

Senate Amendment 3359

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1 1 Amend Senate File 376, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. By striking everything after the enacting
1 4 clause and inserting the following:
1 5 <DIVISION I
1 6 REVENUE BONDING == IOWA JOBS PROGRAM
1 7 Section 1. NEW SECTION. 12.87 GENERAL AND
1 8 SPECIFIC BONDING POWERS == REVENUE BONDS == IOWA JOBS
1 9 PROGRAM.
1 10 1. The treasurer of state is authorized to issue
1 11 and sell bonds on behalf of the state to provide funds
1 12 for certain infrastructure projects and for purposes
1 13 of the Iowa jobs program established in section
1 14 16.194. The treasurer of state shall have all of the
1 15 powers which are necessary or convenient to issue,
1 16 sell and secure bonds and carry out the treasurer of
1 17 state's duties, and exercise the treasurer of state's
1 18 authority under this section and sections 12.88
1 19 through 12.90. The treasurer of state may issue and
1 20 sell bonds in such amounts as the treasurer of state
1 21 determines to be necessary to provide sufficient funds
1 22 for certain infrastructure projects and the revenue
1 23 bonds capitals fund, the payment of interest on the
1 24 bonds, the establishment of reserves to secure the
1 25 bonds, the payment of costs of issuance of the bonds,
1 26 the payment of other expenditures of the treasurer of
1 27 state incident to and necessary or convenient to carry
1 28 out the issuance and sale of the bonds, and the
1 29 payment of all other expenditures of the treasurer of
1 30 state necessary or convenient to administer the funds
1 31 and to carry out the purposes for which the bonds are
1 32 issued and sold. The treasurer of state may issue and
1 33 sell bonds in one or more series on the terms and
1 34 conditions the treasurer of state determines to be in
1 35 the best interest of the state, in accordance with
1 36 this section in such amounts as the treasurer of state
1 37 determines to be necessary to fund the purposes for
1 38 which such bonds are issued and sold. The treasurer
1 39 of state may issue and sell bonds in amounts which
1 40 provide aggregate net proceeds of not more than five
1 41 hundred forty-five million dollars, excluding any
1 42 bonds issued and sold to refund outstanding bonds
1 43 issued under this section, as follows:
1 44 a. The treasurer of state may issue and sell bonds
1 45 in amounts which provide aggregate net proceeds of not
1 46 more than one hundred eighty-five million dollars for
1 47 capital projects which qualify as vertical
1 48 infrastructure projects as defined in section 8.57,
1 49 subsection 6, paragraph "c", to the extent practicable
1 50 in any fiscal year and without limiting other
2 1 qualifying capital expenditures.
2 2 b. The treasurer of state may issue and sell bonds
2 3 in amounts which provide aggregate net proceeds of not
2 4 more than three hundred sixty million dollars for
2 5 purposes of the Iowa jobs program established in
2 6 section 16.194 and for watershed flood rebuilding and
2 7 prevention projects, soil conservation projects, sewer
2 8 infrastructure projects, for certain housing and
2 9 public service shelter projects and public broadband
2 10 and alternative energy projects, and for projects
2 11 relating to bridge safety and the rehabilitation of
2 12 deficient bridges.
2 13 2. Bonds issued and sold under this section are
2 14 payable solely and only out of the moneys in the
2 15 revenue bonds debt service fund and any bond reserve
2 16 funds established pursuant to section 12.89, and only
2 17 to the extent provided in the trust indenture,
2 18 resolution, or other instrument authorizing their
2 19 issuance. All moneys in the revenue bonds debt
2 20 service fund and any bond reserve funds established
2 21 pursuant to section 12.89 may be deposited with
2 22 trustees or depositories in accordance with the terms
2 23 of the trust indentures, resolutions, or other
2 24 instruments authorizing the issuance of bonds and

2 25 pledged by the treasurer of state to the payment
2 26 thereof. Bonds issued and sold under this section
2 27 shall contain a statement that the bonds are limited
2 28 special obligations of the state and do not constitute
2 29 a debt or indebtedness of the state or a pledge of the
2 30 faith or credit of the state or a charge against the
2 31 general credit or general fund of the state. The
2 32 treasurer of state shall not pledge the credit or
2 33 taxing power of this state or any political
2 34 subdivision of this state or make bonds issued and
2 35 sold pursuant to this section payable out of any
2 36 moneys except those in the revenue bonds debt service
2 37 fund and any bond reserve funds established pursuant
2 38 to section 12.89.

2 39 3. The proceeds of bonds issued and sold by the
2 40 treasurer of state and not required for immediate
2 41 disbursement may be deposited with a trustee or
2 42 depository as provided in the bond documents and
2 43 invested or reinvested in any investment as directed
2 44 by the treasurer of state and specified in the trust
2 45 indenture, resolution, or other instrument pursuant to
2 46 which the bonds are issued and sold without regard to
2 47 any limitation otherwise provided by law.

2 48 4. The bonds, if issued and sold, shall be:

2 49 a. In a form, issued in denominations, executed in
2 50 a manner, and payable over terms and with rights of
3 1 redemption, and be subject to such other terms and
3 2 conditions as prescribed in the trust indenture,
3 3 resolution, or other instrument authorizing their
3 4 issuance.

3 5 b. Negotiable instruments and investment
3 6 securities under the laws of the state and sold at
3 7 prices, at public or private sale, and in a manner, as
3 8 prescribed by the treasurer of state. Chapters 73A,
3 9 74, 74A, and 75 do not apply to the sale or issuance
3 10 of the bonds.

3 11 c. Subject to the terms, conditions, and covenants
3 12 providing for the payment of the principal, redemption
3 13 premiums, if any, interest, and other terms,
3 14 conditions, covenants, and protective provisions
3 15 safeguarding payment, not inconsistent with this
3 16 section and as determined by the trust indenture,
3 17 resolution, or other instrument authorizing their
3 18 issuance.

3 19 5. The bonds are securities in which public
3 20 officers and bodies of this state; political
3 21 subdivisions of this state; insurance companies and
3 22 associations and other persons carrying on an
3 23 insurance business; banks, trust companies, savings
3 24 associations, savings and loan associations, and
3 25 investment companies; administrators, guardians,
3 26 executors, trustees, and other fiduciaries; and other
3 27 persons authorized to invest in bonds or other
3 28 obligations of the state, may properly and legally
3 29 invest funds, including capital, in their control or
3 30 belonging to them.

3 31 6. Bonds must be authorized by a trust indenture,
3 32 resolution, or other instrument of the treasurer of
3 33 state.

3 34 7. The resolution, trust indenture, or any other
3 35 instrument by which a pledge is created shall not be
3 36 required to be recorded or filed under the Iowa
3 37 uniform commercial code, chapter 554, to be valid,
3 38 binding, or effective.

3 39 8. Any bonds issued and sold under the provisions
3 40 of this section are declared to be issued and sold for
3 41 an essential public and governmental purpose, and all
3 42 bonds issued and sold under this section except as
3 43 otherwise provided in any trust indentures,
3 44 resolutions, or other instruments authorizing their
3 45 issuance shall be exempt from taxation by the state of
3 46 Iowa and the interest on the bonds shall be exempt
3 47 from the state income tax and the state inheritance
3 48 tax.

3 49 9. The treasurer of state may issue and sell bonds
3 50 for the purpose of refunding any bonds issued and sold
4 1 pursuant to this section then outstanding, including
4 2 the payment of any redemption premiums thereon and any
4 3 interest accrued or to accrue to the date of
4 4 redemption of the outstanding bonds. Until the
4 5 proceeds of bonds issued for the purpose of refunding

4 6 outstanding bonds are applied to the purchase or
4 7 retirement of outstanding bonds or the redemption of
4 8 outstanding bonds, the proceeds may be placed in
4 9 escrow and be invested and reinvested in accordance
4 10 with the provisions of this section. The interest,
4 11 income, and profits earned or realized on an
4 12 investment may also be applied to the payment of the
4 13 outstanding bonds to be refunded by purchase,
4 14 retirement, or redemption. After the terms of the
4 15 escrow have been fully satisfied and carried out, any
4 16 balance of proceeds and interest earned or realized on
4 17 the investments shall be returned to the treasurer of
4 18 state for deposit in the revenue bonds debt service
4 19 fund established in section 12.89. All refunding
4 20 bonds shall be issued, sold and secured and subject to
4 21 the provisions of this section in the same manner and
4 22 to the same extent as other bonds issued and sold
4 23 pursuant to this section.

4 24 10. Bonds issued and sold pursuant to this section
4 25 are limited special obligations of the state and are
4 26 not a debt or indebtedness of the state, nor of any
4 27 political subdivision of the state, and do not
4 28 constitute a pledge of the faith and credit of the
4 29 state or a charge against the general credit or
4 30 general fund of the state. The issuance and sale of
4 31 any bonds pursuant to this section by the treasurer of
4 32 state do not directly, indirectly, or contingently
4 33 obligate the state or a political subdivision of the
4 34 state to apply moneys from or to levy or pledge any
4 35 form of taxation whatever to, or to continue the
4 36 appropriation of the funds for, the payment of the
4 37 bonds. Bonds issued and sold under this section are
4 38 payable solely and only from moneys in the revenue
4 39 bonds debt service fund and any reserve fund created
4 40 in section 12.89 and only to the extent provided in
4 41 the trust indenture, resolution, or other instrument
4 42 authorizing their issuance.

4 43 11. The treasurer of state may enter into or
4 44 obtain authorizing documents and other agreements and
4 45 ancillary arrangements with respect to the bonds as
4 46 the treasurer of state determines to be in the best
4 47 interests of the state, including but not limited to
4 48 trust indentures, resolutions, other instruments
4 49 authorizing the issuance of the bonds, liquidity
4 50 facilities, remarketing or dealer agreements, letter
5 1 of credit agreements, insurance policies, guaranty
5 2 agreements, reimbursement agreements, indexing
5 3 agreements, or interest rate exchange agreements.

5 4 12. Neither the treasurer of state, the Iowa jobs
5 5 board, nor any person acting on behalf of the
5 6 treasurer of state or the Iowa jobs board while acting
5 7 within the scope of their employment or agency, is
5 8 subject to personal liability resulting from carrying
5 9 out the powers and duties conferred by this section
5 10 and sections 12.88 through 12.90.

5 11 13. As used in this section and sections 12.88
5 12 through 12.90, the term "bonds" means bonds, notes, or
5 13 other evidence of obligations.

5 14 Sec. 2. NEW SECTION. 12.88 REVENUE BONDS
5 15 CAPITALS FUND.

5 16 1. A revenue bonds capitals fund is created and
5 17 established as a separate and distinct fund in the
5 18 state treasury. The treasurer of state shall act as
5 19 custodian of the fund and disburse moneys contained in
5 20 the fund.

5 21 2. Revenue for the revenue bonds capitals fund
5 22 shall include but is not limited to the following,
5 23 which shall be deposited with the treasurer of state
5 24 or the treasurer of state's designee as provided by
5 25 any bond or security documents and credited to the
5 26 fund:

5 27 a. The net proceeds of bonds issued pursuant to
5 28 section 12.87 other than bonds issued for the purpose
5 29 of refunding such bonds, and investment earnings on
5 30 the net proceeds.

5 31 b. Interest attributable to investment of moneys
5 32 in the fund or an account of the fund.

5 33 c. Moneys in the form of a devise, gift, bequest,
5 34 donation, federal or other grant, reimbursement,
5 35 repayment, judgment, transfer, payment, or
5 36 appropriation from any source intended to be used for

5 37 the purposes of the fund.

5 38 3. Moneys in the revenue bonds capitals fund are
5 39 not subject to section 8.33. Notwithstanding section
5 40 12C.7, subsection 2, interest or earnings on moneys in
5 41 the fund shall be credited to the fund.

5 42 4. Annually, on or before January 15 of each year,
5 43 a state agency that received an appropriation from the
5 44 revenue bonds capitals fund shall report to the
5 45 legislative services agency and the department of
5 46 management the status of all projects completed or in
5 47 progress. The report shall include a description of
5 48 the project, the work completed, the total estimated
5 49 cost of the project, a list of all revenue sources
5 50 being used to fund the project, the amount of funds
6 1 expended, the amount of funds obligated, and the date
6 2 the project was completed or an estimated completion
6 3 date of the project, where applicable.

6 4 Sec. 3. NEW SECTION. 12.89 REVENUE BONDS DEBT
6 5 SERVICE FUND AND BOND RESERVE FUNDS.

6 6 1. A revenue bonds debt service fund is created
6 7 and established as a separate and distinct fund in the
6 8 state treasury. The treasurer of state shall act as
6 9 custodian of the fund and disburse moneys contained in
6 10 the fund. The moneys in such fund are appropriated
6 11 and shall be used for the purpose of making all
6 12 payments with respect to bonds issued and sold
6 13 pursuant to section 12.87, including but not limited
6 14 to the following:

6 15 a. Principal payments, interest payments, sinking
6 16 fund payments, purchase price, redemption price,
6 17 redemption premiums, and interest rate exchange
6 18 payments.

6 19 b. Fees and expenses of trustees, paying agents,
6 20 remarketing agents, financial advisors, underwriters,
6 21 depositories, guarantors, bond insurers, liquidity or
6 22 credit facility providers, interest rate indexing
6 23 agents, and other professional services providers.

6 24 c. Costs and expenses of the treasurer of state
6 25 incident to and necessary and convenient to carry out
6 26 the issuance and sale of the bonds and the
6 27 administration of the revenue bonds.

6 28 2. Moneys in the revenue bonds debt service fund
6 29 shall include but are not limited to the following,
6 30 which shall be deposited with the treasurer of state
6 31 or the treasurer of state's designee as provided in
6 32 any bond or security documents and credited to the
6 33 fund:

6 34 a. The proceeds of bonds to the extent provided in
6 35 the trust indenture, resolution, or other instrument
6 36 authorizing their issuance and investment earnings on
6 37 the proceeds.

6 38 b. The revenues required to be deposited into the
6 39 fund pursuant to section 8.57, subsection 6, paragraph
6 40 "e", subparagraphs (1) and (2).

6 41 c. Transfers from any bond reserve fund created
6 42 pursuant to this section.

6 43 d. Interest attributable to investment of moneys
6 44 in the fund or an account of the fund.

6 45 e. Any other moneys from any other sources which
6 46 may be legally available to the treasurer of state for
6 47 the purpose of the fund.

6 48 3. a. The treasurer of state may create and
6 49 establish one or more special funds, to be known as
6 50 bond reserve funds, to secure one or more issues of
7 1 bonds issued and sold pursuant to section 12.87. The
7 2 treasurer of state shall pay into each bond reserve
7 3 fund any moneys appropriated and made available for
7 4 the purpose of the fund, any proceeds of sale of bonds
7 5 to the extent provided in the trust indenture,
7 6 resolution, or other instrument authorizing their
7 7 issuance, and any other moneys which may be legally
7 8 available to the treasurer of state for the purpose of
7 9 the fund from any other sources. All moneys held in a
7 10 bond reserve fund shall be used or transferred to the
7 11 revenue bonds debt service fund to be used as required
7 12 solely to make the payments authorized to be made from
7 13 such fund pursuant to subsection 1.

7 14 b. Moneys in a bond reserve fund shall not be
7 15 transferred or withdrawn from the fund at any time in
7 16 an amount that will reduce the amount of the fund to
7 17 less than the bond reserve fund requirement

7 18 established for the fund, as provided in this
7 19 subsection, except for the purpose of making, with
7 20 respect to bonds secured in whole or in part by the
7 21 fund, the payments authorized to be made from such
7 22 fund pursuant to subsection 1 for the payment of which
7 23 sufficient moneys in the revenue bonds debt service
7 24 fund are not available. Any income or interest earned
7 25 by, or incremental to, a bond reserve fund due to the
7 26 investment of moneys in the bond reserve fund may be
7 27 transferred by the treasurer of state to other funds
7 28 or accounts to the extent the transfer does not reduce
7 29 the amount of that bond reserve fund below the
7 30 established bond reserve fund requirement.

7 31 c. The treasurer of state shall not at any time
7 32 issue and sell bonds, secured in whole or in part by a
7 33 bond reserve fund if, upon the issuance of the bonds,
7 34 the amount in the bond reserve fund will be less than
7 35 the bond reserve fund requirement for the fund, unless
7 36 the treasurer of state at the time of issuance of the
7 37 bonds deposits in the fund from the proceeds of the
7 38 bonds issued or from other legally available sources
7 39 an amount which, together with the amount then in the
7 40 fund, will not be less than the bond reserve fund
7 41 requirement for the fund. For the purposes of this
7 42 subsection, the term "bond reserve fund requirement"
7 43 means, as of any particular date of computation, an
7 44 amount of moneys, as provided in the trust indenture,
7 45 resolution, or other instrument authorizing the bonds
7 46 with respect to which the fund is established.

7 47 d. To assure the continued solvency of any bonds
7 48 secured by a bond reserve fund, provision is made in
7 49 paragraph "c" for the accumulation in each bond
7 50 reserve fund of an amount equal to the bond reserve
8 1 fund requirement for the fund. In order further to
8 2 assure maintenance of the bond reserve funds, the
8 3 treasurer of state shall, on or before January 1 of
8 4 each calendar year, make and deliver to the governor
8 5 and to both houses of the general assembly the
8 6 treasurer of state's certificate stating the sum, if
8 7 any, required to restore each bond reserve fund to the
8 8 bond reserve fund requirement for that fund and
8 9 requesting that the budget and appropriation bills
8 10 approved for such fiscal year include amounts
8 11 sufficient to restore each bond reserve fund to the
8 12 bond reserve fund requirement for such fund. Within
8 13 thirty days after the beginning of the session of the
8 14 general assembly next following the delivery of the
8 15 certificate, the governor may submit to both houses
8 16 printed copies of a budget including the sum, if any,
8 17 required to restore each bond reserve fund to the bond
8 18 reserve fund requirement for that fund. Any sums
8 19 appropriated by the general assembly and paid to the
8 20 treasurer of state pursuant to this subsection shall
8 21 be deposited by the treasurer of state in the
8 22 applicable bond reserve fund.

8 23 4. Except as otherwise provided in this section,
8 24 the moneys on deposit in the revenue bonds debt
8 25 service fund or any bond reserve fund relating to
8 26 bonds issued pursuant to section 12.87 shall be held
8 27 for the sole benefit of the bonds and shall not be
8 28 pledged or used for the benefit of any bonds issued by
8 29 the treasurer of state pursuant to any other section
8 30 of the Code.

8 31 5. Moneys in the revenue bonds debt service fund
8 32 and any bond reserve fund created pursuant to this
8 33 section are not subject to section 8.33; provided
8 34 however, that on August 31 following the close of each
8 35 fiscal year, any moneys on deposit in the revenue
8 36 bonds debt service fund at the end of such fiscal
8 37 year, which is determined by the treasurer of state to
8 38 not be encumbered or obligated or otherwise necessary
8 39 to make the payments for such fiscal year authorized
8 40 to be made from such fund pursuant to subsection 1,
8 41 shall be credited to the rebuild Iowa infrastructure
8 42 fund. Notwithstanding section 12C.7, subsection 2,
8 43 interest or earnings on moneys in the revenue bonds
8 44 debt service fund and any bond reserve fund shall be
8 45 credited to such funds.

8 46 Sec. 4. NEW SECTION. 12.90 PLEDGES ==
8 47 CONSTRUCTION.

8 48 1. It is the intention of the general assembly

8 49 that a pledge made in respect of bonds shall be valid
8 50 and binding from the time the pledge is made, that the
9 1 money or property so pledged and received after the
9 2 pledge by the treasurer of state shall immediately be
9 3 subject to the lien of the pledge without physical
9 4 delivery or further act, and that the lien of the
9 5 pledge shall be valid and binding as against all
9 6 parties having claims of any kind in tort, contract,
9 7 or otherwise against the treasurer of state whether or
9 8 not the parties have notice of the lien.
9 9 2. Sections 12.87 through 12.89, and this section,
9 10 being necessary for the welfare of this state and its
9 11 inhabitants, shall be liberally construed to effect
9 12 its purposes.

9 13 DIVISION II
9 14 IOWA JOBS BOARD, IOWA JOBS PROGRAM,
9 15 AND IOWA JOBS FUND

9 16 Sec. 5. NEW SECTION. 16.191 IOWA JOBS BOARD.

9 17 1. An Iowa jobs board is established consisting of
9 18 eleven members and is located for administrative
9 19 purposes within the Iowa finance authority. The
9 20 executive director of the Iowa finance authority shall
9 21 provide staff assistance and necessary supplies and
9 22 equipment for the board. The executive director shall
9 23 budget funds received pursuant to section 16.193 to
9 24 operate the program including but not limited to
9 25 paying the per diem expenses of the board members. In
9 26 performing its functions, the board is performing a
9 27 public function on behalf of the state and is a public
9 28 instrumentality of the state.

9 29 2. The membership of the board shall be as
9 30 follows:

- 9 31 a. Six members of the general public appointed by
9 32 the governor.
9 33 b. The director of the department of economic
9 34 development or the director's designee.
9 35 c. The executive director of the Iowa finance
9 36 authority or the director's designee.
9 37 d. The director of the department of workforce
9 38 development or the director's designee.
9 39 e. The executive director of the rebuild Iowa
9 40 office or the director's designee until June 30, 2011,
9 41 and then the administrator of the homeland security
9 42 and emergency management division of the department of
9 43 public defense or the administrator's designee.
9 44 f. The treasurer of state or the treasurer of
9 45 state's designee.

9 46 3. a. All public member appointments made
9 47 pursuant to subsection 2, paragraph "a" shall comply
9 48 with sections 69.16, 69.16A, and 69.16C, and shall be
9 49 subject to confirmation by the senate.

9 50 b. Three of the public members appointed pursuant
10 1 to subsection 2, paragraph "a" shall have demonstrable
10 2 experience or expertise in the field of public
10 3 financing, architecture, engineering, or major
10 4 facility development or construction and one of the
10 5 public members appointed pursuant to subsection 2,
10 6 paragraph "a", shall be an employee of a
10 7 not-for-profit organization.

10 8 c. All public members shall be from geographically
10 9 diverse areas of this state.

10 10 d. All public members shall be appointed to
10 11 three-year staggered terms and the terms shall
10 12 commence and end as provided by section 69.19. If a
10 13 vacancy occurs, a successor shall be appointed to
10 14 serve the unexpired term. A successor shall be
10 15 appointed in the same manner and subject to the same
10 16 qualifications as the original appointment to serve
10 17 the unexpired term.

10 18 4. The chairperson and vice chairperson of the
10 19 board shall be designated by the governor from the
10 20 public members appointed pursuant to subsection 2,
10 21 paragraph "a". In case of the absence or disability
10 22 of the chairperson and vice chairperson, the members
10 23 of the board shall elect a temporary chairperson by a
10 24 majority vote of those members who are present and
10 25 voting.

10 26 5. A majority of the board constitutes a quorum.

10 27 Sec. 6. NEW SECTION. 16.192 BOARD DUTIES AND
10 28 POWERS.

10 29 The Iowa jobs board has any and all powers

10 30 necessary to carry out its purposes and duties, and to
10 31 exercise its specific powers, including but not
10 32 limited to doing all of the following:

- 10 33 1. Organize.
- 10 34 2. Establish the Iowa jobs program pursuant to
10 35 section 16.194.
- 10 36 3. Oversee and provide approval of the
10 37 administration of the Iowa jobs program.
- 10 38 4. Award financial assistance in the form of
10 39 grants under the Iowa jobs program pursuant to
10 40 sections 16.194 and 16.195.
- 10 41 5. Enter into and enforce grant agreements as
10 42 necessary or convenient to implement the Iowa jobs
10 43 program.

10 44 Sec. 7. NEW SECTION. 16.193 IOWA FINANCE
10 45 AUTHORITY DUTIES == APPROPRIATION.

- 10 46 1. The Iowa finance authority, subject to approval
10 47 by the Iowa jobs board, shall adopt administrative
10 48 rules pursuant to chapter 17A necessary to administer
10 49 the Iowa jobs program. The authority shall provide
10 50 the board with assistance in implementing
11 1 administrative functions, providing technical
11 2 assistance and application assistance to applicants
11 3 under the programs, negotiating contracts, and
11 4 providing project follow up. The authority, in
11 5 cooperation with the board, may conduct negotiations
11 6 on behalf of the board with applicants regarding terms
11 7 and conditions applicable to awards under the program.
- 11 8 2. During the term of the Iowa jobs program
11 9 established in section 16.194, two hundred thousand
11 10 dollars of the moneys deposited in the rebuild Iowa
11 11 infrastructure fund shall be allocated each fiscal
11 12 year to the Iowa finance authority for purposes of
11 13 administering the Iowa jobs program, notwithstanding
11 14 section 8.57, subsection 6, paragraph "c".

11 15 Sec. 8. NEW SECTION. 16.194 IOWA JOBS PROGRAM.

- 11 16 1. An Iowa jobs program is created to assist in
11 17 the development and completion of public construction
11 18 projects relating to disaster relief and mitigation
11 19 and to local infrastructure. "Local infrastructure"
11 20 includes projects relating to disaster rebuilding,
11 21 reconstruction and replacement of local public
11 22 buildings, flood control and flood protection, and
11 23 future flood prevention.
- 11 24 2. A city or county or a public organization in
11 25 this state may submit an application to the Iowa jobs
11 26 board for financial assistance for a local
11 27 infrastructure competitive grant for an eligible
11 28 project under the program, notwithstanding any
11 29 limitation on the state's percentage in funding as
11 30 contained in section 29C.6, subsection 17.
- 11 31 3. Financial assistance under the program shall be
11 32 awarded in the form of grants.
- 11 33 4. The board shall consider the following criteria
11 34 in evaluating eligible projects to receive financial
11 35 assistance under the program:
 - 11 36 a. The total number and quality of jobs to be
11 37 created and the benefits likely to accrue to areas
11 38 distressed by high unemployment.
 - 11 39 b. Financial feasibility, including the ability of
11 40 projects to fund depreciation costs or replacement
11 41 reserves, and the availability of other federal,
11 42 state, local, and private sources of funds.
 - 11 43 c. Sustainability and energy efficiency.
 - 11 44 d. Benefits for disaster recovery.
 - 11 45 e. The project's readiness to proceed.
- 11 46 5. An applicant must demonstrate local support for
11 47 the project as defined by rule.
- 11 48 6. Any award of financial assistance to a project
11 49 shall be limited as follows:
 - 11 50 a. Up to seventy-five percent of the total cost of
12 1 a project for replacing or rebuilding existing
12 2 disaster-related damaged property.
 - 12 3 b. Up to fifty percent of the total cost for all
12 4 other projects.
 - 12 5 7. In order for a project to be eligible to
12 6 receive financial assistance from the board, the
12 7 project must be a public construction project pursuant
12 8 to subsection 1 with a demonstrated substantial local,
12 9 regional, or statewide economic impact.
- 12 10 8. The board shall not approve an application for

12 11 assistance for any of the following purposes:
12 12 a. To refinance a loan existing prior to the date
12 13 of the initial financial assistance application.
12 14 b. For a project that has previously received
12 15 financial assistance under the program, unless the
12 16 applicant demonstrates that the financial assistance
12 17 would be used for a significant expansion of a
12 18 project.
12 19 9. a. The total amount of allocations for future
12 20 flood prevention, reconstruction and replacement of
12 21 local public buildings, disaster rebuilding, flood
12 22 control and flood protection projects shall not exceed
12 23 one hundred sixty-five million dollars for the fiscal
12 24 year beginning July 1, 2009.
12 25 b. Any portion of an amount allocated for projects
12 26 that remains unexpended or unencumbered one year after
12 27 the allocation has been made may be reallocated to
12 28 another project category, at the discretion of the
12 29 board. The board shall ensure that all bond proceeds
12 30 be expended within three years from when the
12 31 allocation was initially made.
12 32 10. The board shall ensure that funds obligated
12 33 under this section are coordinated with other federal
12 34 program funds received by the state, and that projects
12 35 receiving funds are located in geographically diverse
12 36 areas of the state.
12 37 11. For purposes of this section, "public
12 38 organization" means a nonprofit organization that
12 39 sponsors or supports the public needs of the local
12 40 community.
12 41 Sec. 9. NEW SECTION. 16.195 IOWA JOBS PROGRAM
12 42 APPLICATION REVIEW.
12 43 1. Applications for assistance under the Iowa jobs
12 44 program shall be submitted to the Iowa finance
12 45 authority. The authority shall provide a staff review
12 46 and evaluation of applications to the Iowa jobs
12 47 program review committee referred to in subsection 2
12 48 and to the Iowa jobs board.
12 49 2. A review committee composed of members of the
12 50 board as determined by the board shall review Iowa
13 1 jobs program applications submitted to the board and
13 2 make recommendations regarding the applications to the
13 3 board. When reviewing the applications, the review
13 4 committee and the authority shall consider the project
13 5 criteria specified in section 16.194. The board shall
13 6 develop the appropriate level of transparency
13 7 regarding project fund allocations.
13 8 3. Upon approval of an application for financial
13 9 assistance under the program, the board shall notify
13 10 the treasurer of state regarding the amount of moneys
13 11 needed to satisfy the award of financial assistance
13 12 and the terms of the award. The treasurer of state
13 13 shall notify the Iowa finance authority any time
13 14 moneys are disbursed to a recipient of financial
13 15 assistance under the program.
13 16 Sec. 10. NEW SECTION. 16.196 IOWA JOBS
13 17 RESTRICTED CAPITALS FUND == APPROPRIATIONS.
13 18 1. An Iowa jobs restricted capitals fund is
13 19 created and established as a separate and distinct
13 20 fund in the state treasury. The fund consists of
13 21 moneys appropriated from the revenue bonds capitals
13 22 fund created in section 12.88. The moneys in the fund
13 23 are appropriated to the Iowa jobs board for purposes
13 24 of the Iowa jobs program established in section
13 25 16.194. Moneys in the fund shall not be subject to
13 26 appropriation for any other purpose by the general
13 27 assembly, but shall be used only for the purposes of
13 28 the Iowa jobs program. The treasurer of state shall
13 29 act as custodian of the fund and disburse moneys
13 30 contained in the fund. The fund shall be administered
13 31 by the board which shall make allocations from the
13 32 fund consistent with the purposes of the Iowa jobs
13 33 program.
13 34 2. There is appropriated from the revenue bonds
13 35 capitals fund created in section 12.88, to the Iowa
13 36 jobs restricted capitals fund, for the fiscal year
13 37 beginning July 1, 2009, and ending June 30, 2010, one
13 38 hundred sixty-five million dollars to be allocated as
13 39 follows:
13 40 a. One hundred eighteen million five hundred
13 41 thousand dollars for competitive grants for local

13 42 infrastructure projects relating to disaster
13 43 rebuilding, reconstruction and replacement of local
13 44 buildings, flood control and flood protection, and
13 45 future flood prevention public projects. An applicant
13 46 for a local infrastructure grant shall not receive
13 47 more than fifty million dollars in financial
13 48 assistance from the fund.

13 49 b. Forty=six million five hundred thousand dollars
13 50 for disaster relief and mitigation and local
14 1 infrastructure grants for the following renovation and
14 2 construction projects, notwithstanding any limitation
14 3 on the state's percentage participation in funding as
14 4 contained in section 29C.6, subsection 17:

14 5 (1) For grants to a county with a population
14 6 between one hundred eighty nine thousand and one
14 7 hundred ninety six thousand in the latest preceding
14 8 certified federal census, to be distributed as
14 9 follows:

14 10 (a) Ten million dollars for the construction of a
14 11 new, shared facility between nonprofit human service
14 12 organizations serving the public, especially the needs
14 13 of low=income Iowans, including those displaced as a
14 14 result of the disaster of 2008.

14 15 (b) Five million dollars for the construction or
14 16 renovation of a facility for a county=funded workshop
14 17 program serving the public and particularly persons
14 18 with mental illness or developmental disabilities.

14 19 (2) For grants to a city with a population between
14 20 one hundred ten thousand and one hundred twenty
14 21 thousand in the latest preceding certified federal
14 22 census, to be distributed as follows:

14 23 (a) Five million dollars for an economic
14 24 redevelopment project benefiting the public by
14 25 improving energy efficiency and the development of
14 26 alternative and renewable energy technologies.

14 27 (b) Ten million dollars for a museum serving the
14 28 public and dedicated to the preservation of an eastern
14 29 European cultural heritage through the collection,
14 30 exhibition, preservation, and interpretation of
14 31 historical artifacts.

14 32 (c) Five million dollars for a theater serving the
14 33 public and promoting culture, entertainment, and
14 34 tourism.

14 35 (d) Five million dollars for a public library.

14 36 (e) Five million dollars for a public works
14 37 building.

14 38 (3) One million five hundred thousand dollars, to
14 39 be distributed as follows:

14 40 (a) Five hundred thousand dollars to a city with a
14 41 population between six hundred and six hundred fifty
14 42 in the latest preceding certified federal census, for
14 43 a public fire station.

14 44 (b) Five hundred thousand dollars to a city with a
14 45 population between one thousand four hundred and one
14 46 thousand five hundred in the latest preceding
14 47 certified federal census, for a public fire station.

14 48 (c) Five hundred thousand dollars for a city with
14 49 a population between seven thousand eight hundred and
14 50 seven thousand eight hundred fifty, for a public fire
15 1 station.

15 2 3. Grant awards for a project under subsection 2,
15 3 paragraph "b", are contingent upon submission of a
15 4 plan for each project by the applicable county or city
15 5 governing board or in the case of a project submitted
15 6 pursuant to subsection 2, paragraph "b", subparagraph
15 7 (2), subparagraph division (b), by the board of
15 8 directors, to the Iowa jobs board, no later than
15 9 September 1, 2009, detailing a description of the
15 10 project, the plan to rebuild, and the amount or
15 11 percentage of federal, state, local, or private
15 12 matching moneys which will be or have been provided
15 13 for the project. Funds not utilized in accordance
15 14 with subsection 2, paragraph "b", due to failure to
15 15 file a plan by the September 1 deadline shall revert
15 16 to the Iowa jobs restricted capitals fund to be
15 17 available for local infrastructure competitive grants.
15 18 A grant recipient under subsection 2, paragraph "b",
15 19 shall not be precluded from applying for a local
15 20 infrastructure competitive grant pursuant to this
15 21 section and section 16.195.

15 22 4. Moneys in the fund are not subject to section

15 23 8.33. Notwithstanding section 12C.7, subsection 2,
15 24 interest or earnings on moneys in the fund shall be
15 25 credited to the fund.

15 26 5. Annually, on or before January 15 of each year,
15 27 the board shall report to the legislative services
15 28 agency and the department of management the status of
15 29 all projects receiving moneys from the fund completed
15 30 or in progress. The report shall include a
15 31 description of the project, the progress of work
15 32 completed, the total estimated cost of the project, a
15 33 list of all revenue sources being used to fund the
15 34 project, the amount of funds expended, the amount of
15 35 funds obligated, and the date the project was
15 36 completed or an estimated completion date of the
15 37 project, where applicable.

15 38 6. Payment of moneys appropriated from the fund
15 39 shall be made in a manner that does not adversely
15 40 affect the tax-exempt status of any outstanding bonds
15 41 issued by the treasurer of state.

15 42 Sec. 11. NEW SECTION. 16.197 LIMITATION OF
15 43 LIABILITY.

15 44 A member of the Iowa jobs board, a person acting on
15 45 behalf of the board while acting within the scope of
15 46 their employment or agency, or the treasurer of state,
15 47 shall not be subject to personal liability resulting
15 48 from carrying out the powers and duties of the board
15 49 or the treasurer, as applicable, in sections 16.192
15 50 through 16.196.

16 1 Sec. 12. EMERGENCY RULES. The Iowa finance
16 2 authority, subject to approval by the Iowa jobs board,
16 3 may adopt emergency rules under section 17A.4,
16 4 subsection 3, and section 17A.5, subsection 2,
16 5 paragraph "b", to implement the provisions of this Act
16 6 and the rules shall be effective immediately upon
16 7 filing unless a later date is specified in the rules.
16 8 Any rules adopted in accordance with this section
16 9 shall also be published as a notice of intended action
16 10 as provided in section 17A.4.

16 11 DIVISION III

16 12 REVENUE BONDS CAPITALS FUND == APPROPRIATIONS

16 13 Sec. 13. There is appropriated from the revenue
16 14 bonds capitals fund created in section 12.88, to the
16 15 following departments and agencies for the fiscal year
16 16 beginning July 1, 2009, and ending June 30, 2010, the
16 17 following amounts, or so much thereof as is necessary,
16 18 to be used for the purposes designated:

16 19 1. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
16 20 To the soil conservation division of the department
16 21 established in section 161A.4:

16 22 \$ 11,500,000

16 23 a. Of the moneys appropriated in this subsection,
16 24 the department may provide moneys on a cost=share
16 25 basis as provided in chapter 161A in order to
16 26 accomplish any public purpose described in chapter
16 27 161A, including but not limited to providing for the
16 28 reconstruction or repair of permanent soil and water
16 29 conservation practices that were damaged by the 2008
16 30 precipitation event.

16 31 b. Of the moneys appropriated in this subsection,
16 32 the department may award moneys to provide affordable
16 33 wetland mitigation banks.

16 34 c. Of the moneys appropriated in this subsection,
16 35 the department may award moneys to allow more
16 36 landowners to participate in the conservation reserve
16 37 enhancement program to improve water quality and
16 38 intercept nitrates.

16 39 d. Any award of moneys made under paragraph "a",
16 40 "b", or "c" shall be in the form of a grant. Any
16 41 grant awards for conservation practices on private
16 42 property shall be for flood control or soil and
16 43 watershed management public purposes.

16 44 2. DEPARTMENT OF NATURAL RESOURCES
16 45 \$ 13,500,000

16 46 Of the moneys appropriated in this subsection, the
16 47 department may provide moneys to construct,
16 48 reconstruct, or repair infrastructure associated with
16 49 the control and movement of surface water, including
16 50 but not limited to addressing issues affected by
17 1 combined sewer overflows, enrolling larger contiguous
17 2 areas in emergency watershed programs, improving
17 3 facilities or systems that provide water quality,

17 4 mitigating flood damage or the threat of flood damage
17 5 in the areas most severely affected by the 2008 flood,
17 6 and improving or replacing low-head dams. Any award
17 7 of moneys made under this subsection shall be in the
17 8 form of a grant. Any grant awards for practices on
17 9 private property shall be for the public purposes of
17 10 flood control, watershed management, or improving
17 11 water quality.

17 12 3. IOWA ENERGY CENTER
17 13 For deposit into the alternate energy revolving
17 14 loan fund created in section 476.46 to encourage the
17 15 development of alternate energy production facilities
17 16 and small hydro facilities, as defined in section
17 17 476.42, within the state:
17 18 \$ 5,000,000

17 19 Any award of loans to private individuals or
17 20 organizations must be for the public purpose of
17 21 encouraging the development of alternate energy
17 22 production facilities and small hydro facilities
17 23 within the state in order to conserve finite and
17 24 expensive energy resources and to provide for their
17 25 most efficient use. Funds from bond proceeds shall
17 26 not be used for administration or planning purposes.
17 27 These moneys, and any loan repayments, shall be
17 28 maintained in separate accounts and shall only be used
17 29 for these public purposes.

17 30 4. IOWA FINANCE AUTHORITY
17 31 a. For water quality and wastewater improvement
17 32 projects:
17 33 \$ 55,000,000

17 34 (1) Of the amount appropriated in this subsection,
17 35 thirty-five million dollars shall be allocated for
17 36 water quality and wastewater improvement projects
17 37 located in cities with a population of ten thousand or
17 38 less, as determined by the preceding federal census,
17 39 or in townships.

17 40 (2) The Iowa finance authority shall establish and
17 41 administer a water quality financial assistance
17 42 program. The purpose of the program shall be to
17 43 provide additional financial assistance to communities
17 44 receiving loans from the Iowa water pollution control
17 45 works and drinking water facilities financing program
17 46 pursuant to section 16.131. The program shall be
17 47 administered in accordance with rules adopted by the
17 48 authority pursuant to chapter 17A.

17 49 b. For deposit into the public service shelter
17 50 grant fund created in section 16.185 for grants for
18 1 the construction, renovation, and improvements to
18 2 homeless shelters, emergency shelters, and family and
18 3 domestic violence shelters:
18 4 \$ 10,000,000

18 5 c. For deposit into the disaster damage housing
18 6 assistance grant fund created in section 16.186 for
18 7 grants to ease and speed recovery efforts from the
18 8 natural disasters of 2008, including stabilizing
18 9 neighborhoods damaged by the natural disasters,
18 10 preventing population loss and neighborhood
18 11 deterioration, and improving the health, safety, and
18 12 welfare of persons living in such disaster-damaged
18 13 neighborhoods:
18 14 \$ 5,000,000

18 15 d. For deposit into the affordable housing
18 16 assistance grant fund created in section 16.187 for
18 17 grants for housing for certain elderly, disabled, and
18 18 low-income persons and public servants in critical
18 19 skills shortage areas of the state:
18 20 \$ 20,000,000

18 21 5. IOWA TELECOMMUNICATIONS AND TECHNOLOGY
18 22 COMMISSION
18 23 For public broadband technology grants for the
18 24 deployment and sustainability of high-speed broadband
18 25 access:
18 26 \$ 25,000,000

18 27 a. It is the intent of the general assembly that
18 28 funds appropriated under this subsection for the
18 29 deployment and sustainability of high-speed broadband
18 30 access be used to access any federal funds made
18 31 available. State and federal funds made available for
18 32 broadband deployment shall be used to promote
18 33 universal access to high-speed broadband services for
18 34 speeds to exceed federal requirements throughout the

18 35 state for the benefit of Iowans and for the
18 36 sustainability of such services.

18 37 b. (1) The utilities board created in section
18 38 474.1, the economic development board created in
18 39 section 15.103, and the telecommunications and
18 40 technology commission established in section 8D.3
18 41 shall establish a joint governance board of fifteen
18 42 members including the following:

18 43 (a) Eleven members shall be voting members as
18 44 follows:

18 45 (i) Three members representing educational users
18 46 and local governments including one member
18 47 representing cities, one member representing counties,
18 48 and one member representing educational users.

18 49 (ii) Two members, one representing urban
18 50 residential users in the state, and one representing
19 1 rural residential users in the state.

19 2 (iii) Three members representing broadband and
19 3 telecommunications providers including one member
19 4 representing cable providers, one member representing
19 5 wire-line telecommunications providers, and one member
19 6 representing wireless providers.

19 7 (iv) Three members representing the state,
19 8 including one member designated by the
19 9 telecommunications and technology commission, one
19 10 member designated by the economic development board,
19 11 and one member designated by the utilities board.

19 12 (b) Four nonvoting, ex-officio members
19 13 representing the general assembly as follows:

19 14 (i) Two members appointed from the senate with one
19 15 member appointed by the majority leader of the senate
19 16 and one member appointed by the minority leader of the
19 17 senate.

19 18 (ii) Two members appointed from the house of
19 19 representatives with one member appointed by the
19 20 speaker of the house and one member appointed by the
19 21 minority leader of the house.

19 22 (2) Administrative support and planning costs
19 23 incurred for the governance board shall be provided
19 24 jointly by the utilities board, the economic
19 25 development board, and the telecommunications and
19 26 technology commission. Any necessary rules shall be
19 27 adopted by the economic development board on behalf of
19 28 the governance board.

19 29 (3) A quorum of the governance board shall be a
19 30 majority of the voting members.

19 31 c. The governance board established in paragraph
19 32 "b" shall do all of the following:

19 33 (1) Establish a comprehensive plan for the
19 34 deployment and sustainability of high-speed broadband
19 35 access in areas capable of timely implementation of
19 36 such access. The plan shall be consistent with
19 37 federal requirements established for federal funds
19 38 made available for the purposes of projects that may
19 39 be considered by the governance board and shall be the
19 40 basis for a comprehensive statewide plan. The
19 41 governance board shall seek public input when
19 42 establishing the plan and the competitive process
19 43 established under subparagraph (2).

19 44 (2) Establish a competitive process for the
19 45 disbursement of funds made available for the
19 46 deployment and sustainability of high-speed broadband
19 47 services in the form of grants. The governance board
19 48 shall only consider applications from parties seeking
19 49 to use funds for projects that are sustainable.

19 50 (a) Priority shall be given under the plan to
20 1 applications submitted by qualified private providers
20 2 of high-speed broadband services.

20 3 (b) The plan shall require collaboration involving
20 4 qualified private providers and public entities, as
20 5 appropriate.

20 6 (c) The plan shall allow for the participation of
20 7 public entities to accomplish project purposes that
20 8 are financially feasible in areas of the state that
20 9 remain unserved or underserved as a result of a lack
20 10 of private sector investment.

20 11 (3) Make recommendations to the general assembly
20 12 regarding any necessary legislation needed to further
20 13 the purposes of this subsection.

20 14 (4) Establish and maintain separate accounts for
20 15 the use of bond proceeds and nonbond proceeds.

20 16 d. Applications submitted shall be designed to
20 17 accomplish all of the following:
20 18 (1) Provide minimum broadband capacity throughout
20 19 the area as determined by the governance board
20 20 consistent with any applicable state and federal law
20 21 or guidelines. The governance board shall ensure that
20 22 the minimum broadband capacity established meets or
20 23 exceeds any federal requirements established with
20 24 regard to the availability of federal funds, in the
20 25 form of grants.

20 26 (2) Provide broadband connections to all business,
20 27 government, educational, and residential locations
20 28 within the project area.

20 29 (3) Utilize, where appropriate and feasible,
20 30 existing privately owned telecommunications fiber
20 31 infrastructure and wireless facilities to establish
20 32 universal access to high-speed broadband services, as
20 33 appropriate and consistent with the priorities
20 34 established by the governance board for the
20 35 competitive process under paragraph "c", subparagraph
20 36 (2).

20 37 (4) Demonstrate that any project undertaken and
20 38 funded by the governance board shall be economically
20 39 sustainable with no further government assistance
20 40 based upon expected revenue generation.

20 41 6. DEPARTMENT OF TRANSPORTATION

20 42 For deposit into the bridge safety fund created in
20 43 section 313.68 to be used for infrastructure projects
20 44 relating to functionally obsolete and structurally
20 45 deficient bridges:

20 46 \$ 50,000,000

20 47 Sec. 14. TAX=EXEMPT STATUS == USE OF

20 48 APPROPRIATIONS.

20 49 1. Payment of moneys appropriated in this division
20 50 of this Act shall be made in a manner that does not
21 1 adversely affect the tax-exempt status of any
21 2 outstanding bonds issued by the treasurer of state.

21 3 2. Payment of moneys appropriated in this division
21 4 of this Act shall not used for administrative or
21 5 planning purposes.

21 6 Sec. 15. REVERSION. Notwithstanding section 8.33,
21 7 moneys appropriated in this division of this Act for
21 8 the fiscal year beginning July 1, 2009, and ending
21 9 June 30, 2010, shall not revert at the close of the
21 10 fiscal year for which they are appropriated but shall
21 11 remain available for the purposes designated until the
21 12 close of the fiscal year that begins July 1, 2012, or
21 13 until the project for which the appropriation was made
21 14 is completed, whichever is earlier.

21 15 DIVISION IV
21 16 REGENTS BONDING

21 17 Sec. 16. Section 263A.2, Code 2009, is amended to
21 18 read as follows:

21 19 263A.2 AUTHORIZATION OF GENERAL ASSEMBLY AND
21 20 GOVERNOR.

21 21 Subject to and in accordance with the provisions of
21 22 this chapter, the state board of regents ~~after~~
~~21 23 authorization by a constitutional majority of the~~
~~21 24 general assembly and approval by the governor~~ may
21 25 undertake and carry out any project as defined in this
21 26 chapter at the state university of Iowa. The state
21 27 board of regents is authorized to operate, control,
21 28 maintain, and manage buildings and facilities and
21 29 additions to such buildings and facilities at said
21 30 institution. All contracts for the construction,
21 31 reconstruction, completion, equipment, improvement,
21 32 repair, or remodeling of any buildings, additions, or
21 33 facilities shall be let in accordance with the
21 34 provisions of section 262.34. The title to all real
21 35 estate acquired under the provisions of this chapter
21 36 and the improvements erected thereon shall be taken
21 37 and held in the name of the state of Iowa.

21 38 Sec. 17. Section 263A.3, unnumbered paragraph 1,
21 39 Code 2009, is amended to read as follows:

21 40 The board is authorized to borrow money and to
21 41 issue and sell negotiable bonds or notes to pay all or
21 42 any part of the cost of carrying out any project at
21 43 the institution and to refund and refinance bonds or
21 44 notes issued for any project or for refunding purposes
21 45 at the same rate or at a lower rate. ~~Such bonds or~~
~~21 46 notes shall be sold by the board at public sale on the~~

~~21 47 basis of sealed proposals received pursuant to a
21 48 notice specifying the time and place of sale and the
21 49 amount of bonds to be sold which shall be published at
21 50 least once not less than seven days prior to the date
22 1 of sale in a newspaper published in the state of Iowa
22 2 and having a general circulation in the state. The
22 3 provisions of chapter 75 shall not apply to bonds or
22 4 notes issued under authority contained in this
22 5 chapter, but such bonds or notes shall be sold upon
22 6 terms of not less than par plus accrued interest. The
22 7 bonds or notes issued under this chapter may be sold
22 8 at public sale as provided in chapter 75, but if the
22 9 board finds it advisable and in the public interest to
22 10 do so, such bonds or notes may be sold by the board at
22 11 private sale without published notice of any kind and
22 12 without regard to the requirements of chapter 75.~~

22 13 Bonds or notes issued to refund other bonds or notes
22 14 issued under the provisions of this chapter may either
22 15 be sold in the manner specified in this chapter and
22 16 the proceeds thereof applied to the payment of the
22 17 obligations being refunded, or the refunding bonds or
22 18 notes may be exchanged for and in payment and
22 19 discharge of the obligations being refunded. The
22 20 refunding bonds or notes may be sold or exchanged in
22 21 installments at different times or an entire issue or
22 22 series may be sold or exchanged at one time. Any
22 23 issue or series of refunding bonds or notes may be
22 24 exchanged in part or sold in parts in installments at
22 25 different times or at one time. The refunding bonds
22 26 or notes may be sold or exchanged at any time on,
22 27 before, or after the maturity of any of the
22 28 outstanding notes, bonds, or other obligations to be
22 29 refinanced thereby and may be issued for the purpose
22 30 of refunding a like or greater principal amount of
22 31 bonds or notes, except that the principal amount of
22 32 the refunding bonds or notes may exceed the principal
22 33 amount of the bonds or notes to be refunded to the
22 34 extent necessary to pay any premium due on the call of
22 35 the bonds or notes to be refunded or to fund interest
22 36 in arrears or about to become due.

22 37 Sec. 18. Section 263A.4, Code 2009, is amended to
22 38 read as follows:

22 39 263A.4 BONDS OR NOTES PROVISIONS.

22 40 Such bonds or notes may bear such date or dates,
22 41 may bear interest at such rate or rates, payable
22 42 semiannually, may mature at such time or times, may be
22 43 in such form and denominations, carry such
22 44 registration privileges, may be payable at such place
22 45 or places, may be subject to such terms of redemption
22 46 prior to maturity with or without premium, if so
22 47 stated on the face thereof, and may contain such terms
22 48 and covenants, including the establishment of
22 49 reserves, all as may be provided by this chapter,
22 50 section 76.17, and the resolution of the board

23 1 authorizing the issuance of the bonds or notes. In
23 2 addition to the estimated cost of construction,
23 3 including site costs, the cost of the project may
23 4 include interest upon the bonds or notes during
23 5 construction and for six months after the estimated
23 6 completion date, the compensation of a fiscal agent or
23 7 adviser, engineering, architectural, administrative,
23 8 and legal expenses and provision for contingencies.
23 9 Such bonds or notes shall be executed by the president
23 10 of the state board of regents and attested by the
23 11 executive director, secretary, or other official
23 12 thereof performing the duties of executive director,
23 13 and the coupons thereto attached shall be executed
23 14 with the original or facsimile signatures of said
23 15 president, executive director, secretary, or other
23 16 official; provided, however, that the facsimile
23 17 signature of either of such officers executing such
23 18 bonds may be imprinted on the face of the bonds in
23 19 lieu of the manual signature of such officer, but at
23 20 least one of the signatures appearing on the face of
23 21 each bond shall be a manual signature. Any bonds or
23 22 notes bearing the signatures of officers in office on
23 23 the date of the signing thereof shall be valid and
23 24 binding for all purposes, notwithstanding that before
23 25 delivery thereof any or all such persons whose
23 26 signatures appear thereon shall have ceased to be such
23 27 officers. Each such bond or note shall state upon its

23 28 face the name of the institution on behalf of which it
23 29 is issued, that it is payable solely and only from
23 30 hospital income received by such institution as
23 31 provided in this chapter, and that it does not
23 32 constitute a debt of or charge against the state of
23 33 Iowa within the meaning or application of any
23 34 constitutional or statutory limitation or provision.
23 35 The issuance of such bonds or notes shall be recorded
23 36 in the office of the treasurer of the institution, and
23 37 a certificate by such treasurer to this effect shall
23 38 be printed on the back of each such bond or note.

23 39 Sec. 19. 2004 Iowa Acts, chapter 1175, section
23 40 277, is amended by adding the following new
23 41 subsection:

23 42 NEW SUBSECTION. 5. DEFINITION. For purposes of
23 43 subsection 3, paragraph "b", "project" means the same
23 44 as defined in section 262A.2, subsection 6, and
23 45 includes the construction of replacement facilities
23 46 and flood recovery and flood mitigation expenses
23 47 resulting from a disaster in an area included in a
23 48 proclamation of disaster emergency in accordance with
23 49 section 29C.6.

23 50 Sec. 20. 2007 Iowa Acts, chapter 205, section 1,
24 1 is amended by adding the following new subsection:

24 2 NEW SUBSECTION. 4. DEFINITION. For purposes of
24 3 subsection 2, paragraph "a", "project" means the same
24 4 as defined in section 262A.2, subsection 6, and
24 5 includes the construction of replacement facilities
24 6 and flood recovery and flood mitigation expenses
24 7 resulting from a disaster in an area included in a
24 8 proclamation of disaster emergency in accordance with
24 9 section 29C.6.

24 10 DIVISION V

24 11 CHANGES TO PRIOR APPROPRIATIONS

24 12 Sec. 21. 2008 Iowa Acts, chapter 1179, section 7,
24 13 is amended to read as follows:

24 14 SEC. 7. DEPARTMENT OF ECONOMIC DEVELOPMENT. There
24 15 is appropriated from the rebuild Iowa infrastructure
24 16 fund to the department of economic development for the
24 17 designated fiscal years the following amounts, or so
24 18 much thereof as is necessary, to be used for the
24 19 purposes designated:

24 20 For deposit into the river enhancement community
24 21 attraction and tourism fund created in 2008 Iowa Acts,
24 22 Senate File 2430, if enacted:
24 23 FY 2009=2010..... \$ 10,000,000⁰
24 24
24 25 FY 2010=2011..... \$ 10,000,000
24 26 FY 2011=2012..... \$ 10,000,000
24 27 FY 2012=2013..... \$ 10,000,000

~~24 28 Notwithstanding section 8.33, moneys appropriated
24 29 in this section for the fiscal year beginning July 1,
24 30 2009, and ending June 30, 2010, shall not revert at
24 31 the close of the fiscal year for which they are
24 32 appropriated but shall remain available for the
24 33 purpose designated until the close of the fiscal year
24 34 that begins July 1, 2012, or until the project for
24 35 which the appropriation was made is completed,
24 36 whichever is earlier.~~

24 37 Notwithstanding section 8.33, moneys appropriated
24 38 in this section for the fiscal year beginning July 1,
24 39 2010, and ending June 30, 2011, shall not revert at
24 40 the close of the fiscal year for which they are
24 41 appropriated but shall remain available for the
24 42 purpose designated until the close of the fiscal year
24 43 that begins July 1, 2013, or until the project for
24 44 which the appropriation was made is completed,
24 45 whichever is earlier.

24 46 Notwithstanding section 8.33, moneys appropriated
24 47 in this section for the fiscal year beginning July 1,
24 48 2011, and ending June 30, 2012, shall not revert at
24 49 the close of the fiscal year for which they are
25 1 appropriated but shall remain available for the
25 2 purpose designated until the close of the fiscal year
25 3 that begins July 1, 2014, or until the project for
25 4 which the appropriation was made is completed,
25 5 whichever is earlier.

25 6 Notwithstanding section 8.33, moneys appropriated
25 7 in this section for the fiscal year beginning July 1,
25 8 2012, and ending June 30, 2013, shall not revert at
25 9 the close of the fiscal year for which they are

25 9 appropriated but shall remain available for the
25 10 purpose designated until the close of the fiscal year
25 11 that begins July 1, 2015, or until the project for
25 12 which the appropriation was made is completed,
25 13 whichever is earlier.

25 14 Sec. 22. 2008 Iowa Acts, chapter 1179, section 18,
25 15 unnumbered paragraph 1, is amended to read as follows:

25 16 There is appropriated from the ~~FY 2009 tax-exempt~~
~~25 17 bond proceeds restricted capital funds account of the~~
~~25 18 tobacco settlement trust fund revenue bonds capitals~~
~~25 19 fund~~ pursuant to section ~~12E.12, subsection 1,~~

~~25 20 paragraph "b", subparagraph (1A) 12.88, as if enacted~~
~~25 21 in this Act by the Eighty-third General Assembly, 2009~~
~~25 22 Session,~~ to the following departments and agencies for

25 23 the fiscal year beginning July 1, 2008, and ending
25 24 June 30, 2009, the following amounts, or so much
25 25 thereof as is necessary, to be used for the purposes
25 26 designated:

25 27 Sec. 23. 2008 Iowa Acts, chapter 1179, section 18,
25 28 subsection 1, paragraphs b through k, are amended to
25 29 read as follows:

25 30 b. For renovations to the capitol complex utility
25 31 tunnel system:

25 32 \$ 4,763,078
25 33 0

25 34 c. For costs associated with capitol interior and
25 35 exterior restoration:

25 36 \$ 6,900,000
25 37 0

25 38 d. For upgrades to the electrical distribution
25 39 system serving the capitol complex:

25 40 \$ 4,470,000
25 41 0

25 42 e. For heating, ventilating, and air conditioning
25 43 improvements in the Hoover state office building:

25 44 \$ 1,500,000
25 45 0

25 46 f. For costs associated with the central energy
25 47 plant addition and improvements:

25 48 \$ 623,000
25 49 0

25 50 g. For building security and firewall protection
26 1 in the Hoover state office building:

26 2 \$ 165,000
26 3 0

26 4 h. For projects related to major repairs and major
26 5 maintenance for state buildings and facilities under
26 6 the purview of the department:

26 7 \$ 15,000,000
26 8 14,624,923

26 9 Of the amount appropriated in this lettered
26 10 paragraph, up to \$1,000,000 may be used for demolition
26 11 purposes.

26 12 i. For the purchase of Mercy capitol hospital:

26 13 \$ 3,400,000
26 14 0

26 15 It is the intent of the general assembly that the
26 16 department will use other appropriations made or other
26 17 funds available to the department for the acquisition
26 18 of buildings to complete the purchase of this
26 19 building.

26 20 j. For capital improvements at the civil
26 21 commitment unit for a sexual offenders facility at
26 22 Cherokee:

26 23 \$ 829,000
26 24 0

26 25 k. For costs associated with the restoration and
26 26 renovation, including major repairs and major
26 27 maintenance, at the governor's mansion at Terrace
26 28 Hill:

26 29 \$ 769,543
26 30 0

26 31 Sec. 24. 2008 Iowa Acts, chapter 1179, section 18,
26 32 subsections 2 through 9, are amended to read as
26 33 follows:

26 34 2. DEPARTMENT FOR THE BLIND

26 35 For costs associated with the renovation of
26 36 dormitory buildings:

26 37 \$ 869,748

26 38 3. DEPARTMENT OF CORRECTIONS

26 39 a. For expansion of the community-based

26 40 corrections facility at Sioux City:
 26 41 \$ 5,300,000
 26 42 b. For expansion of the community-based
 26 43 corrections facility at Ottumwa:
 26 44 \$ 4,100,000
 26 45 c. For expansion of the community-based
 26 46 corrections facility at Waterloo:
 26 47 \$ 6,000,000
 26 48 d. For expansion of the community-based
 26 49 corrections facility at Davenport:
 26 50 \$ 2,100,000
 27 1 e. For expansion, including land acquisition, of
 27 2 the community-based corrections facility at Des
 27 3 Moines:
 27 4 \$ 13,100,000
 27 5 The appropriation in this lettered paragraph is
 27 6 contingent upon relocation of the sex offender
 27 7 treatment program from the community-based corrections
 27 8 facility at Des Moines to the property in northeast
 27 9 Des Moines identified by the fifth judicial district
 27 10 in the facility and site study final report submitted
 27 11 December 12, 2008.
 27 12 It is the intent of the general assembly that the
 27 13 funds appropriated in paragraphs "a" through "e" "e"
 27 14 be used to expand the number of beds available through
 27 15 new construction and remodeling and ~~not~~ for the
 27 16 ~~replacement~~ expansion of existing facilities.
 27 17 ~~d.~~ f. For expansion of the Iowa correctional
 27 18 facility for women at Mitchellville:
 27 19 \$ 47,500,000
 27 20 ~~e.~~ g. For the remodeling of kitchens at the
 27 21 correctional facilities at Mount Pleasant and Rockwell
 27 22 City:
 27 23 \$ 12,500,000
 27 24 4. DEPARTMENT OF ECONOMIC DEVELOPMENT
 27 25 a. For deposit into the community attraction and
 27 26 tourism fund created in section 15F.204:
 27 27 \$ 12,000,000
 27 28 b. For deposit into the river enhancement
 27 29 community attraction and tourism fund created in
 27 30 section 15F.205:
 27 31 \$ 10,000,000
 27 32 Moneys appropriated for grants awarded in
 27 33 paragraphs "a" and "b" shall be used to assist
 27 34 communities in the development and creation of
 27 35 multiple purpose attractions or community service
 27 36 facilities for public use.
 27 37 c. For accelerated career education program
 27 38 capital projects at community colleges that are
 27 39 authorized under chapter 260G and that meet the
 27 40 definition of vertical infrastructure in section 8.57,
 27 41 subsection 6, paragraph "c":
 27 42 \$ 5,500,000
 27 43 ~~4.~~ 5. DEPARTMENT OF EDUCATION
 27 44 For major renovation and major repair needs,
 27 45 including health, life, and fire safety needs, and for
 27 46 compliance with the federal Americans With
 27 47 Disabilities Act, for state buildings and facilities
 27 48 under the purview of the community colleges:
 27 49 \$ 2,000,000
 27 50 The moneys appropriated in this subsection shall be
 28 1 allocated to the community colleges based upon the
 28 2 distribution formula established in section 260C.18C.
 28 3 ~~5.~~ 6. DEPARTMENT OF NATURAL RESOURCES
 28 4 a. For infrastructure improvements for a state
 28 5 river recreation area located in a county with a
 28 6 population between 21,900 and 22,100:
 28 7 \$ 750,000
 28 8 b. For the construction and installation of an
 28 9 angled well, pumps, and piping to connect the existing
 28 10 infrastructure from the new well to a lake located in
 28 11 a county with a population between 87,500 and 88,000
 28 12 For the implementation of a water quality improvement
 28 13 project for the restoration of a lake located in a
 28 14 county with a population between 87,500 and 88,000:
 28 15 \$ 500,000
 28 16 Moneys appropriated in this lettered paragraph are
 28 17 contingent upon receipt of matching funds from a state
 28 18 taxing authority surrounding such lake.
 28 19 c. For the construction of the cabins, activity
 28 20 building, picnic shelters, and other costs associated

~~28 21 with the opening of the Honey creek premier~~
~~28 22 destination park:~~
~~28 23 \$ 4,900,000~~
~~28 24 The department shall not obligate any funding under~~
~~28 25 this appropriation without approval from the~~
~~28 26 department of management. The department shall~~
~~28 27 provide quarterly updates to the Honey creek premier~~
~~28 28 destination park authority and the legislative~~
~~28 29 services agency on the obligation and spending of this~~
~~28 30 appropriation.~~
~~28 31 In light of this appropriation, the department~~
~~28 32 shall not request additional appropriations for~~
~~28 33 funding the construction of future additional~~
~~28 34 amenities at the Honey creek destination park beyond~~
~~28 35 the fiscal year ending June 30, 2009. In the event~~
~~28 36 that the chairperson of the authority delivers a~~
~~28 37 certificate to the governor, pursuant to section~~
~~28 38 463C.13, stating the amounts necessary to restore bond~~
~~28 39 reserve funds, it is the general assembly's intent~~
~~28 40 upon consideration of the governor's request to first~~
~~28 41 seek refunding from the department's budget.~~
~~28 42 d. c. For implementation of lake projects that~~
~~28 43 have established watershed improvement initiatives and~~
~~28 44 community support in accordance with the department's~~
~~28 45 annual lake restoration plan and report,~~
~~28 46 notwithstanding section 8.57, subsection 6, paragraph~~
~~28 47 "c":~~
~~28 48 \$ 8,600,000~~
~~28 49 10,000,000~~
~~28 50 (1) It is the intent of the general assembly that~~
~~29 1 the department of natural resources shall implement~~
~~29 2 the lake restoration annual report and plan submitted~~
~~29 3 to the joint appropriations subcommittee on~~
~~29 4 transportation, infrastructure, and capitals and the~~
~~29 5 legislative services agency on December 26, 2006,~~
~~29 6 pursuant to section 456A.33B. The lake restoration~~
~~29 7 projects that are recommended by the department to~~
~~29 8 receive funding for fiscal year 2007-2008 and that~~
~~29 9 satisfy the criteria in section 456A.33B, including~~
~~29 10 local commitment of funding for the projects, shall be~~
~~29 11 funded in the amounts provided in the report.~~
~~29 12 Of the amounts appropriated in this lettered~~
~~29 13 paragraph, at least the following amounts shall be~~
~~29 14 allocated as follows:~~
~~29 15 (a) For clear lake in Cerro Gordo county:~~
~~29 16 \$ 3,000,000~~
~~29 17 (b) For storm lake in Buena Vista county:~~
~~29 18 \$ 1,000,000~~
~~29 19 (c) For carter lake in Pottawattamie county:~~
~~29 20 \$ 200,000~~
~~29 21 (2) Of the moneys appropriated in this lettered~~
~~29 22 paragraph, \$200,000 shall be used for the purposes of~~
~~29 23 supporting a low head dam public hazard improvement~~
~~29 24 program. The moneys shall be used to provide grants~~
~~29 25 to local communities, including counties and cities,~~
~~29 26 for projects approved by the department.~~
~~29 27 (a) The department shall award grants to dam~~
~~29 28 owners including counties, cities, state agencies,~~
~~29 29 cooperatives, and individuals, to support projects~~
~~29 30 approved by the department.~~
~~29 31 (b) The department shall require each dam owner~~
~~29 32 applying for a project grant to submit a project plan~~
~~29 33 for the expenditure of the moneys, and file a report~~
~~29 34 with the department regarding the project, as required~~
~~29 35 by the department.~~
~~29 36 (c) The funds can be used for signs, posts, and~~
~~29 37 related cabling, and the department shall only award~~
~~29 38 money on a matching basis, pursuant to the dam owner~~
~~29 39 contributing at least 20 cents for every 80 cents~~
~~29 40 awarded by the department, in order to finance the~~
~~29 41 project. For the remainder of the funds, including~~
~~29 42 any balance of money not awarded for signs, posts, and~~
~~29 43 related cabling, the department shall only award~~
~~29 44 moneys to a dam owner on a matching basis. A dam~~
~~29 45 owner shall contribute one dollar for each dollar~~
~~29 46 awarded by the department in order to finance a~~
~~29 47 project.~~
~~29 48 6. 7. STATE BOARD OF REGENTS~~
~~29 49 a. For infrastructure, deferred maintenance, and~~
~~29 50 equipment related to Iowa public radio:~~
~~30 1 \$ 2,000,000~~

30 2 1,900,000

30 3 b. For phase II of the construction and renovation

30 4 of the veterinary medical facilities at Iowa state

30 5 university of science and technology, specifically the

30 6 renovation and modernization of the area formerly

30 7 occupied by the large animal area of the teaching

30 8 hospital for expanded clinical services in a small

30 9 animal hospital:

30 10 \$ 10,000,000

30 11 ~~7-~~ 8. IOWA STATE FAIR

30 12 For infrastructure improvements to the Iowa state

30 13 fairgrounds including but not limited to the

30 14 construction of an agricultural exhibition center on

30 15 the Iowa state fairgrounds:

30 16 \$ 5,000,000

30 17 0

30 18 ~~8-~~ 9. DEPARTMENT OF TRANSPORTATION

30 19 a. For deposit into the public transit

30 20 infrastructure grant fund created in section 324A.6A:

30 21 \$ 2,200,000

30 22 b. For infrastructure improvements at the

30 23 commercial service airports within the state:

30 24 \$ 1,500,000

30 25 Fifty percent of the funds appropriated in this

30 26 lettered paragraph shall be allocated equally between

30 27 each commercial air service airport, forty percent of

30 28 the funds shall be allocated based on the percentage

30 29 that the number of enplaned passengers at each

30 30 commercial air service airport bears to the total

30 31 number of enplaned passengers in the state during the

30 32 previous fiscal year, and ten percent of the funds

30 33 shall be allocated based on the percentage that the

30 34 air cargo tonnage at each commercial air service

30 35 airport bears to the total air cargo tonnage in the

30 36 state during the previous fiscal year. In order for a

30 37 commercial air service airport to receive funding

30 38 under this lettered paragraph, the airport shall be

30 39 required to submit applications for funding of

30 40 specific projects to the department for approval by

30 41 the state transportation commission.

30 42 ~~9-~~ 10. DEPARTMENT OF VETERANS AFFAIRS

30 43 ~~a-~~ For matching funds for the construction of

30 44 resident living areas at the Iowa veterans home and

30 45 related improvements associated with the Iowa veterans

30 46 home comprehensive plan:

30 47 \$ 20,555,329

30 48 22,555,329

30 49 ~~b. To build a memorial plaza that honors veterans~~

30 50 ~~from the Dubuque area:~~

31 1 \$ 100,000

31 2 Sec. 25. 2008 Iowa Acts, chapter 1179, sections 19

31 3 and 20, are amended to read as follows:

31 4 SEC. 19. TAX=EXEMPT STATUS == USE OF

31 5 APPROPRIATIONS. Payment of moneys from the

31 6 appropriations in this division of this Act shall be

31 7 made in a manner that does not adversely affect the

31 8 tax-exempt status of any outstanding bonds issued by

31 9 the ~~tobacco settlement authority~~ treasurer of state.

31 10 SEC. 20. REVERSION. Notwithstanding section 8.33,

31 11 moneys appropriated in this division of this Act for

31 12 the fiscal year beginning July 1, 2008, and ending

31 13 June 30, 2009, shall not revert at the close of the

31 14 fiscal year for which they are appropriated but shall

31 15 remain available for the purposes designated until the

31 16 close of the fiscal year that begins July 1, ~~2011~~

31 17 2012, or until the project for which the appropriation

31 18 was made is completed, whichever is earlier.

31 19 DIVISION VI

31 20 MISCELLANEOUS CODE CHANGES

31 21 Sec. 26. Section 8.57, subsection 6, paragraph e,

31 22 Code 2009, is amended to read as follows:

31 23 e. (1) ~~(a)~~ (i) Notwithstanding provisions to the

31 24 contrary in sections 99D.17 and 99F.11, for the fiscal

31 25 year beginning July 1, 2000, and for each fiscal year

31 26 thereafter, not more than a total of sixty million

31 27 dollars shall be deposited in the general fund of the

31 28 state in any fiscal year pursuant to sections 99D.17

31 29 and 99F.11.

31 30 (ii) However, in lieu of the deposit in

31 31 subparagraph subdivision (i), for the fiscal year

31 32 beginning July 1, 2010, and for each fiscal year

31 33 thereafter until the principal and interest on all
31 34 bonds issued by the treasurer of state pursuant to
31 35 section 12.87 are paid, as determined by the treasurer
31 36 of state, the first fifty=five million dollars of the
31 37 moneys directed to be deposited in the general fund of
31 38 the state under subparagraph subdivision (i) shall be
31 39 deposited in the revenue bonds debt service fund
31 40 created in section 12.89, and the next five million
31 41 dollars of the moneys directed to be deposited in the
31 42 general fund of the state under subparagraph
31 43 subdivision (i) shall be deposited in the general fund
31 44 of the state.

31 45 (b) The next fifteen million dollars of the moneys
31 46 directed to be deposited in the general fund of the
31 47 state in a fiscal year pursuant to sections 99D.17 and
31 48 99F.11 shall be deposited in the vision Iowa fund
31 49 created in section 12.72 for the fiscal year beginning
31 50 July 1, 2000, and for each fiscal year through the
32 1 fiscal year beginning July 1, 2019.

32 2 (c) The next five million dollars of the moneys
32 3 directed to be deposited in the general fund of the
32 4 state in a fiscal year pursuant to sections 99D.17 and
32 5 99F.11 shall be deposited in the school infrastructure
32 6 fund created in section 12.82 for the fiscal year
32 7 beginning July 1, 2000, and for each fiscal year
32 8 thereafter until the principal and interest on all
32 9 bonds issued by the treasurer of state pursuant to
32 10 section 12.81 are paid, as determined by the treasurer
32 11 of state.

32 12 (d) (i) The total moneys in excess of the moneys
32 13 deposited in the ~~general fund of the state revenue~~
32 14 ~~bonds debt service fund~~, the vision Iowa fund, ~~and the~~
32 15 ~~school infrastructure fund, and the general fund of~~
32 16 ~~the state~~ in a fiscal year shall be deposited in the
32 17 rebuild Iowa infrastructure fund and shall be used as
32 18 provided in this section, notwithstanding section
32 19 8.60.

32 20 (ii) However, in lieu of the deposit in
32 21 subparagraph subdivision (i), for the fiscal year
32 22 beginning July 1, 2010, and for each fiscal year
32 23 thereafter until the principal and interest on all
32 24 bonds issued by the treasurer of state pursuant to
32 25 section 12.87 are paid, as determined by the treasurer
32 26 of state, fifty=five million dollars of the excess
32 27 moneys directed to be deposited in the rebuild Iowa
32 28 infrastructure fund under subparagraph subdivision (i)
32 29 shall be deposited in the general fund of the state.

32 30 (2) If the total amount of moneys directed to be
32 31 deposited in the general fund of the state under
32 32 sections 99D.17 and 99F.11 in a fiscal year is less
32 33 than the total amount of moneys directed to be
32 34 deposited in the revenue bonds debt service fund in
32 35 the fiscal year pursuant to this paragraph "e", the
32 36 difference shall be paid from moneys deposited in the
32 37 beer and liquor control fund created in section 123.53
32 38 in the manner provided in section 123.53, subsection
32 39 2A.

32 40 (2) (3) ~~After the deposit of moneys directed to~~
32 41 ~~be deposited in the general fund of the state and the~~
32 42 ~~revenue bonds debt service fund as provided in~~
32 43 ~~subparagraph (2), if the total amount of moneys~~
32 44 ~~directed to be deposited in the general fund of the~~
32 45 ~~state under sections 99D.17 and 99F.11 in a fiscal~~
32 46 ~~year is less than the total amount of moneys directed~~
32 47 ~~to be deposited in the vision Iowa fund and the school~~
32 48 ~~infrastructure fund in the fiscal year pursuant to~~
32 49 ~~this paragraph "e", the difference shall be paid from~~
32 50 ~~lottery revenues in the manner provided in section~~
33 1 ~~99G.39, subsection 3.~~

33 2 Sec. 27. Section 15F.204, subsection 8, paragraph
33 3 a, subparagraph (6), Code 2009, is amended by striking
33 4 the subparagraph.

33 5 Sec. 28. NEW SECTION. 16.185 PUBLIC SERVICE
33 6 SHELTER GRANT FUND.

33 7 1. A public service shelter grant fund is created
33 8 under the authority of the Iowa finance authority.
33 9 The fund shall consist of appropriations made to the
33 10 fund. The fund shall be separate from the general
33 11 fund of the state and the balance in the fund shall
33 12 not be considered part of the balance of the general
33 13 fund of the state. However, the fund shall be

33 14 considered a special account for the purposes of
33 15 section 8.53, relating to generally accepted
33 16 accounting principles.

33 17 2. Notwithstanding section 12C.7, subsection 2,
33 18 interest or earnings on moneys in the fund shall be
33 19 credited to the fund.

33 20 3. Moneys in the fund in a fiscal year shall be
33 21 used as appropriated by the general assembly for
33 22 grants for construction, renovations, or improvements
33 23 of homeless shelters, emergency shelters, and family
33 24 and domestic violence shelters, to assist communities
33 25 in providing certain essential social services
33 26 including supportive services and other kinds of
33 27 assistance to individuals in need of temporary housing
33 28 necessary to improve their living situations.

33 29 4. Annually, on or before January 15 of each year,
33 30 a state agency that received an appropriation for the
33 31 public service shelter grant fund shall report to the
33 32 legislative services agency and the department of
33 33 management the status of all projects completed or in
33 34 progress. The report shall include a description of
33 35 the project, the progress of work completed, the total
33 36 estimated cost of the project, a list of all revenue
33 37 sources being used to fund the project, the amount of
33 38 funds expended, the amount of funds obligated, and the
33 39 date the project was completed or an estimated
33 40 completion date of the project, where applicable.

33 41 5. Payment of moneys from appropriations from the
33 42 fund shall be made in a manner that does not adversely
33 43 affect the tax-exempt status of any outstanding bonds
33 44 issued by the treasurer of state pursuant to section
33 45 12.87.

33 46 6. The authority shall adopt rules pursuant to
33 47 chapter 17A to administer this section.

33 48 Sec. 29. NEW SECTION. 16.186 DISASTER DAMAGE
33 49 HOUSING ASSISTANCE GRANT FUND.

33 50 1. A disaster damage housing assistance grant fund
34 1 is created under the authority of the Iowa finance
34 2 authority. The fund shall consist of appropriations
34 3 made to the fund. The fund shall be separate from the
34 4 general fund of the state and the balance in the fund
34 5 shall not be considered part of the balance of the
34 6 general fund of the state. However, the fund shall be
34 7 considered a special account for the purposes of
34 8 section 8.53, relating to generally accepted
34 9 accounting principles.

34 10 2. Notwithstanding section 12C.7, subsection 2,
34 11 interest or earnings on moneys in the fund shall be
34 12 credited to the fund.

34 13 3. Moneys in the fund in a fiscal year shall be
34 14 used as appropriated by the general assembly for
34 15 grants to ease and speed recovery efforts from the
34 16 natural disasters of 2008, including stabilizing
34 17 neighborhoods damaged by the natural disasters,
34 18 preventing population loss and neighborhood
34 19 deterioration, and improving the health, safety, and
34 20 welfare of persons living in such disaster-damaged
34 21 neighborhoods.

34 22 4. Annually, on or before January 15 of each year,
34 23 a state agency that received an appropriation for the
34 24 disaster damage housing assistance grant fund shall
34 25 report to the legislative services agency and the
34 26 department of management the status of all projects
34 27 completed or in progress. The report shall include a
34 28 description of the project, the progress of work
34 29 completed, the total estimated cost of the project, a
34 30 list of all revenue sources being used to fund the
34 31 project, the amount of funds expended, the amount of
34 32 funds obligated, and the date the project was
34 33 completed or an estimated completion date of the
34 34 project, where applicable.

34 35 5. Payment of moneys from appropriations from the
34 36 fund shall be made in a manner that does not adversely
34 37 affect the tax-exempt status of any outstanding bonds
34 38 issued by the treasurer of state pursuant to section
34 39 12.87.

34 40 6. The authority shall adopt rules pursuant to
34 41 chapter 17A to administer this section.

34 42 Sec. 30. NEW SECTION. 16.187 AFFORDABLE HOUSING
34 43 ASSISTANCE GRANT FUND.

34 44 1. An affordable housing assistance grant fund is

34 45 created under the authority of the Iowa finance
34 46 authority. The fund shall consist of appropriations
34 47 made to the fund. The fund shall be separate from the
34 48 general fund of the state and the balance in the fund
34 49 shall not be considered part of the balance of the
34 50 general fund of the state. However, the fund shall be
35 1 considered a special account for the purposes of
35 2 section 8.53, relating to generally accepted
35 3 accounting principles.

35 4 2. Notwithstanding section 12C.7, subsection 2,
35 5 interest or earnings on moneys in the fund shall be
35 6 credited to the fund.

35 7 3. Moneys in the fund in a fiscal year shall be
35 8 used as appropriated by the general assembly for
35 9 grants for housing for certain elderly, disabled, and
35 10 low-income persons and public servants in professions
35 11 meeting critical skill shortages in the state, to
35 12 assist communities in providing safe and affordable
35 13 housing for the general welfare and security of the
35 14 citizens of the state.

35 15 4. Annually, on or before January 15 of each year,
35 16 a state agency that received an appropriation for the
35 17 affordable housing assistance grant fund shall report
35 18 to the legislative services agency and the department
35 19 of management the status of all projects completed or
35 20 in progress. The report shall include a description
35 21 of the project, the progress of work completed, the
35 22 total estimated cost of the project, a list of all
35 23 revenue sources being used to fund the project, the
35 24 amount of funds expended, the amount of funds
35 25 obligated, and the date the project was completed or
35 26 an estimated completion date of the project, where
35 27 applicable.

35 28 5. Payment of moneys from appropriations from the
35 29 fund shall be made in a manner that does not adversely
35 30 affect the tax-exempt status of any outstanding bonds
35 31 issued by the treasurer of state pursuant to section
35 32 12.87.

35 33 6. The authority shall adopt rules pursuant to
35 34 chapter 17A to administer this section.

35 35 Sec. 31. Section 123.53, Code 2009, is amended by
35 36 adding the following new subsections:

35 37 NEW SUBSECTION. 2A. Notwithstanding subsection 2,
35 38 if gaming revenues under sections 99D.17 and 99F.11
35 39 are insufficient in a fiscal year to meet the total
35 40 amount of such revenues directed to be deposited in
35 41 the revenue bonds debt service fund during the fiscal
35 42 year pursuant to section 8.57, subsection 6, paragraph
35 43 "e", the difference shall be paid from moneys
35 44 deposited in the beer and liquor control fund prior to
35 45 transfer of such moneys to the general fund pursuant
35 46 to subsection 2 and prior to the transfer of such
35 47 moneys pursuant to subsections 3 and 4. If moneys
35 48 deposited in the beer and liquor control fund are
35 49 insufficient during the fiscal year to pay the
35 50 difference, the remaining difference shall be paid
36 1 from moneys deposited in the beer and liquor control
36 2 fund in subsequent fiscal years as such moneys become
36 3 available.

36 4 NEW SUBSECTION. 2B. The treasurer of state shall,
36 5 each quarter, prepare an estimate of the gaming
36 6 revenues and of the moneys to be deposited in the beer
36 7 and liquor control fund that will become available
36 8 during the remainder of the appropriate fiscal year
36 9 for the purposes described in subsection 2A. The
36 10 department of management, the department of
36 11 inspections and appeals and the department of commerce
36 12 shall take appropriate actions to provide that the sum
36 13 of the amount of gaming revenues available to be
36 14 deposited into the revenue bonds debt service fund
36 15 during a fiscal year and the amount of moneys to be
36 16 deposited in the beer and liquor control fund
36 17 available to be deposited into the revenue bonds debt
36 18 service fund during such fiscal year will be
36 19 sufficient to cover any anticipated deficiencies.

36 20 Sec. 32. Section 123.53, subsections 3 and 4, Code
36 21 2009, are amended to read as follows:

36 22 3. ~~The treasurer of state~~ After any transfer
36 23 provided for in subsection 2A is made, the department
36 24 of commerce shall transfer into a special revenue
36 25 account in the general fund of the state, a sum of

36 26 money at least equal to seven percent of the gross
36 27 amount of sales made by the division from the beer and
36 28 liquor control fund on a monthly basis but not less
36 29 than nine million dollars annually. Of the amounts
36 30 transferred, two million dollars, plus an additional
36 31 amount determined by the general assembly, shall be
36 32 appropriated to the Iowa department of public health
36 33 for use by the staff who administer the comprehensive
36 34 substance abuse program under chapter 125 for
36 35 substance abuse treatment and prevention programs.
36 36 Any amounts received in excess of the amounts
36 37 appropriated to the Iowa department of public health
36 38 for use by the staff who administer the comprehensive
36 39 substance abuse program under chapter 125 shall be
36 40 considered part of the general fund balance.

36 41 ~~4. The treasurer of state, after making the~~
~~36 42 transfer After any transfers provided for in~~
~~36 43 subsection subsections 2A and 3, the department of~~
~~36 44 commerce shall transfer to the division from the beer~~
36 45 and liquor control fund and before any other transfer
36 46 to the general fund, an amount sufficient to pay the
36 47 costs incurred by the division for collecting and
36 48 properly disposing of the liquor containers.

36 49 Sec. 33. Section 331.441, subsection 2, paragraph
36 50 b, subparagraph 16, Code 2009, is amended to read as
37 1 follows:

37 2 (16) Capital projects for the construction,
37 3 reconstruction, improvement, repair, or equipping of
37 4 bridges, roads, and culverts if such capital projects
37 5 assist in economic development which creates jobs and
37 6 wealth, if such capital projects relate to damage
37 7 caused by a disaster as defined in section 29C.2, or
37 8 if such capital projects are designed to prevent or
37 9 mitigate future disasters as defined in section 29C.2.

37 10 Sec. 34. NEW SECTION. 313.68 BRIDGE SAFETY FUND.

37 11 1. A bridge safety fund is created in the
37 12 department under the authority of the state
37 13 transportation commission. The fund shall consist of
37 14 appropriations made to the fund. The fund shall be
37 15 separate from the general fund of the state and the
37 16 balance in the fund shall not be considered part of
37 17 the balance of the general fund of the state.
37 18 However, the fund shall be considered a special
37 19 account for the purposes of section 8.53, relating to
37 20 generally accepted accounting principles.

37 21 2. Notwithstanding section 12C.7, subsection 2,
37 22 interest or earnings on moneys in the fund shall be
37 23 credited to the fund.

37 24 3. Moneys in the fund in a fiscal year shall be
37 25 used as appropriated by the general assembly for
37 26 infrastructure projects relating to functionally
37 27 obsolete and structurally deficient bridges on the
37 28 primary road system.

37 29 4. Annually, on or before January 15 of each year,
37 30 the department of transportation shall report to the
37 31 legislative services agency and the department of
37 32 management the status of all projects completed or in
37 33 progress. The report shall include a description of
37 34 the project, the progress of work completed, the total
37 35 estimated cost of the project, a list of all revenue
37 36 sources being used to fund the project, the amount of
37 37 funds expended, the amount of funds obligated, and the
37 38 date the project was completed or an estimated
37 39 completion date of the project, where applicable.

37 40 5. Payment of moneys from appropriations from the
37 41 fund shall be made in a manner that does not adversely
37 42 affect the tax-exempt status of any outstanding bonds
37 43 issued by the treasurer of state pursuant to section
37 44 12.87.

37 45 6. The department shall adopt rules pursuant to
37 46 chapter 17A to administer this section.

37 47 Sec. 35. Section 476.46, subsection 2, paragraph
37 48 d, subparagraph (1), Code 2009, is amended to read as
37 49 follows:

37 50 (1) A gas or electric utility that is not required
38 1 to be rate-regulated shall not be eligible for a loan
38 2 under this section. However, gas and electric
38 3 utilities not required to be rate-regulated shall be
38 4 eligible for loans from moneys remitted to the fund
38 5 except as provided in subsection 3. Such loans shall
38 6 be limited to a maximum of five hundred thousand

38 7 dollars per applicant and shall be limited to one loan
38 8 every two years.

38 9 DIVISION VI
38 10 EFFECTIVE DATE
38 11 Sec. 36. EFFECTIVE DATE. This Act, being deemed
38 12 of immediate importance, takes effect upon enactment.>
38 13 #2. Title page, by striking lines 1 through 5 and
38 14 inserting the following: <An Act creating an Iowa
38 15 jobs program, an Iowa jobs board, and Iowa jobs fund,
38 16 authorizing the issuance of bonds, including the
38 17 issuance of tax-exempt bonds, making and revising
38 18 appropriations, and providing an effective date.>
38 19 SF 376.H
38 20 rh/cm/25