

**EIGHTY-FIFTH GENERAL ASSEMBLY
2013 REGULAR SESSION
DAILY
SENATE CLIP SHEET**

APRIL 30, 2013

[SENATE FILE 452](#)

[S-3188](#)

- 1 Amend [Senate File 452](#) as follows:
- 2 1. Page 1, after line 31 by inserting:
- 3 <If the total approved claims for reimbursement for
- 4 nonpublic school pupil transportation exceed the amount
- 5 appropriated in accordance with this subsection, the
- 6 department of education shall prorate the amount of
- 7 each approved claim.>
- 8 2. Page 2, by striking lines 7 through 15.
- 9 3. Page 2, after line 18 by inserting:
- 10 <If the total approved claims for reimbursement for
- 11 nonpublic school pupil transportation exceed the amount
- 12 appropriated in accordance with this subsection, the
- 13 department of education shall prorate the amount of
- 14 each approved claim.>
- 15 4. Page 3, by striking lines 6 and 7 and inserting
- 16 <appropriated from the general fund of the state to the
- 17 department of human rights for the fiscal>
- 18 5. Page 3, by striking lines 11 and 12 and
- 19 inserting:
- 20 <For deposit in the individual development account
- 21 state match fund created in section 541A.7 to support
- 22 the operating organization providing individual
- 23 development accounts in Iowa:>
- 24 6. Page 4, after line 4 by inserting:
- 25 <Sec. _____. GOVERNOR AND LIEUTENANT GOVERNOR – FTE
- 26 AUTHORIZATION. For purposes of the offices of the
- 27 governor and lieutenant governor, there is authorized
- 28 an additional 3.00 full-time equivalent positions above
- 29 those otherwise authorized pursuant to 2013 Iowa Acts,
- 30 [House File 603](#), if enacted.>
- 31 7. Page 4, line 16, after <95,000> by inserting <as
- 32 of the last preceding certified federal census>
- 33 8. Page 4, by striking lines 17 through 25.
- 34 9. Page 5, by striking line 2 and inserting
- 35 <economic development>
- 36 10. Page 5, after line 5 by inserting:
- 37 <Sec. _____. Section 135C.7, Code 2013, is amended by
- 38 adding the following new unnumbered paragraph:
- 39 NEW UNNUMBERED PARAGRAPH. In addition to the
- 40 license fees listed in this section, there shall be
- 41 an annual assessment assessed to each licensee in an
- 42 amount to cover the cost of independent reviewers
- 43 provided pursuant to section 135C.42. The department
- 44 shall, in consultation with licensees, establish
- 45 the assessment amount by rule based on the award of
- 46 a request for proposals. The assessment shall be
- 47 retained by the department as a repayment receipt as
- 48 defined in section 8.2 and used for the purpose of
- 49 paying the cost of the independent reviewers.>
- 50 11. Page 5, by striking line 23 and inserting

[S-3188](#)

1 <if 2013 Iowa Acts, House File 620, striking section
2 99F.11, subsection 3, paragraph d, subparagraph (3),
3 is enacted.>

4 12. Page 17, by striking line 30 and inserting
5 <(5).>

6 13. Page 25, after line 16 by inserting:

7 <DIVISION ____
8 IGNITION INTERLOCK

9 Sec. _____. Section 321J.20, subsections 1 and 2,
10 Code 2013, are amended to read as follows:

11 1. a. The department may, on application, issue
12 a temporary restricted license to a person whose
13 noncommercial driver's license is revoked under this
14 chapter allowing the person to drive to and from the
15 person's home and specified places at specified times
16 which can be verified by the department and which are
17 required by ~~the~~ any of the following:

18 (1) The person's full-time or part-time
19 employment.

20 (2) The person's continuing health care or the
21 continuing health care of another who is dependent upon
22 the person.

23 (3) The person's continuing education while
24 enrolled in an educational institution on a part-time
25 or full-time basis and while pursuing a course of study
26 leading to a diploma, degree, or other certification of
27 successful educational completion.

28 (4) The person's substance abuse treatment, and to
29 attend groups whose purpose is to eliminate or reduce
30 alcohol or other drug use.

31 (5) The person's court-ordered community service
32 responsibilities, and appointments.

33 (6) Appointments with the person's parole or
34 probation officer.

35 (7) Transport of the person's dependent minor child
36 to and from school when public school transportation is
37 not available for the child.

38 (8) Transport of the person's dependent minor child
39 to and from child care when necessary for the person's
40 full-time or part-time employment.

41 b. The department may also issue a temporary
42 restricted license under this subsection that allows
43 the person to drive for work purposes within the scope
44 of the person's full-time or part-time employment.
45 Any vehicle operated within the scope of the person's
46 full-time or part-time employment must be equipped
47 at all times with an ignition interlock device of a
48 type approved by the commissioner of public safety,
49 notwithstanding any provision of section 321J.4,
50 321J.9, or 321J.12 to the contrary.

1 c. The department may issue a temporary restricted
2 license under this subsection only if the person's
3 driver's license has not been revoked previously under
4 section 321J.4, 321J.9, or 321J.12 and if any of the
5 following apply:

6 (1) The person's noncommercial driver's license is
7 revoked under section 321J.4 and the minimum period of
8 ineligibility for issuance of a temporary restricted
9 license has expired. This subsection shall not apply
10 to a revocation ordered under section 321J.4 resulting
11 from a plea or verdict of guilty of a violation of
12 section 321J.2 that involved a death.

13 (2) The person's noncommercial driver's license is
14 revoked under section 321J.9 and the person has entered
15 a plea of guilty on a charge of a violation of section
16 321J.2 which arose from the same set of circumstances
17 which resulted in the person's driver's license
18 revocation under section 321J.9 and the guilty plea
19 is not withdrawn at the time of or after application
20 for the temporary restricted license, and the minimum
21 period of ineligibility for issuance of a temporary
22 restricted license has expired.

23 (3) The person's noncommercial driver's license is
24 revoked under section 321J.12, and the minimum period
25 of ineligibility for issuance of a temporary restricted
26 license has expired.

27 ~~b.~~ d. A temporary restricted license may
28 be issued under this subsection if the person's
29 noncommercial driver's license is revoked for two years
30 under section 321J.4, subsection 2, or section 321J.9,
31 subsection 1, paragraph "b", and the first three
32 hundred sixty-five days of the revocation have expired.

33 ~~e.~~ e. This subsection does not apply to a person
34 whose license was revoked under section 321J.2A or
35 section 321J.4, subsection 4 or 6, or to a person whose
36 license is suspended or revoked for another reason.

37 ~~d.~~ f. Following the applicable minimum period
38 of ineligibility, a temporary restricted license
39 under this subsection shall not be issued until the
40 applicant installs an ignition interlock device of a
41 type approved by the commissioner of public safety on
42 all motor vehicles owned or operated by the applicant
43 in accordance with section 321J.2, 321J.4, 321J.9,
44 or 321J.12, or this subsection. Installation of an
45 ignition interlock device under this subsection shall
46 be required for the period of time for which the
47 temporary restricted license is issued and for such
48 additional period of time following reinstatement as is
49 required under section 321J.17, subsection 3.

50 2. a. Notwithstanding section 321.560, the

1 department may, on application, and upon the expiration
2 of the minimum period of ineligibility for a temporary
3 restricted license provided for under section
4 321.560, 321J.4, 321J.9, or 321J.12, issue a temporary
5 restricted license to a person whose noncommercial
6 driver's license has either been revoked under this
7 chapter, or revoked or suspended under chapter 321
8 solely for violations of this chapter, or who has been
9 determined to be a habitual offender under chapter
10 321 based solely on violations of this chapter or on
11 violations listed in section 321.560, subsection 1,
12 paragraph "b", and who is not eligible for a temporary
13 restricted license under subsection 1. However, the
14 department may not issue a temporary restricted license
15 under this subsection for a violation of section
16 321J.2A or to a person under the age of twenty-one
17 whose license is revoked under section 321J.4, 321J.9,
18 or 321J.12. A

19 (1) If the person has no more than one previous
20 revocation under this chapter, a temporary restricted
21 license issued under this subsection may allow the
22 person to drive to and from the person's home and
23 specified places at specified times which can be
24 verified by the department and which are required by
25 any of the following:

26 (a) The person's full-time or part-time employment.

27 (b) The person's continuing health care or the
28 continuing health care of another who is dependent upon
29 the person.

30 (c) The person's continuing education while
31 enrolled in an educational institution on a part-time
32 or full-time basis and while pursuing a course of study
33 leading to a diploma, degree, or other certification of
34 successful educational completion.

35 (d) The person's substance abuse treatment and to
36 attend groups whose purpose is to eliminate or reduce
37 alcohol or other drug use.

38 (e) The person's court-ordered community service
39 responsibilities.

40 (f) Appointments with the person's parole or
41 probation officer.

42 (g) Transport of the person's dependent minor child
43 to and from child care when necessary for the person's
44 full-time or part-time employment.

45 (2) If the person has more than one previous
46 revocation under this chapter, a temporary restricted
47 license issued under this subsection may allow the
48 person to drive to and from the person's home and
49 specified places at specified times which can be
50 verified by the department and which are required by

1 ~~the~~ any of the following:

2 (a) The person's full-time or part-time
3 employment.

4 (b) The person's continuing education while
5 enrolled in an educational institution on a part-time
6 or full-time basis and while pursuing a course of study
7 leading to a diploma, degree, or other certification of
8 successful educational completion.

9 (c) The person's substance abuse treatment and to
10 attend groups whose purpose is to eliminate or reduce
11 alcohol or other drug use.

12 DIVISION ____

13 NOTARY PUBLIC

14 Sec. ____ Section 321I.31, subsection 3, Code 2013,
15 is amended to read as follows:

16 3. An owner of an all-terrain vehicle shall apply
17 to the county recorder for issuance of a certificate
18 of title within thirty days after acquisition.
19 The application shall be on forms the department
20 prescribes and accompanied by the required fee. The
21 application shall be signed and sworn to before a
22 ~~notary public~~ notarial officer as provided in chapter
23 9B or other person who administers oaths, or shall
24 include a certification signed in writing containing
25 substantially the representation that statements made
26 are true and correct to the best of the applicant's
27 knowledge, information, and belief, under penalty of
28 perjury. The application shall contain the date of
29 sale and gross price of the all-terrain vehicle or
30 the fair market value if no sale immediately preceded
31 the transfer and any additional information the
32 department requires. If the application is made for
33 an all-terrain vehicle last previously registered
34 or titled in another state or foreign country, the
35 application shall contain this information and any
36 other information the department requires.

37 Sec. ____ Section 462A.77, subsection 4, Code 2013,
38 is amended to read as follows:

39 4. Every owner of a vessel subject to titling
40 under this chapter shall apply to the county recorder
41 for issuance of a certificate of title for the vessel
42 within thirty days after acquisition. The application
43 shall be on forms the department prescribes, and
44 accompanied by the required fee. The application shall
45 be signed and sworn to before a ~~notary public~~ notarial
46 officer as provided in chapter 9B or other person who
47 administers oaths, or shall include a certification
48 signed in writing containing substantially the
49 representation that statements made are true and
50 correct to the best of the applicant's knowledge,

1 information, and belief, under penalty of perjury.
2 The application shall contain the date of sale and
3 gross price of the vessel or the fair market value
4 if no sale immediately preceded the transfer, and any
5 additional information the department requires. If
6 the application is made for a vessel last previously
7 registered or titled in another state or foreign
8 country, it shall contain this information and any
9 other information the department requires.

10 Sec. _____. Section 554.3505, subsection 2, Code
11 2013, is amended to read as follows:

12 2. A protest is a certificate of dishonor made by a
13 United States consul or vice consul, or a ~~notary public~~
14 notarial officer as provided in chapter 9B or other
15 person authorized to administer oaths by the law of
16 the place where dishonor occurs. It may be made upon
17 information satisfactory to that person. The protest
18 must identify the instrument and certify either that
19 presentment has been made or, if not made, the reason
20 why it was not made, and that the instrument has been
21 dishonored by nonacceptance or nonpayment. The protest
22 may also certify that notice of dishonor has been given
23 to some or all parties.

24 Sec. _____. Section 622.86, Code 2013, is amended to
25 read as follows:

26 622.86 Foreign affidavits.

27 Those taken out of the state before any judge or
28 clerk of a court of record, or before a ~~notary public~~
29 notarial officer as provided in chapter 9B, or a
30 commissioner appointed by the governor of this state to
31 take acknowledgment of deeds in the state where such
32 affidavit is taken, are of the same credibility as if
33 taken within the state.

34 DIVISION ____
35 CORN PROMOTION BOARD

36 Sec. _____. Section 185C.1, Code 2013, is amended by
37 adding the following new subsection:

38 NEW SUBSECTION. 4A. "Director" means a district
39 elected director or a board elected director as
40 provided in section 185C.6.

41 Sec. _____. Section 185C.1, subsection 5, Code 2013,
42 is amended to read as follows:

43 5. "District" means an official crop reporting
44 district formed by the United States department of
45 agriculture for use on January 1, 2013, and set out in
46 the annual farm census published in that year by the
47 ~~Iowa~~ department of agriculture and land stewardship.

48 Sec. _____. Section 185C.3, Code 2013, is amended to
49 read as follows:

50 185C.3 Establishment of corn promotion board.

1 If a majority of the producers voting in the
2 referendum election approve the passage of the
3 promotional order, an Iowa corn promotion board shall
4 be established. ~~The board shall consist of one~~
5 ~~director elected from each district in the state,~~
6 ~~except that a district producing more than an average~~
7 ~~of one hundred million bushels of corn in the three~~
8 ~~previous marketing years is entitled to two directors.~~

9 Sec. _____. Section 185C.6, Code 2013, is amended by
10 striking the section and inserting in lieu thereof the
11 following:

12 185C.6 Number and election of directors.

13 The Iowa corn promotion board established pursuant
14 to section 185C.3 shall be composed of directors
15 elected as provided in this chapter. The directors
16 shall include all of the following:

17 1. Nine district elected directors. Each such
18 director shall be elected from a district as provided
19 in section 185C.5, this section, and sections 185C.7
20 and 185C.8. A candidate receiving the highest number
21 of votes in each district shall be elected to represent
22 that district.

23 2. Three board elected directors. Each such
24 director shall be elected by the board. The candidate
25 receiving the highest number of votes by the board
26 shall be elected to represent the state on at-large
27 basis.

28 Sec. _____. Section 185C.7, Code 2013, is amended to
29 read as follows:

30 185C.7 Terms of directors.

31 1. Director terms A director's term of office shall
32 be for three years ~~and no~~. A district elected director
33 ~~of the board~~ shall not serve for more than three
34 complete consecutive terms. A board elected director
35 shall not serve for more than one complete term of
36 office. A district elected director who is elected
37 as board elected director shall not serve more than a
38 total of four terms of office, regardless of whether
39 any of the terms of office are complete or consecutive.

40 2. If the board is reconstituted pursuant to
41 section 185C.8, the terms of the directors shall be
42 controlled by this section. However, the initial terms
43 of the reconstituted board shall be staggered. To the
44 extent practicable, one-third of the elected directors
45 shall serve an initial term of one year, one-third of
46 the elected directors shall serve an initial term of
47 two years, and one-third of the elected directors shall
48 serve an initial term of three years. The initial
49 terms of board elected directors shall be determined
50 by board ~~members~~ directors drawing lots. ~~The board~~

~~1 elected under this paragraph shall not contain two
2 directors from the same district serving the same term.~~

3 Sec. ____ . Section 185C.8, Code 2013, is amended to
4 read as follows:

5 185C.8 ~~Elections~~ Administration of elections for
6 directors.

7 1. The Iowa corn promotion board shall administer
8 elections for district elected directors of the board
9 with the assistance of the secretary. Prior to the
10 expiration of a director's term of office, the board
11 shall appoint a nominating committee for the district
12 represented by that director. The nominating committee
13 shall consist of five producers who are residents of
14 the district from which a director must be elected.
15 The nominating committee shall nominate two resident
16 producers as candidates for each director position for
17 which an election is to be held. Additional candidates
18 may be nominated by a written petition of twenty-five
19 producers. Procedures governing the time and place of
20 filing shall be adopted and publicized by the board.

21 Following recommencement of the promotional order,
22 or termination of the promotional order's suspension
23 as provided in section 185C.24, the secretary shall
24 order the reconstitution of the board. An election of
25 district elected directors shall be held within thirty
26 days from the date of the order. The secretary shall
27 call for, provide for notice of, conduct, and certify
28 the results of the election in a manner consistent
29 with section 185C.5 through 185C.7. Directors shall
30 serve terms as provided in section 185C.7. Rules
31 or procedures adopted by the board and in effect at
32 the date of suspension shall continue in effect upon
33 reconstitution of the board. The Iowa corn growers
34 association may nominate two resident producers as
35 candidates for each director position. Additional
36 candidates may be nominated by a written petition of at
37 least twenty-five producers.

38 2. The Iowa corn promotion board shall administer
39 elections for board elected directors. Prior to
40 the expiration of a board elected director's term of
41 office, the board may appoint a nominating committee.
42 In order to be eligible for nomination and election,
43 a candidate must have previously served on the board
44 as an elected director. An officer of the board shall
45 certify the results of the election.

46 Sec. ____ . Section 185C.10, subsection 3, Code 2013,
47 is amended by striking the subsection.

48 Sec. ____ . Section 185C.14, subsection 3, Code 2013,
49 is amended to read as follows:

50 3. The board shall meet at least ~~once every~~ three

1 ~~months~~ times each year, and at such other times as
2 deemed necessary by the board.

3 Sec. _____. Section 185C.21, subsection 2, Code 2013,
4 is amended to read as follows:

5 2. Upon request of the board, the secretary shall
6 call a special referendum for producers to vote
7 on whether to authorize an increase in the state
8 assessment above one-quarter of one cent per bushel,
9 notwithstanding subsection 1. The special referendum
10 shall be conducted as provided in this chapter for
11 referendum elections. However, the special referendum
12 shall not affect the existence or length of the
13 promotional order in effect. If a majority of the
14 producers voting in the special referendum approve
15 the increase, the board may increase the assessment
16 to the amount approved in the special referendum.
17 However, a state assessment shall not exceed ~~one cent~~
18 per a scheduled amount assessed on each bushel of corn
19 marketed in this state determined as follows:

20 a. Until September 1, 2013, one cent.

21 b. For each marketing year of the period beginning
22 September 1, 2013, and ending August 31, 2018, two
23 cents.

24 c. For each marketing year of the period beginning
25 September 1, 2018, and ending August 31, 2023, three
26 cents.

27 d. For each marketing year of the period beginning
28 September 1, 2023, and ending August 31, 2028, four
29 cents.

30 e. For each marketing year beginning on and after
31 September 1, 2028, five cents.

32 Sec. _____. Section 185C.27, Code 2013, is amended to
33 read as follows:

34 185C.27 Refund of assessment.

35 A producer who has sold corn and had a state
36 assessment deducted from the sale price, by application
37 in writing to the board, may secure a refund in the
38 amount deducted. The refund shall be payable only
39 when the application shall have been made to the board
40 within sixty days after the deduction. Application
41 forms shall be given by the board to each first
42 purchaser when requested and the first purchaser
43 shall make the applications available to any producer.
44 Each application for refund by a producer shall have
45 attached to the application proof of the assessment
46 deducted. The proof of assessment may be in the
47 form of a duplicate or certified copy of the purchase
48 invoice by the first purchaser. The board shall have
49 thirty business days from the date the application
50 for refund is received to remit the refund to the

1 producer. The board may provide for refunds of a
2 federal assessment as provided by federal law. Unless
3 inconsistent with federal law, refunds shall be made
4 under section 185C.26.

5 Sec. _____. IMPLEMENTATION. The Iowa corn promotion
6 board established pursuant to section 185C.3 shall
7 implement this Act.

8 1. During the implementation period all of the
9 following shall apply:

10 a. The board shall provide for staggered terms
11 of directors in the same manner as required for the
12 initial terms of office of a reconstituted board
13 pursuant to section 185C.7. However, the board is not
14 required to draw lots as otherwise provided in that
15 section.

16 b. The board is not required to fill a vacancy for
17 an unexpired term as required in section 185C.9.

18 c. The board may reduce the number of years of a
19 director's term in order to comply with this section.

20 2. The board shall complete implementation of this
21 Act not later than July 1, 2014.

22 Sec. _____. EFFECTIVE UPON ENACTMENT. This Act,
23 being deemed of immediate importance, takes effect upon
24 enactment.

25 DIVISION ____
26 APPORTIONMENT OF TRANSPORTATION FUNDS - APPROPRIATION

27 Sec. _____. Section 312.3, subsection 2, Code 2013,
28 is amended by adding the following new paragraph:

29 NEW PARAGRAPH. d. For purposes of apportioning
30 among the cities of the state the percentage of
31 the road use tax fund to be credited to the street
32 construction fund of the cities for each month
33 beginning April 2011 and ending March 2021 pursuant to
34 this subsection, the population of each city shall be
35 determined by the greater of the population of the city
36 as of the last preceding certified federal census or
37 as of the April 1, 2010, population estimates base as
38 determined by the United States census bureau.

39 Sec. _____. STREET CONSTRUCTION FUND -
40 APPROPRIATION.

41 1. In a written application to the treasurer of
42 state submitted by October 1, 2013, a city may request
43 an additional distribution of moneys to be credited
44 to the street construction fund of the city equal to
45 that additional amount, calculated by the treasurer,
46 that the city would have received if the funds were
47 apportioned based upon the population of the city as
48 determined by section 312.3, subsection 2, paragraph
49 "d", as enacted in this division of this Act, for the
50 months prior to the effective date of this division of

S-3188

Page 11

1 this Act.

2 2. Upon determination by the treasurer of state
3 that an additional amount should be credited to a city
4 as provided by this section, there is appropriated from
5 the general fund of the state to the department of
6 transportation, for the fiscal year beginning July 1,
7 2013, and ending June 30, 2014, an amount sufficient to
8 pay the additional amount which shall be distributed to
9 the city for deposit in the street construction fund
10 of the city.

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

14 Sec. _____. RETROACTIVE APPLICABILITY. This division
15 of this Act applies retroactively to April 2011.>

16 14. By renumbering as necessary.

By ROBERT E. DVORSKY

S-3188 FILED APRIL 29, 2013

ADOPTED

SENATE FILE 452

S-3189

1 Amend Senate File 452 as follows:

2 1. Page 5, after line 14 by inserting:

3 <Sec. _____. Section 216A.3, subsection 3, Code 2013,
4 is amended to read as follows:

5 3. A majority of the voting members of the board
6 shall constitute a quorum, and the affirmative vote of
7 two-thirds of the voting members present is necessary
8 for any substantive action taken by the board. The
9 board shall select a chairperson from the voting
10 members of the board. The board shall meet not less
11 than four times a year.>

12 2. By renumbering as necessary.

By LIZ MATHIS

S-3189 FILED APRIL 29, 2013

ADOPTED

SENATE FILE 452

S-3190

1 Amend Senate File 452 as follows:
2 1. Page 4, before line 26 by inserting:
3 <Sec. ____ INTRASTATE TRANSPORT OF DEER INFECTED
4 BY CHRONIC WASTING DISEASE. Notwithstanding section
5 484B.12 or any other provision of law to the contrary,
6 during the fiscal year beginning July 1, 2013, the
7 department of natural resources shall allow one
8 intrastate shipment of deer infected with chronic
9 wasting disease to be made from a location in a
10 county with a population between 44,000 and 44,200, as
11 determined by the 2010 federal decennial census, to a
12 location in a second county with a population between
13 8,700 and 8,900, as determined by the 2010 federal
14 decennial census. Both the originating location of the
15 shipment and the destination location shall be chronic
16 wasting disease infected locations.>
17 2. By renumbering as necessary.

By DR. JOE M. SENG

S-3190 FILED APRIL 29, 2013
WITHDRAWN

SENATE FILE 452

S-3191

1 Amend Senate File 452 as follows:
2 1. Page 16, line 31, by striking <5,000,000> and
3 inserting <9,800,000>
4 2. Page 16, line 33, by striking <5,000,000> and
5 inserting <9,800,000>

By RICK BERTRAND

S-3191 FILED APRIL 29, 2013
WITHDRAWN

SENATE FILE 452

S-3192

1 Amend Senate File 452 as follows:
2 1. Page 25, after line 16 by inserting:
3 <DIVISION ____
4 INTEREST INCOME - TAX EXEMPTION
5 Sec. ____ . Section 422.7, Code 2013, is amended by
6 adding the following new subsection:
7 NEW SUBSECTION. 1A. Subtract, to the extent not
8 otherwise excluded, the total amount of interest,
9 up to a maximum of one hundred dollars for a person,
10 other than a married person who files a separate
11 return, and up to a maximum of two hundred dollars for
12 a married couple filing jointly. A married couple
13 filing separate returns or separately on a combined
14 return are allowed a combined maximum exclusion under
15 this subsection of up to two hundred dollars, which
16 exclusion shall be allocated to each spouse in the
17 proportion that the spouse's respective interest income
18 bears to total combined interest income.
19 Sec. ____ . EFFECTIVE UPON ENACTMENT. This division
20 of this Act, being deemed of immediate importance,
21 takes effect upon enactment.
22 Sec. ____ . RETROACTIVE APPLICABILITY. This division
23 of this Act applies retroactively to January 1, 2013,
24 for tax years beginning on or after that date.>
25 2. By renumbering as necessary.

By ROBY SMITH

S-3192 FILED APRIL 29, 2013
LOST

SENATE FILE 452

S-3193

1 Amend Senate File 452 as follows:
2 1. Page 4, after line 25 by inserting:
3 <Sec. ____ . Section 8.55, subsection 2, unnumbered
4 paragraph 1, Code 2013, is amended to read as follows:
5 The maximum balance of the fund is the amount equal
6 to ~~two and one-half~~ five percent of the adjusted
7 revenue estimate for the fiscal year. If the amount of
8 moneys in the Iowa economic emergency fund is equal to
9 the maximum balance, moneys in excess of this amount
10 shall be distributed as follows:>
11 2. By renumbering as necessary.

By JACK WHITVER	ROBY SMITH
DAN ZUMBACH	MARK SEGEBART
MARK CHELGREN	SANDRA H. GREINER
RICK BERTRAND	CHARLES SCHNEIDER
BILL ANDERSON	MICHAEL BREITBACH
JONI ERNST	HUBERT HOUSER

S-3193 FILED APRIL 29, 2013
LOST

SENATE FILE 452

S-3194

1 Amend Senate File 452 as follows:

2 1. Page 16, line 31, by striking <5,000,000> and
3 inserting <27,700,000>

4 2. Page 16, line 33, by striking <5,000,000> and
5 inserting <27,700,000>

6 3. Page 16, after line 33 by inserting:

7 <3. FY 2015-2016

8 \$ 27,700,000>

By RICK BERTRAND
MARK SEGEBART
BILL ANDERSON
BRAD ZAUN

S-3194 FILED APRIL 29, 2013

WITHDRAWN

SENATE FILE 452

S-3195

1 Amend Senate File 452 as follows:

2 1. Page 25, after line 16 by inserting:

3 <DIVISION ____

4 BACKGROUND CHECKS – FOOD VENDORS

5 Sec. ____ . NEW SECTION. 137G.1 Food vendor – motor
6 vehicle – background check.

7 1. A business that operates a motor vehicle
8 primarily marketing the sale and dispensing of ice
9 cream or other food products from or near the motor
10 vehicle to children may require an applicant for
11 employment or employee of the business to be subject to
12 a criminal history and abuse registry record background
13 check. The business shall perform the background check
14 by accessing the single contact repository established
15 under section 135C.33, subsection 6.

16 2. The business shall inform the applicant or
17 employee of the requirement of the background check
18 required under subsection 1 and obtain a signed waiver
19 from the applicant or employee prior to requesting such
20 a check.

21 Sec. ____ . Section 235A.15, subsection 2, paragraph
22 e, Code 2013, is amended by adding the following new
23 subparagraph:

24 NEW SUBPARAGRAPH. (24) To a business which is
25 authorized to perform a background check pursuant to
26 section 137G.1.

27 Sec. ____ . Section 235B.6, subsection 2, paragraph
28 e, Code 2013, is amended by adding the following new
29 subparagraph:

30 NEW SUBPARAGRAPH. (19) To a business which is
31 authorized to perform a background check pursuant to
32 section 137G.1.>

33 2. By renumbering as necessary.

By TIM L. KAPUCIAN

DAVID JOHNSON

MARK SEGEBART

DENNIS GUTH

NANCY J. BOETTGER

CHARLES SCHNEIDER

JAKE CHAPMAN

SANDRA H. GREINER

DAN ZUMBACH

MICHAEL BREITBACH

MARK CHELGREN

ROBY SMITH

S-3195 FILED APRIL 29, 2013

LOST

SENATE FILE 452

S-3196

1 Amend Senate File 452 as follows:
2 1. Page 5, after line 20 by inserting:
3 <Sec. _____. Section 904.808, subsection 1, Code
4 2013, is amended by adding the following new paragraph:
5 NEW PARAGRAPH. c. When a comparable bid for a
6 similar product has been received from an Iowa-based
7 business and the director of the department of
8 administrative services has determined the product from
9 the Iowa-based business is comparable or of better
10 value in both quality and price to a similar product
11 available from Iowa state industries.
12 Sec. _____. Section 904.808, subsection 3, Code 2013,
13 is amended to read as follows:
14 3. A department or agency of the state ~~shall~~ may
15 cooperate and enter into agreements, if possible, for
16 the provision of products and services under an inmate
17 work program established by the state director under
18 section 904.703.>
19 2. By renumbering as necessary.

By RANDY FEENSTRA
BILL ANDERSON

S-3196 FILED APRIL 29, 2013
LOST

SENATE FILE 452

S-3197

1 Amend Senate File 452 as follows:
2 1. Page 16, line 31, by striking <5,000,000> and
3 inserting <9,800,000>
4 2. Page 16, line 33, by striking <5,000,000> and
5 inserting <9,800,000>

By RICK BERTRAND CHARLES SCHNEIDER
BILL ANDERSON BRAD ZAUN
KENT SORENSON MARK CHELGREN
JONI ERNST HUBERT HOUSER

S-3197 FILED APRIL 29, 2013
WITHDRAWN

S-3198

1 Amend Senate File 452 as follows:

2 1. Page 25, after line 16 by inserting:

3 <DIVISION ____

4 ROADS AND BRIDGES PROJECTS

5 Sec. _____. Section 8.55, subsection 2, Code 2013, is
6 amended to read as follows:

7 2. The maximum balance of the fund is the amount
8 equal to two and one-half percent of the adjusted
9 revenue estimate for the fiscal year. If the amount of
10 moneys in the Iowa economic emergency fund is equal to
11 the maximum balance, moneys in excess of this amount
12 shall be distributed as follows:

13 a. The first sixty million dollars of the
14 difference between the actual net revenue for the
15 general fund of the state for the fiscal year and the
16 adjusted revenue estimate for the fiscal year shall be
17 transferred to the taxpayers trust fund.

18 b. Moneys in excess of the amount transferred under
19 paragraph "a", up to a maximum of one hundred million
20 dollars, shall be transferred to the critical needs
21 road fund created under section 312B.1.

22 ~~b.~~ c. The remainder of the excess, if any, shall
23 be transferred to the general fund of the state.

24 Sec. _____. Section 8.58, Code 2013, is amended to
25 read as follows:

26 8.58 Exemption from automatic application.

27 1. To the extent that moneys appropriated under
28 section 8.57 do not result in moneys being credited
29 to the general fund under section 8.55, subsection
30 2, moneys appropriated under section 8.57 and moneys
31 contained in the cash reserve fund, rebuild Iowa
32 infrastructure fund, environment first fund, Iowa
33 economic emergency fund, ~~and~~ taxpayers trust fund, and
34 critical needs road fund shall not be considered in the
35 application of any formula, index, or other statutory
36 triggering mechanism which would affect appropriations,
37 payments, or taxation rates, contrary provisions of the
38 Code notwithstanding.

39 2. To the extent that moneys appropriated under
40 section 8.57 do not result in moneys being credited
41 to the general fund under section 8.55, subsection
42 2, moneys appropriated under section 8.57 and moneys
43 contained in the cash reserve fund, rebuild Iowa
44 infrastructure fund, environment first fund, Iowa
45 economic emergency fund, ~~and~~ taxpayers trust fund, and
46 critical needs road fund shall not be considered by an
47 arbitrator or in negotiations under chapter 20.

48 Sec. _____. NEW SECTION. 312B.1 Critical needs road
49 fund.

50 1. A critical needs road fund is created in the

S-3198

1 state treasury under the control of the department
2 of transportation. The fund shall be separate from
3 the general fund of the state and the balance in the
4 fund shall not be considered part of the balance of
5 the general fund of the state. The fund shall consist
6 of moneys appropriated by the general assembly and
7 any revenues credited by law to the critical needs
8 road fund. The moneys in the fund are not subject
9 to section 8.33 and shall not be transferred, used,
10 obligated, appropriated, or otherwise encumbered except
11 as provided in this section. Notwithstanding section
12 12C.7, subsection 2, interest or earnings on moneys
13 deposited in the critical needs road fund shall be
14 credited to the fund.

15 2. Moneys in the critical needs road fund are
16 appropriated to the department of transportation to
17 be used as directed by the department exclusively for
18 the repair and maintenance of roads on the primary or
19 secondary road system or the municipal street system,
20 including bridges. The department shall establish
21 guidelines to be used by the department, counties,
22 and cities for identifying roads and bridges in
23 critical need of repair or maintenance and for the
24 department to use in evaluating and prioritizing state
25 and local road projects to receive funding under this
26 section. Counties and cities may apply for funding
27 from the critical needs road fund by submitting to the
28 department proposals for projects on roads under their
29 respective jurisdictions. A qualifying proposal shall
30 include information regarding the status and condition
31 of the road that is the subject of the proposal,
32 the plan for completing the project, and any other
33 information required by the department. The department
34 shall develop an application process for counties and
35 cities to use for the submission of proposals for the
36 use of funds under this section. Moneys distributed
37 from the critical needs road fund may be used in
38 combination with other available funding as necessary
39 to accomplish the completion of a qualifying project
40 and to accomplish the goal of reducing the number of
41 Iowa roads and bridges with critical needs.>

42 2. By renumbering as necessary.

By BILL ANDERSON	SANDRA H. GREINER
RICK BERTRAND	DENNIS GUTH
MARK CHELGREN	KEN ROZENBOOM
NANCY J. BOETTGER	BRAD ZAUN
KENT SORENSON	HUBERT HOUSER

S-3199

1 Amend Senate File 452 as follows:

2 1. Page 5, after line 20 by inserting:

3 <Sec. _____. Section 461C.1, Code 2013, is amended to
4 read as follows:

5 461C.1 Purpose.

6 1. The purpose of this chapter is to encourage
7 private ~~owners~~ holders of land to make land and water
8 areas available to the public for recreational purposes
9 and for urban deer control by limiting ~~an owner's a~~
10 holder's liability toward persons entering onto the
11 ~~owner's~~ holder's property for such purposes. The
12 provisions of this chapter shall be construed liberally
13 and broadly in favor of private holders of land to
14 accomplish the purposes of this chapter.

15 2. The general assembly declares that the holding
16 of Sallee v. Stewart, (No. 11-0892) (Iowa 2013) is
17 abrogated in its entirety as contrary to the general
18 assembly's intent for the construction of this chapter.

19 Sec. _____. Section 461C.2, subsections 3 and 5, Code
20 2013, are amended to read as follows:

21 3. "Land" means private land located in a
22 municipality including abandoned or inactive surface
23 ~~mines, caves, and;~~ land used for agricultural
24 purposes, including; marshlands, timber, and
25 grasslands; and the privately owned roads, ~~water~~
26 paths, trails, waters, water courses, private ways and
27 exteriors and interiors of buildings, structures, and
28 machinery, or equipment appurtenant thereto located on
29 such land. "Land" includes land that is not open to
30 the general public.

31 5. "Recreational purpose" means any activity
32 undertaken for recreation, sport, exercise, education,
33 relaxation, or pleasure, including but not limited to
34 the following or any combination thereof: Hunting,
35 trapping, horseback riding, fishing, swimming,
36 boating, camping, picnicking, hiking, pleasure driving,
37 motorcycling, all-terrain vehicle riding, nature study,
38 water skiing, snowmobiling, other summer and winter
39 sports or games, and agricultural tours, and viewing
40 or enjoying historical, archaeological, scenic, or
41 scientific sites while going to and from or actually
42 engaged therein. "Recreational purpose" includes the
43 activity of accompanying another person who is engaging
44 in such activities. "Recreational purpose" is not
45 limited to active engagement in such activities, but
46 also includes entry onto, use of, passage over, and
47 presence on any part of the land in connection with
48 such activities.

49 Sec. _____. Section 461C.3, Code 2013, is amended to
50 read as follows:

S-3199

1 461C.3 Liability of ~~owner~~ holder limited.

2 1. Except as specifically recognized by or provided
3 in section 461C.6, ~~an owner a holder~~ of land ~~owes no~~
4 does not owe a duty of care to keep the premises safe
5 for entry or use by others for recreational purposes
6 or urban deer control, or to give any warning of a
7 dangerous condition, use, structure, or activity on
8 such premises to persons entering for such purposes.

9 2. Except as specifically recognized or provided
10 in section 461C.6, a holder of land does not owe a
11 duty of care to others because the holder is guiding,
12 directing, supervising, or participating in any
13 recreational purpose or urban deer control undertaken
14 by others on the holder's land.

15 Sec. _____. Section 461C.4, Code 2013, is amended by
16 adding the following new subsection:

17 NEW SUBSECTION. 2A. Assume a duty of care to
18 a person because the holder is guiding, directing,
19 supervising, or participating in any recreational
20 purpose or urban deer control undertaken by the person
21 on the holder's land.

22 Sec. _____. Section 461C.5, Code 2013, is amended to
23 read as follows:

24 461C.5 Duties and liabilities of ~~owner~~ holder of
25 leased land.

26 Unless otherwise agreed in writing, the provisions
27 of sections 461C.3 and 461C.4 shall be deemed
28 applicable to the duties and liability of ~~an owner a~~
29 holder of land leased, or any interest or right therein
30 transferred to, or the subject of any agreement with,
31 the United States or any agency thereof, or the state
32 or any agency or subdivision thereof, for recreational
33 purposes or urban deer control.

34 Sec. 6. Section 461C.6, Code 2013, is amended to
35 read as follows:

36 461C.6 When liability lies against ~~owner~~ holder.

37 Nothing in this chapter limits in any way any
38 liability which otherwise exists:

39 1. For willful or malicious failure to guard or
40 warn against a dangerous condition, use, structure, or
41 activity.

42 2. For injury suffered in any case where the ~~owner~~
43 holder of land charges the person or persons who enter
44 or go on the land for the recreational use thereof or
45 for deer hunting, except that in the case of land or
46 any interest or right therein, leased or transferred
47 to, or the subject of any agreement with, the United
48 States or any agency thereof or the state or any agency
49 thereof or subdivision thereof, any consideration
50 received by the holder for such lease, interest, right

1 or agreement shall not be deemed a charge within the
2 meaning of this section.>

3 2. By renumbering as necessary.

By KEN ROZENBOOM	RICK BERTRAND
DAN ZUMBACH	BILL ANDERSON
MICHAEL BREITBACH	KENT SORENSON
SANDRA H. GREINER	TIM L. KAPUCIAN
DAVID JOHNSON	MARK SEGEBART
JAKE CHAPMAN	MARK CHELGREN
DENNIS GUTH	JONI ERNST
JACK WHITVER	ROBY SMITH
NANCY J. BOETTGER	CHARLES SCHNEIDER
HUBERT HOUSER	

S-3199 FILED APRIL 29, 2013

LOST

S-3200

1 Amend Senate File 452 as follows:

2 1. Page 25, after line 16 by inserting:

3 <DIVISION ____

4 AUTOMATED TRAFFIC LAW ENFORCEMENT

5 Sec. ____ . Section 321.1, Code 2013, is amended by
6 adding the following new subsection:

7 NEW SUBSECTION. 95. "Automated traffic law

8 enforcement system" means a device with one or more
9 sensors working in conjunction with one of the

10 following:

11 a. An official traffic-control signal, to produce
12 recorded images of motor vehicles entering an
13 intersection against a red signal light.

14 b. A speed measuring device, to produce recorded
15 images of motor vehicles traveling at a prohibited rate
16 of speed.

17 c. A railroad grade crossing signal light, as
18 described in section 321.342, to produce images of
19 vehicles violating the signal light.

20 d. Any official traffic-control device, if failure
21 to comply with the official traffic-control device
22 constitutes a moving violation under this chapter.

23 Sec. ____ . NEW SECTION. 321.5A Automated traffic
24 law enforcement systems prohibited.

25 The department or a local authority shall not place
26 or cause to be placed on or adjacent to a highway, or
27 maintain or employ the use of, an automated traffic law
28 enforcement system for the enforcement of any provision
29 of this chapter or any local ordinance relating to
30 motor vehicles.

31 Sec. ____ . REMOVAL OF AUTOMATED TRAFFIC LAW

32 ENFORCEMENT SYSTEMS – VALIDITY OF PRIOR NOTICES

33 AND CITATIONS. On or before July 1, 2013, a local
34 authority using an automated traffic law enforcement
35 system shall discontinue using the system and remove
36 the system equipment. Effective July 1, 2013, all
37 local ordinances authorizing the use of an automated
38 traffic law enforcement system are void. However,
39 notices of violations mailed or citations issued
40 pursuant to such an ordinance prior to July 1, 2013,
41 shall not be invalidated by the enactment of this
42 division of this Act and shall be processed according
43 to the provisions of the law under which they were
44 authorized.

45 Sec. ____ . EFFECTIVE UPON ENACTMENT. The section
46 of this division of this Act relating to the removal
47 of automated traffic law enforcement systems and the
48 validity of prior notices and citations, being deemed
49 of immediate importance, takes effect upon enactment.>

50 2. By renumbering as necessary.

By BRAD ZAUN
JAKE CHAPMAN
DAVID JOHNSON
SANDRA H. GREINER
MARK CHELGREN
JONI ERNST
KEN ROZENBOOM

RANDY FEENSTRA
DENNIS GUTH
JACK WHITVER
NANCY J. BOETTGER
KENT SORENSON
BILL ANDERSON
MARK SEGEBART

S-3200 FILED APRIL 29, 2013
LOST

SENATE FILE 452

S-3201

1 Amend Senate File 452 as follows:
2 1. Page 16, after line 29 by inserting:
3 <____. FY 2012-2013
4 \$ 9,600,000>
5 2. Page 17, after line 10 by inserting:
6 <Sec. ____ EFFECTIVE UPON ENACTMENT. The section
7 of this division of this Act appropriating moneys to
8 the fire and police retirement fund, being deemed of
9 immediate importance, takes effect upon enactment.>
10 3. By renumbering as necessary.

By ROBERT E. DVORSKY

S-3201 FILED APRIL 29, 2013
WITHDRAWN

S-3202

1 Amend the amendment, S-3188, to Senate File 452 as
2 follows:

3 1. Page 5, after line 13 by inserting:

4 <Sec. _____. Section 9B.15, subsection 3, unnumbered
5 paragraph 1, Code 2013, is amended to read as follows:

6 A certificate of a notarial act is sufficient if it
7 meets the requirements of subsections 1 and 2 and ~~all~~
8 any of the following apply:

9 Sec. _____. Section 9B.17, subsection 1, paragraph a,
10 Code 2013, is amended to read as follows:

11 a. Include the notary public's name, the words
12 "Notarial Seal" and "Iowa", the words "Commission
13 Number" followed by a number assigned to the notary
14 public by the secretary of state, the words "My
15 Commission Expires" followed either by the date that
16 the notary public's term would ordinarily expire as
17 provided in section 9B.21 or a blank line on which the
18 notary public shall indicate the date of expiration,
19 if any, of the notary public's commission, as required
20 by and in satisfaction of section 9B.15, subsection 1,
21 paragraph "e", and other information required by the
22 secretary of state.>

23 2. Page 6, after line 23 by inserting:

24 <Sec. _____. Section 589.4, Code 2013, is amended to
25 read as follows:

26 589.4 Acknowledgments by corporation officers.
27 The acknowledgments of all deeds, mortgages, or
28 other instruments in writing taken or certified more
29 than ten years earlier, which instruments have been
30 recorded in the recorder's office of any county of this
31 state, including acknowledgments of instruments made by
32 a corporation, or to which the corporation was a party,
33 or under which the corporation was a beneficiary,
34 and which have been acknowledged before or certified
35 by a ~~notary public~~ notarial officer as provided in
36 chapter 9B who was at the time of the acknowledgment or
37 certifying a stockholder or officer in the corporation,
38 are legal and valid official acts of the notaries
39 public, and entitle the instruments to be recorded,
40 anything in the laws of the state of Iowa in regard to
41 acknowledgments to the contrary notwithstanding. This
42 section does not affect pending litigation.

43 Sec. _____. Section 589.5, Code 2013, is amended to
44 read as follows:

45 589.5 Acknowledgments by stockholders.
46 All deeds and conveyances of lands within this
47 state executed more than ten years earlier, but
48 which have been acknowledged or proved according
49 to and in compliance with the laws of this state
50 before a ~~notary public~~ notarial officer as provided

S-3202

S-3202

Page 2

1 in chapter 9B or other official authorized by law
2 to take acknowledgments who was, at the time of
3 the acknowledgment, an officer or stockholder of a
4 corporation interested in the deed or conveyance, or
5 otherwise interested in the deeds or conveyances, are,
6 if otherwise valid, valid in law as though acknowledged
7 or proved before an officer not interested in the
8 deeds or conveyances; and if recorded more than ten
9 years earlier, in the respective counties in which
10 the lands are, the records are valid in law as though
11 the deeds and conveyances, so acknowledged or proved
12 and recorded, had, prior to being recorded, been
13 acknowledged or proved before an officer having no
14 interest in the deeds or conveyances.>

15 3. By renumbering as necessary.

By ROBERT E. DVORSKY

S-3202 FILED APRIL 29, 2013

ADOPTED

SENATE FILE 452

S-3204

1 Amend Senate File 452 as follows:

2 1. Page 16, after line 29 by inserting:

3 <____. FY 2012-2013

4 \$ 9,600,000>

5 2. Page 17, after line 10 by inserting:

6 <Sec. ____ EFFECTIVE UPON ENACTMENT. The section
7 of this division of this Act appropriating moneys to
8 the fire and police retirement fund, being deemed of
9 immediate importance, takes effect upon enactment.>

10 3. By renumbering as necessary.

By ROBERT E. DVORSKY

JEFF DANIELSON

RICK BERTRAND

KENT SORENSON

S-3204 FILED APRIL 29, 2013

ADOPTED

HOUSE FILE 638

S-3203

1 Amend House File 638, as passed by the House, as
2 follows:

3 1. By striking everything after the enacting clause
4 and inserting:

5 <DIVISION I

6 REBUILD IOWA INFRASTRUCTURE FUND

7 Section 1. There is appropriated from the rebuild
8 Iowa infrastructure fund to the following departments
9 and agencies for the following fiscal years, the
10 following amounts, or so much thereof as is necessary,
11 to be used for the purposes designated:

12 1. DEPARTMENT OF ADMINISTRATIVE SERVICES

13 a. For projects related to major repairs and major
14 maintenance for state buildings and facilities:

15 FY 2013-2014:

16 \$ 14,000,000

17 Moneys appropriated in this lettered paragraph shall
18 not be used for projects at the Wallace and the state
19 historical buildings.

20 b. For routine and preventative maintenance,
21 notwithstanding section 8.57, subsection 5, paragraph
22 "c":

23 FY 2013-2014:

24 \$ 5,000,000

25 Moneys appropriated in this lettered paragraph shall
26 be used for capitol complex grounds except for projects
27 at the Wallace and the state historical buildings.

28 c. For costs associated with the planning, design,
29 construction, and renovation of the Wallace office
30 building including roof replacement:

31 FY 2013-2014:

32 \$ 500,000

33 FY 2014-2015:

34 \$ 3,900,000

35 d. For costs associated with capitol interior and
36 exterior restoration, including the installation of a
37 lightning protection system:

38 FY 2013-2014:

39 \$ 330,000

40 2. DEPARTMENT OF CULTURAL AFFAIRS

41 For deposit into the Iowa great places program
42 fund created in section 303.3D for Iowa great places
43 program projects that meet the definition of "vertical
44 infrastructure" in section 8.57, subsection 5,
45 paragraph "c":

46 FY 2013-2014:

47 \$ 1,000,000

48 3. ECONOMIC DEVELOPMENT AUTHORITY

49 a. For equal distribution to regional sports
50 authority districts certified by the economic

S-3203

1 development authority pursuant to section 15E.321,
2 notwithstanding section 8.57, subsection 5, paragraph
3 "c":
4 FY 2013-2014:
5 \$ 1,000,000
6 b. For deposit into the river enhancement community
7 attraction and tourism fund created in section 15F.205:
8 FY 2013-2014:
9 \$ 2,000,000
10 c. For renovations, expansions, and enhancements
11 to facilities for an adult day program at a year-round
12 camp for persons with disabilities in a central Iowa
13 city with a population between one hundred ninety-five
14 thousand and two hundred five thousand in the latest
15 preceding certified federal census:
16 FY 2013-2014:
17 \$ 250,000
18 d. To Iowa state university of science and
19 technology for the modernization and renovation of
20 animal care facilities at the blank park zoo including
21 the expansion of the surgical facility and the
22 renovation of dormitory space:
23 FY 2013-2014:
24 \$ 1,000,000
25 e. For administration and support of the world
26 food prize including the Borlaug/Ruan scholar program,
27 notwithstanding section 8.57, subsection 6, paragraph
28 "c":
29 FY 2013-2014:
30 \$ 200,000
31 f. For costs associated with the hosting of a
32 national junior Summer Olympics by a nonprofit sports
33 organization, notwithstanding section 8.57, subsection
34 6, paragraph "c":
35 FY 2013-2014:
36 \$ 250,000
37 4. DEPARTMENT OF EDUCATION
38 a. For accelerated career education program capital
39 projects at community colleges that are authorized
40 under chapter 260G and that meet the definition of
41 the term "vertical infrastructure" in section 8.57,
42 subsection 5, paragraph "c":
43 FY 2013-2014:
44 \$ 6,000,000
45 b. For major renovation and major repair needs,
46 including health, life, and fire safety needs and for
47 compliance with the federal Americans with Disabilities
48 Act for buildings and facilities under the purview of
49 the community colleges:
50 FY 2013-2014:

1	.....	\$	1,000,000
2	5. DEPARTMENT OF HUMAN SERVICES		
3	a. For a grant to a nonprofit child welfare,		
4	juvenile justice, and behavioral health agency for		
5	the construction of a psychiatric medical institution		
6	for children in a city with a population between		
7	twenty-eight thousand and twenty-nine thousand in the		
8	latest preceding certified federal census:		
9	FY 2013-2014:		
10	.....	\$	500,000
11	FY 2014-2015:		
12	.....	\$	500,000
13	b. For a grant to a nonprofit agency that provides		
14	innovative solutions to children and adults with autism		
15	in a city with a population between fourteen thousand		
16	five hundred and fifteen thousand five hundred in the		
17	latest preceding certified federal census for costs		
18	associated with improvements to facilities:		
19	FY 2013-2014:		
20	.....	\$	400,000
21	FY 2014-2015:		
22	.....	\$	400,000
23	c. For the renovation and construction of certain		
24	nursing facilities, consistent with the provisions of		
25	chapter 249K:		
26	FY 2013-2014:		
27	.....	\$	500,000
28	d. For a publicly owned acute care teaching		
29	hospital located in a county with a population between		
30	four hundred thousand and four hundred fifty thousand		
31	in the latest preceding certified federal census for		
32	the construction and expansion of inpatient mental		
33	health facilities and for the construction of an		
34	outpatient clinic building:		
35	FY 2013-2014:		
36	.....	\$	3,000,000
37	FY 2014-2015:		
38	.....	\$	3,000,000
39	6. DEPARTMENT OF PUBLIC DEFENSE		
40	a. For major maintenance projects at national guard		
41	armories and facilities:		
42	FY 2013-2014:		
43	.....	\$	2,000,000
44	b. For construction improvement projects at		
45	statewide readiness centers:		
46	FY 2013-2014:		
47	.....	\$	2,000,000
48	c. For construction upgrades at Camp Dodge:		
49	FY 2013-2014:		
50	.....	\$	500,000

1 7. DEPARTMENT OF NATURAL RESOURCES
2 a. For implementation of lake projects that
3 have established watershed improvement initiatives
4 and community support in accordance with the
5 department's annual lake restoration plan and report,
6 notwithstanding section 8.57, subsection 5, paragraph
7 "c":
8 FY 2013-2014:
9 \$ 8,600,000
10 b. For the administration of a water trails and
11 low head dam public hazard statewide plan, including
12 salaries, support, maintenance, and miscellaneous
13 purposes, notwithstanding section 8.57, subsection 5,
14 paragraph "c":
15 FY 2013-2014:
16 \$ 2,000,000
17 8. BOARD OF REGENTS
18 a. For allocation by the state board of regents to
19 the state university of Iowa, the Iowa state university
20 of science and technology, and the university of
21 northern Iowa to reimburse the institutions for
22 deficiencies in the operating funds resulting from the
23 pledging of tuition, student fees and charges, and
24 institutional income to finance the cost of providing
25 academic and administrative buildings and facilities
26 and utility services at the institutions:
27 FY 2013-2014:
28 \$ 27,867,775
29 b. For the repair or replacement of failed or
30 failing building components, for immediate fire safety
31 needs, and for compliance with the federal Americans
32 with Disabilities Act, at regents institutions:
33 FY 2013-2014:
34 \$ 2,000,000
35 c. For costs associated with the renovation,
36 modernization, and construction of a new addition at
37 the pharmacy building at the state university of Iowa:
38 FY 2014-2015:
39 \$ 6,000,000
40 d. For infrastructure improvements to construct a
41 multipurpose training facility at the state hygienic
42 laboratory at the state university of Iowa:
43 FY 2013-2014:
44 \$ 1,000,000
45 9. STATE FAIR AUTHORITY
46 For infrastructure costs associated with the
47 construction of a plaza on the Iowa state fairgrounds:
48 FY 2013-2014:
49 \$ 250,000
50 FY 2014-2015:

1 \$ 750,000

2 10. DEPARTMENT OF TRANSPORTATION

3 a. For acquiring, constructing, and improving

4 recreational trails within the state:

5 FY 2013-2014:

6 \$ 3,000,000

7 b. For deposit into the public transit

8 infrastructure grant fund created in section 324A.6A,

9 for projects that meet the definition of "vertical

10 infrastructure" in section 8.57, subsection 5,

11 paragraph "c":

12 FY 2013-2014:

13 \$ 2,000,000

14 c. For infrastructure improvements at the

15 commercial service airports within the state:

16 FY 2013-2014:

17 \$ 1,500,000

18 d. For infrastructure improvements at general

19 aviation airports within the state:

20 FY 2013-2014:

21 \$ 750,000

22 e. For deposit into the railroad revolving loan and

23 grant fund created in section 327H.20A, notwithstanding

24 section 8.57, subsection 5, paragraph "c":

25 FY 2013-2014:

26 \$ 1,000,000

27 f. For continuation of the job access and reverse

28 commute grant program, notwithstanding section 8.57,

29 subsection 5, paragraph "c":

30 FY 2013-2014:

31 \$ 350,000

32 Moneys appropriated in this section shall be

33 distributed by the department in the form of grants to

34 cities, nonprofit organizations, or operators of public

35 transportation services for the fiscal year beginning

36 July 1, 2013, and ending June 30, 2014, to continue

37 an existing access to jobs project or reverse commute

38 project serving a city with a population of fifty

39 thousand or more and the surrounding metropolitan area.

40 A grant awarded under this section shall not exceed 90

41 percent of the cost of a program's operation for the

42 fiscal year beginning July 1, 2013, and ending June

43 30, 2014. In awarding grants under this section, the

44 department shall use criteria established under former

45 49 U.S.C. § 5316 establishing the federal job access

46 and reverse commute grant program.

47 11. TREASURER OF STATE

48 For distribution in accordance with chapter 174 to

49 qualified fairs which belong to the association of Iowa

50 fairs for county fair infrastructure improvements:

1 FY 2013-2014:
2 \$ 1,060,000
3 12. DEPARTMENT OF VETERANS AFFAIRS
4 a. For remodeling and upgrades to office space at
5 Camp Dodge:
6 FY 2013-2014:
7 \$ 137,940
8 b. For a grant to an American legion post located
9 in a city with a population between one thousand
10 ten and one thousand twenty in the latest preceding
11 certified federal census for the construction of a
12 veteran's reception center and community center:
13 FY 2013-2014:
14 \$ 604,000
15 c. For construction costs associated with the
16 expansion of an equipment and vehicle storage building
17 at the Iowa veterans cemetery:
18 FY 2013-2014:
19 \$ 250,000

20 Sec. 2. REVERSION. For purposes of section 8.33,
21 unless specifically provided otherwise, unencumbered
22 or unobligated moneys made from an appropriation in
23 this division of this Act shall not revert but shall
24 remain available for expenditure for the purposes
25 designated until the close of the fiscal year that ends
26 three years after the end of the fiscal year for which
27 the appropriation is made. However, if the project
28 or projects for which such appropriation was made are
29 completed in an earlier fiscal year, unencumbered or
30 unobligated moneys shall revert at the close of that
31 same fiscal year.

DIVISION II

TECHNOLOGY REINVESTMENT FUND

34 Sec. 3. There is appropriated from the technology
35 reinvestment fund created in section 8.57C to the
36 following departments and agencies for the following
37 fiscal years, the following amounts, or so much
38 thereof as is necessary, to be used for the purposes
39 designated:

40 1. DEPARTMENT OF EDUCATION
41 a. For maintenance and lease costs associated with
42 connections for part III of the Iowa communications
43 network:
44 FY 2013-2014:
45 \$ 2,727,000
46 b. For the continued development and implementation
47 of an education data warehouse to be utilized by
48 teachers, parents, school district administrators, area
49 education agency staff, department of education staff,
50 and policymakers:

1 FY 2013-2014:

2 \$ 600,000

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

8 c. To the public broadcasting division for the
9 replacement of equipment and for tower and facility
10 maintenance:

11 FY 2013-2014:

12 \$ 960,000

13 d. For allocation to the boards of directors of
14 public school districts for voluntary short-term
15 testing for radon gas of up to 10 percent of attendance
16 centers in the state, with the goal of completing
17 radon testing in at least one attendance center in
18 each county in Iowa, notwithstanding section 8.57C,
19 subsection 2:

20 FY 2013-2014:

21 \$ 100,000

22 For purposes of this lettered paragraph, "short-term
23 testing" means a testing procedure approved by the
24 department of public health in which a testing device
25 remains in an area for not less than two days and not
26 more than ninety days to determine the amount of radon
27 in the air that is acceptable for human inhalation.

28 Radon testing pursuant to this lettered paragraph
29 shall be conducted by a person certified to conduct
30 such testing pursuant to section 136B.1.

31 The department shall prepare a comprehensive report
32 of the results of the radon testing conducted at each
33 attendance center and shall submit the report to the
34 general assembly no later than January 1, 2014.

35 e. For hardware and software equipment for the
36 state library, including laptop and tablet computers,
37 audio and video equipment, and the purchase of online
38 resources:

39 FY 2013-2014:

40 \$ 250,000

41 2. DEPARTMENT OF HUMAN RIGHTS

42 For the cost of equipment and computer software
43 for the implementation of Iowa's criminal justice
44 information system:

45 FY 2013-2014:

46 \$ 1,454,734

47 3. DEPARTMENT OF HUMAN SERVICES

48 a. For a grant to a nonprofit agency that provides
49 innovative solutions to children and adults with autism
50 in a city with a population between fourteen thousand

1 five hundred and fifteen thousand five hundred in
2 the latest preceding certified federal census, for
3 the cost associated with internet services and video
4 communications systems for clinics:

5 FY 2013-2014:
6 \$ 154,972

7 b. For grants for nursing facilities categorized
8 as rural on Iowa Medicaid enterprise cost reports
9 to provide electronic health record implementation
10 services to rural nursing facilities:

11 FY 2013-2014:
12 \$ 250,000

13 4. IOWA TELECOMMUNICATIONS AND TECHNOLOGY
14 COMMISSION

15 For internet protocol video technology equipment for
16 the Iowa communications network:

17 FY 2013-2014:
18 \$ 1,200,000

19 The commission may continue to enter into contracts
20 pursuant to section 8D.13 for internet protocol video
21 technology equipment and for operations and maintenance
22 costs of the network.

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

33 5. DEPARTMENT OF MANAGEMENT

34 For the continued development and implementation
35 of a searchable database that can be placed on the
36 internet for budget and financial information:

37 FY 2013-2014:
38 \$ 45,000

39 6. DEPARTMENT OF PUBLIC DEFENSE

40 To the homeland security and emergency management
41 division or its successor, for grants for counties
42 for emergency generators including emergency diesel
43 generators for radio communications:

44 FY 2013-2014:
45 \$ 200,000

46 7. DEPARTMENT OF PUBLIC HEALTH

47 For technology consolidation projects:

48 FY 2013-2014:
49 \$ 480,000

50 Sec. 4. REVERSION. For purposes of section 8.33,

1 unless specifically provided otherwise, unencumbered
2 or unobligated moneys made from an appropriation in
3 this division of this Act shall not revert but shall
4 remain available for expenditure for the purposes
5 designated until the close of the fiscal year that ends
6 three years after the end of the fiscal year for which
7 the appropriation was made. However, if the project
8 or projects for which such appropriation was made are
9 completed in an earlier fiscal year, unencumbered or
10 unobligated moneys shall revert at the close of that
11 same fiscal year.

12 DIVISION III

13 CHILDREN'S HEALTH INSURANCE PROGRAM – REBUILD IOWA
14 INFRASTRUCTURE FUND

15 Sec. 5. CHILDREN'S HEALTH INSURANCE PROGRAM –
16 DEPARTMENT OF ADMINISTRATIVE SERVICES. Any moneys
17 remaining on June 30, 2013, from moneys received from
18 the federal government through the child enrollment
19 contingency fund established pursuant to section 103
20 of the federal Children's Health Insurance Program
21 Reauthorization Act of 2009, Pub. L. No. 111-3, are
22 transferred to the rebuild Iowa infrastructure fund
23 created in section 8.57 and appropriated to the
24 department of administrative services for the following
25 fiscal year, to be used for projects related to major
26 repairs and major maintenance for state buildings and
27 facilities:

28 FY 2013-2014:
29 \$ 11,310,648

30 The moneys appropriated pursuant to this section
31 shall not be used for any appropriations that receive
32 federal funding. Notwithstanding section 8.33, the
33 moneys appropriated in this section shall not revert to
34 the fund from which appropriated.

35 The department of human services shall work with
36 the department of management and the department of
37 administrative services in drawing down the federal
38 funds.

39 DIVISION IV

40 MULTIMODAL TRANSPORTATION – GENERAL FUND

41 Sec. 6. MULTIMODAL TRANSPORTATION.

42 1. There is appropriated from the general fund
43 of the state to the department of transportation for
44 the following fiscal years, the following amounts, or
45 so much thereof as is necessary, to be used for the
46 purposes designated:

47 For multimodal transportation projects as determined
48 by the transportation commission:

49 FY 2013-2014:
50 \$ 5,500,000

1 FY 2014-2015:

2 \$ 5,500,000

3 2. For purposes of section 8.33, unless
4 specifically provided otherwise, moneys appropriated in
5 this section that remain unencumbered or unobligated
6 shall not revert but shall remain available for
7 expenditure for the purposes designated until the close
8 of the fiscal year that ends three years after the end
9 of the fiscal year for which the appropriation was
10 made. However, if the project or projects for which
11 the appropriation was made are completed in an earlier
12 fiscal year, unencumbered or unobligated moneys shall
13 revert at the close of that same fiscal year.

14 DIVISION V

15 GENERAL FUND FY 2013 TRANSFER

16 Sec. 7. GENERAL FUND FY 2013 TRANSFER. There is
17 transferred from the general fund of the state to the
18 rebuild Iowa infrastructure fund for the fiscal year
19 beginning July 1, 2012, and ending June 30, 2013, the
20 amount of \$15,000,000.

21 Sec. 8. EFFECTIVE UPON ENACTMENT. This division of
22 this Act, being deemed of immediate importance, takes
23 effect upon enactment.

24 DIVISION VI

25 FY 2014 GENERAL FUND TRANSFER - RIFF

26 Sec. 9. FY 2014 GENERAL FUND TRANSFER -
27 RIFF. There is transferred from the general fund of
28 the state to the rebuild Iowa infrastructure fund for
29 the fiscal year beginning July 1, 2013, and ending June
30 30, 2014, the amount of \$4,103,000.

31 DIVISION VII

32 PROPERTY TAX CREDIT FUND BALANCE TRANSFER - REBUILD
33 IOWA INFRASTRUCTURE FUND

34 Sec. 10. PROPERTY TAX CREDIT FUND BALANCE TRANSFER
35 - REBUILD IOWA INFRASTRUCTURE FUND. Moneys in the
36 property tax credit fund created in 2010 Iowa Acts,
37 chapter 1193, section 8, that remain unencumbered or
38 unobligated on June 30, 2013, shall be transferred to
39 the rebuild Iowa infrastructure fund.

40 Sec. 11. EFFECTIVE UPON ENACTMENT. This division
41 of this Act, being deemed of immediate importance,
42 takes effect upon enactment.

43 DIVISION VIII

44 DEPARTMENT OF TRANSPORTATION - CONTINGENT
45 APPROPRIATION

46 Sec. 12. DEPARTMENT OF TRANSPORTATION -
47 APPROPRIATION.

48 1. For the fiscal year beginning July 1, 2014, and
49 ending June 30, 2015, there is appropriated from the
50 rebuild Iowa infrastructure fund to the department

1 of transportation \$2,500,000 for any public transit
2 authority to develop a bus rapid transit service,
3 notwithstanding section 8.57, subsection 5, paragraph
4 "c".

5 2. This appropriation is contingent upon an
6 authority's receipt of local funds and the receipt of
7 a federal grant, by December 31, 2014, in an amount
8 sufficient to complete the project. The authority
9 shall notify the legislative services agency and the
10 department of management if such funds are received no
11 later than January 15, 2015.

12 Sec. 13. REVERSION. For purposes of section 8.33,
13 unless specifically provided otherwise, unencumbered
14 or unobligated moneys made from an appropriation in
15 this division of this Act shall not revert but shall
16 remain available for expenditure for the purposes
17 designated until the close of the fiscal year that ends
18 three years after the end of the fiscal year for which
19 the appropriation is made. However, if the project
20 or projects for which such appropriation was made are
21 completed in an earlier fiscal year, unencumbered or
22 unobligated moneys shall revert at the close of that
23 same fiscal year.

24 DIVISION IX

25 IOWA JOBS BOARD

26 Sec. 14. Section 12.87, subsection 12, Code 2013,
27 is amended to read as follows:

28 12. Neither the treasurer of state, the Iowa
29 ~~jobs board~~ finance authority, nor any person acting
30 on behalf of the treasurer of state or the Iowa ~~jobs~~
31 ~~board~~ finance authority while acting within the scope
32 of their employment or agency, is subject to personal
33 liability resulting from carrying out the powers and
34 duties conferred by this section and sections 12.88
35 through 12.90.

36 Sec. 15. Section 16.193, subsection 1, Code 2013,
37 is amended to read as follows:

38 ~~1. The Iowa finance authority, subject to approval~~
39 ~~by the Iowa jobs board,~~ shall adopt administrative
40 rules pursuant to chapter 17A necessary to administer
41 the Iowa jobs program and Iowa jobs II program. The
42 authority shall ~~provide the board with assistance in~~
43 ~~implementing administrative functions,~~ be responsible
44 for providing technical assistance and application
45 assistance to applicants under the programs,
46 negotiating contracts, and providing project follow
47 up. The authority, in cooperation with the board,
48 may conduct negotiations on behalf of the board with
49 applicants regarding terms and conditions applicable to
50 awards under the program.

1 Sec. 16. Section 16.194, subsection 2, Code 2013,
2 is amended to read as follows:

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

10 Sec. 17. Section 16.194, subsection 4, unnumbered
11 paragraph 1, Code 2013, is amended to read as follows:

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

15 Sec. 18. Section 16.194, subsection 7, Code 2013,
16 is amended to read as follows:

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

22 Sec. 19. Section 16.194, subsection 8, unnumbered
23 paragraph 1, Code 2013, is amended to read as follows:

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

26 Sec. 20. Section 16.194, subsection 9, paragraph b,
27 Code 2013, is amended to read as follows:

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

35 Sec. 21. Section 16.194, subsection 10, Code 2013,
36 is amended to read as follows:

37 10. The ~~board~~ authority shall ensure that funds
38 obligated under this section are coordinated with other
39 federal program funds received by the state, and that
40 projects receiving funds are located in geographically
41 diverse areas of the state.

42 Sec. 22. Section 16.194A, subsections 2, 7, 9, and
43 10, Code 2013, are amended to read as follows:

44 2. A city or county in this state that applies the
45 smart planning principles and guidelines pursuant to
46 sections 18B.1 and 18B.2 may submit an application to
47 the ~~Iowa jobs board~~ authority for financial assistance
48 for a local infrastructure competitive grant for an
49 eligible project under the program, notwithstanding
50 any limitation on the state's percentage in funding as

1 contained in section 29C.6, subsection 17.

2 7. In order for a project to be eligible to receive
3 financial assistance from the ~~board~~ authority, the
4 project must be a public construction project pursuant
5 to subsection 1 with a demonstrated substantial local,
6 regional, or statewide economic impact.

7 9. Any portion of an amount allocated for projects
8 that remains unexpended or unencumbered one year after
9 the allocation has been made may be reallocated to
10 another project category, at the discretion of the
11 ~~board~~ authority. The ~~board~~ authority shall ensure that
12 all bond proceeds be expended within three years from
13 when the allocation was initially made.

14 10. The ~~board~~ authority shall ensure that funds
15 obligated under this section are coordinated with other
16 federal program funds received by the state, and that
17 projects receiving funds are located in geographically
18 diverse areas of the state.

19 Sec. 23. Section 16.194A, subsection 4, unnumbered
20 paragraph 1, Code 2013, is amended to read as follows:

21 The ~~board~~ authority shall consider the following
22 criteria in evaluating eligible projects to receive
23 financial assistance under the program:

24 Sec. 24. Section 16.194A, subsection 8, unnumbered
25 paragraph 1, Code 2013, is amended to read as follows:

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

28 Sec. 25. Section 16.195, Code 2013, is amended to
29 read as follows:

30 16.195 Iowa jobs program application review.

31 1. Applications for assistance under the Iowa jobs
32 program and Iowa jobs II program shall be submitted to
33 the ~~Iowa finance authority~~ for review and approval.
34 ~~The authority shall provide a staff review and~~
35 ~~evaluation of applications to the Iowa jobs program~~
36 ~~review committee referred to in subsection 2 and to the~~
37 ~~Iowa jobs board.~~

38 2. ~~A review committee composed of members of the~~
39 ~~board as determined by the board shall review Iowa~~
40 ~~jobs program applications submitted to the board and~~
41 ~~make recommendations regarding the applications to the~~
42 ~~board.~~ When reviewing the applications, the review
43 committee and the authority shall consider the project
44 criteria specified in sections 16.194 and 16.194A. The
45 ~~board~~ authority shall develop the appropriate level of
46 transparency regarding project fund allocations.

47 3. Upon approval of an application for financial
48 assistance under the program, the ~~board~~ authority shall
49 notify the treasurer of state regarding the amount
50 of moneys needed to satisfy the award of financial

1 assistance and the terms of the award. The treasurer
2 of state shall notify the ~~Iowa finance~~ authority any
3 time moneys are disbursed to a recipient of financial
4 assistance under the program.

5 Sec. 26. Section 16.196, Code 2013, is amended to
6 read as follows:

7 16.196 Iowa jobs ~~restricted capitals fund~~ - fund
8 appropriations.

9 ~~1. An Iowa jobs restricted capitals fund is created~~
10 ~~and established as a separate and distinct fund in~~
11 ~~the state treasury. The fund consists of moneys~~
12 ~~appropriated from the revenue bonds capitals fund~~
13 ~~created in section 12.88. The moneys in the fund~~
14 ~~are appropriated to the Iowa jobs board for purposes~~
15 ~~of the Iowa jobs program established in section~~
16 ~~16.194. Moneys in the fund shall not be subject to~~
17 ~~appropriation for any other purpose by the general~~
18 ~~assembly, but shall be used only for the purposes of~~
19 ~~the Iowa jobs program. The treasurer of state shall~~
20 ~~act as custodian of the fund and disburse moneys~~
21 ~~contained in the fund. The fund shall be administered~~
22 ~~by the board which shall make allocations from the fund~~
23 ~~consistent with the purposes of the Iowa jobs program.~~

24 ~~2.~~ 1. There is appropriated from the revenue bonds
25 capitals fund created in section 12.88, to the ~~Iowa~~
26 ~~jobs restricted capitals fund~~ authority, for the fiscal
27 year beginning July 1, 2009, and ending June 30, 2010,
28 one hundred sixty-five million dollars to be allocated
29 as follows:

30 a. One hundred eighteen million five hundred
31 thousand dollars for competitive grants for local
32 infrastructure projects relating to disaster
33 rebuilding, reconstruction and replacement of local
34 buildings, flood control and flood protection, and
35 future flood prevention public projects. An applicant
36 for a local infrastructure grant shall not receive more
37 than fifty million dollars in financial assistance from
38 the fund.

39 b. Forty-six million five hundred thousand
40 dollars for disaster relief and mitigation and local
41 infrastructure grants for the following renovation and
42 construction projects, notwithstanding any limitation
43 on the state's percentage participation in funding as
44 contained in section 29C.6, subsection 17:

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

49 (a) Ten million dollars for the construction of a
50 new, shared facility between nonprofit human service

1 organizations serving the public, especially the needs
2 of low-income Iowans, including those displaced as a
3 result of the disaster of 2008.

4 (b) Five million dollars for the construction or
5 renovation of a facility for a county-funded workshop
6 program serving the public and particularly persons
7 with mental illness or developmental disabilities.

8 (2) For grants to a city with a population between
9 one hundred ten thousand and one hundred twenty
10 thousand in the latest preceding certified federal
11 census, to be distributed as follows:

12 (a) Five million dollars for an economic
13 redevelopment project benefiting the public by
14 improving energy efficiency and the development of
15 alternative and renewable energy technologies.

16 (b) Ten million dollars for a museum serving the
17 public and dedicated to the preservation of an eastern
18 European cultural heritage through the collection,
19 exhibition, preservation, and interpretation of
20 historical artifacts.

21 (c) Five million dollars for a theater serving
22 the public and promoting culture, entertainment, and
23 tourism.

24 (d) Five million dollars for a public library.

25 (e) Five million dollars for a public works
26 building.

27 (3) One million five hundred thousand dollars, to
28 be distributed as follows:

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

33 (b) Five hundred thousand dollars to a city with a
34 population between one thousand four hundred and one
35 thousand five hundred in the latest preceding certified
36 federal census, for a public fire station.

37 (c) Five hundred thousand dollars for a city with
38 a population between seven thousand eight hundred and
39 seven thousand eight hundred fifty, for a public fire
40 station.

41 ~~3.~~ 2. Grant awards for a project under subsection
42 ~~2~~ 1, paragraph "b", are contingent upon submission of a
43 plan for each project by the applicable county or city
44 governing board or in the case of a project submitted
45 pursuant to subsection ~~2~~ 1, paragraph "b", subparagraph
46 (2), subparagraph division (b), by the board of
47 directors, to the ~~Iowa jobs board~~ authority, no later
48 than September 1, 2009, detailing a description of
49 the project, the plan to rebuild, and the amount
50 or percentage of federal, state, local, or private

1 matching moneys which will be or have been provided for
2 the project. Funds not utilized in accordance with
3 subsection 2, paragraph "b", ~~due to failure to file a~~
4 ~~plan by the September 1 deadline 1,~~ shall revert to the
5 ~~Iowa jobs restricted revenue bonds~~ capitals fund ~~to be~~
6 ~~available for local infrastructure competitive grants.~~
7 A grant recipient under subsection ~~2~~ 1, paragraph
8 "b", shall not be precluded from applying for a local
9 infrastructure competitive grant pursuant to this
10 section and section 16.195.

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

15 ~~5.~~ 3. Annually, on or before January 15 of
16 each year, the ~~board~~ authority shall report to the
17 legislative services agency and the department of
18 management the status of all projects receiving
19 moneys from the fund completed or in progress. The
20 report shall include a description of the project, the
21 progress of work completed, the total estimated cost of
22 the project, a list of all revenue sources being used
23 to fund the project, the amount of funds expended, the
24 amount of funds obligated, and the date the project
25 was completed or an estimated completion date of the
26 project, where applicable.

27 ~~6.~~ 4. Payment of moneys appropriated from the
28 fund shall be made in a manner that does not adversely
29 affect the tax-exempt status of any outstanding bonds
30 issued by the treasurer of state.

31 Sec. 27. Section 16.197, Code 2013, is amended to
32 read as follows:

33 16.197 Limitation of liability.

34 ~~A member of the Iowa jobs board, a person acting~~
35 ~~on behalf of the board while acting within the scope~~
36 ~~of their employment or agency, The authority or the~~
37 treasurer of state, shall not be subject to personal
38 liability resulting from carrying out the powers and
39 duties of the ~~board~~ authority or the treasurer, as
40 applicable, in sections ~~16.192~~ 16.193 through 16.196.

41 Sec. 28. IOWA JOBS BOARD - TRANSITION PROVISIONS
42 - LIMITATION OF LIABILITY.

43 1. Any contract or agreement issued or entered into
44 by the Iowa jobs board relating to the provisions of
45 this division of this Act, in effect on the effective
46 date of this division of this Act, shall continue
47 in full force and effect and any responsibility of
48 the board relative to the contracts or agreements as
49 provided in those contracts or agreements shall be
50 transferred to the Iowa finance authority.

1 2. A member of the Iowa jobs board or a person
2 acting on behalf of the board while acting within
3 the scope of that person's employment or agency shall
4 not be subject to personal liability resulting from
5 carrying out the powers and duties of the board prior
6 to the effective date of this division of this Act,
7 as applicable, in sections 12.87 through 12.90 and in
8 sections 16.192 through 16.196, Code 2013.

9 Sec. 29. REPEAL. Sections 16.191 and 16.192, Code
10 2013, are repealed.

11 DIVISION X

12 MISCELLANEOUS CODE CHANGES

13 Sec. 30. Section 8.57, subsection 5, paragraph
14 e, subparagraph (1), subparagraph division (a),
15 subparagraph subdivision (i), Code 2013, is amended to
16 read as follows:

17 (i) ~~Notwithstanding provisions to the contrary~~
18 ~~in sections 99D.17 and 99F.11, for~~ For the fiscal
19 year beginning July 1, 2000, and for each fiscal year
20 thereafter, not more than a total of sixty-six million
21 dollars shall be deposited in the general fund of the
22 state in any fiscal year pursuant to sections 99D.17
23 and 99F.11.

24 Sec. 31. Section 8.57, subsection 5, paragraph
25 e, subparagraph (1), subparagraph division (d),
26 subparagraph subdivision (i), Code 2013, is amended to
27 read as follows:

28 (i) The total moneys in excess of the moneys
29 deposited under this paragraph "e" in the revenue
30 bonds debt service fund, the revenue bonds federal
31 subsidy holdback fund, the vision Iowa fund, the school
32 infrastructure fund, and the general fund of the state
33 in a fiscal year shall be deposited in the rebuild Iowa
34 infrastructure fund and shall be used as provided in
35 this section, notwithstanding section 8.60.

36 Sec. 32. Section 8.57, subsection 5, paragraph
37 e, subparagraph (1), subparagraph division (d),
38 subparagraph subdivision (ii), Code 2013, is amended by
39 adding the following new subparagraph part:

40 NEW SUBPARAGRAPH PART. (C) For the fiscal year
41 beginning July 1, 2013, and ending June 30, 2014,
42 thirty-four million one hundred twenty thousand dollars
43 shall be deposited in the general fund of the state and
44 the remainder shall be deposited in the rebuild Iowa
45 infrastructure fund.

46 Sec. 33. Section 8.57C, subsection 3, Code 2013, is
47 amended to read as follows:

48 3. a. There is appropriated from the general fund
49 of the state for the fiscal year beginning July 1, ~~2013~~
50 2014, and for each subsequent fiscal year thereafter,

1 the sum of seventeen million five hundred thousand
2 dollars to the technology reinvestment fund.

3 b. There is appropriated from the rebuild Iowa
4 infrastructure fund for the fiscal year beginning
5 July 1, 2008, and ending June 30, 2009, the sum of
6 seventeen million five hundred thousand dollars,
7 and for the fiscal year beginning July 1, 2009, and
8 ending June 30, 2010, the sum of fourteen million five
9 hundred twenty-five thousand dollars to the technology
10 reinvestment fund, notwithstanding section 8.57,
11 subsection 5, paragraph "c".

12 c. There is appropriated from the rebuild Iowa
13 infrastructure fund for the fiscal year beginning
14 July 1, 2010, and ending June 30, 2011, the sum of ten
15 million dollars to the technology reinvestment fund,
16 notwithstanding section 8.57, subsection 5, paragraph
17 "c".

18 d. There is appropriated from the rebuild Iowa
19 infrastructure fund for the fiscal year beginning July
20 1, 2011, and ending June 30, 2012, the sum of fifteen
21 million five hundred forty-one thousand dollars to the
22 technology reinvestment fund, notwithstanding section
23 8.57, subsection 5, paragraph "c".

24 e. There is appropriated from the general fund of
25 the state for the fiscal year beginning July 1, 2013,
26 and ending June 30, 2014, the sum of thirteen million,
27 three hundred ninety-seven thousand dollars to the
28 technology reinvestment fund, notwithstanding section
29 8.57, subsection 5, paragraph "c".

30 Sec. 34. Section 15F.204, subsection 5, Code 2013,
31 is amended by adding the following new paragraph:

32 NEW PARAGRAPH. c. Priority to projects under this
33 subsection shall be given to projects that attract the
34 highest number of visitors and that attain the highest
35 match levels.

36 Sec. 35. Section 15F.204, subsection 8, paragraph
37 g, Code 2013, is amended to read as follows:

38 g. For each fiscal year for the fiscal period
39 beginning July 1, 2012, and ending June 30, ~~2014~~ 2016,
40 the sum of ~~five~~ ten million dollars.

41 Sec. 36. Section 99D.14, subsection 2, paragraph c,
42 Code 2013, is amended to read as follows:

43 c. Notwithstanding sections 8.60 and 99D.17, the
44 portion of the fee paid pursuant to paragraph "a"
45 relating to the costs of the commission shall ~~not be~~
46 ~~deposited in the general fund of the state but instead~~
47 ~~shall~~ be deposited into the gaming regulatory revolving
48 fund established in section 99F.20.

49 Sec. 37. Section 99D.17, Code 2013, is amended to
50 read as follows:

1 99D.17 Use of funds.
2 Funds received pursuant to sections 99D.14 and
3 99D.15 shall be deposited ~~in the general fund of~~
4 ~~the state as provided in section 8.57, subsection 5,~~
5 and shall be subject to the requirements of section
6 8.60. These funds shall first be used to the extent
7 appropriated by the general assembly. The commission
8 is subject to the budget requirements of chapter 8 and
9 the applicable auditing requirements and procedures of
10 chapter 11.

11 Sec. 38. Section 99F.10, subsection 4, paragraph c,
12 Code 2013, is amended to read as follows:

13 c. Notwithstanding sections 8.60 and 99F.4, the
14 portion of the fee paid pursuant to paragraph "a"
15 relating to the costs of the commission ~~shall not be~~
16 ~~deposited in the general fund of the state but instead~~
17 shall be deposited into the gaming regulatory revolving
18 fund established in section 99F.20.

19 Sec. 39. Section 99F.11, subsection 3, paragraph e,
20 Code 2013, is amended to read as follows:

21 e. The remaining amount of the adjusted gross
22 receipts tax shall be credited ~~to the general fund of~~
23 ~~the state as provided in section 8.57, subsection 5.~~

24 DIVISION XI

25 CHANGES TO PRIOR APPROPRIATIONS

26 Sec. 40. 2007 Iowa Acts, chapter 219, section 2, as
27 amended by 2011 Iowa Acts, chapter 133, section 32, and
28 2012 Iowa Acts, chapter 1138, section 10, is amended
29 to read as follows:

30 SEC. 2. REVERSION.

31 1. Except as provided in subsection 2 and
32 notwithstanding section 8.33, moneys appropriated
33 for the fiscal year beginning July 1, 2007, in this
34 division of this Act that remain unencumbered or
35 unobligated at the close of the fiscal year shall not
36 revert but shall remain available for the purposes
37 designated until the close of the fiscal year that
38 begins July 1, 2010, or until the project for which
39 the appropriation was made is completed, whichever is
40 earlier.

41 2. a. Notwithstanding section 8.33, moneys
42 appropriated in section 1, subsection 1, paragraphs
43 "a" and "f" of this division of this Act that remain
44 unencumbered or unobligated at the close of the fiscal
45 year for which they were appropriated shall not revert
46 but shall remain available for the purposes designated
47 until the close of the fiscal year that begins July
48 1, ~~2012~~ 2013, or until the project for which the
49 appropriation was made is completed, whichever is
50 earlier.

1 b. The department of administrative services
2 is authorized to provide for the disposition and
3 relocation of structures located at 707 east locust
4 and 709 east locust, Des Moines, Iowa, in a manner as
5 deemed appropriate by the department. The disposition
6 of the structures, if possible, shall be completed in
7 a manner that reduces or eliminates the costs of the
8 state associated with the removal of the structures
9 from their current locations. Any amount received from
10 the disposition of the structures as permitted under
11 this section shall be retained by the department to pay
12 for improvement costs associated with the restoration
13 of the west capitol terrace. The department, if unable
14 to otherwise dispose of the structures, is authorized
15 to demolish the structures using other appropriate
16 funding available to the department.

17 Sec. 41. 2008 Iowa Acts, chapter 1179, section 20,
18 as amended by 2009 Iowa Acts, chapter 173, section 25,
19 is amended to read as follows:

20 SEC 20. REVERSION.

21 1. Notwithstanding Except as provided in
22 subsections 2 through 4 and notwithstanding section
23 8.33, moneys appropriated in this division of this Act
24 for the fiscal year beginning July 1, 2008, and ending
25 June 30, 2009, shall not revert at the close of the
26 fiscal year for which they are appropriated but shall
27 remain available for the purposes designated until the
28 close of the fiscal year that begins July 1, 2012, or
29 until the project for which the appropriation was made
30 is completed, whichever is earlier.

31 2. Notwithstanding section 8.33, moneys
32 appropriated in section 18, subsection 9, paragraph
33 "a", of this division as amended by 2009 Iowa Acts,
34 chapter 173, section 24, that remain unencumbered or
35 unobligated at the close of the fiscal year for which
36 they were appropriated shall not revert but shall
37 remain available for the purposes designated until the
38 close of the fiscal year that begins July 1, 2017, or
39 until the project for which the appropriation was made
40 is completed, whichever is earlier.

41 3. Notwithstanding section 8.33, moneys
42 appropriated in section 18, subsection 1, paragraph
43 "h", of this division of this Act as amended by
44 2009 Iowa Acts, chapter 173, section 23, that remain
45 unencumbered or unobligated at the close of the fiscal
46 year for which the appropriation was made shall not
47 revert but shall remain available for the purpose
48 designated until the close of the fiscal year that
49 begins July 1, 2013, or until the project for which
50 the appropriation was made is completed, whichever is

1 earlier.
2 4. Notwithstanding section 8.33, moneys
3 appropriated to the department of economic development
4 in section 18 of this division of this Act as amended
5 by 2009 Iowa Acts, chapter 173, section 24, and
6 2011 Iowa Acts, chapter 133, section 34, that remain
7 unencumbered or unobligated at the close of the fiscal
8 year for which the appropriation was made shall not
9 revert but shall remain available for the purpose
10 designated until the close of the fiscal year that
11 begins July 1, 2014, or until the project for which
12 the appropriation was made is completed, whichever is
13 earlier.

14 Sec. 42. 2008 Iowa Acts, chapter 1179, section 23,
15 is amended to read as follows:

16 SEC 23. REVERSION. Notwithstanding section 8.33,
17 moneys appropriated in this division of this Act for
18 the fiscal year beginning July 1, 2008, and ending June
19 30, 2009, shall not revert at the close of the fiscal
20 year for which they are appropriated but shall remain
21 available for the purposes designated until the close
22 of the fiscal year that begins July 1, ~~2012~~ 2013, or
23 until the project for which the appropriation was made
24 is completed, whichever is earlier.

25 Sec. 43. 2009 Iowa Acts, chapter 173, section 15,
26 is amended to read as follows:

27 SEC 15. REVERSION.

28 1. Notwithstanding Except as provided in
29 subsections 2 and 3 and notwithstanding section 8.33,
30 moneys appropriated in this division of this Act for
31 the fiscal year beginning July 1, 2009, and ending June
32 30, 2010, shall not revert at the close of the fiscal
33 year for which they are appropriated but shall remain
34 available for the purposes designated until the close
35 of the fiscal year that begins July 1, 2012, or until
36 the project for which the appropriation was made is
37 completed, whichever is earlier.

38 2. Notwithstanding section 8.33, moneys
39 appropriated in section 13, subsection 4, paragraph
40 "a", of this division of this Act that remain
41 unencumbered or unobligated at the close of the fiscal
42 year for which the appropriation was made shall not
43 revert but shall remain available for the purposes
44 designated until the close of the fiscal year that
45 begins July 1, 2014, or until the projects for which
46 the appropriation was made are completed, whichever is
47 earlier.

48 3. Notwithstanding section 8.33, moneys
49 appropriated in section 13, subsection 4, paragraph
50 "d", of this division of this Act as amended by 2010

1 Iowa Acts, chapter 1184, section 65, that remain
2 unencumbered or unobligated at the close of the fiscal
3 year for which the appropriation was made shall not
4 revert but shall remain available for the purposes
5 designated until the close of the fiscal year that
6 begins July 1, 2013, or until the projects for which
7 the appropriation was made are completed, whichever is
8 earlier.

9 Sec. 44. 2009 Iowa Acts, chapter 184, section 4, is
10 amended to read as follows:

11 SEC. 20. REVERSION.

12 1. ~~For~~ Except as provided in subsection 2, for
13 purposes of section 8.33, unless specifically provided
14 otherwise, unencumbered or unobligated moneys made from
15 an appropriation in this division of this Act shall not
16 revert but shall remain available for expenditure for
17 the purposes designated until the close of the fiscal
18 year that ends three years after the end of the fiscal
19 year for which the appropriation was made. However, if
20 the project or projects for which such appropriation
21 was made are completed in an earlier fiscal year,
22 unencumbered or unobligated moneys shall revert at the
23 close of that same fiscal year.

24 2. Notwithstanding section 8.33, moneys
25 appropriated in section 1, subsection 1, paragraphs "c"
26 and "e", of this division of this Act shall not revert
27 but shall remain available for the purposes designated
28 until the close of the fiscal year that begins July 1,
29 2013, or until the project for which the appropriation
30 was made is completed, whichever is earlier.

31 Sec. 45. 2011 Iowa Acts, chapter 133, section 1,
32 subsection 10, paragraph d, as amended by 2012 Iowa
33 Acts, chapter 1140, section 15, is amended to read as
34 follows:

35 d. For construction, renovation, and related
36 improvements for phase II of the agricultural and
37 biosystems engineering complex, including classrooms,
38 laboratories, and offices at Iowa state university of
39 science and technology:

40	FY 2011-2012.....	\$ 1,000,000
41	FY 2012-2013.....	\$ 19,050,000
42	FY 2013-2014.....	\$ 21,750,000
43		<u>16,750,000</u>
44	FY 2014-2015.....	\$ <u>18,600,000</u>

45 Sec. 46. 2011 Iowa Acts, chapter 133, section 3,
46 subsection 5, paragraph a, as amended by 2012 Iowa
47 Acts, chapter 1140, section 17, is amended to read as
48 follows:

49 a. To be used for medical contracts under the
50 medical assistance program for technology upgrades

1 necessary to support Medicaid claims and other health
2 operations, worldwide HIPAA claims transactions and
3 coding requirements, and the Iowa automated benefits
4 calculation system:

5	FY 2011-2012.....	\$	3,494,176
6	FY 2012-2013.....	\$	4,120,037
7	FY 2013-2014.....	\$	4,815,163
8			0
9	FY 2014-2015.....	\$	1,945,684
10			0

11 In seeking to contract with a private organization
12 or organizations for the Medicaid management
13 information system, the state's chief information
14 officer shall oversee the procurement process. An
15 advisory panel shall be established to review the final
16 scoring of the evaluators and to make a recommendation
17 to the director regarding the contract award for the
18 Medicaid management information system. The advisory
19 panel, which shall be appointed by the Governor, shall
20 consist of no less than three members. All members of
21 the advisory panel shall be from the private sector and
22 shall not have participated in any previous procurement
23 for the Medicaid management information system or any
24 procurement related to consulting or oversight of the
25 Medicaid management information system. At least one
26 member of the advisory panel shall have experience and
27 knowledge in the area of management information systems
28 and at least one member of the advisory panel shall be
29 a provider of Medicaid services in the state of Iowa.

30 Sec. 47. 2012 Iowa Acts, chapter 1140, section 1,
31 subsection 1, paragraph a, unnumbered paragraph 2, is
32 amended to read as follows:

33 The moneys appropriated in this lettered paragraph
34 shall be used according to the department's major
35 maintenance project recommendation list ~~submitted~~
36 ~~to the Governor's vertical infrastructure advisory~~
37 ~~committee.~~

38 Sec. 48. 2012 Iowa Acts, chapter 1140, section
39 1, subsection 3, paragraph a, is amended to read as
40 follows:

41 a. For exterior and interior repairs and related
42 improvements to the state historical building,
43 including the addition of a visitor center:

44	FY 2012-2013.....	\$	1,450,000
45	FY 2013-2014.....	\$	1,000,000

46 Notwithstanding section 8.57, subsection 5,
47 paragraph "c", moneys appropriated in this lettered
48 paragraph may be used to study a public-private
49 partnership to sell the existing building and to
50 relocate the historical building on the capitol

1 complex, including a visitor center.

2 By October 15, 2014, the department shall submit a
3 report to the general assembly on the results of the
4 study of the building including the use of anticipated
5 cash flow needs for the projected building.

6 Sec. 49. EFFECTIVE UPON ENACTMENT. This division
7 of this Act, being deemed of immediate importance,
8 takes effect upon enactment.>

9 2. Title page, by striking line 3 and inserting
10 <infrastructure fund, the technology reinvestment fund,
11 and the general fund of the state,>

COMMITTEE ON APPROPRIATIONS
ROBERT E. DVORSKY, CHAIRPERSON



SF 451 – Water Utility Replacement Tax (LSB 1427SV)
Analyst: Jeff Robinson (Phone: (515) 281-4614) (jeff.robinson@legis.iowa.gov)
Fiscal Note Version – New

Description

Senate File 451 exempts rate-regulated water utility companies from property taxation and puts in place a replacement tax system based on the volume of water sold to consumers. This Bill also subjects the property to a special state property tax equal to three cents per thousand of assessed property value. This Bill is effective retroactive to property assessment year 2013.

Background

There is currently one rate-regulated water utility operating in Iowa. That company serves the Clinton and Quad Cities areas. The company's property tax statement was \$2,978,000 for FY 2013.

Assumptions

- The total taxable value of all water utility companies in Iowa has grown at an average annual rate of 2.7% per year from assessment year (AY) 1999 through AY 2012. The one rate-regulated company represents more than 90.0% of all water utility company taxable value in the state.
- From FY 2001 through FY 2013, the average property tax rate for the combination of Clinton and Scott counties has increased at an average annual rate of 1.4% per year.
- From calendar year (CY) 2008 through CY 2012, the gallons of water sold to customers by the water company decreased at an average annual rate of 0.3% per year.

Fiscal Impact

Under current law, the future change in the taxable value of the water company, as well as the change in the property tax rate, is not known. Recent taxable value and rate history indicates that under current law, the total tax statement of the company could be expected to increase each year by 4.0% or more per year.

Under **SF 451**, the property tax statement of the company will change only with the increase or decrease in the gallons of water sold. Recent history indicates that gallons sold have declined slightly. Therefore, the company's property tax statement, when based on gallons sold, should be expected to also decline slightly through the years.

The new replacement tax system is projected to change the company's property tax statement from one that increases 4.0% or more per year, to one that decreases slightly each year. This Bill contains a provision that will keep property tax revenue paid to the impacted local government's level for three fiscal years.

This Bill also creates a special state property tax to be paid by the company, with the revenue from the tax deposited to the State General Fund. This will increase General Fund revenue by less than \$4,500 per year, beginning in FY 2015.

Sources

Department of Management property tax files
Iowa American Water Company
Department of Revenue
Utilities Board

/s/ Holly M. Lyons

April 29, 2013

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.
