

Government Efficiency Bill House File 2434

Last Action:
**House State
Government
Committee**

February 23, 2012

An Act relating to government operations and efficiency, school elections, eliminating certain tax credits, and including effective date and applicability provisions.

**Fiscal Services Division
Legislative Services Agency**

NOTES ON BILLS AND AMENDMENTS (NOBA)

Available on line at <http://www.legis.iowa.gov/LSAReports/noba.aspx>
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HF 2434 - Government Efficiency Bill
Fiscal Summary

| Bill Section | Minimum Estimate | Maximum Estimate | Comments |
|--|---------------------------|----------------------------|--|
| <i>Expenditure Reductions:</i> | | | |
| 1 Duplex Printing (DAS) | \$ 138,000 | \$ 138,000 | DAS estimate. Annual savings. |
| 2 IT Coordination (DAS) | 0 | 0 | Max. potential savings of \$10.9 million when fully implemented. May not all be General Fund savings. |
| 4 Spousal Health Insurance Requirement | undetermined | undetermined | Number of employees impacted is unknown. |
| 6 Eliminate IPERS on per diem | 178,775 | 178,775 | Applies to legislators only. Annual savings. |
| 7 Renegotiate Health Insurance with Unions | undetermined | undetermined | Requires renegotiating contracts. Applies immediately to Legislative Branch. |
| 12 Medication Therapy Management (MTM) | 0 | 3,914,000 | Cost avoidance as reported by pilot project vendor. Savings cannot be verified or disputed by DAS. |
| 14 Iowa Law Enforcement Course Offerings | undetermined | undetermined | Savings may result but cannot be estimated. Requires action by ILEA. |
| 33 Electronic Notification (Limitation on Mail) | undetermined | undetermined | Savings will result but cannot be estimated. |
| Div. X State Records | 227,000 | 227,000 | Assumes a separate appropriation for records storage rent will not be made. |
| 58 School Election Changes | 0 | 0 | Local government savings of \$2.0 million in even-numbered years. One-time cost to Secretary of State. |
| 68 Ongoing Program Review | undetermined | undetermined | No savings until FY 2015 at the earliest. Requires legislative action. |
| Total Expenditure Savings | <u>\$ 543,775</u> | <u>\$ 4,457,775</u> | |
| <i>Expenditure Increases:</i> | | | |
| 9 Human Resources Study (DAS) | \$ 200,000 | \$ 300,000 | DAS estimate. One-time cost. |
| 12 MTM Program | 510,000 | 510,000 | Contingent appropriation of \$510,000 in SF 2313 (Admin/Reg Approps Bill) from Board of Pharmacy fees. |
| 15 Employee Work Environment Analysis | 10,000 | 10,000 | DAS estimate. One-time cost. |
| Div. X State Records | 227,000 | 227,000 | Increased cost to agencies for records storage billed through the Dept. of Cultural Affairs. |
| Total Additional Cost | <u>\$ 947,000</u> | <u>\$ 1,047,000</u> | |
| <i>Overall Impact (Reductions less Increases)</i> | <u><u>\$ -403,225</u></u> | <u><u>\$ 3,410,775</u></u> | |

NOTE: Provisions with no impact are not included.

House File 2434 provides for the following changes to the Code of Iowa.

| Page # | Line # | Bill Section | Action | Code Section | Description |
|--------|--------|--------------|-----------------|---|-------------|
| 1 | 3 | 1 | Amend Free-form | 8A.205.2.g | |
| 2 | 12 | 4 | New | 8A.440 | |
| 2 | 31 | 5 | New | 9.8 | |
| 3 | 1 | 6 | Amend | 97B.1A.26.a.(1).(d) | |
| 3 | 17 | 7 | Amend | 97B.1A.26.a.(2).(h),(i) | |
| 5 | 11 | 12 | New | 8A.441 | |
| 9 | 7 | 18 | Strike | 2.48.3.c.(5) | |
| 9 | 10 | 19 | Strike | 15.119.2.b | |
| 9 | 12 | 20 | Strike | 422.7.52 | |
| 9 | 14 | 21 | Strike | 422.33.23,24 | |
| 9 | 16 | 22 | Strike | 422.35.23 | |
| 9 | 18 | 23 | Strike | 422.60.10,11 | |
| 9 | 20 | 24 | Strike | 533.329.2.f,g | |
| 9 | 22 | 25 | Repeal | 15.391,15.392,422.11T,422.11U,432.12J,432.12K | |
| 10 | 18 | 31 | Amend | 225C.6.1.k | |
| 10 | 28 | 32 | Amend | 426B.5.2.c | |
| 12 | 9 | 34 | Amend | 96.11.11 | |
| 12 | 28 | 35 | Amend | 305.2.2 | |
| 12 | 35 | 36 | Strike | 305.2.3,5 | |
| 13 | 2 | 37 | Add | 305.2.4A | |
| 13 | 6 | 38 | Amend | 305.2.10 | |
| 13 | 15 | 39 | Amend | 305.4.u1 | |
| 13 | 19 | 40 | Amend | 305.8.1.u1 | |
| 13 | 22 | 41 | Add | 305.8.1.0e | |
| 13 | 27 | 42 | Add | 305.8.1.0f,00f,000f,0000f,00000f,000000f | |
| 14 | 33 | 43 | Add | 305.8.1.0i | |
| 15 | 6 | 44 | Amend | 305.8.2.u1 | |
| 15 | 9 | 45 | Add | 305.8.2.0g | |
| 15 | 14 | 46 | Amend | 305.8.2.e | |
| 15 | 21 | 47 | New | 305.8A | |
| 16 | 26 | 48 | Amend | 305.10.1.c,d,e,f,j | |
| 17 | 12 | 49 | Amend | 305.10.2 | |
| 17 | 18 | 50 | Amend | 305.11 | |
| 17 | 24 | 51 | Amend | 305.14 | |
| 17 | 32 | 52 | Amend | 305.15 | |
| 18 | 10 | 53 | Amend | 305.16.6.b.(1) | |
| 18 | 15 | 54 | Amend | 321.31.1.b | |
| 18 | 32 | 55 | Repeal | 305.3,305.5,305.6,305.7,305.9 | |

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|--------|--------|--------------|--------|--------------------|-------------|
| 19 | 32 | 58 | Amend | 39.2.4.c | |
| 20 | 6 | 59 | Amend | 260C.12.1 | |
| 20 | 25 | 60 | Amend | 260C.13.1 | |
| 21 | 1 | 61 | Amend | 273.8.2.a,b | |
| 21 | 24 | 62 | Amend | 273.8.4.a | |
| 21 | 33 | 63 | Amend | 273.8.6 | |
| 22 | 7 | 64 | Amend | 277.1 | |
| 22 | 16 | 65 | Amend | 277.20 | |
| 23 | 22 | 68 | New | 8.71 | |
| 24 | 15 | 69 | Amend | 12.87.12 | |
| 24 | 24 | 70 | Amend | 16.193.1 | |
| 25 | 2 | 71 | Amend | 16.194.2 | |
| 25 | 10 | 72 | Amend | 16.194.4.u1 | |
| 25 | 15 | 73 | Amend | 16.194.7 | |
| 25 | 22 | 74 | Amend | 16.194.8.u1 | |
| 25 | 26 | 75 | Amend | 16.194.9.b | |
| 25 | 34 | 76 | Amend | 16.194.10 | |
| 26 | 5 | 77 | Amend | 16.194A.2,7,9,10 | |
| 26 | 29 | 78 | Amend | 16.194A.4.u1 | |
| 26 | 34 | 79 | Amend | 16.194A.8.u1 | |
| 27 | 3 | 80 | Amend | 16.195 | |
| 27 | 27 | 81 | Amend | 16.196 | |
| 30 | 32 | 82 | Amend | 16.197 | |
| 31 | 22 | 84 | Repeal | 16.191,16.192 | |
| 31 | 26 | 85 | Amend | 190A.3.4 | |
| 31 | 32 | 86 | Strike | 256.9.55.j | |
| 31 | 34 | 87 | Repeal | 190A.2 | |
| 32 | 2 | 88 | Strike | 84A.5.7.a, c | |
| 32 | 4 | 89 | Strike | 97B.1A.8.b.(8) | |
| 32 | 7 | 90 | Repeal | 84A.7,84A.9,84A.10 | |
| 32 | 9 | 91 | Repeal | 15.112 | |
| 32 | 11 | 92 | Repeal | 15C,15D, 28K | |

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| <p>1 1 DIVISION I</p> <p>1 2 GOVERNMENT INFORMATION TECHNOLOGY SERVICES</p> <p>1 3 Section 1. Section 8A.205, subsection 2, paragraph g, Code</p> <p>1 4 2011, is amended to read as follows:</p> <p>1 5 g. Encourage participating agencies to utilize <u>duplex</u></p> <p>1 6 <u>printing and</u> a print on demand strategy to reduce <u>printing</u></p> <p>1 7 <u>costs</u>, publication overruns, excessive inventory, and obsolete</p> <p>1 8 printed materials.</p> <p>1 9 Sec. 2. DEPARTMENT OF ADMINISTRATIVE SERVICES —</p> <p>1 10 INFORMATION TECHNOLOGY DEVICE INVENTORY.</p> <p>1 11 1. The department of administrative services shall complete</p> <p>1 12 an inventory of information technology devices utilized by the</p> <p>1 13 department and participating agencies, as defined in section</p> <p>1 14 8A.201. The department shall conduct the inventory with the</p> <p>1 15 goal of identifying potential information technology device</p> <p>1 16 upgrades, changes, or other efficiencies that will meet the</p> <p>1 17 information technology needs of the applicable department or</p> <p>1 18 agency at reduced cost to the state.</p> <p>1 19 2. The department shall submit a report to the general</p> <p>1 20 assembly by January 1, 2013, describing the department's</p> <p>1 21 actions as required by this section. The report shall,</p> <p>1 22 if applicable, identify any statutory barriers or needed</p> <p>1 23 technology investments for pursuing efforts described in this</p> <p>1 24 section and shall include in the report its findings and any</p> <p>1 25 recommendations for legislative action.</p> <p>1 26 Sec. 3. DEPARTMENT OF ADMINISTRATIVE SERVICES —</p> <p>1 27 INFORMATION TECHNOLOGY COORDINATION AND MANAGEMENT.</p> <p>1 28 1. The department of administrative services, in accordance</p> <p>1 29 with the requirements of 2010 Acts, chapter 1031, and Code</p> <p>1 30 section 8A.202, subsection 2, paragraph "g", to coordinate and</p> <p>1 31 manage information technology services within the department,</p> <p>1 32 shall establish a schedule by which all departments subject</p> <p>1 33 to the requirements of that Act and chapter 8A shall comply</p> <p>1 34 with these requirements. The schedule shall provide for</p> <p>1 35 implementation of the requirements to all affected state</p> <p>2 1 agencies and departments by December 31, 2013. The department</p> <p>2 2 shall submit a copy of the schedule to the general assembly</p> <p>2 3 by July 31, 2012, and shall provide periodic updates to the</p> <p>2 4 general assembly on the progress of meeting the time deadlines</p> <p>2 5 contained in the schedule.</p> | <p>Encourages State agencies to use duplex printing to reduce printing costs.</p> <p>FISCAL IMPACT: The Department of Administrative Services (DAS) estimates potential annual savings of \$138,000. This represents savings to all participating agencies that use DAS printing services. The savings will affect a variety of funding sources.</p> <p>Requires the DAS to complete an inventory of information technology (IT) devices and equipment with a goal of identifying efficiencies to reduce costs. Requires the DAS to submit a status report to the General Assembly by January 1, 2013, that also identifies any statutory barriers and additional technology investments that may be needed to improve efficiencies and reduce costs.</p> <p>Requires the DAS to coordinate and manage IT services. Also, requires the DAS to establish an implementation schedule for IT consolidation. The schedule is to be submitted to the General Assembly by July 31, 2012, and requires implementation by affected departments and agencies by December 31, 2013. Directs the DAS to explore procuring information technology through leasing.</p> <p>DETAIL: Since the enactment of SF 2088 (FY 2011 Government Reorganization Act), the DAS has been implementing consolidation of the State's information technology. The DAS reported savings of \$149,000 in FY 2010 and an annual cost avoidance of \$1,000,000 since FY 2011.</p> <p>The DAS continues to proceed with consolidation of IT services. Consolidation of email messaging is 80.00% complete. Other functions</p> |
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2 6 2. In procuring information technology as provided in
 2 7 section 8A.207, the department of administrative services
 2 8 should explore strategies of procuring information technology
 2 9 through leasing.

are being addressed and potential savings or cost avoidance have been estimated. The DAS has revised statewide estimates for consolidations as follows:

- IT personnel (\$7,240,000)
- Desktop, laptop, and related purchasing (\$840,000)
- Servers (\$600,000)
- Networks (\$1,060,000)
- Printers and printing (\$200,000)
- Data centers, server farms, and data storage and backup (\$1,000,000).

The estimated annual savings totals \$10,940,000 and represents statewide savings to all agencies from multiple funding sources, once fully implemented.

2 10 DIVISION II
 2 11 PERSONNEL AND BENEFITS

2 12 Sec. 4. NEW SECTION 8A.440 GROUP HEALTH INSURANCE —
 2 13 FAMILY ENROLLMENT.

2 14 1. If a state employee covered by a collective bargaining
 2 15 agreement entered into pursuant to chapter 20 and the state
 2 16 employee's spouse, who is also a state employee, are both
 2 17 members of a state group health insurance plan for employees
 2 18 of the state established under chapter 509A, the employee and
 2 19 the spouse shall be required to enroll in a single family group
 2 20 health insurance plan.

2 21 2. If a state employee not covered by a collective
 2 22 bargaining agreement as provided in chapter 20 and the state
 2 23 employee's spouse, who is also a state employee, are both
 2 24 members of a state group health insurance plan for employees
 2 25 of the state established under chapter 509A, the employee and
 2 26 spouse shall be required to enroll in a single family group
 2 27 health insurance plan for both state employees in the same
 2 28 manner as is required under the collective bargaining agreement
 2 29 that covers the greatest number of state employees in the state
 2 30 government entity employing the state employee.

CODE: Requires collective bargaining agreements for State employees to include a requirement that married State employees be required to enroll in a single family group health insurance plan. This same requirement is also applied to noncontract employees in the same manner as required by members of the largest collective bargaining group contract.

DETAIL: The largest State employee bargaining group in Iowa is the American Federation of State, County, and Municipal Employees (AFSCME).

FISCAL IMPACT: Some cost savings will likely occur, but the amount cannot be determined because the State does not maintain records that indicate spousal relationships. The savings will also be impacted by the employee's choice of health insurance plan and the State cost for the plan. For example, under the health insurance plan provisions currently in effect, if married State employees were both enrolled in Wellmark Blue Advantage (the lowest cost State plan available), the cost to the State of a single plan is \$454 and the State cost of a family plan is \$1,063. So the cost of two single plans is the lowest cost option for the State. However, if one or both of the spouses has a family plan, the cost to the State would be lower if there was just one single family plan. For Wellmark Blue Advantage: one single plan and one family plan converted to one family plan saves the State \$454. Two family plans converted to one family plan saves the State \$1,063. For Wellmark Deductible 3 Plus (most expensive State plan available): conversion of one single plan and one family plan to a single family

plan saves the State \$760. Two family plans converted to one family plan saves the State \$1,500.

2 31 Sec. 5. NEW SECTION 9.8 EMPLOYEE CLASSIFICATIONS.
 2 32 In addition to public employees listed in section 20.4,
 2 33 public employees of the secretary of state who hold positions
 2 34 as information technology specialists are excluded from chapter
 2 35 20.

Specifies that employees within the Office of the Secretary of State that are classified in the information technology series are excluded from the collective bargaining provisions under Chapter 20 of the Iowa Code.

DETAIL: The Secretary of State's Office currently has 2.00 FTE positions classified under the information technology job classification series.

FISCAL IMPACT: No fiscal impact anticipated.

3 1 Sec. 6. Section 97B.1A, subsection 26, paragraph a,
 3 2 subparagraph (1), subparagraph division (d), Code Supplement
 3 3 2011, is amended to read as follows:
 3 4 (d) For a member of the general assembly, the total
 3 5 compensation received by a member of the general assembly,
 3 6 ~~whether paid in the form of per diem or annual salary,~~
 3 7 ~~exclusive of expense expenses, per diem, and travel allowances~~
 3 8 ~~paid to a member of the general assembly except as otherwise~~
 3 9 ~~provided in this subparagraph division. Wages includes per~~
 3 10 ~~diem payments paid to members of the general assembly during~~
 3 11 ~~interim periods between sessions of the general assembly.~~
 3 12 ~~Wages also includes daily allowances to members of the general~~
 3 13 ~~assembly for nontravel expenses of office during a session of~~
 3 14 ~~the general assembly, but does not include the portion of the~~
 3 15 ~~daily allowance which exceeds the maximum established by law~~
 3 16 ~~for members from Polk county.~~
 3 17 Sec. 7. Section 97B.1A, subsection 26, paragraph a,
 3 18 subparagraph (2), subparagraph divisions (h) and (i), Code
 3 19 Supplement 2011, are amended to read as follows:
 3 20 (h) Reimbursements of employee business expenses ~~except for~~
 3 21 ~~those expenses included as wages for a member of the general~~
 3 22 ~~assembly.~~
 3 23 (i) Payments for allowances ~~except for those allowances~~
 3 24 ~~included as wages for a member of the general assembly.~~

CODE: Eliminates the inclusion as Iowa Public Employees Retirement System (IPERS) covered wages for the purpose of determining contributions from the employer and the employee, and the payment of benefits for members of the General Assembly, interim per diem payments, and session daily allowance payments.

FISCAL IMPACT: Savings will result to the General Fund due to the reduction in the employer's share of IPERS contribution. The saving is estimated to be \$178,775 annually (\$13,747 per legislator times the IPERS employer rate of 8.67% effective July 1, 2012).

3 25 Sec. 8. GROUP HEALTH INSURANCE COVERAGE FOR STATE
 3 26 EMPLOYEES.

3 27 1. The state's executive and judicial branch authorities
 3 28 responsible for negotiating the collective bargaining
 3 29 agreements entered into under chapter 20 shall engage in

Requires the Executive Branch and Judicial Branch authorities to engage in discussions with the State employee unions concerning renegotiations involving health insurance coverage of State employees

3 30 discussions with the applicable state employee organizations
 3 31 to renegotiate provisions involving health insurance coverage
 3 32 of state employees and their families in order to achieve cost
 3 33 savings for the state. The discussions shall include but
 3 34 are not limited to a requirement for a state employee who is
 3 35 covered by a collective bargaining agreement and whose spouse
 4 1 is also a state employee, where both the state employee covered
 4 2 by the agreement and the spouse are members of a state group
 4 3 health insurance plan for employees of the state established
 4 4 under chapter 509A, to enroll in a single family group health
 4 5 insurance plan for both state employees.

4 6 2. If collective bargaining agreements are renegotiated
 4 7 to achieve cost savings pursuant to subsection 1, the cost
 4 8 savings provisions shall also apply to state employees who are
 4 9 not covered by collective bargaining as provided in chapter
 4 10 20 and are members of a state group health insurance plan for
 4 11 employees of the state established under chapter 509A.

4 12 3. Beginning on the effective date of this section, a state
 4 13 legislator or legislative staff member whose spouse is a state
 4 14 employee, where both employees are members of a state group
 4 15 health insurance plan for employees of the state established
 4 16 under chapter 509A, shall be required to enroll in a single
 4 17 family group health insurance plan for both employees.

4 18 Sec. 9. DEPARTMENT OF ADMINISTRATIVE SERVICES —
 4 19 HUMAN RESOURCES ADMINISTRATION STUDY. The department of
 4 20 administrative services shall conduct a study to examine the
 4 21 feasibility of issuing a request for proposals to enter into
 4 22 a contract with a private entity for the provision of human
 4 23 resources services provided by the department of administrative
 4 24 services for state employees, to include management of
 4 25 human resources, employee benefits, payroll, payroll tax
 4 26 administration, and workers' compensation. The study shall
 4 27 identify potential cost savings, legal requirements, and other
 4 28 relevant issues, in considering entering into a contract with a
 4 29 private entity for the provision of human resources services
 4 30 for state employees. The department shall submit a report to
 4 31 the general assembly detailing the results of its study by
 4 32 January 1, 2013.

and their families to reduce costs to the State. The discussions are to include, but not limited to, requiring employees that are married, and both spouses work for the State and are covered under a collective bargaining agreement, to have a single family health insurance policy rather than two separate policies.

FISCAL IMPACT: Savings will be contingent on completion of renegotiations.

Requires, if collective bargaining agreements are renegotiated and a cost savings is achieved, the health insurance provisions that apply to covered employees to also apply to noncovered employees.

Requires legislators and legislative staff that have spouses that are State employees, and both are members of a State group health insurance plan, to enroll in a single family group health insurance plan for both employees. This Subsection is effective on enactment for legislators and legislative staff regardless of any change in collective bargaining agreements.

FISCAL IMPACT: The fiscal impact cannot be determined because the State does not maintain records that indicate spousal relationships, unless the two State employees have selected a double spouse family plan.

Requires the DAS to study the feasibility of contracting with a private company to provide human resources services for State employees. The proposal is to include management of human resources, employee benefits, payroll, payroll tax administration, and workers' compensation. Requires the DAS to submit a report to the General Assembly by January 1, 2013.

FISCAL IMPACT: The DAS has received information from private sector consultants indicating that a feasibility study would cost \$200,000 to \$300,000.

4 33 Sec. 10. APPLICABILITY. The section of this division
 4 34 of this Act enacting section 8A.440, applies to collective
 4 35 bargaining agreements entered into on or after the effective
 5 1 date of that section of this division of this Act.

Applicability provision for the collective bargaining agreement changes in this Division.

5 2 Sec. 11. EFFECTIVE UPON ENACTMENT. The following sections
 5 3 of this division of this Act, being deemed of immediate
 5 4 importance, take effect upon enactment:
 5 5 1. The section of this division enacting section 8A.440.
 5 6 2. The section of this division relating to group health
 5 7 insurance coverage for state employees.
 5 8 3. The section of this division relating to applicability.

The following provisions are effective on enactment:

- The Section codifying the requirement that married State employees utilize a single family health insurance plan.
- The Section requiring the Executive Branch to pursue renegotiations of collective bargaining agreements in regard to group health insurance premium costs for State employees.
- The applicability provision in Section 10.

5 9 DIVISION III
 5 10 MEDICATION THERAPY MANAGEMENT

5 11 Sec. 12. NEW SECTION 8A.441 MEDICATION THERAPY MANAGEMENT.

5 12 1. As used in this section, unless the context otherwise
 5 13 requires:

5 14 a. "Eligible employee" means an employee of the state, with
 5 15 the exception of an employee of the state board of regents or
 5 16 institutions under the state board of regents, for whom group
 5 17 health plans are established pursuant to chapter 509A providing
 5 18 for third-party payment or prepayment for health or medical
 5 19 expenses.

5 20 b. "Medication therapy management" means a systematic
 5 21 process performed by a licensed pharmacist, designed to improve
 5 22 quality outcomes for patients and lower health care costs,
 5 23 including emergency room, hospital, provider, and other costs,
 5 24 by optimizing appropriate medication use linked directly to
 5 25 achievement of the clinical goals of therapy. Medication
 5 26 therapy management shall include all of the following services:

5 27 (1) A medication therapy review and in-person consultation
 5 28 relating to all medications, vitamins, and herbal supplements
 5 29 currently being taken by an eligible individual.

5 30 (2) A medication action plan, subject to the limitations
 5 31 specified in this section, communicated to the individual and
 5 32 the individual's primary care physician or other appropriate
 5 33 prescriber to address issues including appropriateness,
 5 34 effectiveness, safety, drug interactions, and adherence. The
 5 35 medication action plan may include drug therapy recommendations
 6 1 to prescribers that are needed to meet clinical goals and
 6 2 achieve optimal patient outcomes.

6 3 (3) Documentation and follow-up to ensure consistent levels

Establishes the Medication Therapy Management (MTM) Program for State employees, excluding employees of the Board of Regents. Defines medication therapy management as a systematic process performed by a licensed pharmacist, designed to optimize therapeutic outcomes through improved medication use and reduced risk of adverse drug events including:

- A review of all medications, vitamins, and supplements being taken by an eligible individual.
- A medication action plan communicated to the individual and the individual's primary health physician. The action plan may include recommendations to the prescriber for drug therapy.
- Documentation and follow-up to ensure consistent levels of pharmacy services and positive outcomes.

DETAIL: An MTM pilot project was implemented in FY 2011. The DAS entered into a contract with a private vendor to implement the requirements of the legislation in July 2010. The vendor provided periodic updates throughout the fiscal year detailing the activity of the program.

FISCAL IMPACT: At the end of FY 2011, the results reported by the vendor to the DAS indicated a total estimated cost avoidance of \$3,914,000 to the State. The DAS stated that the cost avoidance estimate reported by the vendor could not be validated nor disputed. This provision could potentially result in similar cost avoidance/savings to the State.

6 4 of pharmacy services and positive outcomes.

NOTE: Senate File 2313 (Administration and Regulation Appropriations Bill) makes a contingent transfer of \$510,000 from the fees collected by the Board of Pharmacy to the DAS, for the MTM Program. The transfer is contingent on enactment of legislation authorizing the Program during the 2012 Legislative Session.

6 5 2. a. The department shall utilize a request for proposals
6 6 process and shall enter into a contract for the provision of
6 7 medication therapy management services for eligible employees
6 8 who meet any of the following criteria:

Requires the DAS to enter into a contract for MTM services for employees that meet certain eligibility criteria.

6 9 (1) An individual who takes four or more prescription drugs
6 10 to treat or prevent two or more chronic medical conditions.

6 11 (2) An individual with a prescription drug therapy problem
6 12 who is identified by the prescribing physician or other
6 13 appropriate prescriber, and referred to a pharmacist for
6 14 medication therapy management services.

6 15 (3) An individual who meets other criteria established by
6 16 the third-party payment provider contract, policy, or plan.

6 17 b. The contract shall require the entity to provide annual
6 18 reports to the general assembly detailing the costs, savings,
6 19 estimated cost avoidance and return on investment, and improved
6 20 patient outcomes related to the medication therapy management
6 21 services provided. The entity shall guarantee demonstrated
6 22 annual savings for overall health care costs, including
6 23 emergency room, hospital, provider, and other costs, with
6 24 savings including associated cost avoidance, at least equal
6 25 to the program's costs with any shortfall amount refunded to
6 26 the state. The contract shall include terms, conditions,
6 27 and applicable measurement standards associated with the
6 28 demonstration of savings. The department shall verify the
6 29 demonstrated savings reported by the entity was achieved in
6 30 accordance with the agreed upon measurement standards. The
6 31 entity shall be prohibited from using the entity's employees to
6 32 provide the medication therapy management services and shall
6 33 instead be required to contract with licensed pharmacies,
6 34 pharmacists, or physicians.

Requires the contractor that administers the Program to provide annual reports to the General Assembly concerning costs, savings, estimated cost avoidance, and return on investment. Requires the contractor to guarantee an annual savings associated with cost avoidance that is at least equal to the Program's cost. Any shortfall between the calculated cost avoidance and the Program's cost is to be refunded to the State. Requires the DAS to verify that the demonstrated savings reported by the contractor were achieved.

6 35 c. The department may establish an advisory committee
7 1 comprised of an equal number of physicians and pharmacists
7 2 to provide advice and oversight in evaluating the results of
7 3 the program. The department shall appoint the members of the
7 4 advisory committee based upon designees of the Iowa pharmacy
7 5 association, the Iowa medical society, and the Iowa osteopathic
7 6 medical association.

Permits the DAS to form an advisory committee comprised of physicians and pharmacists to provide advice and oversight regarding the request for proposals and the program evaluation process.

7 7 d. The fees for pharmacist-delivered medication therapy
7 8 management services shall be separate from the reimbursement
7 9 for prescription drug product or dispensing services; shall
7 10 be determined by each third-party payment provider contract,
7 11 policy, or plan; and must be reasonable based on the resources
7 12 and time required to provide the service.

Specifies that the fees for pharmacist-related MTM services be separate from the reimbursement for pharmacy-related services. Requires the fees to be reasonable and to be determined by each third-party payment provider contract.

7 13 e. A fee shall be established for physician reimbursement
7 14 for services delivered for medication therapy management as
7 15 determined by each third-party payment provider contract,
7 16 policy, or plan, and must be reasonable based on the resources
7 17 and time required to provide the service.

Specifies that the fees for physician-related MTM services to be reasonable and determined by each third-party payment provider contract.

7 18 f. If any part of the medication therapy management
7 19 plan developed by a pharmacist incorporates services which
7 20 are outside the pharmacist's independent scope of practice
7 21 including the initiation of therapy, modification of dosages,
7 22 therapeutic interchange, or changes in drug therapy, the
7 23 express authorization of the individual's physician or other
7 24 appropriate prescriber is required.

Specifies that if any part of the MTM plan developed by a pharmacist incorporates services outside the pharmacist's scope of practice, authorization of an individual's physician is required.

7 25 Sec. 13. EFFECTIVE UPON ENACTMENT. This division of this
7 26 Act, being deemed of immediate importance, takes effect upon
7 27 enactment.

This Division, relating to MTM, is effective on enactment.

7 28 DIVISION IV
7 29 IOWA LAW ENFORCEMENT ACADEMY

7 30 Sec. 14. IOWA LAW ENFORCEMENT ACADEMY — CURRICULUM AND
7 31 COURSE EFFICIENCIES. The director of the Iowa law enforcement
7 32 academy, in consultation with the Iowa law enforcement academy
7 33 council, shall examine its course offerings to law enforcement
7 34 officers with the goal of offering core courses to all law
7 35 enforcement officers instead of offering distinct courses to
8 1 different groupings of law enforcement officers.

Requires the Director of the Iowa Law Enforcement Academy to establish a goal of offering courses to all law enforcement officers instead of distinct courses to individual groups of law enforcement officers.

8 2 DIVISION V
8 3 STATE PHYSICAL RESOURCES

8 4 Sec. 15. STATE EMPLOYEE WORK ENVIRONMENT ANALYSIS
8 5 AND REPORT. By September 30, 2012, the department of
8 6 administrative services shall conduct a high level needs
8 7 analysis of state employee work stations and office standards,
8 8 focusing on reducing square footage needs and creating
8 9 healthy, productive, and efficient work environments. Overall
8 10 objectives of the analysis shall include improving employee
8 11 density; properly allocating space for individual and group

Requires the DAS to analyze State employee work stations and office standards with the objective of making recommendations for improving employee work space density, properly allocating individual and group work space, improving worker health and safety, improving technology integration, and energy efficiency and sustainability in state offices. Requires the DAS to submit a report to the Capitol Planning Commission and to the Legislative Government Oversight Committees by October 30, 2012.

8 12 work; improving worker health and safety; improving technology
 8 13 integration; and improving energy efficiency and sustainability
 8 14 in state offices. The department shall submit findings and
 8 15 recommendations to the capitol planning commission and to the
 8 16 legislative government oversight committees by October 30,
 8 17 2012.

FISCAL IMPACT: The DAS has indicated they may need to hire a consultant to evaluate State employee work environments relative to market trends and private sector standards. The cost of a consultant is estimated at \$10,000.

8 18 Sec. 16. DEPARTMENT OF NATURAL RESOURCES — SALE OF REAL
 8 19 PROPERTY. During the fiscal period beginning on the effective
 8 20 date of this division of this Act, and ending June 30, 2013,
 8 21 the department of natural resources shall identify and sell
 8 22 real property under the control of the department, the sale of
 8 23 which is not otherwise prohibited by federal law, that is not
 8 24 utilized for state parks and forests in sufficient acreage that
 8 25 shall generate at least twenty million dollars. However, real
 8 26 property received by the department in the form of a devise or
 8 27 that is not farmable shall not be sold. Notwithstanding any
 8 28 provision of law to the contrary, the department of natural
 8 29 resources shall be authorized to sell real property and
 8 30 moneys received for the sale of real property pursuant to this
 8 31 section shall be deposited in the Iowa resources enhancement
 8 32 and protection fund established in section 455A.18. Moneys
 8 33 deposited in the Iowa resources enhancement and protection fund
 8 34 from the sale of real property pursuant to this section shall
 8 35 not be allocated to the open spaces account in the fund and
 9 1 shall not be utilized for land acquisition.

Requires the Department of Natural Resources (DNR) to identify and sell sufficient farmable property owned by the Department, and not used for State parks and forests, or prohibited by federal law, in an amount to generate at least \$20,000,000. Requires the proceeds to be deposited in the Resource Enhancement and Protection Fund (REAP).

DETAIL: According to the DNR, the farmable lands under State ownership are either located within State parks and forests or within Wildlife Management Areas. The lands within Wildlife Management Areas were purchased with either federal funds and/or hunting, angling, and trapping license fees. The license fees are to be used for fish and game purposes per federal agreement.

The U.S. Fish and Wildlife Service determined that any proceeds from the sale of lands purchased with federal funds and diverted for another use must be returned to the federal government, or replaced by land of equal conservation and economic value and managed by the DNR for fish and game purposes. Sale of any of these lands, thus taking them out of the management of the DNR, would make Iowa ineligible to receive its federal apportionment of over \$10,000,000 annually.

The DNR currently manages approximately 45,000 acres of farmable land, which includes:

- 22,000 acres of State-owned land located in Wildlife Management Areas, that were purchased with federal funds and/or revenue from the sale of hunting, angling, and trapping licenses.
- 3,200 acres of State-owned land located in State parks (lands exempt in this Bill).
- 3,100 acres of State-owned land located in State Forests (lands exempt in this Bill).
- 12,100 acres owned by the U.S. Army Corps of Engineers and managed by the DNR (lands not owned by the State).
- 4,650 acres owned by the U.S. Fish and Wildlife Service and managed by the DNR (lands not owned by the State).

9 2 Sec. 17. EFFECTIVE UPON ENACTMENT. This division of this
 9 3 Act, being deemed of immediate importance, takes effect upon

The provision requiring the DNR to sell land is effective on enactment.

9 4 enactment.

9 5 DIVISION VI
9 6 FILM PROJECT AND TAX CREDIT PROGRAM

9 7 Sec. 18. Section 2.48, subsection 3, paragraph c,
9 8 subparagraph (5), Code 2011, is amended by striking the
9 9 subparagraph.

9 10 Sec. 19. Section 15.119, subsection 2, paragraph b, Code
9 11 Supplement 2011, is amended by striking the paragraph.

9 12 Sec. 20. Section 422.7, subsection 52, Code Supplement
9 13 2011, is amended by striking the subsection.

9 14 Sec. 21. Section 422.33, subsections 23 and 24, Code
9 15 Supplement 2011, are amended by striking the subsections.

9 16 Sec. 22. Section 422.35, subsection 23, Code Supplement
9 17 2011, is amended by striking the subsection.

9 18 Sec. 23. Section 422.60, subsections 10 and 11, Code
9 19 Supplement 2011, are amended by striking the subsections.

9 20 Sec. 24. Section 533.329, subsection 2, paragraphs f and g,
9 21 Code Supplement 2011, are amended by striking the paragraphs.

9 22 Sec. 25. REPEAL. Sections 15.391, 15.392, 15.393, 422.11T,
9 23 422.11U, 432.12J, and 432.12K, Code and Code Supplement 2011,
9 24 are repealed.

9 25 Sec. 26. EFFECTIVE UPON ENACTMENT. This division of this
9 26 Act, being deemed of immediate importance, takes effect upon
9 27 enactment.

9 28 Sec. 27. RETROACTIVE APPLICABILITY. This division of this
9 29 Act applies retroactively to January 1, 2012, for tax years
9 30 beginning on or after that date.

9 31 Sec. 28. APPLICABILITY. This division of this Act does not
9 32 apply to contracts or agreements entered into on or before the
9 33 effective date of this division of this Act.

9 34 DIVISION VII
9 35 HUMAN SERVICES — FOOD ASSISTANCE PROGRAM

10 1 Sec. 29. FOOD ASSISTANCE PROGRAM — AUTHORITY TO RESTRICT
10 2 USE OF BENEFITS. The department of human services shall submit
10 3 a request to the United States department of agriculture for
10 4 authorization for a waiver, pilot project, or other approach
10 5 for restricting the use of food assistance benefits, as
10 6 administered by the state under the federal supplemental
10 7 nutrition assistance program, for food items with a low
10 8 nutritional value. The request shall be submitted within 60
10 9 days of the effective date of this division of this Act. The
10 10 department shall regularly report on the status of the request
10 11 to the members of the joint appropriations subcommittee on

CODE: This Division repeals the Film, Television, and Video Project Promotion Program and makes conforming changes throughout the Code. The repeal is effective on enactment and applies retroactively to January 1, 2012. Specifies that this Division does not apply to contracts or agreements entered into on or before the effective date of this Bill.

FISCAL IMPACT: This Division will not result in savings to the General Fund. The Film, Television, and Video Project Credit is currently suspended and is one of several tax credits subject to an aggregate spending cap. It is anticipated that the aggregate tax credit cap will be reached with or without the Film Tax Credit and no State savings are anticipated.

Requires the DHS to request a waiver from the U.S. Department of Agriculture to authorize the DHS to restrict the use of food assistance benefits under the Federal Supplemental Nutrition Assistance Program for food with a low nutritional value. Requires the request to be submitted within 60 days of the effective date of this Division and requires the DHS to regularly report the status of the request to the Health and Human Services Appropriations Subcommittee and the Legislative Services Agency. This Division is effective on enactment.

FISCAL IMPACT: No fiscal impact.

10 12 health and human services and the legislative services agency.
 10 13 Sec. 30. EFFECTIVE UPON ENACTMENT. This division of this
 10 14 Act, being deemed of immediate importance, takes effect upon
 10 15 enactment.

10 16 DIVISION VIII
 10 17 MENTAL HEALTH SERVICES

10 18 Sec. 31. Section 225C.6, subsection 1, paragraph k, Code
 10 19 Supplement 2011, is amended to read as follows:

10 20 k. Coordinate activities with the governor's developmental
 10 21 disabilities council and the mental health planning council,
 10 22 created pursuant to federal law. The commission shall receive
 10 23 any official reports from the two councils and shall consider
 10 24 any recommendations made in the reports. The commission shall
 10 25 work with other state agencies on coordinating, collaborating,
 10 26 and communicating concerning activities involving persons with
 10 27 disabilities.

10 28 Sec. 32. Section 426B.5, subsection 2, paragraph c, Code
 10 29 Supplement 2011, is amended to read as follows:

10 30 c.—A The mental health and disability services commission
 10 31 created in section 225C.5 shall serve as the risk pool board
 10 32 is created and shall fulfill the duties of the risk pool board
 10 33 in accordance with this section. ~~The board shall consist of~~
 10 34 ~~two county supervisors, two county auditors, a member of the~~
 10 35 ~~mental health and disability services commission who is not a~~
 11 1 ~~member of a county board of supervisors, a member of the county~~
 11 2 ~~finance committee created in chapter 333A who is not an elected~~
 11 3 ~~official, a representative of a provider of mental health or~~
 11 4 ~~developmental disabilities services selected from nominees~~
 11 5 ~~submitted by the Iowa association of community providers, and~~
 11 6 ~~two central point of coordination process administrators,~~
 11 7 ~~all appointed by the governor, and one member appointed by~~
 11 8 ~~the director of human services. All members appointed by~~
 11 9 ~~the governor shall be subject to confirmation by the senate.~~
 11 10 ~~Members shall serve for three year terms. A vacancy shall~~
 11 11 ~~be filled in the same manner as the original appointment.~~
 11 12 ~~Expenses and other costs of the risk pool board members~~
 11 13 ~~representing counties shall be paid by the county of origin.~~
 11 14 ~~Expenses and other costs of risk pool board members who do~~
 11 15 ~~not represent counties shall be paid from a source determined~~
 11 16 ~~by the governor. The mental health and disability services~~
 11 17 commission may appoint a risk pool advisory committee which may
 11 18 include the interests comprising the risk pool board under this
 11 19 section, Code 2011, to make recommendations to the commission
 11 20 regarding the risk pool board decisions and other functions
 11 21 required by this section. ~~Staff assistance to the for risk~~

CODE: Eliminates the Risk Pool Board and transfers the Board's responsibilities to the Mental Health and Disability Services Commission. Permits the Commission to appoint a Risk Pool Advisory Committee to make recommendations to the Commission concerning Risk Pool Board decisions.

DETAIL: The Risk Pool Board is comprised of nine members. Five of the members are county representatives and their expenses are paid by the county of origin. The other four members are statewide appointments and their expenses are paid by the State.

FISCAL IMPACT: Minimal fiscal impact.

11 22 pool board decision making shall be provided by the department
 11 23 of human services and counties. Actuarial expenses and other
 11 24 direct administrative costs shall be charged to the pool.

11 25 DIVISION IX
 11 26 OPERATIONAL EFFICIENCIES

11 27 Sec. 33. STATE DEPARTMENT AND AGENCY LIMITATIONS ON
 11 28 MAIL. Notwithstanding any provision of the law to the
 11 29 contrary, a state department or agency shall provide
 11 30 departmental or agency notices or information through the
 11 31 department's or agency's internet site or through electronic
 11 32 mail to the fullest extent possible. This requirement shall
 11 33 not apply to department and agency communications required
 11 34 for purposes of pursuing legal action or to comply with
 11 35 federal law. Departments and agencies shall have rulemaking
 12 1 authority to implement this section and to collect electronic
 12 2 mail addresses for the purpose of electronic communications.
 12 3 Electronic mail addresses collected by state departments and
 12 4 agencies under this section shall be considered confidential
 12 5 information pursuant to section 22.7 exempt from open records
 12 6 requests under chapter 22.

Requires State agencies to distribute notices and information through the agencies' internet site or through electronic mail to the fullest extent possible.

FISCAL IMPACT: This item will result in some savings but a specific amount cannot be estimated.

12 7 DIVISION X
 12 8 STATE RECORDS

12 9 Sec. 34. Section 96.11, subsection 11, Code 2011, is amended
 12 10 to read as follows:
 12 11 11. DESTRUCTION OF RECORDS. The department may destroy
 12 12 or dispose of such original reports or records as have been
 12 13 properly recorded or summarized in the permanent records of
 12 14 the department and are deemed by the director and the ~~state~~
 12 15 ~~records commission~~ department of cultural affairs to be no
 12 16 longer necessary to the proper administration of this chapter.
 12 17 Wage records of the individual worker or transcripts therefrom
 12 18 may be destroyed or disposed of, if approved by the ~~state~~
 12 19 ~~records commission~~ department of cultural affairs, two years
 12 20 after the expiration of the period covered by such wage records
 12 21 or upon proof of the death of the worker. Such destruction
 12 22 or disposition shall be made only by order of the director in
 12 23 consultation with the ~~state records commission~~ department of
 12 24 cultural affairs. Any moneys received from the disposition of
 12 25 such records shall be deposited to the credit of the employment
 12 26 security administration fund, subject to rules promulgated by
 12 27 the department.
 12 28 Sec. 35. Section 305.2, subsection 2, Code 2011, is amended
 12 29 to read as follows:

CODE: This Division repeals the State Records Commission and transfers the responsibilities to the Department of Cultural Affairs. Sections 34 - 40 of this Bill make conforming changes that are associated with transferring the duties of the Commission to the Department.

12 30 2. "Archives" means records that have been appraised by
 12 31 the ~~state records commission~~ department as having sufficient
 12 32 historical, research, evidential, or informational value to
 12 33 warrant permanent preservation and that have been transferred
 12 34 to the custody of the state archives.

12 35 Sec. 36. Section 305.2, subsections 3 and 5, Code 2011, are
 13 1 amended by striking the subsections.

13 2 Sec. 37. Section 305.2, Code 2011, is amended by adding the
 13 3 following new subsection:
 13 4 NEW SUBSECTION 4A. "Department" means the department of
 13 5 cultural affairs.

13 6 Sec. 38. Section 305.2, subsection 10, Code 2011, is amended
 13 7 to read as follows:
 13 8 10. "Records series retention and disposition schedule"
 13 9 means a timetable established by the ~~state records commission~~
 13 10 department that describes the length of time a records series
 13 11 of an agency or multiple agencies must be retained in active
 13 12 and inactive status and provides authorization for a final
 13 13 disposition of the records series by destruction or permanent
 13 14 retention.

13 15 Sec. 39. Section 305.4, unnumbered paragraph 1, Code 2011,
 13 16 is amended to read as follows:
 13 17 The ~~commission~~ department shall adopt government information
 13 18 policies, standards, and guidelines to do all of the following:
 13 19 Sec. 40. Section 305.8, subsection 1, unnumbered paragraph
 13 20 1, Code 2011, is amended to read as follows:
 13 21 The ~~commission~~ department shall do all of the following:

13 22 Sec. 41. Section 305.8, subsection 1, Code 2011, is amended
 13 23 by adding the following new paragraph:
 13 24 NEW PARAGRAPH 0e. Provide training, advice, and counsel
 13 25 to agencies on government information policies, standards, and
 13 26 guidelines.

13 27 Sec. 42. Section 305.8, subsection 1, Code 2011, is amended
 13 28 by adding the following new paragraphs:
 13 29 NEW PARAGRAPH 0f. Develop and distribute operating
 13 30 procedures for agencies to use to implement the plans,
 13 31 policies, standards, and guidelines adopted by the department.
 13 32 NEW PARAGRAPH 00f. Manage any centralized records storage
 13 33 facility established by the department for the temporary
 13 34 storage of agency records prior to their final disposition by
 13 35 destruction or permanent preservation in accordance with the
 14 1 records series retention and disposition schedules.
 14 2 NEW PARAGRAPH 000f. Appoint a state archivist to head the
 14 3 state archives and records program.
 14 4 NEW PARAGRAPH 0000f. Manage the state archives and develop

CODE: Sections 41 and 42 of this Bill provide additional requirements for the Department of Cultural Affairs relating to the management and storage of State records. The new provisions require the Department to:

- Provide training to agencies relating to policies and guidelines of records storage and retention.
- Develop operating procedures for agencies to use.
- Manage all records storage facilities.
- Appoint a State Archivist.
- Manage the State archives and develop operating procedures pertaining to archived records.
- Maintain physical and legal custody of archives that have been transferred to the State archives.
- Consider establishing a reasonable fee for providing certified copies and transcripts or records that are in the legal or physical custody of the State Archivist.
- Establish and maintain an electronic archive of records to

14 5 operating procedures for the transfer, accession, arrangement,
 14 6 description, preservation, protection, and public access of
 14 7 those records the department identifies as having permanent
 14 8 value.
 14 9 NEW PARAGRAPH 00000f. Maintain physical custody and legal
 14 10 custody of archives that have been transferred and delivered
 14 11 to the state archives.
 14 12 (1) Upon receipt by the state archivist, the archives shall
 14 13 not be removed without the state archivist's consent except in
 14 14 response to a subpoena of a court of record or in accordance
 14 15 with approved records series retention and disposition
 14 16 schedules or after review and approval of the department.
 14 17 (2) Upon request, the state archivist shall make a certified
 14 18 copy of any record in the legal custody or in the physical
 14 19 custody of the state archivist, or a certified transcript
 14 20 of any record if reproduction is inappropriate because of
 14 21 legal or physical considerations. If a copy or transcript is
 14 22 properly authenticated, it has the same legal effect as though
 14 23 certified by the officer from whose office it was transferred
 14 24 or by the secretary of state. The department shall establish
 14 25 reasonable fees for certified copies or certified transcripts
 14 26 of records in the legal custody or physical custody of the
 14 27 state archivist.
 14 28 NEW PARAGRAPH 000000f. Establish, maintain, and administer
 14 29 an archive of records created and maintained in electronic
 14 30 format in order to preserve and provide public access to state
 14 31 government records identified as having permanent historical
 14 32 value by the department.

14 33 Sec. 43. Section 305.8, subsection 1, Code 2011, is amended
 14 34 by adding the following new paragraph:
 14 35 NEW PARAGRAPH 0i. Establish rates to be charged an agency
 15 1 by the department for storage and retention of records of
 15 2 the agency in a records storage facility maintained by the
 15 3 department. Rates established shall be reviewed annually by
 15 4 the department and shall be reasonably related to the cost of
 15 5 storing and retaining records of an agency.

15 6 Sec. 44. Section 305.8, subsection 2, unnumbered paragraph
 15 7 1, Code 2011, is amended to read as follows:
 15 8 The ~~commission~~ department may do all of the following:

15 9 Sec. 45. Section 305.8, subsection 2, Code 2011, is amended
 15 10 by adding the following new paragraph:
 15 11 NEW PARAGRAPH 0g. Upon written consent of the state
 15 12 archivist, accept records of political subdivisions that are

preserve and provide public access to State government records
 that have permanent historical value.

CODE: Allows the Department of Cultural Affairs to establish rates for
 the purpose of billing State agencies for the storage and retention of
 records.

CODE: Makes a conforming change associated with transferring the
 duties of the State Records Commission to the Department of Cultural
 Affairs.

CODE: Allows the Department to accept records of political
 subdivisions that are voluntarily transferred to the State archives.

15 13 voluntarily transferred to the state archives.

15 14 Sec. 46. Section 305.8, subsection 2, paragraph e, Code
15 15 2011, is amended to read as follows:

15 16 e. Make, or cause to be made, preservation duplicates of
15 17 records, which may include existing copies of original state
15 18 records. Any preservation duplicate record shall be durable,
15 19 accurate, complete, and clear, and shall be made by means
15 20 designated by the ~~commission~~ department.

CODE: Makes a conforming change associated with transferring the duties of the State Records Commission to the Department of Cultural Affairs.

15 21 Sec. 47. NEW SECTION 305.8A RECORDS RETENTION AND STORAGE
15 22 COSTS — BILLING — INTERNAL SERVICE FUND.

CODE: Allows the Department of Cultural Affairs to establish an internal service fund for records storage and retention services and to bill State agencies for the costs associated with storage and retention of records. Requires interest earnings of the internal service fund to remain in the fund.

15 23 1. The department may bill an agency for records storage
15 24 and retention services rendered by the department pursuant to
15 25 the rates established by the department for these services.
15 26 The department shall periodically render a billing statement
15 27 to an agency outlining the cost of services provided. The
15 28 amount indicated on the statement shall be paid by the agency
15 29 and amounts received by the department shall be considered
15 30 repayment receipts as defined in section 8.2, and deposited
15 31 into the accounts of the department.

FISCAL IMPACT: The Department of Cultural Affairs receives an annually appropriation to pay the the facility lease where State records are stored and for support costs associated with records storage and retention. For FY 2012, the appropriation was \$227,000. This Section allows the Department to bill other agencies for the cost of records storage in an amount similar to the appropriation received in FY 2012. It is assumed that the annual appropriation will be discontinued beginning in FY 2013, if Division X is enacted.

15 32 2. a. The department may establish and maintain an internal
15 33 service fund in accordance with generally accepted accounting
15 34 principles, as defined in section 8.57, for the records storage
15 35 and retention activities of the department which are primarily
16 1 funded from billings to agencies for services rendered by the
16 2 department.

16 3 b. The internal service fund shall be administered by
16 4 the department and shall consist of moneys collected by the
16 5 department from billings issued in accordance with this section
16 6 and any other moneys obtained or accepted by the department,
16 7 including but not limited to gifts, loans, donations, grants,
16 8 and contributions, which are designated to support the
16 9 activities of the internal service fund.

16 10 c. The proceeds of the internal service fund established
16 11 pursuant to this section shall be used by the department
16 12 for the operations of the department in records storage and
16 13 retention consistent with this chapter.

16 14 d. Section 8.33 does not apply to any moneys in the
16 15 internal service fund established pursuant to this section.
16 16 Notwithstanding section 12C.7, subsection 2, interest or
16 17 earnings on moneys deposited in the fund shall be credited to
16 18 the fund.

16 19 e. The director of the department shall annually provide
16 20 financial information and reports relative to the internal
16 21 service fund established pursuant to this section to the

16 22 department of management and the general assembly. The
 16 23 information provided may include the recommendation that a
 16 24 portion of unexpended net income be periodically returned to
 16 25 the appropriate funding source.

16 26 Sec. 48. Section 305.10, subsection 1, paragraphs c, d, e,
 16 27 f, and j, Code 2011, are amended to read as follows:
 16 28 c. Cooperate with the ~~state records commission~~ department
 16 29 and the state archives and records program in the development
 16 30 and implementation of government information policies,
 16 31 standards, and guidelines, and in the development and
 16 32 implementation of records series retention and disposition
 16 33 schedules.

16 34 d. Comply with requests from the ~~state records commission~~
 16 35 ~~or department and~~ the state archives and records program to
 17 1 examine records in the possession, constructive possession, or
 17 2 control of the agency in order to carry out the purposes of
 17 3 this chapter.

17 4 e. Inventory agency records in accordance with ~~state~~
 17 5 ~~records commission~~ department policies to draft records series
 17 6 retention and disposition schedules.

17 7 f. Identify vital operating records in accordance with
 17 8 the policies, standards, and guidelines of the ~~state records~~
 17 9 ~~commission~~ department.

17 10 j. Provide for compliance with this chapter and the rules
 17 11 adopted by the ~~state records commission~~ department.

17 12 Sec. 49. Section 305.10, subsection 2, Code 2011, is amended
 17 13 to read as follows:

17 14 2. Agency heads may petition the ~~state records commission~~
 17 15 department to create or modify government information policies,
 17 16 standards, and guidelines, and to create or modify records
 17 17 series retention and disposition schedules.

17 18 Sec. 50. Section 305.11, Code 2011, is amended to read as
 17 19 follows:

17 20 305.11 TERMINATION OF STATE AGENCY — RECORDS TRANSFER.

17 21 Upon the termination of a state agency whose functions have
 17 22 not been transferred to another agency, custody of the records
 17 23 of the agency shall transfer to the ~~commission~~ department.

17 24 Sec. 51. Section 305.14, Code 2011, is amended to read as
 17 25 follows:

17 26 305.14 LIABILITY PRECLUDED.

17 27 No ~~member~~ employee of the ~~commission~~ department or head of
 17 28 an agency shall be held liable for damages or loss, or civil
 17 29 or criminal liability, because of the destruction of public
 17 30 records pursuant to the provisions of this chapter or any other
 17 31 law authorizing their destruction.

CODE: Sections 48 - 54 of this Bill make conforming changes that are associated with transferring the duties of the State Records Commission to the Department of Cultural Affairs.

17 32 Sec. 52. Section 305.15, Code 2011, is amended to read as
17 33 follows:

17 34 305.15 EXEMPTIONS — DUTIES OF STATE DEPARTMENT OF
17 35 TRANSPORTATION AND STATE BOARD OF REGENTS.

18 1 The state department of transportation and the agencies and
18 2 institutions under the control of the state board of regents
18 3 are exempt from the state records manual and the provisions of
18 4 this chapter. However, the state department of transportation
18 5 and the state board of regents shall adopt rules pursuant to
18 6 chapter 17A for their employees, agencies, and institutions
18 7 that are consistent with the objectives of this chapter.
18 8 The rules shall be approved by the ~~state records commission~~
18 9 department.

18 10 Sec. 53. Section 305.16, subsection 6, paragraph b,
18 11 subparagraph (1), Code 2011, is amended to read as follows:

18 12 (1) Serve in an advisory capacity to the ~~state records~~
18 13 ~~commission~~ department, the state archives and records program,
18 14 and other statewide archival or records agencies.

18 15 Sec. 54. Section 321.31, subsection 1, paragraph b, Code
18 16 2011, is amended to read as follows:

18 17 b. The department may make photostatic, microfilm, or other
18 18 photographic copies of certificates of title, registration
18 19 receipts, or other records, reports or documents which are
18 20 required to be retained by the department. When copies have
18 21 been made, the department may destroy the original records in
18 22 such manner as prescribed by the director. The photostatic,
18 23 microfilm, or other photographic copies, when no longer of use,
18 24 may be destroyed in the manner prescribed by the director,
18 25 subject to the approval of the ~~state records commission~~
18 26 department of cultural affairs. Photostatic, microfilm, or
18 27 other photographic copies of records shall be admissible in
18 28 evidence when duly certified and authenticated by the officer
18 29 having custody and control of the copies of records. Records
18 30 of vehicle certificates of title may be destroyed seven years
18 31 after the date of issue.

18 32 Sec. 55. REPEAL. Sections 305.3, 305.5, 305.6, 305.7, and
18 33 305.9, Code 2011, are repealed.

CODE: Repeals the State Records Commission.

DETAIL: The duties of the State Records Commission are transferred to the Department of Cultural Affairs.

18 34 Sec. 56. IOWA BUILDING — CENTRALIZED RECORDS STORAGE
18 35 FACILITY. The department of cultural affairs shall utilize the
19 1 Iowa building as the centralized records storage facility for
19 2 records received by the department upon the conclusion of the

Requires the Department of Cultural Affairs to use the Iowa Building as the central records storage facility after the existing Records Center lease expires.

19 3 existing lease for the building currently utilized for this
 19 4 purpose. The department, in collaboration with the department
 19 5 of administrative services, shall conduct an assessment of the
 19 6 Iowa building and shall identify space within the building
 19 7 that can be utilized for this purpose. If modifications
 19 8 or renovations to the Iowa building are necessary for the
 19 9 department to utilize space in the building for a centralized
 19 10 records storage facility, the department, in collaboration with
 19 11 the department of administrative services, shall determine the
 19 12 estimated cost of the modifications or renovations needed and
 19 13 shall provide this information to the general assembly.

DETAIL: The current lease of the Records Center will expire on July 31, 2015. This requirement could result in a savings to the State, but would require an investment for the relocation of records and any necessary renovation costs of the Iowa Building

19 14 Sec. 57. ADMINISTRATIVE RULES — TRANSITION PROVISIONS.

Establishes a process for updating the Administrative Rules as it relates to the transfer of the State Records Commission duties to the Department of Cultural Affairs.

19 15 1. Any rule, regulation, form, order, or directive
 19 16 promulgated by the state records commission relative to the
 19 17 provisions of this Act in existence on the effective date of
 19 18 this division of this Act shall continue in full force and
 19 19 effect until amended, repealed, or supplemented by affirmative
 19 20 action of the department of cultural affairs under the duties
 19 21 and powers established in this division of this Act and under
 19 22 the procedure established in subsection 2.

19 23 2. In regard to updating references and format in the Iowa
 19 24 administrative code in order to correspond to the transferring
 19 25 of duties as established in this division of this Act, the
 19 26 administrative rules coordinator and the administrative rules
 19 27 review committee, in consultation with the administrative code
 19 28 editor, shall jointly develop a schedule for the necessary
 19 29 updating of the Iowa administrative code.

19 30 DIVISION XI
 19 31 LOCAL GOVERNMENT

19 32 Sec. 58. Section 39.2, subsection 4, paragraph c, Code 2011,
 19 33 is amended to read as follows:

19 34 c. For a school district or merged area, in the odd-numbered
 19 35 year, the first Tuesday in February, the first Tuesday in
 20 1 April, the last Tuesday in June, or the ~~second~~ first Tuesday
 20 2 ~~in September after the first Monday in November.~~ For a school
 20 3 district or merged area, in the even-numbered year, the first
 20 4 Tuesday in February, the first Tuesday in April, the second
 20 5 Tuesday in September, or the first Tuesday in December.

20 6 Sec. 59. Section 260C.12, subsection 1, Code 2011, is
 20 7 amended to read as follows:

20 8 1. The board of directors of the merged area shall organize
 20 9 at the first regular meeting in ~~October~~ December following the
 20 10 regular school election. Organization of the board shall be

CODE: This Division changes the date of regular school elections for local school districts, merged areas, and area education agencies to the date of regular city elections in odd numbered years. This Division also makes corresponding statutory changes necessary to reflect the change in election dates, such as election publication dates and organizational board meeting dates. This Division takes effect on January 1, 2014.

DETAIL: The costs for local governments will be reduced by an estimated \$2,000,000 in each even numbered fiscal year, beginning with FY 2016, for the elections that take place in calendar year 2015.

20 11 effected by the election of a president and other officers from
20 12 the board membership as board members determine. The board
20 13 of directors shall appoint a secretary and a treasurer who
20 14 shall each give bond as prescribed in section 291.2 and who
20 15 shall each receive the salary determined by the board. The
20 16 secretary and treasurer shall perform duties under chapter 291
20 17 and additional duties the board of directors deems necessary.
20 18 However, the board may appoint one person to serve as the
20 19 secretary and treasurer. If one person serves as the secretary
20 20 and treasurer, only one bond is necessary for that person. The
20 21 frequency of meetings other than organizational meetings shall
20 22 be as determined by the board of directors but the president
20 23 or a majority of the members may call a special meeting at any
20 24 time.

20 25 Sec. 60. Section 260C.13, subsection 1, Code 2011, is
20 26 amended to read as follows:

20 27 1. The board of a merged area may change the number of
20 28 directors on the board and shall make corresponding changes
20 29 in the boundaries of director districts. Changes shall be
20 30 completed not later than ~~June~~ August 1 of the year of the
20 31 regular school election. As soon as possible after adoption
20 32 of the boundary changes, notice of changes in the director
20 33 district boundaries shall be submitted by the merged area to
20 34 the county commissioner of elections in all counties included
20 35 in whole or in part in the merged area.

21 1 Sec. 61. Section 273.8, subsection 2, paragraphs a and b,
21 2 Code 2011, are amended to read as follows:

21 3 a. Notice of the election shall be published by the area
21 4 education agency administrator not later than ~~July~~ September 15
21 5 of the odd-numbered year in at least one newspaper of general
21 6 circulation in the director district. The cost of publication
21 7 shall be paid by the area education agency.

21 8 b. A candidate for election to the area education agency
21 9 board shall file a statement of candidacy with the area
21 10 education agency secretary not later than ~~August~~ October 15 of
21 11 the odd-numbered year, on forms prescribed by the department
21 12 of education. The statement of candidacy shall include the
21 13 candidate's name, address, and school district. The list of
21 14 candidates shall be sent by the secretary of the area education
21 15 agency in ballot form by certified mail to the presidents of
21 16 the boards of directors of all school districts within the
21 17 director district not later than ~~September~~ November 1. In
21 18 order for the ballot to be counted, the ballot must be received
21 19 in the secretary's office by the end of the normal business
21 20 day on ~~September~~ November 30 or be clearly postmarked by an
21 21 officially authorized postal service not later than ~~September~~

21 22 ~~November~~ 29 and received by the secretary not later than noon
21 23 on the first Monday following ~~September~~ November 30.
21 24 Sec. 62. Section 273.8, subsection 4, paragraph a, Code
21 25 2011, is amended to read as follows:
21 26 a. The board of directors of each area education agency
21 27 shall meet and organize at the first regular meeting in ~~October~~
21 28 December following the regular school election at a suitable
21 29 place designated by the president. Directors whose terms
21 30 commence at the organizational meeting shall qualify by taking
21 31 the oath of office required by section 277.28 at or before the
21 32 organizational meeting.
21 33 Sec. 63. Section 273.8, subsection 6, Code 2011, is amended
21 34 to read as follows:
21 35 6. CHANGE IN DIRECTORS. The board of an area education
22 1 agency may change the number of directors on the board and
22 2 shall make corresponding changes in the boundaries of director
22 3 districts. Changes shall be completed not later than ~~July~~
22 4 September 1 of a ~~year~~ at the odd-numbered year for the director
22 5 district conventions to be held the following ~~September~~
22 6 November.
22 7 Sec. 64. Section 277.1, Code 2011, is amended to read as
22 8 follows:
22 9 277.1 REGULAR ELECTION.
22 10 The regular election shall be held biennially on the ~~second~~
22 11 first Tuesday in ~~September~~ after the first Monday in November
22 12 of each odd-numbered year in each school district for the
22 13 election of officers of the district and merged area and for
22 14 the purpose of submitting to the voters any matter authorized
22 15 by law.
22 16 Sec. 65. Section 277.20, Code 2011, is amended to read as
22 17 follows:
22 18 277.20 CANVASSING RETURNS.
22 19 ~~On the next Friday after~~ After the regular school election,
22 20 the county board of supervisors shall canvass the returns
22 21 made to the county commissioner of elections from the several
22 22 precinct polling places and the absentee ballot counting board,
22 23 ascertain the result of the voting with regard to every matter
22 24 voted upon and cause a record to be made thereof, all as
22 25 required by section 50.24. Special elections held in school
22 26 districts shall be canvassed at the time and in the manner
22 27 required by that section. The board shall declare the results
22 28 of the voting for members of boards of directors of school
22 29 corporations nominated pursuant to section 277.4, and the
22 30 commissioner shall at once issue a certificate of election to
22 31 each person declared elected. The board shall also declare the
22 32 results of the voting on any public question submitted to the

22 33 voters of a single school district, and the commissioner shall
 22 34 certify the result as required by section 50.27.
 22 35 The abstracts of the votes cast for members of the board
 23 1 of directors of any merged area, and of the votes cast on any
 23 2 public question submitted to the voters of any merged area,
 23 3 shall be promptly certified by the commissioner to the county
 23 4 commissioner of elections who is responsible under section 47.2
 23 5 for conducting the elections held for that merged area.
 23 6 Sec. 66. EFFECTIVE DATE. This division of this Act takes
 23 7 effect January 1, 2014.

23 8 DIVISION XII
 23 9 LOCAL GOVERNMENTS — ELECTRONIC PAYMENT

23 10 Sec. 67. LOCAL GOVERNMENTS — ELECTRONIC PAYMENT. Local
 23 11 governments shall encourage persons to pay fees and taxes
 23 12 collected by local governments by credit or debit card or
 23 13 other electronic means of payment. In authorizing payment
 23 14 by electronic means, a local government shall seek to reduce
 23 15 convenience or other handling fees charged by the local
 23 16 government if electronic means of payment are used. Handling
 23 17 or other fees charged should be limited to the actual cost of
 23 18 authorizing that means of payment and should not be utilized to
 23 19 raise additional revenue.

Requires local governments to encourage individuals to pay fees and taxes through electronic means of payment. Also encourages local governments to reduce convenience and handling fees associated with electronic payments.

23 20 DIVISION XIII
 23 21 ONGOING PROGRAM REVIEW

23 22 Sec. 68. NEW SECTION 8.71 ONGOING PROGRAM REVIEW — REPEAL
 23 23 DATES.

23 24 1. The general assembly finds that a regular review of
 23 25 the programs and projects administered by state government is
 23 26 necessary to determine whether each program and project is
 23 27 effectively and efficiently meeting the needs for which created
 23 28 and whether the needs remain applicable. The general assembly
 23 29 further finds that a regular, systematic review process can
 23 30 identify the programs and projects that are no longer relevant
 23 31 or functioning at a desirable level and can eliminate or
 23 32 reorganize those programs and projects so that state resources
 23 33 can be used most effectively or diverted to other priorities.
 23 34 2. The state government efficiency review committee
 23 35 established in section 2.69 shall propose legislation for
 24 1 consideration by the Eighty-fifth General Assembly, 2014
 24 2 session, providing a staggered schedule for establishing an
 24 3 automatic repeal date for each program or project administered
 24 4 by a department of state government over the succeeding
 24 5 five-year period. The review committee shall consult with

CODE: Requires the State Government Efficiency Review Committee to propose legislation for consideration during the 2014 Legislative Session establishing an automatic repeal date for each program or project administered by State departments and agencies on a staggered schedule over the succeeding five-year period. Requires the Committee to consult with the Governor and the Department of Management to establish the five-year schedule. All programs or projects subsequently reauthorized by law, will be subject to automatic repeal five years after reauthorization.

FISCAL IMPACT: No fiscal impact will occur until at least FY 2015 and will be dependent on action by the General Assembly.

24 6 the office of the governor and the department of management
 24 7 in formulating the staggered schedule and the office and
 24 8 department shall cooperate in providing necessary information
 24 9 requested by the committee. The repeal date provisions shall
 24 10 be implemented in a manner so that any program or project that
 24 11 is reauthorized by law is again subject to automatic repeal
 24 12 five years after reauthorization.

24 13 DIVISION XIV
 24 14 IOWA JOBS BOARD

24 15 Sec. 69. Section 12.87, subsection 12, Code Supplement
 24 16 2011, is amended to read as follows:

24 17 12. Neither the treasurer of state, the Iowa ~~jobs board~~
 24 18 finance authority, nor any person acting on behalf of the
 24 19 treasurer of state or the Iowa ~~jobs board~~ finance authority
 24 20 while acting within the scope of their employment or agency, is
 24 21 subject to personal liability resulting from carrying out the
 24 22 powers and duties conferred by this section and sections 12.88
 24 23 through 12.90.

24 24 Sec. 70. Section 16.193, subsection 1, Code Supplement
 24 25 2011, is amended to read as follows:

24 26 ~~1. The Iowa finance authority, subject to approval by the~~
 24 27 ~~Iowa jobs board,~~ shall adopt administrative rules pursuant to
 24 28 chapter 17A necessary to administer the Iowa jobs program and
 24 29 Iowa jobs II program. The authority shall ~~provide the board~~
 24 30 ~~with assistance in implementing administrative functions; be~~
 24 31 responsible for providing technical assistance and application
 24 32 assistance to applicants under the programs, negotiating
 24 33 contracts, and providing project follow up. ~~The authority, in~~
 24 34 ~~cooperation with the board, may conduct negotiations on behalf~~
 24 35 ~~of the board with applicants regarding terms and conditions~~
 25 1 ~~applicable to awards under the program.~~

25 2 Sec. 71. Section 16.194, subsection 2, Code 2011, is amended
 25 3 to read as follows:

25 4 2. A city or county or a public organization in this
 25 5 state may submit an application to the ~~Iowa jobs board~~
 25 6 authority for financial assistance for a local infrastructure
 25 7 competitive grant for an eligible project under the program,
 25 8 notwithstanding any limitation on the state's percentage in
 25 9 funding as contained in section 29C.6, subsection 17.

25 10 Sec. 72. Section 16.194, subsection 4, unnumbered paragraph
 25 11 1, Code 2011, is amended to read as follows:

25 12 The ~~board~~ authority shall consider the following criteria in
 25 13 evaluating eligible projects to receive financial assistance
 25 14 under the program:

CODE: This Division repeals the Iowa Jobs (IJOBS) Board and changes the statutory references in the IJOBS Program and IJOBS Program II from the Board to the Iowa Finance Authority (IFA). Repeals the IJOBS Restricted Capitals Fund.

DETAIL: This Division transfers all duties from the IJOBS Board to the IFA. The IJOBS Board was established in SF 376 (Revenue Bonding and IJOBS Program Act) during the 2009 Legislative Session and is comprised of 11 members. A total of \$225,900,000 in appropriations from the Revenue Bonds Capitals Fund (RBC) and Revenue Bonds Capitals II Fund (RBC2) was overseen by the Board. Of that amount, \$148,500,000 was allocated through competitive grants for local infrastructure and disaster prevention infrastructure approved by the Board and \$77,400,000 was allocated by the Board to specified targeted rebuilding and flood mitigation projects.

While the Board has completed its work granting the funds to local recipients, it does meet occasionally and continues to oversee the projects. For example, if a project has a change in scope, funding, or timing, the amendment to the grant agreement is approved by the Board. The IFA staffs the Board, administers the programs under the Board, and pays per diem and expenses for the Board. For FY 2010 and FY 2011, the IFA received a standing appropriation of \$200,000 from the Rebuild Iowa Infrastructure Fund (RIIF) for administration of the IJOBS Programs and for per diem expenses for the Board. This appropriation was eliminated in HF 648 (FY 2012 Infrastructure Appropriations Act) and costs of administering the two Programs and per diem expenses were assumed within the IFA operating budget. The IFA operating budget is estimated at \$63.4 million for FY 2012 and is derived solely from income from its financings. The Authority does not receive State General Fund moneys for operations. Costs for administration and per diem expenses of the Board were \$169,470 in FY 2011 and are estimated at \$36,350 for FY 2012.

FISCAL IMPACT: There is no impact to the General Fund. The

25 15 Sec. 73. Section 16.194, subsection 7, Code 2011, is amended
25 16 to read as follows:

25 17 7. In order for a project to be eligible to receive
25 18 financial assistance from the ~~board~~ authority, the project
25 19 must be a public construction project pursuant to subsection 1
25 20 with a demonstrated substantial local, regional, or statewide
25 21 economic impact.

25 22 Sec. 74. Section 16.194, subsection 8, unnumbered paragraph
25 23 1, Code 2011, is amended to read as follows:

25 24 The ~~board~~ authority shall not approve an application for
25 25 assistance for any of the following purposes:

25 26 Sec. 75. Section 16.194, subsection 9, paragraph b, Code
25 27 2011, is amended to read as follows:

25 28 b. Any portion of an amount allocated for projects
25 29 that remains unexpended or unencumbered one year after the
25 30 allocation has been made may be reallocated to another project
25 31 category, at the discretion of the ~~board~~ authority. The ~~board~~
25 32 authority shall ensure that all bond proceeds be expended
25 33 within three years from when the allocation was initially made.

25 34 Sec. 76. Section 16.194, subsection 10, Code 2011, is
25 35 amended to read as follows:

26 1 10. The ~~board~~ authority shall ensure that funds obligated
26 2 under this section are coordinated with other federal program
26 3 funds received by the state, and that projects receiving funds
26 4 are located in geographically diverse areas of the state.

26 5 Sec. 77. Section 16.194A, subsections 2, 7, 9, and 10, Code
26 6 2011, are amended to read as follows:

26 7 2. A city or county in this state that applies the smart
26 8 planning principles and guidelines pursuant to sections 18B.1
26 9 and 18B.2 may submit an application to the ~~Iowa jobs board~~
26 10 authority for financial assistance for a local infrastructure
26 11 competitive grant for an eligible project under the program,
26 12 notwithstanding any limitation on the state's percentage in
26 13 funding as contained in section 29C.6, subsection 17.

26 14 7. In order for a project to be eligible to receive
26 15 financial assistance from the ~~board~~ authority, the project
26 16 must be a public construction project pursuant to subsection 1
26 17 with a demonstrated substantial local, regional, or statewide
26 18 economic impact.

26 19 9. Any portion of an amount allocated for projects
26 20 that remains unexpended or unencumbered one year after the
26 21 allocation has been made may be reallocated to another project
26 22 category, at the discretion of the ~~board~~ authority. The ~~board~~
26 23 authority shall ensure that all bond proceeds be expended
26 24 within three years from when the allocation was initially made.

26 25 10. The ~~board~~ authority shall ensure that funds obligated

elimination of the Board may result in some savings to the IFA operating budget, but it is not expected to be significant. Additionally, there is no impact from the repeal of the IJOBS Restricted Capitals Fund. In practice, the \$165,000,000 in appropriations from the RBC that was overseen by the IJOBS Board were not deposited in the IJOBS Restricted Capitals Fund, but were appropriated directly from the RBC. This was due to advice from the Treasurer of State and bond counsel regarding accounting practices for the bond proceeds. Iowa Code section 16.196 was not changed to reflect what was in practice. The repeal of the unused IJOBS Restricted Capitals Fund does not affect the \$165,000,000 from the RBC or the grants and allocations made from the Fund.

26 26 under this section are coordinated with other federal program
26 27 funds received by the state, and that projects receiving funds
26 28 are located in geographically diverse areas of the state.
26 29 Sec. 78. Section 16.194A, subsection 4, unnumbered
26 30 paragraph 1, Code 2011, is amended to read as follows:
26 31 The ~~board~~ authority shall consider the following criteria in
26 32 evaluating eligible projects to receive financial assistance
26 33 under the program:
26 34 Sec. 79. Section 16.194A, subsection 8, unnumbered
26 35 paragraph 1, Code 2011, is amended to read as follows:
27 1 The ~~board~~ authority shall not approve an application for
27 2 assistance for any of the following purposes:
27 3 Sec. 80. Section 16.195, Code Supplement 2011, is amended
27 4 to read as follows:
27 5 16.195 IOWA JOBS PROGRAM APPLICATION REVIEW.
27 6 1. Applications for assistance under the Iowa jobs program
27 7 and Iowa jobs II program shall be submitted to the ~~Iowa finance~~
27 8 authority for review and approval. ~~The authority shall provide~~
27 9 ~~a staff review and evaluation of applications to the Iowa jobs~~
27 10 ~~program review committee referred to in subsection 2 and to the~~
27 11 ~~Iowa jobs board.~~
27 12 2.—A review committee composed of members of the board
27 13 ~~as determined by the board shall review Iowa jobs program~~
27 14 ~~applications submitted to the board and make recommendations~~
27 15 ~~regarding the applications to the board.~~ When reviewing the
27 16 applications, the ~~review committee and the~~ authority shall
27 17 consider the project criteria specified in sections 16.194 and
27 18 16.194A. The ~~board~~ authority shall develop the appropriate
27 19 level of transparency regarding project fund allocations.
27 20 3. Upon approval of an application for financial assistance
27 21 under the program, the ~~board~~ authority shall notify the
27 22 treasurer of state regarding the amount of moneys needed to
27 23 satisfy the award of financial assistance and the terms of the
27 24 award. The treasurer of state shall notify the ~~Iowa finance~~
27 25 authority any time moneys are disbursed to a recipient of
27 26 financial assistance under the program.
27 27 Sec. 81. Section 16.196, Code 2011, is amended to read as
27 28 follows:
27 29 16.196 IOWA JOBS ~~RESTRICTED CAPITALS FUND~~ — APPROPRIATIONS.
27 30 ~~—1. An Iowa jobs restricted capitals fund is created and~~
27 31 ~~established as a separate and distinct fund in the state~~
27 32 ~~treasury. The fund consists of moneys appropriated from~~
27 33 ~~the revenue bonds capitals fund created in section 12.88.~~
27 34 ~~The moneys in the fund are appropriated to the Iowa jobs~~
27 35 ~~board for purposes of the Iowa jobs program established in~~
28 1 ~~section 16.194. Moneys in the fund shall not be subject to~~

28 2 appropriation for any other purpose by the general assembly,
28 3 ~~but shall be used only for the purposes of the Iowa jobs~~
28 4 ~~program. The treasurer of state shall act as custodian of the~~
28 5 ~~fund and disburse moneys contained in the fund. The fund shall~~
28 6 ~~be administered by the board which shall make allocations from~~
28 7 ~~the fund consistent with the purposes of the Iowa jobs program.~~
28 8 ~~—2. 1. There is appropriated from the revenue bonds capitals~~
28 9 ~~fund created in section 12.88, to the Iowa jobs restricted~~
28 10 ~~capitals fund, for the fiscal year beginning July 1, 2009, and~~
28 11 ~~ending June 30, 2010, one hundred sixty-five million dollars to~~
28 12 ~~be allocated as follows:~~

28 13 a. One hundred eighteen million five hundred thousand
28 14 dollars for competitive grants for local infrastructure
28 15 projects relating to disaster rebuilding, reconstruction
28 16 and replacement of local buildings, flood control and flood
28 17 protection, and future flood prevention public projects. An
28 18 applicant for a local infrastructure grant shall not receive
28 19 more than fifty million dollars in financial assistance from
28 20 the fund.

28 21 b. Forty-six million five hundred thousand dollars for
28 22 disaster relief and mitigation and local infrastructure
28 23 grants for the following renovation and construction projects,
28 24 notwithstanding any limitation on the state's percentage
28 25 participation in funding as contained in section 29C.6,
28 26 subsection 17:

28 27 (1) For grants to a county with a population between
28 28 one hundred eighty-nine thousand and one hundred ninety-six
28 29 thousand in the latest preceding certified federal census, to
28 30 be distributed as follows:

28 31 (a) Ten million dollars for the construction of a new,
28 32 shared facility between nonprofit human service organizations
28 33 serving the public, especially the needs of low-income lowans,
28 34 including those displaced as a result of the disaster of 2008.

28 35 (b) Five million dollars for the construction or renovation
29 1 of a facility for a county-funded workshop program serving
29 2 the public and particularly persons with mental illness or
29 3 developmental disabilities.

29 4 (2) For grants to a city with a population between one
29 5 hundred ten thousand and one hundred twenty thousand in the
29 6 latest preceding certified federal census, to be distributed
29 7 as follows:

29 8 (a) Five million dollars for an economic redevelopment
29 9 project benefiting the public by improving energy efficiency
29 10 and the development of alternative and renewable energy
29 11 technologies.

29 12 (b) Ten million dollars for a museum serving the public and

29 13 dedicated to the preservation of an eastern European cultural
29 14 heritage through the collection, exhibition, preservation, and
29 15 interpretation of historical artifacts.

29 16 (c) Five million dollars for a theater serving the public
29 17 and promoting culture, entertainment, and tourism.

29 18 (d) Five million dollars for a public library.

29 19 (e) Five million dollars for a public works building.

29 20 (3) One million five hundred thousand dollars, to be
29 21 distributed as follows:

29 22 (a) Five hundred thousand dollars to a city with a
29 23 population between six hundred and six hundred fifty in the
29 24 latest preceding certified federal census, for a public fire
29 25 station.

29 26 (b) Five hundred thousand dollars to a city with a
29 27 population between one thousand four hundred and one thousand
29 28 five hundred in the latest preceding certified federal census,
29 29 for a public fire station.

29 30 (c) Five hundred thousand dollars for a city with a
29 31 population between seven thousand eight hundred and seven
29 32 thousand eight hundred fifty, for a public fire station.

29 33 ~~—3. 2.~~ Grant awards for a project under subsection 2,
29 34 paragraph “b”, are contingent upon submission of a plan for
29 35 each project by the applicable county or city governing board
30 1 or in the case of a project submitted pursuant to subsection
30 2 2, paragraph “b”, subparagraph (2), subparagraph division (b),
30 3 by the board of directors, to the ~~Iowa jobs board~~ authority,
30 4 no later than September 1, 2009, detailing a description of
30 5 the project, the plan to rebuild, and the amount or percentage
30 6 of federal, state, local, or private matching moneys which
30 7 will be or have been provided for the project. Funds not
30 8 utilized in accordance with subsection 2, paragraph “b”, due
30 9 to failure to file a plan by the September 1 deadline shall
30 10 revert to the ~~Iowa jobs restricted revenue bonds~~ capitals fund
30 11 to be available for local infrastructure competitive grants. A
30 12 grant recipient under subsection 2, paragraph “b”, shall not be
30 13 precluded from applying for a local infrastructure competitive
30 14 grant pursuant to this section and section 16.195.

30 15 ~~—4. Moneys in the fund are not subject to section 8.33.~~
30 16 ~~Notwithstanding section 12C.7, subsection 2, interest or~~
30 17 ~~earnings on moneys in the fund shall be credited to the fund.~~

30 18 ~~—5. 3.~~ Annually, on or before January 15 of each year, the
30 19 ~~board~~ authority shall report to the legislative services agency
30 20 and the department of management the status of all projects
30 21 receiving moneys from the fund completed or in progress. The
30 22 report shall include a description of the project, the progress
30 23 of work completed, the total estimated cost of the project, a

30 24 list of all revenue sources being used to fund the project, the
 30 25 amount of funds expended, the amount of funds obligated, and
 30 26 the date the project was completed or an estimated completion
 30 27 date of the project, where applicable.

30 28 —~~6.~~ 4. Payment of moneys appropriated from the fund shall be
 30 29 made in a manner that does not adversely affect the tax-exempt
 30 30 status of any outstanding bonds issued by the treasurer of
 30 31 state.

30 32 Sec. 82. Section 16.197, Code 2011, is amended to read as
 30 33 follows:

30 34 16.197 LIMITATION OF LIABILITY.

30 35 —~~A member of the Iowa jobs board, a person acting on behalf of~~
 31 1 ~~the board while acting within the scope of their employment or~~
 31 2 ~~agency; The authority~~ or the treasurer of state, shall not be
 31 3 subject to personal liability resulting from carrying out the
 31 4 powers and duties of the ~~board~~ authority or the treasurer, as
 31 5 applicable, in sections ~~16.192~~ 16.193 through 16.196.

31 6 Sec. 83. IOWA JOBS BOARD — TRANSITION PROVISIONS —
 31 7 LIMITATION OF LIABILITY.

31 8 1. Any contract or agreement issued or entered into by the
 31 9 Iowa jobs board relating to the provisions of this division
 31 10 of this Act, in effect on the effective date of this division
 31 11 of this Act, shall continue in full force and effect and
 31 12 any responsibility of the board relative to the contracts or
 31 13 agreements as provided in those contracts or agreements shall
 31 14 be transferred to the Iowa finance authority.

31 15 2. A member of the Iowa jobs board or a person acting on
 31 16 behalf of the board while acting within the scope of that
 31 17 person's employment or agency shall not be subject to personal
 31 18 liability resulting from carrying out the powers and duties
 31 19 of the board prior to the effective date of this division of
 31 20 this Act, as applicable, in sections 12.87 through 12.90 and in
 31 21 sections 16.192 through 16.196, Code and Code Supplement 2011.

31 22 Sec. 84. REPEAL. Sections 16.191 and 16.192, Code
 31 23 Supplement 2011, are repealed.

31 24 DIVISION XV
 31 25 BOARDS AND COMMISSIONS

31 26 Sec. 85. Section 190A.3, subsection 4, Code 2011, is amended
 31 27 to read as follows:

31 28 4. ~~The farm-to-school council~~ department of agriculture and
 31 29 land stewardship and the department of education shall actively
 31 30 seek financial or in-kind contributions from organizations or
 31 31 persons to support the program.

CODE: Eliminates reference to the Farm-to-School Council. The
 Council is eliminated in Section 87 of this Bill.

| | | |
|----------------------|--|--|
| 31 32 31 33 | Sec. 86. Section 256.9, subsection 55, paragraph j, Code Supplement 2011, is amended by striking the paragraph. | CODE: Removes the representative associated with the Farm-to-School Council from membership on the Nutrition Advisory Panel. This change conforms to the repeal of the Farm-to-School Council. |
| 31 34 | Sec. 87. REPEAL. Section 190A.2, Code 2011, is repealed. | CODE: Repeals the Farm-to-School Council that was created to establish partnerships with public agencies and nonprofit organizations to facilitate communication between farmers and schools. |
| | | DETAIL: The Farm-to-School Program was established to encourage and promote the purchase of locally and regionally produced or processed food in order to improve child nutrition and strengthen local and regional farm economies. The Program is administered jointly by the Department of Agriculture and Land Stewardship and the Department of Education. |
| | | FISCAL IMPACT: Minimal fiscal impact. |
| 31 35 32 1 | DIVISION XVI OBSOLETE PROVISIONS | |
| 32 2 32 3 | Sec. 88. Section 84A.5, subsection 7, paragraphs a and c, Code Supplement 2011, are amended by striking the paragraphs. | CODE: Removes references to the Iowa Conservation Corps and the Statewide Mentoring Program from the list of programs that are overseen by the Workforce Development Coordinating Committee. This change conforms to changes in this Division that repeal these Programs. |
| | | FISCAL IMPACT: No fiscal impact. These Programs have not been funded for more than 10 years. |
| 32 4 32 5 32 6 | Sec. 89. Section 97B.1A, subsection 8, paragraph b, subparagraph (8), Code Supplement 2011, is amended by striking the subparagraph. | CODE: Removes a reference to the Iowa Conservation Corps from the IPERS Code Chapter to conform with the repeal of the Program. |
| | | FISCAL IMPACT: No fiscal impact. |
| 32 7 32 8 | Sec. 90. REPEAL. Sections 84A.7, 84A.9, and 84A.10, Code 2011, are repealed. | CODE: Repeals the Iowa Conservation Corps, the Statewide Mentoring Program, and the New Employment Opportunity Program. |
| | | FISCAL IMPACT: No fiscal impact. These Programs have not been funded in more than 10 years. |
| 32 9 32 10 | Sec. 91. REPEAL. Section 15.112, Code Supplement 2011, is repealed. | CODE: Repeals a requirement that the Iowa Economic Development Authority (IEDA) provide a State match in the event federal funds are provided for the Farmworks National Demonstration Project. Current statutory language requires the State IEDA to provide a match from the |

Rural Enterprise Fund or another fund equal to 4.00% of the federal funding received for a three-year period on a dollar-for-dollar matching basis with local or private contributions.

FISCAL IMPACT: No fiscal impact.

CODE: Repeals the Code chapters pertaining to the State's participation in the World Trade Center, the Midwest Nuclear Compact, and the Mid-America Port Commission.

FISCAL IMPACT: No fiscal impact.

32 11 Sec. 92. REPEAL. Chapters 15C, 15D, and 28K, Code 2011,
32 12 are repealed.

32 13 DIVISION XVII
32 14 OFFICE OF DRUG CONTROL POLICY

32 15 Sec. 93. LEGISLATIVE INTENT — OFFICE OF DRUG CONTROL
32 16 POLICY. It is the intent of the general assembly to enact
32 17 legislation transferring the governor's office of drug control
32 18 policy to the department of public safety.

Specifies the intent of the General Assembly to transfer the Office of Drug Control Policy to the Department of Public Safety.

32 19 DIVISION XVIII
32 20 HOMELAND SECURITY AND EMERGENCY MANAGEMENT ORGANIZATION

32 21 Sec. 94. LEGISLATIVE INTENT — HOMELAND SECURITY AND
32 22 EMERGENCY MANAGEMENT ORGANIZATION. It is the intent of
32 23 the general assembly to enact legislation providing for the
32 24 establishment of a homeland security and emergency management
32 25 department separate from the department of public defense.

Specifies the intent of the General Assembly to establish the Homeland Security and Emergency Management Division as a separate and distinct department in State government.