

Appropriation Adjustments Bill House File 45

Last Action:

House Floor

January 19, 2011

An Act relating to public funding and regulatory matters and making, reducing, and transferring appropriations and revising fund amounts and including effective, retroactive, and other applicability date provisions, and making penalties applicable.

**Fiscal Services Division
Legislative Services Agency**

NOTES ON BILLS AND AMENDMENTS (NOBA)

Available on line at <http://www.legis.iowa.gov/LSAReports/noba.aspx>

LSA Contacts: Sue Lerdal (515-281-7794) David Reynolds (515-281-6934) Shawn Snyder (515-281-7799)

Legislative Services Agency: Estimated Fiscal Savings for HF 45 (FY 2011-FY 2013)

House File 45: Estimated Fiscal Impact

Bill Section	Proposal	FY 2011 GF	FY 2011 Other Funds	FY 2012 GF	FY 2012 Other Funds	FY 2013 GF	FY 2013 Other Funds
6	State Employee Health Insurance Fee - Est. Max Impact	\$ -116,400	\$ 0	\$ -24,800,000	\$ -41,600,000	\$ -24,800,000	\$ -41,600,000
6	State Employee Health Insurance Fee - Est. Min. Impact	-116,400	0	-349,200	0	-349,200	0
7.2	50.0% Reduction of Specified Expenditures	-18,925,000	-5,364,000	0	0	0	0
7.3	Freeze General Fund Out-of-State Travel	-298,000	0	0	0	0	0
8	State Records Storage	0	0	minimal	0	minimal	0
10	End all state benefits to adult illegal immigrants	unknown	unknown	unknown	unknown	unknown	unknown
12	Liaison Limits	0	0	-2,367,300	-100,000	-2,367,300	-100,000
17	DAS Office Space Analysis	minimal	minimal	minimal	minimal	minimal	minimal
18	ICN Sales/Lease	0	0	unknown	unknown	unknown	unknown
20	Ethics & Campaign Disclosure Deapprop	-61,648	0	0	0	0	0
21	DAS IT: 50.0% Reduction	-1,000,000	0	0	0	0	0
24	FY11 DNR Land Acquisition Reduction	0	-3,068,811	0	-3,500,000	0	-3,500,000
27	Save Our Small Businesses Fund Elimination	0	-4,000,000	0	0	0	0
28	NAFTA Superhighway Membership Withdrawal	0	0	0	-50,000	0	0
30	Generation Iowa Commission Elimination	minimal	minimal	minimal	minimal	minimal	minimal
34	Dept. of Ed. Deappropriation - Salary	-59,000	0	0	0	0	0
35	Eliminate Core Curriculum (FY11 Deappropriation)	-1,826,000	0	-3,000,000	0	-2,055,000	0
36	University of Iowa Deappropriation	-4,673,113	0	0	0	0	0
37	Iowa State University Deappropriation	-3,661,741	0	0	0	0	0
38	University of Northern Iowa Deappropriation	-1,665,146	0	0	0	0	0
42	Regents Sabbaticals Limitation	0	0	-164,690	0	0	0
48	Additional \$10.0 million AEA reduction	-10,000,000	0	-10,000,000	0	-10,000,000	0
52	Repeal Statewide Voluntary Preschool Program	0	0	-69,900,000	0	-75,100,000	0
55	DHS Residency Requirements	minimal	minimal	minimal	minimal	minimal	minimal
58	Health Care Commission funding reduction	0	-167,000	0	0	0	0
59	Eliminate Just Eliminate Lies, Quitline Iowa and other smoking cessation efforts	-2,400,000	0	-6,730,000	0	-6,730,000	0
61	Eliminate the Direct Care Workers Initiatives	-105,000	0	-315,000	0	-315,000	0
64	Healthy Aging Funding Reduction	-300,000	0	0	0	0	0
65	Emergency Medical Services deappropriation	-50,000	0	0	0	0	0
65	Modify family planning waiver	0	0	-116,000	0	-164,000	0
66	Eliminate Empty Shelter Care Beds	-466,000	0	0	0	0	0
69	DOT Plantings for Aesthetic Purposes Restriction	0	minimal	0	0	0	0
81	D-Line Shuttle subsidy reduction	0	-75,000	0	0	0	0
81	Deappropriate for Honey Creek Manager	0	-73,800	0	0	0	0
83	Deappropriate for Passenger Rail	0	-2,697,993	0	0	0	0
84	Eliminate Funding for Rail Project	0	0	0	-6,500,000	0	0
85	Deappropriate FY 2011 Funding for Rail Project	0	-1,500,000	0	0	0	0
86	Funding Reduction for Dubuque Depot	0	-300,000	0	0	0	0
89	Indigent Defense Supplemental Appropriation	16,000,000	0	0	0	0	0
92	Eliminate Office of Energy Independence	-30,000	0	0	0	0	0

Legislative Services Agency: Estimated Fiscal Savings for HF 45 (FY 2011-FY 2013)

House File 45: Estimated Fiscal Impact

Bill Section	Proposal	FY 2011 GF	FY 2011 Other Funds	FY 2012 GF	FY 2012 Other Funds	FY 2013 GF	FY 2013 Other Funds
102	RIO Transfer of Duties	-116,000	0	0	0	0	0
103	Rebuild Iowa Office - Transfer of Duties	0	0	25,000	0	25,000	0
109	Renewable Fuels	0	-47,000	0	0	0	0
124	Eliminate the Grow Iowa Values Fund	-20,000,000	0	0	0	0	0
124	Grow Iowa Values Fund Loan Repayments	0	0	0	-2,983,500	0	-2,012,000
127	Eliminate the Grow Iowa Values Fund - Future Fiscal Years	0	0	-50,000,000	0	-50,000,000	0
131	Mental Health Wait List Supplemental	25,000,000	0	0	0	unknown	unknown
144	Terrace Hill Appropriation - Technical Correction**	263,329	0	0	0	0	0
146	Prescription Drug Purchasing	0	0	unknown	unknown	unknown	unknown
148	Technology Reinvestment Fund Deappropriation	0	0	-17,500,000	0	0	0
149	Pooled Technology Deappropriation	0	-3,793,654	0	0	0	0
149	ICN Equipment Deappropriation	0	-2,244,956	0	0	0	0
150	Education Data Warehouse	0	-532,407	0	0	0	0
Total Estimated Adjustments		\$ -24,489,719	\$ -23,864,621	\$ -184,867,990	\$ -54,733,500	\$ -171,506,300	\$ -47,212,000
Estimated Total General Fund Adjustments FY 2011 - FY 2013				\$ -380,864,009			
Estimated General Fund Adjustments (Net of Supplemental Appropriations) FY 2011 - FY 2013				\$ -421,864,009			
Estimated Total Other Fund Adjustments FY 2011 - FY 2013				\$ -125,810,121			
Estimated Total Adjustments (All Funds) FY 2011 - FY 2013				\$ -506,674,130			
Revenue Adjustment							
1	*Tax Relief Fund Transfer	\$ 0	\$ 0	\$ -327,400,000	\$ 327,400,000	\$ 0	\$ 0
124	Grow Iowa Values Fund Loan Repayments	0	0	2,983,500	0	2,012,000	0
Total Revenue Adjustments		\$ 0	\$ 0	\$ -324,416,500	\$ 327,400,000	\$ 2,012,000	\$ 0

Notes:

1. Section 126 (Elimination of the Iowa Grows Value Fund) also deappropriates the General Fund \$50.0 million appropriations to the Grow Iowa Values Fund for FY 2014 and FY 2015.
2. Estimates are preliminary (updated on January 24, 2011) and based on assumptions that may change. Any change in assumptions may alter fiscal impact estimates.
3. FY 2013 estimated reductions may include reductions made in FY 2012.
4. *The Tax Relief Fund transfer changes the destination of excess funds after the Economic Emergency fund is at the 2.5% maximum. Current law makes any excess funds available for General Fund appropriation in the next fiscal year. This change would deposit any excess to a newly created Tax Relief Fund.
5. **Technical Correction pursuant to letter to the Legislative Council dated June 8, 2010. Letter on file with the LSA.

1 1 DIVISION I
1 2 TAX RELIEF FUND

1 3 Section 1. Section 8.55, subsection 2, Code 2011, is amended
1 4 to read as follows:

1 5 2. a. The maximum balance of the fund is the amount equal
1 6 to two and one-half percent of the adjusted revenue estimate
1 7 for the fiscal year. If the amount of moneys in the Iowa
1 8 economic emergency fund is equal to the maximum balance, moneys
1 9 in excess of this amount shall be transferred to the ~~general~~
~~tax relief~~ fund.

1 11 b. Notwithstanding paragraph "a", any moneys in excess of
1 12 the maximum balance in the economic emergency fund after the
1 13 distribution of the surplus in the general fund of the state
1 14 at the conclusion of each fiscal year shall not be transferred
1 15 to the ~~general tax relief~~ fund of the state but shall be
1 16 transferred to the senior living trust fund. The total amount
1 17 appropriated, reverted, or transferred, in the aggregate, under
1 18 this paragraph, section 8.57, subsection 2, and any other law
1 19 providing for an appropriation or reversion or transfer of an
1 20 appropriation to the credit of the senior living trust fund,
1 21 for all fiscal years beginning on or after July 1, 2004, shall
1 22 not exceed the amount specified in section 8.57, subsection 2,
1 23 paragraph "c".

1 24 Sec. 2. NEW SECTION. **8.57E Tax relief fund.**

1 25 1. The tax relief fund is created. The fund shall be
1 26 separate from the general fund of the state and the balance in
1 27 the fund shall not be considered part of the balance of the
1 28 general fund of the state. The moneys credited to the fund
1 29 are not subject to section 8.33 and shall not be transferred,
1 30 used, obligated, appropriated, or otherwise encumbered except
1 31 as provided in this section.

1 32 2. Moneys in the tax relief fund shall only be used as

CODE: Changes the destination of excess funds after the Economic Emergency Fund reaches 2.5% of the adjusted revenue estimate. Current law transfers any excess funds to the General Fund for appropriation in the next fiscal year. This change would deposit any excess to a newly created Tax Relief Fund (see Section 2 of this Bill).

DETAIL: Based on the December 6, 2010, Revenue Estimating Conference (REC) projection for FY 2011, as of January 6, 2011, \$327.4 million will be available for General Fund appropriation in FY 2012 once the Economic Emergency reaches its statutory limit. This dollar amount is subject to change as the fiscal year progresses and the actual number will not be available until FY 2011 is complete.

CODE: Creates a new Tax Relief Fund separate from the State General Fund. Requires money in the Fund to be used pursuant to General Assembly tax reduction appropriations. The Fund is not subject to reversion and the Fund retains interest on the balance.

1 33 pursuant to appropriations made by the general assembly to
1 34 reduce taxes.

1 35 3. a. Moneys in the fund may be used for cash flow purposes
2 1 during a fiscal year provided that any moneys so allocated are
2 2 returned to the fund by the end of that fiscal year.

2 3 b. Except as provided in section 8.58, the tax relief fund
2 4 shall be considered a special account for the purposes of
2 5 section 8.53 in determining the cash position of the general
2 6 fund of the state for the payment of state obligations.

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

2 10 Sec. 3. Section 8.58, Code 2011, is amended to read as
2 11 follows:

2 12 8.58 Exemption from automatic application.

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

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

2 31 Sec. 4. TAX RELIEF FUND — LEGISLATIVE INTENT. It is the
2 32 intent of the general assembly to enact appropriations from the
2 33 tax relief fund created by this division of this Act pursuant
2 34 to tax relief legislation which shall be proposed by the
2 35 standing committees on ways and means of the senate and house
3 1 of representatives.

CODE: Exempts monies in the Tax Relief Fund from automatic formula, index, or trigger mechanism application, and directs that monies in the Fund may not be considered by a collective bargaining arbitrator.

Indicates the intent of the General Assembly to enact appropriations from the Tax Relief Fund created in Section 2 of this Bill for tax relief purposes.

3 2 Sec. 5. EFFECTIVE DATE AND APPLICABILITY.

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

3 5 2. The amendment in this division to section 8.55, providing
3 6 for transfer of moneys from the Iowa economic emergency fund
3 7 to the tax relief fund instead of the general fund of the state
3 8 applies to transfers made from the Iowa economic emergency fund
3 9 after the effective date of this division and the state general
3 10 fund expenditure limitation calculated for the fiscal year
3 11 beginning July 1, 2011, shall be adjusted accordingly.

3 12 DIVISION II
3 13 UNIFORM PROVISIONS

3 14 Sec. 6. GROUP HEALTH INSURANCE PREMIUM COSTS FOR STATE
3 15 EMPLOYEES.

3 16 1. The state's executive and judicial branch authorities
3 17 responsible for negotiating the collective bargaining
3 18 agreements entered into under chapter 20 shall engage in
3 19 discussions with the applicable state employee organizations
3 20 to renegotiate provisions involving health insurance coverage
3 21 of state employees and their families in order to achieve cost
3 22 savings for the state. The discussions shall include but
3 23 are not limited to a requirement for a state employee who is
3 24 covered by a collective bargaining agreement and is a member of
3 25 state group health insurance plan for employees of the state
3 26 established under chapter 509A to pay at least one hundred
3 27 dollars per month of the total premium for such health plan
3 28 coverage for single persons or increase the amount paid per
3 29 month for family coverage by the same amount that would be paid
3 30 for the single persons coverage.

3 31 2. If collective bargaining agreements are renegotiated
3 32 to achieve cost savings pursuant to subsection 1, the cost
3 33 savings provisions shall also apply to state employees who are
3 34 not covered by collective bargaining as provided in chapter
3 35 20 and are members of a state group health insurance plan for
4 1 employees of the state established under chapter 509A.

4 2 3. Beginning on the effective date of this section or
4 3 March 1, 2011, whichever is earlier, a state legislator or
4 4 legislative staff member who is a member of a state group
4 5 health insurance plan for employees of the state established

Division I is effective on enactment. The changes will first apply to the calculation of the State expenditure limitation for FY 2012.

DETAIL: Under current law, any money in excess of the amount needed to fully fund the Economic Emergency Fund is available for General Fund appropriation in the following fiscal year.

Requires the Executive and Judicial Branches to engage State employee organizations in negotiations to renegotiate current bargained contracts to achieve cost savings for the State related to health insurance coverage for State employees. The negotiations are required to include a proposal that each State employee contribute at least an additional \$100 per month for State provided health coverage. If collective bargaining contracts are renegotiated to provide cost savings for contract covered employees the provisions are required to be applied to non-contract covered employees.

Requires the Legislative Council to determine the additional amount (minimum \$100 per month per employee) to be paid by employees of the Legislative Branch for health insurance coverage. The additional payments are to begin on March 1, 2011, or the effective date of this legislation, whichever is sooner.

DETAIL: This change will reduce expenditures from the General Fund by approximately \$116,400 during FY 2011 due to the increased payment by Legislative Branch employees. Should all collective bargaining agreements be negotiated or renegotiated and effective July 1, 2011, without any required increase to State costs, expenditures from the General Fund will be reduced by an estimated \$24.8 million and expenditures from other funds will be reduced by an estimated \$41.6 million annually, beginning with FY 2012. Should no agreement be reached on renegotiating contracts, expenditures from the General Fund will be decreased by an estimated \$349,200 annually beginning with FY 2012 due to the additional payments by Legislators and legislative staff.

4 6 under chapter 509A shall pay at least one hundred dollars per
4 7 month of the total premium for such health care coverage for
4 8 single persons or increase the amount paid per month for family
4 9 coverage by the same amount that would be paid for the single
4 10 persons coverage. The payment amount shall be determined
4 11 by the legislative council, subject to the minimum amount
4 12 specified in this subsection.

4 13 Sec. 7. STATE AGENCY OFFICE SUPPLIES, OUTSIDE SERVICES
4 14 PURCHASE, EQUIPMENT PURCHASES, PRINTING AND BINDING,
4 15 INFORMATION TECHNOLOGY, AND MARKETING.

4 16 1. For the purposes of this section, "department" means the
4 17 same as defined in section 8.2.

4 18 2. a. For the period beginning on the effective date of
4 19 this section through the close of the fiscal year ending on
4 20 June 30, 2011, each state department shall be subject to a
4 21 limitation on expenditures made on or after the effective date
4 22 of this section for office supplies, outside services purchase,
4 23 purchases of equipment, office equipment, and equipment
4 24 noninventory, printing and binding, information technology, and
4 25 marketing in accordance with this section.

4 26 b. The limitation shall be equal to 50 percent of the
4 27 unexpended or unencumbered amount that a department has
4 28 budgeted or otherwise designated for purposes of office
4 29 supplies, outside services purchase, purchases of equipment,
4 30 office equipment, and equipment noninventory, printing and
4 31 binding, information technology, and marketing from the
4 32 appropriations made from all sources for the fiscal year
4 33 beginning July 1, 2010, and ending June 30, 2011, to the
4 34 department from all sources, as of the effective date of this
4 35 section.

5 1 c. If another provision of this Act directs a department
5 2 to apply a limitation on expenditures made for information
5 3 technology or reduces the information technology portion of

The estimates for employees covered by collective bargaining agreements are based on calendar year 2010 data provided by the Department of Administrative Services and the Board of Regents. The estimates are based on the number of health contracts, with each contract requiring an employee payment of an additional \$100 per month compared to the current amount paid.

The estimated savings would be less if the change would be found to be a significant change to the health plans. If the change was found to be a significant change, the health plans grandfather status under the federal Healthcare Reform Act would be lost and the plans would be required to provide enhanced benefits that would increase the cost of the plans. An estimate on the cost of the increased benefits is not yet available.

Section 7.1 provides a definition of the word "department" for purposes of this Section and includes all Executive Branch agencies.

Section 7.2 restricts the amount that State agencies are allowed to spend from their FY 2011 appropriations for the following expenditure classes:

- Office Supplies
- Outside Services
- Equipment
- Printing and Binding
- Information Technology
- Marketing

The limitation on these expenditures is as follows: For the period beginning on the effective date of the Bill through the close of FY 2011, agencies can only spend up to 50.0% of the unexpended amount that has been budgeted for each appropriation. This requirement applies to all Executive Branch agencies. Exempts Iowa Public Television from the information technology expenditure limitations of this Section.

DETAIL: The requirements in this Section are estimated to reduce General Fund expenditures by \$18,925,000 and non-General Fund expenditures by \$5,364,000 for FY 2011. These estimates assume this Bill will become effective by March 1, 2011.

Section 7.3 places a restriction on out-of-state travel funded from a General Fund appropriation for Executive Branch departments

5 4 an appropriation made to the department, such limitation or
5 5 reduction shall be in lieu of the limitation on expenditures
5 6 for information technology otherwise applicable under
5 7 this subsection. The limitation on information technology
5 8 expenditures otherwise required by this subsection does not
5 9 apply to services provided by the public broadcasting division
5 10 of the department of education or such expenditures for
5 11 information technology previously approved for the division.

5 12 3. For the period beginning on the effective date of this
5 13 section through the close of the fiscal year ending on June 30,
5 14 2011, out-of-state travel by an employee of a department, which
5 15 travel is funded in whole or in part by an appropriation from
5 16 the general fund of the state, shall not be authorized unless
5 17 a waiver for the travel is approved by the executive council.
5 18 The executive council shall adopt waiver criteria based on the
5 19 relative importance of the travel to fulfilling statutorily
5 20 required duties, the potential for the travel to bring cost
5 21 savings or enhanced revenues for the state, and other means
5 22 to determine whether the benefit or potential benefit of the
5 23 travel significantly outweighs the potential cost.

5 24 4. The committees on appropriations of the senate and
5 25 house of representatives shall recommend legislation applying
5 26 a directive for the executive branch to implement a master
5 27 marketing contract for state agencies that commences on or
5 28 before July 1, 2011.

5 29 5. The reductions in appropriations made in another
5 30 division of this Act, by amendment to 2010 Iowa Acts, chapter
5 31 1183, section 10, applicable to the state board of regents
5 32 and institutions under the state board, are in lieu of the
5 33 limitations on expenditures and travel that would otherwise be
5 34 applied to the state board and the institutions under the state
5 35 board pursuant to this section.

6 1 6. The appropriations to which the expenditure reductions
6 2 required by this section are attributed shall be reduced by the
6 3 amount of the expenditure reductions. Within 30 days of the
6 4 enactment date of this section, the department of management
6 5 shall apply such appropriation reductions and shall submit a
6 6 report to the general assembly and legislative services agency
6 7 itemizing the expenditure and appropriation reductions applied.

6 8 Sec. 8. STATE RECORDS STORAGE. The agencies of state
6 9 government that have state records stored in locations within
6 10 a floodplain shall, within six months of the effective date
6 11 of this Act, find storage space for the records that is not

beginning on the effective date of the bill through the close of FY
2011. This Section also requires the Executive Council to adopt
waiver criteria based on importance of the travel to fulfilling
required duties of a department and other specified criteria.
Requires all waivers for out-of-state travel to be approved by the
Executive Council.

DETAIL: The requirements in this Section are estimated to
reduce General Fund expenditures by \$298,000 for FY 2011.
This estimate assumes this Bill will become effective by March 1,
2011.

Section 7.4 requires the Senate and House Appropriations
Committees to recommend legislation directing the Executive
Branch to implement a master contract for marketing services
that begins on or before July 1, 2011.

Section 7.5 exempts the Regents institutions from the
expenditure limitations of this Section.

DETAIL: Section 36 through 38 of this Bill apply reductions
totaling \$10,000,000 to the three Regents universities for FY
2011.

Section 7.6 requires the Department of Management (DOM) to
apply the reductions identified in Section 7 of this Bill to
appropriations within 30 days after the enactment of this Section.
Also requires the DOM to submit a report to the General
Assembly and the Legislative Services Agency itemizing the
expenditure and appropriation reductions.

Requires State agencies that have State records stored in
floodplain locations to move them to a location that is not in a
floodplain.

DETAIL: No fiscal impact anticipated.

6 12 located within a floodplain. For the purposes of this section,
6 13 "floodplain" means the same as one hundred year floodplain, as
6 14 defined in section 459.102.

6 15 Sec. 9. REVENUE ESTIMATING CONFERENCE MEETING. Upon the
6 16 request of the speaker of the house of representatives or
6 17 the majority leader of the senate, the revenue estimating
6 18 conference shall meet on a date in February or March 2011, as
6 19 specified in the request. At this meeting, in addition to the
6 20 estimates normally agreed to at the meetings of the conference,
6 21 the conference shall also agree on estimates for fiscal year
6 22 2012-2013.

6 23 Sec. 10. Section 7E.3, Code 2011, is amended by adding the
6 24 following new subsection:

6 25 NEW SUBSECTION. 5. *Adult unauthorized aliens.* Unless
6 26 expressly authorized by federal or state law, ensure that the
6 27 public benefits administered by the department or independent
6 28 agency are not provided to adults who are unauthorized aliens
6 29 not lawfully present in the United States.

6 30 Sec. 11. NEW SECTION. **8A.440 Group health insurance premium**
6 31 **costs.**

6 32 1. Collective bargaining agreements entered into pursuant
6 33 to chapter 20 for state employees shall provide that a state
6 34 employee covered by that agreement who is a member of a
6 35 state group health insurance plan for employees of the state
7 1 established under chapter 509A shall pay at least one hundred
7 2 dollars per month of the total premium for such insurance for
7 3 single persons or increase the amount paid per month for family
7 4 coverage by the same amount that would be paid for the single
7 5 persons coverage.

7 6 2. A state employee not covered by a collective bargaining
7 7 agreement as provided in chapter 20 who is a member of a
7 8 state group health insurance plan for employees of the state
7 9 established under chapter 509A shall pay the same amount per
7 10 month of the total premium for such insurance as is paid under
7 11 the collective bargaining agreement that covers the greatest
7 12 number of state employees in the state government entity

Requires the REC to meet in February or March 2011, if requested by the Speaker of the House or the Majority Leader of the Senate. Further requires the REC to provide a revenue estimate for FY 2013, as well as an estimate for FY 2012, if a meeting is requested.

DETAIL: Iowa Code Section 8.22A currently requires that the REC "shall meet as often as deemed necessary, but shall meet at least quarterly." The REC is currently required to provide a revenue estimate for only the fiscal year beginning the following July 1 (FY 2012).

CODE: Requires State departments and agencies to ensure that public benefits are not provided to adults that are in the United States illegally unless specifically authorized by federal or State law.

DETAIL: The fiscal impact for this Section is unknown. Currently, both the Medicaid and Healthy and Well Kids in Iowa (hawk-i) Programs require both proof of citizenship and identity before enrollment can occur in either Program.

CODE: Requires collective bargaining agreements to contain a provision that requires each State employee to contribute at least an additional \$100 per month for State provided health coverage. The new Section also requires noncontract employees to pay the same amount as paid by the employees covered by the agreement pertaining to the greatest number of State employees.

7 13 employing the state employee.

7 14 Sec. 12. Section 68B.8, Code 2011, is amended by adding the
7 15 following new unnumbered paragraph:

7 16 NEW UNNUMBERED PARAGRAPH.A state agency of the executive
7 17 branch of state government shall not employ a person through
7 18 the use of its public funds whose position with the agency is
7 19 primarily representing the agency relative to the passage,
7 20 defeat, approval, or modification of legislation that is being
7 21 considered by the general assembly.

7 22 Sec. 13. APPLICABILITY. The provision of this division
7 23 of this Act enacting section 8A.440, applies to collective
7 24 bargaining agreements entered into on or after the effective
7 25 date of this division of this Act.

7 26 Sec. 14. EFFECTIVE UPON ENACTMENT. This division of this

CODE: Prohibits an Iowa Executive Branch agency from using public funds to represent the agency relative to legislation being considered by the General Assembly.

DETAIL: The estimated savings to the General Fund is \$2,367,300 each year for FY 2012 and FY 2013. The estimated savings to other funds is \$100,000 each year for FY 2012 and FY 2013. The estimated savings would occur if the appropriations for departments are reduced by the estimated amounts. The FY 2012 and FY 2013 estimated savings included these calculations:

- Salary and benefit cost of \$100,000 annually per legislative liaison employee.
- “Primarily represent” includes Executive Branch agencies having one full-time FTE position for that purpose with certain exceptions. Of the 46 entities reviewed, 20 of the agencies were considered to have one or more full-time FTE positions for this purpose.
- When multiple funding sources are used for one FTE position, in most cases General Fund money was calculated using the percentage of funding provided by the General Fund. For example, for the Board of Regents universities’ general education operations, 39.4% of the funding is from State General Fund appropriations, so each FTE position was assumed to be funded by the same percentage of General Fund money.
- There are nine agencies that may have non-General Fund monies that aren’t directly controlled by the General Assembly and may not receive a General Fund appropriation to reduce to reflect potential savings based upon the prohibition.
- The Bill eliminates two State agencies that are not included in the estimated savings in FY 2012 and FY 2013.
- There is minimal federal fiscal impact, with federal funds from this prohibition being available for other expenditures in most cases.

Specifies Section 11, codifying State employee contributions for health insurance, is effective on enactment.

Division II is effective on enactment.

7 27 Act, being deemed of immediate importance, takes effect upon
7 28 enactment.

7 29 DIVISION III
7 30 ADMINISTRATION AND REGULATION

7 31 Sec. 15. JOINT APPROPRIATIONS SUBCOMMITTEE ON
7 32 ADMINISTRATION AND REGULATION REQUIREMENTS. The joint
7 33 appropriations subcommittee on administration and regulation
7 34 shall develop and, on or before April 4, 2011, shall submit
7 35 recommended implementation provisions to the general assembly's
8 1 committees on appropriations in proposed legislation concerning
8 2 all of the following:

8 3 1. Eliminating and selling the pool of state-owned
8 4 passenger vehicles located in Polk county for temporary
8 5 assignment to multiple drivers of a department or agency that
8 6 is located within Polk county. The recommendations shall not
8 7 encompass vehicles assigned for law enforcement purposes or for
8 8 specialized use by the department of natural resources.

8 9 2. Outsourcing state vehicle leasing through a private
8 10 entity to fill the needs addressed by the vehicles subject to
8 11 sale under subsection 1.

8 12 Sec. 16. DEPARTMENT OF ADMINISTRATIVE SERVICES —
8 13 STATE-OWNED PASSENGER VEHICLES.

8 14 1. Consistent with the requirements of section 8A.361, for
8 15 the period beginning on the effective date of this section
8 16 and ending June 30, 2011, the department of administrative
8 17 services shall be the sole department authorized to operate a
8 18 pool of passenger vehicles located in Polk county for temporary
8 19 assignment to multiple drivers of a state department or agency
8 20 that is located within Polk county. For that period, the
8 21 department shall not purchase new passenger vehicles for the
8 22 pool.

8 23 2. For purposes of this section, "passenger vehicles"
8 24 means United States environmental protection agency designated
8 25 compact sedans, compact wagons, midsize sedans, midsize
8 26 wagons, full-size sedans, and passenger minivans. "Passenger
8 27 vehicles" does not mean utility vehicles, vans other than
8 28 passenger minivans, fire trucks, ambulances, motor homes,
8 29 buses, medium-duty and heavy-duty trucks, heavy construction
8 30 equipment, and other highway maintenance vehicles, vehicles

Requires the Administration and Regulation Appropriations Subcommittee to develop and implement a plan to sell the Department of Administrative Services (DAS) Motor Pool vehicles and consider leasing through a private entity. Requires the Subcommittee to submit recommendations to the House and Senate Appropriations Committees by April 4, 2011.

Specifies that the DAS is the sole department authorized to operate a pool of passenger vehicles for State departments in Polk County and prohibits the DAS from purchasing new passenger vehicles for the pool for the remainder of FY 2011.

DETAIL: The DAS has indicated that few, if any, additional vehicles were planned for purchase for the remainder of FY 2011 so there will be minimal savings for FY 2011.

8 31 assigned for law enforcement purposes, vehicles assigned for
8 32 specialized use by the department of natural resources, and any
8 33 other classes of vehicles of limited application approved by
8 34 the director of the department of administrative services.

8 35 Sec. 17. DEPARTMENT OF ADMINISTRATIVE SERVICES — OFFICE
9 1 SPACE — COST-BENEFIT ANALYSIS. Following the filing of the
9 2 cost-benefit analysis required pursuant to 2010 Iowa Acts,
9 3 chapter 1184, section 49, the department of administrative
9 4 services shall locate state employees in office space in the
9 5 most cost-efficient manner possible. However, the department
9 6 shall not terminate a lease for office space outside of the
9 7 capitol complex at a time when early termination penalties
9 8 would be applicable for doing so.

9 9 Sec. 18. SALE OR LEASE OF IOWA COMMUNICATIONS
NETWORK. The
9 10 Iowa telecommunications and technology commission shall
9 11 implement a request for proposals process to sell or lease
9 12 the Iowa communications network, or to lease capacity on
9 13 the network as provided in section 8D.13A. The request for
9 14 proposals shall provide for the sale to be concluded or the
9 15 lease to commence during the fiscal year beginning July 1,
9 16 2011. The commission shall condition the sale or lease of the
9 17 Iowa communications network with terms that will allow existing
9 18 authorized users of the network to continue such use at a
9 19 lower overall long-term cost when compared to the anticipated
9 20 operation and maintenance costs if state ownership and control
9 21 were to continue. The commission shall ensure that a lease
9 22 for capacity on the network is subject to terms and conditions
9 23 that will ensure continued access to the network by existing
9 24 authorized users while also satisfying the requirements of
9 25 section 8D.13A. Public funds shall not be used to secure
9 26 the purchase of the network. The commission shall submit
9 27 periodic status reports to the general assembly at three-month
9 28 intervals, beginning on October 1, 2011, regarding progress
9 29 made toward selling or leasing the network.

9 30 Sec. 19. 2010 Iowa Acts, chapter 1189, section 5, subsection
9 31 2, paragraphs c and d, are amended to read as follows:

~~9 32 c. The auditor shall not seek reimbursement from~~
~~9 33 governmental subdivisions for audits which are reimbursable~~
~~9 34 pursuant to section 11.20 or 11.21 in an amount that exceeds~~
~~9 35 the total amount reimbursed to the auditor by governmental~~
~~10 1 subdivisions for the fiscal year beginning July 1, 2008.~~

Directs the DAS to locate State employees in office space in the most cost-efficient manner following the completion of a cost-benefit analysis by the DAS. Prohibits the DAS from paying a penalty for early termination of office lease space outside the Capitol Complex.

DETAIL: Senate File 2389 (FY 2011 Infrastructure Appropriations Act) requires the DAS to submit a cost-benefit analysis of office space by January 14, 2011.

Requires the Iowa Telecommunications and Technology Commission (ITTC) to implement a Request for Proposals (RFP) process to sell or lease the ICN during FY 2011. The RFP is to require the sale or lease to commence in FY 2012.

DETAIL: Fiscal impact is minimal. Estimating the fiscal impact will require the ICN assets being vetted at market to see what type of bids would be offered. The sale or lease price would also depend on whether a portion (such as the outside rings) or the entire network were sold. The ITTC indicated that the federal government may make the claim for reimbursement of several investments they made in the ICN.

CODE: Strikes language prohibiting the Auditor of State from seeking reimbursement from government subdivisions that exceeds the total amount reimbursed to the Auditor for FY 2009.

DETAIL: Fiscal impact unknown. It is at the discretion of the Auditor whether or not to seek reimbursements above the FY 2009 level.

10 2 d. Notwithstanding any provision of this subsection to the
10 3 contrary, the auditor may seek reimbursement from departments
10 4 and agencies specified in section 11.5B, ~~and governmental~~
~~10 5 subdivisions~~, in an amount that exceeds the total amount
10 6 reimbursed to the auditor by those departments, or agencies, ~~or~~
~~10 7 governmental subdivisions~~ for the fiscal year beginning July
10 8 1, 2008, for audits required by the federal government and
10 9 reimbursable from federal funds.

10 10 Sec. 20. 2010 Iowa Acts, chapter 1189, section 7, is amended
10 11 to read as follows:

10 12 SEC. 7. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There

10 13 is appropriated from the general fund of the state to the
10 14 Iowa ethics and campaign disclosure board for the fiscal year
10 15 beginning July 1, 2010, and ending June 30, 2011, the following
10 16 amount, or so much thereof as is necessary, for the purposes
10 17 designated:

10 18 For salaries, support, maintenance, and miscellaneous
10 19 purposes, and for not more than the following full-time
10 20 equivalent positions:

10 21 \$ 537,256
10 22 \$ 475,608

10 23 FTEs ~~5.00~~
10 24 FTEs 4.00

10 25 Sec. 21. 2010 Iowa Acts, chapter 1193, section 29, is
10 26 amended to read as follows:

10 27 SEC. 29. DEPARTMENT OF ADMINISTRATIVE SERVICES —
10 28 INFORMATION TECHNOLOGY. There is appropriated from the general
10 29 fund of the state to the department of administrative services
10 30 for the fiscal year beginning July 1, 2010, and ending June 30,
10 31 2011, the following amount, or so much thereof as is necessary,
10 32 to be used for the purposes designated:

10 33 For implementing 2010 Iowa Acts, Senate File 2088, division
10 34 I, including salaries, support, maintenance, and miscellaneous
10 35 purposes:

11 1 \$ 2,300,000

CODE: Deappropriates \$61,648 and 1.0 FTE position from the
FY 2011 General Fund appropriation to the Ethics and Campaign
Disclosure Board.

DETAIL: This reduces the Ethics and Campaign Disclosure
Board to the FY 2010 funding level after the 10.0% across-the-
board (ATB) reduction.

CODE: Places a limitation on expenditures made for Information
Technology procurement equal to 50.0% of the unexpended or
unencumbered amount for FY 2011.

DETAIL: House File 2531 (FY 2011 Standing Appropriations Act)
appropriated \$2.3 million to the DAS for Information Technology
procurement for FY 2011. The limitation is expected to reduce
General Fund expenditures by \$1.0 million in FY 2011.

11 2 1. For the period beginning on the effective date of this
11 3 section through June 30, 2011, the department of administrative
11 4 services shall be subject to a limitation on expenditures made
11 5 for information technology procurement equal to 50 percent
11 6 of the unexpended or unencumbered amount remaining from the
11 7 appropriation made in this section, as of the effective date of
11 8 this section.

11 9 2. Notwithstanding any provision to the contrary,
11 10 commencing with the fiscal year beginning July 1, 2011,
11 11 the department of management shall designate the department
11 12 of administrative services as the provider for information
11 13 technology services for purposes of providing such services to
11 14 agencies and other governmental entities with the following
11 15 exceptions:

11 16 a. The office of the governor or the office of an elective
11 17 constitutional or statutory officer.

11 18 b. The general assembly, or any office or unit under its
11 19 administrative authority.

11 20 c. The judicial branch, as provided in section 602.1102.

11 21 d. A political subdivision of the state or its offices
11 22 or units, including but not limited to a county, city, or
11 23 community college.

11 24 e. The state board of regents and institutions operated
11 25 under the authority of the state board of regents.

11 26 f. The department of public defense, including both the
11 27 military division and the homeland security and emergency
11 28 management division.

11 29 g. The public broadcasting division of the department of
11 30 education.

11 31 3. Pursuant to the procedures provided in section 8A.202,
11 32 an agency or other governmental entity may seek a waiver from
11 33 receiving information technology services from the department
11 34 of administrative services.

Specifies that the DAS shall be the provider of informational
technology services to all governmental entities with the following
exceptions:

- Office of the Governor or other elective office
- Legislative Branch
- Judicial Branch
- State Board of Regents
- Department of Homeland Security
- Iowa Public Television
- Any other department that receives a waiver from the
DAS.

12 1 Act, being deemed of immediate importance, takes effect upon
12 2 enactment.

12 3 DIVISION IV
12 4 AGRICULTURE AND NATURAL RESOURCES

12 5 Sec. 23. DEPARTMENT OF NATURAL RESOURCES — REAL
PROPERTY
12 6 ACQUISITION CURTAILED.

12 7 1. Notwithstanding any provision to the contrary, for the
12 8 period beginning on the effective date of this section through
12 9 the close of the fiscal year ending on June 30, 2011, the
12 10 department of natural resources shall not enter into a new
12 11 arrangement to acquire or otherwise control real property.

12 12 2. For the purposes of this section, “new arrangement” means
12 13 an obligation entered into on or after the effective date of
12 14 this section. An obligation includes but is not limited to
12 15 an agreement, contract, lease-purchase arrangement, or any
12 16 other instrument leading to state ownership or control of real
12 17 property that was not previously owned or controlled by the
12 18 state. “New arrangement” does not include a real property
12 19 acquisition or control project for which an appropriation to
12 20 the department was encumbered prior to the effective date of
12 21 this section. “New arrangement” does not include a donated
12 22 real property acquisition or control project received or
12 23 entered into on or after the effective date of this section.

12 24 3. This section, being deemed of immediate importance,
12 25 takes effect upon enactment.

12 26 Sec. 24. 2010 Iowa Acts, chapter 1191, section 20, is
12 27 amended to read as follows:

12 28 SEC. 20. IOWA RESOURCES ENHANCEMENT AND PROTECTION
12 29 FUND. Notwithstanding the amount of the standing appropriation
12 30 from the general fund of the state to the Iowa resources
12 31 enhancement and protection fund as provided in section
12 32 455A.18, there is appropriated from the environment first fund
12 33 created in section 8.57A to the Iowa resources enhancement
12 34 and protection fund, in lieu of the appropriation made in
12 35 section 455A.18, for the fiscal year beginning July 1, 2010,
13 1 and ending June 30, 2011, the following amount, to be allocated
13 2 as provided in section 455A.19:

Prohibits the DNR from entering a new arrangement to acquire or otherwise control real property. This provision is effective on enactment and applies through June 30, 2011. This Section includes language regarding timeframes and definitions as used in this Section.

CODE: Deappropriates \$3,068,811 from the FY 2011 Environment First Fund appropriation to the Department of Natural Resources (DNR) for the purchase of additional land.

DETAIL: The reduction equals the unobligated balance for land acquisition as of December 15, 2010. The DNR uses funding from the Resource Enhancement and Protection (REAP) Fund to purchase land. The REAP Fund receives funding from the Environment First Fund (not General Fund money) and the amount allocated for land acquisition is based on the REAP formula. Future year savings would depend on the amount of funding to REAP. For example, if the REAP Fund receives funding of \$11.0 million, the funding allocation for land acquisitions would be \$3.0 million; at \$13.0 million, the funding

13 3 \$ 15,000,000
13 4 \$ 11,931,189

allocation for land acquisitions would be \$3.5 million; and at \$15.0 million, the funding allocation for land acquisitions would be \$4.0 million.

13 5 Sec. 25. EFFECTIVE UPON ENACTMENT. This division of this
13 6 Act, being deemed of immediate importance, takes effect upon
13 7 enactment.

Division IV is effective on enactment.

13 8 DIVISION V
13 9 ECONOMIC DEVELOPMENT

13 10 Sec. 26. Section 15.108, subsection 5, paragraph c, Code
13 11 2011, is amended to read as follows:

CODE: Technical change related to elimination of the Generation Iowa Commission.

13 12 c. Coordinate and develop with the department of
13 13 transportation, the department of natural resources, the
13 14 department of cultural affairs, ~~the generation iowa commission,~~
13 15 the vision iowa board, other state agencies, and local and
13 16 regional entities public interpretation, marketing, and
13 17 education programs that encourage lowans and out-of-state
13 18 visitors to participate in the recreational and leisure
13 19 opportunities available in Iowa. The department shall
13 20 establish and administer a program that helps connect both
13 21 Iowa residents and residents of other states to new and
13 22 existing Iowa experiences as a means to enhance the economic,
13 23 social, and cultural well-being of the state. The program
13 24 shall include a broad range of new opportunities, both rural
13 25 and urban, including main street destinations, green space
13 26 initiatives, and artistic and cultural attractions.

DETAIL: See Section 30 for the full explanation related to this item.

13 27 Sec. 27. 2010 Iowa Acts, chapter 1184, section 43, is
13 28 amended to read as follows:

CODE: Requires all unencumbered and unobligated funds in the Save our Small Businesses Fund to revert to the School Infrastructure Fund on the effective date of this legislation.

13 29 SEC. 43. SAVE OUR SMALL BUSINESSES FUND APPROPRIATION.

13 30 1. There is appropriated from the school infrastructure
13 31 fund created in section 12.82 to the department of economic
13 32 development for deposit in the save our small businesses fund
13 33 for the fiscal year beginning July 1, 2010, and ending June 30,
13 34 2011, the following amount, or so much thereof as is necessary,
13 35 to be used for the purposes designated:

DETAIL: The current unencumbered funds are estimated at \$4.0 million. The original appropriation was \$5.0 million from the School Infrastructure Fund for FY 2011. Iowa Code Section 15.301 currently requires unobligated moneys to revert to the General Fund on March 31, 2011, and all moneys remaining in the Fund from loan repayments to revert to the General Fund on March 31, 2016.

14 1 For purposes of providing financial assistance under the
14 2 save our small businesses program under section 15.301:

14 3 \$ 5,000,000

14 4 Of the moneys appropriated pursuant to this section, the
14 5 department may allocate an amount not to exceed two percent of
14 6 the moneys appropriated for purposes of retaining the services
14 7 of an organization designated pursuant to section 15.301,
14 8 subsection 2, paragraph "b".

14 9 2. On the effective date of this section of this 2011 Iowa
14 10 Act, any unobligated and unencumbered moneys appropriated in
14 11 this section shall revert to the school infrastructure fund.

14 12 Sec. 28. 2010 Iowa Acts, chapter 1186, section 1, subsection
14 13 11, is amended to read as follows:

14 14 11. For membership in North America's supercorridor
14 15 coalition:

14 16 \$ 50,000

14 17 Beginning July 1, 2011, the department shall not renew
14 18 membership in North America's supercorridor coalition.

14 19 Sec. 29. REPEAL. Sections 15.300 and 15.301, Code 2011,
14 20 are repealed.

14 21 Sec. 30. REPEAL. Section 15.421, Code 2011, is repealed.

14 22 Sec. 31. GREAT PLACES PROGRAM.

14 23 1. For the period beginning on the effective date of this
14 24 section through the close of the fiscal year ending on June 30,
14 25 2011, the department of cultural affairs shall be subject to a
14 26 limitation on expenditures made on or after the effective date
14 27 of this section for purposes of the great places program in
14 28 accordance with this section.

CODE: Prohibits the Department of Transportation (DOT) from renewing the State's membership in the North America's Corridor Coalition beginning in FY 2012.

DETAIL: The DOT has been receiving an appropriation for membership in the Coalition since its creation in the 1990s; and since FY 2000, the appropriation has been \$50,000 from the Road Use Tax Fund annually. Eliminating membership will reduce expenditures from the Road Use Tax Fund by an estimated \$50,000 for FY 2012.

CODE: Eliminates the Save Our Small Businesses Fund and Program.

DETAIL: See Section 27 for fiscal impact related to this item.

CODE: Eliminates the Generation Iowa Commission.

DETAIL: Minimal fiscal impact. House File 2699 (FY 2009 Economic Development Appropriations Act) provided a \$50,000 one-time appropriation from the General Fund. The Department of Economic Development (DED) has been providing minimal General Fund support for the Commission from the appropriation to the Business Services Division.

Restricts the Department of Cultural Affairs (DCA) to a limitation on expenditures for its Great Places Program made on or after the effective date of this Section through the end of FY 2011. Authorizes any Great Places grant agreement entered into prior to the effective date to continue as provided by the terms of the contract.

DETAIL: The DCA received an FY 2011 appropriation of

14 29 2. The limitation shall be equal to any expended or
14 30 encumbered amount that the department has budgeted or otherwise
14 31 designated for purposes of the great places program, from the
14 32 appropriations made for the fiscal year beginning July 1, 2010,
14 33 and ending June 30, 2011, to the department from all sources,
14 34 as of the effective date of this section. Any great places
14 35 program grant contract entered into prior to the effective date
15 1 of this section shall continue as provided by the terms of the
15 2 contract.

15 3 Sec. 32. LOANS — CONTINUED EFFECT. Loans awarded from
15 4 the save our small business fund pursuant to section 15.301,
15 5 prior to the effective date of this section, shall continue as
15 6 provided by the terms of the loans and shall be administered by
15 7 the department of economic development.

15 8 Sec. 33. EFFECTIVE UPON ENACTMENT. This division of this
15 9 Act, being deemed of immediate importance, takes effect upon
15 10 enactment.

15 11 DIVISION VI
15 12 EDUCATION

15 13 Sec. 34. 2010 Iowa Acts, chapter 1183, section 6, subsection
15 14 1, is amended to read as follows:

15 15 1. GENERAL ADMINISTRATION

15 16 For salaries, support, maintenance, miscellaneous purposes,
15 17 and for not more than the following full-time equivalent
15 18 positions:

15 19 \$ ~~7,096,482~~

15 20 \$ 7,037,482

15 21 FTEs 83.67

15 22 Sec. 35. 2010 Iowa Acts, chapter 1183, section 6, subsection
15 23 17, is amended to read as follows:

15 24 17. CORE CURRICULUM AND CAREER INFORMATION AND
15 25 DECISION-MAKING SYSTEM

15 26 For purposes of implementing the statewide core curriculum

\$2,000,000 from the Revenue Bonds Capitals Fund (RBC). The limitation is equal to any expended or encumbered funds from the FY 2011 appropriation from the time of enactment for the remainder of the fiscal year, but any awards that have signed grant agreements may continue pursuant to those agreements. As of January 21, 2011, all \$2,000,000 has been awarded in grants and all of the grant agreements have been signed and filed with the appropriate county recorders, so they are all expected to continue. No monies are anticipated to return to the RBC.

Requires the Save Our Small Businesses Fund loans to be continued under their current terms and continue to be administered by the DED.

Division V is effective on enactment.

CODE: Deappropriates \$59,000 from the FY 2011 General Fund appropriation to the Department of Education for general administration.

DETAIL: The reduction represents a portion of the Director's salary. The Department Director position has been vacant since May 2010. Governor Branstad announced the appointment of Jason Glass as Director of the Department on December 29, 2010.

CODE: Deappropriates \$1,826,000 from the FY 2011 General Fund appropriation to the Department of Education for implementation of the statewide core curriculum.

DETAIL: Estimated General Fund savings are \$1.8 million for FY 2011, \$3.0 million for FY 2012, and \$2.1 million for FY 2013.

15 27 for school districts and accredited nonpublic schools and a
15 28 state-designated career information and decision-making system:

15 29 \$ ~~4,901,556~~
15 30 \$ 75,556

15 31 It is the intent of the general assembly that the
15 32 standing committees on education of the senate and house of
15 33 representatives shall consider and propose legislation to amend
15 34 iowa law regarding the statewide core curriculum, to take
15 35 effect on or before July 1, 2011.

Specifies the intent of the General Assembly to have the Senate and House Education Committees propose legislation to change the law regarding the core curriculum by July 1, 2011.

16 1 UNIVERSITY OF IOWA

16 2 Sec. 36. 2010 Iowa Acts, chapter 1183, section 10,
16 3 subsection 2, paragraph a, is amended to read as follows:

CODE: Deappropriates \$4,673,113 from the FY 2011 General Fund appropriation to the University of Iowa general education budget.

16 4 a. General university, including lakeside laboratory

DETAIL: The three Regents universities received a combined reduction of \$10,000,000. The reduction for each university is proportionate to the original FY 2011 appropriation for the General University education budget.

16 5 For salaries, support, maintenance, equipment, miscellaneous
16 6 purposes, and for not more than the following full-time
16 7 equivalent positions:

16 8 \$ ~~217,638,034~~
16 9 \$ 212,964,921
16 10 FTEs 5,058.55

16 11 IOWA STATE UNIVERSITY

16 12 Sec. 37. 2010 Iowa Acts, chapter 1183, section 10,
16 13 subsection 3, paragraph a, is amended to read as follows:

CODE: Deappropriates \$3,661,741 from the FY 2011 General Fund appropriation to the Iowa State University general education budget.

16 14 a. General university

DETAIL: The three Regents universities received a combined reduction of \$10,000,000. The reduction for each university is proportionate to the original FY 2011 appropriation for the General University education budget.

16 15 For salaries, support, maintenance, equipment, miscellaneous
16 16 purposes, and for not more than the following full-time
16 17 equivalent positions:

16 18 \$ ~~170,536,017~~
16 19 \$ 166,874,276
16 20 FTEs 3,647.42

16 21 UNIVERSITY OF NORTHERN IOWA

16 22 Sec. 38. 2010 Iowa Acts, chapter 1183, section 10,
16 23 subsection 4, paragraph a, is amended to read as follows:

16 24 a. General university

16 25 For salaries, support, maintenance, equipment, miscellaneous
16 26 purposes, and for not more than the following full-time
16 27 equivalent positions:

16 28 \$ ~~77,549,809~~
16 29 \$ 75,884,663
16 30 FTEs 1,447.50

16 31 Sec. 39. REGENTS APPROPRIATIONS FOR FISCAL YEARS 2011-
2012

16 32 AND 2012-2013. It is the intent of the general assembly to
16 33 continue the reductions applied to the appropriations made to
16 34 the institutions under state board of regents in the amendments
16 35 to 2010 Iowa Acts, chapter 1183, section 10, in this division
17 1 of this Act for the next two succeeding fiscal years and to
17 2 annualize the reductions at an aggregate amount of \$15,000,000
17 3 in each of the fiscal years.

17 4 Sec. 40. REGENTS AND COMMUNITY COLLEGE ADMINISTRATIVE

17 5 FUNCTIONS. The joint appropriations subcommittee on education
17 6 shall implement provisions to consolidate administrative
17 7 functions at the state board of regents and the institutions
17 8 under the state board and at the community colleges in order
17 9 to reduce the amount that would otherwise be budgeted for such
17 10 administrative functions for the fiscal year beginning July 1,
17 11 2011, and each fiscal year thereafter. In identifying options
17 12 for additional consolidation of administrative functions beyond
17 13 those previously implemented, the subcommittee shall review
17 14 the efficiencies initiatives and funding reduction reports
17 15 submitted by the community colleges and the state board of
17 16 regents pursuant to 2010 Iowa Acts, chapter 1183, sections 9
17 17 and 12.

17 18 Sec. 41. LIBRARY ACQUISITION FUNDING — DEPARTMENT OF
17 19 EDUCATION — STATE LIBRARY.

17 20 1. For the period beginning on the effective date of this
17 21 section through the close of the fiscal year ending on June
17 22 30, 2011, the department of education shall be subject to a
17 23 limitation on expenditures made on or after the effective date
17 24 of this section for library acquisitions at the state library

CODE: Deappropriates \$1,665,146 from the FY 2011 General
Fund appropriation to the University of Northern Iowa general
education budget.

DETAIL: The three Regents universities received a combined
reduction of \$10,000,000. The reduction for each university is
proportionate to the original FY 2011 appropriation for the
General University education budget.

Specifies legislative intent that the State General Fund reductions
to the Regents universities general education budgets be
continued for FY 2012 and FY 2013 at an aggregate amount of
\$15,000,000 per year.

Requires the Education Appropriations Subcommittee to
consolidate administrative functions for the Regents Board
Office, the three Regents universities, the two Regents special
schools, and the community colleges to reduce the administrative
costs for the higher education system.

DETAIL: Consolidation can take many forms. An estimate can be
made after the details of the consolidation have been
determined.

Requires the State Library to limit FY 2011 expenditures for
library acquisitions, including digital materials, to 50.0% of the
unexpended, unencumbered acquisitions budget at the effective
date of this Section.

DETAIL: The State Library has no State funding budgeted for
acquisitions in FY 2011. Acquisitions, including digital
subscriptions and contracts, are budgeted from federal funds.

17 25 including digital acquisitions.

17 26 2. The limitation shall be equal to 50 percent of the
17 27 unexpended or unencumbered amount that the department of
17 28 education has budgeted or otherwise designated for purposes of
17 29 library acquisitions, including digital acquisitions, from the
17 30 appropriations made to the department from all sources, as of
17 31 the effective date of this section.

17 32 Sec. 42. REGENTS UNIVERSITY LEAVE LIMITATION. For the
17 33 period beginning on the effective date of this section and
17 34 ending June 30, 2012, the state board of regents shall not
17 35 approve paid leaves of absence granted pursuant to section
18 1 262.9, subsection 14, for any faculty member.

Prohibits the three Regents universities from approving professional development assignments (commonly referred to as sabbaticals) for FY 2012.

DETAIL: The projected faculty replacement costs for the professional development assignments for FY 2012 is \$422,283. The universities' general education budgets receive 39.4% of their funding from General Fund appropriations. Eliminating these assignments reduces costs associated with the General Fund appropriations by an estimated \$164,690. Based on the grants received in FY 2009 and FY 2010, it is projected that there may be a total reduction in the grants from applications generated by faculty on professional development assignments of up to \$8,100,000.

18 2 Sec. 43. STATEWIDE VOLUNTARY PRESCHOOL. It is the intent
18 3 of the general assembly to fill the needs addressed by the
18 4 statewide preschool program for four-year-old children repealed
18 5 by this division by expanding the preschool tuition assistance
18 6 provided as part of the school ready children grant program
18 7 administered through the early childhood iowa initiative under
18 8 chapter 256I.

Specifies that it is the intent of the General Assembly to replace the Statewide Voluntary Preschool Program by expanding preschool tuition assistance as part of the School Ready Children Grant Program administered by the Early Childhood Iowa Initiative.

DETAIL: See Section 52 for more explanation regarding repeal of the current Program.

18 9 Sec. 44. Section 237A.21, subsection 3, paragraph p, Code
18 10 2011, is amended by striking the paragraph.

CODE: Strikes references to the Statewide Voluntary Preschool Program.

18 11 Sec. 45. Section 237A.22, subsection 1, paragraphs f and g,
18 12 Code 2011, are amended to read as follows:

CODE: Strikes references to the Statewide Voluntary Preschool Program.

18 13 f. Make recommendations for improving collaborations between
18 14 the child care programs involving the department and programs
18 15 supporting the education and development of young children
18 16 including but not limited to the federal head start program,
~~18 17 the statewide preschool program for four-year-old children~~
18 18 and the early childhood, at-risk, and other early education

18 19 programs administered by the department of education.

18 20 g. Make recommendations for eliminating duplication and
18 21 otherwise improving the eligibility determination processes
18 22 used for the state child care assistance program and other
18 23 programs supporting low-income families, including but not
18 24 limited to the federal head start, early head start, and even
18 25 start programs; the early childhood, at-risk, and preschool
~~18 26 prekindergarten~~ programs administered by the department of
18 27 education; the family and self-sufficiency grant program; and
18 28 the family investment program.

18 29 Sec. 46. Section 256.11, subsection 1, paragraph c, Code
18 30 2011, is amended by striking the paragraph.

CODE: Technical correction related to the repeal of the
Statewide Voluntary Preschool Program.

18 31 Sec. 47. Section 257.16, subsection 1, Code 2011, is amended
18 32 to read as follows:

CODE: Technical correction related to the repeal of the
Statewide Voluntary Preschool Program.

18 33 1. There is appropriated each year from the general fund
18 34 of the state an amount necessary to pay the foundation aid
18 35 under this chapter, ~~the preschool foundation aid under chapter~~
~~19 1 256C~~, supplementary aid under section 257.4, subsection 2, and
19 2 adjusted additional property tax levy aid under section 257.15,
19 3 subsection 4.

19 4 Sec. 48. Section 257.35, Code 2011, is amended by adding the
19 5 following new subsection:

CODE: Requires that State aid to Area Education Agencies
(AEAs) be reduced by an additional \$10.0 million for FY 2011
and subsequent fiscal years.

19 6 NEW SUBSECTION. 5A. Notwithstanding subsection 1, and in
19 7 addition to the reduction applicable pursuant to subsection
19 8 2, the state aid for area education agencies and the portion
19 9 of the combined district cost calculated for these agencies
19 10 for the fiscal year beginning July 1, 2010, and ending June
19 11 30, 2011, and subsequent fiscal years, shall be reduced by the
19 12 department of management by ten million dollars. The reduction
19 13 for each area education agency shall be prorated based on the
19 14 reduction that the agency received in the fiscal year beginning
19 15 July 1, 2003. To the extent feasible, area education agencies
19 16 shall first apply the reduction required by this subsection
19 17 to administration and other functions before applying the
19 18 reductions to staff positions engaged in working directly with
19 19 children and families.

DETAIL: The AEAs currently have a statutory reduction of \$7.5
million each fiscal year. Additionally, HF 2531 (FY 2011 Standing
Appropriations Act) reduced State aid to AEAs by an additional
\$2.5 million for FY 2011. The additional \$10.0 million reduction
results in a total State aid reduction of \$20.0 million for FY 2011
and \$17.5 million for FY 2012 and subsequent fiscal years. The
reduction is applied to the State aid portion of AEA educational
support services funding.

19 20 Sec. 49. Section 262.9, subsection 19, Code 2011, is amended
19 21 by adding the following new paragraph:

CODE: Limits tuition and fee increases at the Regents
universities to no more than the most recently published Higher
Education Price Index (HEPI) percentage increase.

19 22 NEW PARAGRAPH. c. Limit any increase in tuition, fees, and

19 23 other charges at the institutions of higher education under
19 24 its control during a school year to not more than an amount
19 25 equivalent to the increase in the most recently issued higher
19 26 education price index.

DETAIL: The HEPI increased by 5.0% in 2008, by 2.3% in 2009,
and by 0.9% in 2010.

19 27 Sec. 50. Section 272.2, subsection 18, Code 2011, is amended
19 28 to read as follows:

CODE: Technical correction related to the repeal of the
Statewide Voluntary Preschool Program.

19 29 18. May adopt rules for practitioners who are not eligible
19 30 for a statement of professional recognition under subsection
19 31 10, but have received a baccalaureate degree and provide a
19 32 service to students at any or all levels from prekindergarten
19 33 through grade twelve for a school district, accredited
19 34 nonpublic school, ~~or area education agency, or preschool~~
~~19 35 program established pursuant to chapter 256C.~~

20 1 Sec. 51. Section 285.1, subsection 1, paragraph a,
20 2 subparagraph (3), Code 2011, is amended to read as follows:

CODE: Technical correction related to the repeal of the
Statewide Voluntary Preschool Program.

20 3 (3) Children attending prekindergarten programs offered or
20 4 sponsored by the district or nonpublic school and approved by
20 5 the department of education or department of human services
20 6 ~~or children participating in preschool in an approved local~~
~~20 7 program under chapter 256C~~ may be provided transportation
20 8 services. However, transportation services provided to
20 9 nonpublic school children are not eligible for reimbursement
20 10 under this chapter.

20 11 Sec. 52. REPEAL. Chapter 256C, Code 2011, is repealed.

CODE: Repeals the Statewide Voluntary Preschool Program
effective July 1, 2011.

DETAIL: Based on the October 2010 enrollment count, there
were 19,800 preschool students attending the statewide
voluntary preschool program. The enrollment counts taken in
October 2010, resulted in a preschool formula weighting totaling
11,880. This weighting will be used to generate preschool
formula funding for 323 districts in FY 2012. The LSA assumes a
7.5% increase in the weighting figure for preschool formula
funding purposes in FY 2013.

FISCAL IMPACT: Repealing the Program eliminates the standing
appropriation for the preschool formula. Based on a 0.0%
allowable growth rate for FY 2012 and FY 2013, the estimated
General Fund reduction will be \$69.9 million for FY 2012 and
\$75.1 million for FY 2013.

20 12 Sec. 53. EFFECTIVE DATES.

20 13 1. The sections of this division of this Act amending Code
20 14 sections 237A.21, 237A.22, 256.11, 257.16, 257.35, 272.2, and
20 15 285.1 and repealing Code chapter 256C, take effect July 1,
20 16 2011, and apply to budget years beginning on or after July 1,
20 17 2011.

20 18 2. The provisions of this division of this Act other than
20 19 those addressed by subsection 1, being deemed of immediate
20 20 importance, take effect upon enactment.

20 21 Sec. 54. APPLICABILITY — LEGISLATIVE INTENT.

20 22 1. The section of this division of this Act amending section
20 23 262.9 applies to an increase in tuition, fees, and other
20 24 charges on or after January 1, 2011, and applies retroactively
20 25 to that date.

20 26 2. It is the intent of the general assembly that if staff
20 27 reductions are necessary to implement the section of this
20 28 division of this Act amending section 262.9, such reductions
20 29 shall be applied to administrative staff before being applied
20 30 to instructional, health care, or other staff that provide
20 31 instruction or services directly to students, patients, or
20 32 consumers.

20 33 DIVISION VII
20 34 HEALTH AND HUMAN SERVICES

20 35 Sec. 55. Section 217.6, Code 2011, is amended by adding the
21 1 following new unnumbered paragraph:

21 2 NEW UNNUMBERED PARAGRAPH.The rules and regulations
21 3 adopted for the public benefits and programs administered by
21 4 the department of human services shall apply the residency
21 5 eligibility restrictions required by federal and state law.

21 6 Sec. 56. DEPARTMENT ON AGING — PLAN FOR REDUCTION IN
21 7 NUMBER OF AREA AGENCIES ON AGING. The department on aging
21 8 shall develop a plan for reducing the number of area agencies
21 9 on aging in the state to not more than five, to be effective
21 10 beginning July 1, 2011. The department shall submit the plan
21 11 to the standing committees on human resources of the senate

Sections 44-48 and 50-52 are effective July 1, 2011, and apply to budget years beginning with FY 2012. Sections 34-43 are effective on enactment.

Section 49 limiting Regents university tuition and fee increases to the percentage increase in the Higher Education Price Index (HEPI) is retroactive to January 1, 2011.

Specifies that it is the intent of the General Assembly that if staff reductions are required, administrative staff must be reduced before reducing instructional or other staff providing direct services to students, patients, or consumers.

CODE: Requires the Department of Human Services (DHS) to apply all residency eligibility restrictions required by federal and State law.

DETAIL: The fiscal impact for this Section is anticipated to be minimal. The Department has been able to cross reference eligibility between all border states other than Illinois. Due to budget issues in Illinois this is not expected to change.

21 12 and house of representatives and the joint appropriations
21 13 subcommittee on health and human services on or before February
21 14 25, 2011.

21 15 Sec. 57. JOINT APPROPRIATIONS SUBCOMMITTEE ON HEALTH
21 16 AND HUMAN SERVICES. The joint appropriations subcommittee
21 17 on health and human services shall develop and include in
21 18 appropriations legislation a new reimbursement methodology for
21 19 juvenile shelter care providers for use beginning July 1, 2011.
21 20 The new reimbursement methodology shall end the practice of
21 21 providing reimbursement for unused shelter care beds.

Directs the Health and Human Services Appropriations Subcommittee to develop a new reimbursement methodology for the DHS to implement in FY 2012 for contracted juvenile shelter care providers with the intent to end payment for unused beds.

DETAIL: It is estimated that the State will pay \$1.4 million in FY 2011 for beds that have not been used but are contractually obligated for payment. The General Fund savings are estimated at \$1.3 million for FY 2012 and \$1.2 million for FY 2013. Federal funds are not impacted since Title IV-E funds do not pay for unused beds. See Section 66 for the deappropriation of the unspent and unencumbered funds for shelter care beds for FY 2011.

21 22 HEALTH CARE COVERAGE COMMISSION

21 23 Sec. 58. 2009 Iowa Acts, chapter 183, section 65, subsection
21 24 3, is amended to read as follows:

CODE: Deappropriates \$167,000 from the FY 2010 Human Services Reinvestment Fund appropriation to the Legislative Health Care Commission.

21 25 3. There is appropriated from the human services
21 26 reinvestment fund for the fiscal year beginning July 1, 2009,
21 27 and ending June 30, 2010, the following amount to be used for
21 28 the following designated purpose:

DETAIL: The two-year Commission completed its legislative charge and dissolved on December 31, 2010. The reduction is an estimate of the unencumbered funding as of January 1, 2011.

21 29 For the legislative services agency to be used for costs
21 30 associated with the legislative health care coverage commission
21 31 created in 2009 Iowa Acts, Senate File 389, if enacted, or a
21 32 similar legislative commission:

21 33 \$ ~~345,000~~
21 34. \$ 148,000

21 35 Notwithstanding section 8.33, moneys appropriated in this
22 1 subsection that remain unencumbered or unobligated at the close
22 2 of the fiscal year shall not revert but shall remain available
22 3 for expenditure for the purposes designated until the close of
22 4 the fiscal year that begins July 1, 2010.

22 5 ADDICTIVE DISORDERS

22 6 Sec. 59. 2010 Iowa Acts, chapter 1192, section 2, subsection
22 7 1, unnumbered paragraph 1, is amended to read as follows:

22 8 For reducing the prevalence of use of tobacco, alcohol, and
22 9 other drugs, and treating individuals affected by addictive
22 10 behaviors, including gambling, and for not more than the
22 11 following full-time equivalent positions:

22 12 \$ ~~28,974,840~~
22 13 \$ 26,574,840

22 14 FTEs 18.00

22 15 Sec. 60. 2010 Iowa Acts, chapter 1192, section 2, subsection
22 16 1, paragraph a, is amended to read as follows:

22 17 a. Of the funds appropriated in this subsection, ~~\$7,438,282~~
~~22 18~~ ~~\$5,038,282~~ shall be used for the tobacco use prevention and
22 19 control initiative, including efforts at the state and local
22 20 levels, as provided in chapter 142A.

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

22 27 (2) Of the full-time equivalent positions authorized in
22 28 this subsection, 2.00 full-time equivalent positions shall
22 29 be utilized to provide for enforcement of tobacco laws,
22 30 regulations, and ordinances.

22 31 (3) Of the funds allocated in this lettered paragraph,
22 32 ~~\$1,796,508~~ \$1,197,672 shall be used for youth programs designed
22 33 to achieve the goals of the initiative, that are directed by
22 34 youth participants for youth pursuant to section 142A.9.

22 35 (4) For the period beginning on the effective date of
23 1 this subparagraph through the close of the fiscal year ending
23 2 on June 30, 2011, except for activities provided during the
23 3 period through a contract or other legally binding obligation
23 4 entered into prior to the period that cannot be canceled
23 5 without penalty, the department shall cancel smoking cessation
23 6 and prevention efforts funded in whole or in part under this
23 7 paragraph "a". The efforts subject to this subparagraph
23 8 shall include but are not limited to the just eliminate
23 9 lies initiative and other expenditures relating to the youth

CODE: Deappropriates \$2.4 million of the FY 2011 General Fund appropriation to the Department of Public Health (DPH) addictive disorders budget.

DETAIL: The reduction reflects a portion of the unspent and unencumbered budget for tobacco-related programming in FY 2011. The General Fund savings are estimated at \$6.7 million for FY 2012 and \$6.7 million for FY 2013. A loss of approximately \$1.0 million in annual federal funding is possible if all tobacco-related programming is eliminated beginning in FY 2012.

CODE: Reduces allocation language related to the \$2.4 million deappropriation of funds in Section 59. The allocation paragraph for the Just Eliminate Lies (JEL) Program is reduced by \$598,836 to reflect the reduction to tobacco programming. Cancels any tobacco-related programs or activities for FY 2011 that are not contractually obligated to continue through the end of the fiscal year. Directs the Department of Human Services (DHS) to change Medicaid requirements for cessation services that currently require a referral from the Iowa Quitline to a requirement for a physician prescription or referral or other suitable requirement to obtain services. Directs specified legislative committees to recommend legislation for a revised youth program to be implemented in FY 2012.

23 10 programs addressed in subparagraph (3) and the quitline Iowa
23 11 initiative. The department of human services shall revise
23 12 eligibility provisions for smoking cessation medications and
23 13 related services under the medical assistance program to
23 14 replace the requirements for referral by the quitline Iowa
23 15 initiative with a requirement for a physician prescription
23 16 or referral or other suitable requirement. The joint
23 17 appropriations subcommittee on health and human services, in
23 18 consultation with the standing committees on human resources
23 19 of the senate and house of representatives, shall recommend
23 20 legislation to revise the youth programs addressed by
23 21 subparagraph (3) effective July 1, 2011, in order to eliminate
23 22 unnecessary, wasteful expenditures.

23 23 COMMUNITY CAPACITY

23 24 Sec. 61. 2010 Iowa Acts, chapter 1192, section 2, subsection
23 25 4, unnumbered paragraph 1, is amended to read as follows:

23 26 For strengthening the health care delivery system at the
23 27 local level, and for not more than the following full-time
23 28 equivalent positions:

23 29 \$ ~~5,503,037~~
23 30 \$ 5,398,037

23 31 FTEs 21.00

23 32 Sec. 62. 2010 Iowa Acts, chapter 1192, section 2, subsection
23 33 4, paragraph h, subparagraph (1), amended to read as follows:

23 34 (1) Of the funds appropriated in this subsection, ~~\$180,000~~
~~23 35~~ ~~\$120,000~~ shall be used for continued implementation of
24 1 the recommendations of the direct care worker task force
24 2 established pursuant to, based upon the report submitted to
24 3 the governor and the general assembly in December 2006. The
24 4 department may use a portion of the funds allocated in this
24 5 paragraph for an additional position to assist in the continued
24 6 implementation.

24 7 Sec. 63. 2010 Iowa Acts, chapter 1192, section 2, subsection
24 8 4, paragraph i, subparagraph (1), is amended to read as
24 9 follows:

24 10 (1) Of the funds appropriated in this subsection, ~~\$135,000~~
~~24 11~~ ~~\$90,000~~ shall be used for allocation to an independent

CODE: Deappropriates \$105,000 from the FY 2011 General Fund appropriation to the DPH community capacity budget.

DETAIL: The reduction reflects a portion of the unspent and unencumbered budget for the Direct Care Worker Advisory Council and the current contract with the Iowa Caregivers Association in FY 2011. Estimated General Fund savings are \$105,000 for FY 2011; \$315,000 for FY 2012; and \$315,000 for FY 2013.

CODE: Reduces the allocation of appropriated funds to the DPH Direct Care Worker Advisory Council by \$60,000 for FY 2011. This allocation reflects a portion of the FY 2011 General Fund deappropriation in Section 61.

CODE: Reduces the allocation of appropriated funds to an independent direct care worker association by \$45,000 for FY 2011. This allocation reflects a portion of the FY 2011 General Fund deappropriation in Section 61.

DETAIL: The reduction reflects a portion of the unspent and

24 12 statewide direct care worker association for education,
24 13 outreach, leadership development, mentoring, and other
24 14 initiatives intended to enhance the recruitment and retention
24 15 of direct care workers in health and long-term care.

unencumbered allocation to the Iowa Caregivers Association.

24 16 HEALTHY AGING — PUBLIC PROTECTION

24 17 Sec. 64. 2010 Iowa Acts, chapter 1192, section 2,
24 18 subsections 5 and 8, are amended to read as follows:

CODE: Healthy Aging: Deappropriates \$300,000 from the FY 2011 General Fund appropriation to the DPH healthy aging (formerly elderly wellness) budget.

24 19 5. HEALTHY AGING

DETAIL: The reduction is equal to one-half of funding that is estimated to be used for activities other than elderly wellness activities in FY 2011. The allocation paragraphs for local public health nursing and for home care aide services are reduced by \$82,380 and \$217,620 respectively, for a total of \$300,000.

24 20 To provide public health services that reduce risks and
24 21 invest in promoting and protecting good health over the
24 22 course of a lifetime with a priority given to older lowans and
24 23 vulnerable populations:

24 24 \$ ~~8,045,779~~
24 25 \$ 7,745,779

CODE: Public Protection: Deappropriates \$50,000 from the FY 2011 General Fund appropriation to the DPH public protection budget.

24 26 a. Of the funds appropriated in this subsection, ~~\$2,209,696~~
~~24 27~~ \$2,127,316 shall be used for local public health nursing
24 28 services.

DETAIL: Eliminates one-time funding to the Emergency Medical Services Fund for education, training, testing, and other costs to conform to national standards for certification of emergency medical care providers. This funding was budgeted for expenditure in FY 2012 by the DPH.

24 29 b. Of the funds appropriated in this subsection, ~~\$5,836,083~~
~~24 30~~ 5,618,463 shall be used for home care aide services.

24 31 8. PUBLIC PROTECTION

24 32 For protecting the health and safety of the public through
24 33 establishing standards and enforcing regulations, and for not
24 34 more than the following full-time equivalent positions:

24 35 \$ ~~3,287,987~~
25 1 \$ 3,237,987

25 2 FTEs 130.00

25 3 a. Of the funds appropriated in this subsection, not more
25 4 than \$471,690 shall be credited to the emergency medical
25 5 services fund created in section 135.25. Moneys in the
25 6 emergency medical services fund are appropriated to the
25 7 department to be used for the purposes of the fund.

25 8 b. Of the funds appropriated in this subsection, \$234,229
25 9 shall be used for sexual violence prevention programming
25 10 through a statewide organization representing programs serving

25 11 victims of sexual violence through the department's sexual
25 12 violence prevention program. The amount allocated in this
25 13 lettered paragraph shall not be used to supplant funding
25 14 administered for other sexual violence prevention or victims
25 15 assistance programs.

25 16 c. Of the funds appropriated in this subsection, not more
25 17 than \$485,520 shall be used for the state poison control
25 18 center.

~~25 19 d. Of the funds appropriated in this subsection, \$50,000~~
~~25 20 shall be used for education, testing, training, and other costs~~
~~25 21 to conform the requirements for certification of emergency~~
~~25 22 medical care providers with national standards.~~

25 23 FAMILY PLANNING WAIVER

25 24 Sec. 65. 2010 Iowa Acts, chapter 1192, section 11,
25 25 subsection 24, is amended to read as follows:

25 26 24. a. The department of human services shall amend
25 27 the medical assistance waiver for the Iowa family planning
25 28 network to continue the current waiver with the following
25 29 modifications, to be effective July 1, 2014 as soon as
25 30 federal approval can be obtained, which provide for all of the
25 31 following:

25 32 (1) Coverage for women who meet all of the following
25 33 criteria:

25 34 (a) Are uninsured ~~or have health insurance coverage that~~
~~25 35 does not include coverage for benefits provided under the Iowa~~
~~26 1 family planning network.~~

26 2 (b) Have income of up to ~~300~~ 133 percent of the federal
26 3 poverty level.

26 4 (c) Are under ~~55~~ 45 years of age.

~~26 5 (2) Coverage of pregnancy prevention services for men who~~
~~26 6 meet the income, age, and insurance coverage specifications~~
~~26 7 described in subparagraph (1).~~

26 8 b. Implementation of this subsection is contingent upon
26 9 approval of the medical assistance waiver for the Iowa family
26 10 planning network by the centers for Medicare and Medicaid
26 11 services of the United States department of health and human

CODE: Reduces eligibility for the Medicaid Family Planning Waiver from the current 200.0% of the federal poverty level (FPL) to 133.0% of the FPL. (Note: The FPL for eligibility was scheduled to increase to 300.0%.) This Section also lowers the age for eligibility from 55 to 45 and eliminates the coverage of men and individuals that have health insurance.

DETAIL: This change is estimated to reduce General Fund expenditures by \$116,000 in FY 2012 and \$164,000 in FY 2013 for direct Family Planning costs. Because the State receives a 90.0% federal match for the Program, the State would lose \$1,044,000 in federal funding in FY 2012 and \$1,449,000 in FY 2013. According to the nonpartisan Congressional Budget Office, providing Family Planning Services to women between the ages of 15-44 with incomes under 200.0% of the FPL saves the State and federal government more than the Program costs due to fewer unintended Medicaid pregnancies. More information is available at: <http://www.cbo.gov/ftpdocs/99xx/doc9925/12-18-HealthOptions.pdf>. Due to maintenance of effort requirements required by the federal American Recovery and Reinvestment Act of 2009, it is assumed that changes to the Waiver will not be implemented until July 1, 2011.

26 12 services and upon availability of funding as determined by the
26 13 director of the department of human services.

26 14 c. Of the funds appropriated in this section, \$25,000 shall
26 15 be used for administrative costs for renewal and modification
26 16 of the Iowa family planning network waivers as provided in this
26 17 subsection.

26 18 CHILD AND FAMILY SERVICES — SHELTER
CARE

26 19 Sec. 66. 2010 Iowa Acts, chapter 1192, section 19,
26 20 subsection 1, is amended to read as follows:

26 21 1. There is appropriated from the general fund of the
26 22 state to the department of human services for the fiscal year
26 23 beginning July 1, 2010, and ending June 30, 2011, the following
26 24 amount, or so much thereof as is necessary, to be used for the
26 25 purpose designated:

26 26 For child and family services:

26 27 \$ ~~79,593,023~~
26 28 \$ 79,127,023

26 29 Sec. 67. 2010 Iowa Acts, chapter 1192, section 19,
26 30 subsection 7, paragraph a, is amended to read as follows:

26 31 a. Notwithstanding section 234.35 or any other provision
26 32 of law to the contrary, state funding for shelter care shall
26 33 be limited to ~~\$7,894,147~~ \$7,428,147. The department may
26 34 continue or amend shelter care provider contracts to include
26 35 the child welfare emergency services for children that were
27 1 implemented pursuant to 2008 Iowa Acts, chapter 1187, section
27 2 16, subsection 7. An appropriate amount of the funds allocated
27 3 in this subsection may be used for wraparound and emergency
27 4 services to prevent the need for shelter care services,
27 5 including such services for children who have an immediate
27 6 need for shelter care services but are ineligible due to
27 7 income, status, or other requirement. The funding shall be
27 8 expended by providers in a manner that does not impinge upon
27 9 the availability of beds for eligible children.

27 10 Sec. 68. EFFECTIVE UPON ENACTMENT. This division of this
27 11 Act, being deemed of immediate importance, takes effect upon
27 12 enactment.

CODE: Deappropriates \$466,000 from the FY 2011 General
Fund appropriation to the DHS Child and Family Services
budget.

DETAIL: The reduction reflects a portion of the unspent and
unencumbered budget for unused shelter care beds for juveniles
for FY 2011. See Section 57 for more explanation related to this
item.

CODE: Reduces the allocation language related to the FY 2011
General Fund deappropriation in Section 66 related to shelter
care providers.

Division VII is effective on enactment.

27 15 Sec. 69. PLANTINGS FOR AESTHETIC PURPOSES. For the period
27 16 beginning on the effective date of this section through the
27 17 close of the fiscal year ending June 30, 2011, the department
27 18 of transportation shall not pay for wildflowers or other plants
27 19 intended for aesthetic purposes.

27 20 Sec. 70. Section 28I.4, subsection 1, Code 2011, is amended
27 21 to read as follows:

27 22 1. The commission shall have the power and duty to make
27 23 comprehensive studies and plans for the development of the
27 24 area it serves which will guide the unified development of
27 25 the area and which will eliminate planning duplication and
27 26 promote economy and efficiency in the coordinated development
27 27 of the area and the general welfare, convenience, safety, and
27 28 prosperity of its people. The plan or plans collectively
27 29 shall be known as the regional or metropolitan development
27 30 plan. The plans for the development of the area may include
27 31 but shall not be limited to recommendations with respect to
27 32 existing and proposed highways, bridges, airports, streets,
27 33 parks and recreational areas, schools and public institutions
27 34 and public utilities, public open spaces, and sites for public
27 35 buildings and structures; districts for residence, business,
28 1 industry, recreation, agriculture, and forestry; water supply,
28 2 sanitation, drainage, protection against floods and other
28 3 disasters; areas for housing developments, slum clearance
28 4 and urban renewal and redevelopment; location of private
28 5 and public utilities, including but not limited to sewerage
28 6 and water supply systems; and such other recommendations

Restricts the Department of Transportation (DOT) from paying for wildflowers or other plants intended for aesthetic purposes from time of enactment through the end of FY 2011.

DETAIL: The roadside vegetation projects are intended and targeted to reduce long-term maintenance costs of mowing, fertilizing, and spraying; provide erosion control and reduce stormwater runoff; and enhance motorist safety by reducing blowing snow and snow glare. In addition, the vegetation provides improved habitats for various types of wildlife. Generally, the DOT tries to use federal Transportation Enhancement funding to fund revegetation projects on State highways and right of ways, but the State Primary Road Fund provides the 20.0% match to the federal funds. For FY 2011, the DOT is spending \$300,000 on revegetation projects, with the State paying the 20.0% match. Most of the funds have been spent, and savings from the time of enactment to the end of the fiscal year are minimal.

CODE: Section 70 through 75 repeal references related to Code Chapter 18B, concerning smart planning principles and guidelines.

DETAIL: Senate File 2389 (FY 2011 Infrastructure Appropriations Act) added Code Sections 18B.1 and 18B.2 and amended existing provisions relating to city and county zoning as well as consideration of their comprehensive plans. The Bill strikes these references in the city and county zoning provisions. Section 77 repeals Code Chapter 18B.

28 7 concerning current and impending problems as may affect the
28 8 area served by the commission. Time and priority schedules and
28 9 cost estimates for the accomplishment of the recommendations
28 10 may also be included in the plans. ~~The plans shall be made~~
~~28 11 with consideration of the smart planning principles under~~
~~28 12 section 18B.1.~~ The plans shall be based upon and include
28 13 appropriate studies of the location and extent of present
28 14 and anticipated populations; social, physical, and economic
28 15 resources, problems and trends; and governmental conditions and
28 16 trends. The commission is also authorized to make surveys,
28 17 land-use studies, and urban renewal plans, provide technical
28 18 services and other planning work for the area it serves and
28 19 for cities, counties, and other political subdivisions in the
28 20 area. A plan or plans of the commission may be adopted, added
28 21 to, and changed from time to time by a majority vote of the
28 22 planning commission. The plan or plans may in whole or in part
28 23 be adopted by the governing bodies of the cooperating cities
28 24 and counties as the general plans of such cities and counties.
28 25 The commission may also assist the governing bodies and other
28 26 public authorities or agencies within the area it serves
28 27 in carrying out any regional plan or plans, and assist any
28 28 planning commission, board or agency of the cities and counties
28 29 and political subdivisions in the preparation or effectuation
28 30 of local plans and planning consistent with the program of the
28 31 commission. The commission may cooperate and confer, as far as
28 32 possible, with planning agencies of other states or of regional
28 33 groups of states adjoining its area.

28 34 Sec. 71. Section 329.3, Code 2011, is amended to read as
28 35 follows:

29 1 329.3 Zoning regulations — powers granted.

29 2 Every municipality having an airport hazard area within
29 3 its territorial limits may adopt, administer, and enforce
29 4 in the manner and upon the conditions prescribed by this
29 5 chapter, zoning regulations for such airport hazard area,
29 6 which regulations may divide such area into zones and, within
29 7 such zones, specify the land uses permitted, and regulate
29 8 and restrict, for the purpose of preventing airport hazards,
29 9 the height to which structures and trees may be erected or
29 10 permitted to grow. ~~Regulations adopted under this chapter~~
~~29 11 shall be made with consideration of the smart planning~~
~~29 12 principles under section 18B.1.~~

29 13 Sec. 72. Section 335.5, subsections 3 and 4, Code 2011, are
29 14 amended by striking the subsections.

29 15 Sec. 73. Section 335.8, subsection 2, Code 2011, is amended
29 16 by striking the subsection.

29 17 Sec. 74. Section 414.3, subsections 3 and 4, Code 2011, are
29 18 amended by striking the subsections.

29 19 Sec. 75. Section 414.6, subsection 2, Code 2011, is amended
29 20 by striking the subsection.

29 21 Sec. 76. REPEAL. Section 16.194A, Code 2011, is repealed.

CODE: Repeals Code Section 16.194A that established the I-JOBS II Disaster Prevention Program.

DETAIL: The I-JOBS II Program provided \$30,000,000 in competitive grants from an FY 2011 appropriation from the Revenue Bonds Capitals II Fund (RBC2) for local infrastructure relating to disaster prevention. Cities and counties that applied the smart planning principles and guidelines established in Code Chapter 18B were eligible to apply. Section 77 of this Bill repeals Code Chapter 18B and Section 79 rescinds certain awards from those competitive grants.

29 22 Sec. 77. REPEAL. Chapter 18B, Code 2011, is repealed.

CODE: Repeals Code Chapter 18B, relating to smart planning principles and guidelines.

29 23 Sec. 78. REPEAL. 2010 Iowa Acts, chapter 1184, section 25,
29 24 is repealed.

CODE: Repeals the Smart Planning Task Force.

DETAIL: The Task Force was established in SF 2389 and met during the summer and fall of 2010. The Task Force submitted a report to the General Assembly and Governor as required before November 15, 2010. The Task Force was scheduled to dissolve on December 31, 2012.

29 25 Sec. 79. RECISION OF AWARDS. Any award to a city or county
29 26 that applies smart planning principles and guidelines pursuant
29 27 to sections 18B.1 and 18B.2, Code 2011, granted from moneys
29 28 appropriated pursuant to 2010 Iowa Acts, chapter 1184, section
29 29 10, subsection 4, paragraph "b", for which a grant agreement
29 30 or contract has not been entered into by the effective date of
29 31 this section, shall be rescinded. The Iowa jobs board shall
29 32 not award any additional such grants on or after the effective
29 33 date of this section.

Rescinds any award to a city or county that received a grant from the Disaster Prevention Program if that award is not yet under a grant agreement or contract at the time of enactment. Restricts the I-JOBS Board from awarding any additional grants once this Section is enacted.

DETAIL: The \$30,000,000 from the FY 2011 RBC2 appropriation for Disaster Prevention Local Infrastructure grants was awarded to cities and counties for local infrastructure projects relating to disaster prevention. The I-JOBS Board awarded the grants in September 2010 and all but one of the Grant Agreements have been signed. The remaining Grant Agreement is expected to be

29 34 Sec. 80. SUSTAINABLE COMMUNITIES — JOINT APPROPRIATIONS
29 35 SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND
30 1 CAPITALS. The joint appropriations subcommittee on
30 2 transportation, infrastructure, and capitals shall develop
30 3 and, on or before April 4, 2011, shall submit recommended
30 4 implementation provisions to the general assembly's committees
30 5 on appropriations in proposed legislation concerning reductions
30 6 of all identifiable appropriations enacted by the Eighty-third
30 7 General Assembly, 2010 session, for purposes of sustainable
30 8 communities projects.

30 9 Sec. 81. 2010 Iowa Acts, chapter 1184, section 1, subsection
30 10 1, paragraph c, unnumbered paragraph 1, is amended to read as
30 11 follows:

30 12 For the state's share of support in conjunction with the
30 13 city of Des Moines and local area businesses to provide a
30 14 free shuttle service to the citizens of Iowa that includes
30 15 transportation between the capitol complex and the downtown
30 16 Des Moines area, notwithstanding section 8.57, subsection 6,
30 17 paragraph "c":

30 18 \$ ~~200,000~~
30 19 \$ 125,000

signed before the end of January. Projects approved include levee repairs and construction, fire and rescue stations, emergency buildings, and storm shelters. No monies are expected to return to the RBC2 because all awards will have agreements entered into before enactment.

Requires the Transportation, Infrastructure, and Capitals Appropriations Subcommittee to develop and recommend provisions in proposed legislation concerning reductions of all identifiable appropriations enacted in the 2010 Legislative Session for purposes of sustainable communities projects by April 4, 2011, and provide it to the House and Senate Appropriation Standing Committees.

DETAIL: In SF 2389 (FY 2011 Infrastructure Appropriations Act) there was one project specifically for a "green pilot" project in the community. The allocation was \$1,175,000 from the RBC2 to the City of West Union for reconstruction of existing horizontal infrastructure to incorporate sustainable development practices (e.g. permeable pavers to reduce storm water runoff). The \$30,000,000 in the I-JOBS II Program was for disaster prevention local infrastructure projects and cities and counties that applied smart planning principles and guidelines were eligible to apply; however, the projects themselves were not for the purpose of sustainable development practices.

CODE: Deappropriates \$75,000 from the FY 2011 Rebuild Iowa Infrastructure Fund (RIIF) appropriation to the DAS for the State's share of support for the D-Line Bus Service provided by the Des Moines Area Regional Transit (DART) Authority.

DETAIL: The reduction equals the unspent budget that was showing in the I/3 accounting system as of January 4, 2011. The D-Line shuttle service is provided by an agreement between the State, the City of Des Moines, and the Downtown Community Alliance with DART providing the service between downtown Des Moines, the East Village, and the Capitol Complex. Without the State subsidy, the portion of the route from the East Village around the Capitol Complex will be discontinued. In addition, the reduction will discontinue the Employee Free Ride Program that allowed State employees to ride the DART Authority buses for free with a valid employee badge and program sticker. Some additional expenses will be incurred as the D-Line continues to run before the date of enactment so the amount unspent is expected to decrease.

30 20 Sec. 82. 2010 Iowa Acts, chapter 1184, section 1, subsection
30 21 7, paragraph c, is amended to read as follows:

30 22 c. For costs associated with the hiring and employment of an
30 23 asset manager at Honey creek resort state park, notwithstanding
30 24 section 8.57, subsection 6, paragraph "c":

30 25 \$ 400,000
30 26 \$ 26,200

~~30 27 The department shall issue a request for proposals to
30 28 competitively procure the services of an asset manager which
30 29 shall be selected by the natural resource commission. The
30 30 asset manager shall have hospitality management experience
30 31 of at least five years including at least three years asset
30 32 management experience in a setting similar in size and quality
30 33 to the Honey creek resort state park with a similar type of
30 34 market. The duties and job responsibilities of the asset
30 35 manager shall include but are not limited to reviewing and
31 1 commenting on the resort's sales and marketing plan, providing
31 2 for the operation of the resort in a manner consistent with
31 3 the requirements and limitations set forth in the resort's
31 4 operating agreement, monitoring and supervising the resort
31 5 including site visits, and negotiating and recommending an
31 6 annual operating budget and budget plan. The asset manager
31 7 shall report to bond counsel, the governor, the Honey creek
31 8 authority, the department of natural resources, and the
31 9 legislative services agency.~~

31 10 Sec. 83. 2009 Iowa Acts, chapter 184, section 1, subsection
31 11 12, paragraph a, as amended by 2010 Iowa Acts, chapter 1184,
31 12 section 71, is amended to read as follows:

31 13 a. For deposit in the passenger rail service revolving
31 14 fund created in section 327J.2, notwithstanding section 8.57,
31 15 subsection 6, paragraph "c":

31 16 \$ 3,000,000
31 17 \$ 302,007

CODE: Deappropriates \$73,800 from the FY 2011 RIIF
appropriation to the DNR for the Honey Creek Asset Manager.

DETAIL: The reduction equals the unspent budget for the Honey
Creek Asset Manager according to the 1/3 accounting system as
of January 4, 2011. On July 22, 2010, the Natural Resource
Commission approved the recommendation to accept the bid by
Capital Hotel Management (CHM), of Beverly, MA, and contract
with the CHM to be the Asset Manager for the Honey Creek
Destination Resort State Park. The contract is in effect from July
22, 2010, through June 30, 2011. The DNR advises that as of
December 17, 2010, expenditures totaled \$50,682 and that the
contract requires a 60-day notice for termination. It is anticipated
that if a 60-day notice is given at the time of enactment, most of
the funds will be expended.

CODE: Sections 83 through 85 deappropriate a total of
\$10,697,993 from three fiscal year appropriations to the DOT for
passenger rail. Strikes intent language that the General
Assembly would fund up to \$20,000,000 to provide the State
commitment for matching federal funds over a four-year period.

DETAIL: For passenger rail, the DOT received \$3,000,000 for FY
2010 from the RIIF, \$2,000,000 for FY 2011 from the
Underground Storage Tank Fund, and an out-year appropriation
of \$6,500,000 for FY 2012 from the RIIF. The reduction equals
the unspent funds of \$2,697,993 from the FY 2010 RIIF
appropriation, \$1,500,000 from the FY 2011 UST Fund
appropriation, and \$6,500,000 FY 2012 RIIF appropriation. The
DOT intended to use a total of \$10,000,000 from these
appropriations as the first half of the required State match for its
portion (\$86,800,000) of a federal grant of \$230,000,000 from the
Federal Railroad Administration (FRA) to work in coordination
with Illinois to provide passenger rail service from Chicago to
Iowa City, via the Quad Cities. Illinois received the other portion

of the federal grant and has appropriated funds for its state match, so the rail service from Chicago to the Quad Cities is expected to proceed. Without the State's match, it is anticipated that the FRA will rescind the State's portion of the grant. The funds would have been used for providing the infrastructure and improvements needed to extend the rail service from Iowa City to the Quad Cities. In addition, \$1,000,000 of the FY 2010 RIIF appropriation would have been used as State match to complete a feasibility study regarding passenger rail service from Omaha, NE to Chicago, IL. Construction on the project is expected to take four years, with service beginning in FY 2015. An estimated \$3,000,000 will be need annually for operating and maintenance costs, once service begins.

31 18 Sec. 84. 2010 Iowa Acts, chapter 1184, section 2, subsection
31 19 3, is amended to read as follows:

31 20 3. DEPARTMENT OF TRANSPORTATION

31 21 For deposit into the passenger rail service revolving
31 22 fund created in section 327J.2 for matching federal funding
31 23 available through the federal Passenger Rail Investment
31 24 and Improvement Act of 2008 for passenger rail service,
31 25 notwithstanding section 8.57, subsection 6, paragraph "c":

31 26 FY 2011-2012. \$ 6,500,000
31 27 \$ 0

~~31 28 It is the intent of the general assembly to fund up to~~
~~31 29 \$20 million over a four year period to fully fund the state~~
~~31 30 commitment for matching federal funding available through the~~
~~31 31 federal Passenger Rail Investment and Improvement Act of 2008.~~

31 32 Sec. 85. 2010 Iowa Acts, chapter 1184, section 16, is
31 33 amended to read as follows:

31 34 SEC. 16. There is appropriated from the Iowa comprehensive
31 35 petroleum underground storage tank fund to the department of
32 1 transportation for the fiscal year beginning July 1, 2010, and
32 2 ending June 30, 2011, the following amount, or so much thereof
32 3 as is necessary, to be used for the purposes designated:

32 4 Notwithstanding section 455G.3, subsection 1, for deposit in
32 5 the passenger rail service revolving fund created in section
32 6 327J.2:

32 7 \$ 2,000,000

32 8 \$ 500,000

~~32 9 — Such funds shall be coupled with the remaining unobligated
32 10 balance of up to one million five hundred thousand dollars from
32 11 the appropriation made in 2009 Iowa Acts, chapter 184, section
32 12 1, subsection 12, paragraph “a”, for a total commitment of
32 13 three million five hundred thousand dollars for the fiscal year
32 14 beginning July 1, 2010, and ending June 30, 2011, for matching
32 15 federal funding available through the Passenger Rail Investment
32 16 and Improvement Act of 2008.~~

32 17 Sec. 86. 2008 Iowa Acts, chapter 1179, section 1, subsection
32 18 13, paragraph c, as amended by 2009 Iowa Acts, chapter 184,
32 19 section 22, is amended by striking the paragraph.

CODE: Deappropriates the \$300,000 FY 2009 RIIF appropriation to the City of Dubuque for a depot and platform to accommodate future Amtrak train service.

DETAIL: The City planned to use the funds for a feasibility and environmental study and preliminary engineering for the platform as part of a larger intermodal facility there. Currently, there is no passenger rail service from Chicago to Dubuque; the former Black Hawk service ceased operating in 1981.

32 20 Sec. 87. EFFECTIVE UPON ENACTMENT. This division of this
32 21 Act, being deemed of immediate importance, takes effect upon
32 22 enactment.

Division VIII is effective on enactment.

32 23 DIVISION IX
32 24 justice system

32 25 Sec. 88. 2010 Iowa Acts, chapter 1185, section 1, subsection
32 26 1, paragraph a, is amended by adding the following new
32 27 unnumbered paragraph:

CODE: Requires the Judicial Branch to transfer funds from its operating budget to the Indigent Defense Fund for any claims approved by the State Public Defender or the court in excess of certain fee limitations. The amount transferred is the difference between the fee limitation and the amount approved.

32 28 NEW UNNUMBERED PARAGRAPH.In cases that are not considered
32 29 unusually complicated pursuant to the rules adopted by the
32 30 state public defender where either the state public defender
32 31 approves a claim in excess of a fee limitation established
32 32 under section 13B.4, subsection 4, or upon the court ordering
32 33 the state public defender to approve such a claim in excess
32 34 of the fee limitations, an amount equal to the portion of the
32 35 claim in excess of the fee limitation approved by the state
33 1 public defender or ordered by the court shall be transferred
33 2 by the judicial branch from the moneys appropriated in this
33 3 lettered paragraph to the revolving fund created in section
33 4 602.1302. Notwithstanding section 602.1302, the judicial
33 5 branch shall transfer moneys credited to the revolving fund

DETAIL: This Section has the potential to increase receipts for the Indigent Defense Fund with a corresponding reduction in the Judicial Branch’s operating budget. The language is revenue neutral. Any increased receipts to the Indigent Defense Fund are offset by a decrease in the Judicial Branch’s operating budget.

33 6 pursuant to this unnumbered paragraph to the state public
33 7 defender to be credited to the indigent defense fund created
33 8 in section 815.11. Moneys credited to the indigent defense
33 9 fund pursuant to this unnumbered paragraph shall be used to
33 10 reimburse the state public defender by applying the same
33 11 procedures used to reimburse the state public defender for
33 12 attorney fees paid pursuant to section 600A.6B.

33 13 Sec. 89. 2010 Iowa Acts, chapter 1190, section 10, is
33 14 amended to read as follows:

33 15 SEC. 10. STATE PUBLIC DEFENDER. There is appropriated from
33 16 the general fund of the state to the office of the state public
33 17 defender of the department of inspections and appeals for the
33 18 fiscal year beginning July 1, 2010, and ending June 30, 2011,
33 19 the following amounts, or so much thereof as is necessary, to
33 20 be allocated as follows for the purposes designated:

33 21 1. For salaries, support, maintenance, miscellaneous
33 22 purposes, and for not more than the following full-time
33 23 equivalent positions:

33 24 \$ 21,743,182
33 25 FTEs 203.00

33 26 2. For the fees of court-appointed attorneys for indigent
33 27 adults and juveniles, in accordance with section 232.141 and
33 28 chapter 815:

33 29 \$ ~~45,680,929~~
33 30 \$ 31,680,929

33 31 Sec. 90. EFFECTIVE UPON ENACTMENT. This division of this
33 32 Act, being deemed of immediate importance, takes effect upon
33 33 enactment.

33 34 DIVISION X
33 35 POWER FUND — OFFICE OF ENERGY
INDEPENDENCE

34 1 Sec. 91. REPEAL. Sections 469.9 and 469.10, Code 2011, are
34 2 repealed.

CODE: Provides an FY 2011 supplemental appropriation of \$16,000,000 to the Department of Inspections and Appeals (DIA) for indigent defense.

DETAIL: The FY 2011 General Fund appropriations for the State Public Defender's Office and the Indigent Defense Fund are \$13.5 million below the amount actually expended in FY 2010. The DIA has indicated that an additional \$2.5 million may still be needed for FY 2011 bringing the total potential supplemental need to \$18.5 million. The FY 2012 appropriation increase is anticipated to be an additional \$3.2 million.

Division IX is effective on enactment.

CODE: Repeals the Power Fund and Power Fund appropriation.

DETAIL: Repeals the Power Fund and Power Fund appropriation at the end of the fiscal year, when the Fund is set to expire.

34 3 Sec. 92. REPEAL. Sections 469.1, 469.2, 469.3, 469.4,
34 4 469.5, 469.6, 469.7, 469.8, and 469.11, Code 2011, are
34 5 repealed.

CODE: Repeals the Office of Energy Independence (OEI).

DETAIL: This will result in savings of approximately \$30,000 to the General Fund for FY 2011 to reflect 25.0% of administration expenditures.

The savings assumes that the State Energy Program is the only program transferred back to the DED and that all other projects end.

34 6 Sec. 93. TRANSITION PROVISIONS — DEPARTMENTAL
34 7 AUTHORITY. Beginning on the effective date of this section,
34 8 the department of economic development shall assume the
34 9 duties of the office of energy independence until otherwise
34 10 determined by the general assembly. During the 2011 session of
34 11 the Eighty-fourth General Assembly, the joint appropriations
34 12 subcommittee on economic development shall include Code
34 13 provisions relating to the repeal of chapter 469 and the
34 14 transfer of departmental authority from the office of energy
34 15 independence to another state entity in a proposed committee
34 16 on appropriations bill.

Requires the transfer of the duties of the OEI to the Department of Economic Development (DED) on the effective date of this legislation. Requires the Economic Development Appropriations Subcommittee to recommend the agency that will assume the responsibilities of the OEI and any required Code changes.

34 17 Sec. 94. TRANSITION PROVISIONS — CONTINUATION OF GRANTS.

Transfers funds, licensures, contracts, grants, and loans authorized by the OEI, temporarily to the DED.

34 18 1. Any moneys remaining in any account or fund under the
34 19 control of the office of energy independence on the effective
34 20 date of this division relative to the provisions of this
34 21 division shall be transferred to a comparable fund or account
34 22 under the control of the department of economic development
34 23 for such purposes, until otherwise determined by the general
34 24 assembly. Notwithstanding section 8.33, the moneys transferred
34 25 in accordance with this subsection shall not revert to the
34 26 account or fund from which appropriated or transferred.

34 27 2. Any license, permit, or contract issued or entered
34 28 into by the office of energy independence relative to the
34 29 provisions of this division in effect on the effective date
34 30 of this division shall continue in full force and effect
34 31 pending transfer of such licenses, permits, or contracts to the
34 32 department of economic development, until otherwise determined
34 33 by the general assembly.

34 34 3. Grants or loans awarded from the Iowa power fund
34 35 pursuant to section 469.9 prior to the effective date of
35 1 this division shall continue as provided by the terms of the
35 2 grants or loans and shall be administered by the department of
35 3 economic development, until otherwise determined by the general

35 4 assembly.

35 5 4. Federal funds utilized by the director of the office
35 6 of energy independence prior to the effective date of this
35 7 division to employ personnel necessary to administer the
35 8 provisions of this division shall be applicable to the transfer
35 9 of such personnel from the office of energy independence to the
35 10 department of economic development, or other state agency as
35 11 determined by the general assembly.

35 12 Sec. 95. EFFECTIVE UPON ENACTMENT. Except for the section
35 13 of this division repealing sections 469.9 and 469.10, which
35 14 shall take effect July 1, 2011, this division of this Act,
35 15 being deemed of immediate importance, takes effect upon
35 16 enactment.

35 17 DIVISION XI
35 18 REBUILD IOWA OFFICE

35 19 Sec. 96. Section 16.191, subsection 2, paragraph e, Code
35 20 2011, is amended to read as follows:

~~35 21 e. The executive director of the rebuild iowa office~~
~~35 22 or the director's designee until June 30, 2011, and then~~
~~35 23 the administrator of the homeland security and emergency~~
35 24 management division of the department of public defense or the
35 25 administrator's designee.

35 26 Sec. 97. Section 29C.20B, subsection 1, Code 2011, is
35 27 amended to read as follows:

35 28 1. ~~The rebuild iowa office shall work with the~~ department
35 29 of human services and nonprofit, voluntary, and faith-based
35 30 organizations active in disaster recovery and response
35 31 in coordination with the homeland security and emergency
35 32 management division shall work to establish a statewide
35 33 system of disaster case management to be activated following
35 34 the governor's proclamation of a disaster emergency or the
35 35 declaration of a major disaster by the president of the
36 1 United States for individual assistance purposes. Under the
36 2 system, the department of human services shall coordinate
36 3 case management services locally through local committees as
36 4 established in each local emergency management commission's
36 5 emergency plan. ~~Beginning July 1, 2011, the department of~~
~~36 6 human services shall assume the duties of the rebuild iowa~~
~~36 7 office under this subsection.~~

Division X is effective on enactment except Section 90, repealing the Power Fund, which takes effect July 1, 2011.

CODE: Eliminates a provision including the Executive Director of the Rebuild Iowa Office (RIO) on the I-JOBS Board.

DETAIL: See Section 102 for further explanation regarding elimination of RIO.

CODE: Eliminates a provision including the RIO in administering Disaster Case Management.

DETAIL: See Section 102 for further explanation regarding elimination of RIO.

36 8 Sec. 98. Section 29C.20B, subsection 2, unnumbered
36 9 paragraph 1, Code 2011, is amended to read as follows:
36 10 The department of human services, in conjunction with
36 11 ~~the rebuild iowa office~~, the homeland security and emergency
36 12 management division, and an iowa representative to the national
36 13 voluntary organizations active in disaster, shall adopt rules
36 14 pursuant to chapter 17A to create coordination mechanisms
36 15 and standards for the establishment and implementation of
36 16 a statewide system of disaster case management which shall
36 17 include at least all of the following:

36 18 Sec. 99. Section 103A.8C, subsection 1, Code 2011, is
36 19 amended to read as follows:

36 20 1. The commissioner, after consulting with and receiving
36 21 recommendations from the department of public defense, and
36 22 the department of natural resources, ~~and the rebuild iowa~~
~~36 23 office~~, shall adopt rules pursuant to chapter 17A specifying
36 24 standards and requirements for design and construction of safe
36 25 rooms and storm shelters. In developing these standards, the
36 26 commissioner shall consider nationally recognized standards.
36 27 The standards and requirements shall be incorporated into the
36 28 state building code established in section 103A.7, but shall
36 29 not be interpreted to require the inclusion of a safe room or
36 30 storm shelter in a building construction project unless such
36 31 inclusion is expressly required by another statute or by a
36 32 federal statute or regulation. However, if a safe room or
36 33 storm shelter is included in any building construction project
36 34 which reaches the design development phase on or after January
36 35 1, 2011, compliance with the standards developed pursuant to
37 1 this section shall be required.

37 2 Sec. 100. Section 466B.3, subsection 4, paragraph n, Code
37 3 2011, is amended by striking the paragraph.

37 4 Sec. 101. 2009 Iowa Acts, chapter 169, section 10,
37 5 subsection 6, is amended to read as follows:

37 6 6. This section is repealed ~~June 30, 2011~~ on the effective
37 7 date of this section of this 2011 Iowa Act.

CODE: Eliminates a provision including the RIO in administering Disaster Case Management.

DETAIL: See Section 102 for further explanation regarding elimination of RIO.

CODE: Eliminates a provision including the RIO in administering Safe Rooms and Storm Shelters.

DETAIL: See Section 102 for further explanation regarding elimination of RIO.

CODE: Eliminates a provision including the RIO on the Water Resources Coordinating Council.

DETAIL: See Section 102 for further explanation regarding elimination of RIO.

CODE: Amends HF 64 (Disaster Assistance – Appropriations, Grants, and Administration Act) to change the sunset date for the RIO, from June 30, 2011, to the effective date of this legislation.

DETAIL: See Section 102 for further explanation regarding elimination of RIO.

37 8 Sec. 102. 2010 Iowa Acts, chapter 1189, section 28, is
37 9 amended to read as follows:

37 10 SEC. 28. REBUILD IOWA OFFICE.

37 11 1. There is appropriated from the general fund of the state
37 12 to the rebuild Iowa office for the fiscal year beginning July
37 13 1, 2010, and ending June 30, 2011, the following amount, or
37 14 so much thereof as is necessary, to be used for the purposes
37 15 designated:

37 16 For salaries, support, maintenance, and miscellaneous
37 17 purposes, and for not more than the following full-time
37 18 equivalent positions:

37 19 \$ 647,014
37 20 \$ 531,014
37 21 FTEs 12.00

37 22 It is the intent of the general assembly that the rebuild
37 23 Iowa office shall be repealed effective June 30, 2011, and
37 24 shall not receive an appropriation from the general fund of the
37 25 state after that date.

37 26 2. a. Of the moneys appropriated in this section, \$50,000
37 27 shall be transferred to the homeland security and emergency
37 28 management division of the department of public defense for
37 29 purposes of assuming the duties of the rebuild Iowa office.

37 30 b. For purposes of assuming the duties of the rebuild Iowa
37 31 office, the homeland security and emergency management division
37 32 of the department of public defense shall be authorized an
37 33 additional 0.5 FTEs above those otherwise authorized to the
37 34 division.

37 35 c. This subsection shall take effect on the effective date
38 1 of this section of this 2011 Iowa Act.

38 2 Sec. 103. REBUILD IOWA OFFICE ELIMINATION — TRANSFER
38 3 OF DUTIES. Beginning on the effective date of this division
38 4 of this Act, the homeland security and emergency management
38 5 division of the department of public defense shall assume all
38 6 duties of the rebuild Iowa office.

CODE: Deappropriates \$116,000 from the FY 2011 General
Fund appropriation to the RIO.

DETAIL: The FY 2011 General Fund appropriation was
\$647,014. If the RIO is eliminated during FY 2011, the General
Fund would save approximately \$54,000 for each month prior to
the end of FY 2011 it is eliminated. The FY 2011 savings
estimate assumes that RIO could be eliminated by March 1.
Permits \$50,000 of the FY 2011 funds appropriated to the RIO to
be transferred to the Homeland Security and Emergency
Management Division (HSEMD) of the Department of Public
Defense for assumption of RIO duties.

Transfers the duties of the RIO to the HSEMD of the Department
of Public Defense.

DETAIL: The HSEMD has indicated that related duties can be
absorbed by the agency with the addition of 1.0 FTE position.
Section 102 provides for the transfer of \$50,000 of the funds
appropriated to RIO for FY 2011 to offset costs associated with
transfer of these duties.

38 7 Sec. 104. REBUILD IOWA OFFICE ELIMINATION — JOINT
38 8 APPROPRIATIONS SUBCOMMITTEE ON THE JUSTICE SYSTEM. The
joint
38 9 appropriations subcommittee on the justice system shall consult
38 10 with the homeland security and emergency management division
38 11 of the department of public defense and other relevant sources
38 12 in proposing legislation identifying the appropriate state
38 13 agencies to assume the duties of the rebuild Iowa office.

38 14 Sec. 105. EFFECTIVE UPON ENACTMENT. This division of this
38 15 Act, being deemed of immediate importance, takes effect upon
38 16 enactment.

38 17 DIVISION XII
38 18 GROW IOWA VALUES FUND AND PROGRAM

38 19 Sec. 106. Section 15.103, subsection 6, Code 2011, is
38 20 amended to read as follows:

38 21 6. As part of the organizational structure of the
38 22 department, the board shall establish a due diligence
38 23 committee and a loan and credit guarantee committee composed
38 24 of members of the board. The committees shall serve in an
38 25 advisory capacity to the board and shall carry out any duties
38 26 assigned by the board in relation to programs administered
38 27 by the department. The loan and credit guarantee committee
38 28 shall advise the board on the winding up of loan guarantees
38 29 made under the loan and credit guarantee program established
38 30 pursuant to section 15E.224, Code 2009, and on the proper
~~38 31 amount of the allocation described in section 15G.111,~~
~~38 32 subsection 4, paragraph "g".~~

Requires the Justice System Appropriations Subcommittee to consult with the Homeland Security and Emergency Management Division and propose legislation identifying the appropriate State agencies to assume the duties of the Rebuild Iowa Office (RIO).

Division XI is effective on enactment.

CODE: Sections 106-129 make a variety of statutory changes associated with repeal and elimination of the Grow Iowa Values Fund (GIVF) and Program. Specifically, Sections 124 and 125 require any unobligated and unencumbered funds from the FY 2011 RIIF appropriation of \$38,000,000 to revert to the General Fund. Upon the effective date of Sections 124 and 125, the entities that received a portion of the \$38,000,000, with the exception of the Board of Regents and Workforce Training and Economic Development funds for community colleges, are required to cease obligating or encumbering the funds. Section 124 directs repayments from loans made through the GIVF to the General Fund. A portion of these loans to businesses are forgivable if conditions of their projects are met. For loans made before January 14, 2011, the estimated repayments for the next five fiscal years are as follows:

- FY 2012 = \$2,983,500
- FY 2013 = \$2,012,000
- FY 2014 = \$1,840,000
- FY 2015 = \$1,116,500
- FY 2016 = \$598,000

Section 127 repeals the Grow Iowa Values Fund and Program.

DETAIL: As of December 2010, the unobligated amount of the \$38,000,000 is approximately \$20,000,000. The amount excluded from the reduction is \$3,800,000 to the Board of Regents and \$5,320,000 to community colleges. Section 127 eliminates the standing limited General Fund appropriation of \$50.0 million annually for fiscal years 2012 through 2015 totaling \$200.0

million. For FY 2009 through FY 2011, the Grow Iowa Values Fund has been funded from the RIIF rather than the General Fund, at a reduced amount.

38 33 Sec. 107. Section 15.104, subsection 1, Code 2011, is
38 34 amended by striking the subsection.

38 35 Sec. 108. Section 15.104, subsection 8, paragraphs b and i,
39 1 Code 2011, are amended by striking the paragraphs.

39 2 Sec. 109. Section 15.104, subsection 8, paragraph j, Code
39 3 2011, is amended to read as follows:

39 4 *j. Renewable fuel programs.* A detailed accounting of
39 5 expenditures in support of renewable fuel infrastructure
39 6 programs, as provided in sections 15G.203 and 15G.204. ~~The~~
~~39 7 renewable fuel infrastructure board established in section~~
~~39 8 15G.202 shall approve that portion of the department's annual~~
~~39 9 report regarding projects supported from the grow Iowa values~~
~~39 10 fund created in section 15G.144.~~ This paragraph is repealed on
39 11 July 1, 2012.

39 12 Sec. 110. Section 15.327, Code 2011, is amended by adding
39 13 the following new subsections:

39 14 NEW SUBSECTION. 01. "Base employment level" means the
39 15 number of full-time equivalent positions at a business,
39 16 as established by the department and a business using the
39 17 business's payroll records, as of the date a business applies
39 18 for financial assistance under the program.

39 19 NEW SUBSECTION. 3A. "County wage" means the average hourly
39 20 compensation rates, excluding the value of nonwage benefits for
39 21 comparable jobs, from the most recent four quarters of wage
39 22 and employment information from the quarterly covered wage and
39 23 employment data report issued by the department of workforce
39 24 development.

39 25 NEW SUBSECTION. 7A. "Full-time equivalent position" means
39 26 a non-part-time position for the number of hours or days per
39 27 week considered to be full-time work for the kind of service
39 28 or work performed for an employer. Typically, a full-time
39 29 equivalent position requires two thousand eighty hours of work
39 30 in a calendar year, including all paid holidays, vacations,
39 31 sick time, and other paid leave.

39 32 NEW SUBSECTION. 7B. "Maintenance period" means the period
39 33 of time between the project completion date and maintenance
39 34 period completion date.

39 35 NEW SUBSECTION. 12A. "Regional wage" means the average
40 1 hourly compensation rates, excluding the value of nonwage
40 2 benefits for comparable jobs, from the most recent four
40 3 quarters of wage and employment information from the quarterly
40 4 covered wage and employment data report issued by the
40 5 department of workforce development.

40 6 Sec. 111. Section 15.327, subsections 1, 4, 7, 8, 10, 12,
40 7 and 13, Code 2011, are amended by striking the subsections and
40 8 inserting in lieu thereof the following:

40 9 1. "Benefit" means nonwage compensation provided to an
40 10 employee. Benefits typically include medical and dental
40 11 insurance plans, pension, retirement, and profit-sharing plans,
40 12 child care services, life insurance coverage, vision insurance
40 13 coverage, disability insurance coverage, and any other nonwage
40 14 compensation as determined by the board.

40 15 4. "Created job" means a new, permanent, full-time
40 16 equivalent position added to a business's payroll in excess of
40 17 the business's base employment level.

40 18 7. "Fiscal impact ratio" means a ratio calculated by
40 19 estimating the amount of taxes to be received from a business
40 20 by the state and dividing the estimate by the estimated cost
40 21 to the state of providing certain financial incentives to
40 22 the business, reflecting a ten-year period of taxation and
40 23 incentives and expressed in terms of current dollars. For
40 24 purposes of the program, "fiscal impact ratio" does not include
40 25 taxes received by political subdivisions.

40 26 8. "Maintenance period completion date" means the date on
40 27 which the maintenance period ends.

40 28 10. "Project completion date" means the date by which
40 29 a recipient of financial assistance has agreed to meet all
40 30 the terms and obligations contained in an agreement with the
40 31 department as described in section 15.330.

40 32 12. "Qualifying wage threshold" means the county wage or the
40 33 regional wage, as calculated pursuant to subsections 3A and
40 34 12A, whichever is lower.

40 35 13. "Retained job" means a full-time equivalent position,

41 1 in existence at the time an employer applies for financial
41 2 assistance which remains continuously filled or authorized
41 3 to be filled as soon as possible and which is at risk of
41 4 elimination if the project for which the employer is seeking
41 5 assistance does not proceed.

41 6 Sec. 112. Section 15.329, subsection 2, Code 2011, is
41 7 amended to read as follows:

41 8 2. A business providing a sufficient package of benefits to
41 9 each employee holding a created or retained job shall qualify
41 10 for a credit against the qualifying wage threshold requirements
41 11 described in subsection 1, paragraph "c". The credit shall be
41 12 calculated and applied in the following manner: ~~described in~~
~~41 13 section 15G.112, subsection 4, paragraph "b".~~

41 14 a. By multiplying the qualifying wage threshold of
41 15 the county in which the business is located by one and
41 16 three-tenths.

41 17 b. By multiplying the result of paragraph "a" by one-tenth.

41 18 c. The amount of the result of paragraph "b" shall be
41 19 credited against the amount of the one hundred thirty percent
41 20 qualifying wage threshold requirement that the business is
41 21 required to meet under subsection 1, paragraph "c".

41 22 d. The credit shall not be applied against the one hundred
41 23 percent of qualifying wage threshold requirement described in
41 24 subsection 1, paragraph "c".

41 25 Sec. 113. Section 15.330, subsection 4, Code 2011, is
41 26 amended to read as follows:

41 27 4. A project completion date, a maintenance period
41 28 completion date, the number of jobs to be created or retained,
41 29 or certain other terms and obligations described in ~~section~~
~~41 30 15G.112, subsection 1, paragraph "d" an agreement~~, as the
41 31 department deems necessary in order to make the requirements in
41 32 project agreements uniform. The department, with the approval
41 33 of the board, may adopt rules as necessary for making such
41 34 requirements uniform. Such rules shall be in compliance with
41 35 the provisions of this part ~~and with the provisions of chapter~~
~~42 1 15G.~~

42 2 Sec. 114. Section 15.335A, subsection 1, unnumbered
42 3 paragraph 1, Code 2011, is amended to read as follows:

42 4 Tax incentives are available to eligible businesses as
42 5 provided in this section. The incentives are based upon the
42 6 number of jobs created or retained that pay at least one
42 7 hundred thirty percent of the qualifying wage threshold as
42 8 computed pursuant to section ~~15G.112~~ 15.329, subsection 4 1,
42 9 and the amount of the qualifying investment made according to
42 10 the following schedule:

42 11 Sec. 115. Section 15.335A, subsection 2, paragraphs b, c, f,
42 12 and g, Code 2011, are amended by striking the paragraphs.

42 13 Sec. 116. Section 15.335A, subsection 5, Code 2011, is
42 14 amended to read as follows:

42 15 5. The department shall negotiate the amount of tax
42 16 incentives provided to an applicant under the program
42 17 in accordance with this section ~~and section 15G.112, as~~
~~42 18 applicable.~~

42 19 Sec. 117. Section 15A.7, subsection 3, Code 2011, is amended
42 20 to read as follows:

42 21 3. That the employer shall agree to pay wages for the jobs
42 22 for which the credit is taken of at least the county wage or
42 23 the regional wage, as calculated ~~by the department~~ pursuant to
42 24 section ~~15G.112, subsection 3~~ 15.327, subsections 3A and 12A,
42 25 whichever is lower. Eligibility for the supplemental credit
42 26 shall be based on a one-time determination of starting wages by
42 27 the community college.

42 28 Sec. 118. Section 15E.193, subsection 1, paragraphs b
42 29 through d, Code 2011, are amended to read as follows:

42 30 *b.* (1) The business shall provide a sufficient package of
42 31 benefits to each employee holding a created or retained job.
42 32 For purposes of this paragraph, “*created job*” and “*retained job*”
42 33 have the same meaning as defined in section ~~15G.104~~ 15.327.

42 34 (2) The board, upon the recommendation of the department,
42 35 shall adopt rules determining what constitutes a sufficient
43 1 package of benefits.

43 2 *c.* The business shall pay a wage that is at least ninety
43 3 percent of the qualifying wage threshold. For purposes of this
43 4 paragraph, “*qualifying wage threshold*” has the same meaning as
43 5 defined in section ~~15G.104~~ 15.327.

43 6 d. Creates or retains at least ten full-time equivalent
43 7 positions and maintains them until the maintenance period
43 8 completion date. For purposes of this paragraph, “*maintenance*
43 9 *period completion date*” and “full-time equivalent position” have
43 10 the same meanings as defined in section ~~45G.40+~~ 15.327.

43 11 Sec. 119. Section 15E.231, unnumbered paragraph 1, Code
43 12 2011, is amended to read as follows:
43 13 ~~In order for an An~~ economic development region ~~to receive~~
~~43 14 moneys under the grow lowa values financial assistance program~~
~~43 15 established in section 15G.112, an shall establish a regional~~
43 16 development plan. An economic development region’s regional
43 17 development plan must be approved by the department. An
43 18 economic development region shall consist of not less than
43 19 three counties, unless two contiguous counties have a combined
43 20 population of at least three hundred thousand based on the
43 21 most recent federal decennial census. An economic development
43 22 region shall establish a focused economic development effort
43 23 that shall include a regional development plan relating to one
43 24 or more of the following areas:

43 25 Sec. 120. Section 15E.232, subsections 1, 3, 4, 5, 6, and 7,
43 26 Code 2011, are amended by striking the subsections.

43 27 Sec. 121. Section 15E.351, subsection 1, Code 2011, is
43 28 amended to read as follows:

43 29 1. The department shall establish and administer a business
43 30 accelerator program to provide financial assistance for
43 31 the establishment and operation of a business accelerator
43 32 for technology-based, value-added agricultural, information
43 33 solutions, alternative and renewable energy including the
43 34 alternative and renewable energy sectors listed in section
43 35 476.42, subsection 1, paragraph “a”, or advanced manufacturing
44 1 start-up businesses or for a satellite of an existing business
44 2 accelerator. The program shall be designed to foster the
44 3 accelerated growth of new and existing businesses through the
44 4 provision of technical assistance. ~~The department, subject to~~
~~44 5 the approval of the economic development board, may provide~~
~~44 6 financial assistance under this section from moneys allocated~~
~~44 7 for regional financial assistance pursuant to section 15G.111,~~
~~44 8 subsection 9.~~

44 9 Sec. 122. Section 159A.6B, subsection 2, Code 2011, is
44 10 amended to read as follows:

44 11 2. The office may execute contracts in order to provide

44 12 technical support and outreach services for purposes of
44 13 assisting and educating interested persons as provided in this
44 14 section. The office may also contract with a consultant to
44 15 provide part or all of these services. The office may require
44 16 that a person receiving assistance pursuant to this section
44 17 contribute up to fifty percent of the amount required to
44 18 support the costs of contracting with the consultant to provide
44 19 assistance to the person. ~~The office shall assist the person~~
~~44 20 in completing any technical information required in order to~~
~~44 21 receive assistance by the department of economic development~~
~~44 22 pursuant to the value added agriculture component of the grow~~
~~44 23 iowa values financial assistance program established pursuant~~
~~44 24 to section 15G.112.~~

44 25 Sec. 123. Section 455B.104, subsection 2, Code 2011, is
44 26 amended by striking the subsection.

44 27 Sec. 124. 2010 Iowa Acts, chapter 1184, section 26, is
44 28 amended to read as follows:

44 29 SEC. 26. GROW IOWA VALUES FUND.

44 30 1. There is appropriated from the rebuild Iowa
44 31 infrastructure fund to the department of economic development
44 32 for deposit in the grow Iowa values fund, for the fiscal year
44 33 beginning July 1, 2010, and ending June 30, 2011, the following
44 34 amount, notwithstanding section 8.57, subsection 6, paragraph
44 35 "c":

45 1 \$ 38,000,000

45 2 2. On the effective date of this section of this 2011 Iowa
45 3 Act, any unobligated and unencumbered moneys appropriated in
45 4 this section and section 27 of this 2010 Iowa Act, shall revert
45 5 to the general fund of the state. Any repayments of moneys
45 6 loaned from moneys appropriated in this section and section 27
45 7 of this 2010 Iowa Act, and received after the effective date
45 8 of this 2011 Iowa Act, shall be credited to the general fund of
45 9 the state.

45 10 Sec. 125. 2010 Iowa Acts, chapter 1184, section 27, is
45 11 amended to read as follows:

45 12 SEC. 27. GROW IOWA VALUES FUND APPROPRIATION REDUCTION.

45 13 1. In lieu of the \$50,000,000 appropriated for the fiscal
45 14 year beginning July 1, 2010, and ending June 30, 2011, from

45 15 the grow lowa values fund to the department of economic
45 16 development pursuant to section 15G.111, subsection 3, there is
45 17 appropriated from the grow lowa values fund to the department
45 18 of economic development for the fiscal year beginning July 1,
45 19 2010, and ending June 30, 2011, \$38,000,000 for the purposes of
45 20 making expenditures pursuant to chapter 15G.

45 21 2. On the effective date of this section of this 2011 Iowa
45 22 Act, an entity receiving moneys appropriated pursuant to this
45 23 section, with the exception of moneys allocated pursuant to
45 24 section 28, subsections 2 and 5, of this 2010 Iowa Act, shall
45 25 cease obligating or encumbering such moneys.

45 26 Sec. 126. REPEAL. Section 15E.233, Code 2011, is repealed.

45 27 Sec. 127. REPEAL. Sections 15G.101 and 15G.109 through
45 28 15G.115, Code 2011, are repealed.

45 29 Sec. 128. REPEAL. Section 266.19, Code 2011, is repealed.

45 30 Sec. 129. REPEAL. Section 455B.433, Code 2011, is repealed.

45 31 Sec. 130. EFFECTIVE DATE. The provisions of this division
45 32 of this Act amending 2010 Iowa Acts, chapter 1184, being deemed
45 33 of immediate importance, take effect upon enactment.

Division XII relating to the Grow Iowa Values Fund and Program
is effective on enactment.

45 34 DIVISION XIII
45 35 county mental health
46 1 and disability services

46 2 Sec. 131. COUNTY WAITING LISTS.

Provides a supplemental appropriation of \$25,000,000 to the
Risk Pool of the Mental Health Property Tax Relief Fund in the
Department of Human Services.

46 3 1. There is appropriated from the general fund of the
46 4 state to the department of human services for the fiscal year
46 5 beginning July 1, 2010, and ending June 30, 2011, the following
46 6 amount, or so much thereof as is necessary, to be used for the
46 7 purposes designated:

DETAIL: The funds in this Section, distributed by the Risk Pool
Board, are to be used to provide services and support for people
eligible for mental health services under the county management
plan but are on a waiting list due to insufficient funding through
June 30, 2012. Of the funds appropriated, up to \$5.0 million is to
be used to expand the number of Medicaid waiver slots for the
Intellectual Disabilities Waiver. Funding in this Section is to be
managed by the Risk Pool so that no person removed from a
waiting list is returned to a waiting list. The funding is to
supplement appropriations until a new system can be designed

46 8 To be credited to the risk pool in the property tax relief
46 9 fund created in chapter 426B and expended as provided in this
46 10 section:

46 11 \$ 25,000,000

46 12 2. The amount appropriated in this section is appropriated
46 13 from the risk pool to the department of human services for
46 14 distribution as provided in this section. Notwithstanding
46 15 section 8.33, moneys appropriated in this section that remain
46 16 unencumbered or unobligated at the close of the fiscal year
46 17 shall not revert but shall remain available for expenditure
46 18 for the purposes designated until the close of the succeeding
46 19 fiscal year.

46 20 3. a. For the purposes of this section, "services fund"
46 21 means a county's mental health, mental retardation, and
46 22 developmental disabilities services fund created in section
46 23 331.424A.

46 24 b. The risk pool board shall implement a process for
46 25 distribution of the amount appropriated in this section to
46 26 counties to be used to provide eligibility for services and
46 27 other support payable from the counties' services funds for
46 28 persons who are eligible under county management plans in
46 29 effect as of December 31, 2010, but due to insufficient funding
46 30 are on a waiting list for the services and other support. The
46 31 period addressed by the funding appropriated in this section
46 32 begins on or after the effective date of this section and ends
46 33 June 30, 2012. Of the amount appropriated in this section, up
46 34 to \$5,000,000 shall be targeted to expand medical assistance
46 35 program waiver slots for those waivers for which counties
47 1 pay the nonfederal share of the costs. The distribution
47 2 allocations shall be completed on or before July 1, 2011.

47 3 c. The general assembly finds that as of the time of
47 4 enactment of this section, the funding appropriated in this
47 5 section is sufficient to eliminate the need for continuing
47 6 , instituting, or reinstating waiting lists during the
47 7 period addressed by the appropriation. However, the process
47 8 implemented by the risk pool board shall ensure there is
47 9 adequate funding so that a person made eligible for services
47 10 and other support from the waiting list would not be required
47 11 to return to the waiting list if a later projection indicates
47 12 the funding is insufficient to cover for the entire period all
47 13 individuals removed from the waiting list pursuant to this
47 14 section.

47 15 d. The funding provided in this section is intended to
47 16 provide necessary services for adults in need of mental health,
47 17 mental retardation, or developmental disabilities services
47 18 until improvements to the current system can be developed and
47 19 enacted.

47 20 Sec. 132. ADULT MENTAL HEALTH AND DISABILITY SERVICE
SYSTEM

47 21 REFORM.

47 22 1. The general assembly finds there is need to reform the
47 23 adult mental health and disability services system administered
47 24 by counties to address the needs of persons with mental
47 25 illness, mental retardation, or developmental disabilities.
47 26 Issues with the current system include the following:

47 27 a. Lack of a set of core services uniformly available
47 28 throughout the state.

47 29 b. Lack of uniformity in service expenditures throughout
47 30 the state.

47 31 c. Disparity in county levy rates for the services funds for
47 32 this system.

47 33 d. The need to improve the array of community-based services
47 34 and services to avoid the use or continued use of crisis
47 35 services.

48 1 e. The need to expand the availability of dual diagnosis
48 2 mental health and substance abuse services.

48 3 f. The need to improve the consistency of services available
48 4 to both youth and adult populations.

48 5 g. The need to address the medical assistance (Medicaid)
48 6 program changes in the federal Patient Protection and
48 7 Affordable Care Act (PPACA) that will greatly expand the
48 8 program's eligibility for persons in the service system
48 9 beginning in calendar year 2014.

48 10 h. Dissatisfaction with using county of legal settlement
48 11 determinations to determine county and state financial
48 12 responsibility for services.

48 13 2. In order to address the issues identified in subsection
48 14 1, the committees on human resources, appropriations, and ways
48 15 and means of the senate and house of representatives shall
48 16 propose legislation to address the following actions by the
48 17 dates indicated:

48 18 a. Phase-in of the state fully assuming the nonfederal
48 19 share of the costs for Medicaid program services now borne by
48 20 counties by the implementation date of the Medicaid eligibility
48 21 changes under PPACA.

Specifies that the General Assembly finds there is need to reform the Mental Health and Disability Services System administered by the counties and requires the House and Senate Human Resources, Appropriations, and Ways and Means Committees to propose legislation for a new system to be implemented July 1, 2012.

DETAIL: The legislation is to phase in full State funding for the nonfederal share of Medicaid services, provide property tax relief by having the State assume a greater role in funding mental health and disability services, and shift the balance of responsibility from the counties to the State to ensure greater uniformity. County expenditures for mental health totaled \$334.9 million in FY 2009 and \$329.5 million in FY 2010 with the counties funding up to \$125.0 million of this with a Mental Health Property Tax Levy. The remaining funds are provided by the State and federal government.

The federal Patient Protection and Affordable Care Act (PPACA) of 2010 will have a major impact on the new Mental Health and Disability Services System. There will be a number of individuals that will become eligible for mental health services under Medicaid beginning January 1, 2014, as Medicaid expands to 133.0% of the FPL and eliminates categorical eligibility. The General Assembly will have a number of decisions to make on how to incorporate mental health services and Medicaid with the possibility of leveraging additional federal funds.

48 22 b. Provide property tax relief and equity by having the
48 23 state assume a greater role in funding the adult mental health
48 24 and disability services system from counties by July 1, 2012,
48 25 when the repeals contained in this division of this Act take
48 26 effect.

48 27 c. Shift the balance of responsibilities for the services
48 28 system between the state and counties so that the state
48 29 ensures greater uniformity and there is sufficient size to
48 30 develop effective services while maintaining the county role of
48 31 bringing local resources together in unique ways that best meet
48 32 the needs of clients, by implementing a new services system
48 33 structure by July 1, 2012, when the repeals contained in this
48 34 division of this Act take effect.

48 35 Sec. 133. Section 331.424A, Code 2011, is amended by adding
49 1 the following new subsection:

49 2 NEW SUBSECTION. 6. This section is repealed July 1, 2012.

49 3 Sec. 134. Section 331.438, Code 2011, is amended by adding
49 4 the following new subsection:

49 5 NEW SUBSECTION. 5. This section is repealed July 1, 2012.

49 6 Sec. 135. Section 331.439, Code 2011, is amended by adding
49 7 the following new subsection:

49 8 NEW SUBSECTION. 10. This section is repealed July 1, 2012.

49 9 Sec. 136. Section 331.440, Code 2011, is amended by adding
49 10 the following new subsection:

49 11 NEW SUBSECTION. 7. This section is repealed July 1, 2012.

49 12 Sec. 137. NEW SECTION. **426B.6 Future repeal.**

49 13 This chapter is repealed July 1, 2012.

49 14 Sec. 138. 2010 Iowa Acts, chapter 1193, section 1, is
49 15 amended to read as follows:

49 16 SECTION 1. ADULT MH/MR/DD SERVICES ALLOWED GROWTH
FUNDING

49 17 — FY 2011-2012. Notwithstanding section 331.439, subsection

CODE: Sections 133-137 repeal the current County Mental Health and Disability Services System on July 1, 2012.

CODE: Requires the Governor's county Mental Health Allowed Growth Recommendation for FY 2012 to be submitted to the General Assembly by January 27, 2011, with an appropriation enacted by the General Assembly within 30 days.

DETAIL: The Governor's recommendation and the allowed

49 18 3, the allowed growth factor adjustment for county mental
49 19 health, mental retardation, and developmental disabilities
49 20 service expenditures for the fiscal year beginning July
49 21 1, 2011, shall be established by statute which shall be
49 22 enacted within thirty calendar days of the ~~convening of the~~
~~49 23 Eighty-fourth General Assembly, 2011 Session, on January~~
~~49 24 10, 2011~~ date the governor's recommendation is submitted
49 25 to the general assembly. The governor shall submit to the
49 26 general assembly a recommendation for such allowed growth
49 27 factor adjustment and the amounts of related appropriations
49 28 to the general assembly on or before January 14 ~~27~~, 2011.
49 29 The governor's recommendation and the allowed growth factor
49 30 adjustment enacted by the general assembly pursuant to this
49 31 section shall incorporate measures to ensure that the funding
49 32 appropriated during the 2011 legislative session to the risk
49 33 pool in the property tax relief fund to eliminate county
49 34 waiting lists for services can be relied upon to remain
49 35 available for the long term to support the services provided
50 1 for the individuals who were removed from a waiting list.

50 2 Sec. 139. CONFORMING PROVISIONS. The legislative services
50 3 agency shall prepare a study bill for consideration by the
50 4 committees on human resources of the senate and house of
50 5 representatives for the 2012 legislative session, providing
50 6 conforming Code changes for implementation of the repeal
50 7 provisions contained in this division of this Act.

50 8 Sec. 140. EFFECTIVE UPON ENACTMENT. This division of this
50 9 Act, being deemed of immediate importance, takes effect upon
50 10 enactment.

50 11 Sec. 141. RETROACTIVE APPLICABILITY. The provision
50 12 amending 2010 Iowa Acts, chapter 1193, section 1, applies
50 13 retroactively to April 29, 2010.

50 14 DIVISION XIV
50 15 CORRECTIVE PROVISIONS
50 16 EARLY CHILDHOOD IOWA INITIATIVE

50 17 Sec. 142. 2010 Iowa Acts, chapter 1031, section 310, is
50 18 amended by adding the following new subsection:

50 19 5. a. References to community empowerment areas in 2010
50 20 Iowa Acts, shall be deemed to instead refer to early childhood
50 21 Iowa areas, including but not limited to such references made

growth factor enacted by the General Assembly are required to
incorporate the \$25.0 million in funding for the Mental Health
Risk Pool appropriated in Section 131 of this Bill so that
individuals removed from county waiting lists will not have to
return.

Requires the Legislative Services Agency to submit a study bill
to the House and Senate Human Resources Committee
providing conforming Code changes for implementation of the
repeal of the County Mental Health System.

Division XII is effective on enactment.

Section 138 of this Bill amending HF 2531 (FY 2011 Standing
Appropriations Act) is retroactive to April 29, 2010.

CODE: Corrective provision to reflect the restructuring of
Community Empowerment as Early Childhood Iowa in SF 2088
(Government Reorganization and Efficiency Act).

50 22 in the following provisions:

50 23 (1) 2010 Iowa Acts, chapter 1183, section 6, subsection 10,
50 24 paragraph "c".

50 25 (2) 2010 Iowa Acts, chapter 1192, section 2, subsection 4,
50 26 paragraph "a".

50 27 (3) 2010 Iowa Acts, chapter 1192, section 6, subsection 12.

50 28 b. References to the Iowa empowerment fund and the school
50 29 ready children grants account in 2010 Iowa Acts, shall be
50 30 deemed to instead refer to the early childhood Iowa fund
50 31 and the comparable account within that fund, including
50 32 but not limited to such references made in the following
50 33 provisions: 2010 Iowa Acts, chapter 1183, section 6,
50 34 subsections 10, 11, and 12.

50 35 UNEMPLOYMENT COMPENSATION
PROGRAM REFERENCE

51 1 Sec. 143. 2010 Iowa Acts, chapter 1188, section 22, is
51 2 amended to read as follows:

51 3 SEC. 22. UNEMPLOYMENT COMPENSATION
51 4 PROGRAM. Notwithstanding section 96.9, subsection 4, paragraph
51 5 "a", moneys credited to the state by the secretary of the
51 6 treasury of the United States pursuant to section 903 of the
51 7 Social Security Act are appropriated to the department of
51 8 workforce development and shall be used by the department for
51 9 the administration of the unemployment compensation program
51 10 only. This appropriation shall not apply to any fiscal year
51 11 beginning after December 31, ~~2009~~ 2010.

51 12 TERRACE HILL — DEPARTMENT OF
ADMINISTRATIVE SERVICES

51 13 Sec. 144. 2010 Iowa Acts, chapter 1193, section 199, is
51 14 amended to read as follows:

51 15 SEC. 199. TERRACE HILL — GENERAL FUND — DEPARTMENT OF
51 16 ADMINISTRATIVE SERVICES. There is appropriated from the
51 17 general fund of the state to the department of administrative
51 18 services for the fiscal year beginning July 1, ~~2009~~ 2010,
51 19 and ending June 30, ~~2010~~ 2011, the following amount, or so

CODE: Corrective provision to permit expenditure of funds in the Unemployment Compensation Reserve Fund without specifying the amount for each purpose.

CODE: Makes a correction to a General Fund appropriation included in HF 2531 (FY 2011 Standing Appropriations Act) to the Department of Administrative Services for the maintenance of the Terrace Hill grounds.

DETAIL: The appropriation of \$263,329 was intended to be made for FY 2011; however, the final version of the Act inadvertently made the appropriation for FY 2010. Additionally, due to the lack

51 20 much thereof as is necessary, to be used for the purposes
51 21 designated:

51 22 For salaries, support, maintenance, and miscellaneous
51 23 purposes necessary for the operation of Terrace Hill, and for
51 24 not more than the following full-time equivalent positions:

51 25 \$ 263,329

51 26 FTEs 6.38

51 27 Sec. 145. EFFECTIVE UPON ENACTMENT AND RETROACTIVE
51 28 APPLICABILITY. This division of this Act, being deemed
51 29 of immediate importance, takes effect upon enactment. The
51 30 provision amending 2010 Iowa Acts, chapter 1193, section 199,
51 31 applies retroactively to April 29, 2010, and the remaining
51 32 provisions apply retroactively to July 1, 2010.

51 33 DIVISION XV
51 34 GOVERNMENT EFFICIENCY MEASURES

51 35 Sec. 146. PRESCRIPTION DRUG PURCHASING. The standing
52 1 committees on human resources of the senate and house of
52 2 representatives and the joint appropriations subcommittee
52 3 on health and human services shall consult with appropriate
52 4 parties in developing a plan to achieve significant costs
52 5 savings by implementing a sole source contract or other means
52 6 of consolidating pharmacy services and prescription drug
52 7 purchasing for state employees, Medicaid program recipients,
52 8 patients at state institutions, inmates at correctional
52 9 facilities, and other persons for whom the state pays a
52 10 significant portion of prescription drug costs. The plan
52 11 shall be submitted in the form of proposed legislation for
52 12 consideration by the Eighty-fourth General Assembly, 2011
52 13 Session.

52 14 Sec. 147. Section 8.51, Code 2011, is amended to read as
52 15 follows:

of an immediate effect date for the FY 2010 appropriation, the funding was nullified. This correction was detailed in a letter dated June 8, 2010, from the LSA to the Legislative Council. The Department also received an appropriation of \$168,494 for FY 2011 from the Cash Reserve Fund for Terrace Hill grounds maintenance. This represents only 39.0% of the total amount needed to fully fund the costs for FY 2011. The correction is needed to restore funding for the remainder of the fiscal year.

Division XIV is effective on enactment and applies retroactively to July 1, 2010, with the exception of Section 144, which is retroactive to April 29, 2010.

Requires the Senate and House Human Resources Committees and the Health and Human Services Appropriations Subcommittee to create a plan to consolidate pharmacy services and prescription drug purchasing for persons for whom the State pays a significant portion of prescription drug costs. Requires the plan to be submitted in bill draft form for consideration by the 2011 General Assembly.

DETAIL: Potential savings or cost reductions or containments are not available. Senate File 2088 (Government Reorganization and Efficiency Act) required the DHS, the DOC, the DPH, and the DOM to work together to create pharmaceutical efficiencies. To date, none of the agencies have met. Note that the agencies operate using different funding streams (different federal, state, county funds, and manufacturer rebates for certain prescription drugs in the Medicaid Program) and different federal oversight authorities (US Department of Health and Human Services, US Department of Justice – and federal court orders). The DOC and DHS also use different formularies – for example DOC relies on generics. The DHS uses brand names due to rebates that are not available to entities outside the Medicaid Program.

CODE: Requires State departments and agencies that provide State funding to local governments to annually review the

52 16 8.51 Fiscal year of political Political subdivisions —
52 17 fiscal year — unexpended funds.

52 18 1. The fiscal year of cities, counties, and other political
52 19 subdivisions of the state shall begin July 1 and end the
52 20 following June 30. For the purpose of this section, the term
52 21 political subdivision includes school districts.

52 22 2. Each department that provides state funding to a
52 23 political subdivision of the state shall annually review
52 24 the statutory and regulatory requirements applicable to
52 25 the political subdivision's receipt of the funding. The
52 26 purpose of the review is to identify any barrier in statute
52 27 or departmental rule or policy that would prevent recovery of
52 28 any such state funding provided to a political subdivision
52 29 that remains unencumbered or unobligated and the political
52 30 subdivision no longer complies with requirements to receive
52 31 the state funding. If an identified barrier exists in state
52 32 law, the department shall propose legislation to the governor
52 33 and general assembly to remove the barrier. If an identified
52 34 barrier is in departmental rule or policy, the department shall
52 35 amend the rule or policy to remove the barrier.

53 1 Sec. 148. Section 8.57C, subsection 3, paragraph a, Code
53 2 2011, is amended to read as follows:

53 3 a. There is appropriated from the general fund of the state
53 4 for the fiscal years beginning July 1, 2006, July 1, 2007, July
53 5 1, ~~2011~~ 2012, and for each subsequent fiscal year thereafter,
53 6 the sum of seventeen million five hundred thousand dollars to
53 7 the technology reinvestment fund.

53 8 POOLED TECHNOLOGY — FY 2010-2011

53 9 Sec. 149. 2010 Iowa Acts, chapter 1184, section 4,
53 10 subsections 1 and 5, are amended to read as follows:

53 11 1. DEPARTMENT OF ADMINISTRATIVE SERVICES

53 12 For technology improvement projects:

53 13 \$ ~~3,793,654~~
53 14 \$ 0

statutory and regulatory requirements related to providing the funds and determine any barriers to recovery of unencumbered or unobligated funds. Requires Departments to submit legislation to remove any recovery barriers in State law. If the barrier is in department rule or policy, requires the rule or policy to be amended to remove the barrier.

CODE: Changes the standing appropriation from the General Fund to the Technology Reinvestment Fund (TRF) for FY 2012.

DETAIL: The TRF receives a standing appropriation of \$17,500,000 from the General Fund. For FY 2009 through FY 2011 the appropriation was shifted from the General Fund to the RIIF, with the last two fiscal years being funded at a reduced amount. The funding was expected to resume from the General Fund in FY 2012.

CODE: Deappropriates FY 2011 appropriations from the Technology Reinvestment Fund to the Department of Administrative Services (DAS) and the Iowa Telecommunication and Technology Commission (ITTC).

DETAIL: The appropriation to the DAS was \$3,793,654 for pooled technology funding in the Return on Investment (ROI) Program. The entire amount was allocated to 23 projects at various State agencies, such as the Gateway and Enterprise E-Mail Encryption Services, Portable Driving Simulation Equipment,

53 15 5. IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION

53 16 For replacement of equipment for the Iowa communications
53 17 network:

53 18 \$ 2,244,956
53 19 \$ 0

53 20 The commission may continue to enter into contracts pursuant
53 21 to section 8D.13 for the replacement of equipment and for
53 22 operations and maintenance costs of the network.

53 23 In addition to moneys appropriated in this subsection,
53 24 the commission may use a financing agreement entered into by
53 25 the treasurer of state in accordance with section 12.28 for
53 26 the replacement of equipment for the network. For purposes
53 27 of this subsection, the treasurer of state is not subject to
53 28 the maximum principal limitation contained in section 12.28,
53 29 subsection 6. Repayment of any amounts financed shall be made
53 30 from receipts associated with fees charged for use of the
53 31 network.

53 32 TECHNOLOGY REINVESTMENT FUND —
EDUCATIONAL DATA WAREHOUSE

53 33 Sec. 150. 2010 Iowa Acts, chapter 1184, section 4,
53 34 subsection 3, paragraph b, is amended to read as follows:

53 35 b. For the implementation of an educational data warehouse
54 1 that will be utilized by teachers, parents, school district
54 2 administrators, area education agency staff, department of
54 3 education staff, and policymakers:

54 4 \$ ~~600,000~~
54 5 \$ 67,593

54 6 The department may use a portion of the moneys appropriated
54 7 in this lettered paragraph for an e-transcript data system
54 8 capable of tracking students throughout their education via
54 9 interconnectivity with multiple schools.

and GIS Services. As of January 21, 2011, the I/3 system shows all funds are available and nothing has been expended. The I/3 system does not always show obligations that may be under contract. The agencies have been asked to report on the obligations to the LSA.

The appropriation to the ITTC was \$2,244,956 for equipment replacement. As of January 21, 2011, the I/3 system shows all funds available. Funds were being used to replace voice equipment serving State agencies in the Capitol Complex and surrounding areas and for Internet services technology equipment for Internet Protocol (IP) technology to provide Video over IP conferencing for educational and other governmental services. The FY 2011 funding has a Request for Proposal pending to select an IP Video platform. According to the ITTC infrastructure report in January 2011, approximately \$199,000 has been expended or encumbered.

CODE: Deappropriates \$532,407 from the FY 2011 Technology Reinvestment Fund appropriation to the Department of Education for the Statewide Student Data Warehouse.

DETAIL: The appropriation of \$600,000 for the data warehouse provided a portion of the funds for implementing the e-transcript data system and the data warehouse as part of a longitudinal data system that provides the ability to track students throughout their education via interconnectivity with multiple schools. In addition, the system provides a permanent repository for the records. The amount deappropriated is what was reflected in I/3 as being unobligated. The entire \$600,000, however, is encumbered with a signed agreement and will be expended by August 2011. The operation of the system, including ongoing licensing and fees, costs approximately \$1,000,000. The Department pays for \$400,000 of the costs with federal funding. The Department advises that if the funds are deappropriated, the system will shut down immediately. Federal funding is not enough to support all of the costs of operating the data warehouse and e-transcript data system.

54 10 Sec. 151. EFFECTIVE UPON ENACTMENT. This division of this
54 11 Act, being deemed of immediate importance, takes effect upon
54 12 enactment.

Division XV is effective on enactment.