

# **Government Reorganization and Efficiency Bill Senate Study Bill 3030**

Proposed Action:

**Senate State  
Government  
Committee**

January 20, 2010

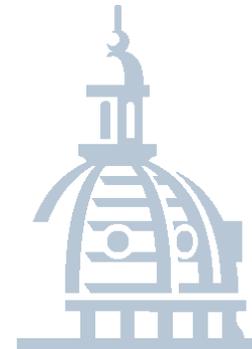
**An Act concerning state government reorganization and efficiency,  
making appropriations, establishing fees, establishing criminal penalties,  
and providing effective and applicability provisions.**

## **FISCAL IMPACT STATEMENT**

Available on line at <http://www3.legis.state.ia.us/noba/index.jsp>

Fiscal Services Division

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**EXECUTIVE SUMMARY  
FISCAL IMPACT STATEMENT**

**SENATE STUDY BILL 3030  
GOVERNMENT REORGANIZATION AND EFFICIENCY BILL**

**FUNDING SUMMARY AND FISCAL  
IMPACT**

- **APPROPRIATIONS:** This Bill appropriates a total of \$1.1 million from the General Fund for FY 2010 (supplemental appropriations) and \$375,000 for FY 2011. For additional detail see the attached tracking document.
- **REVENUES:** This Bill generates additional General Fund revenue estimated at \$75,000 for FY 2010, \$9.4 million for FY 2011, and \$9.5 million for FY 2012.
- **EXPENDITURES:** This Bill impacts General Fund expenditures as follows:
  - **FY 2010** – an estimated increase in expenditures of \$650,000.
  - **FY 2011** – an estimated decrease in expenditures of \$19.8 million.
  - **FY 2012** – an estimated decrease in expenditures of \$57.3 million.
- **OVERALL IMPACT TO THE GENERAL FUND:** The overall impact to the General Fund, when appropriations, revenue increases, and expenditure changes are totaled, is as follows:
  - **FY 2010** – an estimated cost to the General Fund of \$1.7 million.
  - **FY 2011** – an estimated savings to the General Fund of \$28.9 million.
  - **FY 2012** – an estimated savings to the General Fund of \$66.7 million.
- **OVERALL IMPACT TO OTHER FUNDS:** The overall impact to other funds (including local government savings), when appropriations, revenue increases, and expenditure changes are totaled, is as follows:
  - **FY 2010** – no impact.
  - **FY 2011** – an estimated savings of \$14.2 million.
  - **FY 2012** – an estimated savings of \$42.4 million.
- Additional detail about the provisions of this Bill that have a fiscal impact can be found on the following pages. This information is organized in Bill order and provides the Fiscal Services Division contact for each item.

**FISCAL IMPACT BY DIVISION**



## Fiscal Impact Summary

### Senate Study Bill 3030 - Government Reorganization and Efficiency Bill

Bill Division	Description	Fiscal Impact - FY 2010		Fiscal Impact - FY 2011		Fiscal Impact - FY 2012	
		State GF	Other Funds	State GF	Other Funds	State GF	Other Funds
I	DAS Digital Government	\$ 0	\$ 0	\$ 7,900,000	\$ 0	\$ -5,000,000	\$ 0
II	DAS Electronic Records Study	0	0	0	0	0	0
III	Publication Modernization	0	0	0	0	0	0
IV	Electronic Records*	0	0	0	-6,570,000	0	-6,570,000
V	State Budgeting and Personnel	0	0	0	0	0	0
VI	Span of Control	0	0	0	0	-21,500,000	-28,200,000
VII	DAS Centralized Purchasing	0	0	-7,500,000	-7,500,000	-7,500,000	-7,500,000
VIII	Require EFT for all State Employees	0	0	-100,000	-126,000	-100,000	-126,000
VIII	DAS Operations - Lease Consolidation	-200,000	0	-500,000	0	-500,000	0
IX	Move ABD to Department of Revenue	0	0	0	0	0	0
X	Close ABD Warehouse on Fridays	0	0	-20,000	0	-20,000	0
X	Tobacco Retail Compliance Checks	0	0	0	0	0	0
XII	Human Rights Reorganization	0	0	0	0	0	0
XIV	DOM Financial Administration Reorganization	0	0	-260,000	0	0	0
XVI	Eliminates Renewable Fuels Advisory Committee	0	0	0	0	0	0
XVI	Eliminates the Organic Products Advisory Council	0	0	0	0	0	0
XVII	Reduces Membership to Brushy Creek Board	0	0	0	0	0	0
XVII	Eliminates Sustainable Natural Resource	0	0	0	0	0	0
XVII	Eliminates Upland Game Bird Committee	0	0	0	0	0	0
XVIII	Eliminates Climate Change Committee	0	0	0	0	0	0
XIX	Eliminates the Livestock Advisory Council	0	0	0	0	0	0
XX	Eliminates State Preserves Board	0	0	0	0	0	0
XX	Adds One Member to Natural Resource Comm.	0	0	0	0	0	0
XXI	Moving UST Board Tasks to the DNR	0	0	0	0	0	0
XXII	DED Boards Elimination	0	0	0	0	0	0
XXIII	Housing Programs from DED to IFA	0	0	0	0	0	0
XXIV	Eliminate ETC, LTC, and Ag Ed Advisory Council	-10,000	0	-10,000	0	-10,000	0
XXIV	Withdraw from MHEC	0	0	0	0	0	0
XXIV	AEA Transition	0	0	unknown	0	unknown	0
XXV	Increased Efficiencies DHS	0	0	0	0	0	0
XXV	Pharmaceutical Improvements	0	0	unknown	0	unknown	0
XXVI	Eliminate Hospital Licensing Board	0	0	-1,500	0	-1,500	0
XXVII	Child Support Payor Transfer	0	0	-23,000	0	-23,000	0
XXVIII	False Claims Act	0	0	0	0	0	0
XXIX	Medicaid Preferred Drug List	0	0	-156,000	0	-187,000	0
XXIX	Medicaid Mental Health Drug	0	0	-400,000	0	-479,000	0
XXX	Medicaid Chronic Disease Management	0	0	-2,700,000	0	-6,500,000	0
XXXI	Medicaid HCBS Waiver Review	0	0	-5,700,000	0	-6,900,000	0
XXXII	Medicaid - Transfer of Assets	0	0	-586,000	0	-772,000	0
XXXIII	Child Care Advisory Committee	0	0	0	0	0	0
XXXIV	Mt. Pleasant MHI Closure	860,000	0	-1,300,000	0	-1,300,000	0
XXXV	Consolidation-Council on Human Services	0	0	0	0	0	0

**Fiscal Impact Summary**  
**Senate Study Bill 3030 - Government Reorganization and Efficiency Bill**

Bill Division	Description	Fiscal Impact - FY 2010		Fiscal Impact - FY 2011		Fiscal Impact - FY 2012	
		State GF	Other Funds	State GF	Other Funds	State GF	Other Funds
XXXVI	Consolidation-State Board of Health	0	0	0	0	0	0
XXXVII	Family Support Subsidy Program	0	0	-355,000	0	-121,800	0
XXXVII	Move ODCP to Public Safety	0	0	0	0	0	0
XXXVIII	Electronic Funds Transfers in DHS	0	0	0	0	0	0
XXXIX	Adoption Subsidy Program - DHS	0	0	-1,749,000	0	0	0
XLI	Guardian Ad Litem Change	0	0	0	0	0	0
XLII	Veterans County Grant Program	0	0	0	0	0	0
XLIII	Reduce Board of Corrections Meetings	0	0	-6,400	0	-6,400	0
XLIII	Close Luster Heights, Farm 1 and 3	0	0	-2,361,000	0	-2,361,000	0
XLIV	Reduction in Indigent Defense (Public Defender increase)**	0	0	-2,500,000	0	-2,500,000	0
XLIV	Reduction in Indigent Defense (add Wapello County PD Office)**	0	0	-1,253,000	0	-1,253,000	0
XLIV	Eliminate Indigent Defense Advisory Council	0	0	0	0	0	0
XLV	Additional Cost to DOT for ILEA Training	0	0	0	11,600	0	11,600
XLV	Additional Cost to DNR for ILEA Training	0	0	2,900	0	2,900	0
XLVI	Merge DNE with DCI	0	0	-232,000	0	-232,000	0
XLVII	Move ODCP to Public Safety	0	0	0	0	0	0
XLVIII	State Government Efficiency Review Committee	0	0	0	0	0	0
	<b>TOTAL</b>	<b>\$ 650,000</b>	<b>\$ 0</b>	<b>\$ -19,810,000</b>	<b>\$ -14,184,400</b>	<b>\$ -57,263,800</b>	<b>\$ -42,384,400</b>

\*Division IV results in potential savings to local governments (cities, counties, schools) but no State savings.

\*\*Net savings is less because of appropriations to the Public Defender's Office. See tracking document.

**REVENUE CHANGES**

Bill Division	Description	Fiscal Impact - FY 2010		Fiscal Impact - FY 2011		Fiscal Impact - FY 2012	
		State GF	Other Funds	State GF	Other Funds	State GF	Other Funds
VIII	DAS - Surplus Property Inventory (potential sales)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
XI	Allow for Direct Shipment of Wine	0	0	375,000	0	412,500	0
XIII	Lower Threshold for Gambling Setoffs	0	0	2,500,000	0	2,500,000	0
XV	Hire Five New Revenue Auditors	0	0	2,700,000	0	2,700,000	0
XXI	Statutory Allocation Fund for UST	0	0	0	0	0	0
XXXIV	Mt. Pleasant MHI Closure	75,000	0	112,000	0	112,000	0
XL	Juvenile Detention Fund	0	0	3,700,000	0	3,700,000	0
XLIII	New Disciplinary Fee	0	0	6,000	0	6,000	0
XLV	ILEA Charge DOT and DNR Full Cost of Training	0	0	0	14,500	0	14,500
XLV	ILEA Pilot Training Project	0	0	25,000	0	25,000	0
	<b>TOTAL</b>	<b>\$ 75,000</b>	<b>\$ 0</b>	<b>\$ 9,418,000</b>	<b>\$ 14,500</b>	<b>\$ 9,455,500</b>	<b>\$ 14,500</b>

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***DIVISION I: Government Information Technology Services***

**Background**

Division I requires all State agencies including the Board of Regents, Iowa Public Television, Department of Transportation Mobile Radio Network, Department of Public Safety Law Enforcement Communications, Iowa Communications Network, and the Iowa Lottery to obtain services relating to information technology (IT) from the Department of Administrative Services (DAS). The IT services include data centers, servers and mainframes, local area networks, cyber security, and disaster recovery technology.

This Division calls for the appointment of a new Chief Information Officer (CIO) by the Governor and establishes a 10-member Technology Advisory Council within the Technology Governance Board to advise the CIO concerning IT services. Agencies are allowed to seek a waiver for any IT services if the agency can provide the technology more economically, or if it is in the best interest of the State.

**Assumptions**

- Iowa would see similar savings as other States that consolidated IT operations.
- The 223 data centers and 1,944 servers in State government would be significantly reduced.

**Fiscal Impact:** Division I requires an initial investment of \$7.9 million for FY 2011 and would result in savings of \$5.0 million in General Fund expenditures for FY 2012.

**Source**

Public Works LLC, Iowa Efficiency Review Report

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***DIVISION II: Electronic Records***

**Background**

This Division eliminates the requirement for agencies to deliver one printed copy of reports to the General Assembly, but maintains the requirement that reports be submitted in electronic form to the Secretary of the Senate and Chief Clerk of the House.

This Division requires the DAS, the Department of Cultural Affairs (DCA), and the State Records Commission to conduct a study concerning creation, storage, and retention of State records in electronic format. The report must be submitted to the General Assembly by December 15, 2010.

**Assumptions**

The DAS and DCA will conduct the study with current staffing levels.

**Fiscal Impact**

This Division will not have a significant fiscal impact on the State.

**Source**

Legislative Services Agency

**LSA Fiscal Services Division Contact:** Joseph Brandstatter (515-281-8223) [joseph.brandstatter@legis.state.ia.us](mailto:joseph.brandstatter@legis.state.ia.us)

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***DIVISION III: Publication Modernization***

**Background**

This Division amends Code provisions to allow the Legislative Council and the Legislative Services Agency (LSA) to publish official legal publications in an electronic or printed form. The Division also provides procedures for payment by persons purchasing LSA publications and authorizes the creation of a publication revolving fund.

**Assumptions**

- The LSA currently spends an estimated \$300,000 annually to publish printed legal publications and other documents. These costs are recouped through the sale of the publications.
- The revised provisions in this Division will reduce the cost to publish the legal publications and other documents. The LSA will continue to cover the publication costs from the proceeds received through the sale of publications.
- The LSA will continue charging for publications to cover incurred costs rather than making a profit.

**Fiscal Impact**

This Division is estimated to be cost neutral to the General Fund.

**Source**

Legislative Services Agency

**LSA Fiscal Services Division Contact:** David Reynolds (515-281-6934) [dave.reynolds@legis.state.ia.us](mailto:dave.reynolds@legis.state.ia.us)

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***DIVISION IV: Electronic Publication of Public Notices***

**Background**

Iowa Code requires public notices by State agencies and local governmental entities for various purposes. For example, State and local agencies must notify the public of open meetings, elections, hearings, and other governmental actions. This Division authorizes State and local agencies to use electronic means by publishing to the entity's internet site, as long as the information contained meets the notice requirements and is accessible to the public.

This Division does not apply to notices under Code Chapter 6B regarding procedures under Eminent Domain, Chapter 17A (Iowa Administrative Procedure Act), rules of civil procedure, or notices required to be given by personal service.

**Assumptions**

Based on the responses from State agencies, it appears that many agencies have already converted to using electronic means for meeting notice requirements under Code Chapter 21. Most of the agencies responding anticipate little savings or costs for providing electronic publication of public notices via their internet sites. In some instances, for certain notices, an agency may have to comply with federal laws pertaining to public notices to be in compliance with federal funding requirements. In these cases, the agency will continue to provide print notifications.

**State Fiscal Impact:** Savings to the State General Fund and other State funds are expected to be minimal. Likewise, no new costs to the State are anticipated.

**Local Fiscal Impact:** Local governmental entities are expected to have cost savings if governmental entities choose to use electronic notices. Several of the Code sections modified by the Division affect requirements for notifications by local governmental entities. Specifically, Code sections regarding local elections, school districts, governmental actions under county home rule, and governmental action under city codes are modified. According to the Iowa League of Cities, savings to cities throughout the State could total \$2,970,000. According to the Iowa State Association of Counties, the average cost for all publication of notices per county is \$36,600, so savings could potentially total \$3,600,000 for the State's 99 counties. Estimates provided by local entities may include more than the applicable notices, so actual savings realized by cities and counties may be lower.

**Sources:** Departments of Administrative Services, Aging, Blind, Corrections, Commerce (Banking Division), Cultural Affairs, Education, Inspections and Appeals, Management, Public Health, and Transportation  
Iowa College Student Aid Commission, Iowa League of Cities, Iowa Lottery, Iowa State Association of Counties, and the Iowa Telecommunications and Technology Commission

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***DIVISION V: State Budgeting and Personnel***

**Background**

This Division:

- Prohibits a department from converting a full-time equivalent (FTE) position to a contract position or from using appropriated funds for a contract position unless approval is received from the Department of Management.
- Requires that if an FTE position remains vacant at least six months, a department's FTE level will be reduced accordingly. A department may request the position be reauthorized if it can be determined the position is difficult to fill and is critical for fulfilling the department's duties.
- Requires that an agency's excess funds at the close of a fiscal year that are allowed to carry forward and be used for training purposes, may now only be used for internet-based training.
- Requires the Department of Administrative Services to develop and operate programs to promote job-sharing, telecommuting, and flex-time opportunities for employment within the Executive Branch.
- Requires each Judicial District Department of Correctional Services to use the State accounting system for tracking appropriations and expenditures.
- Requires all State agencies to plan for and conduct events through the Office of Lean Enterprise.
- Requires State agencies to separately track budgeted and actual expenditures for contract services and employee training for each appropriation. This Division also requires contracted services to incorporate quality assurances and cost control measures. This Division requires all departments to report quarterly to the LSA concerning this information.
- Requires each Joint Appropriations Subcommittee of the General Assembly to annually examine all fees charged by State agencies under the purview of the respective subcommittee.

**Fiscal Impact**

The fiscal impact of this Division cannot be determined at this time. This Division does not address what happens to the salary dollars associated with a vacant position that would be eliminated after six months. Departments have the authority to revise their budgets and move budgeted funds between expenditure classes. It is very likely that a department would revise their budget prior to losing a position and any associated dollars.

**Source:** Legislative Services Agency

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***DIVISION VI: Span of Control***

**Background**

This Division incrementally increases the span of control (ratio of employees to supervisors) for all Executive Branch agencies. Iowa Code currently requires a span of control of 14 employees for one supervisor to be implemented by July 1, 2011. Current law also exempts the following agencies from the span of control requirement: the Board of Regents, Department of Human Services, and Judicial District Departments. The proposed change requires the agencies currently exempt to comply with the new span of control provisions. Division VI changes the span of control over a six-year period as follows:

- FY 2012: 15:1
- FY 2013: 16:1
- FY 2014: 17:1
- FY 2015: 18:1
- FY 2016: 19:1
- FY 2017: 20:1

**Assumptions**

- The salary and benefit savings are based on the average supervisor salary and benefits for each State agency as of the 11<sup>th</sup> pay period of FY 2010.
- For estimating purposes, this analysis assumes a status quo employment level based on the 11<sup>th</sup> pay period of State government.
- Incrementally increasing the span will result in the loss of 728.0 FTE supervisory positions in FY 2012 and a total of 306.0 FTE positions in the remaining five years.
- Unemployment compensation benefit calculations assume an average weekly benefit amount of \$402 (the amount paid when a laid-off employee claims two dependents), for 26 weeks.
- Certain small State agencies were not included in the calculation. This includes agencies that have only one supervisor (Director) and where the number of employees is such that the span of control exceeds one supervisor to 15 employees.
- Information for the Board of Regents and the Judicial Districts of the Department of Corrections was not available and therefore not included in this estimate. These agencies do not use the State's central accounting system.

**Fiscal Impact**

This Division will result in net salary savings to the General Fund of \$31.7 million and \$39.1 million in non-General Fund sources over a six-year period beginning in FY 2012. The following chart shows the net savings by fiscal year.

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***DIVISION VI: Span of Control (continued)***

	(Dollars in Millions)					
	General Fund			Non-General Fund		
	Salary Savings	Unemployment	Net Salary Savings	Salary Savings	Unemployment	Net Salary Savings
FY 2012	\$ 24.9	\$ -3.4	\$ 21.5	\$ 32.4	\$ -4.2	\$ 28.2
FY 2013	3.2	-0.4	2.8	3.1	-0.4	2.7
FY 2014	2.6	-0.4	2.2	2.9	-0.4	2.5
FY 2015	2.2	-0.3	1.9	2.2	-0.3	1.9
FY 2016	2.2	-0.3	1.9	2.4	-0.3	2.1
FY 2017	1.6	-0.2	1.4	1.9	-0.2	1.7
<b>Total</b>	<b>\$ 36.7</b>	<b>\$ -5.0</b>	<b>\$ 31.7</b>	<b>\$ 44.9</b>	<b>\$ -5.8</b>	<b>\$ 39.1</b>

**Sources**

Department of Management  
Legislative Services Agency

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***DIVISION VII: Department of Administrative Services – Purchasing***

**Background**

This Division eliminates the exemption for the Department of Transportation (DOT), the Board of Regents, and the Department of the Blind from purchasing outside the Department of Administrative Services (DAS). This Division allows these agencies to purchase items without utilizing the DAS if it is in the best interest of the State. This Division requires all agencies to obtain approval from the DAS to purchase directly from a vendor. However, a waiver may be granted if purchasing from a vendor is more economical.

This Division allows agencies to purchase goods and services pursuant to a master contract negotiated by the DAS. The DAS will negotiate master contracts if it determines that high-quality goods or services can be acquired at a lower cost through negotiation of a master contract. Agencies are allowed to purchase goods or services if it is more economical or in the best interests of the State without the master contract.

This Division requires agencies to report to DAS concerning what the agency plans to buy on an annual basis, and efforts to standardize purchasing and services within their own agency.

**Assumptions**

- The more purchases that are made from a master contract, the lower the price.
- The DOT would be required to use a data system called Ariba that is currently utilized by the DAS. The DOT does not currently use this system and Public Works indicates that switching to Ariba would result in significant savings.
- All duplicative purchase contracts would be eliminated.
- The Iowa Efficiency Review Report estimates the State could save an estimated \$15.0 million per year over five years through purchasing consolidation. The report does not identify the funding sources from which the savings would be achieved. For purposes of this estimate, it is assumed that 50.0% of the savings will be achieved by the DOT and the remaining 50.0% by agencies funded from the General Fund.

**Fiscal Impact**

This Division is estimated to save the agencies that are funded from the General Fund \$7.5 million in FY 2011 and \$7.5 million in FY 2012. This Division is estimated to save the DOT \$7.5 million in FY 2011 and \$7.5 million in FY 2012.

**Source:** Public Works LLC, Iowa Efficiency Review Report

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***DIVISION VIII: Department of Administrative Services – Operations***

**Background**

**Electronic Funds Transfer:** Requires all pay and allowances to State employees be paid via electronic funds transfer (EFT). State employees may elect to receive paper warrants, but would be charged an administrative fee. Individual departments may waive the fee if good cause is shown.

**Hiring Procedures:** Requires the DAS and DOM to examine the process by which State agencies hire personnel with the goal of reducing steps needed for agencies to hire personnel. The language requires DAS to report findings and recommendations for legislative action to the General Assembly.

**Surplus Property Inventory:** Requires the DAS to complete an inventory of surplus State property and recommend assets that could be sold at a premium price.

**Office Space Consolidation:** Requires the DAS to review all State office leases and, wherever possible, require State agencies to consolidate office space rented from the private sector. Requires DAS to explore potential opportunities for State agencies (including the Board of Regents) to sell properties to the private sector and lease them back.

**Assumptions**

**Electronic Funds Transfer:**

- There are approximately 1,600 State employees and board members that receive payment through paper check. This estimate assumes 50.0% of these employees are funded from the General Fund.
- Each employee not receiving warrants via EFT costs the State \$125 annually.
- The DOT will eliminate courier services that deliver warrants to non-EFT employees on payday at a cost of \$26,000 per year.

**Surplus Property Inventory:** The Iowa Efficiency Review Report submitted to the Governor estimated the State could generate \$13.8 million in one-time revenue from the sale of State assets identified through a real estate inventory. The report assumes the State would sell the farms operated by Iowa Prison Industries. In order to sell these properties, sections in Chapter 904 of the Iowa Code would need to be amended. Senate Study Bill 3030 does not amend these sections.

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***DIVISION VIII: Department of Administrative Services – Operations (continued)***

**Office Space Consolidation:** The Iowa Efficiency Review Report estimates the State could save an estimated \$2.5 million per year over five years by consolidating leased office space. The report does not identify the funding sources from which the savings would be achieved.

**Fiscal Impact**

**Electronic Funds Transfer:** The estimated annual savings to the General Fund is \$100,000 and \$126,000 from non-General Fund sources.

**Hiring Procedures:** No significant fiscal impact.

**Surplus Property Inventory:** The cost of the inventory will be conducted by DAS with existing resources. There is not enough information available to substantiate the estimated revenue that would be generated from the sale of assets identified in the Iowa Efficiency Review Report.

**Office Consolidation:** In January 2010, DAS has begun the process of renegotiating leases with landlords throughout the State. In many instances the leases have been reduced up to 10.0% in return for extensions of the leases. According to DAS, the renegotiated leases will save State agencies an estimated \$200,000 in FY 2010, and \$500,000 each year in FY 2011 and FY 2012.

**Sources:**

Public Works LLC, Iowa Efficiency Review Report  
Department of Administrative Services

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***DIVISION IX: Alcoholic Beverages Division – Reorganization***

**Background**

This Division transfers the Alcoholic Beverages Division (ABD) from the Department of Commerce to the Department of Revenue.

**Assumption**

The same staffing levels will be needed to conduct ABD business.

**Fiscal Impact**

The fiscal impact of transferring the ABD to the Department of Revenue is minimal.

**Sources**

Alcoholic Beverages Division  
Department of Revenue

**LSA Fiscal Services Division Contact:** Joseph Brandstatter (515-281-8223) [joseph.brandstatter@legis.state.ia.us](mailto:joseph.brandstatter@legis.state.ia.us)

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***DIVISION X: Alcoholic Beverages Division – Reorganization***

***Section 100 – Alcoholic Beverages Division – State Warehouse Friday Closure***

**Background**

This Section requires the Alcoholic Beverages Division main warehouse to close every Friday throughout FY 2011. This Section also allows the Administrator of the Division to keep the warehouse open on designated Fridays if anticipated sales on that Friday justify keeping the warehouse open. The Administrator may extend the closure to the succeeding fiscal year.

**Assumptions**

- The Department will close the warehouse on all Fridays during FY 2011.
- The Department will extend the closure of the warehouse through FY 2012.

**Fiscal Impact**

The estimated savings to the Division are \$20,000 from the General Fund for FY 2011 and \$20,000 for FY 2012.

**Sources**

Alcoholic Beverages Division  
Legislative Services Agency

**LSA Fiscal Services Division Contact:** Joseph Brandstatter (515-281-8223) [joseph.brandstatter@legis.state.ia.us](mailto:joseph.brandstatter@legis.state.ia.us)

**SENATE STUDY BILL 3030  
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***DIVISION X: Alcoholic Beverages Division – Reorganization (continued)***

***Section 101 – Tobacco Retail Compliance Checks***

**Background**

The Division of Tobacco Use, Prevention and Control, located within the Department of Public Health (DPH), is charged with the responsibility of enforcing State and federal laws prohibiting the sale of tobacco products to minors. The Tobacco Division contracts with the Iowa Alcoholic Beverages Division (ABD), within the Department of Commerce, to perform tobacco compliance checks of Iowa's approximately 3,500 tobacco sales permit holders. The ABD contracts with State, county, or local law enforcement agencies for compliance checks within their respective jurisdiction. Reimbursement is made by the ABD for each check conducted.

The tobacco enforcement budget for the ABD is determined by the Tobacco Division and the funds are transferred via a Code Section 28E Agreement between the two entities. The actual expenditures for tobacco enforcement for FY 2009 totaled \$1,003,000. The ABD conducted 7,710 checks through local law enforcement for a total cost of \$385,500. The remaining funds covered salaries, in-state travel expenses for field staff managing agreements with local law enforcement and DPH, web-hosting and other program expenses. For FY 2010, the estimated net amount budgeted by the Tobacco Division, after the Governor's across-the-board funding reductions in October of 2009, is \$857,700. This Section will restrict the number of tobacco enforcement checks to one check per tobacco retail outlet for FY 2011.

**Assumptions**

- The ABD will conduct 3,500 checks in FY 2010 at a cost of \$50.00 per check for a total of \$175,000.
- The ABD will continue to reimburse each local law enforcement compliance check at \$50.00 each in FY 2011.
- In FY 2011, there will be approximately 3,500 tobacco sales permit holders.

**Fiscal Impact**

There is no fiscal impact for this Section. It is estimated that it will cost \$175,000 for FY 2011 for the Alcoholic Beverages Division to conduct compliance checks on tobacco sales permit holders. This is no change from FY 2010.

**Sources:**

Division of Tobacco Use, Prevention and Control, Department of Public Health  
Alcoholic Beverages Division, Department of Commerce

**LSA Fiscal Services Division Contact:** Deborah Helsen (515-281-6764) [deborah.helsen@legis.state.ia.us](mailto:deborah.helsen@legis.state.ia.us)

**SENATE STUDY BILL 3030  
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***DIVISION XI: Alcoholic Beverages Division – Direct Shipment of Wine***

**Background**

This Division authorizes the direct shipment of wine from out-of-state manufacturers to residents of Iowa. The wine manufacturer must obtain a wine direct shipper license from the Alcoholic Beverages Division (ABD) at a cost of \$25 annually. The language requires no more than 18 liters of wine per month be shipped to an Iowa resident 21 years of age or older. The direct shipper licensee must remit \$1.75 per gallon wine tax for deposit in the Beer and Liquor Control Fund.

**Assumptions**

- The ABD has indicated that additional revenue would be generated from allowing direct wine shipment.
- A 10.0% increase in direct shipment wine will occur in FY 2012.

**Fiscal Impact**

This Division is estimated to generate additional revenue of \$375,000 to the General Fund for FY 2011 and \$412,500 for FY 2012.

**Source**

Alcoholic Beverages Division

**LSA Fiscal Services Division Contact:** Joseph Brandstatter (515-281-8223) [joseph.brandstatter@legis.state.ia.us](mailto:joseph.brandstatter@legis.state.ia.us)

**SENATE STUDY BILL 3030  
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***DIVISION XII: Department of Human Rights – Reorganization***

**Background**

This Division reorganizes of the Department of Human Rights (DHR) into three divisions:

- Division of Community Advocacy and Services
- Criminal and Juvenile Justice Planning
- Division of Community Action Agencies

The Department is currently comprised of seven separate divisions.

This Division limits all commissions within the Division of Community Advocacy and Services to seven members. Duties and responsibilities between the offices and commissions are assigned to the entire Department.

This Division creates the Human Rights Board that will consist of nine voting members and five nonvoting members. The duties of the Board include development and implementation of a plan to remove barriers for underrepresented populations; approve, disapprove, or modify the Department budget; adopt administrative rules; and submit a report to the General Assembly and Governor by November 1 of each year.

**Assumptions**

Due to the additional flexibility allowed by the reorganization, the Department will not have to add additional FTE positions if newly recognized constituency groups are added.

**Fiscal Impact**

This Division will have a minimal fiscal impact to the State General Fund.

**Source**

Department of Human Rights

**LSA Fiscal Services Division Contact:** Joseph Brandstatter (515-281-8223) [joseph.brandstatter@legis.state.ia.us](mailto:joseph.brandstatter@legis.state.ia.us)

**SENATE STUDY BILL 3030  
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***DIVISION XIII: Gambling Setoffs***

**Background**

Currently, a debtor that wins money on a wager at a racetrack, excursion gambling boat, or gambling structure in Iowa is subject to a setoff from those winnings of the amount of debt owed to the State if the winnings are equal to or greater than \$10,000. This Division lowers the winnings threshold to \$1,200.

**Assumptions**

- According to an estimate from the Department of Revenue, setoff collections would increase twenty-five times from the current level.
- Not all offsets would be deposited in the General Fund. Some of the revenue could go to local governments.

**Fiscal Impact**

This Division will generate an estimated \$2.5 million annually to the General Fund beginning in FY 2011.

**Sources**

Department of Revenue  
Department of Administrative Services

**LSA Fiscal Services Division Contact:** Joseph Brandstatter (515-281-8223) [joseph.brandstatter@legis.state.ia.us](mailto:joseph.brandstatter@legis.state.ia.us)

**SENATE STUDY BILL 3030  
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***DIVISION XIV: Department of Management – Financial Administration Reorganization***

**Background**

This Division transfers the State Accounting Enterprise from the DAS to DOM.

**Assumptions**

Transfer of the State Accounting Enterprise will result in the elimination of duplicative administrative and overhead costs.

**Fiscal Impact**

This Division will result in an estimated savings of \$260,000 in General Fund expenditures in FY 2011.

**Source**

Public Works Iowa Efficiency Review Report

**LSA Fiscal Services Division Contact:** Joseph Brandstatter (515-281-8223) [joseph.brandstatter@legis.state.ia.us](mailto:joseph.brandstatter@legis.state.ia.us)

**SENATE STUDY BILL 3030  
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***DIVISION XV: Administration and Regulation Appropriations***

**Background**

This Division appropriates \$325,000 and 5.0 FTE auditor positions to the Department of Revenue and \$50,000 and 1.0 FTE position to the Department of Management for the Grants Enterprise Management Program.

**Assumptions**

- Each auditor for the Department of Revenue collects \$600,000 in collections.
- Collections will increase to \$1.0 million per auditor with four or more years of experience.
- Each auditor would cost the State \$65,000 in salary and benefits.

**Fiscal Impact**

The addition of five auditor positions in the Department of revenue will generate additional revenue of \$2.7 million each year to the General Fund for FY 2011 and FY 2012. Revenue collections could increase to \$13.4 million over five years.

**Source**

Department of Revenue  
Public Works Iowa Efficiency Review Report

**LSA Fiscal Services Division Contact:** Joseph Brandstatter (515-281-8223) [joseph.brandstatter@legis.state.ia.us](mailto:joseph.brandstatter@legis.state.ia.us)

**SENATE STUDY BILL 3030  
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***DIVISION XVI: Elimination of State Entities Associated with the Department of Agriculture and Land Stewardship***

***DIVISION XVII: Elimination of State Entities Associated with the Department of Natural Resources' Control of the Natural Habitat***

***DIVISION XVIII: Elimination of State Entities Associated with the Department of Natural Resources – Iowa Climate Change Advisory Council***

***DIVISION XIX: Elimination of State Entities Associated with Iowa State University – Livestock Health Advisory Council***

***DIVISION XX: Natural Resources – Boards and Commissions***

**Background**

The following boards are eliminated or modified:

Division XVI: Eliminates the Renewable Fuels and Coproducts Advisory Committee and the Organics Products Advisory Council in the Department of Agriculture and Land Stewardship (DALs).

Division XVII: Reduces the membership of the Brushy Creek Recreational Trails Advisory Board from nine members to seven and removes the member from the State Preserves Board. This Division also eliminates the Sustainable Natural Resource Funding Advisory Committee and the Upland Game Bird Study Advisory Committee.

Division XVIII: Eliminates the Iowa Climate Change Advisory Council in the Department of Natural Resources (DNR). This Division also requires the DNR to submit an annual report to the Governor and the General Assembly on greenhouse gas emissions.

Division XIX: Eliminates the Livestock Advisory Council at Iowa State University and creates a new Livestock Disease Research Fund under the Treasurer of State's Office.

Division XX: Eliminates the State Advisory Board for Preserves and adds one member to the Natural Resource Commission. The Preserves Board has six members that meet four times per year. The Natural Resource Commission currently has seven members and meets monthly.

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***DIVISIONS XVI through XX: Boards and Commissions (continued)***

**Assumptions**

Minimal savings for the elimination for the following Boards:

- Renewable Fuels and Coproducts Advisory Committee.
- Organics Products Advisory Council – estimated board costs for FY 2009 were \$1,500.
- Brushy Creek Recreational Trails Advisory Board reduction in membership.
- Sustainable Natural Resource Funding Advisory Committee.
- Upland Game Bird Study Advisory Committee.
- Minimal savings for eliminating the Iowa Climate Change Advisory Council. The Council met for two years and submitted the required report to the Governor and the General Assembly on December 31, 2008. The DNR received a \$50,000 Environment First Fund appropriation for FY 2009 but no appropriation for FY 2010.
- Minimal savings for the elimination of the Livestock Advisory Council.
- Minimal savings due to the elimination of the State Advisory Board for Preserves and for adding one member to the Natural Resource Commission.

**Fiscal Impact**

The fiscal impact for elimination of Boards in the Department of Agriculture and Land Stewardship and the Department of Natural Resources is expected to be minimal.

**Sources**

Department of Agriculture and Land Stewardship  
Department of Natural Resources

**LSA Fiscal Services Division Contact:** Debra Kozel (515-281-6767) [deb.kozel@legis.state.ia.us](mailto:deb.kozel@legis.state.ia.us)

**SENATE STUDY BILL 3030  
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***DIVISION XXI: Iowa Comprehensive Petroleum Underground Storage Tank Fund Board***

**Background**

This Division eliminates the Iowa Underground Storage Tank (UST) Fund Board and transfers the Board's responsibilities to the Department of Natural Resources (DNR).

The State's UST financial assistance program was created in HF 447 (Leaking Underground Storage Tank Financial Assistance Act of 1989) to provide a financing mechanism to address the State's contaminated UST locations. Currently, the UST Board provides financial and administrative oversight for the financial assistance program and the DNR provides the regulatory framework and staff for determining required cleanup. This Division combines the financial assistance and regulatory functions within one entity.

**Assumptions**

- Funding for the UST Board and the UST financial assistance program is primarily from the Statutory Allocations Fund. Annual expenses for the Board itself are minimal.
- The Board contracts with a private sector contractor to provide UST financial assistance program administrative services (technical assistance to site owners, claim approval, and claim processing). A total of \$1.5 million was paid to the administrator for FY 2009 and a similar amount will be expended in FY 2010. In future years, administrative expenses should be lower as the number of eligible sites is reduced. The current contract with the UST Administrator expires December 31, 2010. The UST board contract specifies a payment for the administrator and claims processing services of approximately \$127,000 per month.
- For FY 2009, the DNR utilized \$1.8 million and 19.0 FTE positions to administer its responsibilities through underground and leaking underground storage tank organizational units (organizational units 7412, 7529, 7531 and 7532). This calculates to an average cost of \$90,000 per FTE position including \$80,000 for salaries/benefits and \$10,000 for direct program support expenditures.
- The DNR does not currently have resources available to administer the UST financial assistance responsibilities without additional funds and additional staff.
- The Public Works Iowa Efficiency Review Report stated the DNR could assume the responsibilities of the UST Board and administrator for \$600,000 per year. Using the average cost of \$90,000 per FTE, this would allow the DNR to add approximately 6.7 FTE positions. It is not clear from the Public Works Efficiency Report if the DNR could effectively administer the financial assistance program with 6.7 FTE positions. This Bill does not limit the amount of annual DNR administrative expenditures allowed from the UST Fund. The Department could spend more than the \$600,000 assumed in the Report.
- Any administrative savings accrues to the UST Fund, not to the State General Fund. Any administrative savings would be available for UST site cleanup.

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***DIVISION XXI: Iowa Comprehensive Petroleum Underground Storage Tank Fund Board (continued)***

**Fiscal Impact**

For FY 2009, UST program administrator expenditures totaled \$1.5 million while the program expended approximately \$9.7 million on cleanup and administration, making administrator expenditures 15.5% of total program costs. A review of the required level of administrative expenses is appropriate for this program as the annual level of cleanup expenditure declines.

Reducing the administrative expenses of the UST program from \$1.5 million per year to \$600,000 per year would save approximately \$900,000 in FY 2011 and lesser amounts in future years. However, SSB 3030 does not limit DNR administrative expenses to only \$600,000 so the identified level of administrative savings may not be realized. Any savings would accrue to the UST Fund, not the State General Fund.

However, the real State benefit of the UST financial assistance program comes from cleaning up contaminated sites in both an environmentally efficient and cost-effective manner. Switching the State entity in charge of the financial oversight of the UST Program could significantly impact the efficiency and cost effectiveness of site cleanup and could, if not administered properly, result in greater program expenditures for the same amount of site cleanup going forward.

**Sources**

State Accounting System UST and DNR transactions – FY 2009  
DNR FTE Utilization reports – FY 2009  
UST Board meeting materials

**LSA Fiscal Services Division Contact:** Jeff Robinson (515-281-4614) [jeff.robinson@legis.state.ia.us](mailto:jeff.robinson@legis.state.ia.us)

**SENATE STUDY BILL 3030  
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***DIVISION XXII: Economic Development – Committees and Councils***

**Explanation**

This Division repeals Code Section 15.108(7)(h) to eliminate the Small Business Advisory Council and the Department of Economic Development (DED) assistance for the Council.

This Division also amends Code Section 15G.115 to eliminate the duties of the Agricultural Products Advisory Council as it relates to financial assistance under the Value-Added Agriculture Component of the Grow Iowa Values Fund. The Council is eliminated with the repeal of Code Section 15.203.

In addition, this Division eliminates the DED's Microenterprise Development Advisory Committee with the repeal of Code Section 15.114.

**Background**

The Due Diligence Committee will still be responsible for making recommendations regarding applications for assistance under the Value-Added Agriculture Component of the Grow Iowa Values Fund.

**Fiscal Impact**

The Microenterprise Development Advisory Committee did not have any expenses. The expenses for the two councils are minimal.

**Source**

Department of Economic Development (DED)

**LSA Fiscal Services Division Contact:** Ron Robinson (515-281-6256) [ron.robinson@legis.state.ia.us](mailto:ron.robinson@legis.state.ia.us)

**SENATE STUDY BILL 3030  
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***DIVISION XXIII: Consolidation of Housing Programs***

This Division transfers the authority for administration of the Shelter Assistance Fund from the Department of Economic Development (DED) to the Iowa Finance Authority (IFA). The DED and the IFA are required to conduct a joint review of the housing-related programs they currently administer, including all federal programs. The joint review is required to include a review of all federal moneys received and spent on housing programs and must identify all programs that are duplicative of another program or which have purposes similar to that of another program. The DED and the IFA are required to produce a report recommending how best to transfer all responsibilities for housing related programs from the DED to the IFA. The report must be submitted within 30 days of the effective date of the provision to the Legislature, Governor, and the Department of Management.

**Background**

Housing programs are currently administered by the DED and the IFA. The current Code Section 15.349 establishes the Shelter Assistance Fund. Code Section 15.108 provides the DED with authority to expend federal funds and establishes the DED's responsibilities for housing development.

**Iowa Department of Economic Development Housing Programs**

The Iowa Department of Economic Development has operated a number of federal housing programs for many years. Currently, these programs include:

**Housing Fund = Approximately \$17,500,000** (Totaling all of DED's Federal HOME funds and 25.0% of the State Community Development Block Grant (CDBG) funds)

- The purpose of the Housing Fund, made of up CDBG and HOME funds, is to expand and preserve the supply of decent and affordable housing for low- and very low-income Iowans.
- Eligible activities under the Housing Fund include rehabilitation of owner-occupied housing, rehabilitation or new construction of rental housing, homebuyer and homeownership assistance, and tenant-based rental assistance.
- Only local governments (i.e., cities and counties) are eligible to receive CDBG funds. Eligible HOME recipients include local governments, for-profit entities (including partnerships) and nonprofit organizations (including Community Housing Development Organizations). They are unable to directly serve individuals with their individual housing needs.

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***DIVISION XXIII: Consolidation of Housing Programs (continued)***

**Neighborhood Stabilization Program = \$21,607,197** received in 2008 for the multi-year program. The application for a similar amount to U.S. Department of Housing and Urban Development (HUD) is under review by HUD.

The Neighborhood Stabilization Program (NSP) provides assistance to state and local governments to acquire and rehabilitate and/or redevelop foreclosed properties that might otherwise become sources of abandonment and blight within their communities. The DED is using the 2008 award to assist 24 cities in the State that were hardest hit by foreclosures. If additional funds are received, additional cities will be assisted.

**Federal Disaster Recovery Funding (CDBG) = \$798,701,825**

To date, Iowa has received the following allocations from the HUD for disaster assistance: \$156,690,815 from the Supplemental Appropriations Act of 2008, and \$642,011,010 from the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act of 2009.

This funding has been programmed for the following purposes:

Housing Repair/Homebuyer Assistance/Interim Mortgage Assistance	\$ 77,518,337
Housing Production (owner-occupied or rental)	\$ 156,118,022
Housing Buyouts	\$ 250,000,000
Business Assistance	\$ 117,200,000
Infrastructure Projects	\$ 138,412,175
Floodplain Mapping	\$ 15,000,000
Other	\$ 44,453,291
<b>Total</b>	<b>\$ 798,701,825</b>

**Assumption**

Some administrative efficiencies might be realized.

**Fiscal Impact**

Transferring housing programs from the DED to the IFA does not involve funding from the General Fund; therefore, the transfer will not have an impact on the General Fund. Any administrative efficiencies that may arise from the consolidation of federally funded programs is unknown until the required review is completed.

**Sources:** Public Works Iowa Efficiency Review Report and the Iowa Department of Economic Development (DED)

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**SENATE STUDY BILL 3030  
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***DIVISION XXIV: Area Education Agencies (continued)***

***NOTE: Section 364 repeals the language establishing Iowa's participation and membership in the Midwest Higher Education Compact (MHEC).***

**Background**

The Compact provides services related to higher education to member states. The current annual compact membership dues are \$95,000. The dues were paid by an appropriation in the Education Appropriations Subcommittee Bill from FY 2006 through FY 2009. During the 2009 Legislative Session, the General Assembly did not appropriate funds for the FY 2010 MHEC dues and repealed the Code section dealing with MHEC. The Governor vetoed the repeal, indicating the Board of Regents would pay the dues in FY 2010.

The Compact language contains a provision requiring member states to pay dues until two years after the withdrawal from the Compact.

The MHEC competitively bids for computer hardware, software, and other services and provides a master price agreement with vendors. The master price agreement adjusts discounts for number of units of hardware purchased or number of users for software packages. Institutions and agencies purchase directly from vendors at the established MHEC member price. The FY 2008 list of users (most recent available) published by MHEC shows that Iowa had the following numbers of institutions and agencies make computer hardware purchases through the Compact.

Type of Participant	Number
K-12 Public Schools	49
K-12 Private Schools	1
Regents Universities	3
Private Colleges	3
Community Colleges	3
Area Education Agencies	4
Counties	2
Cities	3
State Agencies	2
Police Departments	1

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***DIVISION XXIV: Area Education Agencies (continued)***

***NOTE: Section 364 repeals the language establishing Iowa's participation and membership in the Midwest Higher Education Compact (MHEC).***

The following institutions and agencies made computer software purchases through the Compact.

Type of Participant	Number
Regents Universities	1
Private Colleges	2
Community Colleges	3

In FY 2008, MHEC reports a total savings of \$547,000 for the 75 participants. (Two participants purchased both hardware and software.) This yields an average savings of \$7,300 per participant. After netting out the \$95,000 dues cost, the average net savings is \$6,000 per participant.

The Board of Regents received reports from MHEC showing \$38,000 in savings in FY 2008 for the University of Iowa and University of Northern Iowa. The two universities state they made no purchases from the MHEC contracts in FY 2008.

**Assumptions**

- The institutions and agencies making purchases through the MHEC program do so because they are receiving a lower price than through other options. Otherwise, they would not purchase through MHEC.
- Cost savings for software are calculated by comparing the manufacturer's recommended price with their education discount for the number of users compared to the MHEC discounted price.
- Cost savings for hardware are calculated assuming a 9.0% discount from the education price list for the volume of sales reported to MHEC by the vendors. Individual purchasers will have differing savings based on the options they have available and would be more or less than the 9.0% average estimated by MHEC.
- The State of Iowa is obligated to pay dues for two years following their withdrawal from MHEC. The Board of Regents universities will continue to pay the MHEC dues for those two years.

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***DIVISION XXIV: Area Education Agencies (continued)***

***NOTE: Section 364 repeals the language establishing Iowa's participation and membership in the Midwest Higher Education Compact (MHEC).***

**Fiscal Impact**

Withdrawal from the Midwest Higher Education Compact will have no impact on the General Fund.

Beginning in FY 2013, the Board of Regents universities will have a savings of \$95,000 from no longer paying the membership dues.

In future years, the K-12 schools, Board of Regents universities, private colleges, community colleges, and other governmental entities will experience cost increases for purchases that would have been made when MHEC offers the lowest price. The amount of the lost savings cannot be determined.

**Sources**

Midwest Higher Education Compact (<http://www.mhec.org/MHECHomePage>)

Department of Education

Iowa Association of Community College Trustees

Board of Regents

**LSA Fiscal Services Division Contact:** Dwayne Ferguson (515-281-6561) [dwayne.ferguson@legis.state.ia.us](mailto:dwayne.ferguson@legis.state.ia.us)

**SENATE STUDY BILL 3030  
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***DIVISION XXIV: Area Education Agencies (continued)***

***NOTE: Sections 360 through 363 and Section 365 make the following changes:***

Strikes Code Section 8D.5(1) that establishes the Educational Telecommunications Council (ETC) and transfers those responsibilities to the Regional Telecommunications Councils (RTCs). The ETC expenses are paid out of Iowa Public Television's administrative funds.

- Strikes Code Chapter 280A that establishes the Iowa Learning Technology Initiative and the Learning Technology Commission. The Learning Technology Commission meets only when funds are appropriated to issue grants to local school districts, and administrative costs are deducted from the appropriation. The last year grants were funded was FY 2009, with an appropriation of \$250,000 from the Rebuild Iowa Infrastructure Fund (RIIF). The Commission received three previous annual appropriations from non-General Fund sources of \$500,000 each.
- Strikes Code Section 280.20 that encourages public high schools to develop vocational education programs in agriculture technology. The Bill also strikes Section 256.32 that establishes the Agriculture Education Advisory Council. The Department of Education is responsible for providing support services to the Council and contracts with Iowa State University for this purpose. The cost is paid from the Department's general administrative funds.

**Assumptions**

- Annual costs for meetings of the Educational Telecommunications Council total \$7,000 for usage of the Iowa Communications Network (ICN), telephone conference calls, and clerical support.
- Annual meeting costs for the Learning Technology Commission were less than \$500 annually. The final evaluation of grant-funded projects was conducted with the assistance of Iowa State University at a cost of \$9,000. These costs have been paid out of the FY 2009 appropriation. Striking this Code language will eliminate any need of future funding. The amount of future funding saved is not known.
- The Department of Education's contract with Iowa State University to support the Agriculture Education Advisory Council for FY 2010 is less than \$3,000.

**Fiscal Impact**

The estimated fiscal impact is a reduction in General Fund expenditures of \$10,000 annually.

**Sources: Department of Education and Iowa Public Television**

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**SENATE STUDY BILL 3030  
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***DIVISION XXIV: Area Education Agencies***

***NOTE: Section 366 makes the following change:***

**Background**

This Section states the intent of the General Assembly to dissolve the current Area Education Agency (AEA) system and create a bureau and system within the Iowa Department of Education that provides programs and services to school districts efficiently and consistently. This language requires the Department to assess and develop a plan that would transition the dissolution of the AEAs and the development of the Bureau of Regional Education Offices to be in place by July 1, 2012.

**Assumptions**

- Assessment and planning of dissolving the AEAs and transitioning of duties to the Bureau of Regional Education Offices will require additional resources for the Department of Education in FY 2011.
- Elimination of the AEAs will require changes to School Finance Formula funding beginning in FY 2012. A new funding mechanism will be included in the Department of Education's transition plan.

**Fiscal Impact**

The estimated fiscal impact is currently unknown. However, if no additional funds are appropriated, the assessment and planning will be provided using current resources. It is anticipated that the Department of Education will require additional funding for the Bureau of Regional Education Offices in FY 2012. Additionally, funding for the AEAs generated through the school aid formula will be eliminated beginning in FY 2012.

**Source**

Legislative Services Agency analysis

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**SENATE STUDY BILL 3030  
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FISCAL IMPACT STATEMENT**

***DIVISION XXV: Health and Human Services Program Efficiencies***

***Section 367 – Directive for Increased Efficiencies in Human Services Programs.***

This Section requires the Department of Human Services (DHS) to develop and implement strategies to increase efficiencies. These include reducing duplication in eligibility determinations among programs. The Department is required to submit a monthly progress report to the Health and Human Services Subcommittee.

**Fiscal Impact:** Although no fiscal impact can be determined, it is assumed that the Department will free up staff time because of increased efficiency and less duplication. The Department may also realize minimal savings.

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***Section 368 – Pharmaceutical Improvements***

This Section requires the Departments of Human Services, Public Health, Corrections, Management, and any other appropriate agency to identify strategies to improve efficiencies in pharmaceuticals, including changes to State law or approval from the federal government.

The Department of Corrections (DOC) is in the process of creating a centralized pharmacy for the prison system, using generics as a base for its formulary. Any substitutes of name brand medications are to be documented.

Over the past several years, most if not all of these agencies (including University of Iowa Hospitals and Clinics) have worked together on an intermittent basis to address pharmacy costs. Most cost savings ideas have been hampered by federal regulations regarding the specific populations of the individual agencies. For example, DOC is at a higher cost than DHS for the same medicine, because one population is criminals while the other is civilians.

**Fiscal Impact:** The fiscal impact cannot be determined. It is anticipated any savings would be generated after FY 2012, when any potential changes to state law or federal regulations would take effect.

**Sources**

Department of Corrections  
Department of Human Services

**LSA Fiscal Services Division Contact:** Beth Lenstra (515-281-6301) [beth.lenstra@legis.state.ia.us](mailto:beth.lenstra@legis.state.ia.us)

**SENATE STUDY BILL 3030  
GOVERNMENT REORGANIZATION AND EFFICIENCY BILL  
FISCAL IMPACT STATEMENT**

***DIVISION XXVI: Hospital Licensing Board***

**Background**

Eliminates the Hospital Licensing Board in the Department of Inspections and Appeals (DIA) and requires licensing fees to be paid directly to the DIA instead of the Board.

**Assumptions**

The Department would be able to assume the Board's duties without additional staff.

**Fiscal Impact**

The estimated General Fund savings is expected to be \$1,500 for FY 2011 and FY 2012.

**Sources**

Department of Inspections and Appeals

**LSA Fiscal Services Division Contact:** Joseph Brandstatter (515-281-8223) [joseph.brandstatter@legis.state.ia.us](mailto:joseph.brandstatter@legis.state.ia.us)

**SENATE STUDY BILL 3030  
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FISCAL IMPACT STATEMENT**

***DIVISION XXVII: Child Support***

This Division requires businesses that collect child support payments from employees and transmit them to the State must do so through electronic means with exceptions in cases when it may cause a hardship.

**Background**

Currently only 56.0% of support payments are transmitted electronically where businesses are filing 97.0% of their returns electronically. The Department of Human Services has both an electronic funds transfer option and a website available for easy electronic transfer.

**Fiscal Impact**

This change is estimated to save the General Fund \$23,000 annually in processing costs beginning in FY 2011.

**Sources**

Department of Human Services  
Public Works LLC

**LSA Fiscal Services Division Contact:** Jess Benson (515-281-4611) [jess.benson@legis.state.ia.us](mailto:jess.benson@legis.state.ia.us)

**SENATE STUDY BILL 3030  
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***DIVISION XXVIII: False Claims Act***

**Background**

This Division (Sections 374 through 380) creates a False Claims Act. The False Claims Act is an attempt to secure a larger recovery for the State (10.0%) under Medicaid Fraud actions. The language is broader than Medicaid Fraud. The Bill provides a procedure for the State and private individuals to bring an action for fraud against a person that may result in financial loss to the government.

Any statute has to be reviewed by the federal Department of Health and Human Services before it can be implemented. The language will not be reviewed until it has been enacted. The language in SSB 3030 is based on a model act and must still be reviewed by the federal government. This could result in implementation being delayed the first year. If the language is rejected, the General Assembly has to pass another bill to attempt to get federal approval. Several states have had their statutes rejected. Iowa currently operates under the Federal False Claims Act. There are currently 25 states with a False Claims Act.

**Assumptions**

- The Bill has the potential to impact the work load in the Judicial Branch and the Attorney General's Office. The Bill may impact collection efforts and staffing workloads of the Department of Human Services and the Department of Inspections and Appeals.
- If the language is approved by the federal government, the State will be allowed to retain 10.0% of the federal share of Medicaid Fraud recoveries.
- The language will most likely increase the number of fraud cases brought to court. Some of the cases will result in additional recoveries to the State. Some may be nuisance cases without a legitimate claim. Those cases will increase the workload of State agencies with no recoveries. There is no method to determine the number of fraud cases that are either legitimate or a nuisance.
- A percentage of those found fraudulent will not be able to pay. This increases the amount of uncollectible debt owed to the State.
- The Department of Inspections and Appeals indicates if an approved False Claims Act had been in place, an additional \$350,000 in FY 2008 and an additional \$236,000 in FY 2009 would have been recovered under the Medicaid Fraud provisions for a two-year average of \$293,000 annually.
- There is no information available to project the amount to be recovered by lawsuits brought by private individuals.

**Fiscal Impact:** The net fiscal impact cannot be determined at this time. Any recoveries under the Medicaid Fraud provisions may be offset by increased costs to State agencies for actions under the Bill. Any receipts for FY 2011 will be for a partial year, because no actions may be taken until the language is approved by the federal government.

**Sources:** Office of the Attorney General, Judicial Branch, Department of Human Services, Department of Inspections and Appeals, and the National Association of Attorneys General

**LSA Fiscal Services Division Contact:** Beth Lenstra (515-281-6301) [beth.lenstra@legis.state.ia.us](mailto:beth.lenstra@legis.state.ia.us)

**SENATE STUDY BILL 3030  
GOVERNMENT REORGANIZATION AND EFFICIENCY BILL  
FISCAL IMPACT STATEMENT**

***DIVISION XXIX: Medicaid Prescription Drugs***

**Section 381** requires the Department of Human Services to adopt rules to restrict physicians and other prescribers to a maximum of three days of prescription drugs that are not on the Medicaid Preferred Drug List (PDL) while seeking approval to continue the medication.

**Background**

The Department of Human Services currently allows physicians to prescribe a one-time 30-day supply of prescription drugs while they are waiting for prior authorization if a drug is not on the Preferred Drug List. Federal law requires only an emergency three-day supply while waiting for approval.

**Assumption:** Assumes an FMAP (Federal Medical Assistance Percentage) rate of 31.18% for FY 2011 and 37.37% for FY 2012.

**Fiscal Impact:** Reducing the length of a prescription from 30 days to three days is estimated to save the General Fund \$156,000 in FY 2011 and \$187,000 in FY 2012.

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**Section 382** requires the Department of Human Services to adopt rules to place chemically unique mental health drugs on the nonpreferred drug list and require prior authorization if the drug does not receive supplemental rebates.

**Background**

It is the current policy of the Department of Human Services to put all chemically unique mental health drugs on the PDL, even if they don't receive any rebates for the drugs.

**Assumption:** Assumes an FMAP rate of 31.18% for FY 2011 and 37.37% for FY 2012.

**Fiscal Impact**

By requiring only mental health drugs that receive supplemental rebates to be placed on the PDL, it is estimated to save the State \$400,000 in FY 2011 and \$479,000 in FY 2012.

**Sources**

Department of Human Services  
Public Works LLC

**LSA Fiscal Services Division Contact:** Jess Benson (515-281-4611) [jess.benson@legis.state.ia.us](mailto:jess.benson@legis.state.ia.us)

**SENATE STUDY BILL 3030  
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FISCAL IMPACT STATEMENT**

***DIVISION XXX: Medicaid Disease Management***

This Division requires the Department of Human Services to design and implement a chronic disease management program for children.

**Background**

By implementing a chronic disease management program, Iowa can assure that providers are using best practices to treat patients. A number of other states have implemented similar programs and it has been shown to save significant amounts of money.

**Assumptions**

It is assumed that the State could save 40.0% on asthma and diabetes hospital related expenses, 20.0% on complex hospital related cases, and 7.0% on hospital expenses related to low birth weight babies. This also assumes that it would take half a fiscal year to design and implement the program, with an implementation date of January 1. Assumes an FY 2011 FMAP rate of 31.18% and FY 2012 FMAP State rate of 37.37%.

**Fiscal Impact**

This change is estimated to save the State \$2.7 million in FY 2011 and \$6.5 million in FY 2012.

**Sources**

Department of Human Services  
Public Works LLC

**LSA Fiscal Services Division Contact:** Jess Benson (515-281-4611) [jess.benson@legis.state.ia.us](mailto:jess.benson@legis.state.ia.us)

**SENATE STUDY BILL 3030  
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FISCAL IMPACT STATEMENT**

***DIVISION XXXI: Medicaid Home and Community-Based Services (HCBS) Waiver***

This Division requires the Department of Human Services to set a trigger for a review of payments for services provided under the HCBS Waivers. After the development of the trigger mechanism, the Department shall require advanced approval for services where the payment is projected to exceed the median.

**Background**

Payments for waiver services tend to vary greatly, with the median value of payments for the Intellectual Disability Waiver being \$16,953. By evaluating all of the costs above the median for each waiver, the State should be able to identify unnecessary services.

**Assumptions**

This estimate assumes the State will save 5.0% on payments above the median payment on all waivers and the FMAP rate will be 31.18% for FY 2011 and 37.37% for FY 2012.

**Fiscal Impact**

This change is estimated to save the General Fund \$5.7 million in FY 2011 and \$6.9 million in FY 2012.

**Sources**

Department of Human Services  
Public Works LLC

**LSA Fiscal Services Division Contact:** Jess Benson (515-281-4611) [jess.benson@legis.state.ia.us](mailto:jess.benson@legis.state.ia.us)

**SENATE STUDY BILL 3030  
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***DIVISION XXXII: Divestiture – Medicaid Program***

This Division strengthens the Medicaid law to increase recoveries of improperly-claimed Medicaid benefits and prevent ineligible individuals from receiving these benefits.

**Background**

It is illegal for individuals to transfer assets to another person for the sole purpose of qualifying for Medicaid. By hiring additional FTE positions to review possible Medicaid fraud, the State could collect assets owed and deter people from defrauding the State in the future with a cost/benefit ration of 2 to 1.

**Assumptions**

The Department of Inspections and Appeals would hire an additional 6.0 FTE positions as follows: four Investigators and one Chief Investigator at a cost of \$414,533; one Assistant Attorney General at \$133,397; and support staff for all positions of \$76,850. Additional vehicle and equipment costs would equal \$74,000. The Department receives a 50.0% Medicaid match rate for Medicaid-related administrative activities. This estimate assumes an FMAP rate of 31.18% for FY 2011 and 37.37% for FY 2012.

**Fiscal Impact**

It is assumed that after hiring additional employees to investigate fraud and abuse, the State would see a net savings to the General Fund of \$586,000 in FY 2011 and \$772,000 FY 2012.

**Sources**

Department of Human Services  
Public Works LLC

**LSA Fiscal Services Division Contact:** Jess Benson (515-281-4611) [jess.benson@legis.state.ia.us](mailto:jess.benson@legis.state.ia.us)

**SENATE STUDY BILL 3030  
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***DIVISION XXXIII: Child Care Advisory Committee***

**Background**

This Division establishes a State Child Care Advisory Committee under the purview of the Early Childhood Iowa Council that is supported by the Department of Public Health through a federal grant. Currently, the State Child Care Advisory Council is an independent Council and is staffed by the Department of Human Services. The new Committee will continue to operate as the Council currently does, however, members will be appointed by the Early Childhood Council and not by the Governor.

The current State Child Care Advisory Council costs approximately \$5,270 annually including staff time and operational costs. The Council is currently funded with a combination of General Fund money and federal funds.

**Assumptions**

- DHS will continue to staff the State Child Care Advisory Committee at an average of 72-80 hours per year.
- The new Council's operations will continue to be federally funded from the Child Care Development Block Grant.

**Fiscal Impact**

This Division will not have a fiscal impact to the State General Fund for FY 2011.

**Source**

Department of Human Services

**LSA Fiscal Services Division Contact:** Deborah Helsen (515-281-6764) [deborah.helsen@legis.state.ia.us](mailto:deborah.helsen@legis.state.ia.us)

**SENATE STUDY BILL 3030  
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***DIVISION XXXIV: State Mental Health Institutes***

This Division appropriates funds to the Department of Human Services (DHS) for transition costs related to the closure of the Mount Pleasant Mental Health Institute (MHI) and relocating patients and a number of staff to one of the other three MHIs.

**Background**

House File 811 (FY 2010 Health and Human Services Appropriations Act) contained a section that required the Department to review the four MHIs and recommend the closure of at least one MHI. The Act also authorized a Task Force to study the economic impact the closing of one of the facilities would have on the communities where they are located. The Department's recommendation was to close Mount Pleasant and the relocation of all 79 beds in the facility to Independence.

**Assumptions**

This estimate assumes that 45 employees would accept administrative reassignment at an average reimbursable cost of \$25,000 and the State would be responsible for paying 90.0% of that cost. There will be a one-time cost of \$320,000 to renovate the facilities at the Independence MHI to accommodate the 79 relocated beds. There will be one-time payout costs and other costs associated with relocating equipment and beds. It is estimated that there will be an ongoing cost of \$768,000 to the Department of Corrections (DOC) for utilities and to maintain some of the shared DHS and DOC employees.

**Fiscal Impact**

For FY 2010, including the one-time costs involved with relocating employees, patients, and equipment, the closure of the Mount Pleasant MHI, along with the DOC costs, this closure is estimated to cost the General Fund \$860,000. For FY 2011 after eliminating one-time costs, the net savings to the General Fund is estimated to be \$1.3 million.

It is also estimated that these changes will increase county and federal revenue to the General Fund by \$75,000 in FY 2010 and \$112,000 in FY 2011.

**Sources**

Department of Human Services  
Department of Corrections

**LSA Fiscal Services Division Contact:** Jess Benson (515-281-4611) [jess.benson@legis.state.ia.us](mailto:jess.benson@legis.state.ia.us)

**SENATE STUDY BILL 3030  
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***DIVISION XXXV: Consolidation of Advisory Bodies – Council on Human Services***

**Background**

This Division eliminates the following bodies and reauthorizes them as advisory committees established by the Council on Human Services:

- Child Abuse Prevention Program Advisory Council that advises the Department of Human Services (DHS) on the expenditures of funds for the Department's Child Abuse Prevention Program.
- Child Support Advisory Committee that advises the DHS by making recommendations related to the processes, legislation, and policies relating to child support recovery efforts.
- Child Welfare Advisory Committee that advises the DHS on programmatic and budgetary matters related to the provision or purchase of child welfare services.

The Child Abuse Prevention Program is administered through a third-party contract with Prevent Child Abuse Iowa and the costs of the Advisory Council are included. The Child Support Advisory Council is funded by the General Fund and staffed by the DHS. The cost of staff time and Council operations was approximately \$1,600 in FY 2009. The Child Welfare Advisory Committee is also staffed by the DHS and is funded by the General Fund at a cost of approximately \$2,600 in FY 2009.

**Assumptions**

- The DHS will continue to contract with Prevent Child Abuse Iowa for FY 2011.
- The DHS will continue to staff the Child Support Advisory Committee in the same manner of operation as the Advisory Council.
- The DHS will continue to staff the Child Welfare Advisory Committee in the same manner of operation as the Advisory Council.

**Fiscal Impact**

This Division will not have a fiscal impact to the State General Fund for FY 2011.

**Source**

Department of Human Services

**LSA Fiscal Services Division Contact:** Deborah Helsen (515-281-6764) [deborah.helsen@legis.state.ia.us](mailto:deborah.helsen@legis.state.ia.us)

**SENATE STUDY BILL 3030  
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FISCAL IMPACT STATEMENT**

***DIVISION XXXVI: Consolidation of Advisory Bodies – State Board of Health***

**Background**

This Division eliminates the following bodies and reauthorizes them as advisory committees established by the State Board of Health, the policy-making and advisory Board for the Department of Public Health (DPH):

- Advisory Council on Brain Injuries. The Council promotes meetings and discussions related to brain injury, reviews resources related to delivery of services, participates in developing criteria for care, and makes recommendations to the Governor for developing and administering a State plan for brain injury services.
- Center for Rural Health and Primary Care Advisory Committee. The Committee does not have specific statutory duties other than meeting regularly with the Director of the Center for Rural Health and the Director for the Center of Agricultural Health and Safety. The Committee has also acted as an advisory committee for the Department of Public Health's Office of Rural Health.
- Hemophilia Advisory Council. The Council advises the DPH on legislative or administrative changes to policies and programs, standards of care, and the development of community-based initiatives.
- State Medical Examiner Advisory Council. The Council advises and consults with the State Medical Examiner on a range of issues affecting the organization and functions of the Office of the State Medical Examiner and the effectiveness of the medical examiner system in the State.
- The Trauma System Advisory Council assists the DPH to develop, coordinate, and monitor the statewide trauma care system.

The Advisory Council on Brain Injuries is funded with General Fund and federal money for a cost of approximately \$59,000 in FY 2009. The Center for Rural Health and Primary Care Advisory Committee is funded by the General Fund for an FY 2009 cost of approximately \$12,700. The Hemophilia Advisory Council received an appropriation of \$279 from the Health Care Trust Fund in FY 2009, however, funding for the Council was eliminated for FY 2010. The State Medical Examiner Advisory Council is funded by the General Fund and cost approximately \$300 in FY 2009. The Trauma System Advisory Council is funded by the General Fund and cost approximately \$5,500 in FY 2009.

**Assumption:** The DPH will continue to staff the aforementioned advisory committees in the same manner as they did when the Councils were independent of the State Board of Health.

**Fiscal Impact:** This Division will not have a fiscal impact to the State General Fund for FY 2011.

**Source:** Department of Public Health

**LSA Fiscal Services Division Contact:** Deborah Helsen (515-281-6764) [deborah.helsen@legis.state.ia.us](mailto:deborah.helsen@legis.state.ia.us)

**SENATE STUDY BILL 3030  
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***DIVISION XXXVII: Department of Human Services – Family Support Subsidy***

**Background**

The Family Support Subsidy (FSS) Program serves families with children who have serious emotional disturbance, mental retardation, developmental disabilities, or brain injuries if their income is below \$40,000. A monthly payment is provided to families to help defray some of the special costs of caring for a child with a disability at home. In the first six months of FY 2010, the FSS Program was estimated to serve 346 children each month and provided a monthly payment of \$353.29 to families from June to December of 2009.

In October of 2009, the Governor ordered an across-the-board reduction and approved reductions to Department of Human Services (DHS) programs including the Family Support Subsidy Program. The DHS placed a freeze on the FSS Program waiting list and reduced the amount of the monthly payments to families from January 2010 through June 2010 by 24.4%. As a result of these reductions, the number of active cases per month will decrease from 346 to 312 and subsidy payments will decrease from \$353.29 to \$267.20 per month.

According to the DHS, an average of 30 participants will age out of the program each year and another six to 10 participants are determined ineligible in an annual review. For FY 2010, an estimated 71.0% of children receiving a subsidy also receive Medicaid Home and Community-Based Services (HCBS) waiver services.

This Division will prohibit the DHS from accepting any new enrollments into the FSS Program effective July 1, 2010, or FY 2011. The DHS will not be permitted to approve any pending applications for the FSS Program after this date as well.

**Assumptions**

- The total cost for subsidy payments to families in FY 2010 will be an estimated \$1,233,628.
- For FY 2011 and FY 2012, 38 families currently enrolled in the FFS Program will either age out of the Program or become ineligible.
- The average monthly enrollment for FY 2011 will be 274. The average monthly enrollment for FY 2012 will be 236.
- The average monthly payment to families for FY 2011 and FY 2012 will not change from the adjusted FY 2010 rates of \$267.20 per month.
- The total cost for the subsidies for FY 2011 will be \$878,554. The total cost for FY 2012 will be \$756,710.

**Fiscal Impact:** The fiscal impact of this Division for FY 2011 is an estimated expenditure reduction of \$355,000 for subsidy payments to families in the FFS Program compared to FY 2010. For FY 2012, the estimated expenditure reduction is \$121,800 compared to FY 2011.

**Sources**

Department of Human Services  
Iowa Efficiency Review Report

**LSA Fiscal Services Division Contact:** Deborah Helsen (515-281-6764) [deborah.helsen@legis.state.ia.us](mailto:deborah.helsen@legis.state.ia.us)

**SENATE STUDY BILL 3030  
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FISCAL IMPACT STATEMENT**

***DIVISION XXXVIII: Department of Human Services – Electronic Funds Transfer Payment***

**Background**

Electronic payments are widely used in the Department of Human Services (DHS), but not in the Child and Family Services Division. Additionally, all Health Insurance Premium Payments (HIPP) payments and most payments to Medicaid providers are made by paper warrants. Only 25.0% of the DHS payments are made electronically through an Electronic Funds Transfer (EFT). Handling of paper warrants involves production and handling of the warrant, as well as mailing and postage costs.

This Division directs the DHS to continue expanding the practice of making payments to program participants and vendors by means of EFT for all of their programs.

**Fiscal Impact**

There is no fiscal impact for this Division at this time.

**Sources**

Department of Human Services  
Public Works Iowa Efficiency Review Report

**LSA Fiscal Services Division Contact:** Deborah Helsen (515-281-6764) [deborah.helsen@legis.state.ia.us](mailto:deborah.helsen@legis.state.ia.us)

**SENATE STUDY BILL 3030  
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***DIVISION XXXIX: Department of Human Services – Adoption Subsidy Program***

**Background**

A child is eligible to receive an adoption subsidy if the child meets both of the following criteria:

- The child has a special need (has a physical, mental or emotional disability; is Caucasian and age eight or older; or is a member of a minority race or ethnic group and two years of age or older); and
- The State could not place the child for adoption without the subsidy.

As of June 30, 2009, there were 8,387 children receiving an adoption subsidy payment.

The Legislature sets the maximum daily adoption subsidy rate in the annual Health and Human Services Budget Appropriations Bill. In statute, the amount is required to reflect 65.0% of what the United States Department of Agriculture estimates the cost to raise a child is in Iowa. However, for FY 2009 and FY 2010, the Legislature allowed rates to be lower than 65.0%.

As a result of the Governor's across-the-board (ATB) reductions in October of 2009, the Department of Human Services (DHS) lowered the current rates by 5.0%. These new rates will be in effect from January of 2010 through June of 2010. The DHS estimated General Fund savings of \$801,600 for the last six months of FY 2010 as a result of the reduction. The DHS also lowered the maximum allowable legal fee reimbursement from \$700 to \$500 for the last six months of FY 2010 as another way to absorb the ATB reductions. These legal fees assist families in finalizing adoptions. The DHS estimated a six-month General Fund savings of \$72,900.

This Division directs the DHS to continue to utilize the new rates set for the last six months of FY 2010 for FY 2011. The Division also provides for the continuation of capping the legal fee reimbursements at \$500 for FY 2011.

**Assumption:** Savings from the last six months of FY 2010 will double in FY 2011.

**Fiscal Impact**

The fiscal impact of this Division is a total estimated reduction in expenditures for adoption subsidy payments and legal fee reimbursements of \$1,749,000 for FY 2011.

**Sources**

Department of Human Services  
Public Works Iowa Efficiency Review Report

**LSA Fiscal Services Division Contact:** Deborah Helsen (515-281-6764) [deborah.helsen@legis.state.ia.us](mailto:deborah.helsen@legis.state.ia.us)

**SENATE STUDY BILL 3030  
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***DIVISION XL: Juvenile Detention Home Fund***

**Background**

The Department of Transportation (DOT) collects civil penalties for regular license suspensions and deposits them in the Juvenile Detention Home Fund. The Juvenile Detention Home Fund is administered by the Department of Human Services (DHS) and reimburses expenses at eligible detention facilities. In recent years, the detention facilities have been reimbursed for approximately 20.0% of their costs. For FY 2009, the DOT estimates that a total of \$3.8 million was collected and deposited in the Juvenile Detention Home Fund. For FY 2010, it is estimated that collections to the Fund will be approximately \$3.7 million. Below is a chart that reflects the total costs of all of the facilities, the amount that was reimbursed to them from the Fund, and the percentage of their total costs that the reimbursement represented dating back to FY 2006.

	Detent. Facilities Total Costs	Funds Disbursed to Detent. Facilities	Percent of Costs Reimbursed
FY 2006	\$ 14,744,937	\$ 3,599,784	24.41%
FY 2007	\$ 16,193,403	\$ 3,360,722	20.75%
FY 2008	\$ 17,764,355	\$ 3,764,041	21.19%
FY 2009	\$ 16,084,900	\$ 3,793,181	23.58%
FY 2010 estimated	\$ 16,084,900	\$ 3,700,000	23.00%

**Assumption:** The DOT will collect \$3.7 million from civil penalties to be deposited in the General Fund for FY 2011.

**Fiscal Impact**

The fiscal impact of this Division to the General Fund for FY 2011 and for FY 2012 is an estimated revenue increase of \$3.7 million. There would be a minimal fiscal impact to the DHS as staff time would no longer be dedicated to processing juvenile detention home reimbursement requests. Counties that operate juvenile detention facilities will be impacted as the State share of funding support would be eliminated under this legislation.

**Sources:** Departments of Human Services and Transportation

**LSA Fiscal Services Division Contact:** Deborah Helsen (515-281-6764) [deborah.helsen@legis.state.ia.us](mailto:deborah.helsen@legis.state.ia.us)

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***DIVISION XXXLI: Guardian Ad Litem***

**Background**

This Division permits a guardian ad litem to obtain information about the status of a child by means other than an in-person visit or interview, as long as the child's safety is not at risk. A guardian ad litem is a person appointed to represent the interests of a juvenile with respect to a single action in litigation. The Department of Human Services (DHS) has procedures in place, including reciprocity agreements with other states, for certain out-of-state placements.

Certain children are placed outside of Iowa and are the responsibility of Juvenile Court Officers (Judicial Branch) and their parents.

If a child's parents are indigent, certain guardian ad litem are paid through the State Public Defender's Office.

**Assumptions**

The language is permissive. Judges may not change their current practices or court orders. The language permits guardian ad litem to use their discretion and this may increase or decrease State costs, depending on the methods chosen.

**Fiscal Impact**

If judges do not change current practice, no savings can be achieved. Depending on alternatives chosen by guardian ad litem, the language provides potential for saving State funds or increasing State costs. A fiscal impact cannot be provided due to the permissive language in the Bill.

**Sources**

Office of the State Public Defender  
Department of Human Services  
Judicial Branch

**LSA Fiscal Services Division Contact:** Beth Lenstra (515-281-6301) [beth.lenstra@legis.state.ia.us](mailto:beth.lenstra@legis.state.ia.us)

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***DIVISION XXXLII: County Commissions of Veteran Affairs Fund***

**Background**

Current law provides that each county receives a \$10,000 grant from an appropriation (not a standing appropriation) for veterans-related expenditures. This Division requires criteria to be set by the Department of Veterans Affairs for counties to meet prior to receiving the funding.

**Assumptions**

- That the Department of Veterans Affairs determines criteria for the annual grant that permits all 99 Departments of Veterans Affairs at the county level to qualify to receive the same funding as provided by the previous annual grant.
- That the appropriation remains at \$990,000 (the FY 2010 original appropriation was \$1.0 million reduced by the 10.0% across-the-board Executive Order by the Governor) for FY 2011.

**Fiscal Impact**

No fiscal impact. The FY 2011 appropriation would be the same as the FY 2010 adjusted amount that includes the 10.0% across-the-board reduction.

**Source**

Legislative Services Agency

**LSA Fiscal Services Division Contact:** Sue Lerdal (515-281-7794) [sue.lerdal@legis.state.ia.us](mailto:sue.lerdal@legis.state.ia.us)

**SENATE STUDY BILL 3030  
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***DIVISION XLIII: Department of Corrections***

***Section 425 – Reduce Board of Corrections Meetings***

**Background**

This Section requires the Board of Corrections to meet quarterly. The Board is currently required to meet at least 12 times per year.

**Assumptions:** All estimated savings for FY 2011 are based on FY 2009 actual expenditures of \$9,600 for 12 meetings. The average cost per meeting is \$800.

**Fiscal Impact:** The total savings due to holding fewer Board meetings is estimated at \$6,400 per year for FY 2011 and FY 2012.

**Source:** Department of Corrections

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***Section 426 – Establish Disciplinary Filing Fee***

**Background**

This Section permits the Department of Corrections (DOC) to impose a fee for the filing of a major disciplinary report when an inmate is found guilty. Receipts from the fee are deposited in the General Fund.

**Assumptions**

- The fee may be \$5.00 per filed report.
- The number of major disciplinary reports where the offender was found guilty in FY 2009 was 11,907.
- Inmates lose their job in the prison as part of the penalty for being found guilty. The collection rate is very low.
- Legislative staff in New York indicate they have 59,000 inmates and generated \$291,000 (20 cents per inmate) from a similar fee in FY 2009.
- Iowa's current inmate population is 8,293 inmates. At 20 cents each, this equals = \$1,659.
- A 10.0% collection rate is assumed for purposes of this analysis.

**Fiscal Impact:** The fee is estimated to generate \$6,000 in FY 2011 and FY 2012 for the General Fund.

**Sources:** Department of Corrections and State of New York

**SENATE STUDY BILL 3030  
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***DIVISION XLIII: Department of Corrections (continued)***

***Section 427 – Correctional Facility Closure***

**Background**

This Section requires the Department of Corrections (DOC) to close the Luster Heights Prison Camp (satellite of Anamosa State Penitentiary) and Farms One and Three at Iowa State Penitentiary at Fort Madison. Farm Three is scheduled to close in FY 2011 because the new maximum security facility is being constructed on that land.

As of January 11, 2010:

- Luster Heights Prison Camp was at 63.0% of capacity (56 offenders and 88 beds).
- Farm One was at 75.0% of capacity (60 offenders and 80 beds).
- Farm Three was at 54.0% of capacity (54 offenders and 100 beds).
- The prison system was at 111.0% of capacity, with 8,293 offenders and 7,414 beds.

Closing these facilities reduces capacity from 7,414 beds to 7,146 beds. If the population remains stable, the prison system would be operating at 116.0% of capacity.

**Assumptions**

- All estimated savings are net of bumping and personnel transfers.
- The DOC will absorb any employee moving costs, specifically at Luster Heights Prison Camp.
- The DOC will absorb any costs associated with moth-balling the facilities at Farm Three and the Luster Heights Prison Camp.
- No allowance is made for the one-time transportation costs of moving offenders to other prison locations.

**Fiscal Impact**

The total savings due to these closures is estimated to be \$2,361,000 as follows:

- Farm One – \$688,000
- Farm Three – \$763,000
- Luster Heights Prison Camp – \$910,000

**Source**

Department of Corrections

**LSA Fiscal Services Division Contact:** Beth Lenstra (515-281-6301) [beth.lenstra@legis.state.ia.us](mailto:beth.lenstra@legis.state.ia.us)

**SENATE STUDY BILL 3030  
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FISCAL IMPACT STATEMENT**

***DIVISION XLIV: State Public Defender***

***Sections 428 – Eliminates the Indigent Defense Advisory Commission***

**Background**

This Section repeals the Indigent Defense Advisory Commission and requires the Department of Inspections and Appeals to file a written report every three years with the Governor and General Assembly relating to the recommendations and activities of the indigent defense system. Currently, the Advisory Commission meets every three years.

**Assumptions**

- The Advisory Commission did not meet in FY 2009 or FY 2010. It is scheduled to meet in FY 2011.
- There are minimal administrative costs associated with the Advisory Council.
- There are minimal administrative costs associated with the new required report.

**Fiscal Impact:** There is no fiscal impact of this section.

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***Sections 429 and 430 – Public Defenders and Wapello County Local Public Defender Office***

**Background**

These Sections add 8.00 FTE positions to the State Public Defender's Office to add two staff in four offices. The Bill also funds a new office in Wapello County.

**Assumption:** It is more cost effective for the State Public Defender's local offices to staff cases compared to the private defense bar.

**Fiscal Impact**

The net savings to the General Fund is an estimated \$2,613,000 for FY 2011 as follows:

- Adding positions to the State Public Defender's Office is estimated to save a net \$1,860,000 (an increase of \$640,000 and 8.00 FTE positions to the State Public Defender's Office and a decrease of \$2,500,000 to the Indigent Defense Fund appropriation).
- Creating a local office in Wapello County is estimated to save \$753,000 (increase of \$500,000 and 6.00 FTE positions to the State Public Defender's Office and decrease of \$1,253,000 to the Indigent Defense Fund appropriation).

**Source**

Office of the State Public Defender

**LSA Fiscal Services Division Contact:** Beth Lenstra (515-281-6301) [beth.lenstra@legis.state.ia.us](mailto:beth.lenstra@legis.state.ia.us)

**SENATE STUDY BILL 3030  
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***DIVISION XLV: Iowa Law Enforcement Academy (ILEA)***

***Section 431 – ILEA Training Costs***

**Background**

This Division permits the ILEA to charge the Departments of Transportation and Natural Resources the full cost of training.

Since FY 2005, language in the Justice System Appropriation Bill allowed the Iowa Law Enforcement Academy (ILEA) to charge more than 50.0% of the cost of tuition to help offset a potential revenue shortfall in the operating budget resulting from a decrease in attendees to the Basic Academy. Prior to this language, 50.0% of the Academy revenue was from tuition and fees and 50.0% was from the General Fund appropriation. Since 2006, the ILEA has been charging agencies closer to 60.0% of the costs associated with training their employees with the remaining 40.0% from the State General Fund appropriation.

The cost of full tuition for one student at ILEA in FY 2009 was \$6,909 and the rate charged to the local law enforcement, sheriffs, and the Departments of Natural Resources and Transportation was \$4,000. The full cost of the Academy in FY 2008 was \$5,942 and the amount charged per person was \$3,575. The rate for July 1, 2010, will be set by the ILEA Council at the February meeting.

**Assumptions**

- In FY 2008, the ILEA trained one Department of Natural Resources (DNR) and five Department of Transportation (DOT) officers.
- In FY 2009, the ILEA trained one DNR and four DOT officers. For the fiscal impact, the number of DNR and DOT officers trained in FY 2009 is used. However, the DNR has had 11 officers retire in FY 2010, with 3.00 FTE positions as Park Rangers and 8.00 FTE positions as Wildlife Conservation Officers. Park rangers are funded with General Fund monies and Conservation Officers are funded with Fish and Wildlife Trust Fund monies. The actual number of trainees is unknown.
- The cost difference between what the DOT and DNR are paying now and full tuition is approximately \$2,900.

**Fiscal Impact:** The fiscal impact for charging the DOT and DNR the full cost of tuition for the ILEA Academy is approximately \$14,500. The fees charged for training are retained by ILEA.

**Source:** Iowa Law Enforcement Academy

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***DIVISION XLV: Iowa Law Enforcement Academy (ILEA) – (continued)***

***Section 432 – Pilot Training Project***

**Background**

The Iowa Law Enforcement Academy (ILEA) promulgates hiring, training and certification standards for Iowa law enforcement officers.

**Assumptions**

- ILEA would pilot 50 hours of training seminars with 10 security personnel at a rate of \$50 per hour taught over six weekends.
- Current private sector training costs for private security personnel range from \$50 to \$60 per hour.
- No start-up costs are anticipated for the pilot as current ILEA instructors would modify their curriculum to provide this training.

**Fiscal Impact**

The fiscal impact to train 10 security personnel at \$50 per hour for 50 hours is \$25,000. The money will be deposited in the General Fund.

**Source:** Iowa Law Enforcement Academy

**LSA Fiscal Services Division Contact:** Jennifer Acton (515-281-7846) [jennifer.acton@legis.state.ia.us](mailto:jennifer.acton@legis.state.ia.us)

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***DIVISION XLVI: Department of Public Safety Divisions***

**Background**

This Division requires the Division of Narcotics Enforcement (DNE) to be merged with the Division of Criminal Investigation (DCI) within the Department of Public Safety. The DNE was established through legislation in 1970. Prior to this, the Iowa Pharmacy Board was responsible for handling drug enforcement. In 1978, a reorganization of the DCI merged the DNE under the DCI. In 1987, the DNE reverted back to a separate division within the Department of Public Safety.

There are four bureaus within the DCI. Each of the bureaus has an assistant division administrator who is in charge of the bureau and reports directly to the Division Administrator of the DCI.

The FY 2010 General Fund appropriation for the DNE is \$6,494,047 and 77.0 FTE positions.

**Assumptions**

- Narcotics Enforcement would become a bureau under the DCI and would be set up similar to the other four bureaus under the DCI with an assistant division administrator in charge of it.
- The FY 2010 salary for the DNE Division Administrator is \$172,264.
- The FY 2010 salary for the DNE Confidential Secretary is \$59,951.

**Fiscal Impact**

The elimination of the DNE Division Administrator, Deputy Division Administrator, and Confidential Secretary is an estimated annual savings of approximately \$232,000 to the General Fund.

**Sources**

Department of Public Safety

**LSA Fiscal Services Division Contact:** Jennifer Acton (515-281-7846) [jennifer.acton@legis.state.ia.us](mailto:jennifer.acton@legis.state.ia.us)

**SENATE STUDY BILL 3030  
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***DIVISION XLVI: Department of Public Safety – Office of Drug Control Policy***

**Background**

This Division moves the Office of Drug Control Policy (ODCP) to the Department of Public Safety (DPS). In FFY 2009, the ODCP received \$2.8 million in federal discretionary grants as follows:

- \$2.2 million from the United States Department of Justice (USDOJ) Community Orientated Policing (COPS) Methamphetamine Hot Spots Program:
  - \$750,000 for Pseudoephedrine Monitoring
  - \$750,000 for Meth and other drug enforcement
  - \$500,000 for Drug Intercept Squads
  - \$200,000 for Substance Abuse Help
- \$200,000 from the USDOJ Office of Juvenile Justice and Delinquency Prevention for Drug Endangered Children.
- \$370,034 from the United States Department of Education (USDOE) Safe and Drug Free Schools and Communities Program for Community College Underage Drinking Prevention.

The FY 2010 General Fund appropriation to ODCP is \$187,164 and \$122,974 is for salaries funding 1.85 FTE positions. The FTE positions in ODCP are a mix of State and federal dollars.

**Assumptions**

- The DPS received their Byrne JAG and Hot Spots federal funding from ODCP. The DPS does not receive either of these grants directly from the USDOJ.
- The Governor's Traffic Safety Bureau (GTSB) is a Bureau under the Commissioner's Office within the DPS. The GTSB administers a number of federally funded highway safety initiatives. The fiscal impact assumes ODCP would be set up similar to GTSB.

**Fiscal Impact:** The fiscal impact from moving ODCP under the DPS will be minimal. There may be an impact to discretionary funds as both DPS and ODCP apply for COPS funding at the federal level.

**Sources**

Office of Drug Control Policy  
Department of Public Safety

**LSA Fiscal Services Division Contact:** Jennifer Acton (515-281-7846) [jennifer.acton@legis.state.ia.us](mailto:jennifer.acton@legis.state.ia.us)

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***DIVISION XLVIII: State Government Efficiency Review Committee***

**Background**

This Division establishes a permanent State Government Efficiency Review Committee. The Committee is required to meet at least every four years to review the operations of State government.

**Fiscal Impact:** The fiscal impact of meeting expenditures is expected to be minimal (less than \$100,000).

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## Summary Data

### General Fund

	Supp-Senate Subcom FY 2010 <u>(1)</u>	Senate Subcom FY 2011 <u>(2)</u>	Bill Number <u>(3)</u>
Administration and Regulation	\$ 0	\$ 375,000	
Justice System	<u>1,140,000</u>	<u>0</u>	
<b>Grand Total</b>	<b><u>\$ 1,140,000</u></b>	<b><u>\$ 375,000</u></b>	

# Administration and Regulation

## General Fund

	Supp-Senate Subcom FY 2010 (1)	Senate Subcom FY 2011 (2)	Bill Number (3)
<u>Management, Dept. of</u>			
Management, Dept. of GEMS Program	\$ 0	\$ 50,000	LSB5073S
Total Management, Dept. of	\$ 0	\$ 50,000	
<u>Revenue, Dept. of</u>			
Revenue, Dept. of Revenue Auditors	\$ 0	\$ 325,000	LSB5073S
Total Revenue, Dept. of	\$ 0	\$ 325,000	
Total Administration and Regulation	\$ 0	\$ 375,000	

# Justice System

## General Fund

	Supp-Senate Subcom FY 2010 <u>(1)</u>	Senate Subcom FY 2011 <u>(2)</u>	Bill Number <u>(3)</u>
<u>Inspections &amp; Appeals, Dept. of</u>			
Public Defender			
Wapello Co. Public Defender	\$ 500,000	\$ 0	LSB5073S
Public Defender Positions	<u>640,000</u>	<u>0</u>	LSB5073S
<b>Total Inspections &amp; Appeals, Dept. of</b>	<u>\$ 1,140,000</u>	<u>\$ 0</u>	
<b>Total Justice System</b>	<u><u>\$ 1,140,000</u></u>	<u><u>\$ 0</u></u>	

# Summary Data

FTE

	Supp-Senate Subcom FY 2010 <u>(1)</u>	Senate Subcom FY 2011 <u>(2)</u>	Bill Number <u>(3)</u>
Administration and Regulation	0.00	6.00	
Justice System	<u>8.00</u>	<u>0.00</u>	
<b>Grand Total</b>	<b><u>8.00</u></b>	<b><u>6.00</u></b>	

# Administration and Regulation

FTE

	Supp-Senate Subcom FY 2010 <u>(1)</u>	Senate Subcom FY 2011 <u>(2)</u>	Bill Number <u>(3)</u>
<u>Management, Dept. of</u>			
Management, Dept. of GEMS Program	<u>0.00</u>	<u>1.00</u>	LSB5073S
Total Management, Dept. of	<u>0.00</u>	<u>1.00</u>	
<u>Revenue, Dept. of</u>			
Revenue, Dept. of Revenue Auditors	<u>0.00</u>	<u>5.00</u>	LSB5073S
Total Revenue, Dept. of	<u>0.00</u>	<u>5.00</u>	
Total Administration and Regulation	<u>0.00</u>	<u>6.00</u>	

# Justice System

FTE

	Supp-Senate Subcom FY 2010 (1)	Senate Subcom FY 2011 (2)	Bill Number (3)
<u>Inspections &amp; Appeals, Dept. of</u>			
Public Defender			
Public Defender Positions	8.00	0.00	LSB5073S
Total Inspections & Appeals, Dept. of	8.00	0.00	
Total Justice System	8.00	0.00	