

Tax Changes and Supplemental Appropriations Act Senate File 209

Last Action:

Final Action

April 19, 2011

An Act relating to public funding and regulatory matters by making appropriations, providing for certain additional depreciation allowances, increasing the state earned income tax credit, and including effective date and retroactive applicability provisions.

**Fiscal Services Division
Legislative Services Agency**

NOTES ON BILLS AND AMENDMENTS (NOBA)

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

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FUNDING SUMMARY

- Provides a total of \$65.8 million of FY 2011 General Fund supplemental appropriations to the Departments of Administrative Services, Education, Public Health, Human Services, Corrections, Inspections and Appeals, and Public Safety.

MAJOR INCREASES, DECREASES, OR TRANSFERS OF EXISTING PROGRAMS

- Division I amends changes made in SF 512 (Internal Revenue Code Update Act of 2011). Senate File 512 specifically exempted “bonus depreciation” changes allowed under federal tax law from Iowa’s general conformity to the federal Internal Revenue Code. Division I also allows the benefit of bonus depreciation schedules beginning tax year 2011, but not for tax years prior to that date.

Page 1, Line 1

FISCAL IMPACT: The change contained in Division I is projected to reduce net General Fund revenue by the following amounts:

FY 2011: \$27.3 million
FY 2012: \$99.1 million
FY 2013: \$21.4 million

This Division was vetoed by the Governor.

- Division II increases the Iowa Earned Income Tax Credit from the current level of 7.0% to 10.0% of the federal credit.

Page 2, Line 32

FISCAL IMPACT: This change is projected to decrease net General Fund revenue by the following amounts:

FY 2011: \$ 0.1 million
FY 2012: \$14.7 million
FY 2013: \$13.7 million
FY 2014: \$11.5 million
FY 2015: \$11.6 million

This Division was vetoed by the Governor.

SIGNIFICANT CODE CHANGES

EXECUTIVE SUMMARY

TAX CHANGES AND SUPPLEMENTAL APPROPRIATIONS ACT

- Requires the unencumbered or unobligated funding appropriated to the Office of the State Debt Coordinator during FY 2011 to be used by the Department of Revenue for administrative costs associated with State tax processing. Page 11, Line 25
- Corrects 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. Page 12, Line 10
- Authorizes the Iowa Telecommunications and Technology Commission (ITTC) to enter into contracts in excess of the current contract limitation amount for projects associated with the Federal Broadband Technology Opportunities Program (BTOP). Page 12, Line 29
- Repeals all statutory language relating to county-funded adult mental health, intellectual disabilities, and other developmental disabilities services system. Page 14, Line 4
- Creates the Taxpayers Trust Fund and requires money in the Fund to be used pursuant to General Assembly tax reduction appropriations. The Fund is not subject to reversion and interest earned will remain in the Fund. Requires up to the first \$60.0 million of the excess funds in the Economic Emergency Fund to be transferred to the Taxpayers Trust Fund. The amount that can be transferred is limited to the difference between the actual net General Fund revenue for the preceding fiscal year and the adjusted revenue estimate that was used in establishing the budget for that fiscal year. Page 14, Line 21

SUPPLEMENTAL APPROPRIATIONS

- Department of Education: Provides supplemental General Fund appropriations totaling \$5.9 million to the community colleges to restore the mid-year reduction. Includes reductions or additions to correct an error in the application of the allocation formula, established in Code Section 260C.18C, to the original FY 2011 General Fund appropriations. The corrections do not change the total appropriated to community colleges from the General Fund in FY 2011. Page 3, Line 11
- Department of Corrections: Provides a General Fund supplemental appropriation of \$14.2 million for the Institutions, Community-Based Corrections District Departments, and Central Office. Page 6, Line 24
- Department of Inspections and Appeals, Office of the State Public Defender: Provides a General Fund supplemental appropriation of \$18.6 million for the Office of State Public Defender and the Indigent Defense Fund. Page 9, Line 6

EXECUTIVE SUMMARY

TAX CHANGES AND SUPPLEMENTAL APPROPRIATIONS ACT

- Department of Public Safety: Provides General Fund supplemental appropriations totaling \$3.0 million to five divisions as follows: Page 9, Line 23
 - Administration: \$275,000
 - Division of Criminal Investigation: \$325,000
 - Division of Narcotics Enforcement: \$225,000
 - Office of the State Fire Marshal: \$130,000
 - Iowa State Patrol: \$2,000,000

- Department of Public Health: Provides General Fund supplemental appropriations totaling \$1.2 million for addictive disorders, healthy children and families, community capacity, healthy aging, and infectious diseases. Page 10, Line 13

- Department of Human Services: Provides General Fund supplemental appropriations totaling \$2.6 million for the mental health institutes. Page 11, Line 3

- Provides a \$20.0 million supplemental appropriation to the Property Tax Relief Fund for adult mental health, intellectual disabilities, and other developmental disabilities. Page 13, Line 22

EFFECTIVE AND ENACTMENT DATES

- ***Governor's Vetoes***
 - The Governor vetoed Division I (Bonus Depreciation) and stated that any temporary economic stimulus accomplished through the use of this accelerated depreciation change is accomplished through reduced federal taxes. Page 1, Line 3

The Governor vetoed Division II (Earned Income Tax Credit) and stated that it is his desire to approach tax policy in a comprehensive and holistic manner. The Governor urged the General Assembly to work with his Office on an overall tax reduction package.

 - Divisions I, II, III, IV, V, are effective on enactment. General Fund transfers to the Taxpayers Trust Fund apply to receipts credited to FY 2012. *The Governor vetoed Divisions I and II.* Page 16, Line 33
- Following are retroactive dates:
- Changes to bonus depreciation in Division I are retroactive to January 1, 2008, and to succeeding tax years. *This Division was vetoed by the Governor.*

EXECUTIVE SUMMARY

TAX CHANGES AND SUPPLEMENTAL APPROPRIATIONS ACT

SENATE FILE 209

- Changes to the Earned Income Tax Credit are retroactive to January 1, 2011, and to succeeding tax years. *This item was vetoed by the Governor.*
- Corrective provisions related to appropriations for Terrace Hill are retroactive to April 29, 2010.

This Act was approved by the General Assembly on April 19, 2011, and item vetoed and signed by the Governor on April 21, 2011.

Senate File 209 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
1	9	1	Add	422.7.39A,39B	
1	23	2	Add	422.7.39A,39B	
2	6	3	Add	422.35.19A,19B	
2	20	4	Add	422.35.19A,19B	
3	3	7	Amend	422.12B.1	
12	6	22	Add	331.424A.6	
12	9	23	Add	331.438.5	
12	12	24	Add	331.439.10	
12	15	25	Add	331.440.7	
12	18	26	New	426B.6	
12	25	28	Amend	8.54.5	
12	34	29	Amend	8.55.2	
13	19	30	New	8.57E	
13	41	31	Amend	8.58	

DIVISION I

2011 BONUS DEPRECIATION COUPLING

Section 1. Section 422.7, subsection 39A, unnumbered paragraph 1, as enacted by 2011 Iowa Acts, Senate File 512, section 18, is amended to read as follows:

The additional first-year depreciation allowance authorized in section 168(k) of the Internal Revenue Code, as enacted by Pub.L. No.110-185, section 103, Pub.L.No.111-5, section 1201, Pub.L. No.111-240, section 2022, and Pub.L. No.111-312, section 401, does not apply in computing net income for state tax purposes for tax years beginning before

January 1, 2011. If the taxpayer has taken the additional first-year depreciation allowance for purposes of computing federal adjusted gross income, then the taxpayer shall make the following adjustments to federal adjusted gross income when computing net income for state tax purposes:

Sec. 2. Section 422.7, subsection 39B, unnumbered paragraph 1, as enacted by 2011 Iowa Acts, Senate File 512, section 18, is amended to read as follows:

The additional first-year depreciation allowance authorized in section 168(n) of the Internal Revenue Code, as enacted by Pub.L. No.110-343, section 710, does not apply in computing net income for state tax purposes for tax years beginning

before January 1, 2011. If the taxpayer has taken the additional first-year depreciation allowance for purposes of computing federal adjusted gross income, then the taxpayer shall make the following adjustments to federal adjusted gross income when computing net income for state tax purposes:

Sec. 3. Section 422.35, subsection 19A, unnumbered paragraph 1, as enacted by 2011 Iowa Acts, Senate File 512, section 21, is amended to read as follows:

The additional first-year depreciation allowance authorized in section 168(k) of the Internal Revenue Code, as enacted by Pub.L. No.110-185, section 103, Pub.L. No.111-5, section 1201, Pub.L. No.111-240, section 2022, and Pub.L. No.

111-312, section 401, does not apply in computing net income for state tax purposes for tax years beginning before January 1, 2011. If the taxpayer has taken the additional first-year depreciation allowance for purposes of computing federal taxable income, then the taxpayer shall make the following adjustments to federal taxable income when computing net income for state tax purposes:

Sec. 4. Section 422.35, subsection 19B, unnumbered paragraph 1, as enacted by 2011 Iowa Acts, Senate File 512, section 21, is amended to read as follows:

The additional first-year depreciation allowance authorized

Division I amends changes made in SF 512 (Internal Revenue Code Update Act of 2011). Senate File 512 specifically exempted “bonus depreciation” changes allowed under federal tax law from the Iowa general conformity to the federal Internal Revenue Code. This had the effect of prohibiting Iowa taxpayers from benefiting from new rapid depreciation schedules when filing Iowa income tax returns. Division I also allows the benefit of bonus depreciation schedules beginning tax year 2011, but not for tax years prior to that date.

FISCAL IMPACT: The change contained in Division I is projected to reduce net General Fund revenue by the following amounts:

FY 2011: \$27,300,000

FY 2012: \$99,100,000

FY 2013: \$21,400,000

In FY 2014 and beyond, the impact turns positive as depreciation taken early in an asset’s life is not available as a deduction in later years.

VETOED: The Governor vetoed Division I and stated that any temporary economic stimulus accomplished through the use of this accelerated depreciation change is accomplished through reduced federal taxes.

2 12 in section 168(n) of the Internal Revenue Code, as enacted
2 13 by Pub.L. No.110-343, section 710, does not apply in
2 14 computing net income for state tax purposes for tax years
2 15 beginning before January 1, 2011. If the taxpayer has taken
2 16 the additional first-year depreciation allowance for purposes
2 17 of computing federal taxable income, then the taxpayer shall
2 18 make the following adjustments to federal taxable income when
2 19 computing net income for state tax purposes:

2 20 Sec. 5. EFFECTIVE UPON ENACTMENT. This division of this
2 21 Act, being deemed of immediate importance, takes effect upon
2 22 enactment.

2 23 Sec. 6. RETROACTIVE APPLICABILITY. The following provision
2 24 or provisions of this division of this Act apply retroactively
2 25 to January 1, 2008, for tax years ending on or after that date:

2 26 1. The sections of this Act amending section 422.7,
2 27 subsections 39A and 39B, as enacted by 2011 Iowa Acts, Senate
2 28 File 512, section 18.

2 29 2. The sections of this Act amending section 422.35,
2 30 subsections 19A and 19B, as enacted by 2011 Iowa Acts, Senate
2 31 File 512, section 21.

2 32 DIVISION II
2 33 EARNED INCOME TAX CREDIT

2 34 Sec. 7. Section 422.12B, subsection 1, Code 2011, is amended
2 35 to read as follows:

3 1 1. The taxes imposed under this division less the credits
3 2 allowed under section 422.12 shall be reduced by an earned
3 3 income credit equal to ~~seven~~ ten percent of the federal earned
3 4 income credit provided in section 32 of the Internal Revenue
3 5 Code. Any credit in excess of the tax liability is refundable.

3 6 Sec. 8. RETROACTIVE APPLICABILITY. This division of this
3 7 Act applies retroactively to January 1, 2011, for tax years
3 8 beginning on or after that date.

3 9 DIVISION III
3 10 SUPPLEMENTAL APPROPRIATIONS

3 11 Sec. 9. DEPARTMENT OF EDUCATION — COMMUNITY
3 12 COLLEGES. After applying the reductions made pursuant to 2010
3 13 Iowa Acts, chapter 1193, section 27, to the appropriations made
3 14 for the following designated purposes, there is appropriated
3 15 from the general fund of the state to the department of
3 16 education for the fiscal year beginning July 1, 2010, and
3 17 ending June 30, 2011, the following amounts, or so much thereof
3 18 as is necessary, to supplement the appropriations made for the

Division II increases the Iowa Earned Income Tax Credit from the current level of 7.0% to 10.0% of the federal credit.

FISCAL IMPACT: This change is projected to decrease net General Fund revenue by the following amounts:

- FY 2011: \$100,000
- FY 2012: \$14,700,000
- FY 2013: \$13,700,000
- FY 2014: \$11,500,000
- FY 2015: \$11,600,000

VETOED: The Governor vetoed the Earned Income Tax Credit change and stated that it is his desire to approach tax policy in a comprehensive and holistic manner. The Governor urged the General Assembly to work with his office on an overall tax reduction package.

The following supplemental appropriations for community colleges also include reductions or additions, as noted, to correct an error in the application of the allocation formula, established in Code Section 260C.18C, to the original FY 2011 General Fund appropriations. The corrections do not change the total appropriated to community colleges from the General Fund in FY 2011.

3 19 following designated purposes:

3 20 1. MERGED AREA I — NORTHEAST IOWA COMMUNITY COLLEGE

3 21 For general state financial aid for merged area I, in
3 22 2010 Iowa Acts, chapter 1183, section 6, subsection 19, and
3 23 reflecting a corrective addition of \$4,474 in the overall
3 24 amount appropriated for the merged area's general state
3 25 financial aid for the fiscal year:

3 26 \$ 298,883

General Fund supplemental appropriation to Northeast Iowa Community College for general financial aid.

DETAIL: The appropriation reflects a corrective addition of \$4,474 and a supplemental addition of \$294,409 to restore the mid-year reduction.

3 27 2. MERGED AREA II — NORTH IOWA AREA COMMUNITY COLLEGE

3 28 For general state financial aid for merged area II, in
3 29 2010 Iowa Acts, chapter 1183, section 6, subsection 20, and
3 30 reflecting a corrective reduction of \$28,512 in the overall
3 31 amount appropriated for the merged area's general state
3 32 financial aid for the fiscal year:

3 33 \$ 286,545

General Fund supplemental appropriation to North Iowa Area Community College for general financial aid.

DETAIL: The appropriation reflects a corrective reduction of \$28,512 and a supplemental addition of \$315,057 to restore the mid-year reduction.

3 34 3. MERGED AREA III — IOWA LAKES COMMUNITY COLLEGE

3 35 For general state financial aid for merged area III, in
4 1 2010 Iowa Acts, chapter 1183, section 6, subsection 21, and
4 2 reflecting a corrective reduction of \$32,233 in the overall
4 3 amount appropriated for the merged area's general state
4 4 financial aid for the fiscal year:

4 5 \$ 257,873

General Fund supplemental appropriation to Iowa Lakes Community College for general financial aid.

DETAIL: The appropriation reflects a corrective reduction of \$32,233 and a supplemental addition of \$290,106 to restore the mid-year reduction.

4 6 4. MERGED AREA IV — NORTHWEST COMMUNITY COLLEGE

4 7 For general state financial aid for merged area IV, in
4 8 2010 Iowa Acts, chapter 1183, section 6, subsection 22, and
4 9 reflecting a corrective reduction of \$13,939 in the overall
4 10 amount appropriated for the merged area's general state
4 11 financial aid for the fiscal year:

4 12 \$ 128,526

General Fund supplemental appropriation to Northwest Community College for general financial aid.

DETAIL: The appropriation reflects a corrective reduction of \$13,939 and a supplemental addition of \$142,465 to restore the mid-year reduction.

4 13 5. MERGED AREA V — IOWA CENTRAL COMMUNITY COLLEGE

4 14 For general state financial aid for merged area V, in
4 15 2010 Iowa Acts, chapter 1183, section 6, subsection 23, and
4 16 reflecting a corrective addition of \$18,745 in the overall
4 17 amount appropriated for the merged area's general state
4 18 financial aid for the fiscal year:

4 19 \$ 344,251

General Fund supplemental appropriation to Iowa Central Community College for general financial aid.

DETAIL: The appropriation reflects a corrective addition of \$18,745 and a supplemental addition of \$325,506 to restore the mid-year reduction.

4 20 6. MERGED AREA VI — IOWA VALLEY COMMUNITY COLLEGE DISTRICT

4 21 For general state financial aid for merged area VI, in
4 22 2010 Iowa Acts, chapter 1183, section 6, subsection 24, and
4 23 reflecting a corrective reduction of \$25,507 in the overall
4 24 amount appropriated for the merged area's general state
4 25 financial aid for the fiscal year:

4 26 \$ 251,942

General Fund supplemental appropriation to Iowa Valley Community College for general financial aid.

DETAIL: The appropriation reflects a corrective reduction of \$25,507 and a supplemental addition of \$277,449 to restore the mid-year reduction.

4 27 7. MERGED AREA VII — HAWKEYE COMMUNITY COLLEGE
4 28 For general state financial aid for merged area VII, in
4 29 2010 Iowa Acts, chapter 1183, section 6, subsection 25, and
4 30 reflecting a corrective reduction of \$11,837 in the overall
4 31 amount appropriated for the merged area's general state
4 32 financial aid for the fiscal year:
4 33 \$ 401,298

General Fund supplemental appropriation to Hawkeye Community College for general financial aid.

DETAIL: The appropriation reflects a corrective reduction of \$11,837 and a supplemental addition of \$413,135 to restore the mid-year reduction.

4 34 8. MERGED AREA IX — EASTERN IOWA COMMUNITY COLLEGE
4 35 For general state financial aid for merged area IX, in
5 1 2010 Iowa Acts, chapter 1183, section 6, subsection 26, and
5 2 reflecting a corrective reduction of \$4,921 in the overall
5 3 amount appropriated for the merged area's general state
5 4 financial aid for the fiscal year:
5 5 \$ 508,961

General Fund supplemental appropriation to Eastern Iowa Community College for general financial aid.

DETAIL: The appropriation reflects a corrective reduction of \$4,921 and a supplemental addition of \$513,882 to restore the mid-year reduction.

5 6 9. MERGED AREA X — KIRKWOOD COMMUNITY COLLEGE
5 7 For general state financial aid for merged area X, in
5 8 2010 Iowa Acts, chapter 1183, section 6, subsection 27, and
5 9 reflecting a corrective addition of \$55,034 in the overall
5 10 amount appropriated for the merged area's general state
5 11 financial aid for the fiscal year:
5 12 \$ 959,044

General Fund supplemental appropriation to Kirkwood Community College for general financial aid.

DETAIL: The appropriation reflects a corrective addition of \$55,034 and a supplemental addition of \$904,010 to restore the mid-year reduction.

5 13 10. MERGED AREA XI — DES MOINES AREA COMMUNITY COLLEGE
5 14 For general state financial aid for merged area XI, in
5 15 2010 Iowa Acts, chapter 1183, section 6, subsection 28, and
5 16 reflecting a corrective addition of \$106,395 in the overall
5 17 amount appropriated for the merged area's general state
5 18 financial aid for the fiscal year:
5 19 \$ 1,016,636

General Fund supplemental appropriation to Des Moines Area Community College for general financial aid.

DETAIL: The appropriation reflects a corrective addition of \$106,395 and a supplemental addition of \$910,241 to restore the mid-year reduction.

5 20 11. MERGED AREA XII — WESTERN IOWA TECH COMMUNITY COLLEGE
5 21 For general state financial aid for merged area XII, in
5 22 2010 Iowa Acts, chapter 1183, section 6, subsection 29, and
5 23 reflecting a corrective reduction of \$8,974 in the overall
5 24 amount appropriated for the merged area's general state
5 25 financial aid for the fiscal year:
5 26 \$ 328,413

General Fund supplemental appropriation to Western Iowa Tech Community College for general financial aid.

DETAIL: The appropriation reflects a corrective reduction of \$8,974 and a supplemental addition of \$337,387 to restore the mid-year reduction.

5 27 12. MERGED AREA XIII — IOWA WESTERN COMMUNITY COLLEGE
5 28 For general state financial aid for merged area XIII, in
5 29 2010 Iowa Acts, chapter 1183, section 6, subsection 30, and
5 30 reflecting a corrective addition of \$9,196 in the overall
5 31 amount appropriated for the merged area's general state
5 32 financial aid for the fiscal year:
5 33 \$ 355,950

General Fund supplemental appropriation to Iowa Western Community College for general financial aid.

DETAIL: The appropriation reflects a corrective addition of \$9,196 and a supplemental addition of \$346,754 to restore the mid-year reduction.

5 34 13. MERGED AREA XIV — SOUTHWESTERN COMMUNITY COLLEGE
5 35 For general state financial aid for merged area XIV, in

General Fund supplemental appropriation to Southwestern Community College for general financial aid.

6 1 2010 Iowa Acts, chapter 1183, section 6, subsection 31, and
6 2 reflecting a corrective reduction of \$12,340 in the overall
6 3 amount appropriated for the merged area's general state
6 4 financial aid for the fiscal year:
6 5 \$ 132,279

DETAIL: The appropriation reflects a corrective reduction of \$12,340 and a supplemental addition of \$144,619 to restore the mid-year reduction.

6 6 14. MERGED AREA XV — INDIAN HILLS COMMUNITY COLLEGE
6 7 For general state financial aid for merged area XV, in
6 8 2010 Iowa Acts, chapter 1183, section 6, subsection 32, and
6 9 reflecting a corrective reduction of \$43,717 in the overall
6 10 amount appropriated for the merged area's general state
6 11 financial aid for the fiscal year:
6 12 \$ 409,622

General Fund supplemental appropriation to Indian Hills Community College for general financial aid.

DETAIL: The appropriation reflects a corrective reduction of \$43,717 and a supplemental addition of \$453,339 to restore the mid-year reduction.

6 13 15. MERGED AREA XVI — SOUTHEASTERN COMMUNITY COLLEGE
6 14 For general state financial aid for merged area XVI, in
6 15 2010 Iowa Acts, chapter 1183, section 6, subsection 33, and
6 16 reflecting a corrective reduction of \$11,864 in the overall
6 17 amount appropriated for the merged area's general state
6 18 financial aid for the fiscal year:
6 19 \$ 248,098

General Fund supplemental appropriation to Southeastern Community College for general financial aid.

DETAIL: The appropriation reflects a corrective reduction of \$11,864 and a supplemental addition of \$259,962 to restore the mid-year reduction.

6 20 16. COMMUNITY COLLEGE SALARIES. For distribution to
6 21 community colleges to supplement faculty salaries, in 2010 Iowa
6 22 Acts, chapter 1183, section 8:
6 23 \$ 20,415

General Fund supplemental appropriation to community colleges to supplement faculty salaries.

DETAIL: The appropriation restores the mid-year reduction.

6 24 Sec. 10. DEPARTMENT OF CORRECTIONS. After applying the
6 25 reductions made pursuant to 2010 Iowa Acts, chapter 1193,
6 26 section 27, and any transfers made pursuant to 2010 Iowa Acts,
6 27 chapter 1193, section 28, to the appropriations made for the
6 28 following designated purposes, there is appropriated from the
6 29 general fund of the state to the department of corrections
6 30 for the fiscal year beginning July 1, 2010, and ending June
6 31 30, 2011, the following amounts, or so much thereof as is
6 32 necessary, to supplement the appropriations made for the
6 33 following designated purposes:

6 34 1. For the operation of adult correctional institutions in
6 35 2010 Iowa Acts, chapter 1190, section 3, subsection 1, to be
7 1 allocated as follows:

7 2 a. For the operation of the Fort Madison correctional
7 3 facility in 2010 Iowa Acts, chapter 1190, section 3, subsection
7 4 1, paragraph "a":
7 5 \$ 1,920,083

General Fund supplemental appropriation to the Department of Corrections (DOC) for the Iowa State Penitentiary at Fort Madison.

DETAIL: Partially restores the mid-year reduction.

7 6 b. For the operation of the Anamosa correctional facility
7 7 in 2010 Iowa Acts, chapter 1190, section 3, subsection 1,

General Fund supplemental appropriation to the DOC for the Anamosa State Penitentiary.

7 8 paragraph "b":
7 9 \$ 1,293,060

DETAIL: Partially restores the mid-year reduction.

7 10 c. For the operation of the Oakdale correctional facility
7 11 in 2010 Iowa Acts, chapter 1190, section 3, subsection 1,
7 12 paragraph "c":
7 13 \$ 2,385,141

General Fund supplemental appropriation to the DOC for the Oakdale Correctional Facility.

DETAIL: Partially restores the mid-year reduction.

7 14 d. For the operation of the Newton correctional facility
7 15 in 2010 Iowa Acts, chapter 1190, section 3, subsection 1,
7 16 paragraph "d":
7 17 \$ 1,101,460

General Fund supplemental appropriation to the DOC for the Newton Correctional Facility.

DETAIL: Partially restores the mid-year reduction.

7 18 e. For the operation of the Mount Pleasant correctional
7 19 facility in 2010 Iowa Acts, chapter 1190, section 3, subsection
7 20 1, paragraph "e":
7 21 \$ 1,359,865

General Fund supplemental appropriation to the DOC for the Mount Pleasant Correctional Facility.

DETAIL: Partially restores the mid-year reduction.

7 22 f. For the operation of the Rockwell City correctional
7 23 facility in 2010 Iowa Acts, chapter 1190, section 3, subsection
7 24 1, paragraph "f":
7 25 \$ 412,008

General Fund supplemental appropriation to the DOC for the Rockwell City Correctional Facility.

DETAIL: Partially restores the mid-year reduction.

7 26 g. For the operation of the Clarinda correctional facility
7 27 in 2010 Iowa Acts, chapter 1190, section 3, subsection 1,
7 28 paragraph "g":
7 29 \$ 1,180,617

General Fund supplemental appropriation to the DOC for the Clarinda Correctional Facility.

DETAIL: Partially restores the mid-year reduction.

7 30 h. For the operation of the Mitchellville correctional
7 31 facility in 2010 Iowa Acts, chapter 1190, section 3, subsection
7 32 1, paragraph "h":
7 33 \$ 504,674

General Fund supplemental appropriation to the DOC for the Mitchellville Correctional Facility.

DETAIL: Partially restores the mid-year reduction.

7 34 i. For the operation of the Fort Dodge correctional facility
7 35 in 2010 Iowa Acts, chapter 1190, section 3, subsection 1,
8 1 paragraph "i":
8 2 \$ 1,162,060

General Fund supplemental appropriation to the DOC for the Fort Dodge Correctional Facility.

DETAIL: Partially restores the mid-year reduction.

8 3 2. For general administration in 2010 Iowa Acts, chapter
8 4 1190, section 4, subsection 1, paragraph "a":
8 5 \$ 110,202

General Fund supplemental appropriation to the DOC for the Central Office.

DETAIL: Partially restores the mid-year reduction.

8 6 3. For the judicial district departments of correctional

8 7 services in 2010 Iowa Acts, chapter 1190, section 5, subsection
8 8 1, to be allocated as follows:

8 9 a. For the first judicial district department of
8 10 correctional services in 2010 Iowa Acts, chapter 1190, section
8 11 5, subsection 1, paragraph "a":
8 12 \$ 393,353

General Fund supplemental appropriation to the DOC for the First
Community-Based Corrections (CBC) District Department.

DETAIL: Partially restores the mid-year reduction.

8 13 b. For the second judicial district department of
8 14 correctional services in 2010 Iowa Acts, chapter 1190, section
8 15 5, subsection 1, paragraph "b":
8 16 \$ 360,912

General Fund supplemental appropriation to the DOC for the Second
CBC District Department.

DETAIL: Partially restores the mid-year reduction.

8 17 c. For the third judicial district department of
8 18 correctional services in 2010 Iowa Acts, chapter 1190, section
8 19 5, subsection 1, paragraph "c":
8 20 \$ 221,793

General Fund supplemental appropriation to the DOC for the Third CBC
District Department.

DETAIL: Partially restores the mid-year reduction.

8 21 d. For the fourth judicial district department of
8 22 correctional services in 2010 Iowa Acts, chapter 1190, section
8 23 5, subsection 1, paragraph "d":
8 24 \$ 169,067

General Fund supplemental appropriation to the DOC for the Fourth
CBC District Department.

DETAIL: Partially restores the mid-year reduction.

8 25 e. For the fifth judicial district department of
8 26 correctional services in 2010 Iowa Acts, chapter 1190, section
8 27 5, subsection 1, paragraph "e":
8 28 \$ 723,637

General Fund supplemental appropriation to the DOC for the Fifth CBC
District Department.

DETAIL: Partially restores the mid-year reduction.

8 29 f. For the sixth judicial district department of
8 30 correctional services in 2010 Iowa Acts, chapter 1190, section
8 31 5, subsection 1, paragraph "f":
8 32 \$ 460,329

General Fund supplemental appropriation to the DOC for the Sixth CBC
District Department.

DETAIL: Partially restores the mid-year reduction.

8 33 g. For the seventh judicial district department of
8 34 correctional services in 2010 Iowa Acts, chapter 1190, section
8 35 5, subsection 1, paragraph "g":
9 1 \$ 265,431

General Fund supplemental appropriation to the DOC for the Seventh
CBC District Department.

DETAIL: Partially restores the mid-year reduction.

9 2 h. For the eighth judicial district department of
9 3 correctional services in 2010 Iowa Acts, chapter 1190, section
9 4 5, subsection 1, paragraph "h":
9 5 \$ 177,991

General Fund supplemental appropriation to the DOC for the Eighth
CBC District Department.

DETAIL: Partially restores the mid-year reduction.

9 6 Sec. 11. STATE PUBLIC DEFENDER. After applying the

9 7 reductions made pursuant to 2010 Iowa Acts, chapter 1193,
9 8 section 27, to the appropriations made for the following
9 9 designated purposes, there is appropriated from the general
9 10 fund of the state to the office of the state public defender of
9 11 the department of inspections and appeals for the fiscal year
9 12 beginning July 1, 2010, and ending June 30, 2011, the following
9 13 amounts, or so much thereof as is necessary, to supplement the
9 14 appropriations made for the following designated purposes:

9 15 1. For the office of the state public defender, in 2010 Iowa
9 16 Acts, chapter 1190, section 10, subsection 1:
9 17 \$ 2,551,500

General Fund supplemental appropriation to the Department of Inspections and Appeals (DIA) for the Office of the State Public Defender.

DETAIL: Restores the mid-year reduction and adds funds to fully staff public defender offices.

9 18 2. For the fees of court-appointed attorneys for indigent
9 19 adults and juveniles, in accordance with section 232.141 and
9 20 chapter 815, in 2010 Iowa Acts, chapter 1190, section 10,
9 21 subsection 2:
9 22 \$ 16,000,000

General Fund supplemental appropriation to the DIA for the Office of the State Public Defender, Indigent Defense Fund.

DETAIL: Restores the mid-year reduction and adds funds to meet projected expenses.

9 23 Sec. 12. DEPARTMENT OF PUBLIC SAFETY. After applying the
9 24 reductions made pursuant to 2010 Iowa Acts, chapter 1193,
9 25 section 27, and any transfers made pursuant to 2010 Iowa Acts,
9 26 chapter 1193, section 28, to the appropriations made for the
9 27 following designated purposes, there is appropriated from
9 28 the general fund of the state to the department of public
9 29 safety for the fiscal year beginning July 1, 2010, and ending
9 30 June 30, 2011, the following amounts, or so much thereof as
9 31 is necessary, to supplement the appropriations made for the
9 32 following designated purposes:

9 33 1. For the department's administrative functions in 2010
9 34 Iowa Acts, chapter 1190, section 14, subsection 1:
9 35 \$ 275,000

General Fund supplemental appropriation to the Administration Division of the Department of Public Safety (DPS).

DETAIL: This funding offsets a portion of the mid-year reduction.

10 1 2. For the division of criminal investigation in 2010 Iowa
10 2 Acts, chapter 1190, section 14, subsection 2:
10 3 \$ 325,000

General Fund supplemental appropriation to the Division of Criminal Investigation of the DPS.

DETAIL: This funding offsets a portion of the mid-year reduction.

10 4 3. For the division of narcotics enforcement in 2010 Iowa
10 5 Acts, chapter 1190, section 14, subsection 4, paragraph "a":
10 6 \$ 225,000

General Fund supplemental appropriation to the Division of Narcotics Enforcement of the DPS.

DETAIL: This funding offsets a portion of the mid-year reduction.

10 7 4. For the division of state fire marshal in 2010 Iowa Acts,
10 8 chapter 1190, section 14, subsection 5:
10 9 \$ 130,000

General Fund supplemental appropriation to the Office of the State Fire Marshal.

DETAIL: This funding offsets a portion of the mid-year reduction.

10 10 5. For the division of state patrol in 2010 Iowa Acts,
10 11 chapter 1190, section 14, subsection 6:
10 12 \$ 2,000,000

General Fund supplemental appropriation to the Iowa State Patrol.

DETAIL: This funding offsets a portion of the mid-year reduction.

10 13 Sec. 13. DEPARTMENT OF PUBLIC HEALTH. After applying the
10 14 reductions made pursuant to 2010 Iowa Acts, chapter 1193,
10 15 section 27, and any transfers made pursuant to 2010 Iowa Acts,
10 16 chapter 1193, section 28, to the appropriations made for the
10 17 following designated purposes, there is appropriated from
10 18 the general fund of the state to the department of public
10 19 health for the fiscal year beginning July 1, 2010, and ending
10 20 June 30, 2011, the following amounts, or so much thereof as
10 21 is necessary, to supplement the appropriations made for the
10 22 following designated purposes:

10 23 1. For addictive disorders, in 2010 Iowa Acts, chapter 1192,
10 24 section 2, subsection 1:
10 25 \$ 675,896

General Fund supplemental appropriation to the Department of Public Health for addictive disorders programs.

DETAIL: The supplemental funding partially restores the mid-year reduction to substance abuse treatment and prevention and tobacco programming.

10 26 2. For healthy children and families, in 2010 Iowa Acts,
10 27 chapter 1192, section 2, subsection 2:
10 28 \$ 68,192

General Fund supplemental appropriation for healthy children and families programs.

DETAIL: The supplemental funding partially restores the mid-year reduction to child health programs and the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) Oral Health Program.

10 29 3. For community capacity, in 2010 Iowa Acts, chapter 1192,
10 30 section 2, subsection 4:
10 31 \$ 13,275

General Fund supplemental appropriation for community capacity programs.

DETAIL: The supplemental funding restores the mid-year reduction to the Iowa e-Health Initiative.

10 32 4. For healthy aging, in 2010 Iowa Acts, chapter 1192,
10 33 section 2, subsection 5:
10 34 \$ 403,500

General Fund supplemental appropriation for healthy aging programs.

DETAIL: The supplemental funding partially restores the mid-year reduction to local public health nursing and home care aide services.

10 35 5. For infectious diseases, in 2010 Iowa Acts, chapter 1192,
11 1 section 2, subsection 7:
11 2 \$ 51,688

General Fund supplemental appropriation for infectious diseases programs.

DETAIL: The supplemental funding restores the mid-year reduction for purchasing vaccinations for preventable diseases, prescription services for sexually transmitted diseases (STDs), and tuberculosis.

11 3 Sec. 14. DEPARTMENT OF HUMAN SERVICES —
11 4 APPROPRIATIONS. After applying the reductions made pursuant
11 5 to 2010 Iowa Acts, chapter 1193, section 27, and any transfers
11 6 made pursuant to 2010 Iowa Acts, chapter 1193, section 28, to
11 7 the appropriations made for the following designated purposes,
11 8 there is appropriated from the general fund of the state to the
11 9 department of human services for the fiscal year beginning July
11 10 1, 2010, and ending June 30, 2011, the following amounts, or so
11 11 much thereof as is necessary, to supplement the appropriations
11 12 made for the following designated purposes:

11 13 1. For the state mental health institute at Cherokee,
11 14 in 2010 Iowa Acts, chapter 1192, section 24, subsection 1,
11 15 paragraph "a":
11 16 \$ 784,607

General Fund supplemental appropriation to the Mental Health Institute (MHI) at Cherokee.

DETAIL: The supplemental appropriation will allow all MHIs to continue operating the current number of beds.

11 17 2. For the state mental health institute at Clarinda,
11 18 in 2010 Iowa Acts, chapter 1192, section 24, subsection 1,
11 19 paragraph "b":
11 20 \$ 623,793

General Fund supplemental appropriation to the MHI at Clarinda.

DETAIL: The supplemental appropriation will allow all MHIs to continue operating the current number of beds.

11 21 3. For the state mental health institute at Independence,
11 22 in 2010 Iowa Acts, chapter 1192, section 24, subsection 1,
11 23 paragraph "c":
11 24 \$ 1,235,916

General Fund supplemental appropriation to the MHI at Independence.

DETAIL: The supplemental appropriation will allow all MHIs to continue operating the current number of beds.

11 25 Sec. 15. 2010 Iowa Acts, chapter 1193, section 84,
11 26 subsection 2, unnumbered paragraph 1, is amended to read as
11 27 follows:

CODE: Requires the unencumbered or unobligated funding appropriated to the Office of the State Debt Coordinator during FY 2011 to be used by the Department of Revenue for administrative costs associated with State tax processing.

11 28 For the duties of the office of the state debt coordinator
11 29 established in 2010 Iowa Acts, Senate File 2383, if enacted,
11 30 including salaries, support, maintenance, services,
11 31 advertising, miscellaneous purposes, and for not more than the
11 32 following full-time equivalent positions:

DETAIL: Senate File 2383 (FY 2011 Debt Collection Act) created the Office of the State Debt Coordinator within the Department of Revenue. House File 2531 (FY 2011 Standings Appropriation Act) appropriated \$300,000 and 3.00 FTE positions to the Office for operational costs.

11 33 \$ 300,000
11 34 3.00

11 35 Beginning on the effective date of this division of this 2011
12 1 Iowa Act, moneys appropriated in this subsection that remain
12 2 unencumbered or unobligated shall be used by the department of

12 3 revenue for the administrative costs associated with state tax
12 4 processing.

12 5 Sec. 16. EFFECTIVE UPON ENACTMENT. This division of this
12 6 Act, being deemed of immediate importance, takes effect upon
12 7 enactment.

This Division is effective on enactment.

12 8 DIVISION IV
12 9 CORRECTIVE PROVISIONS

12 10 Sec. 17. 2010 Iowa Acts, chapter 1193, section 199, is
12 11 amended to read as follows:

12 12 SEC. 199. TERRACE HILL — GENERAL FUND — DEPARTMENT OF
12 13 ADMINISTRATIVE SERVICES. There is appropriated from the
12 14 general fund of the state to the department of administrative
12 15 services for the fiscal year beginning July 1, ~~2009~~ 2010,
12 16 and ending June 30, ~~2010~~ 2011, the following amount, or so
12 17 much thereof as is necessary, to be used for the purposes
12 18 designated:

12 19 For salaries, support, maintenance, and miscellaneous
12 20 purposes necessary for the operation of Terrace Hill, and for
12 21 not more than the following full-time equivalent positions:
12 22 \$ 263,329
12 23 FTEs 6.38

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 of an immediate effective date for the FY 2010 appropriation, the funding was nullified. This correction was detailed in a letter dated June 8, 2010, from the Legislative Services Agency 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.

12 24 Sec. 18. EFFECTIVE UPON ENACTMENT AND RETROACTIVE
12 25 APPLICABILITY. This division of this Act, being deemed of
12 26 immediate importance, takes effect upon enactment. The section
12 27 of this division of this Act amending 2010 Iowa Acts, chapter
12 28 1193, section 199, applies retroactively to April 29, 2010.

This Division is effective on enactment and applies retroactively to April 29, 2010.

12 29 DIVISION V
12 30 IOWA COMMUNICATIONS NETWORK

12 31 Sec. 19. IOWA COMMUNICATIONS NETWORK — AUTHORIZATION
12 32 FOR CONTRACTS. Pursuant to section 8D.11, subsection 1,
12 33 paragraph "a", the general assembly authorizes the Iowa
12 34 telecommunications and technology commission to enter
12 35 into contracts in excess of the contract limitation amount
13 1 established in section 8D.11, subsection 1, paragraph "c",
13 2 for purposes of the commission's project associated with the
13 3 federal grant awarded to the commission under the federal
13 4 broadband technology opportunities program. This authorization
13 5 applies for the duration of the commission's project and to
13 6 all affected contracts associated with the project and project
13 7 funding.

Authorizes the Iowa Telecommunications and Technology Commission (ITTC), doing business as the Iowa Communication Network (ICN), to enter into contracts in excess of the current contract limitation amount for projects associated with the Federal Broadband Technology Opportunities Program (BTOP).

DETAIL: The ITTC cannot enter into contracts exceeding \$2,100,000 without legislative approval. In July 2010, the ICN was awarded a BTOP grant for \$16,200,000 to fund the Bridging the Digital Divide for Iowa Communities Program. Some contracts for equipment may exceed the grant amount. The project will upgrade the ICN network speed and provide symmetrical Ethernet connectivity to over 1,000 sites throughout the State. The project must be completed by June 2013.

13 8 Sec. 20. EFFECTIVE UPON ENACTMENT. This division of this
13 9 Act, being deemed of immediate importance, takes effect upon

This Division is effective on enactment.

13 10 enactment.

13 11 DIVISION VI
13 12 ADULT MENTAL HEALTH AND INTELLECTUAL AND OTHER DEVELOPMENTAL
13 13 DISABILITIES SERVICES SYSTEM REFORM

13 14 Sec. 21. ADULT MENTAL HEALTH AND INTELLECTUAL AND
13 15 OTHER DEVELOPMENTAL DISABILITIES SERVICES SYSTEM REFORM —
13 16 APPROPRIATION.

13 17 1. There is appropriated from the general fund of the
13 18 state to the department of human services for the fiscal year
13 19 beginning July 1, 2010, and ending June 30, 2011, the following
13 20 amount, or so much thereof as is necessary, to be used for the
13 21 purposes designated:

13 22 To be credited to the property tax relief fund created
13 23 in chapter 426B and for distribution in accordance with
13 24 appropriations made from the property tax relief fund enacted
13 25 by the Eighty-fourth General Assembly, 2011 Session, pursuant
13 26 to recommendations by the general assembly's committees
13 27 on appropriations, to address needs in the publicly funded
13 28 adult mental health and intellectual and other developmental
13 29 disability services system, which may include but are not
13 30 limited to eliminating county waiting lists or providing risk
13 31 pool funding:
13 32 \$ 20,000,000

13 33 2. It is the intent of the general assembly to enact
13 34 legislation providing for the reform of the publicly funded
13 35 adult mental health and intellectual and other developmental
14 1 disability services system and to implement a new services
14 2 system structure by July 1, 2013, when the repeals contained in
14 3 this division of this Act take effect.

14 4 Sec. 22. Section 331.424A, Code 2011, is amended by adding
14 5 the following new subsection:
14 6 NEW SUBSECTION 6. This section is repealed July 1, 2013.

14 7 Sec. 23. Section 331.438, Code 2011, is amended by adding
14 8 the following new subsection:
14 9 NEW SUBSECTION 5. This section is repealed July 1, 2013.

14 10 Sec. 24. Section 331.439, Code 2011, is amended by adding
14 11 the following new subsection:
14 12 NEW SUBSECTION 10. This section is repealed July 1, 2013.

14 13 Sec. 25. Section 331.440, Code 2011, is amended by adding
14 14 the following new subsection:
14 15 NEW SUBSECTION 7. This section is repealed July 1, 2013.

General Fund supplemental appropriation to the Property Tax Relief Fund (PTRF) for adult mental health, intellectual disabilities, and other developmental disabilities.

DETAIL: These funds are allocated in HF 649 (FY 2012 Health and Human Services Appropriations Act) as follows:

- \$10,000,000 for disability services county waiting lists.
- \$10,000,000 for the FY 2012 Mental Health Allowed Growth appropriation.

Specifies that it is the intent of the General Assembly to reform the publicly-funded adult mental health, intellectual disability and developmental disability service system with implementation by July 1, 2013.

CODE: Repeals the County Mental Health, Mental Retardation, and Developmental Disabilities Services Fund effective July 1, 2013.

CODE: Repeals the Code Section relating to county mental health, mental retardation, and developmental disabilities services expenditures effective July 1, 2013.

CODE: Repeals the Code Section relating to eligibility for state payment for mental health, mental retardation, and developmental disabilities services effective July 1, 2013.

CODE: Repeals the Code Section relating to the Central Point of Coordination process and State Case Services effective July 1, 2013.

14 16 Sec. 26. NEW SECTION 426B.6 FUTURE REPEAL.
14 17 This chapter is repealed July 1, 2013.

CODE: Repeals the Code Chapter relating to the Mental Health, Mental Retardation, and Developmental Disabilities Services Property Tax Relief Fund effective July 1, 2013.

14 18 Sec. 27. EFFECTIVE UPON ENACTMENT. This division of this
14 19 Act, being deemed of immediate importance, takes effect upon
14 20 enactment.

This Division is effective on enactment.

14 21 DIVISION VII
14 22 TAXPAYERS TRUST FUND

14 23 Sec. 28. Section 8.54, subsection 5, Code 2011, is amended
14 24 to read as follows:

CODE: Requires the expenditure limitation to be adjusted to account for any funds that are anticipated to be transferred from the Economic Emergency Fund to the General Fund.

14 25 5. For fiscal years in which it is anticipated that the
14 26 distribution of moneys from the Iowa economic emergency fund in
14 27 accordance with section 8.55, subsection 2, ~~results will result~~
14 28 in moneys being transferred to the general fund, the original
14 29 state general fund expenditure limitation amount provided for
14 30 in subsection 3 shall be readjusted to include the amount of
14 31 moneys ~~which are so~~ anticipated to be so transferred.

14 32 Sec. 29. Section 8.55, subsection 2, Code 2011, is amended
14 33 to read as follows:

CODE: Requires up to the first \$60,000,000 of the excess funds in the Economic Emergency Fund be transferred to the Taxpayers Trust Fund. The amount that can be transferred is limited to the difference between the actual net General Fund revenue of the preceeding fiscal year and the adjusted revenue estimate that was used in establishing the budget for that fiscal year.

14 34 2. a. The maximum balance of the fund is the amount equal
14 35 to two and one-half percent of the adjusted revenue estimate
15 1 for the fiscal year. If the amount of moneys in the Iowa
15 2 economic emergency fund is equal to the maximum balance, moneys
15 3 in excess of this amount shall be ~~transferred to the general~~
15 4 ~~fund.~~ distributed as follows:

15 5 (1) The first sixty million dollars of the difference
15 6 between the actual net revenue for the general fund of the
15 7 state for the fiscal year and the adjusted revenue estimate for
15 8 the fiscal year shall be transferred to the taxpayers trust
15 9 fund.

15 10 (2) The remainder of the excess, if any, shall be
15 11 transferred to the general fund of the state.

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

15 24 amount specified in section 8.57, subsection 2, paragraph “c”.

15 25 Sec. 30. NEW SECTION 8.57E TAXPAYERS TRUST FUND.

15 26 1. A taxpayers trust fund is created. The fund shall be
15 27 separate from the general fund of the state and the balance in
15 28 the fund shall not be considered part of the balance of the
15 29 general fund of the state. The moneys credited to the fund
15 30 are not subject to section 8.33 and shall not be transferred,
15 31 used, obligated, appropriated, or otherwise encumbered except
15 32 as provided in this section.

15 33 2. Moneys in the taxpayers trust fund shall only be used
15 34 pursuant to appropriations made by the general assembly for tax
15 35 relief.

16 1 3. a. Moneys in the taxpayer’s trust fund may be used
16 2 for cash flow purposes during a fiscal year provided that any
16 3 moneys so allocated are returned to the fund by the end of that
16 4 fiscal year.

16 5 b. Except as provided in section 8.58, the taxpayers trust
16 6 fund shall be considered a special account for the purposes of
16 7 section 8.53 in determining the cash position of the general
16 8 fund of the state for the payment of state obligations.

16 9 4. Notwithstanding section 12C.7, subsection 2, interest or
16 10 earnings on moneys deposited in the taxpayers trust fund shall
16 11 be credited to the fund.

16 12 Sec. 31. Section 8.58, Code 2011, is amended to read as
16 13 follows:

16 14 8.58 EXEMPTION FROM AUTOMATIC APPLICATION.

16 15 1. To the extent that moneys appropriated under section
16 16 8.57 do not result in moneys being credited to the general
16 17 fund under section 8.55, subsection 2, moneys appropriated
16 18 under section 8.57 and moneys contained in the cash reserve
16 19 fund, rebuild Iowa infrastructure fund, environment first fund,
16 20 ~~and Iowa economic emergency fund, and taxpayers trust fund~~
16 21 shall not be considered in the application of any formula,
16 22 index, or other statutory triggering mechanism which would
16 23 affect appropriations, payments, or taxation rates, contrary
16 24 provisions of the Code notwithstanding.

16 25 2. To the extent that moneys appropriated under section
16 26 8.57 do not result in moneys being credited to the general fund
16 27 under section 8.55, subsection 2, moneys appropriated under
16 28 section 8.57 and moneys contained in the cash reserve fund,
16 29 rebuild Iowa infrastructure fund, environment first fund, ~~and~~
16 30 Iowa economic emergency fund, ~~and taxpayers trust fund~~ shall
16 31 not be considered by an arbitrator or in negotiations under
16 32 chapter 20.

16 33 Sec. 32. APPLICABILITY. The amendments in this division of

CODE: Creates a new Taxpayers Trust Fund separate from the 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 interest earnings will be retained in the Fund.

CODE: Allows the funds in the Taxpayers Trust Fund to be used for cashflow purposes of the General Fund on the condition that all proceeds are returned to the Taxpayers Trust Fund by the end of the fiscal year. Specifies that the Taxpayers Trust Fund will be considered a special account for determining the cash position of the General Fund for purposes of Generally Accepted Accounting Principles (GAAP).

CODE: Requires the interest earned by the Taxpayers Trust fund to remain in the Fund.

CODE: Exempts monies in the Taxpayers Trust Fund from automatic formula, index, or trigger mechanism application. Prohibits monies in the Fund from being considered by a collective bargaining arbitrator.

Specifies that funds transferred from the Economic Emergency Fund to

16 34 this Act to sections 8.54 and 8.55 apply to moneys attributed
16 35 to fiscal years beginning on or after July 1, 2011.

the Taxpayers Trust Fund applies to receipts beginning in FY 2012.

Summary Data

General Fund

	Actual FY 2010 <u>(1)</u>	Estimated FY 2011 <u>(2)</u>	Supp-Final Act. FY 2011 <u>(3)</u>	Estimated Net FY 2011 <u>(4)</u>
Administration and Regulation	\$ 0	\$ 0	\$ 263,329	\$ 263,329
Education	825,012	153,630,508	5,948,736	159,579,244
Health and Human Services	63,498,486	58,474,125	23,856,867	82,330,992
Justice System	<u>455,215,302</u>	<u>427,518,125</u>	<u>35,708,183</u>	<u>463,226,308</u>
Grand Total	<u>\$ 519,538,800</u>	<u>\$ 639,622,758</u>	<u>\$ 65,777,115</u>	<u>\$ 705,399,873</u>

Administration and Regulation General Fund

	Actual FY 2010 <u>(1)</u>	Estimated FY 2011 <u>(2)</u>	Supp-Final Act. FY 2011 <u>(3)</u>	Estimated Net FY 2011 <u>(4)</u>	Page and Line # <u>(5)</u>
<u>Administrative Services, Dept. of</u>					
Administrative Services					
Terrace Hill Operations	\$ 0	\$ 0	\$ 263,329	\$ 263,329	PG 12 LN 10
Total Administrative Services, Dept. of	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 263,329</u>	<u>\$ 263,329</u>	
Total Administration and Regulation	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 263,329</u></u>	<u><u>\$ 263,329</u></u>	

Education General Fund

	Actual FY 2010	Estimated FY 2011	Supp-Final Act. FY 2011	Estimated Net FY 2011	Page and Line #
	(1)	(2)	(3)	(4)	(5)
<u>Education, Dept. of</u>					
Education, Dept. of					
Comm College - Northeast Iowa (I)	\$ 0	\$ 7,589,572	\$ 298,883	\$ 7,888,455	PG 3 LN 20
Comm College - North Iowa Area (II)	0	8,121,839	286,545	8,408,384	PG 3 LN 27
Comm College - Iowa Lakes (III)	0	7,478,622	257,873	7,736,495	PG 3 LN 34
Comm College - Northwest (IV)	0	3,672,598	128,526	3,801,124	PG 4 LN 6
Comm College - Iowa Central (V)	0	8,391,198	344,251	8,735,449	PG 4 LN 13
Comm College - Iowa Valley (VI)	0	7,152,344	251,942	7,404,286	PG 4 LN 20
Comm College - Hawkeye (VII)	0	10,650,184	401,298	11,051,482	PG 4 LN 27
Comm College - Eastern Iowa (IX)	0	13,247,344	508,961	13,756,305	PG 4 LN 34
Comm College - Kirkwood (X)	0	23,304,445	959,044	24,263,489	PG 5 LN 6
Comm College - Des Moines Area (XI)	0	23,465,054	1,016,636	24,481,690	PG 5 LN 13
Comm College - Western Iowa Tech (XII)	0	8,697,470	328,413	9,025,883	PG 5 LN 20
Comm College - Iowa Western (XIII)	0	8,938,972	355,950	9,294,922	PG 5 LN 27
Comm College - Southwestern (XIV)	0	3,728,128	132,279	3,860,407	PG 5 LN 34
Comm College - Indian Hills (XV)	0	11,686,592	409,622	12,096,214	PG 6 LN 6
Comm College - Southeastern (XVI)	0	6,701,549	248,098	6,949,647	PG 6 LN 13
Community College Salary Increase	825,012	804,597	20,415	825,012	PG 6 LN 20
Total Education, Dept. of	\$ 825,012	\$ 153,630,508	\$ 5,948,736	\$ 159,579,244	
Total Education	\$ 825,012	\$ 153,630,508	\$ 5,948,736	\$ 159,579,244	

Health and Human Services General Fund

	Actual FY 2010 <u>(1)</u>	Estimated FY 2011 <u>(2)</u>	Supp-Final Act. FY 2011 <u>(3)</u>	Estimated Net FY 2011 <u>(4)</u>	Page and Line # <u>(5)</u>
<u>Public Health, Dept. of</u>					
Public Health, Dept. of					
Addictive Disorders	\$ 28,414,782	\$ 26,715,157	\$ 675,896	\$ 27,391,053	PG 10 LN 23
Healthy Children and Families	2,353,517	2,540,218	68,192	2,608,410	PG 10 LN 26
Community Capacity	3,728,162	5,045,832	13,275	5,059,107	PG 10 LN 29
Healthy Aging	8,345,779	7,400,906	403,500	7,804,406	PG 10 LN 32
Infectious Diseases	1,605,967	1,380,064	51,688	1,431,752	PG 10 LN 35
Total Public Health, Dept. of	<u>\$ 44,448,207</u>	<u>\$ 43,082,177</u>	<u>\$ 1,212,551</u>	<u>\$ 44,294,728</u>	
<u>Human Services, Dept. of</u>					
Assistance					
Mental Health	\$ 0	\$ 0	\$ 20,000,000	\$ 20,000,000	PG 13 LN 22
Cherokee					
Cherokee MHI	\$ 4,892,468	\$ 2,802,494	\$ 784,607	\$ 3,587,101	PG 11 LN 13
Clarinda					
Clarinda MHI	\$ 5,604,601	\$ 5,393,175	\$ 623,793	\$ 6,016,968	PG 11 LN 17
Independence					
Independence MHI	<u>\$ 8,553,210</u>	<u>\$ 7,196,279</u>	<u>\$ 1,235,916</u>	<u>\$ 8,432,195</u>	PG 11 LN 21
Total Human Services, Dept. of	<u>\$ 19,050,279</u>	<u>\$ 15,391,948</u>	<u>\$ 22,644,316</u>	<u>\$ 38,036,264</u>	
Total Health and Human Services	<u><u>\$ 63,498,486</u></u>	<u><u>\$ 58,474,125</u></u>	<u><u>\$ 23,856,867</u></u>	<u><u>\$ 82,330,992</u></u>	

Justice System General Fund

	Actual FY 2010	Estimated FY 2011	Supp-Final Act. FY 2011	Estimated Net FY 2011	Page and Line #
	(1)	(2)	(3)	(4)	(5)
<u>Corrections, Dept. of</u>					
Fort Madison					
Ft. Madison Institution	\$ 37,767,271	\$ 36,533,518	\$ 1,920,083	\$ 38,453,601	PG 7 LN 2
Anamosa					
Anamosa Institution	\$ 28,815,684	\$ 28,270,794	\$ 1,293,060	\$ 29,563,854	PG 7 LN 6
Oakdale					
Oakdale Institution	\$ 55,432,247	\$ 52,614,899	\$ 2,385,141	\$ 55,000,040	PG 7 LN 10
Newton					
Newton Institution	\$ 25,756,235	\$ 24,599,293	\$ 1,101,460	\$ 25,700,753	PG 7 LN 14
Mt Pleasant					
Mt. Pleasant Inst.	\$ 24,910,544	\$ 24,191,645	\$ 1,359,865	\$ 25,551,510	PG 7 LN 18
Rockwell City					
Rockwell City Institution	\$ 8,561,800	\$ 8,666,658	\$ 412,008	\$ 9,078,666	PG 7 LN 22
Clarinda					
Clarinda Institution	\$ 21,530,698	\$ 21,835,677	\$ 1,180,617	\$ 23,016,294	PG 7 LN 26
Mitchellville					
Mitchellville Institution	\$ 14,422,531	\$ 14,779,174	\$ 504,674	\$ 15,283,848	PG 7 LN 30
Fort Dodge					
Ft. Dodge Institution	\$ 27,199,132	\$ 27,148,125	\$ 1,162,060	\$ 28,310,185	PG 7 LN 34
Central Office					
Corrections Administration	\$ 4,329,043	\$ 4,126,852	\$ 110,202	\$ 4,237,054	PG 8 LN 3
CBC District 1					
CBC District I	\$ 12,028,965	\$ 11,526,745	\$ 393,353	\$ 11,920,098	PG 8 LN 9
CBC District 2					
CBC District II	\$ 10,294,859	\$ 9,976,036	\$ 360,912	\$ 10,336,948	PG 8 LN 13
CBC District 3					
CBC District III	\$ 5,363,652	\$ 5,280,086	\$ 221,793	\$ 5,501,879	PG 8 LN 17
CBC District 4					
CBC District IV	\$ 5,255,617	\$ 5,222,288	\$ 169,067	\$ 5,391,355	PG 8 LN 21

Justice System General Fund

	Actual FY 2010 (1)	Estimated FY 2011 (2)	Supp-Final Act. FY 2011 (3)	Estimated Net FY 2011 (4)	Page and Line # (5)
CBC District 5					
CBC District V	\$ 18,140,442	\$ 17,683,492	\$ 723,637	\$ 18,407,129	PG 8 LN 25
CBC District 6					
CBC District VI	\$ 12,711,127	\$ 12,249,424	\$ 460,329	\$ 12,709,753	PG 8 LN 29
CBC District 7					
CBC District VII	\$ 6,461,918	\$ 6,227,383	\$ 265,431	\$ 6,492,814	PG 8 LN 33
CBC District 8					
CBC District VIII	<u>\$ 6,792,677</u>	<u>\$ 6,553,064</u>	<u>\$ 177,991</u>	<u>\$ 6,731,055</u>	PG 9 LN 2
Total Corrections, Dept. of	<u>\$ 325,774,442</u>	<u>\$ 317,485,153</u>	<u>\$ 14,201,683</u>	<u>\$ 331,686,836</u>	
<u>Inspections & Appeals, Dept. of</u>					
Public Defender					
Public Defender	\$ 19,568,864	\$ 21,531,682	\$ 2,551,500	\$ 24,083,182	PG 9 LN 15
Indigent Defense Appropriation	<u>32,508,247</u>	<u>15,680,929</u>	<u>16,000,000</u>	<u>31,680,929</u>	PG 9 LN 18
Total Inspections & Appeals, Dept. of	<u>\$ 52,077,111</u>	<u>\$ 37,212,611</u>	<u>\$ 18,551,500</u>	<u>\$ 55,764,111</u>	
<u>Public Safety, Department of</u>					
Public Safety, Dept. of					
Public Safety Administration	\$ 3,952,071	\$ 3,732,075	\$ 275,000	\$ 4,007,075	PG 9 LN 33
Public Safety DCI	19,012,743	12,208,931	325,000	12,533,931	PG 10 LN 1
Narcotics Enforcement	5,747,647	6,204,884	225,000	6,429,884	PG 10 LN 4
DPS Fire Marshal	3,590,003	4,168,707	130,000	4,298,707	PG 10 LN 7
Iowa State Patrol	<u>45,061,285</u>	<u>46,505,764</u>	<u>2,000,000</u>	<u>48,505,764</u>	PG 10 LN 10
Total Public Safety, Department of	<u>\$ 77,363,749</u>	<u>\$ 72,820,361</u>	<u>\$ 2,955,000</u>	<u>\$ 75,775,361</u>	
Total Justice System	<u><u>\$ 455,215,302</u></u>	<u><u>\$ 427,518,125</u></u>	<u><u>\$ 35,708,183</u></u>	<u><u>\$ 463,226,308</u></u>	

Summary Data

FTE

	Actual FY 2010 (1)	Estimated FY 2011 (2)	Supp-Final Act. FY 2011 (3)	Estimated Net FY 2011 (4)
Administration and Regulation	0.00	0.00	6.38	0.00
Grand Total	<u>0.00</u>	<u>0.00</u>	<u>6.38</u>	<u>0.00</u>

Administration and Regulation

FTE

	Actual FY 2010 (1)	Estimated FY 2011 (2)	Supp-Final Act. FY 2011 (3)	Estimated Net FY 2011 (4)	Page and Line # (5)
<u>Administrative Services, Dept. of</u>					
Administrative Services					
Terrace Hill Operations	0.00	0.00	6.38	0.00	PG 12 LN 10
Total Administrative Services, Dept. of	0.00	0.00	6.38	0.00	
Total Administration and Regulation	0.00	0.00	6.38	0.00	