

**CHAPTER 1101****BROWNFIELD REDEVELOPMENT PROGRAM***H.F. 2423*

**AN ACT** creating a brownfield redevelopment program and fund and a brownfield redevelopment advisory council.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. NEW SECTION. 15.291 DEFINITIONS.

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

1. "Brownfield site" means an abandoned, idled, or underutilized industrial or commercial facility where expansion or redevelopment is complicated by real or perceived environmental contamination. A brownfield site includes property contiguous with the property on which the individual or commercial facility is located. A brownfield site shall not include property which has been placed or is proposed to be included on the national priorities list established pursuant to the federal Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. § 9601 et seq.

2. "Sponsorship" means an agreement between a city or county and an applicant for assistance under the brownfield redevelopment program where the city or county agrees to offer assistance or guidance to the applicant.

Sec. 2. NEW SECTION. 15.292 BROWNFIELD REDEVELOPMENT PROGRAM.

1. The department shall establish and administer a brownfield redevelopment program for purposes of providing financial and technical assistance for the acquisition, remediation, or redevelopment of brownfield sites. Financial assistance under the program shall be provided from the brownfield redevelopment fund created in section 15.293. Technical assistance under the program shall be in the form of providing an applicant with assistance in identifying other alternative forms of assistance for which the applicant may be eligible.

2. A person owning a site may apply for assistance under the program if the site for which assistance is sought meets the definition of a brownfield site and the applicant has secured sponsorship prior to applying. Sponsorship is not required if the applicant is a city or county.

3. a. A person who is not an owner of a site may apply for financial assistance under the program if the site for which financial assistance is sought meets the definition of a brownfield site and the applicant has secured sponsorship prior to applying. Sponsorship is not required if the applicant is a city or county.

b. Prior to applying for financial assistance under this subsection, an applicant shall enter into an agreement with the owner of the brownfield site for which financial assistance is sought. The agreement shall be submitted with an application for financial assistance and shall include, at a minimum, the following:

(1) An agreement regarding the estimated total cost for remediating the brownfield site.

(2) An agreement that the owner shall transfer title of the property to the applicant upon completion of the remediation of the property.

(3) An agreement that, upon the subsequent sale of the property by the applicant to a person other than the original owner, the original owner shall receive not more than seventy-five percent of the estimated total cost of remediation.

c. An applicant shall not receive financial assistance of more than twenty-five percent of the agreed upon estimated total cost of remediation.

d. Upon the subsequent sale of the property by the applicant to a person other than the original owner, the applicant shall repay the department for financial assistance received by the applicant. The repayment shall be in an amount equal to the sales price less the amount paid to the original owner pursuant to the agreement between the applicant and the original owner. The repayment amount shall not exceed the amount of financial assistance received by the applicant.

4. An application for assistance under the program shall include any information required by the department including, but not limited to, all of the following:
  - a. A business plan which includes a remediation plan.
  - b. A budget for remediating or redeveloping the site.
  - c. A statement of purpose describing the intended use of and proposed repayment schedule for any financial assistance received by the applicant.
  - d. Evidence of sponsorship.
5. In reviewing an application for financial assistance, the department and the brownfield redevelopment advisory council established in section 15.294 shall consider all of the following:
  - a. Whether the brownfield site meets the definition of a brownfield site.
  - b. Whether other alternative forms of assistance exist for which the applicant may be eligible.
6. The board may approve, deny, or defer each application for financial assistance from the brownfield redevelopment fund created in section 15.293.

Sec. 3. NEW SECTION. 15.293 BROWNFIELD REDEVELOPMENT FUND.

1. A brownfield redevelopment fund is created in the state treasury under the control of the department and consisting of any moneys appropriated by the general assembly and any other moneys available to and obtained or accepted by the department for placement in the fund.
2. Payments of interest, repayments of moneys loaned pursuant to this part, and recaptures of loans shall be deposited in the fund.
3. The fund shall be used to provide grants, loans, forgivable loans, loan guarantees, and other forms of assistance under the brownfield redevelopment program established in section 15.292.
4. Moneys in the fund are not subject to section 8.33. Notwithstanding section 12C.7, interest or earnings on moneys in the fund shall be credited to the fund.

Sec. 4. NEW SECTION. 15.294 BROWNFIELD REDEVELOPMENT ADVISORY COUNCIL.

1. The department shall establish a brownfield redevelopment advisory council consisting of five members. The advisory council shall be composed of all of the following:
  - a. The director of the department of economic development, or the director's designee.
  - b. The director of the department of natural resources, or the director's designee.
  - c. The director of transportation, or the director's designee.
  - d. One person selected by the board of directors of the Iowa league of cities.
  - e. One member of the Iowa economic development board selected by the board.
2. The director of the department of economic development, or the director's designee, shall serve as the chairperson of the advisory council.
3. The advisory council shall review each application received by the department of economic development for assistance under the brownfield redevelopment program and make recommendations to the department regarding all of the following:
  - a. The completeness of the application.
  - b. Suggestions for alternative forms of assistance for which the applicant may be eligible. The alternative forms of assistance may include assistance programs available through other departments.
  - c. Whether the applicant should receive financial assistance from the brownfield redevelopment fund created in section 15.293.

Sec. 5. NEW SECTION. 15.295 RULES.

The department, in consultation with the department of natural resources, shall adopt rules pursuant to chapter 17A as necessary to administer this part.

Sec. 6. RULES.

1. The state department of transportation shall amend existing administrative rules pursuant to chapter 17A for local development projects under the revitalize Iowa's sound economy fund to include a rating factor for remediation or redevelopment of a brownfield site.

2. The department of economic development shall amend existing administrative rules pursuant to chapter 17A for projects under the community economic betterment program to include a rating factor for remediation or redevelopment of a brownfield site.

Approved April 14, 2000

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**CHAPTER 1102**  
INTERNATIONAL RELATIONS  
*H.F. 2442*

**AN ACT** relating to international relations including the creation of an international relations advisory council and the designation of legislative and executive branch protocol officers.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. NEW SECTION. 2D.1 INTERNATIONAL RELATIONS ADVISORY COUNCIL.

1. An international relations advisory council is created to provide coordination of state and local international relations activities, through both the public and private sectors, and to provide recommendations to the governor and to the general assembly relating to international relations activities.

2. The international relations advisory council shall consist of all of the following members:

a. The co-chairpersons of the international relations committee established by the legislative council, or their designees.

b. Two members of the senate who are members of the international relations committee of the legislative council, appointed by the majority leader of the senate, after consultation with the president of the senate, and the minority leader of the senate, and two members of the house of representatives who are members of the international relations committee of the legislative council, appointed by the speaker of the house, after consultation with the majority leader and the minority leader of the house of representatives.

c. The director of the department of economic development, or the director's designee.

d. The secretary of agriculture, or the secretary's designee.

e. The director of the department of general services, or the director's designee.

f. The director of the department of workforce development, or the director's designee.

g. The director of the department of cultural affairs, or the director's designee.

h. The director of the department of education, or the director's designee.

i. The director of the department of public health, or the director's designee.

j. Representatives of agriculture, private business and industry, international programs provided through universities and colleges located in this state, Iowa sister states, the refugee services center of the department of human services, and others, selected by the legislative council, based upon recommendations made by the international relations committee of the legislative council.

3. The co-chairpersons of the international relations committee of the legislative council shall serve as co-chairpersons of the advisory council.

4. The executive branch protocol officer and the legislative branch protocol officer shall act in a consultative capacity to the advisory council. The legislative branch protocol officer shall provide staff support to the advisory council.

5. The advisory council shall do all of the following: