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BY IVERSON and GRONSTAL

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Vote: Ayes 40 Nays 9 Vote: Ayes 72 Nays 27
Approved 5/9/00

A BILL FOR

1 An Act providing financial assistance to communities and school
2 districts by creating a school infrastructure program and
3 fund, continuing the community attraction and tourism
4 development program and fund, creating a vision Iowa board,
5 creating a vision Iowa program and fund, providing bonding
6 authority to the treasurer of state, and exempting certain
7 income from taxation.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2447
WAYS & MEANS

1 DIVISION I

2 SUBCHAPTER I

3 VISION IOWA BOARD

4 Section 1. NEW SECTION. 15F.101 DEFINITIONS.5 As used in this chapter, unless the context otherwise
6 requires:7 1. "Board" means the vision Iowa board as created in
8 section 15F.102.9 2. "Department" means the Iowa department of economic
10 development created in section 15.105.11 Sec. 2. NEW SECTION. 15F.102 VISION IOWA BOARD.12 1. The vision Iowa board is established consisting of
13 thirteen members and is located for administrative purposes
14 within the department. The director of the department shall
15 provide office space, staff assistance, and necessary supplies
16 and equipment for the board. The director shall budget funds
17 to pay the compensation and expenses of the board.18 2. The membership of the board shall be appointed as
19 follows:20 a. Three members of the general public, one member from
21 each of the three tourism regions.22 b. One mayor of a city with a population of less than
23 twenty thousand.24 c. One county supervisor from a county that has a
25 population ranking in the bottom thirty-three counties
26 according to the 1990 census.

27 d. Four members of the general public.

28 e. One mayor of a city with a population of twenty
29 thousand or more.

30 f. The director of the department of economic development.

31 g. The treasurer of state or the treasurer of state's
32 designee.33 h. The auditor of state or the auditor of state's
34 designee.

35 3. All appointments, except the director of the department

1 of economic development, the treasurer of state, and the
2 auditor of state, shall be made by the governor, shall comply
3 with sections 69.16 and 69.16A, and shall be subject to
4 confirmation by the senate. All appointed members of the
5 board shall have demonstrable experience or expertise in the
6 field of tourism development and promotion, public financing,
7 architecture, engineering, or major facility development or
8 construction.

9 4. All members of the board, except the director of the
10 department of economic development, the treasurer of state,
11 and the auditor of state, shall be residents of different
12 counties.

13 5. The chairperson and vice chairperson of the board shall
14 be designated by the governor from the board members listed in
15 subsection 2, paragraphs "a" through "e". In case of the
16 absence or disability of the chairperson and vice chairperson,
17 the members of the board shall elect a temporary chairperson
18 by a majority vote of those members who are present and
19 voting.

20 6. The members, except the director of the department of
21 economic development, the treasurer of state, and the auditor
22 of state, shall be appointed to three-year staggered terms and
23 the terms shall commence and end as provided by section 69.19.
24 If a vacancy occurs, a successor shall be appointed to serve
25 the unexpired term. A successor shall be appointed in the
26 same manner and subject to the same qualifications as the
27 original appointment to serve the unexpired term.

28 7. A majority of the board constitutes a quorum.

29 Sec. 3. NEW SECTION. 15F.103 DUTIES.

30 The board shall do all of the following:

31 1. Organize.

32 2. Adopt rules pursuant to chapter 17A as necessary to
33 administer this chapter.

34 3. Administer the community attraction and tourism program
35 established in section 15F.202 and the vision Iowa program

1 established in section 15F.302.

2 Sec. 4. NEW SECTION. 15F.104 COMPENSATION AND EXPENSES.

3 The members of the board are entitled to receive
4 reimbursement for actual expenses incurred while engaged in
5 the performance of official duties. A member of the board may
6 also be eligible to receive compensation as provided in
7 section 7E.6.

8 SUBCHAPTER II

9 COMMUNITY ATTRACTION AND TOURISM

10 PROGRAM AND FUND

11 Sec. 5. NEW SECTION. 15F.201 DEFINITIONS.

12 As used in this subchapter, unless the context otherwise
13 requires:

14 1. "Fund" means the community attraction and tourism fund
15 created in section 15F.204.

16 2. "Program" means the community attraction and tourism
17 program established in section 15F.202.

18 Sec. 6. NEW SECTION. 15F.202 COMMUNITY ATTRACTION AND
19 TOURISM PROGRAM.

20 1. The board shall establish and administer a community
21 attraction and tourism program to assist communities in the
22 development and creation of multiple-purpose attraction and
23 tourism facilities.

24 2. A city or county in the state or public organization
25 may submit an application to the board for financial
26 assistance for a project under the program. The assistance
27 shall be in the form of grants, loans, forgivable loans, and
28 loan guarantees. The application shall include, but not be
29 limited to, the following information:

30 a. The total capital investment of the project.

31 b. The amount or percentage of local and private matching
32 moneys which will be or have been provided for the project.

33 c. The total number of jobs to be created or retained by
34 the project.

35 d. The need of the community for the project and for the

1 financial assistance.

2 e. The long-term tax-generating impact of the project.

3 3. A school district, in cooperation with a city or
4 county, may submit a joint application for financial
5 assistance for a project under the program. The assistance
6 shall be in the form of grants, loans, forgivable loans, and
7 loan guarantees. In addition to the information required in
8 subsection 2, the application shall include a demonstration
9 that the intended future use of the project shall be by both
10 joint applicants.

11 Sec. 7. NEW SECTION. 15F.203 COMMUNITY ATTRACTION AND
12 TOURISM PROGRAM APPLICATION REVIEW.

13 1. Applications for assistance under the program shall be
14 submitted to the department. The department shall review all
15 applications for initial eligibility based upon the
16 eligibility criteria provided in this section. For those
17 applications that meet the eligibility criteria, the
18 department shall prepare a review analysis for the community
19 attraction and tourism program review committee referred to in
20 subsection 2 and the board.

21 2. A review committee composed of five members of the
22 board shall review community attraction and tourism program
23 applications submitted to the board and make recommendations
24 regarding the applications to the board. The review committee
25 shall consist of members of the board listed in section
26 15F.102, subsection 2, paragraphs "a" through "c".

27 3. When reviewing the applications, the review committee
28 shall consider, at a minimum, all of the following:

29 a. Whether the wages, benefits, including health benefits,
30 safety, and other attributes of the project would improve the
31 quality of attraction and tourism employment in the community.

32 b. The extent to which such a project would generate
33 additional recreational and cultural attractions and tourism
34 opportunities.

35 c. The ability of the project to produce a long-term tax-

1 generating economic impact.

2 d. The location of the projects and geographic diversity
3 of the applications.

4 e. The extent to which any part of the proposed project
5 meets the definition of vertical infrastructure in section
6 8.57, subsection 5, paragraph "c".

7 f. Whether the applicant has received financial assistance
8 under the program for the same project.

9 4. Upon review of the recommendations of the review
10 committee, the board shall approve, defer, or deny the
11 applications.

12 5. Upon approval of an application for financial
13 assistance under the program, the board shall notify the
14 treasurer of state regarding the amount of moneys needed to
15 satisfy the award of financial assistance and the terms of the
16 award.

17 Sec. 8. NEW SECTION. 15F.204 COMMUNITY ATTRACTION AND
18 TOURISM FUND.

19 1. A community attraction and tourism fund is created as a
20 separate fund in the state treasury under the control of the
21 board, consisting of any moneys appropriated by the general
22 assembly and any other moneys available to and obtained or
23 accepted by the board for placement in the fund.

24 2. Payments of interest, repayments of moneys loaned
25 pursuant to this subchapter, and recaptures of grants or loans
26 shall be deposited in the fund.

27 3. The fund shall be used to provide grants, loans,
28 forgivable loans, and loan guarantees under the community
29 attraction and tourism program established in section 15F.202.
30 An applicant under the community attraction and tourism
31 program shall not receive financial assistance from the fund
32 in an amount exceeding fifty percent of the total cost of the
33 project.

34 4. Moneys in the fund are not subject to section 8.33.
35 Notwithstanding section 12C.7, subsection 2, interest or

1 earnings on moneys in the fund shall be credited to the fund.

2 5. At the beginning of each fiscal year, the board shall
3 allocate all moneys in the fund in the following manner:

4 a. One-third of the moneys shall be allocated to provide
5 assistance to cities and counties which meet the following
6 criteria:

7 (1) A city which has a population of ten thousand or less
8 according to the most recently published census.

9 (2) A county which has a population that ranks in the
10 bottom thirty-three counties according to the most recently
11 published census.

12 b. Two-thirds of the moneys shall be allocated to provide
13 assistance to any city and county in the state, which may
14 include a city or county included under paragraph "a".

15 6. If two or more cities or counties submit a joint
16 project application for financial assistance under the
17 program, all joint applicants must meet the criteria of
18 subsection 5, paragraph "a", in order to receive any moneys
19 allocated under that paragraph.

20 7. If any portion of the allocated moneys under subsection
21 5, paragraph "a", has not been awarded by April 1 of the
22 fiscal year for which the allocation is made, the portion
23 which has not been awarded may be utilized by the board to
24 provide financial assistance under the program to any city or
25 county in the state.

26 SUBCHAPTER III

27 VISION IOWA PROGRAM

28 Sec. 9. NEW SECTION. 15F.301 DEFINITIONS.

29 As used in this subchapter, unless the context otherwise
30 requires:

31 1. "Fund" means the vision Iowa fund created in section
32 12.72.

33 2. "Program" means the vision Iowa program established in
34 section 15F.302.

35 Sec. 10. NEW SECTION. 15F.302 VISION IOWA PROGRAM.

1 1. The board shall establish and administer a vision Iowa
2 program to assist communities in the development of major
3 tourism facilities.

4 2. A city or county or a public organization in the state
5 may submit an application to the board for financial
6 assistance for a project under the program. For purposes of
7 this subsection, "public organization" means a nonprofit
8 economic development organization or other nonprofit
9 organization that sponsors or supports community or tourism
10 attractions and activities. The financial assistance from the
11 fund shall be in the form of grants, loans, forgivable loans,
12 pledges, and guarantees. The application shall include, but
13 not be limited to, the following information:

14 a. The total capital investment of the project, including
15 but not limited to costs for construction, site acquisition,
16 and infrastructure improvement.

17 b. A description of the proposed financing including the
18 amount or percentage of local and private matching moneys to
19 be provided for the project.

20 c. The total number of jobs to be created or retained by
21 the project.

22 d. The need of the community for the project and for
23 financial assistance.

24 e. The long-term tax-generating impact of the project.

25 f. A discussion of how the project meets other criteria
26 established in this subchapter.

27 g. The projected long-term economic viability of the
28 project, including projected revenues and expenses.

29 3. A school district, in cooperation with a city or
30 county, may submit a joint application for financial
31 assistance for a project under the program. The financial
32 assistance shall be in the form of grants, loans, forgivable
33 loans, and loan guarantees. In addition to the information
34 required in subsection 2, the application shall include a
35 demonstration that the intended future use of the project

1 shall be by both joint applicants.

2 4. The department shall provide the board with assistance
3 in developing administrative rules for the program,
4 implementing administrative functions, marketing the program,
5 providing technical assistance and application assistance to
6 applicants under the program, negotiating contracts, and
7 providing project follow-up.

8 Sec. 11. NEW SECTION. 15F.303 ELIGIBILITY.

9 1. The total cost for a project must be at least twenty
10 million dollars in order for an applicant to receive financial
11 assistance under the program.

12 2. An applicant must demonstrate local and private
13 financial and nonfinancial support for the project. Local and
14 private nonfinancial support may include the cost of labor and
15 land. Local and private financial and nonfinancial support
16 shall be at least fifty percent of the total cost of the
17 project.

18 3. In order for a project to be eligible to receive
19 financial assistance, the project must satisfy all of the
20 following criteria:

21 a. The project is primarily a vertical infrastructure
22 project with demonstrated substantial regional or statewide
23 economic impact. For purposes of this paragraph, "vertical
24 infrastructure" means land acquisition and construction, major
25 renovation and major repair of buildings, all appurtenant
26 structures, utilities, site development, and recreational
27 trails. "Vertical infrastructure" does not include routine,
28 recurring maintenance or operational expenses or leasing of a
29 building, appurtenant structure, or utility without a lease-
30 purchase agreement.

31 b. The project supports or is strategically aligned with
32 other existing regional or statewide cultural, recreational,
33 entertainment, or educational activities.

34 c. The project provides benefits to persons living outside
35 the county in which the project is located.

1 d. The project will increase the diversity of activities
2 available to citizens, workers, families, and tourists, and
3 enhance recruitment and retention of young people as
4 residents.

5 e. The project has economic or other obstacles impeding
6 local financing of the project.

7 f. The project shall attract visitors from outside the
8 state.

9 4. The board shall not approve an application for
10 assistance for any of the following purposes:

11 a. To refinance an existing loan or debt.

12 b. For a project that has previously received assistance
13 under the program, unless the applicant demonstrates that the
14 assistance would be used for a significant expansion of a
15 project.

16 Sec. 12. NEW SECTION. 15F.304 VISION IOWA PROGRAM
17 APPLICATION REVIEW.

18 1. A review committee composed of eight members of the
19 board shall review vision Iowa program applications submitted
20 to the board and make recommendations regarding the
21 applications to the board. The review committee shall consist
22 of members of the board listed in section 15F.102, subsection
23 2, paragraphs "d" through "h".

24 2. When reviewing the applications, the review committee
25 shall consider, in addition to other criteria established in
26 this subchapter, all of the following:

27 a. Whether wages, benefits, including health benefits,
28 safety, and other attributes of the project would improve the
29 quality of other existing regional or statewide cultural,
30 recreational, entertainment, and educational activities or
31 employment in the community.

32 b. The extent to which the project would generate
33 additional attraction and tourism opportunities.

34 c. The ability of the project to produce a long-term tax-
35 generating economic impact in excess of the proposed financial

1 assistance from the vision Iowa fund.

2 d. The geographic diversity of the project in combination
3 with other proposed projects.

4 e. The investment of the city, county, or region in the
5 overall project.

6 f. Other funding mechanisms.

7 g. The long-term economic viability of the project.

8 3. Upon review of the recommendations of the review
9 committee, the board shall approve, defer, or deny the
10 applications.

11 DIVISION II

12 Sec. 13. NEW SECTION. 12.71 GENERAL AND SPECIFIC BONDING
13 POWERS -- VISION IOWA PROGRAM.

14 1. The treasurer of state may issue bonds upon the request
15 of the vision Iowa board created in section 15F.102 and do all
16 things necessary with respect to the purposes of the vision
17 Iowa fund. The treasurer of state shall have all of the
18 powers which are necessary to issue and secure bonds and carry
19 out the purposes of the fund. The treasurer of state may
20 issue bonds in principal amounts which, in the opinion of the
21 treasurer of state, are necessary to provide sufficient funds
22 for the fund as requested by the vision Iowa board, the
23 payment of interest on the bonds, the establishment of
24 reserves to secure the bonds, the costs of issuance of the
25 bonds, other expenditures of the treasurer of state incident
26 to and necessary or convenient to carry out the bond issue for
27 the fund, and all other expenditures of the treasurer of state
28 necessary or convenient to administer the fund. The bonds are
29 investment securities and negotiable instruments within the
30 meaning of and for purposes of the uniform commercial code.

31 2. Bonds issued under this section are payable solely and
32 only out of the moneys, assets, or revenues of the vision Iowa
33 fund, all of which may be deposited with trustees or
34 depositories in accordance with bond or security documents and
35 pledged by the treasurer of state to the payment thereof.

1 Bonds issued under this section shall contain on their face a
2 statement that the bonds do not constitute an indebtedness of
3 the state. The treasurer of state shall not pledge the credit
4 or taxing power of this state or any political subdivision of
5 this state or make its debts payable out of any moneys except
6 those in the vision Iowa fund.

7 3. The proceeds of bonds issued by the treasurer of state
8 and not required for immediate disbursement may be deposited
9 with a trustee or depository as provided in the bond documents
10 and invested or reinvested in any investment approved by the
11 treasurer of state and specified in the trust indenture,
12 resolution, or other instrument pursuant to which the bonds
13 are issued without regard to any limitation otherwise provided
14 by law.

15 4. The bonds shall be:

16 a. In a form, issued in denominations, executed in a
17 manner, and payable over terms and with rights of redemption,
18 and be subject to such other terms and conditions as
19 prescribed in the trust indenture, resolution, or other
20 instrument authorizing their issuance.

21 b. Negotiable instruments under the laws of the state and
22 may be sold at prices, at public or private sale, and in a
23 manner, as prescribed by the treasurer of state. Chapters
24 73A, 74, 74A, and 75 do not apply to the sale or issuance of
25 the bonds.

26 c. Subject to the terms, conditions, and covenants
27 providing for the payment of the principal, redemption
28 premiums, if any, interest, and other terms, conditions,
29 covenants, and protective provisions safeguarding payment, not
30 inconsistent with this section and as determined by the trust
31 indenture, resolution, or other instrument authorizing their
32 issuance.

33 5. The bonds are securities in which public officers and
34 bodies of this state; political subdivisions of this state;
35 insurance companies and associations and other persons

1 carrying on an insurance business; banks, trust companies,
2 savings associations, savings and loan associations, and
3 investment companies; administrators, guardians, executors,
4 trustees, and other fiduciaries; and other persons authorized
5 to invest in bonds or other obligations of the state, may
6 properly and legally invest funds, including capital, in their
7 control or belonging to them.

8 6. Bonds must be authorized by a trust indenture,
9 resolution, or other instrument of the treasurer of state.
10 However, a trust indenture, resolution, or other instrument
11 authorizing the issuance of bonds may delegate to an officer
12 of the issuer the power to negotiate and fix the details of an
13 issue of bonds.

14 7. Neither the resolution, trust agreement, nor any other
15 instrument by which a pledge is created needs to be recorded
16 or filed under the Iowa uniform commercial code to be valid,
17 binding, or effective.

18 8. Bonds issued under the provisions of this section are
19 declared to be issued for a general public and governmental
20 purpose and all bonds issued under this section shall be
21 exempt from taxation by the state of Iowa and the interest on
22 the bonds shall be exempt from the state income tax and the
23 state inheritance and estate tax.

24 9. Subject to the terms of any bond documents, moneys in
25 the vision Iowa fund may be expended for administration
26 expenses.

27 10. The treasurer of state may issue its bonds for the
28 purpose of refunding any bonds or notes of the treasurer of
29 state then outstanding, including the payment of any
30 redemption premiums thereon and any interest accrued or to
31 accrue to the date of redemption of the outstanding bonds or
32 notes. Until the proceeds of bonds issued for the purpose of
33 refunding outstanding bonds or notes are applied to the
34 purchase or retirement of outstanding bonds or notes or the
35 redemption of outstanding bonds or notes, the proceeds may be

1 placed in escrow and be invested and reinvested in accordance
2 with the provisions of this section. The interest, income,
3 and profits earned or realized on an investment may also be
4 applied to the payment of the outstanding bonds or notes to be
5 refunded by purchase, retirement, or redemption. After the
6 terms of the escrow have been fully satisfied and carried out,
7 any balance of proceeds and interest earned or realized on the
8 investments may be returned to the board for use by it in any
9 lawful manner. All refunding bonds shall be issued and
10 secured and subject to the provisions of this chapter in the
11 same manner and to the same extent as other bonds issued
12 pursuant to this section.

13 Sec. 14. NEW SECTION. 12.72 VISION IOWA AND RESERVE
14 FUNDS.

15 1. A vision Iowa fund is created and established as a
16 separate and distinct fund in the state treasury. The fund
17 shall be used for purposes of the vision Iowa program
18 established in section 15F.302. An applicant under the vision
19 Iowa program shall not receive more than seventy-five million
20 dollars in financial assistance from the fund.

21 2. Revenue for the vision Iowa fund shall include, but is
22 not limited to, the following, which shall be deposited with
23 the treasurer of state or its designee as provided by any bond
24 or security documents and credited to the fund:

25 a. The proceeds of bonds issued to capitalize and pay the
26 costs of the fund and investment earnings on the proceeds.

27 b. Interest attributable to investment of money in the
28 fund or an account of the fund.

29 c. Moneys in the form of a devise, gift, bequest,
30 donation, federal or other grant, reimbursement, repayment,
31 judgment, transfer, payment, or appropriation from any source
32 intended to be used for the purposes of the fund.

33 3. Moneys in the vision Iowa fund are not subject to
34 section 8.33. Notwithstanding section 12C.7, subsection 2,
35 interest or earnings on moneys in the fund shall be credited

1 to the fund.

2 4. The treasurer of state may establish reserve funds to
3 secure one or more issues of its bonds or notes. The
4 treasurer of state may deposit in a reserve fund established
5 under this subsection the proceeds of the sale of its bonds or
6 notes and other money which is made available from any other
7 source. The treasurer of state may allow a reserve fund
8 established under this subsection to be depleted.

9 Sec. 15. NEW SECTION. 12.73 PLEDGES.

10 1. It is the intention of the general assembly that a
11 pledge made in respect of bonds or notes shall be valid and
12 binding from the time the pledge is made, that the money or
13 property so pledged and received after the pledge by the
14 authority shall immediately be subject to the lien of the
15 pledge without physical delivery or further act, and that the
16 lien of the pledge shall be valid and binding as against all
17 parties having claims of any kind in tort, contract, or
18 otherwise against the treasurer of state whether or not the
19 parties have notice of the lien.

20 2. The state pledges to and agrees with the holders of
21 bonds or notes issued under section 12.71, that the state will
22 not limit or alter the rights and powers vested in the
23 treasurer of state to fulfill the terms of a contract made by
24 the treasurer of state with respect to the bonds or notes, or
25 in any way impair the rights and remedies of the holders until
26 the bonds and notes, together with the interest on them
27 including interest on unpaid installments of interest, and all
28 costs and expenses in connection with an action or proceeding
29 by or on behalf of the holders, are fully met and discharged.
30 The treasurer of state is authorized to include this pledge
31 and agreement of the state, as it refers to holders of bonds
32 or notes of the authority, in a contract with the holders.

33 Sec. 16. NEW SECTION. 12.74 PROJECTS.

34 1. The vision Iowa board may undertake a project for two
35 or more applicants jointly or for any combination of

1 applicants, and may combine for financing purposes, with the
2 consent of all of the applicants which are involved, the
3 project and some or all future projects of any applicant, and
4 sections 12.71, 12.72, and 12.73, this section, and sections
5 12.75 and 12.76 apply to and for the benefit of the vision
6 Iowa board and the joint applicants. However, the money set
7 aside in a fund or funds pledged for any series or issue of
8 bonds or notes shall be held for the sole benefit of the
9 series or issue separate and apart from money pledged for
10 another series or issue of bonds or notes of the treasurer of
11 state. To facilitate the combining of projects, bonds or
12 notes may be issued in series under one or more resolutions or
13 trust agreements and may be fully open-ended, thus providing
14 for the unlimited issuance of additional series, or partially
15 open-ended, limited as to additional series.

16 2. For purposes of this section, "applicant" means a city
17 or county applying for financial assistance under the vision
18 Iowa program established in section 15F.302.

19 Sec. 17. NEW SECTION. 12.75 LIMITATIONS.

20 Bonds or notes issued pursuant to section 12.71 are not
21 debts of the state or of any political subdivision of the
22 state or a pledge of the faith and credit of the state or of
23 any political subdivision, but the bonds or notes are limited
24 obligations of the treasurer of state payable solely from the
25 funds or securities, pledged for their payment as authorized
26 in section 12.73, unless the bonds or notes are refunded by
27 refunding bonds or notes issued under section 12.71, which
28 refunding bonds or notes shall be payable solely from funds or
29 securities pledged for their payment as authorized in sections
30 12.71 and 12.73. All revenue bonds or notes shall contain on
31 their face a statement to the effect that the bonds or notes,
32 as to both principal and interest, are not bonds or notes of
33 the state, or of any political subdivision of the state, but
34 are limited obligations of the treasurer of state payable
35 solely from revenue or securities pledged for their payment.

1 Expenses incurred in carrying out sections 12.71 through
2 12.74, this section, and section 12.76 are payable solely from
3 funds available under those sections.

4 Sec. 18. NEW SECTION. 12.76 CONSTRUCTION.

5 Sections 12.71 through 12.75, being necessary for the
6 welfare of this state and its inhabitants, shall be liberally
7 construed to effect its purposes.

8 DIVISION III

9 Sec. 19. NEW SECTION. 292.1 DEFINITIONS.

10 As used in this chapter, unless the context otherwise
11 requires:

12 1. "Capacity per pupil" means the sum of a school
13 district's property tax infrastructure capacity per pupil and
14 the sales tax capacity per pupil.

15 2. "Committee" means the school budget review committee
16 established in section 257.30.

17 3. "Department" means the department of education
18 established in section 256.1.

19 4. "Fund" means the school infrastructure fund created in
20 section 292.3.

21 5. "Local match percentage" means a percentage equivalent
22 to either of the following, whichever is less:

23 a. Fifty percent.

24 b. The quotient of a school district's capacity per pupil
25 divided by the capacity per pupil of all school districts at
26 the fortieth percentile, multiplied by fifty, except that the
27 percentage in this paragraph shall not be less than twenty
28 percent.

29 6. "Program" means the school infrastructure program
30 established in section 292.2.

31 7. "Property tax infrastructure capacity per pupil" means
32 the sum of a school district's levies under sections 298.2 and
33 298.18 when the levies are imposed to the maximum extent
34 allowable under law in the budget year divided by the school
35 district's basic enrollment for the budget year.

1 8. "Sales tax capacity per pupil" means the estimated
2 amount of revenues that a school district receives or would
3 receive if a local sales and services tax for school
4 infrastructure is imposed at one percent pursuant to section
5 422E.2, divided by the school district's basic enrollment for
6 the budget year. For budget years beginning on or after July
7 1, 2001, the school district's actual enrollment shall be used
8 in the calculation in place of the school district's basic
9 enrollment for the budget year.

10 9. "School infrastructure" means activities initiated on
11 or after July 1, 2000, as authorized in section 296.1 but does
12 not include those activities related to stadiums, bus barns, a
13 home or homes of a teacher or superintendent, procuring a site
14 or sites or purchasing land to add to a site already owned or
15 procuring and improving a site for an athletic field, or
16 improving a site already owned for an athletic field.

17 Sec. 20. NEW SECTION. 292.2 SCHOOL INFRASTRUCTURE
18 PROGRAM.

19 1. a. The department shall establish and administer a
20 school infrastructure program to provide financial assistance
21 in the form of grants to school districts with school
22 infrastructure needs.

23 b. The department of education, in consultation with the
24 department of management, shall annually compute the property
25 tax infrastructure capacity per pupil for each school district
26 in the state.

27 c. The department of education, in consultation with the
28 department of revenue and finance and the legislative fiscal
29 bureau, shall annually calculate the estimated sales and
30 services tax for school infrastructure, if imposed at one
31 percent, that is or would be received by each school district
32 in the state pursuant to section 422E.3. These calculations
33 shall be made on a total tax and on a tax per pupil basis for
34 each school district.

35 d. The department of education, in consultation with the

1 department of revenue and finance and the department of
2 management, shall annually compute capacity per pupil and the
3 local match percentage for each school district in the state.
4 The initial calculations shall be released not later than
5 January 1, 2001. For all calculations thereafter, the
6 calculations shall be released not later than July 1 of each
7 year.

8 2. a. A school district may submit an application to the
9 department for financial assistance under the program if the
10 school district meets the district's local match percentage
11 requirement through one or more of the following sources:

12 (1) The issuance of bonds.

13 (2) Local sales and services tax moneys received pursuant
14 to section 422E.3.

15 (3) A physical plant and equipment levy under chapter 298.

16 (4) Other moneys locally obtained by the school district
17 excluding other state or federal grant moneys.

18 b. If the project is in collaboration with other public or
19 private entities, the school district shall be eligible to
20 apply for only the school district's portion of the project.

21 As such, state or federal grants received by the other
22 entities cannot be used toward the local match required under
23 paragraph "a", subparagraph (4).

24 c. A school district may submit an application for a
25 project which includes activities at more than one attendance
26 center. However, if the activities relate to new
27 construction, the project shall only relate to one attendance
28 center.

29 d. A school district may submit an application for
30 conditional approval to the department for financial
31 assistance under the program if the school district submits a
32 plan for securing the school district's local match percentage
33 as required under paragraph "a". If a school district does
34 not meet the requirements of paragraph "a" within nine months
35 of receiving conditional approval from the department, the

1 application for financial assistance shall be denied by the
2 department and the financial assistance shall be carried
3 forward to be made available under the allocation provided
4 under subsection 4, paragraph "d", for the next available
5 grant cycle.

6 e. For the fiscal year beginning July 1, 2000,
7 applications shall be submitted to the department by March 1,
8 2001. For the fiscal year beginning July 1, 2001, and every
9 fiscal year thereafter, applications shall be submitted to the
10 department by October 15 of each year.

11 f. For the fiscal year beginning July 1, 2000, the
12 department shall notify all approved applicants by May 1,
13 2001, regarding the approval of the application. For the
14 fiscal year beginning July 1, 2001, and every fiscal year
15 thereafter, the department shall notify all approved
16 applicants by December 15 of each year regarding the approval
17 of the application.

18 g. An applicant which is not successful in obtaining
19 financial assistance under the program may reapply for
20 financial assistance in succeeding years.

21 3. The application shall include, but shall not be limited
22 to, the following information:

23 a. The total capital investment of the project.

24 b. The amount and percentage of moneys which the school
25 district will be providing for the project.

26 c. The infrastructure needs of the school district,
27 especially the fire and health safety needs of the school
28 district, and including the extent to which the project would
29 allow the school district to meet the infrastructure needs of
30 the school district on a long-term basis.

31 d. The financial assistance needed by the school district
32 based upon the capacity per pupil.

33 e. Any previous efforts by the school district to secure
34 infrastructure funding from federal, state, or local
35 resources, including any funding received for any project

1 under the Iowa demonstration construction grant program. The
2 previous efforts shall be evaluated on a case-by-case basis.

3 f. Evidence that the school district meets or will meet
4 the local match percentage requirement in subsection 2,
5 paragraph "a".

6 g. The nature of the proposed project and its relationship
7 to improving educational opportunities for the students.

8 h. Evidence that the school district has reorganized on or
9 after July 1, 2000, or that the school district has initiated
10 a resolution to reorganize by July 1, 2004, or entered into an
11 innovative collaboration with another school district or
12 school districts.

13 i. Evidence that the school district receives sales and
14 services tax for school infrastructure funding under section
15 422E.3.

16 4. A school district shall not receive more than one grant
17 under the program. The financial assistance shall be in the
18 form of grants and shall be allocated in the following manner:

19 a. Twenty-five percent of the financial assistance each
20 year shall be awarded to school districts with an enrollment
21 of one thousand one hundred ninety-nine students or less.

22 b. Twenty-five percent of the financial assistance each
23 year shall be awarded to school districts with an enrollment
24 of more than one thousand one hundred ninety-nine students but
25 not more than four thousand seven hundred fifty students.

26 c. Twenty-five percent of the financial assistance each
27 year shall be awarded to school districts with an enrollment
28 of more than four thousand seven hundred fifty students.

29 d. Twenty-five percent of the financial assistance each
30 year, any financial assistance not awarded under paragraphs
31 "a" through "c", and financial assistance not awarded in
32 previous fiscal years shall be awarded to school districts
33 with any size enrollment.

34 5. A district shall receive the lesser of one million
35 dollars of financial assistance under the program, or the

1 total capital investment of the project minus the local match
2 requirement. The program shall provide grants each year for a
3 period of five years.

4 6. The school budget review committee shall review all
5 applications for financial assistance under the program and
6 make recommendations regarding the applications to the
7 department. The department shall make the final determination
8 on grant awards. The school budget review committee shall
9 base the recommendations on the criteria established pursuant
10 to subsections 3 and 7.

11 7. The department shall form a task force to review
12 applications for financial assistance and provide
13 recommendations to the school budget review committee. The
14 task force shall include, at a minimum, representatives from
15 the kindergarten through grade twelve education community, the
16 state fire marshal, and individuals knowledgeable in school
17 infrastructure and construction issues. The department, in
18 consultation with the task force, shall establish the
19 parameters and the details of the criteria for awarding grants
20 based on the information listed in subsection 3, including
21 greater priority to the following:

- 22 a. A school district with a lower capacity per pupil.
- 23 b. A school district whose plans address specific occupant
24 safety issues.
- 25 c. A school district reorganizing or collaborating as
26 described in subsection 3, paragraph "h".
- 27 d. A school district for which a sales and services tax
28 for school infrastructure has not been imposed pursuant to
29 section 422E.2 or a school district receiving minimal revenues
30 under section 422E.3 when the total enrollment of the school
31 district is considered.

32 8. Notwithstanding section 8.57, subsection 5, paragraph
33 "c", from the funds appropriated annually to this program, the
34 amount of fifty thousand dollars shall be allocated annually
35 during the term of the program, beginning on the effective

1 date of this Act, to the department of public safety for the
2 use of the state fire marshal. The funds shall be used by the
3 state fire marshal solely for the purpose of retaining an
4 architect or architectural firm to evaluate structures for
5 which grant applications are made, to consult with school
6 district representatives and builders, to review construction
7 drawings and blueprints, and to perform related duties at the
8 direction of the state fire marshal to ensure the best
9 possible use of moneys received under the program by a school
10 district.

11 9. An applicant receiving financial assistance under the
12 program shall submit a progress report to the department of
13 education as requested by the department which shall include a
14 description of the activities under the project, the status of
15 the implementation of the project, and any other information
16 required by the department.

17 Sec. 21. NEW SECTION. 292.3 SCHOOL INFRASTRUCTURE FUND.

18 1. A school infrastructure fund is created in the state
19 treasury under the control of the department consisting of
20 moneys appropriated by the general assembly and any other
21 moneys available to and obtained by the department for
22 placement in the fund.

23 2. The fund shall be used to provide financial assistance
24 in the form of grants under the school infrastructure program.

25 3. Moneys in the fund are not subject to section 8.33.

26 Sec. 22. NEW SECTION. 292.4 RULES.

27 The department shall adopt rules, pursuant to chapter 17A,
28 necessary for administering the school infrastructure program
29 and fund.

30 Sec. 23. Sections 15.371 through 15.373, Code Supplement
31 1999, are repealed.

32 Sec. 24. REPEAL AND REENACTMENT -- CONTINUATION. The
33 repeal and reenactment of Code sections relating to the
34 community attraction and tourism development program and the
35 community attraction and tourism development fund are intended

1 to be a continuation of the prior statutes and not a new
2 enactment, so far as the new enactment is the same as the
3 prior statutes. The repeal and reenactment of Code sections
4 relating to the community attraction and tourism development
5 program and the community attraction and tourism development
6 fund shall not cause moneys in the current community
7 attraction and tourism development fund to revert to any other
8 fund but such moneys shall remain in the community attraction
9 and tourism fund established in Code section 15F.204 for
10 expenditure for subsequent fiscal years.

11 Sec. 25. This Act prevails over the provisions of 2000
12 Iowa Acts, House File 2392, if enacted, relating to any
13 amendments to the community attraction and tourism development
14 program and fund, which provisions are void.

15 EXPLANATION

16 This bill creates a vision Iowa board to administer a
17 community attraction and tourism program and a vision Iowa
18 program. The bill provides that the board consists of 13
19 members, with most members appointed for three-year staggered
20 terms. The bill provides that the board shall be located
21 within the department of economic development for
22 administrative purposes. The bill provides for the
23 compensation and reimbursement of expenses of board members.

24 The bill provides for the repeal of sections in the Code
25 relating to the community attraction and tourism development
26 program and fund, moves these sections to new Code chapter
27 15F, and changes the name to the community attraction and
28 tourism program and fund. The program is designed to assist
29 communities in the development and creation of multiple-
30 purpose attraction and tourism facilities. The bill amends
31 these sections by allowing a school district to submit a joint
32 application for financial assistance with a city or county.
33 The bill amends these sections by providing that an applicant
34 shall not receive financial assistance in an amount exceeding
35 50 percent of the total cost of a project. The bill amends

1 these sections by providing for a review committee consisting
2 of certain members of the board to review the applications for
3 assistance and make recommendations to the board. The bill
4 provides that upon review of the recommendations, the board
5 shall approve, defer, or deny the applications. The bill also
6 amends these sections by providing for the allocation of one-
7 third of the moneys in the fund to provide assistance to
8 cities with a population of 10,000 or less according to the
9 most recently published census and to counties with a
10 population that ranks in the bottom 33 counties according to
11 the most recently published census. The bill provides that
12 any allocated moneys which are not awarded by April 1 of each
13 fiscal year may be utilized to provide assistance to any city
14 or county in the state.

15 The bill provides for the establishment of the vision Iowa
16 program. The bill provides that the program is designed to
17 assist communities in the development of major tourism
18 facilities. The bill provides a review committee consisting
19 of certain members of the board to review the applications for
20 assistance and make recommendations to the board. The bill
21 provides that upon review of the recommendations, the board
22 shall approve, defer, or deny the applications. The bill
23 provides that the total cost of a project must be at least \$20
24 million in order for an applicant to receive assistance. The
25 bill provides that local and private financial and
26 nonfinancial support must be demonstrated by the applicant and
27 such support must be at least 50 percent of the total cost of
28 the project. The bill provides that assistance under the
29 program shall not be used to refinance a loan or debt and a
30 project shall not receive more than one award under the
31 program unless the applicant demonstrates that the assistance
32 would be used for a significant expansion of the project.

33 The bill provides the treasurer of state with powers
34 relating to issuance of bonds and the deposit or disbursement
35 of bond proceeds. The bill provides that the bonds are

1 payable solely and only out of the moneys, assets, or revenues
2 of the vision Iowa fund. The bill provides for the form the
3 bonds shall take. The bill provides for persons authorized to
4 invest in the bonds, the manner in which the bonds shall be
5 authorized, and that the authorization does not need to be
6 recorded to be valid and binding. The bill provides that the
7 interest on the bonds shall be exempt from the state income
8 tax and the state inheritance and estate tax. The bill allows
9 the moneys in the vision Iowa fund to be used for
10 administrative purposes and allows the treasurer of state to
11 issue refunding bonds.

12 The bill provides for the creation of a vision Iowa fund as
13 a separate and distinct fund in the state treasury to be used
14 for purposes of the vision Iowa program. The bill provides
15 that revenue for the fund shall include proceeds of bonds
16 issued to capitalize the fund and other moneys received for
17 purposes of the fund. The bill provides that an applicant
18 shall not receive more than \$75 million in financial
19 assistance from the fund. The bill provides the treasurer of
20 state with the power to establish reserve funds to secure one
21 or more issues of its bonds or notes.

22 The bill provides for the binding and valid nature of a
23 pledge made in respect of bonds or notes issued by the
24 treasurer of state. The bill provides that the state will not
25 limit or alter the rights and powers vested in the treasurer
26 of state to fulfill the terms of a contract made by the
27 treasurer of state with respect to bonds or notes.

28 The bill provides the board with the ability to undertake a
29 project for two or more applicants jointly and combine, for
30 financing purposes, a project with some or all future projects
31 of an applicant.

32 The bill provides that obligations issued by the treasurer
33 of state are not debts of the state or of any political
34 subdivision of the state or a pledge of the faith and credit
35 of the state or of any political subdivision, but the

1 obligations are limited obligations of the treasurer of state.

2 The bill provides for the liberal construction of the
3 bonding provisions of the bill.

4 The bill provides that repeal and reenactment of Code
5 sections relating to the community attraction and tourism
6 development program and fund are intended to be a continuation
7 of the prior statutes and that moneys in the current community
8 attraction and tourism fund shall not revert to any other
9 fund.

10 The bill creates a school infrastructure program and fund
11 to provide financial assistance in the form of grants to
12 certain school districts with infrastructure needs. The bill
13 provides that a school district may apply for financial
14 assistance under the program if the school meets the school
15 district's local match percentage through the issuance of
16 bonds, the local sales and services tax for school
17 infrastructure moneys received pursuant to section 422E.3, a
18 physical plant and equipment levy under Code chapter 298, or
19 other moneys locally obtained by the school district excluding
20 other state or federal grants. The bill provides that the
21 local match percentage means the lesser of 50 percent or the
22 quotient of the school district's capacity per pupil divided
23 by the capacity per pupil for all school districts at the
24 fortieth percentile multiplied by 50. However, the bill
25 provides that the local match percentage shall not be less
26 than 20 percent. The bill provides for the calculation of
27 capacity per pupil by the department of education, in
28 consultation with the department of revenue and finance, the
29 department of management, and the legislative fiscal bureau.
30 The bill provides that a school district may apply for
31 conditional approval of a grant in order to secure the
32 remaining costs of the project.

33 The department is required to form a task force to review
34 applications for financial assistance under the school
35 infrastructure program and provide recommendations to the

1 school budget review committee.

2 The bill requires the school budget review committee to
3 review all applications for financial assistance to determine
4 qualifying grant recipients and to make recommendations to the
5 department of education, with the department making final
6 grant awards. The school budget review committee's
7 recommendations shall be based on certain criteria. The bill
8 provides that, under the program, grants shall be awarded each
9 year plus any unexpended moneys from previous years for a
10 period of five years. The bill provides that a school
11 district shall not receive more than one grant under the
12 program and that the grant shall equal the lesser of \$1
13 million or the total capital investment of the project minus
14 the local match requirement.

15 The bill allows for the appropriation of \$50,000 annually
16 to the department of public safety from moneys appropriated
17 for purposes of this program to be used for retaining an
18 architect or architectural firm.

19 The bill provides that applicants receiving financial
20 assistance under the program shall submit a progress report to
21 the department of education as requested by the department.

22 The bill provides that this bill shall prevail over
23 provisions of 2000 Iowa Acts, House File 2392, if enacted,
24 relating to any amendments to the community attraction and
25 tourism development program and fund, which provisions are
26 void.

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SENATE FILE 2447

S-5371

- 1 Amend Senate File 2447 as follows:
2 1. Page 16, line 25, by striking the words "all
3 school districts" and inserting the following: "the
4 school district".
5 2. Page 17, lines 6 and 7, by striking the words
6 "budget years beginning on or after July 1, 2001" and
7 inserting the following: "the budget year beginning
8 July 1, 2000".
9 3. Page 17, by striking lines 13 and 14 and
10 inserting the following: "home or homes of a teacher
11 or superintendent,".
12 4. Page 18, line 8, by inserting after the letter
13 "a." the following: "A school district's local match
14 requirement is equivalent to the total investment of a
15 project multiplied by the school district's local
16 match percentage."
17 5. Page 18, line 10, by striking the word
18 "percentage".
19 6. Page 18, line 12, by inserting after the word
20 "bonds" the following: "pursuant to section 298.18".
21 7. Page 18, line 22, by striking the word
22 "required" and inserting the following:
23 "requirement".
24 8. Page 18, lines 32 and 33, by striking the
25 words "percentage as required" and inserting the
26 following: "requirement".
27 9. Page 18, line 34, by striking the word
28 "requirements" and inserting the following: "local
29 match requirement".
30 10. Page 20, line 4, by striking the word
31 "percentage".

By COMMITTEE ON WAYS AND MEANS
JoANN JOHNSON, Chairperson

S-5371 FILED APRIL 6, 2000

*adopted**4-17-00**(P.1200)*

SENATE FILE 2447

S-5418

1 Amend Senate File 2447 as follows:

2 1. Page 6, by inserting after line 30 the
3 following:

4 "0A. "Community incentive designation" means a
5 designation achieved by an applicant which has
6 satisfied all of the criteria provided in section
7 15F.303, subsection 3, and, in addition, has
8 demonstrated local or private financial or
9 nonfinancial support in an amount equal to two-thirds
10 of any amount, up to fifty million dollars, requested
11 by the applicant above seventy-five million dollars."

12 2. Page 9, by striking lines 12 through 15 and
13 inserting the following:

14 "b. For a project that has previously received
15 assistance under the program, unless the applicant
16 demonstrates either of the following:

17 (1) The assistance would be used for a significant
18 expansion of a project.

19 (2) The project has a particular international or
20 global focus that could result in broader recognition
21 of the state's recreational or educational prominence
22 or the applicant achieves a community incentive
23 designation."

24 3. Page 13, line 18, by striking the word "An",
25 and inserting the following: "Except for an applicant
26 who has achieved a community incentive designation,
27 an".

28 4. By renumbering as necessary.

By MARY A. LUNDBY
ANDY McKEAN

WALLY E. HORN
ROBERT E. DVORSKY

S-5418 FILED APRIL 13, 2000

0/0
4/17/00
(P. 1202)

SENATE FILE 2447

S-5419

1 Amend Senate File 2447 as follows:
 2 1. Page 9, by inserting after line 15 the
 3 following:
 4 "5. If moneys are appropriated for purposes of the
 5 vision Iowa fund established in section 12.72, up to
 6 two million dollars may be used by the board for
 7 community planning grants during the first fiscal year
 8 of the program to assist applicants in planning for
 9 proposed projects. A community planning grant awarded
 10 to an applicant under this subsection shall not exceed
 11 four hundred thousand dollars and shall utilize the
 12 same application process provided for an applicant
 13 under the vision Iowa program. Moneys that are
 14 allocated for community planning grants are exempt
 15 from the award limitation provided in section 12.72,
 16 subsection 1, and an applicant receiving a community
 17 planning grant shall not be deemed to have previously
 18 received assistance under the vision Iowa program."

By MARY A. LUNDBY ROBERT E. DVORSKY
 ANDY McKEAN JOE BOLKCOM
 WALLY E. HORN

S-5419 FILED APRIL 13, 2000

doct
4-17-00 (P.1203) SENATE FILE 2447

S-5420

1 Amend Senate File 2447 as follows:
 2 1. Page 7, line 29, by striking the words "school
 3 district" and inserting the following: "school
 4 corporation".

By MARY A. LUNDBY ROBERT E. DVORSKY
 ANDY McKEAN JOE BOLKCOM
 WALLY E. HORN

S-5420 FILED APRIL 13, 2000

doct
4-17-00 (P.1202) SENATE FILE 2447

S-5421

1 Amend Senate File 2447 as follows:
 2 1. Page 9, by striking lines 12 through 15 and
 3 inserting the following:
 4 "b. For a project that has previously received
 5 assistance under the program, unless the applicant
 6 demonstrates either of the following:
 7 (1) The assistance would be used for a significant
 8 expansion of a project.
 9 (2) The project has a particular international or
 10 global focus that could result in broader recognition
 11 of the state's recreational or educational
 12 prominence."

By MARY A. LUNDBY JOE BOLKCOM
 ANDY McKEAN ROBERT E. DVORSKY
 WALLY E. HORN

S-5421 FILED APRIL 13, 2000

WIP 4/17/00 (P.1202)

SENATE FILE 2447

S-5434

1 Amend Senate File 2447 as follows:

2 1. Page 1, line 17, by inserting after the word
3 "board." the following: "In performing its functions
4 the board is performing a public function on behalf of
5 the state and is a public instrumentality of the
6 state."

7 2. Page 2, line 29, by inserting before the word
8 "DUTIES" the following: "BOARD".

9 3. By striking page 2, line 32, through page 3,
10 line 1, and inserting the following:

11 "2. Establish the vision Iowa program and the
12 community attraction and tourism program.

13 3. Oversee and provide approval of the
14 administration of the vision Iowa program and the
15 community attraction and tourism program by the
16 department.

17 4. Request the treasurer of state to issue bonds
18 on behalf of the board for purposes of the vision Iowa
19 program."

20 4. Page 3, by inserting before line 2 the
21 following:

22 "Sec. ____ . NEW SECTION. 15F.103A DEPARTMENT
23 DUTIES.

24 The department, subject to approval by the board,
25 shall adopt administrative rules pursuant to chapter
26 17A necessary to administer the community attraction
27 and tourism program and the vision Iowa program. The
28 department shall provide the board with assistance in
29 implementing administrative functions, marketing the
30 programs, providing technical assistance and
31 application assistance to applicants under the
32 programs, negotiating contracts, and providing project
33 follow-up. The department, in cooperation with the
34 treasurer of state, may conduct negotiations on behalf
35 of the board with applicants regarding terms and
36 conditions applicable to awards under the programs."

37 5. Page 3, line 20, by inserting after the word
38 "and" the following: "the department, subject to
39 direction and approval by the board, shall".

40 6. Page 3, line 30, by inserting after the word
41 "project" the following: ", including but not limited
42 to costs for construction, site acquisition, and
43 infrastructure improvement".

44 7. Page 4, by striking lines 14 through 16 and
45 inserting the following: "submitted to the
46 department. For those".

47 8. Page 4, line 18, by striking the words
48 "prepare a review analysis for" and inserting the
49 following: "provide a staff review analysis and
50 evaluation to".

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Page 2

1 9. Page 4, line 27, by inserting after the word
2 "committee" the following: "and the department".

3 10. Page 5, by striking lines 4 through 6 and
4 inserting the following:

5 "e. The project is primarily a vertical
6 infrastructure project with demonstrated substantial
7 regional or statewide economic impact. For purposes
8 of the program, "vertical infrastructure" means land
9 acquisition and construction, major renovation and
10 major repair of buildings, all appurtenant structures,
11 utilities, site development, and recreational trails.
12 "Vertical infrastructure" does not include routine,
13 recurring maintenance or operational expenses or
14 leasing of a building, appurtenant structure, or
15 utility without a lease-purchase agreement."

16 11. Page 5, line 16, by inserting after the word
17 "award." the following: "The treasurer of state shall
18 notify the department anytime moneys are disbursed to
19 a recipient of financial assistance under the
20 program."

21 12. Page 7, line 1, by inserting after the word
22 "and" the following: "the department, subject to
23 direction and approval by the board, shall".

24 13. Page 8, by striking lines 2 through 7.

25 14. Page 8, by striking lines 12 through 17 and
26 inserting the following:

27 "2. An applicant must demonstrate financial and
28 nonfinancial support for the project which may be from
29 a public or private source. Nonfinancial support may
30 include, but is not limited to, the the value of labor
31 and services, real and personal property donated for
32 purposes of the project, and the use of real and
33 personal property for purposes of the project. The
34 financial and nonfinancial support for the project
35 described under this subsection shall equal at least
36 fifty percent of the total cost of the project."

37 15. Page 8, line 23, by striking the words "this
38 paragraph" and inserting the following: "the
39 program".

40 16. Page 9, by striking line 11 and inserting the
41 following:

42 "a. To refinance a loan existing prior to the
43 initial application date."

44 17. Page 9, by inserting after line 17 the
45 following:

46 "0A. Applications for assistance under the program
47 shall be submitted to the department. For those
48 applications that meet the eligibility criteria, the
49 department shall provide a staff review and evaluation
50 to the vision Iowa program review committee referred

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Page 3

1 to in subsection 1 and the board."

2 18. Page 9, line 24, by inserting after the word
3 "committee" the following: "and the department".

4 19. Page 10, line 21, by striking the words
5 "treasurer of state", and inserting the following:
6 "board".

7 20. Page 10, by striking line 22 and inserting
8 the following: "for the vision Iowa fund created in
9 section 12.72, the".

10 21. Page 10, line 27, by striking the words
11 "treasurer of state", and inserting the following:
12 "board".

13 22. Page 10, line 28, by inserting after the word
14 "fund" the following: "; provided, however, excluding
15 the issuance of refunding bonds, bonds issued pursuant
16 to section 12.71 shall not be issued in an aggregate
17 principal amount which exceeds three hundred million
18 dollars".

19 23. Page 10, line 33, by inserting after the word
20 "fund" the following: "and any bond reserve funds
21 established pursuant to section 12.72".

22 24. Page 10, line 35, by striking the words
23 "treasurer of state" and inserting the following:
24 "board".

25 25. Page 11, line 5, by striking the words "its
26 debts" and inserting the following: "bonds issued
27 pursuant to this section".

28 26. Page 11, lines 10 and 11, by striking the
29 words "approved by the treasurer of state" and
30 inserting the following: "as directed by the board".

31 27. Page 12, line 9, by inserting after the word
32 "state" the following: "approved by the board".

33 28. Page 12, line 12, by striking the word
34 "issuer", and inserting the following: "board".

35 29. Page 12, line 27, by striking the word "its".

36 30. Page 12, lines 28 and 29, by striking the
37 words "of the treasurer of state" and inserting the
38 following: "issued pursuant to this section".

39 31. Page 13, lines 8 and 9, by striking the words
40 "use by it in any lawful manner" and inserting the
41 following: "deposit in the vision Iowa fund
42 established in section 12.72".

43 32. Page 13, by striking lines 16 through 18 and
44 inserting the following: "separate and distinct fund
45 in the state treasury. The moneys in the fund are
46 appropriated to the board for purposes of the vision
47 Iowa program established in section 15F.302. Moneys
48 in the fund shall not be subject to appropriation for
49 any other purpose by the general assembly, but shall
50 be used only for the purposes of the vision Iowa fund.

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Page 4

1 The treasurer of state shall act as custodian of the
2 fund and disburse moneys contained in the fund as
3 directed by the board, including automatic
4 disbursements of funds received pursuant to the terms
5 of bond indentures and documents and security
6 provisions to trustees. The fund shall be
7 administered by the board which shall make
8 expenditures from the fund consistent with the
9 purposes of the vision Iowa program without further
10 appropriation. An applicant under the vision".

11 33. Page 14, line 3, by striking the words "its
12 bonds or notes" and inserting the following: "bonds
13 or notes issued pursuant to section 12.71".

14 34. Page 14, line 5, by striking the word "its".

15 35. Page 14, line 22, by inserting after the
16 words "in the" the following: "board or the".

17 36. Page 14, lines 23 and 24, by striking the
18 words "by the treasurer of state".

19 37. Page 14, by striking lines 27 through 32 and
20 inserting the following: "including interest on
21 unpaid installments of interest, are fully met and
22 discharged."

23 38. Page 15, line 17, by inserting after the word
24 "county" the following: "or public organization".

25 39. By striking page 15, line 20, through page
26 16, line 3, and inserting the following:

27 "Bonds or notes issued pursuant to section 12.71
28 are not debts of the state, or of any political
29 subdivision of the state and do not constitute a
30 pledge of the faith, and credit of the state or a
31 charge against the general credit or general fund of
32 the state. The issuance of any bonds or notes
33 pursuant to section 12.71 by the treasurer of state
34 does not directly, indirectly, or contingently
35 obligate the state or a political subdivision of the
36 state to apply moneys from, or to levy or pledge any
37 form of taxation whatever, to the payment of the bonds
38 or notes. Bonds and notes issued under section 12.71
39 are payable solely and only from the sources and
40 special fund provided in section 12.72."

41 40. By striking page 21, line 32, through page
42 22, line 10.

43 41. Page 22, by inserting after line 29 the
44 following:

45 "Sec. ____ . Section 384.95, subsection 1, Code
46 1999, is amended to read as follows:

47 1. "Public improvement" means any building or
48 construction work, either within or outside the
49 corporate limits of a city, to be paid for in whole or
50 in part by the use of funds of the city, regardless of

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Page 5

1 sources, including a building or improvement
 2 constructed or operated jointly with any other public
 3 or private agency, but excluding urban renewal
 4 demolition and low-rent housing projects, industrial
 5 aid projects authorized under chapter 419, emergency
 6 work or work performed by employees of a city or a
 7 city utility."

8 42. Page 23, line 10, by inserting after the word
 9 "years." the following: "The repeal and reenactment
 10 of Code sections relating to the community attraction
 11 and tourism development program and the community
 12 attraction and tourism development fund shall not
 13 nullify any awards made under the program based on
 14 appropriations made in 1999 Iowa Acts, chapter 204,
 15 section 3, subsection 2, for the fiscal years
 16 beginning July 1, 1999, and July 1, 2000."

17 43. Title page, line 1, by inserting after the
 18 word "Act" the following: "relating to public
 19 improvements and".

20 44. Title page, line 4, by striking the word
 21 "development".

22 45. By renumbering as necessary.

By JEFF LAMBERTI

S-5434 FILED APRIL 17, 2000

ADOPTED

(P. 1200)

SENATE FILE 2447

S-5437

1 Amend Senate File 2447 as follows:

2 1. Page 6, by inserting after line 25 the
 3 following:

4 "8. Of any moneys appropriated for deposit in the
 5 fund, up to ten percent may be used for the
 6 development of marketing efforts and promotion of Iowa
 7 tourism attractions and events in markets outside the
 8 state. Moneys for such out-of-state marketing and
 9 promotion shall be allocated equally among the three
 10 tourism regions in the state."

By NEAL SCHUERER
 MARY A. LUNDBY
 JOHN W. JENSEN
 DAVID MILLER
 JERRY BEHN
 H. KAY HEDGE
 STEVE KING
 JOHN P. KIBBIE

JOHN JUDGE
 BILL FINK
 KEN VEENSTRA
 NANCY BOETTGER
 KITTY REHBERG
 RICHARD F. DRAKE
 PATRICIA HARPER
 STEVEN D. HANSEN

S-5437 FILED APRIL 17, 2000

LOST, MTR FILED; MTR - WITHDRAWN

(P. 1206)

SENATE FILE 2447

S-5447

1 Amend Senate File 2447 as follows:

DIV 2 1. Page 4, by inserting after line 10 the
A 3 following:

4 "4. With the moneys appropriated for purposes of
5 the community attraction and tourism program, the
6 board shall approve for funding one project each
7 fiscal year from each quadrant of the state that
8 otherwise qualifies for financial assistance under the
9 program and that includes an innovation which is an
10 example of unique community collaboration. The
11 projects selected under this subsection shall
12 represent joint efforts by multiple taxing
13 authorities, all levels of education, family and
14 community service providers, and municipal and other
15 public organizations offering activities in the
16 community, including, but not limited to, the
17 performing arts, presentations via technological
18 means, and wellness and health-related activities."

DIV 19 2. Page 4, line 30, by inserting after the word
B 20 "improve" the following: "the quality of life or".

21 3. Page 4, by striking lines 33 and 34 and
22 inserting the following: "or provide additional
23 recreational, artistic, cultural, and wellness
24 attractions, and tourism opportunities."

25 4. Page 5, line 1, by inserting after the word
26 "impact" the following: ", including but not limited
27 to attracting additional residents and businesses".

28 5. Page 5, line 3, by inserting after the word
29 "applications" the following: "or the ability of the
30 projects to serve the region with activities not
31 otherwise available".

32 6. Page 5, by inserting after line 8 the
33 following:

34 "____. The extent to which a project would provide
35 recreational or cultural attractions or tourism
36 opportunities, wellness activities, linkages with
37 performing art centers throughout the state, or models
38 which other communities could use to expand
39 recreational, cultural, or wellness activities.

40 _____. Whether the project supports or is
41 strategically aligned with other existing regional or
42 statewide cultural, recreational, entertainment, or
43 educational activities.

44 _____. The extent to which the project shows
45 collaboration between multiple taxing authorities at
46 the local level and demonstrates maximum use of local
47 tax dollars, public-private partnerships,
48 collaboration between all levels of education, and
49 innovative use of public services.

50 _____. The extent to which the project utilizes

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DIV 1 technology including, but not limited to, the Iowa
 B 2 communications network, the internet, and high-speed
 3 data networks to share program offerings to the region
 4 in which the project is located."

DIV 5 7. Page 6, line 14, by inserting after the letter
 A 6 "a" the following: "Of the moneys allocated under
 7 this paragraph, one million dollars shall be allocated
 8 each year for a project approved for funding pursuant
 9 to section 15F.202, subsection 4."

10 8. By renumbering as necessary.

By KITTY REHBERG

S-5447 FILED APRIL 17, 2000

DIV A - WITHDRAWN; DIV B - LOST

SENATE FILE 2447

S-5453

1 Amend Senate File 2447 as follows:
 2 1. Page 7, line 29, by inserting after the word
 3 "district," the following: "community college,
 4 institution of higher learning under the control of
 5 the state board of regents, or accredited private
 6 institution as defined in section 261.9,".

By DONALD B. REDFERN

S-5453 FILED APRIL 17, 2000

LOST

(P. 1202)

SENATE FILE 2447

S-5454

1 Amend Senate File 2447 as follows:
 2 1. Page 13, line 19, by striking the word
 3 "seventy-five" and inserting the following: "fifty".

By DONALD B. REDFERN

S-5454 FILED APRIL 17, 2000

LOST

(P. 1203)

SENATE FILE 2447

S-5455

1 Amend Senate File 2447 as follows:
 2 1. Page 13, line 20, by inserting after the word
 3 "fund" the following: ", including principal and
 4 interest".

By DERRYL McLAREN

S-5455 FILED APRIL 17, 2000

LOST

(P. 1204)

SENATE FILE 2447

S-5458

- 1 Amend Senate File 2447 as follows:
2 1. Page 3, by inserting after line 7 the
3 following:
4 "Sec. ____ . NEW SECTION. 15F.105 BENEFITS.
5 Any applicant awarded financial assistance by the
6 board under both the vision Iowa program established
7 in section 15F.302 and the community attraction and
8 tourism program established in section 15F.202 shall
9 provide and pay at least fifty percent of the cost of
10 a standard medical insurance plan for all full-time
11 employees working at the project after the completion
12 of the project for which financial assistance was
13 received."
14 2. By renumbering as necessary.

By DERRYL McLAREN

S-5458 FILED APRIL 17, 2000

ADOPTED

p. 1201

SENATE FILE 2447

S-5460

- 1 Amend Senate File 2447 as follows:
2 1. Page 8, line 35, by inserting after the word
3 "located" the following: "or to persons living
4 outside the state".
5 2. Page 9, by striking lines 7 and 8.
6 3. By renumbering as necessary.

By DONALD B. REDFERN

S-5460 FILED APRIL 17, 2000

ADOPTED

(p. 1202)

SENATE FILE 2447

S-5462

- 1 Amend Senate File 2447 as follows:
2 1. Page 13, line 20, by inserting after the word
3 "fund" the following: ", unless at least two-thirds
4 of the board approves an amount of financial
5 assistance exceeding seventy-five million dollars".

By MARY A. LUNDBY
DENNIS H. BLACK

S-5462 FILED APRIL 17, 2000

WITHDRAWN

(p. 1205)

SENATE FILE 2447

S-5463

- 1 Amend Senate File 2447 as follows:
- 2 1. Page 8, line 24, by striking the words
- 3 "acquisition and" and inserting the following:
- 4 "acquisition,".

By ANDY MCKEAN
DENNIS H. BLACK

S-5463 FILED APRIL 17, 2000

WITHDRAWN

(P. 1204)

SENATE FILE 2447

S-5465

- 1 Amend Senate File 2447 as follows:
- 2 1. Page 6, line 7, by striking the word "ten" and
- 3 inserting the following: "fifteen".

By JOHN P. KIBBIE
EUGENE S. FRAISE

S-5465 FILED APRIL 17, 2000

LOST

(P. 1204)

SENATE FILE 2447

S-5466

- 1 Amend Senate File 2447 as follows:
- 2 1. Page 21, by striking lines 2 and 3 and
- 3 inserting the following: "requirement. The program
- 4 shall provide grants in an amount of not more than ten
- 5 million dollars during the fiscal year beginning July
- 6 1, 2000, not more than twenty million dollars during
- 7 the fiscal year beginning July 1, 2001, and not more
- 8 than twenty million dollars during the fiscal year
- 9 beginning July 1, 2002."

By JEFF LAMBERTI

S-5466 FILED APRIL 17, 2000

ADOPTED

(P. 1206)

SENATE FILE 2447

S-5467

1 Amend Senate File 2447 as follows:

2 1. Page 16, by inserting after line 7 the
3 following:

4 "Sec. ____ . NEW SECTION. 12.81 GENERAL AND
5 SPECIFIC BONDING POWERS -- SCHOOL INFRASTRUCTURE
6 PROGRAM.

7 1. The treasurer of state may issue bonds for
8 purposes of the school infrastructure program
9 established in section 292.2. Excluding the issuance
10 of refunding bonds, the treasurer of state shall not
11 issue bonds which result in the deposit of bond
12 proceeds of more than fifty million dollars into the
13 school infrastructure fund. The treasurer of state
14 shall have all of the powers which are necessary to
15 issue and secure bonds and carry out the purposes of
16 the fund. The treasurer of state may issue bonds in
17 principal amounts which are necessary to provide funds
18 for the fund as provided by this section, the payment
19 of interest on the bonds, the establishment of
20 reserves to secure the bonds, the costs of issuance of
21 the bonds, other expenditures of the treasurer of
22 state incident to and necessary or convenient to carry
23 out the bond issue for the fund, and all other
24 expenditures of the treasurer of state necessary or
25 convenient to administer the fund. The bonds are
26 investment securities and negotiable instruments
27 within the meaning of and for purposes of the uniform
28 commercial code.

29 2. Bonds issued under this section are payable
30 solely and only out of the moneys, assets, or revenues
31 of the school infrastructure fund and any bond reserve
32 funds, all of which may be deposited with trustees or
33 depositories in accordance with bond or security
34 documents and pledged by the treasurer of state to the
35 payment thereof. Bonds issued under this section
36 shall contain on their face a statement that the bonds
37 do not constitute an indebtedness of the state. The
38 treasurer of state shall not pledge the credit or
39 taxing power of this state or any political
40 subdivision of this state or make bonds issued
41 pursuant to this section payable out of any moneys
42 except those in the school infrastructure fund.

43 3. The proceeds of bonds issued by the treasurer
44 of state and not required for immediate disbursement
45 may be deposited with a trustee or depository as
46 provided in the bond documents and invested or
47 reinvested in any investment approved by the treasurer
48 of state and specified in the trust indenture,
49 resolution, or other instrument pursuant to which the
50 bonds are issued without regard to any limitation

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1 otherwise provided by law.

2 4. The bonds shall be:

3 a. In a form, issued in denominations, executed in
4 a manner, and payable over terms and with rights of
5 redemption, and be subject to such other terms and
6 conditions as prescribed in the trust indenture,
7 resolution, or other instrument authorizing their
8 issuance.

9 b. Negotiable instruments under the laws of the
10 state and may be sold at prices, at public or private
11 sale, and in a manner, as prescribed by the treasurer
12 of state. Chapters 73A, 74, 74A, and 75 do not apply
13 to the sale or issuance of the bonds.

14 c. Subject to the terms, conditions, and covenants
15 providing for the payment of the principal, redemption
16 premiums, if any, interest, and other terms,
17 conditions, covenants, and protective provisions
18 safeguarding payment, not inconsistent with this
19 section and as determined by the trust indenture,
20 resolution, or other instrument authorizing their
21 issuance.

22 5. The bonds are securities in which public
23 officers and bodies of this state; political
24 subdivisions of this state; insurance companies and
25 associations and other persons carrying on an
26 insurance business; banks, trust companies, savings
27 associations, savings and loan associations, and
28 investment companies; administrators, guardians,
29 executors, trustees, and other fiduciaries; and other
30 persons authorized to invest in bonds or other
31 obligations of the state, may properly and legally
32 invest funds, including capital, in their control or
33 belonging to them.

34 6. Bonds must be authorized by a trust indenture,
35 resolution, or other instrument of the treasurer of
36 state. However, a trust indenture, resolution, or
37 other instrument authorizing the issuance of bonds may
38 delegate to an officer of the issuer the power to
39 negotiate and fix the details of an issue of bonds.

40 7. Neither the resolution, trust agreement, nor
41 any other instrument by which a pledge is created
42 needs to be recorded or filed under the Iowa uniform
43 commercial code to be valid, binding, or effective.

44 8. Bonds issued under the provisions of this
45 section are declared to be issued for a general public
46 and governmental purpose and all bonds issued under
47 this section shall be exempt from taxation by the
48 state of Iowa and the interest on the bonds shall be
49 exempt from the state income tax and the state
50 inheritance and estate tax.

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1 9. Subject to the terms of any bond documents,
2 moneys in the school infrastructure fund may be
3 expended for administration expenses.

4 10. The treasurer of state may issue bonds for the
5 purpose of refunding any bonds or notes issued
6 pursuant to this section then outstanding, including
7 the payment of any redemption premiums thereon and any
8 interest accrued or to accrue to the date of
9 redemption of the outstanding bonds or notes. Until
10 the proceeds of bonds issued for the purpose of
11 refunding outstanding bonds or notes are applied to
12 the purchase or retirement of outstanding bonds or
13 notes or the redemption of outstanding bonds or notes,
14 the proceeds may be placed in escrow and be invested
15 and reinvested in accordance with the provisions of
16 this section. The interest, income, and profits
17 earned or realized on an investment may also be
18 applied to the payment of the outstanding bonds or
19 notes to be refunded by purchase, retirement, or
20 redemption. After the terms of the escrow have been
21 fully satisfied and carried out, any balance of
22 proceeds and interest earned or realized on the
23 investments may be returned and deposited in the
24 school infrastructure fund. All refunding bonds shall
25 be issued and secured and subject to the provisions of
26 this chapter in the same manner and to the same extent
27 as other bonds issued pursuant to this section.

28 Sec. ____ . NEW SECTION. 12.82 SCHOOL
29 INFRASTRUCTURE AND RESERVE FUNDS.

30 1. A school infrastructure fund is created and
31 established as a separate and distinct fund in the
32 state treasury. The fund shall be used for purposes
33 of the school infrastructure program established in
34 section 292.2.

35 2. Revenue for the school infrastructure fund
36 shall include, but is not limited to, the following,
37 which shall be deposited with the treasurer of state
38 or its designee as provided by any bond or security
39 documents and credited to the fund:

40 a. The proceeds of bonds issued to capitalize and
41 pay the costs of the fund and investment earnings on
42 the proceeds.

43 b. Interest attributable to investment of money in
44 the fund or an account of the fund.

45 c. Moneys in the form of a devise, gift, bequest,
46 donation, federal or other grant, reimbursement,
47 repayment, judgment, transfer, payment, or
48 appropriation from any source intended to be used for
49 the purposes of the fund.

50 3. Moneys in the school infrastructure fund are

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1 not subject to section 8.33. Notwithstanding section
2 12C.7, subsection 2, interest or earnings on moneys in
3 the fund shall be credited to the fund.

4 4. The treasurer of state may establish reserve
5 funds to secure one or more issues of bonds or notes
6 issued pursuant to section 12.81. The treasurer of
7 state may deposit in a reserve fund established under
8 this subsection the proceeds of the sale of its bonds
9 or notes and other money which is made available from
10 any other source. The treasurer of state may allow a
11 reserve fund established under this subsection to be
12 depleted.

13 Sec. ____ . NEW SECTION. 12.83 PLEDGES.

14 1. It is the intention of the general assembly
15 that a pledge made in respect of bonds or notes shall
16 be valid and binding from the time the pledge is made,
17 that the money or property so pledged and received
18 after the pledge by the authority shall immediately be
19 subject to the lien of the pledge without physical
20 delivery or further act, and that the lien of the
21 pledge shall be valid and binding as against all
22 parties having claims of any kind in tort, contract,
23 or otherwise against the treasurer of state whether or
24 not the parties have notice of the lien.

25 2. The state pledges to and agrees with the
26 holders of bonds or notes issued under section 12.81,
27 that the state will not limit or alter the rights and
28 powers vested in the treasurer of state to fulfill the
29 terms of a contract made by the treasurer of state
30 with respect to the bonds or notes, or in any way
31 impair the rights and remedies of the holders until
32 the bonds and notes, together with the interest on
33 them including interest on unpaid installments of
34 interest, and all costs and expenses in connection
35 with an action or proceeding by or on behalf of the
36 holders, are fully met and discharged. The treasurer
37 of state is authorized to include this pledge and
38 agreement of the state, as it refers to holders of
39 bonds or notes of the authority, in a contract with
40 the holders.

41 Sec. ____ . NEW SECTION. 12.84 LIMITATIONS.

42 Bonds or notes issued pursuant to section 12.81 are
43 not debts of the state, or of any political
44 subdivision of the state and do not constitute a
45 pledge of the faith and credit of the state or a
46 charge against the general credit or general fund of
47 the state. The issuance of any bonds or notes
48 pursuant to section 12.81 by the treasurer of state
49 does not directly, indirectly, or contingently
50 obligate the state or a political subdivision of the

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age 5

1 state to apply moneys from, or to levy or pledge any
 2 form of taxation whatever to, the payment of the bonds
 3 or notes. Bonds and notes issued under section 12.81
 4 are payable solely and only from the sources and
 5 special fund provided in section 12.82. Expenses
 6 incurred in carrying out sections 12.81 through 12.83,
 7 this section, and section 12.85 are payable solely
 8 from funds available under those sections.

9 Sec. ____ . NEW SECTION. 12.85 CONSTRUCTION.

10 Sections 12.81 through 12.84, being necessary for
 11 the welfare of this state and its inhabitants, shall
 12 be liberally construed to effect its purposes."

13 2. Page 16, line 20, by striking the figure
 14 "292.3", and inserting the following: "12.82".

15 3. Page 22, by striking lines 17 through 25.

16 4. By renumbering as necessary.

By JEFF LAMBERTI

S-5467 FILED APRIL 17, 2000

ADOPTED

(P. 1206)

SENATE FILE 2447

S-5468

1 Amend Senate File 2447 as follows:

2 1. Page 9, by inserting after line 23 the
 3 following:

4 "1A. The department shall not act upon any
 5 application prior to December 1, 2000, or a later date
 6 as determined by the board."

7 2. By renumbering as necessary.

By DONALD B. REDFERN

S-5468 FILED APRIL 17, 2000

LOST

(P. 1205)

SENATE FILE 2447

S-5469

1 Amend the amendment, S-5467, to Senate File 2447 as
 2 follows:

3 1. Page 3, line 32, by inserting after the word
 4 "treasury" the following: "under the control of the
 5 department of education".

By JEFF LAMBERTI

S-5469 FILED APRIL 17, 2000

ADOPTED

(P. 1206)

SENATE FILE 2447

S-5470

- 1 Amend Senate File 2447 as follows:
- 2 1. Page 5, by inserting before line 7 the
- 3 following: "For purposes of this paragraph, land
- 4 acquisition may qualify as "vertical infrastructure"
- 5 without accompanying construction."
- 6 2. Page 8, line 24, by striking the words
- 7 "acquisition and" and inserting the following:
- 8 "acquisition,".

By ANDY McKEAN
DENNIS H. BLACK

S-5470 FILED APRIL 17, 2000

LOST

(P. 1204)

SENATE FILE 2447

S-5471

- 1 Amend the amendment, S-5467, to Senate File 2447 as
- 2 follows:
- 3 1. Page 1, line 12, by striking the word "fifty"
- 4 and inserting the following: "one hundred".

By MIKE CONNOLLY

S-5471 FILED APRIL 17, 2000

WITHDRAWN

(P. 1205)

SENATE FILE 2447

S-5472

- 1 Amend the amendment, S-5467, to Senate File 2447 as
- 2 follows:
- 3 1. Page 1, line 12, by striking the word "fifty"
- 4 and inserting the following: "seventy-five".

By MIKE CONNOLLY

S-5472 FILED APRIL 17, 2000

LOST

(P. 1205)

SENATE FILE 2447
BY IVERSON and GRONSTAL

(AS AMENDED AND PASSED BY THE SENATE APRIL 17, 2000)

- _____ - New Language by the Senate
* - Language Stricken by the Senate

Passed Senate, Date ^(P. 1285) 4-20-00 Passed House, Date ^(P. 1648) 4-19-00
Vote: Ayes 40 Nays 8 Vote: Ayes 72 Nays 27
Approved 5/9/00

A BILL FOR

1 An Act relating to public improvements and providing financial
2 assistance to communities and school districts by creating a
3 school infrastructure program and fund, continuing the
4 community attraction and tourism program and fund, creating a
5 vision Iowa board, creating a vision Iowa program and fund,
6 providing bonding authority to the treasurer of state, and
7 exempting certain income from taxation.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 2447

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DIVISION I
SUBCHAPTER I
VISION IOWA BOARD

Section 1. NEW SECTION. 15F.101 DEFINITIONS.

As used in this chapter, unless the context otherwise requires:

1. "Board" means the vision Iowa board as created in section 15F.102.

2. "Department" means the Iowa department of economic development created in section 15.105.

Sec. 2. NEW SECTION. 15F.102 VISION IOWA BOARD.

1. The vision Iowa board is established consisting of thirteen members and is located for administrative purposes within the department. The director of the department shall provide office space, staff assistance, and necessary supplies and equipment for the board. The director shall budget funds to pay the compensation and expenses of the board. In performing its functions the board is performing a public function on behalf of the state and is a public instrumentality of the state.

2. The membership of the board shall be appointed as follows:

a. Three members of the general public, one member from each of the three tourism regions.

b. One mayor of a city with a population of less than twenty thousand.

c. One county supervisor from a county that has a population ranking in the bottom thirty-three counties according to the 1990 census.

d. Four members of the general public.

e. One mayor of a city with a population of twenty thousand or more.

f. The director of the department of economic development.

g. The treasurer of state or the treasurer of state's designee.

1 h. The auditor of state or the auditor of state's
2 designee.

3 3. All appointments, except the director of the department
4 of economic development, the treasurer of state, and the
5 auditor of state, shall be made by the governor, shall comply
6 with sections 69.16 and 69.16A, and shall be subject to
7 confirmation by the senate. All appointed members of the
8 board shall have demonstrable experience or expertise in the
9 field of tourism development and promotion, public financing,
10 architecture, engineering, or major facility development or
11 construction.

12 4. All members of the board, except the director of the
13 department of economic development, the treasurer of state,
14 and the auditor of state, shall be residents of different
15 counties.

16 5. The chairperson and vice chairperson of the board shall
17 be designated by the governor from the board members listed in
18 subsection 2, paragraphs "a" through "e". In case of the
19 absence or disability of the chairperson and vice chairperson,
20 the members of the board shall elect a temporary chairperson
21 by a majority vote of those members who are present and
22 voting.

23 6. The members, except the director of the department of
24 economic development, the treasurer of state, and the auditor
25 of state, shall be appointed to three-year staggered terms and
26 the terms shall commence and end as provided by section 69.19.
27 If a vacancy occurs, a successor shall be appointed to serve
28 the unexpired term. A successor shall be appointed in the
29 same manner and subject to the same qualifications as the
30 original appointment to serve the unexpired term.

31 7. A majority of the board constitutes a quorum.

32 Sec. 3. NEW SECTION. 15F.103 BOARD DUTIES.

33 The board shall do all of the following:

34 1. Organize.

35 2. Establish the vision Iowa program and the community

1 attraction and tourism program.

2 3. Oversee and provide approval of the administration of
3 the vision Iowa program and the community attraction and
4 tourism program by the department.

5 4. Request the treasurer of state to issue bonds on behalf
6 of the board for purposes of the vision Iowa program.

7 Sec. 4. NEW SECTION. 15F.103A DEPARTMENT DUTIES.

8 The department, subject to approval by the board, shall
9 adopt administrative rules pursuant to chapter 17A necessary
10 to administer the community attraction and tourism program and
11 the vision Iowa program. The department shall provide the
12 board with assistance in implementing administrative
13 functions, marketing the programs, providing technical
14 assistance and application assistance to applicants under the
15 programs, negotiating contracts, and providing project follow-
16 up. The department, in cooperation with the treasurer of
17 state, may conduct negotiations on behalf of the board with
18 applicants regarding terms and conditions applicable to awards
19 under the programs.

20 Sec. 5. NEW SECTION. 15F.104 COMPENSATION AND EXPENSES.

21 The members of the board are entitled to receive
22 reimbursement for actual expenses incurred while engaged in
23 the performance of official duties. A member of the board may
24 also be eligible to receive compensation as provided in
25 section 7E.6.

26 Sec. 6. NEW SECTION. 15F.105 BENEFITS.

27 Any applicant awarded financial assistance by the board
28 under both the vision Iowa program established in section
29 15F.302 and the community attraction and tourism program
30 established in section 15F.202 shall provide and pay at least
31 fifty percent of the cost of a standard medical insurance plan
32 for all full-time employees working at the project after the
33 completion of the project for which financial assistance was
34 received.

35

SUBCHAPTER II

1 COMMUNITY ATTRACTION AND TOURISM
2 PROGRAM AND FUND

3 Sec. 7. NEW SECTION. 15F.201 DEFINITIONS.

4 As used in this subchapter, unless the context otherwise
5 requires:

6 1. "Fund" means the community attraction and tourism fund
7 created in section 15F.204.

8 2. "Program" means the community attraction and tourism
9 program established in section 15F.202.

10 Sec. 8. NEW SECTION. 15F.202 COMMUNITY ATTRACTION AND
11 TOURISM PROGRAM.

12 1. The board shall establish and the department, subject
13 to direction and approval by the board, shall administer a
14 community attraction and tourism program to assist communities
15 in the development and creation of multiple-purpose attraction
16 and tourism facilities.

17 2. A city or county in the state or public organization
18 may submit an application to the board for financial
19 assistance for a project under the program. The assistance
20 shall be in the form of grants, loans, forgivable loans, and
21 loan guarantees. The application shall include, but not be
22 limited to, the following information:

23 a. The total capital investment of the project, including
24 but not limited to costs for construction, site acquisition,
25 and infrastructure improvement.

26 b. The amount or percentage of local and private matching
27 moneys which will be or have been provided for the project.

28 c. The total number of jobs to be created or retained by
29 the project.

30 d. The need of the community for the project and for the
31 financial assistance.

32 e. The long-term tax-generating impact of the project.

33 3. A school district, in cooperation with a city or
34 county, may submit a joint application for financial
35 assistance for a project under the program. The assistance

1 shall be in the form of grants, loans, forgivable loans, and
2 loan guarantees. In addition to the information required in
3 subsection 2, the application shall include a demonstration
4 that the intended future use of the project shall be by both
5 joint applicants.

6 Sec. 9. NEW SECTION. 15F.203 COMMUNITY ATTRACTION AND
7 TOURISM PROGRAM APPLICATION REVIEW.

8 1. Applications for assistance under the program shall be
9 submitted to the department. For those applications that meet
10 the eligibility criteria, the department shall provide a staff
11 review analysis and evaluation to the community attraction and
12 tourism program review committee referred to in subsection 2
13 and the board.

14 2. A review committee composed of five members of the
15 board shall review community attraction and tourism program
16 applications submitted to the board and make recommendations
17 regarding the applications to the board. The review committee
18 shall consist of members of the board listed in section
19 15F.102, subsection 2, paragraphs "a" through "c".

20 3. When reviewing the applications, the review committee
21 and the department shall consider, at a minimum, all of the
22 following:

23 a. Whether the wages, benefits, including health benefits,
24 safety, and other attributes of the project would improve the
25 quality of attraction and tourism employment in the community.

26 b. The extent to which such a project would generate
27 additional recreational and cultural attractions and tourism
28 opportunities.

29 c. The ability of the project to produce a long-term tax-
30 generating economic impact.

31 d. The location of the projects and geographic diversity
32 of the applications.

33 e. The project is primarily a vertical infrastructure
34 project with demonstrated substantial regional or statewide
35 economic impact. For purposes of the program, "vertical

1 infrastructure" means land acquisition and construction, major
2 renovation and major repair of buildings, all appurtenant
3 structures, utilities, site development, and recreational
4 trails. "Vertical infrastructure" does not include routine,
5 recurring maintenance or operational expenses or leasing of a
6 building, appurtenant structure, or utility without a lease-
7 purchase agreement.

8 f. Whether the applicant has received financial assistance
9 under the program for the same project.

10 4. Upon review of the recommendations of the review
11 committee, the board shall approve, defer, or deny the
12 applications.

13 5. Upon approval of an application for financial
14 assistance under the program, the board shall notify the
15 treasurer of state regarding the amount of moneys needed to
16 satisfy the award of financial assistance and the terms of the
17 award. The treasurer of state shall notify the department
18 anytime moneys are disbursed to a recipient of financial
19 assistance under the program.

20 Sec. 10. NEW SECTION. 15F.204 COMMUNITY ATTRACTION AND
21 TOURISM FUND.

22 1. A community attraction and tourism fund is created as a
23 separate fund in the state treasury under the control of the
24 board, consisting of any moneys appropriated by the general
25 assembly and any other moneys available to and obtained or
26 accepted by the board for placement in the fund.

27 2. Payments of interest, repayments of moneys loaned
28 pursuant to this subchapter, and recaptures of grants or loans
29 shall be deposited in the fund.

30 3. The fund shall be used to provide grants, loans,
31 forgivable loans, and loan guarantees under the community
32 attraction and tourism program established in section 15F.202.
33 An applicant under the community attraction and tourism
34 program shall not receive financial assistance from the fund
35 in an amount exceeding fifty percent of the total cost of the

1 project.

2 4. Moneys in the fund are not subject to section 8.33.
3 Notwithstanding section 12C.7, subsection 2, interest or
4 earnings on moneys in the fund shall be credited to the fund.

5 5. At the beginning of each fiscal year, the board shall
6 allocate all moneys in the fund in the following manner:

7 a. One-third of the moneys shall be allocated to provide
8 assistance to cities and counties which meet the following
9 criteria:

10 (1) A city which has a population of ten thousand or less
11 according to the most recently published census.

12 (2) A county which has a population that ranks in the
13 bottom thirty-three counties according to the most recently
14 published census.

15 b. Two-thirds of the moneys shall be allocated to provide
16 assistance to any city and county in the state, which may
17 include a city or county included under paragraph "a".

18 6. If two or more cities or counties submit a joint
19 project application for financial assistance under the
20 program, all joint applicants must meet the criteria of
21 subsection 5, paragraph "a", in order to receive any moneys
22 allocated under that paragraph.

23 7. If any portion of the allocated moneys under subsection
24 5, paragraph "a", has not been awarded by April 1 of the
25 fiscal year for which the allocation is made, the portion
26 which has not been awarded may be utilized by the board to
27 provide financial assistance under the program to any city or
28 county in the state.

29 SUBCHAPTER III

30 VISION IOWA PROGRAM

31 Sec. 11. NEW SECTION. 15F.301 DEFINITIONS.

32 As used in this subchapter, unless the context otherwise
33 requires:

34 1. "Fund" means the vision Iowa fund created in section
35 12.72.

1 2. "Program" means the vision Iowa program established in
2 section 15F.302.

3 Sec. 12. NEW SECTION. 15F.302 VISION IOWA PROGRAM.

4 1. The board shall establish and the department, subject
5 to direction and approval by the board, shall administer a
6 vision Iowa program to assist communities in the development
7 of major tourism facilities.

8 2. A city or county or a public organization in the state
9 may submit an application to the board for financial
10 assistance for a project under the program. For purposes of
11 this subsection, "public organization" means a nonprofit
12 economic development organization or other nonprofit
13 organization that sponsors or supports community or tourism
14 attractions and activities. The financial assistance from the
15 fund shall be in the form of grants, loans, forgivable loans,
16 pledges, and guarantees. The application shall include, but
17 not be limited to, the following information:

18 a. The total capital investment of the project, including
19 but not limited to costs for construction, site acquisition,
20 and infrastructure improvement.

21 b. A description of the proposed financing including the
22 amount or percentage of local and private matching moneys to
23 be provided for the project.

24 c. The total number of jobs to be created or retained by
25 the project.

26 d. The need of the community for the project and for
27 financial assistance.

28 e. The long-term tax-generating impact of the project.

29 f. A discussion of how the project meets other criteria
30 established in this subchapter.

31 g. The projected long-term economic viability of the
32 project, including projected revenues and expenses.

33 3. A school district, in cooperation with a city or
34 county, may submit a joint application for financial
35 assistance for a project under the program. The financial

1 assistance shall be in the form of grants, loans, forgivable
2 loans, and loan guarantees. In addition to the information
3 required in subsection 2, the application shall include a
4 demonstration that the intended future use of the project
5 shall be by both joint applicants.

*6 Sec. 13. NEW SECTION. 15F.303 ELIGIBILITY.

7 1. The total cost for a project must be at least twenty
8 million dollars in order for an applicant to receive financial
9 assistance under the program.

10 2. An applicant must demonstrate financial and
11 nonfinancial support for the project which may be from a
12 public or private source. Nonfinancial support may include,
13 but is not limited to, the the value of labor and services,
14 real and personal property donated for purposes of the
15 project, and the use of real and personal property for
16 purposes of the project. The financial and nonfinancial
17 support for the project described under this subsection shall
18 equal at least fifty percent of the total cost of the project.

19 3. In order for a project to be eligible to receive
20 financial assistance, the project must satisfy all of the
21 following criteria:

22 a. The project is primarily a vertical infrastructure
23 project with demonstrated substantial regional or statewide
24 economic impact. For purposes of the program, "vertical
25 infrastructure" means land acquisition and construction, major
26 renovation and major repair of buildings, all appurtenant
27 structures, utilities, site development, and recreational
28 trails. "Vertical infrastructure" does not include routine,
29 recurring maintenance or operational expenses or leasing of a
30 building, appurtenant structure, or utility without a lease-
31 purchase agreement.

32 b. The project supports or is strategically aligned with
33 other existing regional or statewide cultural, recreational,
34 entertainment, or educational activities.

35 c. The project provides benefits to persons living outside

1 the county in which the project is located or to persons
2 living outside the state.

3 d. The project will increase the diversity of activities
4 available to citizens, workers, families, and tourists, and
5 enhance recruitment and retention of young people as
6 residents.

7 e. The project has economic or other obstacles impeding
8 local financing of the project.

* 9 4. The board shall not approve an application for
10 assistance for any of the following purposes:

11 a. To refinance a loan existing prior to the initial
12 application date.

13 b. For a project that has previously received assistance
14 under the program, unless the applicant demonstrates that the
15 assistance would be used for a significant expansion of a
16 project.

17 Sec. 14. NEW SECTION. 15F.304 VISION IOWA PROGRAM
18 APPLICATION REVIEW.

19 1. Applications for assistance under the program shall be
20 submitted to the department. For those applications that meet
21 the eligibility criteria, the department shall provide a staff
22 review and evaluation to the vision Iowa program review
23 committee referred to in subsection 1 and the board.

24 2. A review committee composed of eight members of the
25 board shall review vision Iowa program applications submitted
26 to the board and make recommendations regarding the
27 applications to the board. The review committee shall consist
28 of members of the board listed in section 15F.102, subsection
29 2, paragraphs "d" through "h".

30 3. When reviewing the applications, the review committee
31 and the department shall consider, in addition to other
32 criteria established in this subchapter, all of the following:

33 a. Whether wages, benefits, including health benefits,
34 safety, and other attributes of the project would improve the
35 quality of other existing regional or statewide cultural,

1 recreational, entertainment, and educational activities or
2 employment in the community.

3 b. The extent to which the project would generate
4 additional attraction and tourism opportunities.

5 c. The ability of the project to produce a long-term tax-
6 generating economic impact in excess of the proposed financial
7 assistance from the vision Iowa fund.

8 d. The geographic diversity of the project in combination
9 with other proposed projects.

10 e. The investment of the city, county, or region in the
11 overall project.

12 f. Other funding mechanisms.

13 g. The long-term economic viability of the project.

14 4. Upon review of the recommendations of the review
15 committee, the board shall approve, defer, or deny the
16 applications.

17 DIVISION II

18 Sec. 15. NEW SECTION. 12.71 GENERAL AND SPECIFIC BONDING
19 POWERS -- VISION IOWA PROGRAM.

20 1. The treasurer of state may issue bonds upon the request
21 of the vision Iowa board created in section 15F.102 and do all
22 things necessary with respect to the purposes of the vision
23 Iowa fund. The treasurer of state shall have all of the
24 powers which are necessary to issue and secure bonds and carry
25 out the purposes of the fund. The treasurer of state may
26 issue bonds in principal amounts which, in the opinion of the
27 board, are necessary to provide sufficient funds for the
28 vision Iowa fund created in section 12.72, the payment of
29 interest on the bonds, the establishment of reserves to secure
30 the bonds, the costs of issuance of the bonds, other
31 expenditures of the treasurer of state incident to and
32 necessary or convenient to carry out the bond issue for the
33 fund, and all other expenditures of the board necessary or
34 convenient to administer the fund; provided, however,
35 excluding the issuance of refunding bonds, bonds issued

1 pursuant to section 12.71 shall not be issued in an aggregate
2 principal amount which exceeds three hundred million dollars.
3 The bonds are investment securities and negotiable instruments
4 within the meaning of and for purposes of the uniform
5 commercial code.

6 2. Bonds issued under this section are payable solely and
7 only out of the moneys, assets, or revenues of the vision Iowa
8 fund and any bond reserve funds established pursuant to
9 section 12.72, all of which may be deposited with trustees or
10 depositories in accordance with bond or security documents and
11 pledged by the board to the payment thereof. Bonds issued
12 under this section shall contain on their face a statement
13 that the bonds do not constitute an indebtedness of the state.
14 The treasurer of state shall not pledge the credit or taxing
15 power of this state or any political subdivision of this state
16 or make bonds issued pursuant to this section payable out of
17 any moneys except those in the vision Iowa fund.

18 3. The proceeds of bonds issued by the treasurer of state
19 and not required for immediate disbursement may be deposited
20 with a trustee or depository as provided in the bond documents
21 and invested or reinvested in any investment as directed by
22 the board and specified in the trust indenture, resolution, or
23 other instrument pursuant to which the bonds are issued
24 without regard to any limitation otherwise provided by law.

25 4. The bonds shall be:

26 a. In a form, issued in denominations, executed in a
27 manner, and payable over terms and with rights of redemption,
28 and be subject to such other terms and conditions as
29 prescribed in the trust indenture, resolution, or other
30 instrument authorizing their issuance.

31 b. Negotiable instruments under the laws of the state and
32 may be sold at prices, at public or private sale, and in a
33 manner, as prescribed by the treasurer of state. Chapters
34 73A, 74, 74A, and 75 do not apply to the sale or issuance of
35 the bonds.

1 c. Subject to the terms, conditions, and covenants
2 providing for the payment of the principal, redemption
3 premiums, if any, interest, and other terms, conditions,
4 covenants, and protective provisions safeguarding payment, not
5 inconsistent with this section and as determined by the trust
6 indenture, resolution, or other instrument authorizing their
7 issuance.

8 5. The bonds are securities in which public officers and
9 bodies of this state; political subdivisions of this state;
10 insurance companies and associations and other persons
11 carrying on an insurance business; banks, trust companies,
12 savings associations, savings and loan associations, and
13 investment companies; administrators, guardians, executors,
14 trustees, and other fiduciaries; and other persons authorized
15 to invest in bonds or other obligations of the state, may
16 properly and legally invest funds, including capital, in their
17 control or belonging to them.

18 6. Bonds must be authorized by a trust indenture,
19 resolution, or other instrument of the treasurer of state
20 approved by the board. However, a trust indenture,
21 resolution, or other instrument authorizing the issuance of
22 bonds may delegate to an officer of the board the power to
23 negotiate and fix the details of an issue of bonds.

24 7. Neither the resolution, trust agreement, nor any other
25 instrument by which a pledge is created needs to be recorded
26 or filed under the Iowa uniform commercial code to be valid,
27 binding, or effective.

28 8. Bonds issued under the provisions of this section are
29 declared to be issued for a general public and governmental
30 purpose and all bonds issued under this section shall be
31 exempt from taxation by the state of Iowa and the interest on
32 the bonds shall be exempt from the state income tax and the
33 state inheritance and estate tax.

34 9. Subject to the terms of any bond documents, moneys in
35 the vision Iowa fund may be expended for administration

1 expenses.

* 2 10. The treasurer of state may issue bonds for the purpose
3 of refunding any bonds or notes issued pursuant to this
4 section then outstanding, including the payment of any
5 redemption premiums thereon and any interest accrued or to
6 accrue to the date of redemption of the outstanding bonds or
7 notes. Until the proceeds of bonds issued for the purpose of
8 refunding outstanding bonds or notes are applied to the
9 purchase or retirement of outstanding bonds or notes or the
10 redemption of outstanding bonds or notes, the proceeds may be
11 placed in escrow and be invested and reinvested in accordance
12 with the provisions of this section. The interest, income,
13 and profits earned or realized on an investment may also be
14 applied to the payment of the outstanding bonds or notes to be
15 refunded by purchase, retirement, or redemption. After the
16 terms of the escrow have been fully satisfied and carried out,
17 any balance of proceeds and interest earned or realized on the
18 investments may be returned to the board for deposit in the
19 vision Iowa fund established in section 12.72. All refunding
20 bonds shall be issued and secured and subject to the
21 provisions of this chapter in the same manner and to the same
22 extent as other bonds issued pursuant to this section.

23 Sec. 16. NEW SECTION. 12.72 VISION IOWA AND RESERVE
24 FUNDS.

25 1. A vision Iowa fund is created and established as a
26 separate and distinct fund in the state treasury. The moneys
27 in the fund are appropriated to the board for purposes of the
28 vision Iowa program established in section 15F.302. Moneys in
29 the fund shall not be subject to appropriation for any other
30 purpose by the general assembly, but shall be used only for
31 the purposes of the vision Iowa fund. The treasurer of state
32 shall act as custodian of the fund and disburse moneys
33 contained in the fund as directed by the board, including
34 automatic disbursements of funds received pursuant to the
35 terms of bond indentures and documents and security provisions

1 to trustees. The fund shall be administered by the board
2 which shall make expenditures from the fund consistent with
3 the purposes of the vision Iowa program without further
4 appropriation. An applicant under the vision Iowa program
5 shall not receive more than seventy-five million dollars in
6 financial assistance from the fund.

7 2. Revenue for the vision Iowa fund shall include, but is
8 not limited to, the following, which shall be deposited with
9 the treasurer of state or its designee as provided by any bond
10 or security documents and credited to the fund:

11 a. The proceeds of bonds issued to capitalize and pay the
12 costs of the fund and investment earnings on the proceeds.

13 b. Interest attributable to investment of money in the
14 fund or an account of the fund.

15 c. Moneys in the form of a devise, gift, bequest,
16 donation, federal or other grant, reimbursement, repayment,
17 judgment, transfer, payment, or appropriation from any source
18 intended to be used for the purposes of the fund.

19 3. Moneys in the vision Iowa fund are not subject to
20 section 8.33. Notwithstanding section 12C.7, subsection 2,
21 interest or earnings on moneys in the fund shall be credited
22 to the fund.

23 4. The treasurer of state may establish reserve funds to
24 secure one or more issues of bonds or notes issued pursuant to
25 section 12.71. The treasurer of state may deposit in a
*26 reserve fund established under this subsection the proceeds of
27 the sale of bonds or notes and other money which is made
28 available from any other source. The treasurer of state may
29 allow a reserve fund established under this subsection to be
30 depleted.

31 Sec. 17. NEW SECTION. 12.73 PLEDGES.

32 1. It is the intention of the general assembly that a
33 pledge made in respect of bonds or notes shall be valid and
34 binding from the time the pledge is made, that the money or
35 property so pledged and received after the pledge by the

1 authority shall immediately be subject to the lien of the
2 pledge without physical delivery or further act, and that the
3 lien of the pledge shall be valid and binding as against all
4 parties having claims of any kind in tort, contract, or
5 otherwise against the treasurer of state whether or not the
6 parties have notice of the lien.

7 2. The state pledges to and agrees with the holders of
8 bonds or notes issued under section 12.71, that the state will
9 not limit or alter the rights and powers vested in the board
10 or the treasurer of state to fulfill the terms of a contract
*11 made with respect to the bonds or notes, or in any way impair
12 the rights and remedies of the holders until the bonds and
13 notes, together with the interest on them including interest
14 on unpaid installments of interest, are fully met and
15 discharged.

16 Sec. 18. NEW SECTION. 12.74 PROJECTS.

17 1. The vision Iowa board may undertake a project for two
18 or more applicants jointly or for any combination of
19 applicants, and may combine for financing purposes, with the
20 consent of all of the applicants which are involved, the
21 project and some or all future projects of any applicant, and
22 sections 12.71, 12.72, and 12.73, this section, and sections
23 12.75 and 12.76 apply to and for the benefit of the vision
24 Iowa board and the joint applicants. However, the money set
25 aside in a fund or funds pledged for any series or issue of
26 bonds or notes shall be held for the sole benefit of the
27 series or issue separate and apart from money pledged for
28 another series or issue of bonds or notes of the treasurer of
29 state. To facilitate the combining of projects, bonds or
30 notes may be issued in series under one or more resolutions or
31 trust agreements and may be fully open-ended, thus providing
32 for the unlimited issuance of additional series, or partially
33 open-ended, limited as to additional series.

34 2. For purposes of this section, "applicant" means a city
35 or county or public organization applying for financial

1 assistance under the vision Iowa program established in
2 section 15F.302.

3 Sec. 19. NEW SECTION. 12.75 LIMITATIONS.

4 Bonds or notes issued pursuant to section 12.71 are not
5 debts of the state, or of any political subdivision of the
6 state and do not constitute a pledge of the faith and credit
7 of the state or a charge against the general credit or general
8 fund of the state. The issuance of any bonds or notes
9 pursuant to section 12.71 by the treasurer of state does not
10 directly, indirectly, or contingently obligate the state or a
11 political subdivision of the state to apply moneys from, or to
12 levy or pledge any form of taxation whatever, to the payment
13 of the bonds or notes. Bonds and notes issued under section
14 12.71 are payable solely and only from the sources and special
15 fund provided in section 12.72.

16 Sec. 20. NEW SECTION. 12.76 CONSTRUCTION.

17 Sections 12.71 through 12.75, being necessary for the
18 welfare of this state and its inhabitants, shall be liberally
19 construed to effect its purposes.

20 Sec. 21. NEW SECTION. 12.81 GENERAL AND SPECIFIC BONDING
21 POWERS -- SCHOOL INFRASTRUCTURE PROGRAM.

22 1. The treasurer of state may issue bonds for purposes of
23 the school infrastructure program established in section
24 292.2. Excluding the issuance of refunding bonds, the
25 treasurer of state shall not issue bonds which result in the
26 deposit of bond proceeds of more than fifty million dollars
27 into the school infrastructure fund. The treasurer of state
28 shall have all of the powers which are necessary to issue and
29 secure bonds and carry out the purposes of the fund. The
30 treasurer of state may issue bonds in principal amounts which
31 are necessary to provide funds for the fund as provided by
32 this section, the payment of interest on the bonds, the
33 establishment of reserves to secure the bonds, the costs of
34 issuance of the bonds, other expenditures of the treasurer of
35 state incident to and necessary or convenient to carry out the

1 bond issue for the fund, and all other expenditures of the
2 treasurer of state necessary or convenient to administer the
3 fund. The bonds are investment securities and negotiable
4 instruments within the meaning of and for purposes of the
5 uniform commercial code.

6 2. Bonds issued under this section are payable solely and
7 only out of the moneys, assets, or revenues of the school
8 infrastructure fund and any bond reserve funds, all of which
9 may be deposited with trustees or depositories in accordance
10 with bond or security documents and pledged by the treasurer
11 of state to the payment thereof. Bonds issued under this
12 section shall contain on their face a statement that the bonds
13 do not constitute an indebtedness of the state. The treasurer
14 of state shall not pledge the credit or taxing power of this
15 state or any political subdivision of this state or make bonds
16 issued pursuant to this section payable out of any moneys
17 except those in the school infrastructure fund.

18 3. The proceeds of bonds issued by the treasurer of state
19 and not required for immediate disbursement may be deposited
20 with a trustee or depository as provided in the bond documents
21 and invested or reinvested in any investment approved by the
22 treasurer of state and specified in the trust indenture,
23 resolution, or other instrument pursuant to which the bonds
24 are issued without regard to any limitation otherwise provided
25 by law.

26 4. The bonds shall be:

27 a. In a form, issued in denominations, executed in a
28 manner, and payable over terms and with rights of redemption,
29 and be subject to such other terms and conditions as
30 prescribed in the trust indenture, resolution, or other
31 instrument authorizing their issuance.

32 b. Negotiable instruments under the laws of the state and
33 may be sold at prices, at public or private sale, and in a
34 manner, as prescribed by the treasurer of state. Chapters
35 73A, 74, 74A, and 75 do not apply to the sale or issuance of

1 the bonds.

2 c. Subject to the terms, conditions, and covenants
3 providing for the payment of the principal, redemption
4 premiums, if any, interest, and other terms, conditions,
5 covenants, and protective provisions safeguarding payment, not
6 inconsistent with this section and as determined by the trust
7 indenture, resolution, or other instrument authorizing their
8 issuance.

9 5. The bonds are securities in which public officers and
10 bodies of this state; political subdivisions of this state;
11 insurance companies and associations and other persons
12 carrying on an insurance business; banks, trust companies,
13 savings associations, savings and loan associations, and
14 investment companies; administrators, guardians, executors,
15 trustees, and other fiduciaries; and other persons authorized
16 to invest in bonds or other obligations of the state, may
17 properly and legally invest funds, including capital, in their
18 control or belonging to them.

19 6. Bonds must be authorized by a trust indenture,
20 resolution, or other instrument of the treasurer of state.
21 However, a trust indenture, resolution, or other instrument
22 authorizing the issuance of bonds may delegate to an officer
23 of the issuer the power to negotiate and fix the details of an
24 issue of bonds.

25 7. Neither the resolution, trust agreement, nor any other
26 instrument by which a pledge is created needs to be recorded
27 or filed under the Iowa uniform commercial code to be valid,
28 binding, or effective.

29 8. Bonds issued under the provisions of this section are
30 declared to be issued for a general public and governmental
31 purpose and all bonds issued under this section shall be
32 exempt from taxation by the state of Iowa and the interest on
33 the bonds shall be exempt from the state income tax and the
34 state inheritance and estate tax.

35 9. Subject to the terms of any bond documents, moneys in

1 the school infrastructure fund may be expended for
2 administration expenses.

3 10. The treasurer of state may issue bonds for the purpose
4 of refunding any bonds or notes issued pursuant to this
5 section then outstanding, including the payment of any
6 redemption premiums thereon and any interest accrued or to
7 accrue to the date of redemption of the outstanding bonds or
8 notes. Until the proceeds of bonds issued for the purpose of
9 refunding outstanding bonds or notes are applied to the
10 purchase or retirement of outstanding bonds or notes or the
11 redemption of outstanding bonds or notes, the proceeds may be
12 placed in escrow and be invested and reinvested in accordance
13 with the provisions of this section. The interest, income,
14 and profits earned or realized on an investment may also be
15 applied to the payment of the outstanding bonds or notes to be
16 refunded by purchase, retirement, or redemption. After the
17 terms of the escrow have been fully satisfied and carried out,
18 any balance of proceeds and interest earned or realized on the
19 investments may be returned and deposited in the school
20 infrastructure fund. All refunding bonds shall be issued and
21 secured and subject to the provisions of this chapter in the
22 same manner and to the same extent as other bonds issued
23 pursuant to this section.

24 Sec. 22. NEW SECTION. 12.82 SCHOOL INFRASTRUCTURE AND
25 RESERVE FUNDS.

26 1. A school infrastructure fund is created and established
27 as a separate and distinct fund in the state treasury under
28 the control of the department of education. The fund shall be
29 used for purposes of the school infrastructure program
30 established in section 292.2.

31 2. Revenue for the school infrastructure fund shall
32 include, but is not limited to, the following, which shall be
33 deposited with the treasurer of state or its designee as
34 provided by any bond or security documents and credited to the
35 fund:

1 a. The proceeds of bonds issued to capitalize and pay the
2 costs of the fund and investment earnings on the proceeds.

3 b. Interest attributable to investment of money in the
4 fund or an account of the fund.

5 c. Moneys in the form of a devise, gift, bequest,
6 donation, federal or other grant, reimbursement, repayment,
7 judgment, transfer, payment, or appropriation from any source
8 intended to be used for the purposes of the fund.

9 3. Moneys in the school infrastructure fund are not
10 subject to section 8.33. Notwithstanding section 12C.7,
11 subsection 2, interest or earnings on moneys in the fund shall
12 be credited to the fund.

13 4. The treasurer of state may establish reserve funds to
14 secure one or more issues of bonds or notes issued pursuant to
15 section 12.81. The treasurer of state may deposit in a
16 reserve fund established under this subsection the proceeds of
17 the sale of its bonds or notes and other money which is made
18 available from any other source. The treasurer of state may
19 allow a reserve fund established under this subsection to be
20 depleted.

21 Sec. 23. NEW SECTION. 12.83 PLEDGES.

22 1. It is the intention of the general assembly that a
23 pledge made in respect of bonds or notes shall be valid and
24 binding from the time the pledge is made, that the money or
25 property so pledged and received after the pledge by the
26 authority shall immediately be subject to the lien of the
27 pledge without physical delivery or further act, and that the
28 lien of the pledge shall be valid and binding as against all
29 parties having claims of any kind in tort, contract, or
30 otherwise against the treasurer of state whether or not the
31 parties have notice of the lien.

32 2. The state pledges to and agrees with the holders of
33 bonds or notes issued under section 12.81, that the state will
34 not limit or alter the rights and powers vested in the
35 treasurer of state to fulfill the terms of a contract made by

1 the treasurer of state with respect to the bonds or notes, or
2 in any way impair the rights and remedies of the holders until
3 the bonds and notes, together with the interest on them
4 including interest on unpaid installments of interest, and all
5 costs and expenses in connection with an action or proceeding
6 by or on behalf of the holders, are fully met and discharged.
7 The treasurer of state is authorized to include this pledge
8 and agreement of the state, as it refers to holders of bonds
9 or notes of the authority, in a contract with the holders.

10 Sec. 24. NEW SECTION. 12.84 LIMITATIONS.

11 Bonds or notes issued pursuant to section 12.81 are not
12 debts of the state, or of any political subdivision of the
13 state and do not constitute a pledge of the faith and credit
14 of the state or a charge against the general credit or general
15 fund of the state. The issuance of any bonds or notes
16 pursuant to section 12.81 by the treasurer of state does not
17 directly, indirectly, or contingently obligate the state or a
18 political subdivision of the state to apply moneys from, or to
19 levy or pledge any form of taxation whatever to, the payment
20 of the bonds or notes. Bonds and notes issued under section
21 12.81 are payable solely and only from the sources and special
22 fund provided in section 12.82. Expenses incurred in carrying
23 out sections 12.81 through 12.83, this section, and section
24 12.85 are payable solely from funds available under those
25 sections.

26 Sec. 25. NEW SECTION. 12.85 CONSTRUCTION.

27 Sections 12.81 through 12.84, being necessary for the
28 welfare of this state and its inhabitants, shall be liberally
29 construed to effect its purposes.

30 DIVISION III

31 Sec. 26. NEW SECTION. 292.1 DEFINITIONS.

32 As used in this chapter, unless the context otherwise
33 requires:

34 1. "Capacity per pupil" means the sum of a school
35 district's property tax infrastructure capacity per pupil and

1 the sales tax capacity per pupil.

2 2. "Committee" means the school budget review committee
3 established in section 257.30.

4 3. "Department" means the department of education
5 established in section 256.1.

6 4. "Fund" means the school infrastructure fund created in
7 section 12.82.

8 5. "Local match percentage" means a percentage equivalent
9 to either of the following, whichever is less:

10 a. Fifty percent.

11 b. The quotient of a school district's capacity per pupil
12 divided by the capacity per pupil of the school district at
13 the fortieth percentile, multiplied by fifty, except that the
14 percentage in this paragraph shall not be less than twenty
15 percent.

16 6. "Program" means the school infrastructure program
17 established in section 292.2.

18 7. "Property tax infrastructure capacity per pupil" means
19 the sum of a school district's levies under sections 298.2 and
20 298.18 when the levies are imposed to the maximum extent
21 allowable under law in the budget year divided by the school
22 district's basic enrollment for the budget year.

23 8. "Sales tax capacity per pupil" means the estimated
24 amount of revenues that a school district receives or would
25 receive if a local sales and services tax for school
26 infrastructure is imposed at one percent pursuant to section
27 422E.2, divided by the school district's basic enrollment for
28 the budget year. For the budget year beginning July 1, 2000,
29 the school district's actual enrollment shall be used in the
30 calculation in place of the school district's basic enrollment
31 for the budget year.

32 9. "School infrastructure" means activities initiated on
33 or after July 1, 2000, as authorized in section 296.1 but does
34 not include those activities related to stadiums, bus barns, a
35 home or homes of a teacher or superintendent, procuring and

1 improving a site for an athletic field, or improving a site
2 already owned for an athletic field.

3 Sec. 27. NEW SECTION. 292.2 SCHOOL INFRASTRUCTURE
4 PROGRAM.

5 1. a. The department shall establish and administer a
6 school infrastructure program to provide financial assistance
7 in the form of grants to school districts with school
8 infrastructure needs.

9 b. The department of education, in consultation with the
10 department of management, shall annually compute the property
11 tax infrastructure capacity per pupil for each school district
12 in the state.

13 c. The department of education, in consultation with the
14 department of revenue and finance and the legislative fiscal
15 bureau, shall annually calculate the estimated sales and
16 services tax for school infrastructure, if imposed at one
17 percent, that is or would be received by each school district
18 in the state pursuant to section 422E.3. These calculations
19 shall be made on a total tax and on a tax per pupil basis for
20 each school district.

21 d. The department of education, in consultation with the
22 department of revenue and finance and the department of
23 management, shall annually compute capacity per pupil and the
24 local match percentage for each school district in the state.
25 The initial calculations shall be released not later than
26 January 1, 2001. For all calculations thereafter, the
27 calculations shall be released not later than July 1 of each
28 year.

29 2. a. A school district's local match requirement is
30 equivalent to the total investment of a project multiplied by
31 the school district's local match percentage. A school
32 district may submit an application to the department for
33 financial assistance under the program if the school district
34 meets the district's local match requirement through one or
35 more of the following sources:

1 (1) The issuance of bonds pursuant to section 298.18.

2 (2) Local sales and services tax moneys received pursuant
3 to section 422E.3.

4 (3) A physical plant and equipment levy under chapter 298.

5 (4) Other moneys locally obtained by the school district
6 excluding other state or federal grant moneys.

7 b. If the project is in collaboration with other public or
8 private entities, the school district shall be eligible to
9 apply for only the school district's portion of the project.
10 As such, state or federal grants received by the other
11 entities cannot be used toward the local match requirement
12 under paragraph "a", subparagraph (4).

13 c. A school district may submit an application for a
14 project which includes activities at more than one attendance
15 center. However, if the activities relate to new
16 construction, the project shall only relate to one attendance
17 center.

18 d. A school district may submit an application for
19 conditional approval to the department for financial
20 assistance under the program if the school district submits a
21 plan for securing the school district's local match
22 requirement under paragraph "a". If a school district does
23 not meet the local match requirement of paragraph "a" within
24 nine months of receiving conditional approval from the
25 department, the application for financial assistance shall be
26 denied by the department and the financial assistance shall be
27 carried forward to be made available under the allocation
28 provided under subsection 4, paragraph "d", for the next
29 available grant cycle.

30 e. For the fiscal year beginning July 1, 2000,
31 applications shall be submitted to the department by March 1,
32 2001. For the fiscal year beginning July 1, 2001, and every
33 fiscal year thereafter, applications shall be submitted to the
34 department by October 15 of each year.

35 f. For the fiscal year beginning July 1, 2000, the

1 department shall notify all approved applicants by May 1,
2 2001, regarding the approval of the application. For the
3 fiscal year beginning July 1, 2001, and every fiscal year
4 thereafter, the department shall notify all approved
5 applicants by December 15 of each year regarding the approval
6 of the application.

7 g. An applicant which is not successful in obtaining
8 financial assistance under the program may reapply for
9 financial assistance in succeeding years.

10 3. The application shall include, but shall not be limited
11 to, the following information:

12 a. The total capital investment of the project.

13 b. The amount and percentage of moneys which the school
14 district will be providing for the project.

15 c. The infrastructure needs of the school district,
16 especially the fire and health safety needs of the school
17 district, and including the extent to which the project would
18 allow the school district to meet the infrastructure needs of
19 the school district on a long-term basis.

20 d. The financial assistance needed by the school district
21 based upon the capacity per pupil.

22 e. Any previous efforts by the school district to secure
23 infrastructure funding from federal, state, or local
24 resources, including any funding received for any project
25 under the Iowa demonstration construction grant program. The
26 previous efforts shall be evaluated on a case-by-case basis.

27 f. Evidence that the school district meets or will meet
*28 the local match requirement in subsection 2, paragraph "a".

29 g. The nature of the proposed project and its relationship
30 to improving educational opportunities for the students.

31 h. Evidence that the school district has reorganized on or
32 after July 1, 2000, or that the school district has initiated
33 a resolution to reorganize by July 1, 2004, or entered into an
34 innovative collaboration with another school district or
35 school districts.

1 i. Evidence that the school district receives sales and
2 services tax for school infrastructure funding under section
3 422E.3.

4 4. A school district shall not receive more than one grant
5 under the program. The financial assistance shall be in the
6 form of grants and shall be allocated in the following manner:

7 a. Twenty-five percent of the financial assistance each
8 year shall be awarded to school districts with an enrollment
9 of one thousand one hundred ninety-nine students or less.

10 b. Twenty-five percent of the financial assistance each
11 year shall be awarded to school districts with an enrollment
12 of more than one thousand one hundred ninety-nine students but
13 not more than four thousand seven hundred fifty students.

14 c. Twenty-five percent of the financial assistance each
15 year shall be awarded to school districts with an enrollment
16 of more than four thousand seven hundred fifty students.

17 d. Twenty-five percent of the financial assistance each
18 year, any financial assistance not awarded under paragraphs
19 "a" through "c", and financial assistance not awarded in
20 previous fiscal years shall be awarded to school districts
21 with any size enrollment.

22 5. A district shall receive the lesser of one million
23 dollars of financial assistance under the program, or the
24 total capital investment of the project minus the local match
25 requirement. The program shall provide grants in an amount of
26 not more than ten million dollars during the fiscal year
27 beginning July 1, 2000, not more than twenty million dollars
28 during the fiscal year beginning July 1, 2001, and not more
29 than twenty million dollars during the fiscal year beginning
30 July 1, 2002.

31 6. The school budget review committee shall review all
32 applications for financial assistance under the program and
33 make recommendations regarding the applications to the
34 department. The department shall make the final determination
35 on grant awards. The school budget review committee shall

1 base the recommendations on the criteria established pursuant
2 to subsections 3 and 7.

3 7. The department shall form a task force to review
4 applications for financial assistance and provide
5 recommendations to the school budget review committee. The
6 task force shall include, at a minimum, representatives from
7 the kindergarten through grade twelve education community, the
8 state fire marshal, and individuals knowledgeable in school
9 infrastructure and construction issues. The department, in
10 consultation with the task force, shall establish the
11 parameters and the details of the criteria for awarding grants
12 based on the information listed in subsection 3, including
13 greater priority to the following:

14 a. A school district with a lower capacity per pupil.

15 b. A school district whose plans address specific occupant
16 safety issues.

17 c. A school district reorganizing or collaborating as
18 described in subsection 3, paragraph "h".

19 d. A school district for which a sales and services tax
20 for school infrastructure has not been imposed pursuant to
21 section 422E.2 or a school district receiving minimal revenues
22 under section 422E.3 when the total enrollment of the school
23 district is considered.

*24 8. An applicant receiving financial assistance under the
25 program shall submit a progress report to the department of
26 education as requested by the department which shall include a
27 description of the activities under the project, the status of
28 the implementation of the project, and any other information
29 required by the department.

*30 Sec. 28. NEW SECTION. 292.4 RULES.

31 The department shall adopt rules, pursuant to chapter 17A,
32 necessary for administering the school infrastructure program
33 and fund.

34 Sec. 29. Section 384.95, subsection 1, Code 1999, is
35 amended to read as follows:

1 1. "Public improvement" means any building or construction
2 work, either within or outside the corporate limits of a city,
3 to be paid for in whole or in part by the use of funds of the
4 city, regardless of sources, including a building or
5 improvement constructed or operated jointly with any other
6 public or private agency, but excluding urban renewal
7 demolition and low-rent housing projects, industrial aid
8 projects authorized under chapter 419, emergency work or work
9 performed by employees of a city or a city utility.

10 Sec. 30. Sections 15.371 through 15.373, Code Supplement
11 1999, are repealed.

12 Sec. 31. REPEAL AND REENACTMENT -- CONTINUATION. The
13 repeal and reenactment of Code sections relating to the
14 community attraction and tourism development program and the
15 community attraction and tourism development fund are intended
16 to be a continuation of the prior statutes and not a new
17 enactment, so far as the new enactment is the same as the
18 prior statutes. The repeal and reenactment of Code sections
19 relating to the community attraction and tourism development
20 program and the community attraction and tourism development
21 fund shall not cause moneys in the current community
22 attraction and tourism development fund to revert to any other
23 fund but such moneys shall remain in the community attraction
24 and tourism fund established in Code section 15F.204 for
25 expenditure for subsequent fiscal years. The repeal and
26 reenactment of Code sections relating to the community
27 attraction and tourism development program and the community
28 attraction and tourism development fund shall not nullify any
29 awards made under the program based on appropriations made in
30 1999 Iowa Acts, chapter 204, section 3, subsection 2, for the
31 fiscal years beginning July 1, 1999, and July 1, 2000.

32 Sec. 32. This Act prevails over the provisions of 2000
33 Iowa Acts, House File 2392, if enacted, relating to any
34 amendments to the community attraction and tourism development
35 program and fund, which provisions are void.

SENATE FILE 2447

H-8948

1 Amend Senate File 2447, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 28, by inserting after line 29 the
4 following:

5 "9. A school district located in a county which
6 has imposed a sales and services tax for school
7 infrastructure pursuant to section 422E.2 and has
8 sales and services tax revenue of more than five
9 hundred thirteen dollars per pupil shall not be
10 eligible for financial assistance under the program."

By HOFFMAN of Crawford

H-8948 FILED APRIL 18, 2000

ADOPTED
4/19/00 (P. 1646)

SENATE FILE 2447

H-8949

1 Amend Senate File 2447, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 15, line 5, by striking the word
4 "seventy-five" and inserting the following: "fifty".

By BLODGETT of Cerro Gordo

H-8949 FILED APRIL 19, 2000

Adopt
4/19/00 (P. 1635)

SENATE FILE 2447

H-8950

1 Amend Senate File 2447, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 9, line 9, by inserting after the word
4 "program." the following: "An applicant or the board
5 may divide a proposed project into component parts.
6 The board may choose to provide financial assistance
7 under the program to one or more component parts
8 instead of providing financial assistance under the
9 program for the entire project."

By MILLAGE of Scott

H-8950 FILED APRIL 19, 2000

Adapted
4-19-00
(P. 1632)

SENATE FILE 2447

H-8951

- 1 Amend Senate File 2447, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 23, line 10, by striking the word "Fifty"
- 4 and inserting the following: "Sixty".

By MILLAGE of Scott

H-8951 FILED APRIL 19, 2000

W/D
4/19/00 (P. 1639)
 SENATE FILE 2447

H-8952

- 1 Amend Senate File 2447, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 9, line 18, by striking the word "fifty"
- 4 and inserting the following: "sixty".

By MILLAGE of Scott

H-8952 FILED APRIL 19, 2000

Last
4-19-00 (P. 1632)
 SENATE FILE 2447

H-8953

- 1 Amend Senate File 2447, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 9, by striking lines 22 through 31 and
- 4 inserting the following:
- 5 "a. The project is primarily a project with
- 6 demonstrated, substantial regional or statewide
- 7 economic impact involving land acquisition and
- 8 construction, major renovation and major repair of
- 9 buildings, all appurtenant structures, utilities, site
- 10 development, and recreational trails, but not
- 11 including routine, recurring maintenance or
- 12 operational expenses or leasing of a building,
- 13 appurtenant structure, or utility without a lease-
- 14 purchase agreement."

By MILLAGE of Scott

H-8953 FILED APRIL 19, 2000

W/D
4-19-00
(P. 1632)
 SENATE FILE 2447

H-8954

- 1 Amend Senate File 2447, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 12, line 2, by inserting after the word
- 4 "dollars." the following: "The board shall not
- 5 provide financial assistance to an applicant under the
- 6 vision Iowa program in an amount which exceeds twenty
- 7 percent of the aggregate principal amount of bonds
- 8 issued pursuant to this section."

By MILLAGE of Scott

H-8954 FILED APRIL 19, 2000

Last
4/19/00
(P. 1634)

SENATE FILE 2447

H-8955

1 Amend Senate File 2447, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 15, by striking lines 4 through 6 and
 4 inserting the following: "appropriation. Applicants
 5 from the same county for all fiscal years shall not
 6 together receive financial assistance from the vision
 7 Iowa fund in an amount which totals more than the
 8 amount determined by the following formula less the
 9 total amount received by all persons in the county in
 10 all fiscal years under the community attraction and
 11 tourism program established in section 15F.202:
 12 a. The population of the county, according to the
 13 most recent census, divided by the population of the
 14 state, according to the most recent census.
 15 b. The quotient calculated in paragraph "a"
 16 multiplied by two.
 17 c. The product calculated in paragraph "b"
 18 multiplied by three hundred million dollars.
 19 The formula shall not set a limitation lower than
 20 ten million dollars for any applicant."

By JENKINS of Black Hawk
HOLMES of Scott

H-8955 FILED APRIL 19, 2000

Lat
4/19/00 (P. 1636)

SENATE FILE 2447

H-8956

1 Amend Senate File 2447, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 15, line 6, by inserting after the word
 4 "fund." the following: "The board shall not award
 5 financial assistance from the fund to a county for
 6 more than one project."

By MILLAGE of Scott

H-8956 FILED APRIL 19, 2000

Lat
4/19/00 (P. 1635)

SENATE FILE 2447

H-8957

1 Amend Senate File 2447, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 15, by striking lines 4 through 6 and
 4 inserting the following: "appropriation."

By RAECKER of Polk
SHEY of Linn

H-8957 FILED APRIL 19, 2000

W/D
4/19/00 (P. 1636)

SENATE FILE 2447

H-8958

1 Amend Senate File 2447, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 12, line 2, by striking the word "three"
 4 and inserting the following: "five".
 5 2. Page 15, by striking lines 4 through 6 and
 6 inserting the following: "appropriation."
 By RAECKER of Polk
 SHEY of Linn

H-8958 FILED APRIL 19, 2000

kept
4/19/00 (P. 1634)

SENATE FILE 2447

H-8959

1 Amend Senate File 2447, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 15, line 5, by striking the word
 4 "seventy-five" and inserting the following: "one
 5 hundred".
 By RAECKER of Polk
 SHEY of Linn

H-8959 FILED APRIL 19, 2000

lost
4/19/00
P. 1636

SENATE FILE 2447

H-8960

1 Amend Senate File 2447, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 23, by striking lines 13 through 15 and
 4 inserting the following: "the fortieth percentile,
 5 multiplied by fifty."
 By RICHARDSON of Warren

H-8960 FILED APRIL 19, 2000

WID
4/19/00
(P. 1639)

SENATE FILE 2447

H-8961

1 Amend Senate File 2447, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 28, by inserting after line 29 the
 4 following:
 5 "9. A school district shall not be eligible for
 6 financial assistance under the program if the school
 7 district is located in whole or in part in a county
 8 which has imposed a sales and services tax for school
 9 infrastructure pursuant to section 422E.2 and has a
 10 capacity per pupil above the statewide average for
 11 capacity per pupil."

By RICHARDSON of Warren

H-8961 FILED APRIL 19, 2000

0/0
4/19/00
(P. 1647)

SENATE FILE 2447

H-8962

1 Amend Senate File 2447, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 2, line 7, by inserting after the word
4 "senate." the following: "However, the member listed
5 in subsection 2, paragraph "c" shall not be subject to
6 confirmation by the senate."

7 2. Page 2, line 15, by inserting after the word
8 "counties." the following: "Three of the members
9 listed in subsection 2, paragraphs "a" and "d" shall
10 be from a county that has a population ranking in the
11 bottom thirty-three counties according to the 1990
12 census."

13 3. Page 6, by inserting after line 19 the
14 following:

15 "6. Upon denial of an application for financial ^A
16 assistance under the program, the board shall notify
17 the applicant regarding the reasons for the denial of
18 the application."

By RICHARDSON of Warren

H-8962 FILED APRIL 19, 2000

*W/D**4/19/00 (P 1630)*

SENATE FILE 2447

H-8963

1 Amend Senate File 2447, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking page 17, line 20, through page 28,
4 line 33.

5 2. Title page, by striking lines 2 and 3 and
6 inserting the following: "assistance to communities
7 by continuing the".

8 3. By renumbering as necessary.

By MILLAGE of Scott

H-8963 FILED APRIL 19, 2000

*W/D**4/19/00**(P. 1647)*

SENATE FILE 2447

H-8964

1 Amend Senate File 2447, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 28, by inserting after line 29 the
4 following:

5 "9. For each school district that receives
6 financial assistance under the program and is located
7 in a county which has imposed a sales and services tax
8 for school infrastructure pursuant to section 422E.2,
9 the department of education, in cooperation with the
10 department of management and the department of revenue
11 and finance, shall certify the total amount of sales
12 and services tax for school infrastructure revenues
13 for each fiscal year received by the county in which
14 the school district is located. For the fiscal year
15 in which the school district first receives financial
16 assistance under the program, all sales and services
17 tax revenues received by the county which is above the
18 certified amount for the prior fiscal year, shall be
19 distributed on a per pupil basis to school districts
20 in the state which do not receive moneys from sales
21 and services tax for school infrastructure revenues
22 imposed pursuant to section 422E.2 and which have a
23 capacity per pupil lower than the statewide average
24 for capacity per pupil."

By RICHARDSON of Warren

H-8964 FILED APRIL 19, 2000

W/P
4/19/00
(P. 1640)

SENATE FILE 2447

H-8965

1 Amend Senate File 2447, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 5, line 30, by inserting after the word
4 "impact" the following: ", including any projected
5 increase in revenue received from a local sales and
6 services tax for school infrastructure imposed
7 pursuant to section 422E.2".

8 2. Page 9, by inserting after line 5 the
9 following:

10 "4. If a local sales and services tax for school
11 infrastructure is imposed pursuant to section 422E.2
12 in the county of an applicant receiving financial
13 assistance under the program, any amount of revenue
14 received by the county from the local sales and
15 services tax for school infrastructure above the
16 amount received by the county from the local sales and
17 services tax for school infrastructure at the time the
18 application is approved shall be distributed to all
19 school districts in the state on a per pupil basis."

20 3. Page 24, line 19, by striking the words "a
21 total tax and on".

22 4. Page 24, line 20, by inserting after the word
23 "district." the following: "The department of
24 education, in consultation with the department of
25 revenue and finance and the legislative fiscal bureau,
26 shall annually calculate the sales tax capacity for
27 each school district in order to determine the sales
28 tax capacity for the school district at the fiftieth
29 percentile for purposes of subsection 5."

30 5. Page 25, by striking lines 15 through 17 and
31 inserting the following: "center."

32 6. Page 27, line 4, by striking the word "A" and
33 inserting the following: "Except as provided in
34 subsection 4A, a".

35 7. Page 27, by inserting after line 21 the
36 following:

37 "4A. If all applications are approved or denied
38 during a fiscal year and money is remaining in the
39 fund, a school district may apply for and, upon
40 approval, receive a second grant under the program."

41 8. Page 27, by striking line 25 and inserting the
42 following: "requirement. If a local sales and
43 services tax for infrastructure is imposed pursuant to
44 section 422E.2 in the county of a school district
45 receiving financial assistance under the program, then
46 the school district's grant shall be reduced by an
47 amount equal to the amount of local sales and services
48 tax for infrastructure revenue received by the school
49 district minus the sales tax capacity of the school
50 district at the fiftieth percentile for sales tax

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Page 2

1 capacity.

2 5A. The program shall provide grants in an amount
3 of".

By RICHARDSON of Warren

H-8965 FILED APRIL 19, 2000

A. Lost 4/19/00 (p.1631)

B. W/D 4/19/00 SENATE FILE 2447

H-8966

1 Amend Senate File 2447, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 7, by inserting after line 28 the
4 following:

5 "8. Of any moneys appropriated for deposit in the
6 fund, up to ten percent may be used for the
7 development of marketing efforts and promotion of Iowa
8 tourism attractions and events in markets outside the
9 state. Moneys for such out-of-state marketing and
10 promotion shall be allocated equally among the three
11 tourism regions in the state."

By RAECKER of Polk

BOGCESS of Page

STEVENS of Dickinson

H-8966 FILED APRIL 19, 2000

Lost 4-19-00 (P.1632)

SENATE FILE 2447

H-8968

1 Amend Senate File 2447, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 23, line 13, by inserting after the word
4 "fifty" the following: "percent".

5 2. Page 27, line 30, by inserting after the
6 figure "2002." the following: "If the amount of
7 grants awarded in a fiscal year is less than the
8 maximum amount provided for grants for that fiscal
9 year in this subsection, the amount of the difference
10 shall be carried forward to subsequent fiscal years
11 for purposes of providing grants under the program and
12 the maximum amount of grants for each fiscal year, as
13 provided in this subsection, shall be adjusted
14 accordingly."

By TEIG of Hamilton

H-8968 FILED APRIL 19, 2000

adopted 4/19/00 (p.1639)

SENATE FILE 2447

H-8970

1 Amend the amendment, H-8948, to Senate File 2447,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, line 6, by striking the word "a" and
5 inserting the following: "the maximum rate of".

By CORMACK of Webster

MUNDIE of Webster

H-8970 FILED APRIL 19, 2000

W/D 4-19-00 (p.1646)

SENATE FILE 2447

H-8971

1 Amend Senate File 2447, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 11, by inserting after line 16 the
4 following:

5 "Sec. ____ . NEW SECTION. 15F.305 VISION IOWA
6 FUND.

7 1. A vision Iowa fund is created in the state
8 treasury under the control of the department
9 consisting of moneys appropriated by the general
10 assembly and any other moneys available to and
11 obtained by the department for placement in the fund.
12 An applicant under the vision Iowa program shall not
13 receive more than fifty million dollars in financial
14 assistance from the fund.

15 2. The fund shall be used to provide financial
16 assistance in the form of grants under the vision Iowa
17 program.

18 3. Moneys in the fund are not subject to section
19 8.33."

20 2. By striking page 11, line 17, through page 22,
21 line 29.

22 3. Page 28, by inserting before line 30 the
23 following:

24 "Sec. ____ . NEW SECTION. 292.3 SCHOOL
25 INFRASTRUCTURE FUND.

26 1. A school infrastructure fund is created in the
27 state treasury under the control of the department
28 consisting of moneys appropriated by the general
29 assembly and any other moneys available to and
30 obtained by the department for placement in the fund.

31 2. The fund shall be used to provide financial
32 assistance in the form of grants under the school
33 infrastructure program.

34 3. Moneys in the fund are not subject to section
35 8.33."

36 4. Page 29, by inserting after line 11 the
37 following:

38 "Sec. ____ . APPROPRIATIONS.

39 1. For the fiscal year beginning July 1, 2000,
40 there is appropriated from the cash reserve fund
41 created in section 8.56, to the department of economic
42 development two hundred million dollars for deposit in
43 the vision Iowa fund created in section 15F.305,
44 notwithstanding any contrary provisions of section
45 8.56.

46 2. For the fiscal year beginning July 1, 2001, and
47 for each of the two succeeding fiscal years,
48 notwithstanding section 8.57, subsection 5, paragraph
49 "c", there is appropriated from the rebuild Iowa
50 infrastructure fund to the department of education

H-8971

H-8971

Page 2

- 1 twenty-five million dollars for deposit in the school
- 2 infrastructure fund created in section 292.3."
- 3 5. Title page, line 6, by striking the word
- 4 "and".
- 5 6. Title page, line 7, by inserting after the
- 6 word "taxation" the following: ", and making
- 7 appropriations".
- 8 7. By renumbering as necessary.

By SHOULTZ of Black Hawk

H-8971 FILED APRIL 19, 2000

W/D
4/19/00 (p.1646)

SENATE FILE 2447

H-8972

- 1 Amend Senate File 2447, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 24, line 2, by inserting after the word
- 4 "field." the following: "'School infrastructure" may
- 5 include bonded indebtedness for activities included
- 6 under the definition in this subsection and initiated
- 7 prior to July 1, 2000."

By RAYHONS of Hancock

H-8972 FILED APRIL 19, 2000

lost
4/19/00 (p.1639)

SENATE FILE 2447

H-8973

- 1 Amend Senate File 2447, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 29, by inserting after line 35 the
- 4 following:
- 5 "Sec. ____ . STUDY. The legislative council is
- 6 requested to establish an interim study committee to
- 7 examine all issues related to school infrastructure
- 8 financing, including the issue of equity in school
- 9 infrastructure financing."
- 10 2. By renumbering as necessary.

By HOFFMAN of Crawford
RICHARDSON of Warren

H-8973 FILED APRIL 19, 2000

W/D
4/19/00
(p.1641)

SENATE FILE 2447

H-8974

1 Amend Senate File 2447, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, line 7, by inserting after the word
 4 "senate." the following: "However, the member listed
 5 in subsection 2, paragraph "c" shall not be subject to
 6 confirmation by the senate."
 7 2. Page 2, line 15, by inserting after the word
 8 "counties." the following: "Three of the members
 9 listed in subsection 2, paragraphs "a" and "d", shall
 10 be from a county that has a population of less than
 11 fifty thousand according to the 1990 census."
 12 3. Page 6, by inserting after line 19 the
 13 following:
 14 "6. Upon denial of an application for financial
 15 assistance under the program, the board shall notify
 16 the applicant regarding the reasons for the denial of
 17 the application."

By RICHARDSON of Warren

H-8974 FILED APRIL 19, 2000

Last
4/19/00 (p. 1642)

SENATE FILE 2447

H-8975

1 Amend the amendment, H-8964, to Senate File 2447,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, line 17, by inserting after the word
 5 "tax" the following: "for school infrastructure".

By RICHARDSON of Warren

H-8975 FILED APRIL 19, 2000

0/0 4/19/00
p. 1640

SENATE FILE 2447

H-8976

1 Amend Senate File 2447, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 17, line 26, by striking the word "fifty"
 4 and inserting the following: "seventy-five".

By KUHN of Floyd	FOEGE of Linn
WISE of Lee	WITT of Black Hawk
RICHARDSON of Warren	LARKIN of Lee
MASCHER of Johnson	FALLON of Polk
KREIMAN of Davis	COHOON of Des Moines
BUKTA of Clinton	SCHERRMAN of Dubuque
GREIMANN of Story	OSTERHAUS of Jackson

H-8976 FILED APRIL 19, 2000

Last
4/19/00
(p. 1639)

SENATE FILE 2447

H-8977

1 Amend Senate File 2447, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 4, by inserting after line 32 the
4 following:

5 "f. A discussion of the manner in which the
6 project has taken the following planning principles
7 into consideration during the planning of the project:

8 (1) Efficient and effective use of land resources
9 and existing infrastructure by encouraging development
10 in areas with existing infrastructure or capacity to
11 avoid costly duplication of services and costly use of
12 land.

13 (2) Provision for a variety of transportation
14 choices, including neighborhoods conducive to
15 pedestrian traffic.

16 (3) Maintenance of a unique sense of place by
17 respecting local cultural and natural environmental
18 features.

19 (4) Conservation of open space and farmland and
20 preservation of critical environmental areas.

21 (5) Promotion of the safety, livability, and
22 revitalization of existing urban and rural
23 communities."

24 2. Page 8, by inserting after line 32 the
25 following:

26 "h. A discussion of the manner in which the
27 project has taken the following planning principles
28 into consideration during the planning of the project:

29 (1) Efficient and effective use of land resources
30 and existing infrastructure by encouraging development
31 in areas with existing infrastructure or capacity to
32 avoid costly duplication of services and costly use of
33 land.

34 (2) Provision for a variety of transportation
35 choices, including neighborhoods conducive to
36 pedestrian traffic.

37 (3) Maintenance of a unique sense of place by
38 respecting local cultural and natural environmental
39 features.

40 (4) Conservation of open space and farmland and
41 preserve critical environmental areas.

42 (5) Promotion of the safety, livability, and
43 revitalization of existing urban and rural
44 communities."

By FALLON of Polk

H-8977 FILED APRIL 19, 2000

Lost
4/19/00
(P.1643)

SENATE FILE 2447

H-8978

1 Amend Senate File 2447, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 6, by inserting after line 9 the
4 following:

5 "g. The extent to which the project has taken the
6 following planning principles into consideration:
7 (1) Efficient and effective use of land resources
8 and existing infrastructure by encouraging development
9 in areas with existing infrastructure or capacity to
10 avoid costly duplication of services and costly use of
11 land.

12 (2) Provision for a variety of transportation
13 choices, including neighborhoods conducive to
14 pedestrian traffic.

15 (3) Maintenance of a unique sense of place by
16 respecting local cultural and natural environmental
17 features.

18 (4) Conservation of open space and farmland and
19 preservation of critical environmental areas.

20 (5) Promotion of the safety, livability, and
21 revitalization of existing urban and rural
22 communities."

23 2. Page 11, by inserting after line 13 the
24 following:

25 "h. The extent to which the project has taken the
26 following planning principles into consideration:

27 (1) Efficient and effective use of land resources
28 and existing infrastructure by encouraging development
29 in areas with existing infrastructure or capacity to
30 avoid costly duplication of services and costly use of
31 land.

32 (2) Provision for a variety of transportation
33 choices, including neighborhoods conducive to
34 pedestrian traffic.

35 (3) Maintenance of a unique sense of place by
36 respecting local cultural and natural environmental
37 features.

38 (4) Conservation of open space and farmland and
39 preserve critical environmental areas.

40 (5) Promotion of the safety, livability, and
41 revitalization of existing urban and rural
42 communities."

By FALLON of Polk

H-8978 FILED APRIL 19, 2000

Adopted
4-19-00
(P. 1645)

SENATE FILE 2447

H-8980

1 Amend Senate File 2447, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 7, line 1, by inserting after the word
4 "project." the following: "The total cost of a
5 project shall not exceed two million dollars."

By WEIGEL of Chickasaw

H-8980 FILED APRIL 19, 2000

Root
4/19/00 (P 1645)

SENATE FILE 2447

H-8981

1 Amend Senate File 2447, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 9, line 7, by striking the word "twenty"
4 and inserting the following: "five".

By WEIGEL of Chickasaw

H-8981 FILED APRIL 19, 2000

Root
4/19/00 (P 1646)

SENATE FILE 2447

H-8982

1 Amend Senate File 2447, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 28, by inserting after line 29 the
4 following:
5 "9. If a school district receives financial
6 assistance under the vision Iowa program created under
7 section 15F.302 pursuant to a joint application
8 submitted under section 15F.302, subsection 3, the
9 school district shall not be eligible to receive
10 financial assistance under the school infrastructure
11 program."

By DOLECHECK of Ringgold

H-8982 FILED APRIL 19, 2000

adopted
4/19/00
(P 1640)

SENATE FILE 2447

H-8983

- 1 Amend Senate File 2447, as amended, passed, and
2 reprinted by the Senate, as follows:
- 3 1. Page 17, line 21, by striking the word
4 "SCHOOL" and inserting the following: "COMMUNITY".
 - 5 2. Page 17, line 23, by striking the word
6 "school" and inserting the following: "community".
 - 7 3. Page 17, line 27, by striking the word
8 "school" and inserting the following: "community".
 - 9 4. Page 18, line 7, by striking the word "school"
10 and inserting the following: "community".
 - 11 5. Page 18, line 17, by striking the word
12 "school" and inserting the following: "community".
 - 13 6. Page 20, line 1, by striking the word "school"
14 and inserting the following: "community".
 - 15 7. Page 20, line 19, by striking the word
16 "school" and inserting the following: "community".
 - 17 8. Page 20, line 24, by striking the word
18 "SCHOOL" and inserting the following: "COMMUNITY".
 - 19 9. Page 20, line 26, by striking the word
20 "school" and inserting the following: "community".
 - 21 10. Page 20, line 29, by striking the word
22 "school" and inserting the following: "community".
 - 23 11. Page 20, line 31, by striking the word
24 "school" and inserting the following: "community".
 - 25 12. Page 23, line 6, by striking the word
26 "school" and inserting the following: "community".
 - 27 13. Page 23, line 16, by striking the word
28 "school" and inserting the following: "community".
 - 29 14. Page 24, line 3, by striking the word
30 "SCHOOL" and inserting the following: "COMMUNITY".
 - 31 15. Page 24, line 6, by striking the word
32 "school" and inserting the following: "community".
 - 33 16. Page 24, line 8, by inserting after the word
34 "needs" the following: "and to counties with
35 infrastructure needs related to county jails. A grant
36 to a county for an infrastructure need related to a
37 county jail may be for a project which has been
38 initiated prior to the time the grant application is
39 submitted".
 - 40 17. Page 26, line 10, by striking the words "The
41 application" and inserting the following: "An
42 application related to school infrastructure".
 - 43 18. Page 27, by inserting after line 3 the
44 following:
45 "3A. An application for jail infrastructure needs
46 shall include, but not be limited to, a description of
47 the project and the total capital investment of the
48 project."
 - 49 19. Page 27, line 4, by inserting after the word
50 "district" the following: "or county".

H-8983

-1-

H-8983

Page 2

1 20. Page 27, line 21, by inserting after the word
2 "enrollment" the following: "and counties with jail
3 infrastructure needs".

4 21. Page 27, line 32, by inserting after the word
5 "applications" the following: "from school
6 districts".

7 22. Page 28, by inserting after line 2 the
8 following:

9 "6A. The department of corrections shall review
10 all applications from counties for financial
11 assistance related to jail infrastructure under the
12 program and make recommendations regarding the
13 applications to the department of education. The
14 department of education shall make the final
15 determination on grant awards."

16 23. Page 28, line 32, by striking the word
17 "school" and inserting the following: "community".

18 24. Title page, line 3, by striking the word
19 "school" and inserting the following: "community".

By BODDICKER of Cedar

H-8983 FILED APRIL 19, 2000

lost
4/19/00 (p. 1637)

SENATE FILE 2447

H-8984

1 Amend the amendment, H-8971, to Senate File 2447,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, line 40, by striking the words "cash
5 reserve" and inserting the following: "Iowa economic
6 emergency".

7 2. Page 1, line 41, by striking the figure "8.56"
8 and inserting the following: "8.55".

9 3. Page 1, line 45, by striking the figure "8.56"
10 and inserting the following: "8.55".

By SHOULTZ of Black Hawk

H-8984 FILED APRIL 19, 2000

o/o
4/19/00 (p. 1646)

SENATE FILE 2447

H-8985

1 Amend Senate File 2447, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 7, line 1, by inserting after the word
4 "project." the following: "Not more than five million
5 dollars of moneys from the fund shall be awarded to
6 projects in the same county over the lifetime of the
7 program."

8 2. Page 15, line 6, by inserting after the word
9 "fund." the following: "Not more than seventy-five
10 million dollars of moneys from the fund shall be
11 awarded to projects in the same county over the
12 lifetime of the program."

By WEIGEL of Chickasaw

H-8985 FILED APRIL 19, 2000

lost
4/19/00 (p. 1645)

SENATE FILE 2447

H-8986

1 Amend the amendment, H-8971, to Senate File 2447,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, line 13, by striking the word "fifty"
5 and inserting the following: "seventy-five".

By SHOULTZ of Black Hawk

H-8986 FILED APRIL 19, 2000

0/0
4/19/00 (P. 1646)

SENATE FILE 2447

H-8987

1 Amend the amendment, H-8978, to Senate File 2447,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, line 13, by striking the words
5 "neighborhoods conducive to".

6 2. Page 1, line 33, by striking the words
7 "neighborhoods conducive to".

By FALLON of Polk

H-8987 FILED APRIL 19, 2000

Adopted
4-19-00
(P. 1645)

SENATE FILE 2447

H-8988

1 Amend the amendment, H-8977, to Senate File 2447,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, line 14, by striking the words
5 "neighborhoods conducive to".

6 2. Page 1, line 35, by striking the words
7 "neighborhoods conducive to".

By FALLON of Polk

H-8988 FILED APRIL 19, 2000

Adopted
4-19-00
(P. 1643)

SENATE FILE 2447

H-8990

1 Amend the amendment, H-8948, to Senate File 2447,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by striking lines 5 through 10 and
5 inserting the following:

6 "9. A school district located in whole or in part
7 in a county which has imposed a sales and services tax
8 for school infrastructure pursuant to section 422E.2
9 and has sales and services tax for school
10 infrastructure revenue of more than the statewide
11 average of sales tax capacity per pupil, as defined in
12 section 292.1, subsection 8, shall not be eligible for
13 financial assistance under the program. For purposes
14 of this subsection, an individual school district's
15 sales tax capacity per pupil is the estimated total
16 sales and services tax for infrastructure revenue
17 actually received by the school district divided by
18 the school district's enrollment as specified in
19 section 292.1, subsection 8."

By HOFFMAN of Crawford

H-8990 FILED APRIL 19, 2000

*W/D
4/19/00 (p. 1646)*

SENATE FILE 2447

H-8991

1 Amend the amendment, H-8948, to Senate File 2447,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by striking lines 5 through 10 and
5 inserting the following:

6 ""9. A school district located in whole or in part
7 in a county which has imposed a sales and services tax
8 for school infrastructure pursuant to section 422E.2
9 and has sales and services tax for school
10 infrastructure revenue of more than the statewide
11 average of sales tax capacity per pupil, as defined in
12 section 292.1, subsection 8, shall not be eligible for
13 financial assistance under the program. For purposes
14 of this subsection, an individual school district's
15 sales tax capacity per pupil is the estimated total
16 sales and services tax for infrastructure revenue to
17 be actually received by the school district divided by
18 the school district's enrollment as specified in
19 section 292.1, subsection 8."

By HOFFMAN of Crawford

H-8991 FILED APRIL 19, 2000

*W/D
4/19/00
(p. 1646)*

SENATE FILE 2447

H-8992

- 1 Amend Senate File 2447, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 29, by inserting after line 11 the
- 4 following:
- 5 "Sec. ____ . APPROPRIATIONS.
- 6 1. For the fiscal year beginning July 1, 2000,
- 7 there is appropriated from the Iowa economic emergency
- 8 fund created in section 8.55, to the department of
- 9 economic development two hundred million dollars for
- 10 deposit in the vision Iowa fund created in section
- 11 12.72, notwithstanding any contrary provisions of
- 12 section 8.55.
- 13 2. For the fiscal year beginning July 1, 2001, and
- 14 for each of the two succeeding fiscal years,
- 15 notwithstanding section 8.57, subsection 5, paragraph
- 16 "c", there is appropriated from the rebuild Iowa
- 17 infrastructure fund to the department of education
- 18 twenty-five million dollars for deposit in the school
- 19 infrastructure fund created in section 12.82."
- 20 2. Title page, line 6, by striking the word
- 21 "and".
- 22 3. Title page, line 7, by inserting after the
- 23 word "taxation" the following: ", and making
- 24 appropriations".
- 25 4. By renumbering as necessary.

By SHOULTZ of Black Hawk

H-8992 FILED APRIL 19, 2000

Adopt
4/19/00 (P. 1641)

SENATE FILE 2447

H-8994

- 1 Amend Senate File 2447, as amended, passed, and
 - 2 reprinted by the Senate, as follows:
 - 3 1. Page 4, line 16, by striking the word "and"
 - 4 and inserting the following: "or".
 - 5 2. Page 5, by striking line 25 and inserting the
 - 6 following: "quality of life or the quality of
 - 7 attraction or tourism employment in the community."
 - 8 3. Page 5, line 27, by striking the words "and
 - 9 tourism" and inserting the following: "or tourism".
- By FALCK of Fayette REYNOLDS of Van Buren
 HOFFMAN of Crawford WISE of Lee
 HOUSER of Pottawattamie

H-8994 FILED APRIL 19, 2000

Adopted
4-19-00
(P. 1647)

SENATE FILE 2447

H-8995

1 Amend the amendment, H-8948, to Senate File 2447,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, by striking lines 5 through 10 and
 5 inserting the following:
 6 ""9. A school district located in whole or in part
 7 in a county which has imposed the maximum rate of
 8 sales and services tax for school infrastructure
 9 pursuant to section 422E.2 and has sales and services
 10 tax for school infrastructure revenue of more than the
 11 statewide average of sales tax capacity per pupil, as
 12 defined in section 292.1, subsection 8, shall not be
 13 eligible for financial assistance under the program.
 14 For purposes of this subsection, an individual school
 15 district's sales tax capacity per pupil is the
 16 estimated total sales and services tax for
 17 infrastructure revenue to be actually received by the
 18 school district divided by the school district's
 19 enrollment as specified in section 292.1, subsection
 20 8.""

By HOFFMAN of Crawford
 CORMACK of Webster
 MUNDIE of Webster

H-8995 FILED APRIL 19, 2000

Adopted
 4-19-00
 (P. 1647)

HOUSE AMENDMENT TO
SENATE FILE 2447

S-5545

1 Amend Senate File 2447, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 4, line 16, by striking the word "and"
4 and inserting the following: "or".

5 2. Page 5, by striking line 25 and inserting the
6 following: "quality of life or the quality of
7 attraction or tourism employment in the community."

8 3. Page 5, line 27, by striking the words "and
9 tourism" and inserting the following: "or tourism".

10 4. Page 6, by inserting after line 9 the
11 following:

12 "g. The extent to which the project has taken the
13 following planning principles into consideration:

14 (1) Efficient and effective use of land resources
15 and existing infrastructure by encouraging development
16 in areas with existing infrastructure or capacity to
17 avoid costly duplication of services and costly use of
18 land.

19 (2) Provision for a variety of transportation
20 choices, including pedestrian traffic.

21 (3) Maintenance of a unique sense of place by
22 respecting local cultural and natural environmental
23 features.

24 (4) Conservation of open space and farmland and
25 preservation of critical environmental areas.

26 (5) Promotion of the safety, livability, and
27 revitalization of existing urban and rural
28 communities."

29 5. Page 9, line 9, by inserting after the word
30 "program." the following: "An applicant or the board
31 may divide a proposed project into component parts.
32 The board may choose to provide financial assistance
33 under the program to one or more component parts
34 instead of providing financial assistance under the
35 program for the entire project."

36 6. Page 11, by inserting after line 13 the
37 following:

38 "h. The extent to which the project has taken the
39 following planning principles into consideration:

40 (1) Efficient and effective use of land resources
41 and existing infrastructure by encouraging development
42 in areas with existing infrastructure or capacity to
43 avoid costly duplication of services and costly use of
44 land.

45 (2) Provision for a variety of transportation
46 choices, including pedestrian traffic.

47 (3) Maintenance of a unique sense of place by
48 respecting local cultural and natural environmental
49 features.

50 (4) Conservation of open space and farmland and

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Page 2

1 preserve critical environmental areas.

2 (5) Promotion of the safety, livability, and
3 revitalization of existing urban and rural
4 communities."

5 7. Page 23, line 13, by inserting after the word
6 "fifty" the following: "percent".

7 8. Page 27, line 30, by inserting after the
8 figure "2002." the following: "If the amount of
9 grants awarded in a fiscal year is less than the
10 maximum amount provided for grants for that fiscal
11 year in this subsection, the amount of the difference
12 shall be carried forward to subsequent fiscal years
13 for purposes of providing grants under the program and
14 the maximum amount of grants for each fiscal year, as
15 provided in this subsection, shall be adjusted
16 accordingly."

17 9. Page 28, by inserting after line 29 the
18 following:

19 "9. If a school district receives financial
20 assistance under the vision Iowa program created under
21 section 15F.302 pursuant to a joint application
22 submitted under section 15F.302, subsection 3, the
23 school district shall not be eligible to receive
24 financial assistance under the school infrastructure
25 program."

26 10. Page 28, by inserting after line 29 the
27 following:

28 "9. A school district located in whole or in part
29 in a county which has imposed the maximum rate of
30 sales and services tax for school infrastructure
31 pursuant to section 422E.2 and has sales and services
32 tax for school infrastructure revenue of more than the
33 statewide average of sales tax capacity per pupil, as
34 defined in section 292.1, subsection 8, shall not be
35 eligible for financial assistance under the program.
36 For purposes of this subsection, an individual school
37 district's sales tax capacity per pupil is the
38 estimated total sales and services tax for
39 infrastructure revenue to be actually received by the
40 school district divided by the school district's
41 enrollment as specified in section 292.1, subsection
42 8."

43 11. By renumbering, relettering, or redesignating
44 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

S-5545 FILED APRIL 20, 2000
CONCURRED

(P.1284)

SENATE FILE 2447

AN ACT

RELATING TO PUBLIC IMPROVEMENTS AND PROVIDING FINANCIAL ASSISTANCE TO COMMUNITIES AND SCHOOL DISTRICTS BY CREATING A SCHOOL INFRASTRUCTURE PROGRAM AND FUND, CONTINUING THE COMMUNITY ATTRACTION AND TOURISM PROGRAM AND FUND, CREATING A VISION IOWA BOARD, CREATING A VISION IOWA PROGRAM AND FUND, PROVIDING BONDING AUTHORITY TO THE TREASURER OF STATE, AND EXEMPTING CERTAIN INCOME FROM TAXATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I
SUBCHAPTER I
VISION IOWA BOARD

Section 1. NEW SECTION. 15F.101 DEFINITIONS.

As used in this chapter, unless the context otherwise requires:

1. "Board" means the vision Iowa board as created in section 15F.102.
2. "Department" means the Iowa department of economic development created in section 15.105.

Sec. 2. NEW SECTION. 15F.102 VISION IOWA BOARD.

1. The vision Iowa board is established consisting of thirteen members and is located for administrative purposes within the department. The director of the department shall provide office space, staff assistance, and necessary supplies and equipment for the board. The director shall budget funds to pay the compensation and expenses of the board. In performing its functions the board is performing a public function on behalf of the state and is a public instrumentality of the state.
2. The membership of the board shall be appointed as follows:

- a. Three members of the general public, one member from each of the three tourism regions.
 - b. One mayor of a city with a population of less than twenty thousand.
 - c. One county supervisor from a county that has a population ranking in the bottom thirty-three counties according to the 1990 census.
 - d. Four members of the general public.
 - e. One mayor of a city with a population of twenty thousand or more.
 - f. The director of the department of economic development.
 - g. The treasurer of state or the treasurer of state's designee.
 - h. The auditor of state or the auditor of state's designee.
3. All appointments, except the director of the department of economic development, the treasurer of state, and the auditor of state, shall be made by the governor, shall comply with sections 69.16 and 69.16A, and shall be subject to confirmation by the senate. All appointed members of the board shall have demonstrable experience or expertise in the field of tourism development and promotion, public financing, architecture, engineering, or major facility development or construction.
4. All members of the board, except the director of the department of economic development, the treasurer of state, and the auditor of state, shall be residents of different counties.
5. The chairperson and vice chairperson of the board shall be designated by the governor from the board members listed in subsection 2, paragraphs "a" through "e". In case of the absence or disability of the chairperson and vice chairperson, the members of the board shall elect a temporary chairperson by a majority vote of those members who are present and voting.

6. The members, except the director of the department of economic development, the treasurer of state, and the auditor of state, shall be appointed to three-year staggered terms and the terms shall commence and end as provided by section 69.19. If a vacancy occurs, a successor shall be appointed to serve the unexpired term. A successor shall be appointed in the same manner and subject to the same qualifications as the original appointment to serve the unexpired term.

7. A majority of the board constitutes a quorum.

Sec. 3. NEW SECTION. 15F.103 BOARD DUTIES.

The board shall do all of the following:

1. Organize.
2. Establish the vision Iowa program and the community attraction and tourism program.
3. Oversee and provide approval of the administration of the vision Iowa program and the community attraction and tourism program by the department.

4. Request the treasurer of state to issue bonds on behalf of the board for purposes of the vision Iowa program.

Sec. 4. NEW SECTION. 15F.103A DEPARTMENT DUTIES.

The department, subject to approval by the board, shall adopt administrative rules pursuant to chapter 17A necessary to administer the community attraction and tourism program and the vision Iowa program. The department shall provide the board with assistance in implementing administrative functions, marketing the programs, providing technical assistance and application assistance to applicants under the programs, negotiating contracts, and providing project follow-up. The department, in cooperation with the treasurer of state, may conduct negotiations on behalf of the board with applicants regarding terms and conditions applicable to awards under the programs.

Sec. 5. NEW SECTION. 15F.104 COMPENSATION AND EXPENSES.

The members of the board are entitled to receive reimbursement for actual expenses incurred while engaged in

the performance of official duties. A member of the board may also be eligible to receive compensation as provided in section 7E.6.

Sec. 6. NEW SECTION. 15F.105 BENEFITS.

Any applicant awarded financial assistance by the board under both the vision Iowa program established in section 15F.302 and the community attraction and tourism program established in section 15F.202 shall provide and pay at least fifty percent of the cost of a standard medical insurance plan for all full-time employees working at the project after the completion of the project for which financial assistance was received.

SUBCHAPTER II
COMMUNITY ATTRACTION AND TOURISM
PROGRAM AND FUND

Sec. 7. NEW SECTION. 15F.201 DEFINITIONS.

As used in this subchapter, unless the context otherwise requires:

1. "Fund" means the community attraction and tourism fund created in section 15F.204.
2. "Program" means the community attraction and tourism program established in section 15F.202.

Sec. 8. NEW SECTION. 15F.202 COMMUNITY ATTRACTION AND TOURISM PROGRAM.

1. The board shall establish and the department, subject to direction and approval by the board, shall administer a community attraction and tourism program to assist communities in the development and creation of multiple-purpose attraction or tourism facilities.

2. A city or county in the state or public organization may submit an application to the board for financial assistance for a project under the program. The assistance shall be in the form of grants, loans, forgivable loans, and loan guarantees. The application shall include, but not be limited to, the following information:

a. The total capital investment of the project, including but not limited to costs for construction, site acquisition, and infrastructure improvement.

b. The amount or percentage of local and private matching moneys which will be or have been provided for the project.

c. The total number of jobs to be created or retained by the project.

d. The need of the community for the project and for the financial assistance.

e. The long-term tax-generating impact of the project.

3. A school district, in cooperation with a city or county, may submit a joint application for financial assistance for a project under the program. The assistance shall be in the form of grants, loans, forgivable loans, and loan guarantees. In addition to the information required in subsection 2, the application shall include a demonstration that the intended future use of the project shall be by both joint applicants.

Sec. 9. NEW SECTION. 15F.203 COMMUNITY ATTRACTION AND TOURISM PROGRAM APPLICATION REVIEW.

1. Applications for assistance under the program shall be submitted to the department. For those applications that meet the eligibility criteria, the department shall provide a staff review analysis and evaluation to the community attraction and tourism program review committee referred to in subsection 2 and the board.

2. A review committee composed of five members of the board shall review community attraction and tourism program applications submitted to the board and make recommendations regarding the applications to the board. The review committee shall consist of members of the board listed in section 15F.102, subsection 2, paragraphs "a" through "c".

3. When reviewing the applications, the review committee and the department shall consider, at a minimum, all of the following:

a. Whether the wages, benefits, including health benefits, safety, and other attributes of the project would improve the quality of life or the quality of attraction or tourism employment in the community.

b. The extent to which such a project would generate additional recreational and cultural attractions or tourism opportunities.

c. The ability of the project to produce a long-term tax-generating economic impact.

d. The location of the projects and geographic diversity of the applications.

e. The project is primarily a vertical infrastructure project with demonstrated substantial regional or statewide economic impact. For purposes of the program, "vertical infrastructure" means land acquisition and construction, major renovation and major repair of buildings, all appurtenant structures, utilities, site development, and recreational trails. "Vertical infrastructure" does not include routine, recurring maintenance or operational expenses or leasing of a building, appurtenant structure, or utility without a lease-purchase agreement.

f. Whether the applicant has received financial assistance under the program for the same project.

g. The extent to which the project has taken the following planning principles into consideration:

(1) Efficient and effective use of land resources and existing infrastructure by encouraging development in areas with existing infrastructure or capacity to avoid costly duplication of services and costly use of land.

(2) Provision for a variety of transportation choices, including pedestrian traffic.

(3) Maintenance of a unique sense of place by respecting local cultural and natural environmental features.

(4) Conservation of open space and farmland and preservation of critical environmental areas.

(5) Promotion of the safety, livability, and revitalization of existing urban and rural communities.

4. Upon review of the recommendations of the review committee, the board shall approve, defer, or deny the applications.

5. Upon approval of an application for financial assistance under the program, the board shall notify the treasurer of state regarding the amount of moneys needed to satisfy the award of financial assistance and the terms of the award. The treasurer of state shall notify the department anytime moneys are disbursed to a recipient of financial assistance under the program.

Sec. 10. NEW SECTION. 15F.204 COMMUNITY ATTRACTION AND TOURISM FUND.

1. A community attraction and tourism fund is created as a separate fund in the state treasury under the control of the board, consisting of any moneys appropriated by the general assembly and any other moneys available to and obtained or accepted by the board for placement in the fund.

2. Payments of interest, repayments of moneys loaned pursuant to this subchapter, and recaptures of grants or loans shall be deposited in the fund.

3. The fund shall be used to provide grants, loans, forgivable loans, and loan guarantees under the community attraction and tourism program established in section 15F.202. An applicant under the community attraction and tourism program shall not receive financial assistance from the fund in an amount exceeding fifty percent of the total cost of the project.

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

5. At the beginning of each fiscal year, the board shall allocate all moneys in the fund in the following manner:

a. One-third of the moneys shall be allocated to provide assistance to cities and counties which meet the following criteria:

(1) A city which has a population of ten thousand or less according to the most recently published census.

(2) A county which has a population that ranks in the bottom thirty-three counties according to the most recently published census.

b. Two-thirds of the moneys shall be allocated to provide assistance to any city and county in the state, which may include a city or county included under paragraph "a".

6. If two or more cities or counties submit a joint project application for financial assistance under the program, all joint applicants must meet the criteria of subsection 5, paragraph "a", in order to receive any moneys allocated under that paragraph.

7. If any portion of the allocated moneys under subsection 5, paragraph "a", has not been awarded by April 1 of the fiscal year for which the allocation is made, the portion which has not been awarded may be utilized by the board to provide financial assistance under the program to any city or county in the state.

SUBCHAPTER III

VISION IOWA PROGRAM

Sec. 11. NEW SECTION. 15F.301 DEFINITIONS.

As used in this subchapter, unless the context otherwise requires:

1. "Fund" means the vision Iowa fund created in section 12.72.

2. "Program" means the vision Iowa program established in section 15F.302.

Sec. 12. NEW SECTION. 15F.302 VISION IOWA PROGRAM.

1. The board shall establish and the department, subject to direction and approval by the board, shall administer a vision Iowa program to assist communities in the development of major tourism facilities.

2. A city or county or a public organization in the state may submit an application to the board for financial assistance for a project under the program. For purposes of this subsection, "public organization" means a nonprofit economic development organization or other nonprofit organization that sponsors or supports community or tourism attractions and activities. The financial assistance from the fund shall be in the form of grants, loans, forgivable loans, pledges, and guarantees. The application shall include, but not be limited to, the following information:

a. The total capital investment of the project, including but not limited to costs for construction, site acquisition, and infrastructure improvement.

b. A description of the proposed financing including the amount or percentage of local and private matching moneys to be provided for the project.

c. The total number of jobs to be created or retained by the project.

d. The need of the community for the project and for financial assistance.

e. The long-term tax-generating impact of the project.

f. A discussion of how the project meets other criteria established in this subchapter.

g. The projected long-term economic viability of the project, including projected revenues and expenses.

3. A school district, in cooperation with a city or county, may submit a joint application for financial assistance for a project under the program. The financial assistance shall be in the form of grants, loans, forgivable loans, and loan guarantees. In addition to the information required in subsection 2, the application shall include a demonstration that the intended future use of the project shall be by both joint applicants.

Sec. 13. NEW SECTION. 15F.303 ELIGIBILITY.

1. The total cost for a project must be at least twenty million dollars in order for an applicant to receive financial assistance under the program. An applicant or the board may divide a proposed project into component parts. The board may choose to provide financial assistance under the program to one or more component parts instead of providing financial assistance under the program for the entire project.

2. An applicant must demonstrate financial and nonfinancial support for the project which may be from a public or private source. Nonfinancial support may include, but is not limited to, the value of labor and services, real and personal property donated for purposes of the project, and the use of real and personal property for purposes of the project. The financial and nonfinancial support for the project described under this subsection shall equal at least fifty percent of the total cost of the project.

3. In order for a project to be eligible to receive financial assistance, the project must satisfy all of the following criteria:

a. The project is primarily a vertical infrastructure project with demonstrated substantial regional or statewide economic impact. For purposes of the program, "vertical infrastructure" means land acquisition and construction, major renovation and major repair of buildings, all appurtenant structures, utilities, site development, and recreational trails. "Vertical infrastructure" does not include routine, recurring maintenance or operational expenses or leasing of a building, appurtenant structure, or utility without a lease-purchase agreement.

b. The project supports or is strategically aligned with other existing regional or statewide cultural, recreational, entertainment, or educational activities.

c. The project provides benefits to persons living outside the county in which the project is located or to persons living outside the state.

d. The project will increase the diversity of activities available to citizens, workers, families, and tourists, and enhance recruitment and retention of young people as residents.

e. The project has economic or other obstacles impeding local financing of the project.

4. The board shall not approve an application for assistance for any of the following purposes:

a. To refinance a loan existing prior to the initial application date.

b. For a project that has previously received assistance under the program, unless the applicant demonstrates that the assistance would be used for a significant expansion of a project.

Sec. 14. NEW SECTION. 15F.304 VISION IOWA PROGRAM APPLICATION REVIEW.

1. Applications for assistance under the program shall be submitted to the department. For those applications that meet the eligibility criteria, the department shall provide a staff review and evaluation to the vision Iowa program review committee referred to in subsection 2 and the board.

2. A review committee composed of eight members of the board shall review vision Iowa program applications submitted to the board and make recommendations regarding the applications to the board. The review committee shall consist of members of the board listed in section 15F.102, subsection 2, paragraphs "d" through "h".

3. When reviewing the applications, the review committee and the department shall consider, in addition to other criteria established in this subchapter, all of the following:

a. Whether wages, benefits, including health benefits, safety, and other attributes of the project would improve the quality of other existing regional or statewide cultural, recreational, entertainment, and educational activities or employment in the community.

b. The extent to which the project would generate additional attraction and tourism opportunities.

c. The ability of the project to produce a long-term tax-generating economic impact in excess of the proposed financial assistance from the vision Iowa fund.

d. The geographic diversity of the project in combination with other proposed projects.

e. The investment of the city, county, or region in the overall project.

f. Other funding mechanisms.

g. The long-term economic viability of the project.

h. The extent to which the project has taken the following planning principles into consideration:

(1) Efficient and effective use of land resources and existing infrastructure by encouraging development in areas with existing infrastructure or capacity to avoid costly duplication of services and costly use of land.

(2) Provision for a variety of transportation choices, including pedestrian traffic.

(3) Maintenance of a unique sense of place by respecting local cultural and natural environmental features.

(4) Conservation of open space and farmland and preserve critical environmental areas.

(5) Promotion of the safety, livability, and revitalization of existing urban and rural communities.

4. Upon review of the recommendations of the review committee, the board shall approve, defer, or deny the applications.

DIVISION II

Sec. 15. NEW SECTION. 12.71 GENERAL AND SPECIFIC BONDING POWERS -- VISION IOWA PROGRAM.

1. The treasurer of state may issue bonds upon the request of the vision Iowa board created in section 15F.102 and do all things necessary with respect to the purposes of the vision Iowa fund. The treasurer of state shall have all of the

powers which are necessary to issue and secure bonds and carry out the purposes of the fund. The treasurer of state may issue bonds in principal amounts which, in the opinion of the board, are necessary to provide sufficient funds for the vision Iowa fund created in section 12.72, the payment of interest on the bonds, the establishment of reserves to secure the bonds, the costs of issuance of the bonds, other expenditures of the treasurer of state incident to and necessary or convenient to carry out the bond issue for the fund, and all other expenditures of the board necessary or convenient to administer the fund; provided, however, excluding the issuance of refunding bonds, bonds issued pursuant to section 12.71 shall not be issued in an aggregate principal amount which exceeds three hundred million dollars. The bonds are investment securities and negotiable instruments within the meaning of and for purposes of the uniform commercial code.

2. Bonds issued under this section are payable solely and only out of the moneys, assets, or revenues of the vision Iowa fund and any bond reserve funds established pursuant to section 12.72, all of which may be deposited with trustees or depositories in accordance with bond or security documents and pledged by the board to the payment thereof. Bonds issued under this section shall contain on their face a statement that the bonds do not constitute an indebtedness of the state. The treasurer of state shall not pledge the credit or taxing power of this state or any political subdivision of this state or make bonds issued pursuant to this section payable out of any moneys except those in the vision Iowa fund.

3. The proceeds of bonds issued by the treasurer of state and not required for immediate disbursement may be deposited with a trustee or depository as provided in the bond documents and invested or reinvested in any investment as directed by the board and specified in the trust indenture, resolution, or other instrument pursuant to which the bonds are issued without regard to any limitation otherwise provided by law.

4. The bonds shall be:

a. In a form, issued in denominations, executed in a manner, and payable over terms and with rights of redemption, and be subject to such other terms and conditions as prescribed in the trust indenture, resolution, or other instrument authorizing their issuance.

b. Negotiable instruments under the laws of the state and may be sold at prices, at public or private sale, and in a manner, as prescribed by the treasurer of state. Chapters 73A, 74, 74A, and 75 do not apply to the sale or issuance of the bonds.

c. Subject to the terms, conditions, and covenants providing for the payment of the principal, redemption premiums, if any, interest, and other terms, conditions, covenants, and protective provisions safeguarding payment, not inconsistent with this section and as determined by the trust indenture, resolution, or other instrument authorizing their issuance.

5. The bonds are securities in which public officers and bodies of this state; political subdivisions of this state; insurance companies and associations and other persons carrying on an insurance business; banks, trust companies, savings associations, savings and loan associations, and investment companies; administrators, guardians, executors, trustees, and other fiduciaries; and other persons authorized to invest in bonds or other obligations of the state, may properly and legally invest funds, including capital, in their control or belonging to them.

6. Bonds must be authorized by a trust indenture, resolution, or other instrument of the treasurer of state approved by the board. However, a trust indenture, resolution, or other instrument authorizing the issuance of bonds may delegate to an officer of the board the power to negotiate and fix the details of an issue of bonds.

7. Neither the resolution, trust agreement, nor any other instrument by which a pledge is created needs to be recorded or filed under the Iowa uniform commercial code to be valid, binding, or effective.

8. Bonds issued under the provisions of this section are declared to be issued for a general public and governmental purpose and all bonds issued under this section shall be exempt from taxation by the state of Iowa and the interest on the bonds shall be exempt from the state income tax and the state inheritance and estate tax.

9. Subject to the terms of any bond documents, moneys in the vision Iowa fund may be expended for administration expenses.

10. The treasurer of state may issue bonds for the purpose of refunding any bonds or notes issued pursuant to this section then outstanding, including the payment of any redemption premiums thereon and any interest accrued or to accrue to the date of redemption of the outstanding bonds or notes. Until the proceeds of bonds issued for the purpose of refunding outstanding bonds or notes are applied to the purchase or retirement of outstanding bonds or notes or the redemption of outstanding bonds or notes, the proceeds may be placed in escrow and be invested and reinvested in accordance with the provisions of this section. The interest, income, and profits earned or realized on an investment may also be applied to the payment of the outstanding bonds or notes to be refunded by purchase, retirement, or redemption. After the terms of the escrow have been fully satisfied and carried out, any balance of proceeds and interest earned or realized on the investments may be returned to the board for deposit in the vision Iowa fund established in section 12.72. All refunding bonds shall be issued and secured and subject to the provisions of this chapter in the same manner and to the same extent as other bonds issued pursuant to this section.

Sec. 16. NEW SECTION. 12.72 VISION IOWA AND RESERVE FUNDS.

1. A vision Iowa fund is created and established as a separate and distinct fund in the state treasury. The moneys in the fund are appropriated to the board for purposes of the vision Iowa program established in section 15F.302. Moneys in the fund shall not be subject to appropriation for any other purpose by the general assembly, but shall be used only for the purposes of the vision Iowa fund. The treasurer of state shall act as custodian of the fund and disburse moneys contained in the fund as directed by the board, including automatic disbursements of funds received pursuant to the terms of bond indentures and documents and security provisions to trustees. The fund shall be administered by the board which shall make expenditures from the fund consistent with the purposes of the vision Iowa program without further appropriation. An applicant under the vision Iowa program shall not receive more than seventy-five million dollars in financial assistance from the fund.

2. Revenue for the vision Iowa fund shall include, but is not limited to, the following, which shall be deposited with the treasurer of state or its designee as provided by any bond or security documents and credited to the fund:

a. The proceeds of bonds issued to capitalize and pay the costs of the fund and investment earnings on the proceeds.

b. Interest attributable to investment of money in the fund or an account of the fund.

c. Moneys in the form of a devise, gift, bequest, donation, federal or other grant, reimbursement, repayment, judgment, transfer, payment, or appropriation from any source intended to be used for the purposes of the fund.

3. Moneys in the vision Iowa fund are not subject to section 8.33. Notwithstanding section 12C.7, subsection 2, interest or earnings on moneys in the fund shall be credited to the fund.

4. The treasurer of state may establish reserve funds to secure one or more issues of bonds or notes issued pursuant to section 12.71. The treasurer of state may deposit in a reserve fund established under this subsection the proceeds of the sale of bonds or notes and other money which is made available from any other source. The treasurer of state may allow a reserve fund established under this subsection to be depleted.

Sec. 17. NEW SECTION. 12.73 PLEDGES.

1. It is the intention of the general assembly that a pledge made in respect of bonds or notes shall be valid and binding from the time the pledge is made, that the money or property so pledged and received after the pledge by the authority shall immediately be subject to the lien of the pledge without physical delivery or further act, and that the lien of the pledge shall be valid and binding as against all parties having claims of any kind in tort, contract, or otherwise against the treasurer of state whether or not the parties have notice of the lien.

2. The state pledges to and agrees with the holders of bonds or notes issued under section 12.71, that the state will not limit or alter the rights and powers vested in the board or the treasurer of state to fulfill the terms of a contract made with respect to the bonds or notes, or in any way impair the rights and remedies of the holders until the bonds and notes, together with the interest on them including interest on unpaid installments of interest, are fully met and discharged.

Sec. 18. NEW SECTION. 12.74 PROJECTS.

1. The vision Iowa board may undertake a project for two or more applicants jointly or for any combination of applicants, and may combine for financing purposes, with the consent of all of the applicants which are involved, the project and some or all future projects of any applicant, and sections 12.71, 12.72, and 12.73, this section, and sections

12.75 and 12.76 apply to and for the benefit of the vision Iowa board and the joint applicants. However, the money set aside in a fund or funds pledged for any series or issue of bonds or notes shall be held for the sole benefit of the series or issue separate and apart from money pledged for another series or issue of bonds or notes of the treasurer of state. To facilitate the combining of projects, bonds or notes may be issued in series under one or more resolutions or trust agreements and may be fully open-ended, thus providing for the unlimited issuance of additional series, or partially open-ended, limited as to additional series.

2. For purposes of this section, "applicant" means a city or county or public organization applying for financial assistance under the vision Iowa program established in section 15F.302.

Sec. 19. NEW SECTION. 12.75 LIMITATIONS.

Bonds or notes issued pursuant to section 12.71 are not debts of the state, or of any political subdivision of the state and do not constitute a pledge of the faith and credit of the state or a charge against the general credit or general fund of the state. The issuance of any bonds or notes pursuant to section 12.71 by the treasurer of state does not directly, indirectly, or contingently obligate the state or a political subdivision of the state to apply moneys from, or to levy or pledge any form of taxation whatever, to the payment of the bonds or notes. Bonds and notes issued under section 12.71 are payable solely and only from the sources and special fund provided in section 12.72.

Sec. 20. NEW SECTION. 12.76 CONSTRUCTION.

Sections 12.71 through 12.75, being necessary for the welfare of this state and its inhabitants, shall be liberally construed to effect its purposes.

Sec. 21. NEW SECTION. 12.81 GENERAL AND SPECIFIC BONDING POWERS -- SCHOOL INFRASTRUCTURE PROGRAM.

1. The treasurer of state may issue bonds for purposes of the school infrastructure program established in section 292.2. Excluding the issuance of refunding bonds, the treasurer of state shall not issue bonds which result in the deposit of bond proceeds of more than fifty million dollars into the school infrastructure fund. The treasurer of state shall have all of the powers which are necessary to issue and secure bonds and carry out the purposes of the fund. The treasurer of state may issue bonds in principal amounts which are necessary to provide funds for the fund as provided by this section, the payment of interest on the bonds, the establishment of reserves to secure the bonds, the costs of issuance of the bonds, other expenditures of the treasurer of state incident to and necessary or convenient to carry out the bond issue for the fund, and all other expenditures of the treasurer of state necessary or convenient to administer the fund. The bonds are investment securities and negotiable instruments within the meaning of and for purposes of the uniform commercial code.

2. Bonds issued under this section are payable solely and only out of the moneys, assets, or revenues of the school infrastructure fund and any bond reserve funds, all of which may be deposited with trustees or depositories in accordance with bond or security documents and pledged by the treasurer of state to the payment thereof. Bonds issued under this section shall contain on their face a statement that the bonds do not constitute an indebtedness of the state. The treasurer of state shall not pledge the credit or taxing power of this state or any political subdivision of this state or make bonds issued pursuant to this section payable out of any moneys except those in the school infrastructure fund.

3. The proceeds of bonds issued by the treasurer of state and not required for immediate disbursement may be deposited with a trustee or depository as provided in the bond documents and invested or reinvested in any investment approved by the

treasurer of state and specified in the trust indenture, resolution, or other instrument pursuant to which the bonds are issued without regard to any limitation otherwise provided by law.

4. The bonds shall be:

a. In a form, issued in denominations, executed in a manner, and payable over terms and with rights of redemption, and be subject to such other terms and conditions as prescribed in the trust indenture, resolution, or other instrument authorizing their issuance.

b. Negotiable instruments under the laws of the state and may be sold at prices, at public or private sale, and in a manner, as prescribed by the treasurer of state. Chapters 73A, 74, 74A, and 75 do not apply to the sale or issuance of the bonds.

c. Subject to the terms, conditions, and covenants providing for the payment of the principal, redemption premiums, if any, interest, and other terms, conditions, covenants, and protective provisions safeguarding payment, not inconsistent with this section and as determined by the trust indenture, resolution, or other instrument authorizing their issuance.

5. The bonds are securities in which public officers and bodies of this state; political subdivisions of this state; insurance companies and associations and other persons carrying on an insurance business; banks, trust companies, savings associations, savings and loan associations, and investment companies; administrators, guardians, executors, trustees, and other fiduciaries; and other persons authorized to invest in bonds or other obligations of the state, may properly and legally invest funds, including capital, in their control or belonging to them.

6. Bonds must be authorized by a trust indenture, resolution, or other instrument of the treasurer of state. However, a trust indenture, resolution, or other instrument

authorizing the issuance of bonds may delegate to an officer of the issuer the power to negotiate and fix the details of an issue of bonds.

7. Neither the resolution, trust agreement, nor any other instrument by which a pledge is created needs to be recorded or filed under the Iowa uniform commercial code to be valid, binding, or effective.

8. Bonds issued under the provisions of this section are declared to be issued for a general public and governmental purpose and all bonds issued under this section shall be exempt from taxation by the state of Iowa and the interest on the bonds shall be exempt from the state income tax and the state inheritance and estate tax.

9. Subject to the terms of any bond documents, moneys in the school infrastructure fund may be expended for administration expenses.

10. The treasurer of state may issue bonds for the purpose of refunding any bonds or notes issued pursuant to this section then outstanding, including the payment of any redemption premiums thereon and any interest accrued or to accrue to the date of redemption of the outstanding bonds or notes. Until the proceeds of bonds issued for the purpose of refunding outstanding bonds or notes are applied to the purchase or retirement of outstanding bonds or notes or the redemption of outstanding bonds or notes, the proceeds may be placed in escrow and be invested and reinvested in accordance with the provisions of this section. The interest, income, and profits earned or realized on an investment may also be applied to the payment of the outstanding bonds or notes to be refunded by purchase, retirement, or redemption. After the terms of the escrow have been fully satisfied and carried out, any balance of proceeds and interest earned or realized on the investments may be returned and deposited in the school infrastructure fund. All refunding bonds shall be issued and secured and subject to the provisions of this chapter in the

same manner and to the same extent as other bonds issued pursuant to this section.

Sec. 22. NEW SECTION. 12.82 SCHOOL INFRASTRUCTURE AND RESERVE FUNDS.

1. A school infrastructure fund is created and established as a separate and distinct fund in the state treasury under the control of the department of education. The fund shall be used for purposes of the school infrastructure program established in section 292.2.

2. Revenue for the school infrastructure fund shall include, but is not limited to, the following, which shall be deposited with the treasurer of state or its designee as provided by any bond or security documents and credited to the fund:

a. The proceeds of bonds issued to capitalize and pay the costs of the fund and investment earnings on the proceeds.

b. Interest attributable to investment of money in the fund or an account of the fund.

c. Moneys in the form of a devise, gift, bequest, donation, federal or other grant, reimbursement, repayment, judgment, transfer, payment, or appropriation from any source intended to be used for the purposes of the fund.

3. Moneys in the school infrastructure fund are not subject to section 8.33. Notwithstanding section 12C.7, subsection 2, interest or earnings on moneys in the fund shall be credited to the fund.

4. The treasurer of state may establish reserve funds to secure one or more issues of bonds or notes issued pursuant to section 12.81. The treasurer of state may deposit in a reserve fund established under this subsection the proceeds of the sale of its bonds or notes and other money which is made available from any other source. The treasurer of state may allow a reserve fund established under this subsection to be depleted.

Sec. 23. NEW SECTION. 12.83 PLEDGES.

1. It is the intention of the general assembly that a pledge made in respect of bonds or notes shall be valid and binding from the time the pledge is made, that the money or property so pledged and received after the pledge by the authority shall immediately be subject to the lien of the pledge without physical delivery or further act, and that the lien of the pledge shall be valid and binding as against all parties having claims of any kind in tort, contract, or otherwise against the treasurer of state whether or not the parties have notice of the lien.

2. The state pledges to and agrees with the holders of bonds or notes issued under section 12.81, that the state will not limit or alter the rights and powers vested in the treasurer of state to fulfill the terms of a contract made by the treasurer of state with respect to the bonds or notes, or in any way impair the rights and remedies of the holders until the bonds and notes, together with the interest on them including interest on unpaid installments of interest, and all costs and expenses in connection with an action or proceeding by or on behalf of the holders, are fully met and discharged. The treasurer of state is authorized to include this pledge and agreement of the state, as it refers to holders of bonds or notes of the authority, in a contract with the holders.

Sec. 24. NEW SECTION. 12.84 LIMITATIONS.

Bonds or notes issued pursuant to section 12.81 are not debts of the state, or of any political subdivision of the state and do not constitute a pledge of the faith and credit of the state or a charge against the general credit or general fund of the state. The issuance of any bonds or notes pursuant to section 12.81 by the treasurer of state does not directly, indirectly, or contingently obligate the state or a political subdivision of the state to apply moneys from, or to levy or pledge any form of taxation whatever to, the payment of the bonds or notes. Bonds and notes issued under section 12.81 are payable solely and only from the sources and special

fund provided in section 12.82. Expenses incurred in carrying out sections 12.81 through 12.83, this section, and section 12.85 are payable solely from funds available under those sections.

Sec. 25. NEW SECTION. 12.85 CONSTRUCTION.

Sections 12.81 through 12.84, being necessary for the welfare of this state and its inhabitants, shall be liberally construed to effect its purposes.

DIVISION III

Sec. 26. NEW SECTION. 292.1 DEFINITIONS.

As used in this chapter, unless the context otherwise requires:

1. "Capacity per pupil" means the sum of a school district's property tax infrastructure capacity per pupil and the sales tax capacity per pupil.

2. "Committee" means the school budget review committee established in section 257.30.

3. "Department" means the department of education established in section 256.1.

4. "Fund" means the school infrastructure fund created in section 12.82.

5. "Local match percentage" means a percentage equivalent to either of the following, whichever is less:

a. Fifty percent.

b. The quotient of a school district's capacity per pupil divided by the capacity per pupil of the school district at the fortieth percentile, multiplied by fifty percent, except that the percentage in this paragraph shall not be less than twenty percent.

6. "Program" means the school infrastructure program established in section 292.2.

7. "Property tax infrastructure capacity per pupil" means the sum of a school district's levies under sections 298.2 and 298.18 when the levies are imposed to the maximum extent allowable under law in the budget year divided by the school district's basic enrollment for the budget year.

8. "Sales tax capacity per pupil" means the estimated amount of revenues that a school district receives or would receive if a local sales and services tax for school infrastructure is imposed at one percent pursuant to section 422E.2, divided by the school district's basic enrollment for the budget year. For the budget year beginning July 1, 2000, the school district's actual enrollment shall be used in the calculation in place of the school district's basic enrollment for the budget year.

9. "School infrastructure" means activities initiated on or after July 1, 2000, as authorized in section 296.1 but does not include those activities related to stadiums, bus barns, a home or homes of a teacher or superintendent, procuring and improving a site for an athletic field, or improving a site already owned for an athletic field.

Sec. 27. NEW SECTION. 292.2 SCHOOL INFRASTRUCTURE PROGRAM.

1. a. The department shall establish and administer a school infrastructure program to provide financial assistance in the form of grants to school districts with school infrastructure needs.

b. The department of education, in consultation with the department of management, shall annually compute the property tax infrastructure capacity per pupil for each school district in the state.

c. The department of education, in consultation with the department of revenue and finance and the legislative fiscal bureau, shall annually calculate the estimated sales and services tax for school infrastructure, if imposed at one percent, that is or would be received by each school district in the state pursuant to section 422E.3. These calculations shall be made on a total tax and on a tax per pupil basis for each school district.

d. The department of education, in consultation with the department of revenue and finance and the department of

management, shall annually compute capacity per pupil and the local match percentage for each school district in the state. The initial calculations shall be released not later than January 1, 2001. For all calculations thereafter, the calculations shall be released not later than July 1 of each year.

2. a. A school district's local match requirement is equivalent to the total investment of a project multiplied by the school district's local match percentage. A school district may submit an application to the department for financial assistance under the program if the school district meets the district's local match requirement through one or more of the following sources:

(1) The issuance of bonds pursuant to section 298.18.

(2) Local sales and services tax moneys received pursuant to section 422E.3.

(3) A physical plant and equipment levy under chapter 298.

(4) Other moneys locally obtained by the school district excluding other state or federal grant moneys.

b. If the project is in collaboration with other public or private entities, the school district shall be eligible to apply for only the school district's portion of the project. As such, state or federal grants received by the other entities cannot be used toward the local match requirement under paragraph "a", subparagraph (4).

c. A school district may submit an application for a project which includes activities at more than one attendance center. However, if the activities relate to new construction, the project shall only relate to one attendance center.

d. A school district may submit an application for conditional approval to the department for financial assistance under the program if the school district submits a plan for securing the school district's local match requirement under paragraph "a". If a school district does

not meet the local match requirement of paragraph "a" within nine months of receiving conditional approval from the department, the application for financial assistance shall be denied by the department and the financial assistance shall be carried forward to be made available under the allocation provided under subsection 4, paragraph "d", for the next available grant cycle.

e. For the fiscal year beginning July 1, 2000, applications shall be submitted to the department by March 1, 2001. For the fiscal year beginning July 1, 2001, and every fiscal year thereafter, applications shall be submitted to the department by October 15 of each year.

f. For the fiscal year beginning July 1, 2000, the department shall notify all approved applicants by May 1, 2001, regarding the approval of the application. For the fiscal year beginning July 1, 2001, and every fiscal year thereafter, the department shall notify all approved applicants by December 15 of each year regarding the approval of the application.

g. An applicant which is not successful in obtaining financial assistance under the program may reapply for financial assistance in succeeding years.

3. The application shall include, but shall not be limited to, the following information:

a. The total capital investment of the project.

b. The amount and percentage of moneys which the school district will be providing for the project.

c. The infrastructure needs of the school district, especially the fire and health safety needs of the school district, and including the extent to which the project would allow the school district to meet the infrastructure needs of the school district on a long-term basis.

d. The financial assistance needed by the school district based upon the capacity per pupil.

e. Any previous efforts by the school district to secure infrastructure funding from federal, state, or local resources, including any funding received for any project under the Iowa demonstration construction grant program. The previous efforts shall be evaluated on a case-by-case basis.

f. Evidence that the school district meets or will meet the local match requirement in subsection 2, paragraph "a".

g. The nature of the proposed project and its relationship to improving educational opportunities for the students.

h. Evidence that the school district has reorganized on or after July 1, 2000, or that the school district has initiated a resolution to reorganize by July 1, 2004, or entered into an innovative collaboration with another school district or school districts.

i. Evidence that the school district receives sales and services tax for school infrastructure funding under section 422E.3.

4. A school district shall not receive more than one grant under the program. The financial assistance shall be in the form of grants and shall be allocated in the following manner:

a. Twenty-five percent of the financial assistance each year shall be awarded to school districts with an enrollment of one thousand one hundred ninety-nine students or less.

b. Twenty-five percent of the financial assistance each year shall be awarded to school districts with an enrollment of more than one thousand one hundred ninety-nine students but not more than four thousand seven hundred fifty students.

c. Twenty-five percent of the financial assistance each year shall be awarded to school districts with an enrollment of more than four thousand seven hundred fifty students.

d. Twenty-five percent of the financial assistance each year, any financial assistance not awarded under paragraphs "a" through "c", and financial assistance not awarded in previous fiscal years shall be awarded to school districts with any size enrollment.

5. A district shall receive the lesser of one million dollars of financial assistance under the program, or the total capital investment of the project minus the local match requirement. The program shall provide grants in an amount of not more than ten million dollars during the fiscal year beginning July 1, 2000, not more than twenty million dollars during the fiscal year beginning July 1, 2001, and not more than twenty million dollars during the fiscal year beginning July 1, 2002. If the amount of grants awarded in a fiscal year is less than the maximum amount provided for grants for that fiscal year in this subsection, the amount of the difference shall be carried forward to subsequent fiscal years for purposes of providing grants under the program and the maximum amount of grants for each fiscal year, as provided in this subsection, shall be adjusted accordingly.

6. The school budget review committee shall review all applications for financial assistance under the program and make recommendations regarding the applications to the department. The department shall make the final determination on grant awards. The school budget review committee shall base the recommendations on the criteria established pursuant to subsections 3 and 7.

7. The department shall form a task force to review applications for financial assistance and provide recommendations to the school budget review committee. The task force shall include, at a minimum, representatives from the kindergarten through grade twelve education community, the state fire marshal, and individuals knowledgeable in school infrastructure and construction issues. The department, in consultation with the task force, shall establish the parameters and the details of the criteria for awarding grants based on the information listed in subsection 3, including greater priority to the following:

- a. A school district with a lower capacity per pupil.

b. A school district whose plans address specific occupant safety issues.

c. A school district reorganizing or collaborating as described in subsection 3, paragraph "h".

d. A school district for which a sales and services tax for school infrastructure has not been imposed pursuant to section 422E.2 or a school district receiving minimal revenues under section 422E.3 when the total enrollment of the school district is considered.

8. An applicant receiving financial assistance under the program shall submit a progress report to the department of education as requested by the department which shall include a description of the activities under the project, the status of the implementation of the project, and any other information required by the department.

9. If a school district receives financial assistance under the vision Iowa program created under section 15F.302 pursuant to a joint application submitted under section 15F.302, subsection 3, the school district shall not be eligible to receive financial assistance under the school infrastructure program.

10. A school district located in whole or in part in a county which has imposed the maximum rate of sales and services tax for school infrastructure pursuant to section 422E.2 and has sales and services tax for school infrastructure revenue of more than the statewide average of sales tax capacity per pupil, as defined in section 292.1, subsection 8, shall not be eligible for financial assistance under the program. For purposes of this subsection, an individual school district's sales tax capacity per pupil is the estimated total sales and services tax for infrastructure revenue to be actually received by the school district divided by the school district's enrollment as specified in section 292.1, subsection 8.

Sec. 28. NEW SECTION. 292.4 RULES.

The department shall adopt rules, pursuant to chapter 17A, necessary for administering the school infrastructure program and fund.

Sec. 29. Section 384.95, subsection 1, Code 1999, is amended to read as follows:

1. "Public improvement" means any building or construction work, either within or outside the corporate limits of a city, to be paid for in whole or in part by the use of funds of the city, regardless of sources, including a building or improvement constructed or operated jointly with any other public or private agency, but excluding urban renewal demolition and low-rent housing projects, industrial aid projects authorized under chapter 419, emergency work or work performed by employees of a city or a city utility.

Sec. 30. Sections 15.371 through 15.373, Code Supplement 1999, are repealed.

Sec. 31. REPEAL AND REENACTMENT -- CONTINUATION. The repeal and reenactment of Code sections relating to the community attraction and tourism development program and the community attraction and tourism development fund are intended to be a continuation of the prior statutes and not a new enactment, so far as the new enactment is the same as the prior statutes. The repeal and reenactment of Code sections relating to the community attraction and tourism development program and the community attraction and tourism development fund shall not cause moneys in the current community attraction and tourism development fund to revert to any other fund but such moneys shall remain in the community attraction and tourism fund established in Code section 15P.204 for expenditure for subsequent fiscal years. The repeal and reenactment of Code sections relating to the community attraction and tourism development program and the community attraction and tourism development fund shall not nullify any awards made under the program based on appropriations made in 1999 Iowa Acts, chapter 204, section 3, subsection 2, for the fiscal years beginning July 1, 1999, and July 1, 2000.

Sec. 32. This Act prevails over the provisions of 2000 Iowa Acts, House File 2392, if enacted, relating to any amendments to the community attraction and tourism development program and fund, which provisions are void.

MARY E. KRAMER
President of the Senate

BRENT SIEGRIST
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2447, Seventy-eighth General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved 5/9/00, 2000

THOMAS J. VILSACK
Governor