

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

MAY 16, 2013

**HOUSE AMENDMENT TO  
SENATE FILE 406**

**S-3252**

1 Amend Senate File 406, as passed by the Senate, as  
2 follows:  
3 1. Page 1, by striking lines 3 through 9 and  
4 inserting:  
5 <Sec. \_\_\_\_\_. NEW SECTION. 10A.901 Definitions.  
6 As used in this article, unless the context  
7 otherwise requires:  
8 1. "Administrator" means the person coordinating  
9 the administration of this division.  
10 2. "Division" means the mental health advocate  
11 division of the department of inspections and appeals.>  
12 2. Page 1, line 10, by striking <216A.172> and  
13 inserting <10A.902>  
14 3. Page 1, line 11, by striking <office's> and  
15 inserting <division's>  
16 4. Page 1, line 13, after <law.> by inserting  
17 <The person appointed as administrator must meet the  
18 qualifications to be appointed as a mental health  
19 advocate.>  
20 5. Page 1, line 16, by striking <office> and  
21 inserting <division>  
22 6. Page 1, line 17, after <advocate.> by inserting  
23 <A mental health advocate serving as of June 30, 2013,  
24 shall be deemed to be qualified.>  
25 7. Page 1, line 22, by striking <or nursing> and  
26 inserting <nursing, or psychology,>  
27 8. Page 1, line 27, by striking <office> and  
28 inserting <division>  
29 9. Page 1, line 29, and striking <advocates.> by  
30 inserting <advocates and for reassigning advocate  
31 responsibilities based on the location of the patient's  
32 placement or other patient need. The court shall be  
33 notified of any reassignment. The procedures for  
34 appointing a person to a vacant mental health advocate  
35 position assigned to a geographic area shall require  
36 the person appointed to the vacant position to reside  
37 within the assigned geographic area.>  
38 10. Page 2, after line 2 by inserting:  
39 <7. Implementing a uniform description of the  
40 duties of a mental health advocate, based upon the best  
41 practices developed and promulgated by the judicial  
42 council pursuant to section 229.19, subsection 1,  
43 paragraph "c".>  
44 11. Page 2, line 4, by striking <human rights> and  
45 inserting <inspections and appeals>  
46 12. Page 2, line 10, by striking <human rights> and  
47 inserting <inspections and appeals>  
48 13. Page 2, line 25, by striking <human rights> and  
49 inserting <inspections and appeals>  
50 14. Page 3, by striking lines 10 through 19 and

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1 inserting:

2 <Sec. \_\_\_\_\_. Section 229.2, subsection 1, paragraph  
3 b, subparagraph (6), Code 2013, is amended to read as  
4 follows:

5 (6) Upon approval of the admission of a minor  
6 over the minor's objections, the juvenile court  
7 shall appoint an individual to act as an advocate  
8 representing the interests of the minor in the same  
9 manner as ~~an~~ a mental health advocate representing  
10 the interests of patients involuntarily hospitalized  
11 ~~pursuant to~~ in accordance with section 229.19.>

12 15. Page 3, lines 23 and 24, by striking <office of  
13 the>

14 16. Page 3, lines 25 and 26, by striking <human  
15 rights> and inserting <inspections and appeals>

16 17. Page 4, line 3, by striking <human rights> and  
17 inserting <inspections and appeals>

18 18. Page 5, by striking lines 21 through 23 and  
19 inserting <advocate. For the purposes of this section,  
20 "division" means the mental health advocate division of  
21 the department of inspections and appeals.>

22 19. Page 6, line 11, by striking <office> and  
23 inserting <division>

24 20. Page 6, line 12, by striking <office> and  
25 inserting <division>

26 21. Page 7, line 8, by striking <office> and  
27 inserting <division>

28 22. Page 7, line 10, by striking <office> and  
29 inserting <division>

30 23. Page 7, line 11, by striking <office> and  
31 inserting <division>

32 24. Page 7, line 32, by striking <office> and  
33 inserting <division>

34 25. Page 7, line 34, by striking <216A.172> and  
35 inserting <10A.902>

36 26. Page 8, line 10, by striking <office> and  
37 inserting <division>

38 27. By striking page 8, line 30, through page 10,  
39 line 29, and inserting:

40 <Sec. \_\_\_\_\_. APPOINTMENT OF MENTAL HEALTH  
41 ADVOCATES. The persons appointed to provide mental  
42 health advocate services under section 229.19  
43 immediately prior to July 1, 2014, shall be appointed  
44 as mental health advocates pursuant to section 10A.902,  
45 effective July 1, 2014.>

46 28. Page 23, after line 24 by inserting:

47 <Sec. \_\_\_\_\_. Section 229.22, subsection 2, paragraph  
48 a, Code 2013, is amended to read as follows:

49 a. (1) In the circumstances described in  
50 subsection 1, any peace officer who has reasonable

1 grounds to believe that a person is mentally ill,  
2 and because of that illness is likely to physically  
3 injure the person's self or others if not immediately  
4 detained, may without a warrant take or cause that  
5 person to be taken to the nearest available facility  
6 or hospital as defined in section 229.11, subsection  
7 1, paragraphs "b" and "c". A person believed mentally  
8 ill, and likely to injure the person's self or others  
9 if not immediately detained, may be delivered to a  
10 facility or hospital by someone other than a peace  
11 officer.

12 (2) Upon delivery of the person believed mentally  
13 ill to the facility or hospital, the examining  
14 physician, examining physician assistant, or examining  
15 psychiatric advanced registered nurse practitioner may  
16 order treatment of that person, including chemotherapy,  
17 but only to the extent necessary to preserve the  
18 person's life or to appropriately control behavior by  
19 the person which is likely to result in physical injury  
20 to that person or others if allowed to continue.

21 (3) The peace officer who took the person into  
22 custody, or other party who brought the person to the  
23 facility or hospital, shall describe the circumstances  
24 of the matter to the examining physician, examining  
25 physician assistant, or examining psychiatric advanced  
26 registered nurse practitioner. If the person is a  
27 peace officer, the peace officer may do so either in  
28 person or by written report.

29 (4) If the examining physician, examining physician  
30 assistant, or examining psychiatric advanced registered  
31 nurse practitioner finds that there is reason to  
32 believe that the person is seriously mentally impaired,  
33 and because of that impairment is likely to physically  
34 injure the person's self or others if not immediately  
35 detained, the examining physician, examining physician  
36 assistant, or examining psychiatric advanced registered  
37 nurse practitioner shall at once communicate with  
38 the nearest available magistrate as defined in  
39 section 801.4, subsection 10. For purposes of this  
40 subparagraph, the findings of the examining physician  
41 assistant must be approved by the examining physician  
42 assistant's supervising physician before the examining  
43 physician assistant communicates with the nearest  
44 available magistrate.

45 (5) The magistrate shall, based upon the  
46 circumstances described by the examining physician,  
47 examining physician assistant, or examining psychiatric  
48 advanced registered nurse practitioner, give the  
49 examining physician, examining physician assistant,  
50 or examining psychiatric advanced registered nurse

1 practitioner oral instructions either directing that  
2 the person be released forthwith or authorizing the  
3 person's detention in an appropriate facility. A  
4 peace officer from the law enforcement agency that  
5 took the person into custody, if available, during  
6 the communication with the magistrate, may inform the  
7 magistrate that an arrest warrant has been issued for  
8 or charges are pending against the person and request  
9 that any oral or written order issued under this  
10 subsection require the facility or hospital to notify  
11 the law enforcement agency about the discharge of the  
12 person prior to discharge. The magistrate may also  
13 give oral instructions and order that the detained  
14 person be transported to an appropriate facility.>  
15 29. Title page, by striking lines 4 and 5 and  
16 inserting <of a mental health advocate division in the  
17 department of inspections and appeals and including  
18 effective date provisions.>  
19 30. By renumbering as necessary.

RECEIVED FROM THE HOUSE

HOUSE FILE 615

S-3250

1 Amend House File 615, as amended, passed, and  
2 reprinted by the House, as follows:

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

5 <Section 1. Section 2.48, subsection 3, Code 2013,  
6 is amended by adding the following new paragraph:

7 NEW PARAGRAPH. f. In 2017, the innovation fund  
8 investment tax credit available under section 15E.52.

9 Sec. 2. Section 15E.52, subsection 3, Code 2013, is  
10 amended to read as follows:

11 3. The amount of a tax credit allowed under this  
12 section shall equal ~~twenty~~ twenty-five percent of the  
13 taxpayer's equity investment in an innovation fund.

14 Sec. 3. Section 15E.52, subsection 5, Code 2013, is  
15 amended to read as follows:

16 5. a. To receive a tax credit, a taxpayer must  
17 submit an application to the board. The board shall  
18 issue certificates under this section on a first-come,  
19 first-served basis, which certificates may be  
20 redeemed for tax credits. The board shall issue such  
21 certificates so that not more than the amount allocated  
22 for such tax credits under section 15.119, subsection  
23 2, may be claimed. The certificates shall not be  
24 transferable. The board shall not issue a certificate  
25 before September 1, 2014.

26 b. If in a fiscal year the aggregate amount of tax  
27 credits applied for exceeds the amount allocated for  
28 that fiscal year under section 15.119, subsection 2,  
29 the board shall establish a wait list for certificates.  
30 Applications that were approved but for which  
31 certificates were not issued shall be placed on the  
32 wait list in the order the applications were received  
33 by the board and shall be given priority for receiving  
34 certificates in succeeding fiscal years.

35 c. The board shall not issue a certificate to a  
36 taxpayer for an equity investment in an innovation fund  
37 until such fund has been certified as an innovation  
38 fund pursuant to subsection 7.

39 ~~b.~~ d. The board shall, in cooperation with  
40 the department of revenue, establish criteria and  
41 procedures for the allocation and issuance of tax  
42 credits by means of certificates issued by the board.  
43 The criteria shall include the contingencies that must  
44 be met for a certificate to be redeemable in order  
45 to receive a tax credit. The procedures established  
46 by the board, in cooperation with the department  
47 of revenue, shall relate to the procedures for the  
48 issuance and transfer of the certificates and for the  
49 redemption of a certificate and related tax credit.

50 e. A certificate and related tax credit issued

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1 pursuant to this section shall be deemed a vested right  
2 of the original holder or any transferee thereof, and  
3 the state shall not cause either to be redeemed in such  
4 a way that amends or rescinds the certificate or that  
5 curtails, limits, or withdraws the related tax credit,  
6 except as otherwise provided in this section or upon  
7 consent of the proper holder. A certificate issued  
8 pursuant to this section cannot pledge the credit of  
9 the state and any such certificate so pledged to secure  
10 the debt of the original holder or a transferee shall  
11 not constitute a contract binding the state.

12 Sec. 4. Section 15E.52, subsection 6, Code 2013, is  
13 amended to read as follows:

14 ~~6. A taxpayer shall not redeem a certificate~~  
15 ~~and related tax credit prior to the third tax year~~  
16 ~~following the tax year in which the investment is~~  
17 ~~made. Any tax credit in excess of the taxpayer's~~  
18 liability for the tax year may be credited to the  
19 tax liability for the following five years or until  
20 depleted, whichever is earlier. A tax credit shall not  
21 be carried back to a tax year prior to the tax year in  
22 which the taxpayer claims the tax credit.

23 Sec. 5. Section 15E.52, subsection 7, Code 2013, is  
24 amended by adding the following new paragraphs:

25 NEW PARAGRAPH. d. The fund proposes to provide  
26 multiple rounds of funding and early-stage private  
27 sector funding to innovative businesses with a high  
28 growth potential, and proposes to focus such funding on  
29 innovative businesses that show a potential to produce  
30 commercially viable products or services within a  
31 reasonable period of time.

32 NEW PARAGRAPH. e. The fund proposes to evaluate  
33 all prospective innovative businesses using a rigorous  
34 approach and proposes to collaborate and coordinate  
35 with the authority and other state and local entities  
36 in an effort to achieve policy consistency.

37 NEW PARAGRAPH. f. The fund proposes to collaborate  
38 with the regents institutions of this state and to  
39 leverage relationships with such institutions in order  
40 to potentially commercialize research developed at  
41 those institutions.

42 NEW PARAGRAPH. g. The fund proposes to obtain at  
43 least fifteen million dollars in binding investment  
44 commitments and to invest a minimum of fifteen million  
45 dollars in companies that have a principal place of  
46 business in the state.

47 Sec. 6. Section 15E.52, Code 2013, is amended by  
48 adding the following new subsections:

49 NEW SUBSECTION. 8. The board shall not certify an  
50 innovation fund after June 30, 2018.

1 NEW SUBSECTION. 9. An innovation fund shall  
2 collect and provide to the board the information  
3 required in subsection 10, paragraphs "e" and "f",  
4 in the manner and form prescribed by the board. An  
5 innovation fund failing to comply with this subsection  
6 may have its certification revoked by the board.

7 NEW SUBSECTION. 10. On or before January 31  
8 of each year, the board, in cooperation with the  
9 department of revenue, shall submit to the general  
10 assembly and the governor a report describing the  
11 activities of the innovation funds during the preceding  
12 fiscal year. The report shall at a minimum include the  
13 following information:

14 a. The amount of tax credit certificates issued to  
15 equity investors in each innovation fund.

16 b. The amount of approved tax credit applications  
17 that were placed on the wait list for certificates.

18 c. The amount of tax credits claimed.

19 d. The amount of tax credits transferred to other  
20 persons.

21 e. The amount of investments in each innovation  
22 fund.

23 f. For each investment by an innovation fund in a  
24 business:

25 (1) The amount of the investment.

26 (2) The name and industry of the business.

27 (3) The location or locations from which the  
28 business operates.

29 (4) The number of employees of the business located  
30 in Iowa and the number of employees of the business  
31 located outside Iowa on the date of the initial  
32 investment by the innovation fund in the business.

33 (5) The number of employees of the business located  
34 in Iowa and the number of employees of the business  
35 located outside Iowa at the close of the fiscal year  
36 which is the subject of the report.

37 NEW SUBSECTION. 11. Tax credit certificates issued  
38 pursuant to this section may be transferred, in whole  
39 or in part, to any person. A tax credit certificate  
40 shall only be transferred once. Within ninety days of  
41 transfer, the transferee shall submit the transferred  
42 tax credit certificate to the department of revenue  
43 along with a statement containing the transferee's  
44 name, tax identification number, and address,  
45 the denomination that each replacement tax credit  
46 certificate is to carry, and any other information  
47 required by the department of revenue.

48 NEW SUBSECTION. 12. Within thirty days of  
49 receiving the transferred tax credit certificate  
50 and the transferee's statement, the department of

1 revenue shall issue one or more replacement tax credit  
2 certificates to the transferee. Each replacement  
3 tax credit certificate must contain the information  
4 required for the original tax credit certificate. A  
5 replacement tax credit certificate may designate a  
6 different tax than the tax designated on the original  
7 tax credit certificate. A tax credit shall not be  
8 claimed by a transferee under this section until a  
9 replacement tax credit certificate identifying the  
10 transferee as the proper holder has been issued.

11 NEW SUBSECTION. 13. The transferee may use the  
12 amount of the tax credit transferred against the taxes  
13 imposed in chapter 422, divisions II, III, and V, and  
14 in chapter 432, and against the moneys and credits  
15 tax imposed in section 533.329, for any tax year the  
16 original transferor could have claimed the tax credit.  
17 Any consideration received for the transfer of the tax  
18 credit shall not be included as income under chapter  
19 422, divisions II, III, and V. Any consideration  
20 paid for the transfer of the tax credit shall not be  
21 deducted from income under chapter 422, divisions II,  
22 III, and V.

23 Sec. 7. EFFECTIVE UPON ENACTMENT. This Act, being  
24 deemed of immediate importance, takes effect upon  
25 enactment.

26 Sec. 8. RETROACTIVE APPLICABILITY. The sections of  
27 this Act amending section 15E.52 apply retroactively to  
28 January 1, 2013, for tax years beginning on or after  
29 that date and for equity investments in an innovation  
30 fund made on or after that date.>

31 2. Title page, by striking lines 2 and 3.

32 3. By renumbering, redesignating, and correcting  
33 internal references as necessary.

COMMITTEE ON WAYS AND MEANS  
JOE BOLKCOM, CHAIRPERSON

S-3251

1 Amend House File 640, as amended, passed, and  
2 reprinted by the House, as follows:  
3 1. By striking everything after the enacting clause  
4 and inserting:

5 <DIVISION I

6 LEGISLATIVE INTENT

7 Section 1. USE OF RENEWABLE FUELS. The general  
8 assembly finds and declares all of the following:

9 1. In accordance with the federal Energy Policy  
10 Act of 2005, Pub. L. No. 109-58, as amended by the  
11 federal Energy Independence and Security Act of 2007,  
12 Pub. L. No. 110-140, the United States has demonstrated  
13 its commitment to the long-term policy of increasing  
14 the production of clean renewable fuels according to  
15 a renewable fuel standard, sometimes referred to as  
16 "RFS2," by requiring the increased domestic production  
17 and use of renewable fuels, which include total  
18 renewable biofuels such as ethanol, advanced biofuels,  
19 cellulosic and agricultural waste-based biofuels, and  
20 biomass-based biodiesel.

21 2. The renewable fuel standard provides the  
22 foundation for reducing dependence on foreign  
23 sources of crude oil, reducing the price of domestic  
24 transportation fuels, reducing greenhouse gases,  
25 increasing farm income, and encouraging the development  
26 and expansion of a new industry, and consequently  
27 promoting economic growth.

28 3. The rising price of petroleum hampers this  
29 nation's economic recovery and contributes to  
30 increasing retail prices, including increased costs  
31 attributable to the transportation of food and other  
32 goods, that drain the finances of both consumers and  
33 business.

34 4. The United States Environmental Protection  
35 Agency is responsible for establishing and implementing  
36 the renewable fuel standard, including by requiring  
37 that certain volumes of various types of biofuels  
38 be blended in transportation fuels each year with  
39 authority to adjust those volumes due to availability.

40 5. The United States government should renew its  
41 commitment to this nation's energy security, move the  
42 United States toward greater energy independence and  
43 security as required by the federal Energy Independence  
44 and Security Act, and use all efforts to meet the  
45 highest possible renewable fuel volume requirements set  
46 forth in the renewable fuel standard in order to ensure  
47 that this nation achieves energy independence.

48 DIVISION II

49 MOTOR FUEL MARKETING

50 Sec. 2. Section 323.1, Code 2013, is amended by

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1 adding the following new subsections:

2 NEW SUBSECTION. 01. "Blender pump" means a motor  
3 fuel blender pump as defined in section 214.1 that  
4 dispenses motor fuel or special fuel in a manner  
5 required pursuant to chapters 214 and 214A.

6 NEW SUBSECTION. 3A. a. "Dispenser" means a meter  
7 or similar commercial weighing and measuring device  
8 used to measure and dispense motor fuel or special  
9 fuel, including renewable fuel, originating from a  
10 storage tank used to store fuel.

11 b. "Dispenser" includes but is not limited to a  
12 motor fuel pump or blender pump.

13 NEW SUBSECTION. 7A. "Motor fuel pump" means the  
14 same as defined in section 214.1 that dispenses motor  
15 fuel or special fuel in a manner that complies with  
16 standards set forth in chapters 214 and 214A.

17 NEW SUBSECTION. 7B. "Refiner" means a person  
18 engaged in the refining of crude oil to produce motor  
19 fuel or special fuel, and includes any affiliate of  
20 such person.

21 NEW SUBSECTION. 7C. "Renewable fuel" means the  
22 same as defined in section 214A.1 that complies with  
23 standards set forth in section 214A.2.

24 NEW SUBSECTION. 11. "Storage tank" means a  
25 motor fuel storage tank as defined in section 214.1,  
26 including an underground storage tank subject to  
27 regulation under chapter 455G.

28 NEW SUBSECTION. 12. "Supplier" means the same as  
29 defined in section 452A.2.

30 Sec. 3. NEW SECTION. 323.4A Use of renewable fuel.

31 1. Except as provided in subsection 3, this section  
32 applies to a supply agreement or other document  
33 executed on or after the effective date of this  
34 division of this Act by parties who are receiving and  
35 furnishing motor fuel or special fuel as follows:

36 a. A dealer who is a party receiving motor fuel  
37 or special fuel from another party who is a refiner,  
38 supplier, or distributor furnishing the motor fuel or  
39 special fuel.

40 b. A distributor who is a party receiving motor  
41 fuel or special fuel from another party who is a  
42 refiner, supplier, or other distributor furnishing the  
43 motor fuel or special fuel.

44 2. A supply agreement or other document shall not  
45 contain a provision restricting a dealer or distributor  
46 who is a party receiving motor fuel or special fuel  
47 from the other party furnishing the motor fuel or  
48 special fuel as described in subsection 1 from doing  
49 any of the following:

50 a. Installing, converting, or operating a storage

1 tank or a dispenser located on the distributor's  
2 or dealer's business premises for use in storing or  
3 dispensing renewable fuel. However, this paragraph  
4 does not apply to a dealer or distributor whose  
5 business premises are leased from the other party  
6 furnishing the renewable fuel.

7 b. Using a dispenser to dispense ethanol blended  
8 gasoline, including gasoline with a specified blend or  
9 a range of blends under chapter 214A, if the dispenser  
10 is approved as required by the state fire marshal for  
11 dispensing the specified blend or range of blends,  
12 including as provided in section 455G.31.

13 c. Purchasing, selling, or dispensing motor fuel  
14 or special fuel that is a renewable fuel from a source  
15 other than the party furnishing other motor fuel or  
16 special fuel, if such party furnishing the other motor  
17 fuel or special fuel does not furnish motor fuel or  
18 special fuel that is a renewable fuel for sale by the  
19 distributor or dealer.

20 d. Marketing the sale of any renewable fuel,  
21 including but not limited to advertising its  
22 availability or price on a sign, on a dispenser, or by  
23 media.

24 e. Selling or dispensing renewable fuel in any  
25 specified area located on the distributor's or dealer's  
26 business premises, including but not limited to any  
27 area in which a name or logo of a franchiser or any  
28 other entity appears.

29 f. Using a payment form for the sale of a renewable  
30 fuel by the retail dealer that is the same type as the  
31 payment form used for the sale of another type of motor  
32 fuel or special fuel by the dealer on the dealer's  
33 retail premises.

34 3. This section does not apply to any activity  
35 that constitutes mislabeling, misbranding, willful  
36 adulteration, or other trademark violation by a dealer.

37 Sec. 4. Section 452A.2, Code 2013, is amended by  
38 adding the following new subsections:

39 NEW SUBSECTION. 6A. "Conventional blendstock  
40 for oxygenate blending" means one or more motor fuel  
41 components intended for blending with an oxygenate or  
42 oxygenates to produce gasoline.

43 NEW SUBSECTION. 9A. "Diesel fuel" or "diesel" means  
44 diesel fuel as defined in section 214A.1.

45 NEW SUBSECTION. 28A. "Nonrefiner biofuel  
46 manufacturer" means an entity that produces,  
47 manufactures, or refines biofuel and does not directly  
48 or through a related entity refine, blend, import,  
49 or produce a conventional blendstock for oxygenate  
50 blending, gasoline, or diesel fuel.

1 NEW SUBSECTION. 30A. "Refiner" means a person  
2 engaged in the refining of crude oil to produce motor  
3 fuel or special fuel, and includes any affiliate of  
4 such person.

5 NEW SUBSECTION. 37A. "Terminal owner" means a  
6 person who holds a legal interest or equitable interest  
7 in a terminal.

8 Sec. 5. NEW SECTION. 452A.6A Right of distributors  
9 and dealers to blend conventional blendstock for  
10 oxygenate blending, gasoline, or diesel fuel using a  
11 biofuel.

12 1. a. A dealer or distributor may blend a  
13 conventional blendstock for oxygenate blending,  
14 gasoline, or diesel fuel using the appropriate biofuel,  
15 or sell unblended or blended gasoline or diesel fuel on  
16 any premises in this state.

17 b. Paragraph "a" does not apply to the extent that  
18 the use of the premises is restricted by federal,  
19 state, or local law.

20 2. A refiner, supplier, terminal operator, or  
21 terminal owner who in the ordinary course of business  
22 sells or transports a conventional blendstock for  
23 oxygenate blending, gasoline unblended or blended with  
24 a biofuel, or diesel fuel unblended or blended with  
25 a biofuel shall not refuse to sell or transport to  
26 a distributor or dealer any conventional blendstock  
27 for oxygenate blending, unblended gasoline, or  
28 unblended diesel fuel that is at the terminal, based  
29 on the distributor's or dealer's intent to use the  
30 conventional blendstock for oxygenate blending, or  
31 blend the gasoline or diesel fuel with a biofuel.

32 3. This section shall not be construed to do any of  
33 the following:

34 a. Prohibit a distributor or dealer from  
35 purchasing, selling or transporting a conventional  
36 blendstock for oxygenate blending, gasoline that has  
37 not been blended with a biofuel, or diesel fuel that  
38 has not been blended with a biofuel.

39 b. Affect the blender's license requirements under  
40 section 452A.6.

41 c. Prohibit a dealer or distributor from leaving a  
42 terminal with a conventional blendstock for oxygenate  
43 blending, gasoline that has not been blended with a  
44 biofuel, or diesel fuel that has not been blended with  
45 a biofuel.

46 d. Require a nonrefiner biofuel manufacturer to  
47 offer or sell a conventional blendstock for oxygenate  
48 blending, gasoline that has not been blended with a  
49 biofuel, or diesel fuel that has not been blended with  
50 a biofuel.

1 4. A refiner, supplier, terminal operator, or  
2 terminal owner who violates this section is subject to  
3 a civil penalty of not more than ten thousand dollars  
4 per violation. Each day that a violation continues is  
5 deemed a separate offense.

6 DIVISION III

7 STORAGE TANKS

8 Sec. 6. Section 101.22, subsections 4 through 8,  
9 Code 2013, are amended to read as follows:

10 4. The registration notice of the owner or operator  
11 to the state fire marshal under subsections 1 through  
12 3 shall be accompanied by an annual fee of ~~ten~~ twenty  
13 dollars for each tank included in the notice. All  
14 moneys collected shall be retained by the department of  
15 public safety and are appropriated for the use of the  
16 state fire marshal. The annual renewal fee applies to  
17 all owners or operators who file a registration notice  
18 with the state fire marshal pursuant to subsections 1  
19 through 3.

20 ~~5. A person who deposits flammable or combustible~~  
21 ~~liquid in an aboveground flammable or combustible~~  
22 ~~liquid storage tank shall notify the owner or operator~~  
23 ~~in writing of the notification requirements of this~~  
24 ~~section.~~

25 ~~6.~~ A person who sells or constructs a tank intended  
26 to be used as an aboveground storage tank shall  
27 notify the purchaser of the tank in writing of the  
28 notification requirements of this section applicable  
29 to the purchaser.

30 ~~7.~~ 6. ~~It is unlawful to deposit flammable or~~  
31 ~~combustible liquid in~~ An owner or operator shall  
32 register an aboveground flammable or combustible liquid  
33 storage tank ~~which has not been registered~~ pursuant to  
34 subsections 1 through 4.

35 ~~8.~~ 7. The state fire marshal shall furnish the  
36 owner or operator of an aboveground flammable or  
37 combustible liquid storage tank with a registration tag  
38 for each aboveground flammable or combustible liquid  
39 storage tank registered with the state fire marshal.

40 ~~a.~~ The owner or operator shall affix the tag to the  
41 fill pipe of each registered aboveground flammable or  
42 combustible liquid storage tank.

43 ~~b.~~ ~~A person who conveys or deposits flammable~~  
44 ~~or combustible liquid shall inspect the aboveground~~  
45 ~~flammable or combustible liquid storage tank to~~  
46 ~~determine the existence or absence of the registration~~  
47 ~~tag. If a registration tag is not affixed to the~~  
48 ~~aboveground flammable or combustible liquid storage~~  
49 ~~tank fill pipe, the person conveying or depositing~~  
50 ~~the flammable or combustible liquid may deposit the~~

~~1 flammable or combustible liquid in the unregistered  
2 tank. However, only one deposit is allowed into  
3 the unregistered tank, the person making the deposit  
4 shall provide the owner or operator of the tank with  
5 another notice as required by subsection 5, and the  
6 person shall provide the owner or operator with an  
7 aboveground flammable or combustible liquid storage  
8 tank registration form.~~

~~9 e. It is the owner or operator's duty to comply  
10 with registration requirements.~~

11 8. A late registration penalty of twenty-five  
12 dollars is imposed in addition to the registration fee  
13 for a tank registered after the required date.

DIVISION IV

FUEL TAX

14  
15  
16 Sec. 7. Section 452A.3, subsection 1, unnumbered  
17 paragraph 1, Code 2013, is amended to read as follows:

18 Except as otherwise provided in this section and  
19 in this division, until June 30, ~~2013~~ 2014, this  
20 subsection shall apply to the excise tax imposed on  
21 each gallon of motor fuel used for any purpose for the  
22 privilege of operating motor vehicles in this state.

23 Sec. 8. Section 452A.3, subsection 1A, Code 2013,  
24 is amended to read as follows:

25 1A. Except as otherwise provided in this section  
26 and in this division, after June 30, ~~2013~~ 2014, an  
27 excise tax of twenty cents is imposed on each gallon of  
28 motor fuel used for any purpose for the privilege of  
29 operating motor vehicles in this state.

30 Sec. 9. EFFECTIVE UPON ENACTMENT. This division of  
31 this Act, being deemed of immediate importance, takes  
32 effect upon enactment.>

33 2. Title page, lines 6 and 7, by striking  
34 <providing for liability,>

35 3. By renumbering, redesignating, and correcting  
36 internal references as necessary.

COMMITTEE ON WAYS AND MEANS  
JOE BOLKCOM, CHAIRPERSON

HOUSE FILE 641

S-3248

1 Amend the amendment, S-3247, to House File 641,  
2 as amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 2, line 3, after <chapter.> by inserting  
5 <"Project" does not include any of the following:

6 a. A building, structure, or other facility that  
7 is in whole or in part used or intended to be used to  
8 conduct gambling games under chapter 99F.

9 b. A building, structure, or other facility that is  
10 in whole or in part used or intended to be used as a  
11 hotel or motel if such hotel or motel is connected to  
12 or operated in conjunction with a building, structure,  
13 or other facility described in paragraph "a".>

14 2. Page 4, by striking lines 15 and 16 and  
15 inserting <approve a proposed district plan or an  
16 amendment to an existing district's plan on or after  
17 July 1, 2018.>

18 3. By renumbering, redesignating, and correcting  
19 internal references as necessary.

**By** JANET PETERSEN  
MATT McCOY

S-3248 FILED MAY 15, 2013  
ADOPTED

HOUSE FILE 641

S-3249

1 Amend the amendment, S-3247, to House File 641,  
2 as amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 4, line 34, by striking <ten> and inserting  
5 <five>

**By** RANDY FEENSTRA

S-3249 FILED MAY 15, 2013  
LOST

REPORT OF THE CONFERENCE COMMITTEE  
ON SENATE FILE 430

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and House of Representatives on Senate File 430, a bill for an Act relating to appropriations to the department of cultural affairs, the economic development authority, the board of regents and certain board of regents institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, providing for other properly related matters, and including effective date and retroactive applicability provisions, respectfully make the following report:

1. That the House recedes from its amendment, S-3161.

2. That Senate File 430, as amended, passed, and reprinted by the Senate, is amended to read as follows:

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

<DIVISION I

FY 2013-2014

Section 1. DEPARTMENT OF CULTURAL AFFAIRS.

1. There is appropriated from the general fund of the state to the department of cultural affairs for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. ADMINISTRATION

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

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 ..... \$ 171,813  
 ..... FTEs 74.50

The department of cultural affairs shall coordinate activities with the tourism office of the economic development authority to promote attendance at the state historical building and at this state's historic sites.

Full-time equivalent positions authorized under this paragraph shall be funded, in full or in part, using moneys appropriated under this paragraph and paragraphs "c" through "g".

b. COMMUNITY CULTURAL GRANTS

For planning and programming for the community cultural grants program established under section 303.3:

..... \$ 172,090

c. HISTORICAL DIVISION

For the support of the historical division:

..... \$ 3,167,701

d. HISTORIC SITES

For the administration and support of historic sites:

..... \$ 426,398

e. ARTS DIVISION

For the support of the arts division:

..... \$ 1,233,764

Of the moneys appropriated in this paragraph, the department shall allocate \$300,000 for purposes of the film office.

f. IOWA GREAT PLACES

For the Iowa great places program established under section 303.3C:

..... \$ 150,000

g. ARCHIVE IOWA GOVERNORS' RECORDS

For archiving the records of Iowa governors:

..... \$ 65,933

h. RECORDS CENTER RENT

For payment of rent for the state records center:

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..... \$ 227,243

i. BATTLE FLAGS

For continuation of the project recommended by the Iowa battle flag advisory committee to stabilize the condition of the battle flag collection:

..... \$ 94,000

2. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 2. GOALS AND ACCOUNTABILITY — ECONOMIC DEVELOPMENT.

1. For the fiscal year beginning July 1, 2013, the goals for the economic development authority shall be to expand and stimulate the state economy, increase the wealth of Iowans, and increase the population of the state.

2. To achieve the goals in subsection 1, the economic development authority shall do all of the following for the fiscal year beginning July 1, 2013:

a. Concentrate its efforts on programs and activities that result in commercially viable products and services.

b. Adopt practices and services consistent with free market, private sector philosophies.

c. Ensure economic growth and development throughout the state.

d. Work with businesses and communities to continually improve the economic development climate along with the economic well-being and quality of life for Iowans.

e. Coordinate with other state agencies to ensure that they are attentive to the needs of an entrepreneurial culture.

f. Establish a strong and aggressive marketing image to showcase Iowa's workforce, existing industry, and potential. A priority shall be placed on recruiting new businesses, business expansion, and retaining existing Iowa businesses.

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Emphasis shall be placed on entrepreneurial development through helping entrepreneurs secure capital, and developing networks and a business climate conducive to entrepreneurs and small businesses.

g. Encourage the development of communities and quality of life to foster economic growth.

h. Prepare communities for future growth and development through development, expansion, and modernization of infrastructure.

i. Develop public-private partnerships with Iowa businesses in the tourism industry, Iowa tour groups, Iowa tourism organizations, and political subdivisions in this state to assist in the development of advertising efforts.

j. Develop, to the fullest extent possible, cooperative efforts for advertising with contributions from other sources.

Sec. 3. ECONOMIC DEVELOPMENT AUTHORITY.

1. APPROPRIATION

a. There is appropriated from the general fund of the state to the economic development authority for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purposes designated in this subsection, and for not more than the following full-time equivalent positions:

.....	\$ 15,468,965
.....	FTEs 149.00

b. (1) For salaries, support, miscellaneous purposes, programs, marketing, and the maintenance of an administration division, a business development division, a community development division, a small business development division, and other divisions the authority may organize.

(2) The full-time equivalent positions authorized under this section shall be funded, in whole or in part, by the moneys appropriated under this subsection or by other moneys received by the authority, including certain federal moneys.

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(3) For business development operations and programs, international trade, export assistance, workforce recruitment, and the partner state program.

(4) For transfer to the strategic investment fund created in section 15.313.

(5) For community economic development programs, tourism operations, community assistance, plans for Iowa green corps and summer youth programs, the mainstreet and rural mainstreet programs, the school-to-career program, the community development block grant, and housing and shelter-related programs.

(6) For achieving the goals and accountability, and fulfilling the requirements and duties required under this Act.

c. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated in this subsection until the close of the succeeding fiscal year.

## 2. FINANCIAL ASSISTANCE RESTRICTIONS

a. A business creating jobs through moneys appropriated in subsection 1 shall be subject to contract provisions requiring new and retained jobs to be filled by individuals who are citizens of the United States who reside within the United States or any person authorized to work in the United States pursuant to federal law, including legal resident aliens in the United States.

b. Any vendor who receives moneys appropriated in subsection 1 shall adhere to such contract provisions and provide periodic assurances as the state shall require that the jobs are filled solely by citizens of the United States who reside within the United States or any person authorized to work in the United States pursuant to federal law, including legal resident aliens in the United States.

c. A business that receives financial assistance from

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the authority from moneys appropriated in subsection 1 shall only employ individuals legally authorized to work in this state. In addition to all other applicable penalties provided by current law, all or a portion of the assistance received by a business which is found to knowingly employ individuals not legally authorized to work in this state is subject to recapture by the authority.

3. USES OF APPROPRIATIONS

a. From the moneys appropriated in subsection 1, the authority may provide financial assistance in the form of a grant to a community economic development entity for conducting a local workforce recruitment effort designed to recruit former citizens of the state and former students at colleges and universities in the state to meet the needs of local employers.

b. From the moneys appropriated in subsection 1, the authority may provide financial assistance to early stage industry companies being established by women entrepreneurs.

c. From the moneys appropriated in subsection 1, the authority may provide financial assistance in the form of grants, loans, or forgivable loans for advanced research and commercialization projects involving value-added agriculture, advanced technology, or biotechnology.

d. The authority shall not use any moneys appropriated in subsection 1 for purposes of providing financial assistance for the Iowa green streets pilot project or for any other program or project that involves the installation of geothermal systems for melting snow and ice from streets or sidewalks.

4. WORLD FOOD PRIZE

There is appropriated from the general fund of the state to the economic development authority for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount for the world food prize and in lieu of the standing appropriation in section 15.368, subsection 1:

..... \$ 800,000

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5. IOWA COMMISSION ON VOLUNTEER SERVICE

There is appropriated from the general fund of the state to the economic development authority for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount for allocation to the Iowa commission on volunteer service for purposes of the Iowa state commission grant program, the Iowa's promise and Iowa mentoring partnership programs, and for not more than the following full-time equivalent positions:

.....	\$	178,133
.....	FTEs	7.00

Of the moneys appropriated in this subsection, the authority shall allocate \$75,000 for purposes of the Iowa state commission grant program and \$103,133 for purposes of the Iowa's promise and Iowa mentoring partnership programs.

Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

6. COUNCILS OF GOVERNMENTS — ASSISTANCE

There is appropriated from the general fund of the state to the economic development authority for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount to be used for the purposes of providing financial assistance to Iowa's councils of governments:

.....	\$	175,000
-------	----	---------

Sec. 4. VISION IOWA PROGRAM — FTE AUTHORIZATION. For purposes of administrative duties associated with the vision Iowa program for the fiscal year beginning July 1, 2013, the economic development authority is authorized an additional 2.25 FTEs above those otherwise authorized in this division of this Act.

Sec. 5. INSURANCE ECONOMIC DEVELOPMENT. From the moneys

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collected by the division of insurance in excess of the anticipated gross revenues under section 505.7, subsection 3, during the fiscal year beginning July 1, 2013, \$100,000 shall be transferred to the economic development authority for insurance economic development and international insurance economic development.

Sec. 6. WORKFORCE DEVELOPMENT FUND. There is appropriated from the workforce development fund account created in section 15.342A to the workforce development fund created in section 15.343 for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, for purposes of the workforce development fund:

..... \$ 4,000,000

Sec. 7. IOWA FINANCE AUTHORITY.

1. There is appropriated from the general fund of the state to the Iowa finance authority for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used to provide reimbursement for rent expenses to eligible persons under the rent subsidy program:

..... \$ 658,000

2. Participation in the rent subsidy program shall be limited to only those persons who meet the requirements for the nursing facility level of care for home and community-based services waiver services as in effect on July 1, 2013, and to those individuals who are eligible for the federal money follows the person grant program under the medical assistance program. Of the moneys appropriated in this section, not more than \$35,000 may be used for administrative costs.

Sec. 8. IOWA FINANCE AUTHORITY AUDIT. The auditor of state is requested to review the audit of the Iowa finance authority performed by the auditor hired by the authority.

Sec. 9. PUBLIC EMPLOYMENT RELATIONS BOARD.

1. There is appropriated from the general fund of the state

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to the public employment relations board for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, for the purposes designated:

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

.....	\$ 1,341,926
.....	FTEs 10.00

2. Of the moneys appropriated in this section, the board shall allocate \$15,000 for maintaining a website that allows searchable access to a database of collective bargaining information.

Sec. 10. DEPARTMENT OF WORKFORCE DEVELOPMENT. There is appropriated from the general fund of the state to the department of workforce development for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amounts, or so much thereof as is necessary, for the purposes designated:

1. DIVISION OF LABOR SERVICES

a. For the division of labor services, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$ 3,548,720
.....	FTEs 65.00

b. From the contractor registration fees, the division of labor services shall reimburse the department of inspections and appeals for all costs associated with hearings under chapter 91C, relating to contractor registration.

c. Of the moneys appropriated under this subsection, the department shall allocate \$53,280 for the purpose of employing an additional investigator to investigate wage enforcement.

2. DIVISION OF WORKERS' COMPENSATION

a. For the division of workers' compensation, including

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salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$ 3,259,044
.....	FTEs 30.00

b. The division of workers' compensation shall charge a \$100 filing fee for workers' compensation cases. The filing fee shall be paid by the petitioner of a claim. However, the fee can be taxed as a cost and paid by the losing party, except in cases where it would impose an undue hardship or be unjust under the circumstances. The moneys generated by the filing fee allowed under this subsection are appropriated to the department of workforce development to be used for purposes of administering the division of workers' compensation.

3. WORKFORCE DEVELOPMENT OPERATIONS

a. For the operation of field offices, the workforce development board, and for not more than the following full-time equivalent positions:

.....	\$ 9,179,413
.....	FTEs 130.00

b. Of the moneys appropriated in paragraph "a" of this subsection, the department shall allocate \$150,000 to the state library for the purpose of licensing an online resource which prepares persons to succeed in the workplace through programs which improve job skills and vocational test-taking abilities.

c. Of the moneys appropriated in paragraph "a" of this subsection, the department shall allocate at least \$1,130,602 for the operation of the three satellite field offices projected by the department to serve the most people from the offices located in Decorah, Fort Madison, Iowa City, or Webster City.

4. OFFENDER REENTRY PROGRAM

a. For the development and administration of an offender reentry program to provide offenders with employment skills, and for not more than the following full-time equivalent

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positions:

.....	\$	284,464
.....	FTEs	4.00

b. The department of workforce development shall partner with the department of corrections to provide staff within the correctional facilities to improve offenders' abilities to find and retain productive employment.

5. NONREVERSION

Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 11. GENERAL FUND — EMPLOYEE MISCLASSIFICATION PROGRAM. There is appropriated from the general fund of the state to the department of workforce development for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For enhancing efforts to investigate employers that misclassify workers and for not more than the following full-time equivalent positions:

.....	\$	451,458
.....	FTEs	8.10

Sec. 12. SPECIAL EMPLOYMENT SECURITY CONTINGENCY FUND.

1. There is appropriated from the special employment security contingency fund to the department of workforce development for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for field offices:

.....	\$	1,766,084
-------	----	-----------

2. Any remaining additional penalty and interest revenue collected by the department of workforce development is appropriated to the department for the fiscal year beginning

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July 1, 2013, and ending June 30, 2014, to accomplish the mission of the department.

Sec. 13. UNEMPLOYMENT COMPENSATION RESERVE FUND — FIELD OFFICES. Notwithstanding section 96.9, subsection 8, paragraph "e", there is appropriated from interest earned on the unemployment compensation reserve fund to the department of workforce development for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount or so much thereof as is necessary, for the purposes designated:

For the operation of field offices:

..... \$ 494,000

Sec. 14. VIRTUAL ACCESS WORKFORCE DEVELOPMENT OFFICES. The department of workforce development shall require a unique identification login for all users of workforce development centers operated through electronic means.

Sec. 15. UNEMPLOYMENT COMPENSATION PROGRAM. Notwithstanding section 96.9, subsection 4, paragraph "a", moneys credited to the state by the secretary of the treasury of the United States pursuant to section 903 of the Social Security Act are appropriated to the department of workforce development and shall be used by the department for the administration of the unemployment compensation program only. This appropriation shall not apply to any fiscal year beginning after December 31, 2013.

DIVISION II

FY 2014-2015

Sec. 16. DEPARTMENT OF CULTURAL AFFAIRS.

1. There is appropriated from the general fund of the state to the department of cultural affairs for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. ADMINISTRATION

For salaries, support, maintenance, miscellaneous purposes,

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and for not more than the following full-time equivalent positions for the department:

.....	\$	85,907
.....	FTEs	74.50

The department of cultural affairs shall coordinate activities with the tourism office of the economic development authority to promote attendance at the state historical building and at this state's historic sites.

Full-time equivalent positions authorized under this paragraph shall be funded, in full or in part, using moneys appropriated under this paragraph and paragraphs "c" through "g".

b. COMMUNITY CULTURAL GRANTS

For planning and programming for the community cultural grants program established under section 303.3:

.....	\$	86,045
-------	----	--------

c. HISTORICAL DIVISION

For the support of the historical division:

.....	\$	1,583,851
-------	----	-----------

d. HISTORIC SITES

For the administration and support of historic sites:

.....	\$	213,199
-------	----	---------

e. ARTS DIVISION

For the support of the arts division:

.....	\$	616,882
-------	----	---------

Of the moneys appropriated in this paragraph, the department shall allocate \$300,000 for purposes of the film office.

f. IOWA GREAT PLACES

For the Iowa great places program established under section 303.3C:

.....	\$	75,000
-------	----	--------

g. ARCHIVE IOWA GOVERNORS' RECORDS

For archiving the records of Iowa governors:

.....	\$	32,967
-------	----	--------

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h. RECORDS CENTER RENT

For payment of rent for the state records center:

..... \$ 113,622

i. BATTLE FLAGS

For continuation of the project recommended by the Iowa battle flag advisory committee to stabilize the condition of the battle flag collection:

..... \$ 47,000

2. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 17. GOALS AND ACCOUNTABILITY — ECONOMIC DEVELOPMENT.

1. For the fiscal year beginning July 1, 2014, the goals for the economic development authority shall be to expand and stimulate the state economy, increase the wealth of Iowans, and increase the population of the state.

2. To achieve the goals in subsection 1, the economic development authority shall do all of the following for the fiscal year beginning July 1, 2014:

a. Concentrate its efforts on programs and activities that result in commercially viable products and services.

b. Adopt practices and services consistent with free market, private sector philosophies.

c. Ensure economic growth and development throughout the state.

d. Work with businesses and communities to continually improve the economic development climate along with the economic well-being and quality of life for Iowans.

e. Coordinate with other state agencies to ensure that they are attentive to the needs of an entrepreneurial culture.

f. Establish a strong and aggressive marketing image to showcase Iowa's workforce, existing industry, and potential.

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A priority shall be placed on recruiting new businesses, business expansion, and retaining existing Iowa businesses. Emphasis shall be placed on entrepreneurial development through helping entrepreneurs secure capital, and developing networks and a business climate conducive to entrepreneurs and small businesses.

g. Encourage the development of communities and quality of life to foster economic growth.

h. Prepare communities for future growth and development through development, expansion, and modernization of infrastructure.

i. Develop public-private partnerships with Iowa businesses in the tourism industry, Iowa tour groups, Iowa tourism organizations, and political subdivisions in this state to assist in the development of advertising efforts.

j. Develop, to the fullest extent possible, cooperative efforts for advertising with contributions from other sources.

Sec. 18. ECONOMIC DEVELOPMENT AUTHORITY.

1. APPROPRIATION

a. There is appropriated from the general fund of the state to the economic development authority for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated in this subsection, and for not more than the following full-time equivalent positions:

.....	\$	7,734,483
.....	FTEs	149.00

b. (1) For salaries, support, miscellaneous purposes, programs, marketing, and the maintenance of an administration division, a business development division, a community development division, a small business development division, and other divisions the authority may organize.

(2) The full-time equivalent positions authorized under this section shall be funded, in whole or in part, by the

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moneys appropriated under this subsection or by other moneys received by the authority, including certain federal moneys.

(3) For business development operations and programs, international trade, export assistance, workforce recruitment, and the partner state program.

(4) For transfer to the strategic investment fund created in section 15.313.

(5) For community economic development programs, tourism operations, community assistance, plans for Iowa green corps and summer youth programs, the mainstreet and rural mainstreet programs, the school-to-career program, the community development block grant, and housing and shelter-related programs.

(6) For achieving the goals and accountability, and fulfilling the requirements and duties required under this Act.

c. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated in this subsection until the close of the succeeding fiscal year.

## 2. FINANCIAL ASSISTANCE RESTRICTIONS

a. A business creating jobs through moneys appropriated in subsection 1 shall be subject to contract provisions requiring new and retained jobs to be filled by individuals who are citizens of the United States who reside within the United States or any person authorized to work in the United States pursuant to federal law, including legal resident aliens in the United States.

b. Any vendor who receives moneys appropriated in subsection 1 shall adhere to such contract provisions and provide periodic assurances as the state shall require that the jobs are filled solely by citizens of the United States who reside within the United States or any person authorized to work in the United States pursuant to federal law, including

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legal resident aliens in the United States.

c. A business that receives financial assistance from the authority from moneys appropriated in subsection 1 shall only employ individuals legally authorized to work in this state. In addition to all other applicable penalties provided by current law, all or a portion of the assistance received by a business which is found to knowingly employ individuals not legally authorized to work in this state is subject to recapture by the authority.

### 3. USES OF APPROPRIATIONS

a. From the moneys appropriated in subsection 1, the authority may provide financial assistance in the form of a grant to a community economic development entity for conducting a local workforce recruitment effort designed to recruit former citizens of the state and former students at colleges and universities in the state to meet the needs of local employers.

b. From the moneys appropriated in subsection 1, the authority may provide financial assistance to early stage industry companies being established by women entrepreneurs.

c. From the moneys appropriated in subsection 1, the authority may provide financial assistance in the form of grants, loans, or forgivable loans for advanced research and commercialization projects involving value-added agriculture, advanced technology, or biotechnology.

d. The authority shall not use any moneys appropriated in subsection 1 for purposes of providing financial assistance for the Iowa green streets pilot project or for any other program or project that involves the installation of geothermal systems for melting snow and ice from streets or sidewalks.

### 4. WORLD FOOD PRIZE

There is appropriated from the general fund of the state to the economic development authority for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount for the world food prize and in lieu of the standing

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appropriation in section 15.368, subsection 1:

..... \$ 400,000

5. IOWA COMMISSION ON VOLUNTEER SERVICE

There is appropriated from the general fund of the state to the economic development authority for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount for allocation to the Iowa commission on volunteer service for purposes of the Iowa state commission grant program, the Iowa's promise and Iowa mentoring partnership programs, and for not more than the following full-time equivalent positions:

..... \$ 89,067

..... FTEs 7.00

Of the moneys appropriated in this subsection, the authority shall allocate \$37,500 for purposes of the Iowa state commission grant program and \$51,567 for purposes of the Iowa's promise and Iowa mentoring partnership programs.

Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

6. COUNCILS OF GOVERNMENTS — ASSISTANCE

There is appropriated from the general fund of the state to the economic development authority for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount to be used for the purposes of providing financial assistance to Iowa's councils of governments:

..... \$ 87,500

Sec. 19. VISION IOWA PROGRAM — FTE AUTHORIZATION. For purposes of administrative duties associated with the vision Iowa program for the fiscal year beginning July 1, 2014, the economic development authority is authorized an additional 2.25 FTEs above those otherwise authorized in this division of this

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Act.

Sec. 20. INSURANCE ECONOMIC DEVELOPMENT. From the moneys collected by the division of insurance in excess of the anticipated gross revenues under section 505.7, subsection 3, during the fiscal year beginning July 1, 2014, \$100,000 shall be transferred to the economic development authority for insurance economic development and international insurance economic development.

Sec. 21. WORKFORCE DEVELOPMENT FUND. There is appropriated from the workforce development fund account created in section 15.342A to the workforce development fund created in section 15.343 for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, for purposes of the workforce development fund:

..... \$ 2,000,000

Sec. 22. IOWA FINANCE AUTHORITY.

1. There is appropriated from the general fund of the state to the Iowa finance authority for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used to provide reimbursement for rent expenses to eligible persons under the rent subsidy program:

..... \$ 329,000

2. Participation in the rent subsidy program shall be limited to only those persons who meet the requirements for the nursing facility level of care for home and community-based services waiver services as in effect on July 1, 2014, and to those individuals who are eligible for the federal money follows the person grant program under the medical assistance program. Of the moneys appropriated in this section, not more than \$35,000 may be used for administrative costs.

Sec. 23. IOWA FINANCE AUTHORITY AUDIT. The auditor of state is requested to review the audit of the Iowa finance authority performed by the auditor hired by the authority.

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Sec. 24. PUBLIC EMPLOYMENT RELATIONS BOARD.

1. There is appropriated from the general fund of the state to the public employment relations board for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, for the purposes designated:

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

.....	\$	670,963
.....	FTEs	10.00

2. Of the moneys appropriated in this section, the board shall allocate \$15,000 for maintaining a website that allows searchable access to a database of collective bargaining information.

Sec. 25. DEPARTMENT OF WORKFORCE DEVELOPMENT. There is appropriated from the general fund of the state to the department of workforce development for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amounts, or so much thereof as is necessary, for the purposes designated:

1. DIVISION OF LABOR SERVICES

a. For the division of labor services, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,774,360
.....	FTEs	65.00

b. From the contractor registration fees, the division of labor services shall reimburse the department of inspections and appeals for all costs associated with hearings under chapter 91C, relating to contractor registration.

c. Of the moneys appropriated under this subsection, the department shall allocate \$53,280 for the purpose of employing an additional investigator to investigate wage enforcement.

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2. DIVISION OF WORKERS' COMPENSATION

a. For the division of workers' compensation, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,629,522
.....	FTEs	30.00

b. The division of workers' compensation shall charge a \$100 filing fee for workers' compensation cases. The filing fee shall be paid by the petitioner of a claim. However, the fee can be taxed as a cost and paid by the losing party, except in cases where it would impose an undue hardship or be unjust under the circumstances. The moneys generated by the filing fee allowed under this subsection are appropriated to the department of workforce development to be used for purposes of administering the division of workers' compensation.

3. WORKFORCE DEVELOPMENT OPERATIONS

a. For the operation of field offices, the workforce development board, and for not more than the following full-time equivalent positions:

.....	\$	4,589,707
.....	FTEs	130.00

b. Of the moneys appropriated in paragraph "a" of this subsection, the department shall allocate \$150,000 to the state library for the purpose of licensing an online resource which prepares persons to succeed in the workplace through programs which improve job skills and vocational test-taking abilities.

c. Of the moneys appropriated in paragraph "a" of this subsection, the department shall allocate at least \$1,130,602 for the operation of the three satellite field offices projected by the department to serve the most people from the offices located in Decorah, Fort Madison, Iowa City, or Webster City.

4. OFFENDER REENTRY PROGRAM

a. For the development and administration of an offender

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reentry program to provide offenders with employment skills, and for not more than the following full-time equivalent positions:

.....	\$	142,232
.....	FTEs	4.00

b. The department of workforce development shall partner with the department of corrections to provide staff within the correctional facilities to improve offenders' abilities to find and retain productive employment.

5. NONREVERSION

Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 26. GENERAL FUND — EMPLOYEE MISCLASSIFICATION PROGRAM. There is appropriated from the general fund of the state to the department of workforce development for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For enhancing efforts to investigate employers that misclassify workers and for not more than the following full-time equivalent positions:

.....	\$	225,729
.....	FTEs	8.10

Sec. 27. SPECIAL EMPLOYMENT SECURITY CONTINGENCY FUND.

1. There is appropriated from the special employment security contingency fund to the department of workforce development for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for field offices:

.....	\$	883,042
-------	----	---------

2. Any remaining additional penalty and interest revenue

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collected by the department of workforce development is appropriated to the department for the fiscal year beginning July 1, 2014, and ending June 30, 2015, to accomplish the mission of the department.

Sec. 28. UNEMPLOYMENT COMPENSATION RESERVE FUND — FIELD OFFICES. Notwithstanding section 96.9, subsection 8, paragraph "e", there is appropriated from interest earned on the unemployment compensation reserve fund to the department of workforce development for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount or so much thereof as is necessary, for the purposes designated:

For the operation of field offices:

..... \$ 247,000

Sec. 29. VIRTUAL ACCESS WORKFORCE DEVELOPMENT OFFICES. The department of workforce development shall require a unique identification login for all users of workforce development centers operated through electronic means.

Sec. 30. UNEMPLOYMENT COMPENSATION PROGRAM. Notwithstanding section 96.9, subsection 4, paragraph "a", moneys credited to the state by the secretary of the treasury of the United States pursuant to section 903 of the Social Security Act are appropriated to the department of workforce development and shall be used by the department for the administration of the unemployment compensation program only. This appropriation shall not apply to any fiscal year beginning after December 31, 2014.

DIVISION III

MISCELLANEOUS PROVISIONS

Sec. 31. Section 15.251, Code 2013, is amended to read as follows:

**15.251 Industrial new job training program certificates — fee.**

The authority may charge, within thirty days following the sale of certificates under chapter 260E, the board of directors

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of the merged area a fee of up to one percent of the gross sale amount of the certificates issued. The amount of this fee shall be deposited and allowed to accumulate in a job training fund created in the authority. ~~At the end of each fiscal year, all funds deposited under this subsection into the job training fund during the fiscal year shall be transferred to the workforce development fund account established in section~~ 15.342A Moneys in the fund are appropriated to the authority for purposes of workforce development program coordination and activities including salaries, support, maintenance, legal and compliance, and miscellaneous purposes.

Sec. 32. Section 15.342A, Code 2013, is amended to read as follows:

**15.342A Workforce development fund account.**

A workforce development fund account is established in the office of the treasurer of state under the control of the authority. The account shall receive funds pursuant to section 422.16A up to a maximum of four million dollars per year. ~~The account shall also receive funds pursuant to section 15.251 with no dollar limitation.~~

Sec. 33. Section 90A.7, Code 2013, is amended to read as follows:

**90A.7 Rules.**

1. The commissioner shall adopt rules, pursuant to chapter 17A, that the commissioner determines are reasonably necessary to administer and enforce this chapter.

2. The commissioner shall adopt rules establishing an event fee to cover the costs of the administration of this chapter.

3. The commissioner may adopt the rules of a recognized national or world boxing organization that sanctions a boxing match in this state to regulate the match if the organization's rules provide protection to the boxers participating in the match which is equal to or greater than the protections provided by this chapter or by rules adopted pursuant to this

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chapter. As used in this paragraph, "*recognized national or world boxing organization*" includes, but is not limited to, the international boxing federation, the world boxing association, and the world boxing council.

Sec. 34. Section 90A.10, subsection 1, Code 2013, is amended to read as follows:

1. Moneys collected pursuant to ~~sections 90A.3 and section 90A.9 in excess of the amount of moneys needed to administer this chapter~~ from a professional boxing event are appropriated to the department of workforce development and shall be used by the commissioner to award grants to organizations that promote amateur boxing matches in this state. All other moneys collected by the commissioner pursuant to this chapter are appropriated to the department of workforce development and shall be used by the commissioner to administer this chapter. Section 8.33 applies only to moneys in excess of the first twenty thousand dollars appropriated each fiscal year.

Sec. 35. Section 303A.4, subsection 4, Code 2013, is amended to read as follows:

4. a. The treasurer of state shall act as custodian of the fund, shall invest moneys in the trust fund, and shall transfer the interest attributable to the investment of trust fund moneys to the grant account created in section 303A.7. The trust fund's principal shall not be used or accessed by the department or the board for any purpose.

b. Notwithstanding paragraph "a", for each of the following fiscal years, the treasurer of state shall transfer the following amounts from the principal of the trust fund to the grant account created in section 303A.7:

(1) For the fiscal year beginning July 1, 2013, and ending June 30, 2014, fifty thousand dollars.

(2) For the fiscal year beginning July 1, 2014, and ending June 30, 2015, fifty thousand dollars.

Sec. 36. 2005 Iowa Acts, chapter 169, section 5, subsection

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6, is amended to read as follows:

6. GREAT PLACES

a. For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 200,000

b. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated in this subsection for succeeding fiscal years.

Sec. 37. 2006 Iowa Acts, chapter 1180, section 5, subsection 6, as amended by 2007 Iowa Acts, chapter 215, section 45, is amended to read as follows:

6. GREAT PLACES

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

..... \$ 300,000

..... FTEs 1.70

Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated ~~until the close of the~~ for succeeding fiscal year years.

Sec. 38. 2007 Iowa Acts, chapter 212, section 1, subsection 6, as amended by 2007 Iowa Acts, chapter 215, section 46, is amended to read as follows:

6. GREAT PLACES

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

..... \$ 305,794

..... FTEs 3.00

Notwithstanding section 8.33, moneys appropriated in this

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subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated ~~until the close of the~~ for succeeding fiscal year years.

Sec. 39. 2008 Iowa Acts, chapter 1190, section 1, subsection 6, is amended to read as follows:

6. GREAT PLACES

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	322,231
.....	FTEs	3.00

b. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated in this subsection for succeeding fiscal years.

Sec. 40. 2009 Iowa Acts, chapter 176, section 1, subsection 6, is amended to read as follows:

6. GREAT PLACES

a. For the great places program:

.....	\$	248,060
-------	----	---------

b. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated in this subsection for succeeding fiscal years.

Sec. 41. 2010 Iowa Acts, chapter 1188, section 1, subsection 6, is amended to read as follows:

6. GREAT PLACES

a. For the great places program:

.....	\$	214,869
-------	----	---------

b. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the

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close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated in this subsection for succeeding fiscal years.

Sec. 42. 2011 Iowa Acts, chapter 130, section 1, subsection 6, is amended to read as follows:

6. IOWA GREAT PLACES

a. For the Iowa great places program established under section 303.3C:

..... \$ 150,000

b. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated in this subsection for succeeding fiscal years.

Sec. 43. 2011 Iowa Acts, chapter 130, section 48, as amended by 2012 Iowa Acts, chapter 1136, section 1, is amended by adding the following new subsection:

NEW SUBSECTION. 10. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated in this section for succeeding fiscal years.

Sec. 44. 2011 Iowa Acts, chapter 130, section 67, subsection 2, is amended to read as follows:

2. Participation in the rent subsidy program shall be limited to only those persons who meet the requirements for the nursing facility level of care for home and community-based services waiver services as in effect on July 1, ~~2011~~ 2012, and to those individuals who are eligible for the federal money follows the person grant program under the medical assistance program. Of the moneys appropriated in this section, not more than \$35,000 may be used for administrative costs.

Sec. 45. 2012 Iowa Acts, chapter 1136, section 17, is amended by adding the following new subsection:

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NEW SUBSECTION. 5. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 46. EFFECTIVE UPON ENACTMENT. The sections of this division of this Act amending 2011 Iowa Acts, chapter 130, section 48, and 2012 Iowa Acts, chapter 1136, section 17, being deemed of immediate importance, take effect upon enactment.

Sec. 47. RETROACTIVE APPLICABILITY. The section of this Act amending 2005 Iowa Acts, chapter 169, applies retroactively to July 1, 2005.

Sec. 48. RETROACTIVE APPLICABILITY. The section of this Act amending 2006 Iowa Acts, chapter 1180, applies retroactively to May 29, 2007.

Sec. 49. RETROACTIVE APPLICABILITY. The section of this Act amending 2007 Iowa Acts, chapter 212, applies retroactively to July 1, 2007.

Sec. 50. RETROACTIVE APPLICABILITY. The section of this Act amending 2008 Iowa Acts, chapter 1190, applies retroactively to July 1, 2008.

Sec. 51. RETROACTIVE APPLICABILITY. The section of this Act amending 2009 Iowa Acts, chapter 176, applies retroactively to July 1, 2009.

Sec. 52. RETROACTIVE APPLICABILITY. The section of this Act amending 2010 Iowa Acts, chapter 1188, applies retroactively to July 1, 2010.

Sec. 53. RETROACTIVE APPLICABILITY. The sections of this Act amending 2011 Iowa Acts, chapter 130, sections 1 and 67, apply retroactively to July 1, 2011.

Sec. 54. RETROACTIVE APPLICABILITY. The sections of this Act amending 2012 Iowa Acts, chapter 1136, section 17, and 2011 Iowa Acts, chapter 130, section 48, apply retroactively to July 1, 2012.>

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2. Title page, by striking lines 2 and 3 and inserting  
<affairs, the economic development authority,>

ON THE PART OF THE SENATE:

ON THE PART OF THE HOUSE:

---

WILLIAM A. DOTZLER, JR.,  
CHAIRPERSON

---

DAVE DEYOE,  
CHAIRPERSON

---

RITA HART

---

MARY ANN HANUSA

---

DR. JOE M. SENG

---

BOBBY KAUFMANN

---

BOB KRESSIG

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ADOPTED

FILED MAY 15, 2013

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REPORT OF THE CONFERENCE COMMITTEE  
ON SENATE FILE 447

To the President of the Senate and the Speaker of the House  
of Representatives:

We, the undersigned members of the conference committee  
appointed to resolve the differences between the Senate and  
House of Representatives on Senate File 447, a bill for an Act  
relating to appropriations to the justice system and including  
effective dates, respectfully make the following report:

1. That the House recedes from its amendment, S-3179.

2. That Senate File 447, as amended, passed, and reprinted  
by the Senate, is amended to read as follows:

1. Page 1, before line 1 by inserting:

<DIVISION I

FY 2013-2014

APPROPRIATIONS>

2. Page 1, line 22, by striking <8,876,400> and inserting  
<6,734,400>

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3. By striking page 1, line 29, through page 2, line 2.

4. Page 2, line 17, by striking <2,400,000> and inserting <2,180,562>

5. Page 3, line 27, by striking <51,645,396> and inserting <43,107,133>

6. Page 3, by striking lines 28 through 32.

7. Page 4, line 9, by striking <32,183,850> and inserting <32,920,521>

8. Page 4, by striking lines 10 and 11 and inserting:

<It is the intent of the general assembly that the department of corrections maintain and operate the Luster Heights prison camp.>

9. Page 4, line 19, by striking <27,348,450> and inserting <27,127,290>

10. Page 4, line 23, by striking <25,573,157> and inserting <24,811,427>

11. Page 4, line 27, by striking <9,836,698> and inserting <9,671,148>

12. Page 4, line 31, by striking <25,982,680> and inserting <25,241,616>

13. Page 5, line 5, by striking <20,088,953> and inserting <21,604,035>

14. Page 5, line 9, by striking <30,157,258> and inserting <29,865,232>

15. Page 5, line 32, by striking <4,831,582> and inserting <5,081,582>

16. Page 6, line 33, by striking <2,858,109> and inserting <2,608,109>

17. By striking page 6, line 34, through page 7, line 3, and inserting:

<a. The director of the department of corrections may transfer moneys from Iowa prison industries and the canteen operating funds established pursuant to section 904.310, for use in educational programs for inmates.>

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18. Page 7, after line 34 by inserting:

<6A. For operations, costs, and miscellaneous purposes:

..... \$ 2,571,309>

19. Page 8, line 30, by striking <11,099,457> and inserting  
<10,870,425>

20. Page 9, line 1, by striking <5,552,458> and inserting  
<5,459,309>

21. Page 9, line 5, by striking <20,367,463> and inserting  
<19,375,428>

22. Page 9, line 8, by striking <16,461,170> and inserting  
<14,638,537>

23. Page 10, by striking lines 11 through 13 and inserting  
<notice to the legislative services agency, the department of  
corrections shall>

24. Page 10, after line 35 by inserting:

<3. The department of corrections, in cooperation with  
the attorney general's office, shall submit a report to the  
co-chairpersons and ranking members of the joint appropriations  
subcommittee on the justice system, and the legislative agency,  
by January 15, 2014. The report shall detail the results  
of the central pharmacy pilot project that utilizes the Iowa  
prescription drug corporation's voucher program for indigent  
offenders. The report shall include but is not limited to  
the number of offenders annually served by the pilot project,  
funding sources, and the recidivism rates of offenders in the  
pilot project.>

25. Page 14, line 6, by striking <33.40> and inserting  
<37.40>

26. Page 14, line 7, before <The> by inserting <a.>

27. Page 14, after line 13 by inserting:

<b. It is the intent of the general assembly that the  
homeland security and emergency management division or  
successor agency work in conjunction with the department of  
public safety, to the extent possible, when gathering and

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analyzing information related to potential domestic or foreign security threats, and when monitoring such threats.>

28. Page 14, line 23, by striking <38.00> and inserting <39.00>

29. Page 14, by striking lines 34 and 35.

30. Page 16, line 1, by striking <57,036,208> and inserting <55,536,208>

31. Page 16, line 2, by striking <506.22> and inserting <494.47>

32. Page 16, after line 2 by inserting:

<\_\_\_. For operations, costs, and miscellaneous purposes:  
..... \$ 1,700,000>

33. Page 16, after line 2 by inserting:

<It is the intent of the general assembly that members of the state patrol be assigned to patrol the highways and roads in lieu of assignments for inspecting school buses for the school districts.>

34. Page 16, by striking lines 22 and 23 and inserting <agency, and the>

35. By striking page 18, line 30, through page 23, line 23, and inserting:

<DIVISION \_\_\_\_

FY 2014-2015

APPROPRIATIONS

Sec. \_\_\_\_. DEPARTMENT OF JUSTICE.

1. There is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. For the general office of attorney general for salaries, support, maintenance, and miscellaneous purposes, including the prosecuting attorneys training program, matching funds for federal violence against women grant programs, victim

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assistance grants, office of drug control policy prosecuting attorney program, and odometer fraud enforcement, and for not more than the following full-time equivalent positions:

.....	\$	3,983,965
.....	FTEs	214.00

It is the intent of the general assembly that as a condition of receiving the appropriation provided in this lettered paragraph, the department of justice shall maintain a record of the estimated time incurred representing each agency or department.

b. For victim assistance grants:

.....	\$	3,367,200
-------	----	-----------

The funds appropriated in this lettered paragraph shall be used to provide grants to care providers providing services to crime victims of domestic abuse or to crime victims of rape and sexual assault.

The balance of the victim compensation fund established in section 915.94 may be used to provide salary and support of not more than 24 FTEs and to provide maintenance for the victim compensation functions of the department of justice.

The department of justice shall transfer at least \$150,000 from the victim compensation fund established in section 915.94 to the victim assistance grant program.

Notwithstanding section 8.33, moneys appropriated in this lettered paragraph that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

c. For legal services for persons in poverty grants as provided in section 13.34:

.....	\$	1,090,281
-------	----	-----------

2. a. The department of justice, in submitting budget estimates for the fiscal year commencing July 1, 2015, pursuant to section 8.23, shall include a report of funding from sources

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other than amounts appropriated directly from the general fund of the state to the department of justice or to the office of consumer advocate. These funding sources shall include but are not limited to reimbursements from other state agencies, commissions, boards, or similar entities, and reimbursements from special funds or internal accounts within the department of justice. The department of justice shall also report actual reimbursements for the fiscal year commencing July 1, 2013, and actual and expected reimbursements for the fiscal year commencing July 1, 2014.

b. The department of justice shall include the report required under paragraph "a", as well as information regarding any revisions occurring as a result of reimbursements actually received or expected at a later date, in a report to the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system and the legislative services agency. The department of justice shall submit the report on or before January 15, 2015.

Sec. \_\_\_\_ . OFFICE OF CONSUMER ADVOCATE. There is appropriated from the department of commerce revolving fund created in section 546.12 to the office of consumer advocate of the department of justice for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

.....	\$	1,568,082
.....	FTEs	22.00

Sec. \_\_\_\_ . DEPARTMENT OF CORRECTIONS — FACILITIES.

1. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following

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amounts, or so much thereof as is necessary, to be used for the operation of adult correctional institutions, reimbursement of counties for certain confinement costs, and federal prison reimbursement, to be allocated as follows:

a. For the operation of the Fort Madison correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 21,553,567

The department of corrections shall submit, to the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system by January 15, 2015, the plans for the integration of the John Bennett facility and the clinical care unit into the new Fort Madison maximum security correctional facility and the future plans for the use of the current Fort Madison maximum security correctional facility after the inmates are transferred to the new facility.

b. For the operation of the Anamosa correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 16,460,261

It is the intent of the general assembly that the department of corrections maintain and operate the Luster Heights prison camp.

c. For the operation of the Oakdale correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 29,275,062

d. For the operation of the Newton correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 13,563,645

e. For the operation of the Mt. Pleasant correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

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..... \$ 12,405,714

f. For the operation of the Rockwell City correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 4,835,574

g. For the operation of the Clarinda correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 12,620,808

Moneys received by the department of corrections as reimbursement for services provided to the Clarinda youth corporation are appropriated to the department and shall be used for the purpose of operating the Clarinda correctional facility.

h. For the operation of the Mitchellville correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 10,802,018

i. For the operation of the Fort Dodge correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 14,932,616

j. For reimbursement of counties for temporary confinement of work release and parole violators, as provided in sections 901.7, 904.908, and 906.17, and for offenders confined pursuant to section 904.513:

..... \$ 537,546

k. For federal prison reimbursement, reimbursements for out-of-state placements, and miscellaneous contracts:

..... \$ 242,206

2. The department of corrections shall use moneys appropriated in subsection 1 to continue to contract for the services of a Muslim imam and a Native American spiritual leader.

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Sec. \_\_\_\_ . DEPARTMENT OF CORRECTIONS — ADMINISTRATION.

There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For general administration, including salaries, support, maintenance, employment of an education director to administer a centralized education program for the correctional system, and miscellaneous purposes:

..... \$ 2,540,791

a. It is the intent of the general assembly that each lease negotiated by the department of corrections with a private corporation for the purpose of providing private industry employment of inmates in a correctional institution shall prohibit the private corporation from utilizing inmate labor for partisan political purposes for any person seeking election to public office in this state and that a violation of this requirement shall result in a termination of the lease agreement.

b. It is the intent of the general assembly that as a condition of receiving the appropriation provided in this subsection the department of corrections shall not enter into a lease or contractual agreement pursuant to section 904.809 with a private corporation for the use of building space for the purpose of providing inmate employment without providing that the terms of the lease or contract establish safeguards to restrict, to the greatest extent feasible, access by inmates working for the private corporation to personal identifying information of citizens.

2. For educational programs for inmates at state penal institutions:

..... \$ 1,304,055

a. To maximize the funding for educational programs,

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the department shall establish guidelines and procedures to prioritize the availability of educational and vocational training for inmates based upon the goal of facilitating an inmate's successful release from the correctional institution.

b. The director of the department of corrections may transfer moneys from Iowa prison industries and the canteen operating funds established pursuant to section 904.310, for use in educational programs for inmates.

c. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unobligated or unexpended at the close of the fiscal year shall not revert but shall remain available to be used only for the purposes designated in this subsection until the close of the succeeding fiscal year.

3. For the development of the Iowa corrections offender network (ICON) data system:

..... \$ 1,000,000

4. For offender mental health and substance abuse treatment:

..... \$ 11,160

5. For viral hepatitis prevention and treatment:

..... \$ 83,941

6. For operations costs and miscellaneous purposes:

..... \$ 1,285,655

7. It is the intent of the general assembly that for the fiscal year addressed by this section the department of corrections shall continue to operate the correctional farms under the control of the department at the same or greater level of participation and involvement as existed as of January 1, 2011; shall not enter into any rental agreement or contract concerning any farmland under the control of the department that is not subject to a rental agreement or contract as of January 1, 2011, without prior legislative approval; and shall further attempt to provide job opportunities at the farms for inmates. The department shall attempt to provide

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job opportunities at the farms for inmates by encouraging labor-intensive farming or gardening where appropriate; using inmates to grow produce and meat for institutional consumption; researching the possibility of instituting food canning and cook-and-chill operations; and exploring opportunities for organic farming and gardening, livestock ventures, horticulture, and specialized crops.

Sec. \_\_\_\_ . JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL SERVICES.

1. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2014, and ending June 30, 2015, for salaries, support, maintenance, and miscellaneous purposes, the following amounts, or so much thereof as is necessary, to be allocated as follows:

- a. For the first judicial district department of correctional services:  
..... \$ 7,049,543
- b. For the second judicial district department of correctional services:  
..... \$ 5,435,213
- c. For the third judicial district department of correctional services:  
..... \$ 3,552,933
- d. For the fourth judicial district department of correctional services:  
..... \$ 2,747,655
- e. For the fifth judicial district department of correctional services, including funding for electronic monitoring devices for use on a statewide basis:  
..... \$ 9,687,714
- f. For the sixth judicial district department of correctional services:  
..... \$ 7,319,269
- g. For the seventh judicial district department of

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correctional services:

..... \$ 3,804,891

h. For the eighth judicial district department of correctional services:

..... \$ 4,103,307

2. Each judicial district department of correctional services, within the funding available, shall continue programs and plans established within that district to provide for intensive supervision, sex offender treatment, diversion of low-risk offenders to the least restrictive sanction available, job development, and expanded use of intermediate criminal sanctions.

3. Each judicial district department of correctional services shall provide alternatives to prison consistent with chapter 901B. The alternatives to prison shall ensure public safety while providing maximum rehabilitation to the offender. A judicial district department of correctional services may also establish a day program.

4. The governor's office of drug control policy shall consider federal grants made to the department of corrections for the benefit of each of the eight judicial district departments of correctional services as local government grants, as defined pursuant to federal regulations.

5. The department of corrections shall continue to contract with a judicial district department of correctional services to provide for the rental of electronic monitoring equipment which shall be available statewide.

Sec. \_\_\_\_ . DEPARTMENT OF CORRECTIONS — REALLOCATION OF APPROPRIATIONS. Notwithstanding section 8.39, within the moneys appropriated in this division of this Act to the department of corrections, the department may reallocate the moneys appropriated and allocated as necessary to best fulfill the needs of the correctional institutions, administration of the department, and the judicial district departments of

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correctional services. However, in addition to complying with the requirements of sections 904.116 and 905.8 and providing notice to the legislative services agency, the department of corrections shall also provide notice to the department of management, prior to the effective date of the revision or reallocation of an appropriation made pursuant to this section. The department of corrections shall not reallocate an appropriation or allocation for the purpose of eliminating any program.

Sec. \_\_\_\_ . INTENT — REPORTS.

1. The department of corrections in cooperation with townships, the Iowa cemetery associations, and other nonprofit or governmental entities may use inmate labor during the fiscal year beginning July 1, 2014, to restore or preserve rural cemeteries and historical landmarks. The department in cooperation with the counties may also use inmate labor to clean up roads, major water sources, and other water sources around the state.

2. On a quarterly basis the department shall provide a status report regarding private-sector employment to the legislative services agency beginning on July 1, 2014. The report shall include the number of offenders employed in the private sector, the combined number of hours worked by the offenders, the total amount of allowances, and the distribution of allowances pursuant to section 904.702, including any moneys deposited in the general fund of the state.

Sec. \_\_\_\_ . ELECTRONIC MONITORING REPORT. The department of corrections shall submit a report on electronic monitoring to the general assembly, to the co-chairpersons and the ranking members of the joint appropriations subcommittee on the justice system, and to the legislative services agency by January 15, 2015. The report shall specifically address the number of persons being electronically monitored and break down the number of persons being electronically monitored by offense

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committed. The report shall also include a comparison of any data from the prior fiscal year with the current year.

Sec. \_\_\_\_ . STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

1. As used in this section, unless the context otherwise requires, "state agency" means the government of the state of Iowa, including but not limited to all executive branch departments, agencies, boards, bureaus, and commissions, the judicial branch, the general assembly and all legislative agencies, institutions within the purview of the state board of regents, and any corporation whose primary function is to act as an instrumentality of the state.

2. State agencies are hereby encouraged to purchase products from Iowa state industries, as defined in section 904.802, when purchases are required and the products are available from Iowa state industries. State agencies shall obtain bids from Iowa state industries for purchases of office furniture during the fiscal year beginning July 1, 2014, exceeding \$5,000 or in accordance with applicable administrative rules related to purchases for the agency.

Sec. \_\_\_\_ . IOWA LAW ENFORCEMENT ACADEMY.

1. There is appropriated from the general fund of the state to the Iowa law enforcement academy for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, including jailer training and technical assistance, and for not more than the following full-time equivalent positions:

.....	\$	500,849
.....	FTEs	23.88

It is the intent of the general assembly that the Iowa law enforcement academy may provide training of state and local law enforcement personnel concerning the recognition of and response to persons with Alzheimer's disease.

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The Iowa law enforcement academy may temporarily exceed and draw more than the amount appropriated in this subsection and incur a negative cash balance as long as there are receivables equal to or greater than the negative balance and the amount appropriated in this subsection is not exceeded at the close of the fiscal year.

2. The Iowa law enforcement academy may select at least five automobiles of the department of public safety, division of state patrol, prior to turning over the automobiles to the department of administrative services to be disposed of by public auction, and the Iowa law enforcement academy may exchange any automobile owned by the academy for each automobile selected if the selected automobile is used in training law enforcement officers at the academy. However, any automobile exchanged by the academy shall be substituted for the selected vehicle of the department of public safety and sold by public auction with the receipts being deposited in the depreciation fund to the credit of the department of public safety, division of state patrol.

Sec. \_\_\_\_ . STATE PUBLIC DEFENDER. There is appropriated from the general fund of the state to the office of the state public defender of the department of inspections and appeals for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amounts, or so much thereof as is necessary, to be allocated as follows for the purposes designated:

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

.....	\$ 12,931,091
.....	FTEs 219.00

2. For payments on behalf of eligible adults and juveniles from the indigent defense fund, in accordance with section 815.11:

.....	\$ 14,950,965
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Sec. \_\_\_\_ . BOARD OF PAROLE. There is appropriated from the general fund of the state to the board of parole for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

.....	\$	601,918
.....	FTEs	11.00

Sec. \_\_\_\_ . DEPARTMENT OF PUBLIC DEFENSE. There is appropriated from the general fund of the state to the department of public defense for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. MILITARY DIVISION

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

.....	\$	3,263,521
.....	FTEs	293.61

The military division may temporarily exceed and draw more than the amount appropriated in this subsection and incur a negative cash balance as long as there are receivables of federal funds equal to or greater than the negative balance and the amount appropriated in this subsection is not exceeded at the close of the fiscal year.

2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION OR SUCCESSOR AGENCY

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

.....	\$	1,087,139
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..... FTEs 37.40

a. The homeland security and emergency management division or successor agency may temporarily exceed and draw more than the amount appropriated in this subsection and incur a negative cash balance as long as there are receivables of federal funds equal to or greater than the negative balance and the amount appropriated in this subsection is not exceeded at the close of the fiscal year.

b. It is the intent of the general assembly that the homeland security and emergency management division or successor agency work in conjunction with the department of public safety, to the extent possible, when gathering and analyzing information related to potential domestic or foreign security threats, and when monitoring such threats.

Sec. \_\_\_\_ . DEPARTMENT OF PUBLIC SAFETY. There is appropriated from the general fund of the state to the department of public safety for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For the department's administrative functions, including the criminal justice information system, and for not more than the following full-time equivalent positions:

..... \$ 2,033,527  
..... FTEs 39.00

2. For the division of criminal investigation, including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of the state's normal contribution rate, as defined in section 97A.8, multiplied by the salaries for which the moneys are appropriated, to meet federal fund matching requirements, and for not more than the following full-time equivalent positions:

..... \$ 6,466,707

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..... FTEs 149.60

3. For the criminalistics laboratory fund created in section 691.9:

..... \$ 151,173

4. a. For the division of narcotics enforcement, including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of the state's normal contribution rate, as defined in section 97A.8, multiplied by the salaries for which the moneys are appropriated, to meet federal fund matching requirements, and for not more than the following full-time equivalent positions:

..... \$ 3,377,928

..... FTEs 66.00

b. For the division of narcotics enforcement for undercover purchases:

..... \$ 54,521

5. For the division of state fire marshal, for fire protection services as provided through the state fire service and emergency response council as created in the department, and for the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of the state's normal contribution rate, as defined in section 97A.8, multiplied by the salaries for which the moneys are appropriated, and for not more than the following full-time equivalent positions:

..... \$ 2,235,278

..... FTEs 53.00

6. For the division of state patrol, for salaries, support, maintenance, workers' compensation costs, and miscellaneous purposes, including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of the state's normal contribution rate, as defined in section 97A.8, multiplied by the salaries

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for which the moneys are appropriated, and for not more than the following full-time equivalent positions:

.....	\$ 27,768,104
.....	FTEs 494.47

It is the intent of the general assembly that members of the state patrol be assigned to patrol the highways and roads in lieu of assignments for inspecting school buses for the school districts.

7. For operations costs, and miscellaneous purposes:

.....	\$ 850,000
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8. For deposit in the sick leave benefits fund established under section 80.42 for all departmental employees eligible to receive benefits for accrued sick leave under the collective bargaining agreement:

.....	\$ 139,759
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9. For costs associated with the training and equipment needs of volunteer fire fighters:

.....	\$ 362,760
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a. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure only for the purpose designated in this subsection until the close of the succeeding fiscal year.

b. Notwithstanding section 8.39, the department of public safety may reallocate moneys appropriated in this section as necessary to best fulfill the needs provided for in the appropriation. However, the department shall not reallocate moneys appropriated to the department in this section unless notice of the reallocation is given to the legislative services agency and the department of management prior to the effective date of the reallocation. The notice shall include information regarding the rationale for reallocating the moneys. The department shall not reallocate moneys appropriated in this section for the purpose of eliminating any program.

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Sec. \_\_\_\_ . GAMING ENFORCEMENT.

1. There is appropriated from the gaming enforcement revolving fund created in section 80.43 to the department of public safety for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For any direct support costs for agents and officers of the division of criminal investigation's excursion gambling boat, gambling structure, and racetrack enclosure enforcement activities, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$ 5,449,004
.....	FTEs 115.00

2. For each additional license to conduct gambling games on an excursion gambling boat, gambling structure, or racetrack enclosure issued during the fiscal year beginning July 1, 2014, there is appropriated from the gaming enforcement fund to the department of public safety for the fiscal year beginning July 1, 2014, and ending June 30, 2015, an additional amount of not more than \$300,000 to be used for not more than 3.00 additional full-time equivalent positions.

3. The department of public safety, with the approval of the department of management, may employ no more than three special agents for each additional riverboat or gambling structure regulated after July 1, 2014, and three special agents for each racing facility which becomes operational during the fiscal year which begins July 1, 2014. Positions authorized in this subsection are in addition to the full-time equivalent positions otherwise authorized in this section.

Sec. \_\_\_\_ . CIVIL RIGHTS COMMISSION. There is appropriated from the general fund of the state to the Iowa state civil rights commission for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so

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

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

.....	\$	648,535
.....	FTEs	28.00

The Iowa state civil rights commission may enter into a contract with a nonprofit organization to provide legal assistance to resolve civil rights complaints.

Sec. \_\_\_\_ . CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION. There is appropriated from the general fund of the state to the criminal and juvenile justice planning division of the department of human rights for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

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

.....	\$	630,053
.....	FTEs	10.81

The criminal and juvenile justice planning advisory council and the juvenile justice advisory council shall coordinate their efforts in carrying out their respective duties relative to juvenile justice.

Sec. \_\_\_\_ . HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION. There is appropriated from the wireless E911 emergency communications fund created in section 34A.7A to the homeland security and emergency management division or successor agency for the fiscal year beginning July 1, 2014, and ending June 30, 2015, an amount not exceeding \$250,000 to be used for implementation, support, and maintenance of the functions of the administrator and program manager under

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chapter 34A and to employ the auditor of the state to perform an annual audit of the wireless E911 emergency communications fund.

DIVISION \_\_\_\_

PUBLIC SAFETY INTEROPERABLE AND BROADBAND COMMUNICATIONS FUND

Sec. \_\_\_\_ . NEW SECTION. **80.44 Public safety interoperable and broadband communications fund.**

1. A statewide public safety interoperable and broadband communications fund is established in the office of the treasurer of state under the control of the department of public safety. Any moneys annually appropriated, granted, or credited to the fund, including any federal moneys, are appropriated to the department of public safety for the planning and development of a statewide public safety interoperable and broadband communications system.

2. Notwithstanding section 12C.7, subsection 2, interest and earnings on moneys deposited in the fund shall be credited to the fund. Notwithstanding section 8.33, moneys remaining in the fund at the end of the fiscal year shall not revert to any other fund but shall remain available to be used for the purposes specified in subsection 1.

Sec. \_\_\_\_ . 2011 Iowa Acts, chapter 134, section 43, subsection 9, as amended by 2012 Iowa Acts, chapter 1134, section 10, is amended to read as follows:

9. For costs associated with the training and operation of the statewide interoperable communications system board ~~excluding salaries and contracts~~ or deposit in the statewide public safety interoperable and broadband communications fund established in section 80.44, as determined by the department:

..... \$ 48,000

Sec. \_\_\_\_ . EFFECTIVE UPON ENACTMENT. The following provision or provisions of this division of this Act, being deemed of immediate importance, take effect upon enactment:

1. The section of this division amending 2011 Iowa Acts,

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chapter 134, section 43, subsection 9, as amended by 2012 Iowa Acts, chapter 1134, section 10.

2. The section of this division enacting the section tentatively numbered 80.44.

DIVISION \_\_\_\_

PUBLIC SAFETY AND TRAINING TASK FORCE

Sec. \_\_\_\_ . PUBLIC SAFETY TRAINING AND FACILITIES TASK FORCE.

1. A public safety training and facilities task force is established. The department of public safety shall provide administrative support for the task force.

2. The task force shall consist of the following members:

a. One member appointed by the Iowa state sheriffs' and deputies' association.

b. One member appointed by the Iowa police chiefs association.

c. One member who is a fire fighter appointed by the Iowa professional fire fighters association.

d. One member who is the administrator of the Iowa fire service training bureau or the administrator's designee.

e. One member who is a representative of the fire service who is not a fire chief appointed by the Iowa firefighters association.

f. The director of the Iowa law enforcement academy or the director's designee.

g. The commissioner of public safety or the training coordinator of the department of public safety, as designated by the commissioner.

h. The state fire marshal or the state fire marshal's designee.

i. One member appointed by the Iowa state police association.

j. One member who is a fire chief appointed by the Iowa fire chiefs association.

k. One member appointed by the Iowa emergency medical

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services association.

1. One member appointed by the Iowa emergency management association.

m. One member who is a fire chief appointed by the Iowa association of professional fire chiefs.

n. One member who is a member of the office of motor vehicle enforcement of the department of transportation appointed by the director of the department of transportation.

o. Four members of the general assembly serving as ex officio, nonvoting members, one representative to be appointed by the speaker of the house of representatives, one representative to be appointed by the minority leader of the house of representatives, one senator to be appointed by the majority leader of the senate, and one senator to be appointed by the minority leader of the senate.

3. The members of the task force shall select one chairperson and one vice chairperson. The vice chairperson shall preside in the absence of the chairperson. Section 69.16A shall apply to the voting members of the task force.

4. It is the intent of the general assembly in establishing this task force that the task force develop a coordinated plan amongst all public safety disciplines that would oversee the construction of a consolidated fire and police public safety training facility, provide for the establishment of a governance board for the public safety disciplines and the consolidated facility, and to establish a consistent and steady funding mechanism to defray public safety training costs on an ongoing basis.

5. The task force shall seek and consider input from all interested stakeholders and members of the public and shall include an emphasis on receiving input from fire service, law enforcement, and emergency medical services personnel. The task force shall consider and develop strategies relating to public safety training facility governance with the goal of

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all public safety disciplines being represented. Each public safety discipline shall advise the task force by developing individual training policies as determined by the discipline's governing bodies. The task force shall also develop a proposal for a joint public safety training facility, a budget for construction and future operation of the facility, financing options, including possible public-private partnerships, for construction and operation of the facility, and potential locations for the facility that are centrally located in this state.

6. a. The task force shall provide interim reports to the general assembly by December 31 of each year concerning the activities of the task force and shall submit its final report, including its findings and recommendations, to the general assembly by December 31, 2016.

b. The final report shall include but not be limited to recommendations concerning the following:

(1) Consolidation of public safety governance within a single board and the membership of the board. Board duties would include overseeing the construction and maintenance of a consolidated fire and police public safety training facility.

(2) Development of a consolidated fire and police public safety training facility, including possible locations, building recommendations, and financing options.

(3) Any other recommendations relating to public safety training and facilities requirements.

DIVISION \_\_\_\_

CIGARETTE FIRE SAFETY STANDARD FUND — APPROPRIATION

Sec. \_\_\_\_ . Section 101B.5, subsection 5, Code 2013, is amended to read as follows:

5. For each cigarette listed in a certification, a manufacturer shall pay a fee of one hundred dollars to the department. The department shall deposit all fees received pursuant to this subsection with the treasurer of state for

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credit to the general fund of the state.

Sec. \_\_\_\_\_. Section 101B.8, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 10. The department shall deposit any moneys received from civil penalties assessed pursuant to this section with the treasurer of state for credit to the general fund of the state.

Sec. \_\_\_\_\_. Section 101B.9, Code 2013, is amended to read as follows:

**101B.9 Cigarette fire safety standard fund.**

A cigarette fire safety standard fund is created as a special fund in the state treasury under the control of the department of public safety. The fund shall consist of all moneys recovered from the assessment of civil penalties or certification fees under this chapter. ~~The moneys in the fund shall, in~~ In addition to any moneys made available for such purpose, be available, subject to appropriation, moneys in the fund are appropriated to the department of public safety for the purpose of fire safety and prevention programs, including for entry level fire fighter training, equipment, and operations.

Sec. \_\_\_\_\_. REPEAL. Section 101B.9, Code 2013, is repealed.

Sec. \_\_\_\_\_. CIGARETTE FIRE SAFETY STANDARD FUND. Any remaining balance of the cigarette fire safety standard fund at the close of the fiscal year beginning July 1, 2012, is transferred to the department of justice and is appropriated for use during the fiscal year beginning July 1, 2013, and ending June 30, 2014, for victim assistance grants.

Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. The following provision or provisions of this division of this Act, being deemed of immediate importance, take effect upon enactment:

1. The section amending section 101B.9.
2. The section providing for transfer of any remaining balance of the cigarette fire safety standard fund at the close

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of the fiscal year beginning July 1, 2012.

3. The section providing for retroactive applicability.

Sec. \_\_\_\_ . RETROACTIVE APPLICABILITY. The following provision or provisions of this division of this Act apply retroactively to July 1, 2007:

1. The section of this division amending section 101B.9.

DIVISION \_\_\_\_

SPECIAL AGENTS — GAMING

Sec. \_\_\_\_ . Section 99D.14, subsection 2, paragraph a, Code 2013, is amended to read as follows:

a. (1) A licensee shall pay a regulatory fee to be charged as provided in this section. In determining the regulatory fee to be charged as provided under this section, the commission shall use the amount appropriated to the commission plus the cost of salaries for no more than ~~two~~ three special agents for each racetrack that has not been issued a table games license under chapter 99F or no more than three special agents for each racetrack that has been issued a table games license under chapter 99F, plus any direct and indirect support costs for the agents, for the division of criminal investigation's racetrack activities, as the basis for determining the amount of revenue to be raised from the regulatory fee.

(2) Indirect support costs under this section shall be calculated at the same rate used in accordance with the federal office of management and budget cost principles for state, local, and Indian tribal governments that receive a federally approved indirect cost rate.

Sec. \_\_\_\_ . Section 99D.14, subsection 2, Code 2013, is amended by adding the following new paragraphs:

NEW PARAGRAPH. d. The aggregate amount of the regulatory fee assessed under paragraph "a" during each fiscal year shall be reduced by an amount equal to the unexpended moneys from the previous fiscal year that were deposited into the revolving funds established in sections 80.43 and 99F.20 during that

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previous fiscal year.

NEW PARAGRAPH. *e.* By January 1, 2015, and by January 1 of every year thereafter, the division of criminal investigation shall provide the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system, the legislative services agency, and the commission with a report detailing the activities of the division during the previous fiscal year for each racetrack enclosure.

NEW PARAGRAPH. *f.* The division of criminal investigation shall conduct a review relating to the number of special agents permitted for each racetrack under this subsection and the activities of such agents. The review shall also include comments from the commission and licensees and be combined with the review conducted under section 99F.10, subsection 4, paragraph "g". The division of criminal investigation shall file a report detailing the review conducted pursuant to this paragraph with the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system and the legislative services agency by July 1, 2020.

Sec. \_\_\_\_\_. Section 99F.10, subsection 4, Code 2013, is amended to read as follows:

4. *a.* In determining the license fees and state regulatory fees to be charged as provided under section 99F.4 and this section, the commission shall use as the basis for determining the amount of revenue to be raised from the license fees and regulatory fees the amount appropriated to the commission plus the following as applicable:

(1) Prior to July 1, 2016, the cost of salaries for no more than two special agents for each excursion gambling boat or gambling structure and no more than four gaming enforcement officers for each excursion gambling boat or gambling structure with a patron capacity of less than two thousand persons or no more than five gaming enforcement officers for each excursion gambling boat or gambling structure with a patron capacity of

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at least two thousand persons, plus any direct and indirect support costs for the agents and officers, for the division of criminal investigation's excursion gambling boat or gambling structure activities. However, the division of criminal investigation may add one additional special agent to the number of special agents specified in this subparagraph for each excursion gambling boat or gambling structure if at least two gaming enforcement officer full-time equivalent positions are vacant. Otherwise, the division of criminal investigation shall not fill vacant gaming enforcement officer positions.

(2) On or after July 1, 2016, the cost of salaries for no more than three special agents for each excursion gambling boat or gambling structure, plus any direct and indirect support costs for the agents, for the division of criminal investigation's excursion gambling boat or gambling structure activities.

*b.* Notwithstanding sections 8.60 and 99F.4, the portion of the fee paid pursuant to paragraph "a" relating to the costs of special agents and officers plus any direct and indirect support costs for the agents and officers, for the division of criminal investigation's excursion gambling boat or gambling structure activities, shall be deposited into the gaming enforcement revolving fund established in section 80.43. However, the department of public safety shall transfer, on an annual basis, the portion of the regulatory fee attributable to the indirect support costs of the special agents and gaming enforcement officers to the general fund of the state.

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

*d.* Indirect support costs under paragraph "a" shall be calculated at the same rate used in accordance with the federal

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office of management and budget cost principles for state, local, and Indian tribal governments that receive a federally approved indirect cost rate.

e. The aggregate amount of the regulatory fee assessed under paragraph "a" during each fiscal year shall be reduced by an amount equal to the unexpended moneys from the previous fiscal year that were deposited into the revolving funds established in sections 80.43 or 99F.20 during that previous fiscal year.

f. By January 1, 2015, and by January 1 of every year thereafter, the division of criminal investigation shall provide the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system, the legislative services agency, and the commission with a report detailing the activities of the division during the previous fiscal year for each excursion gambling boat and gambling structure.

g. The division of criminal investigation shall review the number of special agents permitted for each excursion gambling boat or gambling structure under this subsection and the activities of such agents. The review shall also include comments from the commission and licensees and be combined with the review conducted under section 99D.14, subsection 2, paragraph "f". The division of criminal investigation shall file a report detailing the review conducted pursuant to this paragraph with the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system and the legislative services agency by July 1, 2020.

Sec. \_\_\_\_ . GAMING ENFORCEMENT STUDY. The division of criminal investigation of the department of public safety and the Iowa gaming association shall jointly or separately file a report with the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system and the legislative services agency by December 15, 2013, detailing the activities of gaming enforcement officers and

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special agents working at excursion gambling boats, gambling structures, and racetrack enclosures. The report shall include the number of incidences the gaming enforcement officers handle versus private security, the number of fraud investigations and background checks performed by the special agents, and the percentage of time gaming enforcement officers and special agents work on gaming-related and nongaming-related cases. The report shall also include the time periods each excursion gambling boat, gambling structure, and racetrack enclosure are not staffed by at least one gaming enforcement officer or special agent.

DIVISION \_\_\_\_

JUDICIAL COMPENSATION — STUDY

Sec. \_\_\_\_ . JUDICIAL COMPENSATION — INTERIM STUDY COMMITTEE.

1. The legislative council is requested to authorize an interim committee to study judicial compensation during the 2013 legislative interim.

2. The committee shall be composed of the following:

- a. Three members of the senate.
- b. Three members of the house of representatives.
- c. A member appointed by the governor.
- d. A supreme court justice.
- e. A district judge.
- f. A district associate judge.
- g. A magistrate.
- h. The state court administrator.

DIVISION \_\_\_\_

MISCELLANEOUS CODE CHANGES

Sec. \_\_\_\_ . Section 85.67, Code 2013, is amended to read as follows:

**85.67 Administration of fund — special counsel — payment of award.**

The attorney general shall appoint a staff member to represent the treasurer of state and the fund in all

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proceedings and matters arising under this division. The attorney general shall be reimbursed up to ~~one hundred fifty two hundred fifteen~~ thousand dollars annually from the fund for services provided related to the fund. The commissioner of insurance shall consider the reimbursement to the attorney general as an outstanding liability when making a determination of funding availability under section 85.65A, subsection 2. In making an award under this division, the workers' compensation commissioner shall specifically find the amount the injured employee shall be paid weekly, the number of weeks of compensation which shall be paid by the employer, the date upon which payments out of the fund shall begin, and, if possible, the length of time the payments shall continue.

Sec. \_\_\_\_\_. Section 654.4B, subsection 2, paragraph b, Code 2013, is amended by striking the paragraph.

Sec. \_\_\_\_\_. Section 714.16C, subsection 2, Code 2013, is amended to read as follows:

2. For each fiscal year, not more than one million ~~one hundred twenty-five~~ eight hundred seventy-five thousand dollars is appropriated from the fund to the department of justice to be used for public education relating to consumer fraud and for enforcement of section 714.16 and federal consumer laws, and not more than ~~seventy-five~~ one hundred twenty-five thousand dollars is appropriated from the fund to the department of justice to be used for investigation, prosecution, and consumer education relating to consumer and criminal fraud committed against older Iowans.

Sec. \_\_\_\_\_. IOWA CORRECTIONS OFFENDER NETWORK — FUND. Notwithstanding any provision of law to the contrary, the unencumbered or unobligated balance of the Iowa corrections offender network fund at the close of the fiscal year beginning July 1, 2012, or the close of any succeeding fiscal year that would otherwise be required by law to revert to, be deposited in, or to be credited to the Iowa offender network fund shall

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instead be credited to the general fund of the state.

Sec. \_\_\_\_ . REPEAL. Section 904.118, Code 2013, is repealed.>

ON THE PART OF THE SENATE:

ON THE PART OF THE HOUSE:

---

THOMAS G. COURTNEY,  
CHAIRPERSON

---

GARY WORTHAN,  
CHAIRPERSON

---

ROBERT M. HOGG

---

MARTI ANDERSON

---

RICH TAYLOR

---

JULIAN GARRETT

---

TODD TAYLOR

CCS-447      FILED MAY 15, 2013  
ADOPTED

CCH-603

REPORT OF THE CONFERENCE COMMITTEE  
ON HOUSE FILE 603

To the Speaker of the House of Representatives and the  
President of the Senate:

We, the undersigned members of the conference committee  
appointed to resolve the differences between the House of  
Representatives and the Senate on House File 603, a bill for  
an Act relating to and making appropriations to certain state  
departments, agencies, funds, and certain other entities,  
providing for regulatory authority, and other properly related  
matters, respectfully make the following report:

1. That the Senate recedes from its amendment, H-1319.

2. That House File 603, as amended, passed, and reprinted by  
the House, is amended to read as follows:

1. Page 1, by striking line 12 and inserting:

<..... \$ 4,067,924>

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2. Page 1, by striking line 15 and inserting:

<..... \$ 2,658,909>

3. Page 1, by striking lines 23 and 24 and inserting:

<..... \$ 405,914  
..... FTEs 5.00>

4. Page 3, after line 18 by inserting:

<3. The auditor of state shall allocate moneys from the appropriation in this section solely for audit work related to the comprehensive annual financial report, federally required audits, and investigations of embezzlement, theft, or other significant financial irregularities until the audit of the comprehensive annual financial report is complete.>

5. Page 4, by striking line 6 and inserting:

<..... FTEs 18.50>

6. Page 4, by striking line 12 and inserting:

<..... FTEs 12.50>

7. Page 4, by striking line 23 and inserting:

<..... FTEs 74.50>

8. Page 4, by striking line 35 and inserting:

<..... FTEs 100.15>

9. Page 6, line 27, after <provide> by inserting  
<coordination of>

10. Page 6, after line 30 by inserting:

<Moneys appropriated in this section shall be distributed by the commission to the regional telecommunications councils based upon usage by region. The regional telecommunications councils shall report to the Iowa telecommunications and technology commission by January 31, 2014, for the immediately preceding six-month period beginning on July 1, 2013, and ending December 31, 2013, and by July 31, 2014, for the immediately preceding six-month period beginning on January 1, 2014, and ending on June 30, 2014. The report shall include information requested by the commission related to the activities supported through this appropriation.>

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11. Page 7, by striking lines 2 and 3 and inserting:

<1. GENERAL OFFICE

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

12. Page 7, after line 5 by inserting:

<2. TERRACE HILL QUARTERS

For salaries, support, maintenance, and miscellaneous purposes for the governor's quarters at terrace hill, and for not more than the following full-time equivalent positions:

.....	\$	93,111
.....	FTEs	2.00>

13. Page 7, by striking line 29 and inserting:

<..... FTEs 5.65>

14. Page 7, by striking line 35 and inserting:

<..... FTEs 9.62>

15. Page 8, by striking lines 25 through 27.

16. Page 8, line 28, by striking <c.> and inserting <b.>

17. Page 10, by striking line 16 and inserting:

<..... \$ 2,680,290>

18. Page 10, after line 35 by inserting:

<Sec. \_\_\_\_ . DEPARTMENT OF INSPECTIONS AND APPEALS

— WELFARE FRAUD ANNUAL MEETING — MEDICAID FRAUD FUND APPROPRIATION. There is appropriated from the Medicaid fraud fund created in section 249A.7 to the investigations division of the department of inspections and appeals for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For costs associated with central staff attending the united council on welfare fraud annual meeting:

.....	\$	6,500>
-------	----	--------

19. Page 13, by striking lines 13 and 14 and inserting:

<..... \$ 275,000

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..... FTEs 3.00>

20. Page 13, by striking line 25 and inserting:

<..... FTEs 245.24>

21. Page 19, after line 23 by inserting:

<Sec. \_\_\_\_ . INTEGRATED INFORMATION FOR IOWA SYSTEM — OFFICE OF CONSUMER ADVOCATE. There is appropriated from the department of commerce revolving fund created in section 546.12 to the office of consumer advocate for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the payment of services provided by the department of administrative services related to the integrated information for Iowa system:

..... \$ 1,425>

22. Page 19, by striking line 35 and inserting:

<..... \$ 2,033,962>

23. Page 20, by striking line 1 and inserting:

<..... FTEs 73.49>

24. Page 20, by striking line 3 and inserting:

<..... \$ 1,329,455>

25. Page 20, by striking lines 11 and 12 and inserting:

<..... \$ 202,957

..... FTEs 5.00>

26. Page 21, by striking line 29 and inserting:

<..... \$ 457,253>

27. Page 22, after line 6 by inserting:

<3. The auditor of state shall allocate moneys from the appropriation in this section solely for audit work related to the comprehensive annual financial report, federally required audits, and investigations of embezzlement, theft, or other significant financial irregularities until the audit of the comprehensive annual financial report is complete.>

28. Page 22, by striking line 16 and inserting:

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<..... \$ 245,168>

29. Page 22, by striking lines 28 and 29 and inserting:

<..... \$ 610,196

..... FTEs 18.50>

30. Page 22, by striking lines 34 and 35 and inserting:

<..... \$ 300,769

..... FTEs 12.50>

31. Page 23, by striking lines 10 and 11 and inserting:

<..... \$ 4,583,618

..... FTEs 74.50>

32. Page 23, by striking line 16 and inserting:

<..... \$ 897,128>

33. Page 23, by striking lines 22 and 23 and inserting:

<..... \$ 2,516,495

..... FTEs 100.15>

34. Page 24, by striking line 8 and inserting:

<..... \$ 4,089,703>

35. Page 25, by striking line 3 and inserting:

<..... \$ 31,159>

36. Page 25, line 8, by striking <2012> and inserting <2014>

37. Page 25, line 8, by striking <2013> and inserting <2015>

38. Page 25, by striking line 12 and inserting:

<..... \$ 496,457>

39. Page 25, line 15, after <provide> by inserting

<coordination of>

40. Page 25, after line 18 by inserting:

<Moneys appropriated in this section shall be distributed by the commission to the regional telecommunications councils based upon usage by region. The regional telecommunications councils shall report to the Iowa telecommunications and technology commission by January 31, 2015, for the immediately preceding six-month period beginning on July 1, 2014, and ending December 31, 2014, and by July 31, 2015, for the immediately preceding six-month period beginning on January

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1, 2015, and ending on June 30, 2015. The report shall include information requested by the commission related to the activities supported through this appropriation.>

41. Page 25, by striking lines 25 through 28 and inserting:  
<1. GENERAL OFFICE

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

.....	\$	1,098,228
.....	FTEs	20.00

2. TERRACE HILL QUARTERS

For salaries, support, maintenance, and miscellaneous purposes for the governor's quarters at terrace hill, and for not more than the following full-time equivalent positions:

.....	\$	46,556
.....	FTEs	2.00>

42. Page 26, by striking line 5 and inserting:

<..... \$ 120,567>

43. Page 26, by striking lines 16 and 17 and inserting:

<.....	\$	112,092
.....	FTEs	5.65>

44. Page 26, by striking lines 22 and 23 and inserting:

<.....	\$	514,039
.....	FTEs	9.62>

45. Page 26, by striking line 34 and inserting:

<..... \$ 272,621>

46. Page 27, by striking line 5 and inserting:

<..... \$ 339,471>

47. Page 27, by striking line 11 and inserting:

<..... \$ 1,286,545>

48. Page 27, by striking line 26 and inserting:

<..... \$ 2,546,017>

49. Page 28, by striking line 20 and inserting:

<..... \$ 21,108>

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- 50. Page 29, by striking line 1 and inserting:  
<..... \$ 1,340,145>
- 51. Page 29, by striking line 19 and inserting:  
<..... \$ 639,666>
- 52. Page 30, by striking line 5 and inserting:  
<..... \$ 1,534,246>
- 53. Page 30, by striking line 18 and inserting:  
<..... \$ 1,522,860>
- 54. Page 30, by striking line 29 and inserting:  
<..... \$ 811,949>
- 55. Page 31, by striking line 4 and inserting:  
<..... \$ 1,275,110>
- 56. Page 31, by striking line 19 and inserting:  
<..... \$ 28,000>
- 57. Page 31, by striking lines 29 and 30 and inserting:  
<..... \$ 137,500  
..... FTEs 3.00>
- 58. Page 32, by striking lines 5 and 6 and inserting:  
<..... \$ 8,940,420  
..... FTEs 245.24>
- 59. Page 32, by striking line 24 and inserting:  
<..... \$ 652,888>
- 60. Page 32, by striking line 34 and inserting:  
<..... \$ 1,448,350>
- 61. Page 33, by striking line 25 and inserting:  
<..... \$ 542,196>
- 62. Page 34, by striking line 2 and inserting:  
<..... \$ 46,574>
- 63. Page 34, by striking line 13 and inserting:  
<..... \$ 8,843,484>
- 64. Page 38, after line 3 by inserting:

<Sec. \_\_\_\_\_. INTEGRATED INFORMATION FOR IOWA SYSTEM —  
OFFICE OF CONSUMER ADVOCATE. There is appropriated from the  
department of commerce revolving fund created in section

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546.12 to the office of consumer advocate for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the payment of services provided by the department of administrative services related to the integrated information for Iowa system:

..... \$ 1,425>

65. Page 38, after line 11 by inserting:

<DIVISION \_\_\_\_

IOWA PUBLIC INFORMATION BOARD

Sec. \_\_\_\_ . 2012 Iowa Acts, chapter 1115, section 9, subsections 1, 4, and 6, are amended to read as follows:

1. Employ one employee as executive director who is an attorney admitted to practice law in the courts of this state to execute its authority ~~and prosecute~~ including prosecuting respondents in proceedings before the board and ~~to represent~~ representing the board in proceedings before a court, as appropriate.

4. Receive complaints alleging violations of chapter 21 or 22, seek resolution of such complaints through informal assistance ~~or through mediation and settlement~~, formally investigate such complaints, decide after such an investigation whether there is probable cause to believe a violation of chapter 21 or 22 has occurred, and if probable cause has been found ~~prosecute the respondent before the board in a contested case proceeding~~ conducted according to the provisions of chapter 17A.

6. The board may examine a record of a governmental body or a government body that is the subject matter of a complaint, including any record that is confidential by law. Confidential records provided to the board by a governmental body or a government body shall continue to maintain their confidential status. Any member or employee of the board is subject to

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the same policies and penalties regarding the confidentiality of the document as an employee of the governmental body or a government body.

Sec. \_\_\_\_\_. 2012 Iowa Acts, chapter 1115, section 12, is amended by striking the section and inserting in lieu thereof the following:

SEC. 12. NEW SECTION. 23.9 Informal assistance.

After accepting a complaint, the board shall promptly work with the parties, through employees on its own staff, to reach an informal, expeditious resolution of the complaint.

Sec. \_\_\_\_\_. 2012 Iowa Acts, chapter 1115, section 13, subsection 1, is amended to read as follows:

1. If any party declines ~~mediation or settlement~~ informal assistance or if ~~mediation or settlement~~ informal assistance fails to resolve the matter to the satisfaction of all parties, the board shall initiate a formal investigation concerning the facts and circumstances set forth in the complaint. The board shall, after an appropriate investigation, make a determination as to whether the complaint is within the board's jurisdiction and whether there is probable cause to believe that the facts and circumstances alleged in the complaint constitute a violation of chapter 21 or 22.

Sec. \_\_\_\_\_. 2012 Iowa Acts, chapter 1115, section 13, subsection 3, paragraph a, is amended to read as follows:

a. If the board finds the complaint is within the board's jurisdiction and there is probable cause to believe there has been a violation of chapter 21 or 22, the board shall issue a written order to that effect and shall commence a contested case proceeding under chapter 17A against the respondent. ~~Notwithstanding section 17A.10A, if~~ If there are no material facts in dispute, the board may order that the contested case procedures relating to the presentation of evidence shall not apply as provided in section 17A.10A. ~~An attorney selected by the~~ The executive director of the board or an attorney selected

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by the executive director shall prosecute the respondent in the contested case proceeding. At the termination of the contested case proceeding the board shall, by a majority vote of its members, render a final decision as to the merits of the complaint. If the board finds that the complaint has merit, the board may issue any appropriate order to ensure enforcement of chapter 21 or 22 including but not limited to an order requiring specified action or prohibiting specified action and any appropriate order to remedy any failure of the respondent to observe any provision of those chapters.

DIVISION \_\_\_\_

TERRACE HILL COMMISSION

Sec. \_\_\_\_ . Section 8A.326, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 1A. The governor may appoint an administrator of the Terrace Hill facility who may perform any acts which are necessary or desirable to coordinate the administration of the Terrace Hill facility.

Sec. \_\_\_\_ . Section 8A.326, subsection 2, Code 2013, is amended by striking the subsection and inserting in lieu thereof the following:

2. The purpose of the Terrace Hill commission is to provide for the preservation, maintenance, renovation, landscaping, and administration of the Terrace Hill facility. The Terrace Hill facility includes the Terrace Hill mansion, carriage house, grounds, historical collections, and all other related property.

Sec. \_\_\_\_ . Section 8A.326, subsection 3, Code 2013, is amended to read as follows:

3. The Terrace Hill commission may enter into contracts, subject to this chapter, to execute its purposes, including, without limitation, contracts authorizing nonprofit organizations acting solely for the benefit and support of the Terrace Hill facility to do any of the following:

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a. Solicit funds and accept donations, gifts, and bequests approved by the commission and in accordance with priorities established by the commission.

b. Administer a Terrace Hill membership program.

c. Maintain the Terrace Hill historical collections.>

66. By renumbering as necessary.

ON THE PART OF THE HOUSE:

ON THE PART OF THE SENATE:

\_\_\_\_\_  
RALPH WATTS, CHAIRPERSON

\_\_\_\_\_  
LIZ MATHIS, CHAIRPERSON

\_\_\_\_\_  
TEDD GASSMAN

\_\_\_\_\_  
CHRIS BRASE

\_\_\_\_\_  
BRUCE HUNTER

\_\_\_\_\_  
JEFF DANIELSON

\_\_\_\_\_  
DAN KELLEY

\_\_\_\_\_  
GUY VANDER LINDEN

CCH-603 FILED MAY 15, 2013  
ADOPTED; MOTION TO RECONSIDER FILED



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**Amendment [S-3247](#)** – Reinvestment Districts (LSB 2518S3247)  
Analyst: Shawn Snyder (Phone: (515) 281-7799) ([shawn.snyder@legis.iowa.gov](mailto:shawn.snyder@legis.iowa.gov))  
Fiscal Note Version – New

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**Description**

Amendment [S-3247](#) to [HF 641](#) authorizes municipalities, with approval from the Iowa Economic Development Authority Board, to establish Reinvestment Districts and to receive remittances of state sales tax and state hotel and motel tax revenues collected in the districts to fund projects within the districts. Additional provisions include:

- Specific requirements for establishment and approval of reinvestment district projects. Included in these requirements:
  - The district plan applications must be submitted by July 1, 2018.
  - The district area consists of contiguous parcels and must not exceed 25 acres.
  - Of all districts projects, authorizes a single project with at least a \$10.0 million capital investment level.
  - A requirement that state tax revenue designated to the district from the state Reinvestment District Fund not exceed 35.0% of the total costs of the projects.
  - A requirement that proposed capital investment for retail within a district is 50.0% or less of the total capital investment.
- Caps the total amount of state sales tax and state hotel and motel revenues remitted to all Reinvestment Districts at \$100.0 million.
- Creates a State Reinvestment District Fund. New state sales tax and state hotel and motel tax revenue will be deposited in the fund. New state sales tax revenue is defined as 4/6th of the state sales tax revenue from retailers within the district that receive a sales tax permit on or after the creation of the district. New state hotel and motel tax is defined as the total amount of state hotel/motel tax revenue from establishments within the district that receive a tax permit on or after the creation of the district.
- Creates a Reinvestment Project Fund. Moneys in this fund will consist of the state sales and hotel and motel tax revenues and are designated for the specific project for each municipality. Requires any monies remaining in the fund after project completion, or in excess of project costs, or upon the dissolution of a reinvestment district, to be deposited in the State General Fund.
- Limits the length of existence for a reinvestment district to 20 years after the commencement date.

**Background**

Currently, the state sales tax rate is 6.0% with 5/6th of the state sales tax revenue deposited in the State General Fund and 1/6th deposited in the Secure an Advanced Vision for Education (SAVE) Fund. The state hotel and motel tax rate is 5.0% of the price of renting lodging.

**Assumptions**

The number, composition, and timing of reinvestment district projects are currently unknown. Limitations on the size and scope of the districts will restrict the number and size of hotels, motels, and retail establishments that may be built in a district. The following assumptions provide scenarios for different size reinvestment district projects.

- Scenarios one and two are projects located in population areas of 10,000 or more with high traffic volume.
- Scenarios three and four are projects located in population areas of less than 10,000.
- Estimated taxable sales are based on Department of Revenue tax data for FY 2012 and assume growth retail growth factors forecasted by Moody's Analytics.
- Business classifications are defined as follows:
  - Mega Hotel: taxable sales of 150.0% of the average of the top 10 hotels in the state.
  - Large Hotel: taxable sales equivalent to the average of the top 10 hotels in the state.
  - Medium Hotel: taxable sales equivalent to the average of the top 300 hotels in the state.
  - Mega Restaurant: taxable sales of 150.0% of the average of the top 10 restaurants in the state.
  - Large Restaurant: taxable sales equivalent to the average of the top 50 restaurants in the state.
  - Medium Restaurant: taxable sales equivalent to the average of the top 1,000 restaurants in the state.
  - Retailer: average of retail stores in Iowa cities with a population of more than 10,000 (not including department stores or home improvement centers).
  - Boutique: average of retailers in cities with a population of more than 10,000.
- **Table 1** provides the estimated taxable sales amounts and fund transfers for each of the four scenarios. Data reflects district amounts for FY 2017.

<b>Table 1. Estimated Taxable Sales and Fund Transfers for Reinvestment District Scenarios Fiscal Year 2017</b>				
Average Taxable Sales				
	Population Areas Above 10,000		Population Areas of less than 10,000	
	Scenario One	Scenario Two	Scenario Three	Scenario Four
Mega Hotel	\$ 12,452,357			
Large Hotel		\$ 8,301,571	\$ 8,301,571	
Medium Hotel				\$ 1,718,169
Mega Restaurant	\$ 7,269,330			
Large Restaurant	\$ 5,615,211	\$ 5,615,211	\$ 5,615,211	
Medium Restaurant		\$ 1,998,443		\$ 1,998,443
Retailer	\$ 1,284,723	\$ 1,284,723		
Boutique	\$ 272,918	\$ 272,918	\$ 272,918	\$ 272,918
Boutique	\$ 272,918	\$ 272,918		
<b>Total</b>	<b>\$ 27,167,456</b>	<b>\$ 17,745,783</b>	<b>\$ 14,189,700</b>	<b>\$ 3,989,530</b>
FY 2017 Fund Transfers				
	Scenario One	Scenario Two	Scenario Three	Scenario Four
Hotel/Motel	\$ 622,618	\$ 415,079	\$ 415,079	\$ 85,908
Sales Tax	\$ 588,604	\$ 377,768	\$ 235,525	\$ 90,854
<b>Total</b>	<b>\$ 1,211,222</b>	<b>\$ 792,847</b>	<b>\$ 650,604</b>	<b>\$ 176,763</b>

- Based on the four scenarios, six example districts are considered with commencement dates between July 1, 2015, and July 1, 2018. New retail establishments reflect the scenarios in Table 1 and hotel investment types include new construction, renovation, or expansion.
- Construction cost estimates include \$72.2 million for a mega and large hotel, \$22.6 million for a medium hotel, \$1.4 million for a mega and large restaurant, and \$0.9 million for a retailer. Medium restaurant construction costs are assumed at half the cost of large restaurants, and boutique construction costs are assumed at half the cost of the retailer

amount. Growth in construction costs are based on consumer price index increases as forecasted by Moody's Analytics.

- Additional construction assumptions include:
  - Hotel construction requires two years prior to any lessor sales.
  - A new restaurant, retailer, or boutique requires one year of construction before sales. Sales at the new establishments are half of the expected amounts while hotel construction continues.
  - Hotels undergoing renovations have no new sales for one year.
  - Hotels undergoing expansion continue sales at the prior levels, but increase significantly after renovation.
  - Renovations to restaurants are assumed to not to disrupt overall sales.
  
- Based on the four scenarios provided above, the estimates assumes six example districts. **Table 2 and Table 3** in the fiscal impact section provides the investment and fiscal impact detail of each example district. Assumptions for the example districts include:
  - District 1: Assumes scenario one with all newly constructed establishments and a commencement date starting in FY 2017.
  - District 2: Assumes scenario four with a renovated hotel, other new construction, and commencement date starting in FY 2016.
  - District 3: Assumes scenario two with a renovated hotel and restaurant, other new construction, and commencement date starting in FY 2017.
  - District 4: Assumes scenario four with all newly constructed establishments and commencement date starting in FY 2018.
  - District 5: Assumes scenario two with all newly constructed establishments and commencement date starting in FY 2019.
  - District 6: Assumes scenario three with expansion of a hotel that adds an attraction (increases sales from a medium hotel level to large hotel level), other new construction, and commencement date starting in FY 2019.
  
- State sales tax and state hotel and motel tax revenue deposited in the State Reinvestment District Fund is defined as “new” state tax revenue under this legislation. However, sales from retailers within the district, to some extent, will impact sales from retailers outside but near the reinvestment district. Any sales made within the district that would have occurred outside the district will result in a net reduction of 4/6th of state sales tax that normally would be deposited in the State General Fund. This same issue applies to state hotel and motel tax revenue with any room rentals occurring inside the reinvestment district that reduce room rentals outside the district and will result in a net reduction in the state hotel/motel tax amount. This specific amount of these occurrences is unknown and is not reflected in the fiscal impact.
  
- The Department of Revenue will incur administrative costs to implement this legislation. This includes start-up costs for staff and technological improvements and ongoing costs for 2.0 FTE positions to manage and monitor transactions.

### **Fiscal Impact**

The estimated fiscal impact [S-3247](#) is unknown and will largely depend on the number, composition, and timing of reinvestment district projects. However, since the total amount of state tax revenue to be remitted to the Reinvestment District Fund is capped at \$100.0 million, the amount will not exceed \$100.0 million. Any fiscal impact is not anticipated to occur prior to FY 2015.

**Table 2** provides detailed information on the six example districts. Based on these examples and total investment level of \$281.3 million, the maximum amount of state sales and hotel and motel tax awarded will total \$98.5 million. Based on the assumptions for these example districts, the total amount deposited in the State Reinvestment District Fund is estimated to total \$88.5 million over a period of 20 years. Two of the six example districts (Districts 4 and 5) will not generate enough tax revenue to reach the maximum reinvestment award. The remaining example districts (Districts 1, 2, 3, and 6) are estimated to reach the capped level prior to the 20-year expiration.

Initial Year	District Example	Hotel Project	Total Investment	Maximum Reinvestment Award	Eligible Taxable Sales		State Reinvestment District Fund Transfers		
					Hotel	Retailers	Hotel/Motel	Sales and Use	Total
FY 2017	1	Mega Hotel Construction	\$ 80,100,000	\$ 28,035,000	\$274,932,755	\$ 357,209,057	\$13,746,638	\$14,288,362	\$28,035,000
FY 2016	2	Medium Hotel Renovation	\$ 11,200,000	\$ 3,920,000	\$ 38,103,155	\$ 50,371,056	\$ 1,905,158	\$ 2,014,842	\$ 3,920,000
FY 2017	3	Large Hotel Renovation	\$ 54,300,000	\$ 19,005,000	\$198,993,442	\$ 226,383,198	\$ 9,949,672	\$ 9,055,328	\$19,005,000
FY 2018	4	Medium Hotel Construction	\$ 25,300,000	\$ 8,855,000	\$ 48,454,558	\$ 64,055,253	\$ 2,422,728	\$ 2,562,210	\$ 4,984,938
FY 2019	5	Large Hotel Construction	\$ 83,100,000	\$ 29,085,000	\$241,338,429	\$ 274,556,613	\$12,066,921	\$10,982,265	\$23,049,186
FY 2019	6	Medium Hotel Expansion	\$ 27,300,000	\$ 9,555,000	\$120,552,060	\$ 88,184,925	\$ 6,027,603	\$ 3,527,397	\$ 9,555,000
<b>Total</b>			<b>\$ 281,300,000</b>	<b>\$ 98,455,000</b>	<b>\$922,374,399</b>	<b>\$1,060,760,102</b>	<b>\$46,118,720</b>	<b>\$42,430,404</b>	<b>\$88,549,124</b>

Notes: Investment amounts are based on data from ReedConstructionData.com. Taxable sales are based on Department of Revenue sales tax information for FY 2012. Investments are adjusted for forecasted inflation and sales are adjusted for forecasted retail sales growth from Moody's Analytics. It is assumed that hotel construction will take two years to complete, pushing the commencement date two years after the application date; hotel renovations will require one year to complete.

**Table 3** provides the amount of new State sales tax and State hotel and motel tax generated by each example reinvestment district after the commencement date by fiscal year. Based on these examples and investment level amounts, District 1, District 2, District 3 and District 6 will reach the maximum reinvestment award prior to the 20-year period. District 4 and District 5 will receive reinvestment district funds for the full 20 years without reaching maximum reinvestment reward amount.

Fiscal Year	District 1 - Mega Hotel Construction	District 2 - Medium Hotel Renovation	District 3 - Large Hotel Renovation	District 4 - Medium Hotel Construction	District 5 - Large Hotel Construction	District 6 - Medium Hotel Expansion	Fiscal Year Total
FY 2014	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
FY 2015	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
FY 2016	\$ 0	\$ 170,094	\$ 0	\$ 0	\$ 0	\$ 0	\$ 170,094
FY 2017	\$ 1,269,772	\$ 176,763	\$ 792,847	\$ 0	\$ 0	\$ 0	\$ 2,239,382
FY 2018	\$ 1,314,151	\$ 182,941	\$ 820,558	\$ 182,941	\$ 0	\$ 0	\$ 2,500,590
FY 2019	\$ 1,357,955	\$ 189,039	\$ 847,909	\$ 189,039	\$ 847,909	\$ 681,468	\$ 4,113,319
FY 2020	\$ 1,401,139	\$ 195,050	\$ 874,873	\$ 195,050	\$ 874,873	\$ 703,797	\$ 4,244,784
FY 2021	\$ 1,446,388	\$ 201,349	\$ 903,126	\$ 201,349	\$ 903,126	\$ 726,307	\$ 4,381,646
FY 2022	\$ 1,493,461	\$ 207,902	\$ 932,519	\$ 207,902	\$ 932,519	\$ 749,829	\$ 4,524,132
FY 2023	\$ 1,542,673	\$ 214,753	\$ 963,247	\$ 214,753	\$ 963,247	\$ 774,345	\$ 4,673,019
FY 2024	\$ 1,591,771	\$ 221,588	\$ 993,904	\$ 221,588	\$ 993,904	\$ 799,540	\$ 4,822,294
FY 2025	\$ 1,641,363	\$ 228,492	\$ 1,024,869	\$ 228,492	\$ 1,024,869	\$ 824,788	\$ 4,972,874
FY 2026	\$ 1,691,312	\$ 235,445	\$ 1,056,057	\$ 235,445	\$ 1,056,057	\$ 850,264	\$ 5,124,580
FY 2027	\$ 1,742,648	\$ 242,591	\$ 1,088,112	\$ 242,591	\$ 1,088,112	\$ 876,114	\$ 5,280,167
FY 2028	\$ 1,795,384	\$ 249,932	\$ 1,121,040	\$ 249,932	\$ 1,121,040	\$ 902,677	\$ 5,440,005
FY 2029	\$ 1,848,590	\$ 257,339	\$ 1,154,262	\$ 257,339	\$ 1,154,262	\$ 929,785	\$ 5,601,576
FY 2030	\$ 1,903,815	\$ 265,027	\$ 1,188,745	\$ 265,027	\$ 1,188,745	\$ 736,086	\$ 5,547,445
FY 2031	\$ 1,960,215	\$ 272,878	\$ 1,223,961	\$ 272,878	\$ 1,223,961	\$ 0	\$ 4,953,893
FY 2032	\$ 2,018,824	\$ 281,037	\$ 1,260,556	\$ 281,037	\$ 1,260,556	\$ 0	\$ 5,102,010
FY 2033	\$ 2,015,540	\$ 127,778	\$ 1,299,131	\$ 289,637	\$ 1,299,131	\$ 0	\$ 5,031,217
FY 2034	\$ 0	\$ 0	\$ 1,338,886	\$ 298,501	\$ 1,338,886	\$ 0	\$ 2,976,272
FY 2035	\$ 0	\$ 0	\$ 120,400	\$ 307,635	\$ 1,379,857	\$ 0	\$ 1,807,892
FY 2036	\$ 0	\$ 0	\$ 0	\$ 317,049	\$ 1,422,083	\$ 0	\$ 1,739,132
FY 2037	\$ 0	\$ 0	\$ 0	\$ 326,751	\$ 1,465,600	\$ 0	\$ 1,792,352
FY 2038	\$ 0	\$ 0	\$ 0	\$ 0	\$ 1,510,450	\$ 0	\$ 1,510,450
<b>District Total</b>	<b>\$ 28,035,000</b>	<b>\$ 3,920,000</b>	<b>\$ 19,005,000</b>	<b>\$ 4,984,938</b>	<b>\$ 23,049,186</b>	<b>\$ 9,555,000</b>	<b>\$88,549,124</b>

Note: Assumes all development would have occurred in the absence of the Iowa Reinvestment Fund.

The Department of Revenue will incur start-up costs for staff and technological improvements estimated at \$250,000 for the first year. Ongoing costs of \$180,000 will be incurred in the following years for costs associated with 2.0 FTE positions required to manage and monitor transactions.

**Source**

Iowa Department of Revenue

/s/ Holly M. Lyons

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May 14, 2013

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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.

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