

House Amendment 1675

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1 1 Amend House File 822 as follows:
1 2 #1. By striking everything after the enacting
1 3 clause and inserting the following:
1 4 <DIVISION I
1 5 REBUILD IOWA INFRASTRUCTURE FUND
1 6 Section 1. There is appropriated from the rebuild
1 7 Iowa infrastructure fund to the following departments
1 8 and agencies for the fiscal year beginning July 1,
1 9 2009, and ending June 30, 2010, the following amounts,
1 10 or so much thereof as is necessary, to be used for the
1 11 purposes designated:
1 12 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
1 13 a. For distribution to other governmental entities
1 14 for the payment of services related to the integrated
1 15 information for Iowa system, notwithstanding section
1 16 8.57, subsection 6, paragraph "c":
1 17 \$ 3,700,000
1 18 Moneys appropriated in this lettered paragraph
1 19 shall be separately accounted for in a distribution
1 20 account and shall be distributed to other governmental
1 21 entities based upon a formula established by the
1 22 department to pay for services provided during the
1 23 fiscal year to such other governmental entities by the
1 24 department associated with the integrated information
1 25 for Iowa system.
1 26 During the fiscal year, the department may use up
1 27 to \$1,000,000 of unexpended or unobligated funds in
1 28 the information technology operations fund established
1 29 under the provisions of section 8A.123 to provide
1 30 funding for costs associated with the integrated
1 31 information for Iowa system. By October 31, 2010, the
1 32 department shall report to the department of
1 33 management and the legislative services agency
1 34 regarding any moneys that are used for this purpose.
1 35 b. For routine maintenance of state buildings and
1 36 facilities, notwithstanding section 8.57, subsection
1 37 6, paragraph "c":
1 38 \$ 3,000,000
1 39 Of the amounts appropriated in this lettered
1 40 paragraph, up to \$1,000,000 may be used for demolition
1 41 purposes.
1 42 c. For costs associated with improvements to and
1 43 renovation of the Wallace building for extending the
1 44 useful life of the building:
1 45 \$ 1,500,000
1 46 d. For upgrades to the electrical distribution
1 47 system serving the capitol complex:
1 48 \$ 850,000
1 49 e. For costs associated with capitol interior and
1 50 exterior restoration and for compliance with the
2 1 federal Americans With Disabilities Act:
2 2 \$ 5,000,000
2 3 f. For heating, ventilating, and air conditioning
2 4 improvements in the Hoover state office building:
2 5 \$ 1,500,000
2 6 g. For costs associated with the central energy
2 7 plant addition and improvements:
2 8 \$ 623,000
2 9 h. For costs associated with Mercy capitol
2 10 hospital building operations upon acquisition of the
2 11 hospital, notwithstanding section 8.57, subsection 6,
2 12 paragraph "c":
2 13 \$ 500,000
2 14 i. For costs associated with the restoration and
2 15 renovation, including major repairs and major
2 16 maintenance, at the governor's mansion at Terrace
2 17 Hill:
2 18 \$ 769,543
2 19 j. For the state's share of support in conjunction
2 20 with the city of Des Moines and local area businesses
2 21 to provide a free shuttle service to the citizens of
2 22 Iowa that includes transportation between the capitol
2 23 complex and the downtown Des Moines area,
2 24 notwithstanding section 8.57, subsection 6, paragraph

2 25 "c":
 2 26 \$ 188,000
 2 27 Details for the shuttle service, including the
 2 28 route to be served, shall be determined pursuant to an
 2 29 agreement to be entered into by the department with
 2 30 the Des Moines area regional transit authority (DART)
 2 31 and any other participating entities.
 2 32 Of the amount appropriated in this lettered
 2 33 paragraph, up to \$50,000 shall be used to encourage
 2 34 state employees to utilize transit services provided
 2 35 by the Des Moines area regional transit authority.
 2 36 2. DEPARTMENT OF CORRECTIONS
 2 37 For project management costs at Fort Madison and
 2 38 Mitchellville prison, associated with construction
 2 39 projects at the department, notwithstanding section
 2 40 8.57, subsection 6, paragraph "c":
 2 41 \$ 1,750,000
 2 42 3. DEPARTMENT OF CULTURAL AFFAIRS
 2 43 a. For deposit into the Iowa great places program
 2 44 fund created in section 303.3D for Iowa great places
 2 45 program projects that meet the definition of the term
 2 46 "vertical infrastructure" in section 8.57, subsection
 2 47 6, paragraph "c":
 2 48 \$ 1,900,000
 2 49 b. For costs relating to a traveling exhibit and
 2 50 museum exhibit of the sesquicentennial of the American
 3 1 civil war including but not limited to restoration and
 3 2 duplication of muster records, publishing and
 3 3 publication costs, relocation of battle flag
 3 4 laboratory to a public viewing area including
 3 5 educational and program costs, notwithstanding section
 3 6 8.57, subsection 6, paragraph "c":
 3 7 \$ 350,000
 3 8 c. For grants for a cultural community grant
 3 9 program:
 3 10 \$ 200,000
 3 11 The department shall establish a cultural community
 3 12 grant program to provide grants for a cultural and
 3 13 educational center to showcase an immigrant community
 3 14 from Laos and Vietnam and their cultures. The
 3 15 department shall distribute the grants on a
 3 16 competitive basis to communities with an approved plan
 3 17 for the establishment of the cultural center.
 3 18 Applications must be submitted to the department no
 3 19 later than July 15, 2009.
 3 20 d. For historical site preservation grants to be
 3 21 used for the restoration, preservation, and
 3 22 development of historic sites:
 3 23 \$ 1,000,000
 3 24 In making grants pursuant to this lettered
 3 25 paragraph, the department shall consider the existence
 3 26 and amount of other funds available to an applicant
 3 27 for the designated project. A grant awarded from
 3 28 moneys appropriated in this lettered paragraph shall
 3 29 not exceed \$100,000 per project. Not more than two
 3 30 grants may be awarded in the same county.
 3 31 4. DEPARTMENT OF ECONOMIC DEVELOPMENT
 3 32 a. For equal distribution to regional sports
 3 33 authority districts certified by the department
 3 34 pursuant to section 15E.3211, notwithstanding section
 3 35 8.57, subsection 6, paragraph "c":
 3 36 \$ 500,000
 3 37 b. For deposit into the workforce training and
 3 38 economic development funds for each community college
 3 39 in section 260C.18A, notwithstanding section 8.57,
 3 40 subsection 6, paragraph "c":
 3 41 \$ 2,000,000
 3 42 Moneys from this lettered paragraph may be used to
 3 43 provide job training services to underserved
 3 44 populations in Iowa. "Underserved populations"
 3 45 include people making less than twenty thousand
 3 46 dollars annual net income, minorities, women, disabled
 3 47 persons, the elderly, and people convicted of felonies
 3 48 trying to reenter society after release from prison.
 3 49 c. For a city with a population between seven
 3 50 hundred fifty and eight hundred fifty within a county
 4 1 with a population of between six thousand seven
 4 2 hundred and six thousand eight hundred as determined
 4 3 by the 2000 certified federal census for demolition
 4 4 costs for a building asbestos abatement:
 4 5 \$ 50,000

4 6 d. For costs associated with the hosting of a
4 7 national junior summer olympics by a nonprofit sports
4 8 organization, notwithstanding section 8.57, subsection
4 9 6, paragraph "c":
4 10 \$ 200,000
4 11 e. For the renovation of a building for the
4 12 relocation of a juvenile courthouse in a county with a
4 13 population between thirty=nine thousand and forty=one
4 14 thousand as determined by the 2000 certified federal
4 15 census:
4 16 \$ 100,000
4 17 f. For fire station improvements in a city with a
4 18 population between twenty=one thousand and
4 19 twenty=three thousand as determined by the 2000
4 20 certified federal census:
4 21 \$ 200,000
4 22 g. For a community center that hosts congregate
4 23 meals in a city with a population between seven
4 24 hundred forty=six and seven hundred fifty=six as
4 25 determined by the 2000 certified federal census for
4 26 compliance with the federal Americans With
4 27 Disabilities Act:
4 28 \$ 10,000
4 29 5. DEPARTMENT OF EDUCATION
4 30 To provide resources for structural and
4 31 technological improvements to local libraries and for
4 32 the enrich Iowa program, notwithstanding section 8.57,
4 33 subsection 6, paragraph "c":
4 34 \$ 1,000,000
4 35 Of the moneys appropriated in this subsection,
4 36 \$50,000 shall be allocated equally to each library
4 37 service area.
4 38 6. DEPARTMENT OF HUMAN SERVICES
4 39 For a mental health systems community development
4 40 building safety improvements including electrical
4 41 wiring and emergency systems in a city with a
4 42 population between five thousand fifty and six
4 43 thousand fifty as determined by the 2000 certified
4 44 federal census:
4 45 \$ 200,000
4 46 7. DEPARTMENT OF NATURAL RESOURCES
4 47 a. For implementation of lake projects that have
4 48 established watershed improvement initiatives and
4 49 community support in accordance with the department's
4 50 annual lake restoration plan and report,
5 1 notwithstanding section 8.57, subsection 6, paragraph
5 2 "c":
5 3 \$ 12,800,000
5 4 It is the intent of the general assembly that the
5 5 department of natural resources shall implement the
5 6 lake restoration annual report and plan submitted to
5 7 the joint appropriations subcommittee on
5 8 transportation, infrastructure, and capitals and the
5 9 legislative services agency pursuant to section
5 10 456A.33B. The lake restoration projects that are
5 11 recommended by the department to receive funding for
5 12 fiscal year 2007=2008 and that satisfy the criteria in
5 13 section 456A.33B, including local commitment of
5 14 funding for the projects, shall be funded in the
5 15 amounts provided in the report.
5 16 b. For floodplain management and dam safety,
5 17 notwithstanding section 8.57, subsection 6, paragraph
5 18 "c":
5 19 \$ 2,000,000
5 20 Of the amounts appropriated in this lettered
5 21 paragraph, up to \$400,000 is authorized for stream
5 22 gages to be used for tracking and predicting flood
5 23 events and for compiling necessary data relating to
5 24 flood frequency analysis.
5 25 Of the number of full=time equivalent positions
5 26 authorized to the department for FY 2009=2010 pursuant
5 27 to 2009 Iowa Acts, Senate File 467, if enacted, up to
5 28 21.00 full=time equivalent positions shall be
5 29 allocated for the floodplain management and dam safety
5 30 program.
5 31 c. For deposit in the loess hills development and
5 32 conservation fund created in section 161D.2 for
5 33 allocation to the fund's hungry canyons account for
5 34 purposes of streambed erosion and degradation to the
5 35 loess hills area, notwithstanding section 8.57,
5 36 subsection 6, paragraph "c":

5 37 \$ 100,000
5 38 d. For the administration of a water trails and
5 39 low head dam public hazard statewide plan, including
5 40 salaries, support, maintenance, and miscellaneous
5 41 purposes, notwithstanding section 8.57, subsection 6,
5 42 paragraph "c":
5 43 \$ 800,000
5 44 8. DEPARTMENT OF PUBLIC DEFENSE
5 45 a. For major maintenance projects at national
5 46 guard armories and facilities:
5 47 \$ 1,500,000
5 48 b. For construction and renovation costs at the
5 49 Davenport aviation readiness center:
5 50 \$ 2,000,000
6 1 c. For construction and renovation costs at the
6 2 Mt. Pleasant readiness center:
6 3 \$ 1,000,000
6 4 9. DEPARTMENT OF PUBLIC HEALTH
6 5 For a grant to an existing national affiliated
6 6 volunteer eye organization that has an established
6 7 program for children and adults and that is solely
6 8 dedicated to preserving sight and preventing blindness
6 9 through education, nationally certified vision
6 10 screening and training, community and patient service
6 11 programs, notwithstanding section 8.57, subsection 6,
6 12 paragraph "c":
6 13 \$ 130,000
6 14 10. STATE BOARD OF REGENTS
6 15 a. For phase II of the construction and renovation
6 16 of the veterinary medical facilities at Iowa state
6 17 university of science and technology, specifically the
6 18 renovation and modernization of the area formerly
6 19 occupied by the large animal area of the teaching
6 20 hospital for expanded clinical services for a small
6 21 animal hospital:
6 22 \$ 6,000,000
6 23 b. For the Iowa flood center, as established
6 24 pursuant to section 466C.2, as enacted in this Act,
6 25 including salaries, support, maintenance, and
6 26 miscellaneous purposes, notwithstanding section 8.57,
6 27 subsection 6, paragraph "c":
6 28 \$ 1,300,000
6 29 11. IOWA STATE FAIR
6 30 For infrastructure improvements to the Iowa state
6 31 fairgrounds including but not limited to the
6 32 construction of an agricultural exhibition center on
6 33 the Iowa state fairgrounds:
6 34 \$ 5,500,000
6 35 12. DEPARTMENT OF TRANSPORTATION
6 36 a. To provide funds for capital improvements and
6 37 for related studies for expanding passenger rail
6 38 services in Iowa, notwithstanding section 8.57,
6 39 subsection 6, paragraph "c":
6 40 \$ 3,000,000
6 41 b. For acquiring, constructing, and improving
6 42 recreational trails within the state:
6 43 \$ 3,500,000
6 44 Moneys appropriated in this lettered paragraph may
6 45 be used for purposes of building equestrian or
6 46 snowmobile trails that run parallel to a recreational
6 47 trail. It is the intent of the general assembly to
6 48 promote multiple uses for trails funding in this
6 49 lettered paragraph and to maximize the number of trail
6 50 users.
7 1 Of the amounts appropriated in this lettered
7 2 paragraph, \$750,000 shall be allocated for the
7 3 development of a riverwalk in a central Iowa city with
7 4 a population between one hundred ninety-five thousand
7 5 and two hundred thousand as determined by the 2000
7 6 federal census and \$500,000 shall be allocated for the
7 7 construction and development of a trail bridge across
7 8 a river located in northeastern Iowa that would link
7 9 the east and west sides of the Pinicon ridge park.
7 10 c. For deposit into the railroad revolving loan
7 11 and grant fund created in section 327H.20A,
7 12 notwithstanding section 8.57, subsection 6, paragraph
7 13 "c":
7 14 \$ 1,500,000
7 15 d. For infrastructure improvement grants at
7 16 general aviation airports within the state:
7 17 \$ 750,000

7 18 13. TREASURER OF STATE
7 19 a. For county fair infrastructure improvements for
7 20 distribution in accordance with chapter 174 to
7 21 qualified fairs which belong to the association of
7 22 Iowa fairs:
7 23 \$ 1,590,000
7 24 b. For deposit in the watershed improvement fund
7 25 created in section 466A.2, notwithstanding section
7 26 8.57, subsection 6, paragraph "c":
7 27 \$ 5,000,000
7 28 14. DEPARTMENT OF VETERANS AFFAIRS
7 29 For transfer to the Iowa finance authority for the
7 30 continuation of the home ownership assistance program
7 31 for persons who are or were eligible members of the
7 32 armed forces of the United States, pursuant to section
7 33 16.54, notwithstanding section 8.57, subsection 6,
7 34 paragraph "c":
7 35 \$ 1,600,000
7 36 Of the funds transferred pursuant to this
7 37 subsection, the Iowa finance authority may retain not
7 38 more than \$20,000 for administrative purposes.
7 39 Sec. 2. There is appropriated from the rebuild
7 40 Iowa infrastructure fund to the following departments
7 41 and agencies for the fiscal year beginning July 1,
7 42 2010, and ending June 30, 2011, the following amounts,
7 43 or so much thereof as is necessary, to be used for the
7 44 purposes designated:
7 45 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
7 46 For projects related to major repairs and major
7 47 maintenance for state buildings and facilities under
7 48 the purview of the department:
7 49 \$ 15,000,000
7 50 2. DEPARTMENT OF CORRECTIONS
8 1 For expansion, including land acquisition, of the
8 2 community-based corrections facility at Des Moines:
8 3 \$ 5,000,000
8 4 The appropriation in this subsection is contingent
8 5 upon relocation of the sex offender treatment program
8 6 from the community-based corrections facility at Des
8 7 Moines to the property in northeast Des Moines
8 8 identified by the fifth judicial district in the
8 9 facility and site study final report submitted
8 10 December 12, 2008.
8 11 3. DEPARTMENT OF ECONOMIC DEVELOPMENT
8 12 For costs associated with the renovation and
8 13 expansion of phase II of a zoo project located in a
8 14 city with a population of between one hundred ninety
8 15 thousand and two hundred thousand as determined by the
8 16 2000 certified federal census:
8 17 \$ 500,000
8 18 4. STATE BOARD OF REGENTS
8 19 For phase II of the construction and renovation of
8 20 the veterinary medical facilities at Iowa state
8 21 university of science and technology, specifically the
8 22 renovation and modernization of the area formerly
8 23 occupied by the large animal area of the teaching
8 24 hospital for expanded clinical services in a small
8 25 animal hospital:
8 26 \$ 22,000,000
8 27 5. IOWA STATE FAIR
8 28 For infrastructure improvements to the Iowa state
8 29 fairgrounds including but not limited to the
8 30 construction of an agricultural exhibition center on
8 31 the Iowa state fairgrounds:
8 32 \$ 2,500,000
8 33 6. DEPARTMENT OF TRANSPORTATION
8 34 For deposit into the railroad revolving loan and
8 35 grant fund created in section 327H.20A,
8 36 notwithstanding section 8.57, subsection 6, paragraph
8 37 "c":
8 38 \$ 2,000,000
8 39 Sec. 3. There is appropriated from the rebuild
8 40 Iowa infrastructure fund to the department of
8 41 transportation for the fiscal year beginning July 1,
8 42 2011, and ending June 30, 2012, the following amounts,
8 43 or so much thereof as is necessary, to be used for the
8 44 purposes designated:
8 45 For deposit into the railroad revolving loan and
8 46 grant fund created in section 327H.20A,
8 47 notwithstanding section 8.57, subsection 6, paragraph
8 48 "c":

8 49 \$ 2,000,000
8 50 Sec. 4. REVERSION. For purposes of section 8.33,
9 1 unless specifically provided otherwise, unencumbered
9 2 or unobligated moneys made from an appropriation in
9 3 this division of this Act shall not revert but shall
9 4 remain available for expenditure for the purposes
9 5 designated until the close of the fiscal year that
9 6 ends three years after the end of the fiscal year for
9 7 which the appropriation was made. However, if the
9 8 project or projects for which such appropriation was
9 9 made are completed in an earlier fiscal year,
9 10 unencumbered or unobligated moneys shall revert at the
9 11 close of that same fiscal year.
9 12 DIVISION II
9 13 REBUILD IOWA INFRASTRUCTURE FUND == GROW
9 14 IOWA VALUES FUND
9 15 Notwithstanding the amount of the standing
9 16 appropriation from the rebuild Iowa infrastructure
9 17 fund as provided in section 15G.110, subsection 2,
9 18 there is appropriated from the rebuild Iowa
9 19 infrastructure fund to the department of economic
9 20 development for deposit into the grow Iowa values
9 21 fund, in lieu of the appropriation made in section
9 22 15G.110, subsection 2, for the fiscal year beginning
9 23 July 1, 2009, and ending June 30, 2010, the following
9 24 amount, notwithstanding section 8.57, subsection 6,
9 25 paragraph "c":
9 26 \$ 45,000,000
9 27
9 28 DIVISION III
9 29 TECHNOLOGY REINVESTMENT FUND
9 30 Sec. 5. There is appropriated from the technology
9 31 reinvestment fund created in section 8.57C to the
9 32 following departments and agencies for the fiscal year
9 33 beginning July 1, 2009, and ending June 30, 2010, the
9 34 following amounts, or so much thereof as is necessary,
9 35 to be used for the purposes designated:
9 36 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
9 37 For technology improvement projects:
9 38 \$ 2,037,184
9 39 2. DEPARTMENT OF CORRECTIONS
9 40 For costs associated with the Iowa corrections
9 41 offender network data system:
9 42 \$ 500,000
9 43 3. DEPARTMENT OF EDUCATION
9 44 a. For maintenance and lease costs associated with
9 45 connections for Part III of the Iowa communications
9 46 network:
9 47 \$ 2,727,000
9 48 b. For the implementation of an educational data
9 49 warehouse that will be utilized by teachers, parents,
9 50 school district administrators, area education agency
10 1 staff, department of education staff, and
10 2 policymakers:
10 3 \$ 600,000
10 4 The department may use a portion of the moneys
10 5 appropriated in this lettered paragraph for an
10 6 e-transcript data system capable of tracking students
10 7 throughout their education via interconnectivity with
10 8 multiple schools.
10 9 4. DEPARTMENT OF HUMAN RIGHTS
10 10 For costs associated with the justice enterprise
10 11 data warehouse:
10 12 \$ 361,072
10 13 5. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD
10 14 For technological improvements for the board's
10 15 electronic filing system including an online
10 16 searchable database:
10 17 \$ 15,000
10 18 6. IOWA LAW ENFORCEMENT ACADEMY
10 19 For technology upgrades for the development of
10 20 computer online testing and training and for a
10 21 firearms training simulator:
10 22 \$ 185,000
10 23 7. IOWA TELECOMMUNICATIONS AND TECHNOLOGY
10 24 COMMISSION
10 25 a. For replacement of equipment for the Iowa
10 26 communications network:
10 27 \$ 2,211,863
10 28 The commission may continue to enter into contracts
10 29 pursuant to section 8D.13 for the replacement of

10 30 equipment and for operations and maintenance costs of
10 31 the network.

10 32 In addition to moneys appropriated in this lettered
10 33 paragraph, the commission may use a financing
10 34 agreement entered into by the treasurer of state in
10 35 accordance with section 12.28 for the replacement of
10 36 equipment for the network. For purposes of this
10 37 lettered paragraph, the treasurer of state is not
10 38 subject to the maximum principal limitation contained
10 39 in section 12.28, subsection 6. Repayment of any
10 40 amounts financed shall be made from receipts
10 41 associated with fees charged for use of the network.

10 42 b. For generator replacement:
10 43 \$ 2,755,246

10 44 c. For continued additions to network redundancy
10 45 for continuity of operations for the capitol complex:
10 46 \$ 2,320,000

10 47 8. DEPARTMENT OF PUBLIC DEFENSE

10 48 For the homeland security and emergency management
10 49 division for grants to support 211 nonprofit call
10 50 centers providing human resources information to
11 1 citizens of this state:
11 2 \$ 250,000

11 3 The division shall award moneys appropriated
11 4 pursuant to this section to support the statewide
11 5 improvement of a free and confidential telephone
11 6 hotline available twenty-four hours a day, seven days
11 7 a week, that provides information or refers callers to
11 8 appropriate private or government entities that
11 9 provide assistance relating to families, housing,
11 10 food, health, legal advice, child and senior services,
11 11 or volunteer opportunities.

11 12 9. DEPARTMENT OF PUBLIC SAFETY

11 13 For continuation of payments on the lease-purchase
11 14 of the automated fingerprint identification system:
11 15 \$ 350,000

11 16 Sec. 6. REVERSION. For purposes of section 8.33,
11 17 unless specifically provided otherwise, unencumbered
11 18 or unobligated moneys made from an appropriation in
11 19 this division of this Act shall not revert but shall
11 20 remain available for expenditure for the purposes
11 21 designated until the close of the fiscal year that
11 22 ends three years after the end of the fiscal year for
11 23 which the appropriation was made. However, if the
11 24 project or projects for which such appropriation was
11 25 made are completed in an earlier fiscal year,
11 26 unencumbered or unobligated moneys shall revert at the
11 27 close of that same fiscal year.

11 28 DIVISION IV
11 29 TAX=EXEMPT BOND PROCEEDS RESTRICTED
11 30 CAPITAL FUNDS ACCOUNT

11 31 Sec. 7. There is appropriated from the tax-exempt
11 32 bond proceeds restricted capital funds account of the
11 33 tobacco settlement trust fund to the department of
11 34 administrative services for the fiscal year beginning
11 35 July 1, 2009, and ending June 30, 2010, the following
11 36 amount, or so much thereof as is necessary, to be used
11 37 for the purposes designated:
11 38 For projects related to major repairs and major
11 39 maintenance for state buildings and facilities under
11 40 the purview of the department:
11 41 \$ 195,484

11 42 Sec. 8. TAX=EXEMPT STATUS == USE OF
11 43 APPROPRIATIONS. Payment of moneys from the
11 44 appropriations in this division of this Act shall be
11 45 made in a manner that does not adversely affect the
11 46 tax-exempt status of any outstanding bonds issued by
11 47 the tobacco settlement authority.

11 48 DIVISION V
11 49 TRANSFERS

11 50 Sec. 9. ENDOWMENT FOR IOWA'S HEALTH RESTRICTED
12 1 CAPITALS FUND AND TAX=EXEMPT BOND PROCEEDS RESTRICTED
12 2 CAPITALS FUND == TRANSFERS. Notwithstanding any
12 3 provision of law to the contrary, the unencumbered or
12 4 unobligated balances of the endowment for Iowa's
12 5 health restricted capitals fund at the close of the
12 6 fiscal year beginning July 1, 2009, and the tax-exempt
12 7 bond proceeds restricted capitals fund at the close of
12 8 the fiscal year beginning July 1, 2009, or the close
12 9 of any succeeding fiscal year, shall be transferred to
12 10 the department of administrative services for projects

12 11 related to major repairs and major maintenance for
12 12 state buildings and facilities under the purview of
12 13 the department. Upon receipt of a transfer, the
12 14 department of administrative services shall report to
12 15 the legislative services agency and to the department
12 16 of management the amount transferred in conjunction
12 17 with the department's report filed pursuant to section
12 18 8.57, subsection 6, paragraph "h".

12 19 DIVISION VI
12 20 SUBCHAPTER I

12 21 ALTERNATIVE PUBLIC PROJECT DELIVERY PILOT PROGRAM
12 22 Sec. 10. NEW SECTION. 26A.1 DEFINITIONS.

12 23 As used in this chapter, unless the context clearly
12 24 indicates otherwise:

12 25 1. "Alternative project delivery" means procuring
12 26 and delivering design and construction services for a
12 27 public project according to the selection procedure
12 28 outlined in subchapter II.

12 29 2. "Construction documents" means the drawings,
12 30 specifications, technical submissions, and other
12 31 documents upon which a construction project is based.

12 32 3. "Construction services" means the process of
12 33 planning, building, equipping, altering, repairing,
12 34 improving, or demolishing any structure or
12 35 appurtenance thereto, including facilities, utilities,
12 36 or other improvements to real property, but excluding
12 37 highways, roads, bridges, dams, or stand-alone parking
12 38 lots.

12 39 4. "Criteria consultant" means an individual
12 40 employed or retained by the governmental entity to
12 41 assist in the preparation of a request for
12 42 qualifications and a request for proposals. A
12 43 criteria consultant shall have professional licensure
12 44 or significant professional experience in a field
12 45 related to the proposed public project. If the design
12 46 criteria package for a public project includes the
12 47 practice of architecture under chapter 544A, the
12 48 practice of engineering under chapter 542B, or the
12 49 practice of landscape architecture under chapter 544B,
12 50 the criteria consultant shall be a design
13 1 professional.

13 2 5. "Design professional" means an individual who
13 3 is licensed to practice architecture, engineering, or
13 4 landscape architecture in this state.

13 5 6. "Design-build services" means a method of
13 6 alternative project delivery for which both design and
13 7 construction services are provided under one contract.
13 8 "Design-build services" may include architecture,
13 9 engineering, and related design services required for
13 10 a given project and the labor, materials, and other
13 11 construction services for the project.

13 12 7. "Design-builder" means an individual,
13 13 partnership, joint venture, corporation, or other
13 14 legal entity that furnishes design-build services,
13 15 whether by itself or through subcontracts.

13 16 8. "Estimated total cost" means the estimated
13 17 total cost to a governmental entity to construct a
13 18 public project, including the cost of labor,
13 19 materials, equipment, supplies, and fees.

13 20 9. "Governmental entity" means the department of
13 21 administrative services or an institution under the
13 22 control of the state board of regents.

13 23 10. "Preconstruction services" means a series of
13 24 services including but not limited to scheduling,
13 25 review of design, estimating, cost control, value
13 26 engineering, constructability evaluation, and
13 27 preparation and coordination of bid packages.

13 28 11. "Public project" means a project under the
13 29 control of a governmental entity with an estimated
13 30 total cost in excess of ten million dollars that is
13 31 paid for in whole or in part with funds of the
13 32 governmental entity, including a building or
13 33 improvement constructed or operated jointly with any
13 34 other public or private agency. A "public project"
13 35 may include planning, acquiring, designing, building,
13 36 equipping, altering, repairing, improving, or
13 37 demolishing any structure or appurtenance thereto,
13 38 including facilities, utilities, or other improvements
13 39 to any real property owned by or under the control of
13 40 the governmental entity, but excluding highways,
13 41 roads, bridges, dams, or stand-alone parking lots.

13 42 However, a parking lot included as part of the site
13 43 work of a public project may be included as part of a
13 44 design-build services contract. Parking ramps and
13 45 parking garages are not considered to be parking lots
13 46 and may be a "public project" constructed utilizing
13 47 alternative project delivery methods.

13 48 12. "Selection plan" means a written procedure
13 49 adopted by a governmental entity that establishes the
13 50 evaluation criteria for submissions in response to the
14 1 request for qualifications and the request for
14 2 proposals and specifies criteria and scoring
14 3 methodology relating to the selection of a
14 4 design-builder for a public project.

14 5 13. "Total contract cost" means the guaranteed
14 6 maximum cost or the lump sum total cost of the public
14 7 project as defined in the public project contract
14 8 between the governmental entity and the
14 9 design-builder.

14 10 Sec. 11. NEW SECTION. 26A.2 ALTERNATIVE PROJECT
14 11 DELIVERY COMMISSION.

14 12 1. An alternative project delivery commission is
14 13 established consisting of seven members.

14 14 2. Members of the commission shall consist of all
14 15 of the following:

14 16 a. One member appointed by the state board of
14 17 regents.

14 18 b. One member appointed by the director of the
14 19 department of administrative services.

14 20 c. One member appointed by the Iowa chapter of the
14 21 American institute of architects.

14 22 d. One member appointed by the American council of
14 23 engineering companies of Iowa.

14 24 e. One member appointed by the Iowa chapter of the
14 25 design-build institute of America.

14 26 f. One member appointed by the master builders of
14 27 Iowa.

14 28 g. One member appointed by the mechanical
14 29 contractors association of Iowa.

14 30 3. Each member of the commission shall serve until
14 31 January 15, 2012, or until the member resigns. A
14 32 vacancy on the commission shall be filled in the same
14 33 manner as the original appointment. The appointment
14 34 of members is subject to the requirements of sections
14 35 69.16 and 69.16A.

14 36 4. The member appointed by the state board of
14 37 regents shall serve as the chairperson of the
14 38 commission.

14 39 5. Meetings of the commission may be called by the
14 40 chairperson or by a majority of the members.

14 41 6. A majority of the members of the commission
14 42 constitutes a quorum. Any action taken by the
14 43 commission must be adopted by the affirmative vote of
14 44 a majority of its membership.

14 45 7. A member shall not vote on a matter before the
14 46 commission if the individual has a pecuniary,
14 47 equitable, or other interest in the matter or
14 48 conditions exist that would interfere with the
14 49 member's ability to properly discharge the member's
14 50 duties.

15 1 8. The duties of the commission shall include all
15 2 of the following:

15 3 a. Administer the alternative project delivery
15 4 pilot program created under section 26A.3.

15 5 b. Prepare and file with the governor and the
15 6 general assembly on or before January 15, 2012, a
15 7 report detailing the activities of the commission and
15 8 summarizing each public project selected for inclusion
15 9 in the alternative project delivery pilot program,
15 10 including information related to the cost to the
15 11 governmental entity, the duration of the public
15 12 project, whether the goals of the public project were
15 13 met, the quality of the work and services performed in
15 14 completing the public project, the transparency of the
15 15 alternative project delivery process, the impact of
15 16 the alternative project delivery process on the
15 17 persons contracted with to perform the work and
15 18 services for a public project, and any other
15 19 information the commission deems relevant.

15 20 c. Adopt policies and procedures to carry out any
15 21 duty specified in this chapter.

15 22 Sec. 12. NEW SECTION. 26A.3 ALTERNATIVE PROJECT

15 23 DELIVERY PILOT PROGRAM.

15 24 1. The alternative project delivery commission
15 25 shall administer an alternative project delivery pilot
15 26 program consistent with the requirements of this
15 27 chapter. The purpose of the pilot program is to
15 28 determine whether alternative project delivery methods
15 29 are financially beneficial and efficient for
15 30 governmental entities in undertaking public projects.

15 31 2. The pilot program shall consist of public
15 32 projects selected by the commission and undertaken by
15 33 governmental entities using the alternative project
15 34 delivery method authorized under subchapter II. The
15 35 selection of public projects for inclusion in the
15 36 pilot program shall be completed no later than
15 37 November 1, 2010.

15 38 3. A governmental entity that is interested in
15 39 undertaking a public project using alternative project
15 40 delivery methods shall submit an application to the
15 41 commission detailing the nature of the project. Each
15 42 application shall be on a form prescribed by the
15 43 commission and may include additional materials
15 44 requested by the commission.

15 45 4. The commission shall review each application
15 46 and shall select those public projects for inclusion
15 47 in the pilot program which are best suited to
15 48 accomplish the purposes of the pilot program. In
15 49 selecting public projects for inclusion in the pilot
15 50 program the commission shall consider all of the
16 1 following:

16 2 a. The likelihood that the public project will
16 3 provide a cost savings to the governmental entity as
16 4 compared to the use of competitive bid procedures
16 5 under other provisions of law.

16 6 b. Whether the use of design=build services,
16 7 including the simultaneous completion of design and
16 8 construction phases of the public project, meets the
16 9 needs of the governmental entity.

16 10 c. Whether the public project requires the use of
16 11 an accelerated design and construction schedule as a
16 12 result of an emergency situation.

16 13 d. Whether the public project presents
16 14 complexities that would best be addressed through the
16 15 use of an integrated team under the direction of a
16 16 design=builder.

16 17 e. Whether the use of an alternative project
16 18 delivery method would diminish competition for the
16 19 public project.

16 20 5. The commission shall monitor the selection
16 21 process for each public project selected for inclusion
16 22 in the pilot program and may require the governmental
16 23 entity to provide periodic updates on the public
16 24 project following selection of a design=builder for
16 25 the public project.

16 26 6. Notwithstanding any other provision of law to
16 27 the contrary, a governmental entity may utilize the
16 28 alternative project delivery procedures under this
16 29 chapter to procure design=build services related to
16 30 the completion of a public project.

16 31 Sec. 13. NEW SECTION. 26A.4 PUBLIC NOTICE.

16 32 A governmental entity utilizing the alternative
16 33 project delivery method under subchapter II shall
16 34 publish public notices as follows:

16 35 1. The notice shall be published at least once,
16 36 not less than fifteen and not more than forty=five
16 37 days before the date for filing submissions, if
16 38 applicable, in a newspaper published at least once
16 39 weekly and having general circulation in the
16 40 geographic area served by the governmental entity and
16 41 in a relevant trade publication.

16 42 2. The notice may also be published in a relevant
16 43 contractor organization publication and a relevant
16 44 contractor plan room service with statewide
16 45 circulation, provided that a notice is posted on an
16 46 internet site sponsored by either the governmental
16 47 entity or a statewide association that represents the
16 48 governmental entity.

16 49 Sec. 14. NEW SECTION. 26A.5 PUBLIC RECORDS.

16 50 Each proposal received by a governmental entity
17 1 under this chapter, together with the name of the
17 2 proposer, after award or letting of the contract, is
17 3 subject to public inspection upon request. The

17 4 governmental entity shall, within five days after
17 5 award or letting of the contract, publish notice of
17 6 the name of the successful proposer including the
17 7 proposer's scores received pursuant to the selection
17 8 process under subchapter II. In addition, such notice
17 9 shall include the names of all proposers whose
17 10 proposals were not selected, together with each
17 11 proposer's scores.

17 12 Sec. 15. NEW SECTION. 26A.6 PROHIBITION ON
17 13 PROVIDING FINANCING.

17 14 The design-builder executing the construction or
17 15 design of a public project utilizing an alternative
17 16 project delivery method under subchapter II shall not
17 17 provide any financing, funding, or facility operations
17 18 for the public project.

17 19 SUBCHAPTER II
17 20 DESIGN=BUILD PROJECT DELIVERY
17 21 BEST VALUE SELECTION

17 22 Sec. 16. NEW SECTION. 26A.11 APPLICATION TO THE
17 23 COMMISSION.

17 24 1. When in the judgment of the governing body of a
17 25 governmental entity it is desirable to use
17 26 design-build services pursuant to a best value
17 27 selection process for the completion of a public
17 28 project, the governmental entity shall prepare a
17 29 selection plan and submit an application to the
17 30 alternative project delivery commission pursuant to
17 31 section 26A.3, subsection 3. If the public project is
17 32 selected by the alternative project delivery
17 33 commission for inclusion in the pilot program, the
17 34 governmental entity shall select a design-builder in
17 35 accordance with the procedures of this subchapter.

17 36 2. A criteria consultant shall be employed or
17 37 retained to assist the governmental entity in
17 38 preparing a request for qualifications and a request
17 39 for proposals. The criteria consultant may be an
17 40 employee of the governmental entity or an individual
17 41 retained specifically to assist the governmental
17 42 entity with the public project. The request for
17 43 qualifications and the request for proposals shall
17 44 specify the selection criteria and scoring methodology
17 45 included in the selection plan. The criteria
17 46 consultant shall also assist the governmental entity
17 47 in selecting a design-builder. A criteria consultant
17 48 employed or retained by the governmental entity shall
17 49 not submit a statement of qualifications or a proposal
17 50 for the public project.

18 1 Sec. 17. NEW SECTION. 26A.12 BEST VALUE
18 2 SELECTION PROCESS == GENERAL PROCEDURE.

18 3 The governmental entity shall select a
18 4 design-builder for a public project pursuant to a
18 5 two-phase selection process.

18 6 1. Phase I of the selection process includes
18 7 publication of a request for qualifications by the
18 8 governmental entity, review of the statements of
18 9 qualifications, and the selection of a minimum of two
18 10 but not more than five design-builders to advance to
18 11 phase II.

18 12 2. Phase II includes a request for proposals, the
18 13 receipt of proposals from those design-builders
18 14 selected during phase I, including a separate cost and
18 15 schedule proposal, an interview with each
18 16 design-builder that submits a proposal, evaluation of
18 17 each proposal, and selection of a design-builder for
18 18 the public project.

18 19 Sec. 18. NEW SECTION. 26A.13 PHASE I == REQUEST
18 20 FOR QUALIFICATIONS, STATEMENT, EVALUATION, AND
18 21 SELECTION.

18 22 1. During phase I, the governmental entity shall
18 23 publish notice of a request for qualifications
18 24 pursuant to the requirements of section 26A.4. The
18 25 governmental entity shall specify in the request for
18 26 qualifications a time, place, and other specific
18 27 instructions for the submission of the statements of
18 28 qualifications, the amount of the stipend required to
18 29 be paid by the governmental entity under section
18 30 26A.14, subsection 9, and may include any terms of
18 31 contract. A statement of qualifications not submitted
18 32 according to the instructions shall be rejected and
18 33 returned to the design-builder.

18 34 2. Each design-builder shall submit a statement of

18 35 qualifications that includes but is not limited to the
18 36 following information:

- 18 37 a. Similar project experience, including
- 18 38 experience in the design=build method of alternative
- 18 39 project delivery.
- 18 40 b. Qualifications of proposed project personnel.
- 18 41 c. References from similar projects.
- 18 42 d. The design=builder's experience modification
- 18 43 rating and a description of the design=builder's
- 18 44 safety plan.
- 18 45 e. Bonding capacity and insurance.

18 46 Design=builders submitting a statement of
18 47 qualifications shall be capable of providing a bond
18 48 according to the requirements of chapter 573, shall
18 49 include evidence of such bonding capacity, and shall
18 50 include evidence of all required insurance with their
19 1 statement of qualifications. If a design=builder
19 2 fails to include evidence of bonding capacity or
19 3 required insurance, the design=builder shall be deemed
19 4 unqualified for selection under phase I.

- 19 5 f. Other information requested by the governmental
- 19 6 entity in accordance with the selection plan.

19 7 3. The governmental entity shall evaluate and
19 8 score each statement of qualifications received
19 9 according to the predetermined selection criteria and
19 10 scoring methodology that were specified in the request
19 11 for qualifications. The cost or fees associated with
19 12 a public project shall not be considered by the
19 13 governmental entity when evaluating a statement of
19 14 qualifications.

- 19 15 4. The governmental entity shall select a minimum
19 16 of two and a maximum of five design=builders who have
19 17 the highest scores to proceed to phase II. Scores
19 18 assigned during phase I shall not carry forward to
19 19 phase II. The governmental entity shall have
19 20 discretion to disqualify any design=builder that lacks
19 21 the minimum qualifications required to perform the
19 22 design=build services for the public project. If two
19 23 qualified design=builders cannot be identified, the
19 24 selection process shall cease. If all design=builders
19 25 are rejected, the governmental entity may solicit new
19 26 proposals using different design and budget criteria.

19 27 Sec. 19. NEW SECTION. 26A.14 PHASE II == REQUEST
19 28 FOR PROPOSALS, PROPOSAL REVIEW, SELECTION, AND
19 29 NEGOTIATION.

- 19 30 1. During phase II, each design=builder selected
19 31 during phase I shall be given a request for proposals.
19 32 The request for proposals shall include but is not
19 33 limited to the following information:

 - 19 34 a. The procedures to be followed in submitting
19 35 proposals and information relating to design=builder
19 36 interviews under subsection 5.
 - 19 37 b. The selection criteria and scoring methodology
19 38 for the proposals.
 - 19 39 c. Information related to the requirements,
19 40 specifications, budget, and schedule for the public
19 41 project, including the specifications of the design
19 42 criteria package and the requirements and
19 43 specifications for design services, preconstruction
19 44 services, and construction services. The request for
19 45 proposals shall also specify any requirements for a
19 46 design professional who is employed by the
19 47 design=builder to assist in designing the public
19 48 project, including but not limited to requirements
19 49 relating to communication between the design
19 50 professional, the design=builder, and the governmental
20 1 entity, the amount of authority the design
20 2 professional has over the design of the public
20 3 project, and the responsibility of the design
20 4 professional to act in the best interest of the
20 5 governmental entity.
 - 20 6 d. The proposed terms and conditions for the
20 7 public project contract.
 - 20 8 e. The requirements for the submission of a
20 9 separate cost and schedule proposal.
 - 20 10 f. Other information requested by the governmental
20 11 entity in accordance with the selection plan.

- 20 12 2. Each design=builder selected during phase I may
20 13 submit a proposal to the governmental entity. Each
20 14 proposal submitted under this section shall not
20 15 contain references to costs associated with work

20 16 contained in the proposal. The governmental entity
20 17 shall evaluate and score each proposal according to
20 18 the selection criteria and scoring methodology
20 19 specified in the request for proposals.
20 20 3. Each design-builder selected during phase I
20 21 shall also provide the governmental entity with a
20 22 separate cost and schedule proposal. A proposal
20 23 submitted under subsection 2 and the cost and schedule
20 24 proposal may be submitted sequentially or
20 25 concurrently, according to the requirements of the
20 26 request for proposals. Failure to submit a cost and
20 27 schedule proposal according to the delivery
20 28 requirements of the request for proposals shall be
20 29 grounds to reject the proposal.
20 30 4. The cost and schedule proposal shall include
20 31 all of the following:
20 32 a. A total contract cost for the public project.
20 33 b. A bid security pursuant to chapter 573.
20 34 c. A proposed contract time, in calendar days, for
20 35 completing the public project.
20 36 d. Any other information required by the request
20 37 for proposals.
20 38 5. After the deadline for submission of proposals
20 39 has passed, the governmental entity shall interview
20 40 each design-builder that has submitted a proposal
20 41 individually, allowing each design-builder to present
20 42 the design-builder's proposed team members,
20 43 qualifications, and proposal, and to answer questions
20 44 from the governmental entity.
20 45 6. The cost and schedule proposals submitted under
20 46 subsection 3 shall be opened only after all proposals
20 47 submitted under subsection 2 have been evaluated and
20 48 scored and after completion of all design-builder
20 49 interviews under subsection 5. At the time that the
20 50 cost and schedule proposals are opened, the
21 1 governmental entity shall make public its scoring of
21 2 the proposals submitted under subsection 2. Cost and
21 3 schedule proposals shall be evaluated and scored
21 4 according to selection criteria and scoring
21 5 methodology specified in the request for proposals.
21 6 7. The governmental entity shall select the
21 7 design-builder receiving the highest score based on
21 8 the selection criteria and scoring methodology
21 9 specified in the request for proposals. The
21 10 governmental entity shall proceed to negotiate with
21 11 and attempt to enter into a contract with the selected
21 12 design-builder to serve as the design-builder for the
21 13 public project. If the governmental entity is unable
21 14 to negotiate a satisfactory contract with the selected
21 15 design-builder, negotiations with that design-builder
21 16 shall be terminated, and the governmental entity shall
21 17 undertake negotiations with the design-builder
21 18 receiving the second highest score. If negotiations
21 19 cannot be successfully completed with the
21 20 design-builder receiving the second highest score, the
21 21 contract shall not be awarded.
21 22 8. If the governmental entity determines that it
21 23 is not in its best interest to proceed with the public
21 24 project pursuant to the proposals offered, the
21 25 governmental entity shall reject all proposals. If
21 26 all proposals are rejected, the governmental entity
21 27 may solicit new statements of qualifications and
21 28 proposals using different design or budget criteria.
21 29 9. As an inducement to qualified design-builders,
21 30 the governmental entity shall pay a fair and
21 31 reasonable stipend, the amount of which shall be
21 32 established in the request for proposals, to each
21 33 design-builder who participates in phase II, but is
21 34 not selected as the design-builder for the public
21 35 project.

21 36 SUBCHAPTER III

21 37 REPEAL

21 38 Sec. 20. NEW SECTION. 26A.21 REPEAL.

21 39 This chapter is repealed June 30, 2012.

21 40 DIVISION VII

21 41 IOWA FLOOD CENTER

21 42 Sec. 21. Section 466B.3, subsection 6, paragraph
21 43 b, subparagraph (7), Code 2009, is amended by striking
21 44 the subparagraph.

21 45 Sec. 22. Section 466B.9, Code 2009, is amended to
21 46 read as follows:

21 47 466B.9 RULEMAKING AUTHORITY.
21 48 The department and the department of agriculture
21 49 and land stewardship shall have the power and
21 50 authority reasonably necessary to carry out the duties
22 1 imposed by this chapter. ~~As to the department, this~~
~~22 2 includes rulemaking authority to carry out the~~
~~22 3 regional watershed assessment program described in~~
~~22 4 section 466B.5. As to the department of agriculture~~
~~22 5 and land stewardship, this includes rulemaking~~
~~22 6 authority to assist in the implementation of~~
~~22 7 community-based subwatershed improvement plans.~~

22 8 Sec. 23. NEW SECTION. 466C.1 DEFINITIONS.
22 9 For purposes of this chapter, unless the context
22 10 otherwise requires:

22 11 1. "Center" means the Iowa flood center
22 12 established pursuant to section 466C.2.
22 13 2. "Council" means the water resources
22 14 coordinating council established in section 466B.3.
22 15 3. "Regional watershed" means the watershed of
22 16 hydrologic unit code scale 8.
22 17 4. "Subwatershed" means a watershed of hydrologic
22 18 unit code scale 12 or smaller.
22 19 5. "Watershed" means a geographic area in which
22 20 surface water is drained by rivers, streams, or other
22 21 bodies of water.

22 22 Sec. 24. NEW SECTION. 466C.2 IOWA FLOOD CENTER.

22 23 1. The state board of regents shall establish and
22 24 maintain in Iowa City as a part of the state
22 25 university of Iowa an Iowa flood center. In
22 26 conducting the activities of this chapter, the center
22 27 shall work cooperatively with the department of
22 28 natural resources, the department of agriculture and
22 29 land stewardship, the water resources coordinating
22 30 council, and other state and federal agencies.

22 31 2. The Iowa flood center shall have all of the
22 32 following purposes:

22 33 a. To develop hydrologic models for
22 34 physically-based flood frequency estimation and
22 35 real-time forecasting of floods, including hydraulic
22 36 models of floodplain inundation mapping.
22 37 b. To establish community-based programs to
22 38 improve flood monitoring and prediction along Iowa's
22 39 major waterways and to support ongoing flood research.
22 40 c. To share resources and expertise of the Iowa
22 41 flood center.
22 42 d. To assist in the development of a workforce in
22 43 the state knowledgeable regarding flood research,
22 44 prediction, and mitigation strategies.
22 45 e. To conduct the activities required by this
22 46 chapter in cooperation with various state and federal
22 47 agencies.

22 48 Sec. 25. NEW SECTION. 466C.3 REGIONAL WATERSHED
22 49 ASSESSMENT, PLANNING, AND PRIORITIZATION.

22 50 1. The center shall create a regional watershed
23 1 assessment program. The program shall assess all the
23 2 regional watersheds in the state.

23 3 a. Under the program, a statewide assessment shall
23 4 be conducted at the rate of approximately one-third of
23 5 the watersheds in the state per year, and an initial
23 6 statewide assessment shall be completed within three
23 7 years. Thereafter, the center shall review and update
23 8 the assessments on a regular basis.

23 9 b. Each regional watershed assessment shall
23 10 provide a summary of the overall condition of the
23 11 watershed. The information provided in the summary
23 12 may include land use patterns, soil types, slopes,
23 13 management practices, stream conditions, and both
23 14 point and nonpoint source impairments.

23 15 c. In conducting regional watershed assessments,
23 16 the center may identify and facilitate local data
23 17 collection to support the assessment process.

23 18 2. In conducting the regional watershed assessment
23 19 program, the center shall provide hydrologic and
23 20 geologic information sufficient for the council to
23 21 prioritize watersheds statewide and for the various
23 22 communities in those watersheds to plan remedial
23 23 efforts in their local communities and subwatersheds.

23 24 3. Upon completion of the initial statewide
23 25 assessment, and upon subsequent assessment updates,
23 26 the center shall report the results of the assessment,
23 27 and any updates, to the council and the general

23 28 assembly, and shall make the report available to the
23 29 public.

23 30 Sec. 26. NEW SECTION. 466C.4 COMMUNITY=BASED
23 31 SUBWATERSHED IMPROVEMENT PLANS.

23 32 1. After the center's completion of the initial
23 33 regional watershed assessment, and after the council's
23 34 prioritization of the regional watersheds, the council
23 35 shall initiate the organization of an interagency
23 36 integrated water resources committee to facilitate the
23 37 development and implementation of local,
23 38 community=based subwatershed improvement plans.

23 39 2. In facilitating the development of
23 40 community=based subwatershed improvement plans, the
23 41 interagency integrated water resources committee
23 42 shall, based on the results of the regional watershed
23 43 assessment program, identify critical subwatersheds
23 44 within priority regional watersheds and recruit
23 45 communities, citizen groups, local governmental
23 46 entities, or other stakeholders to engage in the
23 47 assessment, planning, prioritization, and
23 48 implementation of a local community=based subwatershed
23 49 improvement plan. The interagency integrated water
23 50 resources committee may assist in the formation of a
24 1 group of initial local community=based subwatershed
24 2 improvement plans that can be implemented as pilot
24 3 projects, in order to develop an effective process
24 4 that can be replicated across the state.

24 5 Sec. 27. NEW SECTION. 466C.5 COMMUNITY=BASED
24 6 SUBWATERSHED MONITORING.

24 7 1. After completion of the statewide regional
24 8 watershed assessment and prioritization, and
24 9 throughout the implementation of local community=based
24 10 subwatershed improvement plans, the center shall
24 11 assist communities with the monitoring and measurement
24 12 of local subwatersheds. The monitoring and
24 13 measurement shall be designed for the particular needs
24 14 of individual communities while considering statewide
24 15 watershed issues.

24 16 2. Local communities in which the center conducts
24 17 subwatershed monitoring shall use the information to
24 18 support subwatershed planning activities, guide
24 19 supplemental local data collection efforts, and
24 20 identify priority areas needing additional resources.
24 21 Local communities shall collect data over time and use
24 22 the data to evaluate the impacts of their management
24 23 efforts. Data collected, as directed by interagency
24 24 integrated water resources committees, shall be
24 25 integrated into a digital regional watershed framework
24 26 in real-time, or near real-time, by the center for use
24 27 in assessment and planning by all the communities in
24 28 the watershed. The center shall integrate digital
24 29 regional watershed information into a digital
24 30 statewide framework for assessment and planning for
24 31 state water resources planning.

24 32 Sec. 28. NEW SECTION. 466C.6 DEVELOPMENT OF
24 33 ADVANCED NUMERICAL TOOLS FOR WATER RESOURCES
24 34 MANAGEMENT.

24 35 1. After completion of the statewide regional
24 36 watershed assessment and prioritization, the center
24 37 shall develop and implement physically based
24 38 hydrologic models to improve watershed and community
24 39 scale flood prediction and mitigation planning.

24 40 a. Physically based hydrologic models shall be
24 41 used to improve understanding of frequency of flood
24 42 occurrence within the state and to guide risk-based
24 43 flood mitigation planning.

24 44 b. Physically based hydrologic models shall be
24 45 used in conjunction with hydrologic sensor networks to
24 46 provide real-time river discharge forecasts to aid
24 47 communities in implementing flood response plans.

24 48 2. The center shall produce flood inundation maps
24 49 relating the spatial extent of flooding to predicted
24 50 stream flows.

25 1 a. The center shall perform hydrodynamic
25 2 simulations of river flow to create detailed water
25 3 surface profiles for use in developing high-resolution
25 4 flood inundation maps. A library of inundation maps
25 5 including but not limited to the one hundred year and
25 6 five hundred year recurrence intervals shall be
25 7 developed and made available along all rivers and
25 8 streams within each watershed. In addition to the

25 9 static library of flood inundation maps, the center
25 10 shall provide real-time forecasted flood inundation
25 11 maps during the threat of severe flooding for
25 12 imperiled communities.

25 13 b. Flood inundation maps shall be stored in a
25 14 geospatial database and publicly distributed through
25 15 web-based applications.

25 16 Sec. 29. NEW SECTION. 466C.7 COMMUNITY
25 17 ENGAGEMENT AND TRAINING.

25 18 1. The center shall implement statewide programs
25 19 to educate Iowans on water quality, best management
25 20 practices, and flood risk and mitigation.

25 21 2. The center shall provide technical training
25 22 through regional workshops and short courses to water
25 23 resources professionals in state agencies, city and
25 24 county administrators, and private companies.
25 25 Training shall focus on application of hydrologic and
25 26 water quality monitoring and forecasting technologies.

25 27 DIVISION VIII

25 28 CHANGES TO PRIOR APPROPRIATIONS

25 29 Sec. 30. 2005 Iowa Acts, chapter 178, section 9,
25 30 is amended to read as follows:

25 31 SEC. 9. REVERSION.

25 32 1. Notwithstanding Except as provided in
25 33 subsection 2 and notwithstanding section 8.33, moneys
25 34 appropriated from the rebuild Iowa infrastructure fund
25 35 in this division of this Act, except for the moneys
25 36 appropriated in section 1, subsection 2, paragraph
25 37 "a", for maintenance costs of the department of
25 38 corrections and subsection 5, paragraph "d", for the
25 39 vocational rehabilitation division of the department
25 40 of education, shall not revert at the close of the
25 41 fiscal year for which they were appropriated but shall
25 42 remain available for the purposes designated until the
25 43 close of the fiscal year that begins July 1, 2008, or
25 44 until the project for which the appropriation was made
25 45 is completed, whichever is earlier. This section does
25 46 not apply to the sections in this division of this Act
25 47 that were previously enacted and are amended in this
25 48 division of this Act.

25 49 2. Notwithstanding section 8.33, moneys
25 50 appropriated in section 3, subsection 1, paragraph h
26 1 of this division of this Act shall not revert at the
26 2 close of the fiscal year for which they were
26 3 appropriated but shall remain available for the
26 4 purpose designated until the close of the fiscal year
26 5 that begins July 1, 2009, or until the project for
26 6 which the appropriation was made is completed,
26 7 whichever is earlier.

26 8 Sec. 31. 2007 Iowa Acts, chapter 219, section 7,
26 9 subsection 1, is amended to read as follows:

26 10 1. For costs associated with the construction and
26 11 establishment of the Iowa institute for biomedical
26 12 discovery at the state university of Iowa:

26 13 FY 2008=2009..... \$ 10,000,000
26 14 FY 2009=2010..... \$ ~~10,000,000~~

26 15
26 16 FY 2010=2011..... \$ 10,000,000 0

26 17 Sec. 32. 2008 Iowa Acts, chapter 1178, section 18,
26 18 is amended by adding the following new subsection:

26 19 NEW SUBSECTION. 7. Notwithstanding section 8.33,
26 20 moneys appropriated in this section shall not revert
26 21 at the close of the fiscal year for which they are
26 22 appropriated but shall remain available for the
26 23 purposes designated until the close of the fiscal year
26 24 that begins July 1, 2009. The full-time equivalent
26 25 position authorized in this section shall continue to
26 26 be authorized until the close of the fiscal year that
26 27 begins July 1, 2009.

26 28 Sec. 33. 2008 Iowa Acts, chapter 1178, section 19,
26 29 is amended to read as follows:

26 30 SEC. 19. WATER TRAILS AND LOW HEAD DAM PUBLIC
26 31 HAZARD STATEWIDE PLAN == APPROPRIATION. There is
26 32 appropriated from any interest or earnings on moneys
26 33 in the federal economic stimulus and jobs holding fund
26 34 to the department of natural resources for the fiscal
26 35 year beginning July 1, 2008, and ending June 30, 2009,
26 36 the following amount, or so much thereof as is
26 37 necessary, to be used for the purposes designated:

26 38 For the establishment and administration of a water
26 39 trails and low head dam public hazard statewide plan,

26 40 including salaries, support, maintenance, and
26 41 miscellaneous purposes:
26 42 \$ 250,000
26 43 Notwithstanding section 8.33, moneys appropriated
26 44 in this section shall not revert at the close of the
26 45 fiscal year for which they are appropriated but shall
26 46 remain available for the purposes designated until the
26 47 close of the fiscal year that begins July 1, 2009.
26 48 Sec. 34. 2008 Iowa Acts, chapter 1179, section 1,
26 49 subsection 1, paragraph e, is amended to read as
26 50 follows:
27 1 e. For the state's share of support in conjunction
27 2 with the city of Des Moines and local area businesses
27 3 to provide a free shuttle service to the citizens of
27 4 Iowa visiting the capitol complex that includes
27 5 transportation between the capitol complex and the
27 6 downtown Des Moines area, notwithstanding section
27 7 8.57, subsection 6, paragraph "c":
27 8 \$ ~~170,000~~
27 9 183,000
27 10 Details for the shuttle service, including the
27 11 route to be served, shall be determined pursuant to an
27 12 agreement to be entered into by the department with
27 13 the Des Moines area regional transit authority (DART)
27 14 and any other participating entities.
27 15 Of the amount appropriated in this lettered
27 16 paragraph, up to \$50,000 shall be used to encourage
27 17 state employees to utilize transit services provided
27 18 by the Des Moines area regional transit authority.
27 19 Sec. 35. 2008 Iowa Acts, chapter 1179, section 1,
27 20 subsection 1, is amended by adding the following new
27 21 paragraphs:
27 22 NEW PARAGRAPH. h. For projects related to major
27 23 repairs and major maintenance for state buildings and
27 24 facilities under the purview of the department:
27 25 \$ 2,000,000
27 26 NEW PARAGRAPH. i. For capital improvements at the
27 27 civil commitment unit for a sexual offenders facility
27 28 at Cherokee:
27 29 \$ 829,000
27 30 NEW PARAGRAPH. j. For costs associated with
27 31 capitol interior and exterior restoration and for
27 32 compliance with the federal Americans With
27 33 Disabilities Act:
27 34 \$ 1,900,000
27 35 NEW PARAGRAPH. k. For renovations to the capitol
27 36 complex utility tunnel system:
27 37 \$ 1,000,000
27 38 NEW PARAGRAPH. l. For heating, ventilating, and
27 39 air conditioning improvements in the Hoover state
27 40 office building:
27 41 \$ 165,000
27 42 NEW PARAGRAPH. m. (1) For the purchase of Mercy
27 43 capitol hospital:
27 44 \$ 3,950,000
27 45 (2) It is the intent of the general assembly that
27 46 the department will use other appropriations made or
27 47 other funds available to the department for the
27 48 acquisition of buildings to complete the purchase of
27 49 this building.
27 50 (3) The department is authorized to enter into
28 1 agreements for the use of Mercy capitol hospital, once
28 2 acquired by the state, with any state agency or other
28 3 governmental entity, political subdivision, as deemed
28 4 appropriate by the department.
28 5 Sec. 36. 2008 Iowa Acts, chapter 1179, section 1,
28 6 subsection 13, paragraph c, is amended to read as
28 7 follows:
28 8 c. For the construction of a depot and platform to
28 9 accommodate the future Amtrak service from Dubuque to
28 10 Chicago, notwithstanding section 8.57, subsection 6,
28 11 paragraph "c":
28 12 \$ 300,000
28 13 Sec. 37. 2008 Iowa Acts, chapter 1179, section 1,
28 14 subsection 14, paragraph a, is amended to read as
28 15 follows:
28 16 a. For county fair infrastructure improvements for
28 17 distribution in accordance with chapter 174 to
28 18 qualified fairs which belong to the association of
28 19 Iowa fairs:
28 20 \$ ~~1,590,000~~

28 21

28 22 Of the amount appropriated in this lettered
28 23 paragraph, \$530,000 shall be deposited into the
28 24 fairgrounds infrastructure aid fund created pursuant
28 25 to section 12.101, as enacted in this Act, for
28 26 fairgrounds infrastructure aid as provided in section
28 27 12.102, as enacted in this Act.

28 28 Sec. 38. 2008 Iowa Acts, chapter 1179, section 15,
28 29 subsection 4, paragraph b, is amended to read as
28 30 follows:

28 31 b. To the public broadcasting division for the
28 32 purchase and installation of generators at transmitter
28 33 sites:

28 34 \$ 1,602,437

28 35 Of the amount appropriated in this lettered
28 36 paragraph, up to \$210,477 may be used for operational
28 37 costs of the division for FY 2008=2009 and up to
28 38 \$1,000,000 may be used for operational costs of the
28 39 division for FY 2009=2010.

28 40 Sec. 39. 2008 Iowa Acts, chapter 1186, section 20,
28 41 subsection 2, is amended to read as follows:

28 42 2. Notwithstanding any provision of law to the
28 43 contrary, the unencumbered or unobligated balances of
28 44 the healthy Iowans tobacco trust ~~at the close of~~
28 45 available prior to the close of the fiscal year
28 46 beginning July 1, 2008, or the endowment for Iowa's
28 47 health account ~~at the close available prior to the~~
28 48 close of the fiscal year beginning July 1, 2008,
28 49 ~~or the close of any succeeding fiscal year~~ shall be
28 50 transferred to the general fund of the state.

29 1 Sec. 40. 2009 Iowa Acts, Senate File 344, section
29 2 9, subsection 3, if enacted, is amended by striking
29 3 the subsection and inserting in lieu thereof the
29 4 following:

29 5 3. Effective July 1, 2009, all funds remaining in
29 6 the accelerated career education account of the
29 7 physical infrastructure assistance fund created in
29 8 section 15E.175 shall be transferred to the
29 9 accelerated career education fund established in
29 10 section 260G.6, subsection 1, as amended by this Act.

29 11 Sec. 41. EFFECTIVE AND RETROACTIVE APPLICABILITY
29 12 DATES.

29 13 1. Except as provided in subsection 2, this
29 14 division of this Act, being deemed of immediate
29 15 importance, takes effect upon enactment.

29 16 2. The sections of this division of this Act,
29 17 amending 2008 Iowa Acts, chapter 1179, section 1,
29 18 subsection 13, paragraph "c"; section 1, subsection
29 19 14, paragraph "a"; and section 15, subsection 4,
29 20 paragraph "b", apply retroactively to July 1, 2008.

29 21 DIVISION IX
29 22 CODE CHANGES

29 23 Sec. 42. Section 8.57C, subsection 3, paragraph b,
29 24 Code 2009, is amended to read as follows:

29 25 b. There is appropriated from the rebuild Iowa
29 26 infrastructure fund for ~~each the fiscal year of the~~
29 27 ~~fiscal period~~ beginning July 1, 2008, and ending June
29 28 30, ~~2010 2009~~, the sum of seventeen million five
29 29 hundred thousand dollars, and for the fiscal year
29 30 beginning July 1, 2009, and ending June 30, 2010, the
29 31 sum of fourteen million five hundred twenty-five
29 32 thousand dollars to the technology reinvestment fund,
29 33 notwithstanding section 8.57, subsection 6, paragraph
29 34 "c".

29 35 Sec. 43. Section 12E.12, subsection 1, paragraph
29 36 b, subparagraph (2), subparagraph division (b), Code
29 37 2007, as amended by 2008 Iowa Acts, chapter 1186,
29 38 section 16, is amended to read as follows:

29 39 (b) For each fiscal year beginning July 1, 2009,
29 40 the moneys deposited in the endowment for Iowa's
29 41 health account of the tobacco settlement trust fund
29 42 are transferred to the ~~general fund of the state~~
29 43 rebuild Iowa infrastructure fund. The moneys
29 44 ~~transferred shall be used for the purposes specified~~
29 45 ~~in section 12E.3A.~~

29 46 Sec. 44. Section 15.329, subsection 7, Code 2009,
29 47 is amended by striking the subsection.

29 48 Sec. 45. Section 15F.201, Code 2009, is amended by
29 49 adding the following new subsection:

29 50 NEW SUBSECTION. 3. "River enhancement community
30 1 attraction and tourism project" means a project that

30 2 creates or enhances recreational opportunities and
30 3 community attractions on and near lakes or rivers or
30 4 river corridors within cities across the state under
30 5 the purview of the program.

30 6 Sec. 46. NEW SECTION. 15F.206 RIVER ENHANCEMENT
30 7 COMMUNITY ATTRACTION AND TOURISM PROJECTS ==
30 8 APPLICATION REVIEW.

30 9 1. Applications for assistance for river
30 10 enhancement community attraction and tourism projects
30 11 shall be submitted to the department. For those
30 12 applications that meet the eligibility criteria, the
30 13 department shall provide a staff review analysis and
30 14 evaluation to the vision Iowa program review committee
30 15 referred to in section 15F.304, subsection 2, and the
30 16 board.

30 17 2. When reviewing the applications, the vision
30 18 Iowa program review committee and the department shall
30 19 consider, at a minimum, all of the following:

30 20 a. Whether the wages, benefits, including health
30 21 benefits, safety, and other attributes of the project
30 22 would improve the quality of life or the quality of
30 23 attraction or tourism employment in the community.

30 24 b. The extent to which such a project would
30 25 generate additional recreational and cultural
30 26 attractions or tourism opportunities.

30 27 c. The ability of the project to produce a
30 28 long-term, tax-generating economic impact.

30 29 d. The location of the projects and geographic
30 30 diversity of the applications.

30 31 e. The project is primarily a vertical
30 32 infrastructure project with demonstrated substantial
30 33 regional or statewide economic impact. For purposes
30 34 of the program, "vertical infrastructure" means land
30 35 acquisition and construction, major renovation and
30 36 major repair of buildings, all appurtenant structures,
30 37 utilities, site development, and recreational trails
30 38 and water trails. "Vertical infrastructure" does not
30 39 include routine, recurring maintenance, or operational
30 40 expenses or leasing of a building, appurtenant
30 41 structure, or utility without a lease-purchase
30 42 agreement.

30 43 f. Whether the applicant has received financial
30 44 assistance under the program for the same project.

30 45 g. The extent to which the project has taken the
30 46 following planning principles into consideration:

30 47 (1) Efficient and effective use of land resources
30 48 and existing infrastructure by encouraging development
30 49 in areas with existing infrastructure or capacity to
30 50 avoid costly duplication of services and costly use of
31 1 land.

31 2 (2) Provision for a variety of transportation
31 3 choices, including pedestrian traffic.

31 4 (3) Maintenance of a unique sense of place by
31 5 respecting local cultural and natural environmental
31 6 features.

31 7 (4) Conservation of open space and farmland and
31 8 preservation of critical environmental areas.

31 9 (5) Promotion of the safety, livability, and
31 10 revitalization of existing urban and rural
31 11 communities.

31 12 3. Upon review of the recommendations of the
31 13 review committee, the board shall approve, defer, or
31 14 deny the applications.

31 15 4. Upon approval of an application for financial
31 16 assistance under the program, the board shall notify
31 17 the treasurer of state regarding the amount of moneys
31 18 needed to satisfy the award of financial assistance
31 19 and the terms of the award. The treasurer of state
31 20 shall notify the department anytime moneys are
31 21 disbursed to a recipient of financial assistance under
31 22 the program.

31 23 Sec. 47. Section 15F.304, subsection 2, Code 2009,
31 24 is amended to read as follows:

31 25 2. A review committee composed of eight members of
31 26 the board shall review vision Iowa program
31 27 applications and river enhancement community
31 28 attraction and tourism project applications submitted
31 29 to the board and make recommendations regarding the
31 30 applications to the board. The review committee shall
31 31 consist of members of the board listed in section
31 32 15F.102, subsection 2, paragraphs "d" through "h".

31 33 Sec. 48. Section 15F.304, Code 2009, is amended by
31 34 adding the following new subsection:
31 35 NEW SUBSECTION. 5. The review committee shall
31 36 consider, review, and make recommendations regarding
31 37 applications for assistance for river enhancement
31 38 community attractions and tourism projects a provided
31 39 in section 15F.206.
31 40 Sec. 49. Section 15G.111, subsection 4, paragraph
31 41 a, Code 2009, as amended by 2009 Iowa Acts, Senate
31 42 File 344, section 2, if enacted, is amended to read as
31 43 follows:
31 44 a. For administrative costs, an amount not more
31 45 than ~~one and one-half percent~~ six hundred thousand
31 46 dollars of the moneys subject to allocation under this
31 47 subsection.
31 48 Sec. 50. Section 135.63, subsection 2, paragraph
31 49 1, unnumbered paragraph 1, Code 2009, is amended to
31 50 read as follows:
32 1 The replacement or modernization of any
32 2 institutional health facility if the replacement or
32 3 modernization does not add new health services or
32 4 additional bed capacity for existing health services,
32 5 notwithstanding any provision in this division to the
32 6 contrary. With respect to a nursing facility,
32 7 "replacement" means establishing a new facility within
32 8 the same county as the prior facility to be closed.
32 9 With reference to a hospital, "replacement" means
32 10 establishing a new hospital that demonstrates
32 11 compliance with all of the following criteria through
32 12 evidence submitted to the department:
32 13 Sec. 51. Sections 12.101 and 12.102, Code 2009,
32 14 are repealed.
32 15 Sec. 52. EFFECTIVE DATE. The section of this
32 16 division of this Act amending section 12E.12 takes
32 17 effect June 30, 2009.>
32 18 #2. Title page, by striking lines 1 through 4 and
32 19 inserting the following: <An Act relating to and
32 20 making, reducing, and transferring appropriations to
32 21 state departments and agencies from the rebuild Iowa
32 22 infrastructure fund, the technology reinvestment fund,
32 23 and other funds creating and funding the Iowa flood
32 24 center, establishing an alternative public project
32 25 delivery pilot program, providing for related matters,
32 26 and providing effective and retroactive applicability
32 27 date provisions.>
32 28
32 29
32 30
32 31 _____
32 31 COHOON of Des Moines
32 32 HF 822.501 83
32 33 rh/rj/24427