of the following persons: the speaker of the house of representatives, the minority leader of the house of representatives, the president of the senate, after consultation with the majority leader and the minority leader of the senate, and the minority leader of the senate, after consultation with the president of the senate, the president, or the president's designee, of the university of northern Iowa, the state university of Iowa, and Iowa state university, one person each, with a preference given to persons with experience in manufacturing technology transfer, chosen by the Iowa association of community college presidents and the Iowa association of independent colleges and universities.

2. The board of directors shall be bipartisan and gender-balanced in accordance with sections 69.16 and 69.16A and shall be as geographically balanced as possible. The appointing authorities in subsection 1 shall coordinate their appointments to ensure that the provisions of this subsection are met.

3. The terms of the members shall be staggered as determined by vote of the board at its first meeting after July 1, 1993. A vacancy shall be filled by the appointing authority. Members are eligible for actual expense reimbursement while fulfilling duties of the board. The board shall elect a chairperson from among its members.

Sec. 4. Section 15E.155, subsection 9, Code 1993, is amended by striking the subsection and inserting in lieu thereof the following:

9. To perform the following duties:

a. Employ and direct staff to operate and manage the foundation under the direction of the board. Foundation staff shall not also be employed by a state agency or department after June 30, 1994.

b. Receive and approve an annual report of the foundation's activities and fiscal condition, including:

(1) Matters relating to operations and accomplishments.

(2) A summary of receipts and expenditures, in accordance with the classifications the board establishes for its operating accounts.

(3) A summary of assets and liabilities and the status of special accounts.

(4) A statement of proposed and projected activities.

(5) Recommendations to the general assembly.

(6) An identification of performance goals of the foundation and the extent of progress during the reporting period in attaining the goals.

c. Collect pertinent information on research in process and funding requests where appropriate at Iowa state university of science and technology, the university of Iowa, and the university of northern Iowa for the purpose of encouraging technology transfer where appropriate.

d. Carry out the duties specified in section 15E.166 regarding the manufacturing technology program and adopt rules pursuant to chapter 17A for the monitoring and enforcement of contracts awarded to community colleges to carry out the purposes of the program. The foundation shall review all contracts annually and may delay renewal of a contract if all contractual obligations were not fulfilled during the preceding year. This annual review shall not deprive the foundation of any other remedy for a breach of the contract by a community college.

Sec. 5. Section 15E.155, Code 1993, is amended by adding the following new subsections:  
**NEW SUBSECTION. 17.** To broker relationships furthering the mission of the foundation among state board of regents institutions of higher education, community colleges, and private colleges and universities and private investors, entrepreneurs, and executives of existing businesses.

**NEW SUBSECTION. 18.** To promote communication, inventory resources, and assist in the coordination of business and technology assistance activities of state board of regents institutions, community colleges, and private colleges and universities with the private sector, the department of economic development, and local and regional economic development groups.

Sec. 6. Section 15E.166, Code 1993, is amended to read as follows:

**15E.166 REGIONALLY BASED MANUFACTURING TECHNOLOGY PROGRAM.**

1. Contingent on the availability of funding from sources other than the general fund of the state or other state funds, ~~the executive director~~ of the foundation shall contract with six or more community colleges for employment of an industrial technology outreach specialist to work with individual industry or industrial sectors to determine company needs and provide technical assistance or referral to services, or to coordinate with other service providers to determine how services should be accessed or provided. However, if the foundation does not receive funding from other sources, ~~the executive director~~ foundation shall contract with at least four community colleges. The contract shall include but is not limited to the following:

a. The establishment of an industrial technology outreach program that will identify needs of individual industry or industrial sectors.

b. Criteria for assuring access to programs and services to assist individual industry or industrial sectors.

c. An annual budget for operation of the program and activities agreed to in the contract including provisions related to the transfer of funds to the community college, as agreed upon by the president of the community college and the ~~executive director~~ foundation.

d. Performance measures for quarterly and annual evaluation of the program and activities agreed to in the contract. The foundation may withhold the disbursement of funds for failure to achieve criteria established in the contract.

e. The duties of the industrial technology outreach specialist.

f. The provision of technical assistance to existing individual industry or industrial sectors or nonmanufacturing business regarding available technological and management innovations to improve products, processes, and management systems, including implementation of total quality management methods.

2. The foundation may provide or contract for the delivery of technical services to individual industry or industrial sectors.

3. The ~~executive director~~ of the foundation shall issue requests for proposals to the community colleges and shall select the best proposals after considering, among other factors, the geographic distribution of the provision of the program services to areas of the state which do not serve a city with a population over twenty thousand, the number of small and medium-sized industries within the community college district, and the level of community college interaction with those industries. Community colleges in contiguous regions may submit a joint proposal.

Sec. 7. Section 15E.156, Code 1993, is repealed.

Sec. 8. The terms of the standing, appointed, and ex officio members of the board of directors existing on the effective date of section 3 of this Act are terminated at midnight on June 30, 1993.

Sec. 9. Section 3 of this Act, as it applies to the appointment of members of the board of directors, takes effect upon enactment. The remaining sections of this Act take effect on July 1, 1993.

Approved April 27, 1993

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## CHAPTER 50

### IOWA PLANE COORDINATE SYSTEM

*S.F. 343*

**AN ACT** relating to standards for land surveying by designating an Iowa plane coordinate system.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. **NEW SECTION. 355.16 IOWA PLANE COORDINATE SYSTEM DEFINED.**

As used in this section, and sections 355.17 through 355.19, unless the context otherwise requires, "Iowa plane coordinate system" or "coordinate system" means the system of plane coordinates established by the United States national ocean survey, or the United States national geodetic survey, or a successor agency, for defining and stating the geographic positions or locations of points on the surface of the earth within the state of Iowa.

Sec. 2. **NEW SECTION. 355.17 DESIGNATION OF COORDINATE ZONES.**

The Iowa plane coordinate system is divided into two zones designated as follows: