

House File 2473

H-8328

1 Amend the amendment, H-8315, to House File 2473 as
2 follows:

3 1. By striking page 1, line 1, through page 22,
4 line 28, and inserting:

5 <Amend House File 2473 as follows:

6 _____. By striking everything after the enacting
7 clause and inserting:

8

<DIVISION I

9

STANDING APPROPRIATIONS AND RELATED MATTERS

10 Section 1. 2013 Iowa Acts, chapter 140, is amended
11 by adding the following new section:

12 NEW SECTION. SEC. 1A. BUDGET PROCESS FOR FISCAL
13 YEAR 2015-2016.

14 1. For the budget process applicable to the fiscal
15 year beginning July 1, 2015, on or before October 1,
16 2014, in lieu of the information specified in section
17 8.23, subsection 1, unnumbered paragraph 1, and
18 paragraph "a", all departments and establishments of
19 the government shall transmit to the director of the
20 department of management, on blanks to be furnished
21 by the director, estimates of their expenditure
22 requirements, including every proposed expenditure, for
23 the ensuing fiscal year, together with supporting data
24 and explanations as called for by the director of the
25 department of management after consultation with the
26 legislative services agency.

27 2. The estimates of expenditure requirements
28 shall be in a form specified by the director of
29 the department of management, and the expenditure
30 requirements shall include all proposed expenditures
31 and shall be prioritized by program or the results to
32 be achieved. The estimates shall be accompanied by
33 performance measures for evaluating the effectiveness
34 of the programs or results.

35 Sec. 2. 2013 Iowa Acts, chapter 140, is amended by
36 adding the following new section:

37 NEW SECTION. SEC. 3A. GENERAL ASSEMBLY.

38 1. The appropriations made pursuant to section
39 2.12 for the expenses of the general assembly and
40 legislative agencies for the fiscal year beginning July
41 1, 2014, and ending June 30, 2015, are reduced by the
42 following amount:

43 \$ 3,000,000

44 2. The budgeted amounts for the general assembly
45 for the fiscal year beginning July 1, 2014, may be
46 adjusted to reflect unexpended budgeted amounts from
47 the previous fiscal year.

48 Sec. 3. 2013 Iowa Acts, chapter 140, section 6, is
49 amended to read as follows:

50 SEC. 6. LIMITATIONS OF STANDING APPROPRIATIONS

1 — FY 2014-2015. Notwithstanding the standing
2 appropriations in the following designated sections for
3 the fiscal year beginning July 1, 2014, and ending June
4 30, 2015, the amounts appropriated from the general
5 fund of the state pursuant to these sections for the
6 following designated purposes shall not exceed the
7 following amounts:

8 1. For operational support grants and community
9 cultural grants under section 99F.11, subsection 3,
10 paragraph "d", subparagraph (1):
11 \$ 208,351
12 416,702

13 ~~2. For regional tourism marketing under section~~
14 ~~99F.11, subsection 3, paragraph "d", subparagraph (2):~~
15 ~~..... \$ 582,000~~

16 3. For payment for nonpublic school transportation
17 under section 285.2:
18 \$ 8,560,931

19 If total approved claims for reimbursement for
20 nonpublic school pupil transportation exceed the amount
21 appropriated in accordance with this subsection, the
22 department of education shall prorate the amount of
23 each approved claim.

24 4. For the enforcement of chapter 453D relating to
25 tobacco product manufacturers under section 453D.8:
26 \$ 9,208
27 18,416

28 Sec. 4. Section 257.35, Code 2014, is amended by
29 adding the following new subsection:

30 NEW SUBSECTION. 8A. Notwithstanding subsection 1,
31 and in addition to the reduction applicable pursuant
32 to subsection 2, the state aid for area education
33 agencies and the portion of the combined district cost
34 calculated for these agencies for the fiscal year
35 beginning July 1, 2014, and ending June 30, 2015, shall
36 be reduced by the department of management by thirteen
37 million dollars. The reduction for each area education
38 agency shall be prorated based on the reduction that
39 the agency received in the fiscal year beginning July
40 1, 2003.

41 DIVISION II

42 MISCELLANEOUS PROVISIONS AND APPROPRIATIONS

43 Sec. 5. UNIVERSITY OF NORTHERN IOWA. There is
44 appropriated from the general fund of the state to the
45 state board of regents for the fiscal year beginning
46 July 1, 2014, and ending June 30, 2015, the following
47 amount, or so much thereof as is necessary, to be used
48 for the purposes designated:

49 For the university of northern Iowa for salaries,
50 support, maintenance, equipment, financial aid, and

1 miscellaneous purposes and to supplement appropriations
2 made for the same purposes in 2014 Iowa Acts, Senate
3 File 2347, if enacted:

4 \$ 1,775,000

5 Sec. 6. AIR QUALITY PROGRAM APPROPRIATION.

6 There is appropriated from the general fund of the
7 state to the department of natural resources for the
8 fiscal year beginning July 1, 2013, and ending June 30,
9 2014, the following amount, or so much thereof as is
10 necessary, to be used for the purposes designated:

11 For purposes of supporting the air quality program,
12 including salaries, support, maintenance, and
13 miscellaneous purposes:

14 \$ 2,000,000

15 1. Notwithstanding section 8.33, moneys
16 appropriated in this section that remain unencumbered
17 or unobligated at the close of the fiscal year shall
18 not revert but shall remain available for expenditure
19 for the purposes designated until the close of the
20 fiscal year beginning July 1, 2015.

21 2. The moneys appropriated in this section shall
22 not be transferred, expended, obligated, or otherwise
23 encumbered by the department until the department
24 submits, by October 15, 2014, a report approved by the
25 air quality program task force, if enacted by 2014 Iowa
26 Acts, House File 2458.

27 Sec. 7. VETERANS.

28 1. There is appropriated from the general fund of
29 the state to the department of workforce development
30 for the fiscal year beginning July 1, 2014, and
31 ending June 30, 2015, the following amount, or so much
32 thereof as is necessary, to be used for the purposes
33 designated:

34 For funding research linking military occupational
35 education, training, and service to existing licensing
36 requirements in this state, for funding implementation
37 of this Act, and for meeting additional demand for
38 workforce development services provided to veterans:

39 \$ 1,000,000

40 2. There is appropriated from the general fund of
41 the state to the department of workforce development
42 for the fiscal year beginning July 1, 2014, and
43 ending June 30, 2015, the following amount, or so much
44 thereof as is necessary, to be used for the purposes
45 designated:

46 For awarding a grant, in the amount appropriated,
47 to a nonprofit workforce services foundation exempt
48 from federal taxation under section 501(c)(3) of the
49 Internal Revenue Code that is administered by an agency
50 of this state for the purposes of paying for the direct

1 expenses of marketing this state to veterans through
2 public-private partnerships:
3 \$ 1,000,000

4 Sec. 8. BUILDING CODE COMMISSIONER. There is
5 appropriated from the general fund of the state to
6 the department of public safety for the fiscal year
7 beginning July 1, 2014, and ending June 30, 2015, the
8 following amount, or so much thereof as is necessary,
9 to be used for the purposes designated:

10 For purposes of installation inspection duties under
11 chapter 103A, division IV:
12 \$ 100,000

13 Sec. 9. FOOD SECURITY FOR OLDER INDIVIDUALS. There
14 is appropriated from the general fund of the state to
15 the department on aging for the fiscal year beginning
16 July 1, 2014, and ending June 30, 2015, the following
17 amount, or so much thereof as is necessary, to be used
18 for the purposes designated:

19 To award to each area agency on aging designated
20 under section 231.32 in the proportion that the
21 estimated amount of older individuals in Iowa served by
22 that area agency on aging bears to the total estimated
23 amount of older individuals in Iowa, to be used to
24 provide congregate meals and home-delivered meals to
25 food-insecure older individuals in Iowa:
26 \$ 250,000

27 Sec. 10. Section 8.9, subsection 2, paragraph a,
28 Code 2014, is amended to read as follows:

29 a. All grant applications submitted and grant
30 moneys received by a department on behalf of the state
31 shall be reported to the office of grants enterprise
32 management. The office shall by ~~January 31~~ December
33 1 of each year submit to the fiscal services division
34 of the legislative services agency a written report
35 listing all grants received during the ~~previous~~
36 calendar most recently completed federal fiscal year
37 with a value over one thousand dollars and the funding
38 entity and purpose for each grant. However, the
39 reports on grants filed by the state board of regents
40 pursuant to section 8.44 shall be deemed sufficient to
41 comply with the requirements of this subsection. In
42 addition, each department shall submit and the office
43 shall report, as applicable, for each grant applied
44 for or received and other federal moneys received
45 the expected duration of the grant or the other
46 moneys, maintenance of effort or other matching fund
47 requirements throughout and following the period of the
48 grant or the other moneys, the sources of the federal
49 funding and any match funding, any policy, program, or
50 operational requirement associated with receipt of the

1 funding, a status report on changes anticipated in the
2 federal requirements associated with the grant or other
3 federal funding during the fiscal year in progress and
4 the succeeding fiscal year, and any other information
5 concerning the grant or other federal funding that
6 would be helpful in the development of policy or
7 budget decisions. The fiscal services division of
8 the legislative services agency shall compile the
9 information received for consideration by the standing
10 joint appropriations subcommittees of the general
11 assembly.

12 Sec. 11. Section 68B.3, Code 2014, is amended by
13 adding the following new subsection:

14 NEW SUBSECTION. 2A. This section does not apply to
15 sales of services by a member of a board or commission
16 as defined under section 7E.4 to state executive branch
17 agencies or subunits of departments or independent
18 agencies as defined in section 7E.4 that are not the
19 subunit of the department or independent agency in
20 which the person serves or are not a subunit of a
21 department or independent agency with which the person
22 has substantial and regular contact as part of the
23 person's duties.

24 Sec. 12. NEW SECTION. 411.19 State appropriation.

25 1. For fiscal years beginning, on or after July
26 1, 2015, here is appropriated from the general fund
27 of the state for each fiscal year an amount equal
28 to three and seventy-nine hundredths percent of the
29 covered earnable compensation to be distributed to the
30 statewide fire and police retirement system, or to the
31 cities participating in the system, to finance the cost
32 of benefits provided in this chapter by amendments of
33 the Acts of the Sixty-sixth General Assembly, chapter
34 1089. The method of distribution shall be determined
35 by the board of trustees based on information provided
36 by the actuary of the statewide retirement system.

37 2. Moneys appropriated by the state shall not be
38 used to reduce the normal rate of contribution of any
39 city below seventeen percent.

40 Sec. 13. EFFECTIVE UPON ENACTMENT. The following
41 provision or provisions of this division of this Act,
42 being deemed of immediate importance, take effect upon
43 enactment:

44 1. The section appropriating moneys to the
45 department of natural resources for purposes of
46 supporting the air quality program.

47 DIVISION III
48 CORRECTIVE PROVISIONS

49 Sec. 14. Section 123.47, subsection 1A, paragraph
50 c, subparagraph (2), as enacted by 2014 Iowa Acts,

1 Senate File 2310, section 1, is amended to read as
2 follows:

3 (2) A person under legal age who consumes or
4 possesses any alcoholic liquor, wine, or beer in
5 connection with a religious observance, ceremony, or
6 right rite.

7 Sec. 15. Section 331.552, subsection 35, as amended
8 by 2014 Iowa Acts, House File 2273, section 5, if
9 enacted, is amended to read as follows:

10 35. a. Destroy special assessment records required
11 by section 445.11 within the county system after ten
12 years have elapsed from the end of the fiscal year in
13 which the special assessment was paid in full. The
14 county treasurer shall also destroy the resolution of
15 necessity, plat, and schedule of assessments required
16 by section 384.51 after ten years have elapsed from the
17 end of the fiscal year in which the entire schedule was
18 paid in full. This subsection paragraph applies to
19 documents described in this subsection paragraph that
20 are in existence before, on, or after July 1, 2003.

21 b. Destroy assessment records required by chapter
22 468 within the county system after ten years have
23 elapsed from the end of the fiscal year in which the
24 assessment was paid in full. The county treasurer
25 shall also destroy the accompanying documents including
26 any resolutions, plats, or schedule of assessments
27 after ten years have elapsed from the end of the
28 fiscal year in which the entire schedule was paid in
29 full. This subsection paragraph applies to documents
30 described in this subsection paragraph that are in
31 existence before, on, or after July 1, 2014.

32 Sec. 16. Section 422.33, subsection 4, paragraph c,
33 Code 2014, as amended by 2014 Iowa Acts, Senate File
34 2240, section 87, and redesignated as paragraph b,
35 subparagraph (3), is amended to read as follows:

36 (3) Subtract an exemption amount of forty thousand
37 dollars. This exemption amount shall be reduced, but
38 not below zero, by an amount equal to twenty-five
39 percent of the amount by which the alternative minimum
40 taxable income of the taxpayer, computed without regard
41 to the exemption amount in this paragraph subparagraph,
42 exceeds one hundred fifty thousand dollars.

43 Sec. 17. Section 508.36, subsection 13, paragraph
44 d, subparagraph (1), subparagraph division (c), as
45 enacted by 2014 Iowa Acts, Senate File 2131, section 9,
46 is amended to read as follows:

47 (c) Minimum reserves for all other policies ~~of~~ or
48 contracts subject to subsection 1, paragraph "b".

49 Sec. 18. Section 508.36, subsection 16, paragraph
50 c, subparagraph (3), as enacted by 2014 Iowa Acts,

1 Senate File 2131, section 9, is amended to read as
2 follows:

3 (3) Once any portion of a memorandum in support
4 of an opinion submitted under subsection 2 or a
5 principle-based valuation report developed under
6 subsection 14, paragraph "b", subparagraph (3), is
7 cited by a company in its marketing or is publicly
8 volunteered to or before a governmental agency other
9 than a state insurance department or is released by
10 the company to the news media, all portions ~~or~~ of such
11 memorandum or report shall no longer be confidential
12 information.

13 Sec. 19. Section 508.37, subsection 6, paragraph h,
14 subparagraph (8), as enacted by 2014 Iowa Acts, Senate
15 File 2131, section 13, is amended to read as follows:

16 (8) For policies issued on or after the operative
17 date of the valuation manual, the valuation manual
18 shall provide the Commissioners Standard Mortality
19 Table for use in determining the minimum nonforfeiture
20 standard that may be substituted for the Commissioners
21 1961 Standard Industrial Mortality Table or the
22 Commissioners 1961 Industrial Extended Term Insurance
23 Table. If the commissioner approves by ~~regulation~~
24 rule any Commissioners Standard Industrial Mortality
25 Table adopted by the national association of insurance
26 commissioners for use in determining the minimum
27 nonforfeiture standard for policies issued on or after
28 the operative date of the valuation manual, then that
29 minimum nonforfeiture standard supersedes the minimum
30 nonforfeiture standard provided by the valuation
31 manual.

32 Sec. 20. Section 537.1301, subsection 46, as
33 enacted by 2014 Iowa Acts, House File 2324, section 17,
34 is amended to read as follows:

35 46. "*Threshold amount*" means the threshold amount,
36 as determined by 12 C.F.R. ~~§226.3(b)~~ §1026.3(b),
37 in effect during the period the consumer credit
38 transaction was entered into.

39 Sec. 21. 2014 Iowa Acts, Senate File 2257, section
40 15, is amended by striking the section and inserting in
41 lieu thereof the following:

42 SEC. 15. REPEAL. Sections 261.17A, 261.22, 261.39,
43 261.41, 261.44, 261.48, 261.54, 261.81A, and 261.82,
44 Code 2014, are repealed.

45 Sec. 22. REPEAL. 2014 Iowa Acts, House File 2423,
46 section 159, is repealed.

47 DIVISION IV

48 GENERAL ASSEMBLY PUBLICATIONS PROVISIONS

49 Sec. 23. Section 2.42, subsection 13, Code 2014, is
50 amended to read as follows:

1 13. To establish policies with regard to publishing
2 printed and electronic versions of legal publications
3 as provided in chapters 2A and 2B, including the Iowa
4 Acts, Iowa Code, ~~Code Supplement~~, Iowa administrative
5 bulletin, Iowa administrative code, and Iowa court
6 rules, or any part of those publications. The
7 publishing policies may include, but are not limited
8 to: the style and format to be used; the frequency
9 of publication; the contents of the publications;
10 the numbering systems to be used; the preparation of
11 editorial comments or notations; the correction of
12 errors; the type of print or electronic media and
13 data processing software to be used; the number of
14 volumes to be published; recommended revisions; the
15 letting of contracts for publication; the pricing of
16 the publications to which section 22.3 does not apply;
17 access to, and the use, reproduction, legal protection,
18 sale or distribution, and pricing of related data
19 processing software consistent with chapter 22; and any
20 other matters deemed necessary to the publication of
21 uniform and understandable publications.

22 Sec. 24. Section 2A.1, subsection 2, paragraph d,
23 unnumbered paragraph 1, Code 2014, is amended to read
24 as follows:

25 Publication of the official legal publications
26 of the state, including but not limited to the Iowa
27 Acts, Iowa Code, ~~Code Supplement~~, Iowa administrative
28 bulletin, Iowa administrative code, and Iowa court
29 rules as provided in chapter 2B. The legislative
30 services agency shall do all of the following:

31 Sec. 25. Section 2A.5, subsection 2, paragraph b,
32 Code 2014, is amended by striking the paragraph.

33 Sec. 26. Section 2A.5, Code 2014, is amended by
34 adding the following new subsection:

35 NEW SUBSECTION. 2A. The legislative services
36 agency shall publish annually an electronic or printed
37 version of the roster of state officials. The roster
38 of state officials shall include a correct list of
39 state officers and deputies; members of boards and
40 commissions; justices of the supreme court, judges
41 of the court of appeals, and judges of the district
42 courts including district associate judges and judicial
43 magistrates; and members of the general assembly.
44 The office of the governor shall cooperate in the
45 preparation of the list.

46 Sec. 27. Section 2B.5, subsection 3, Code 2014, is
47 amended by striking the subsection.

48 Sec. 28. Section 2B.5A, subsection 2, Code 2014, is
49 amended to read as follows:

50 2. In consultation with the administrative rules

1 coordinator, the administrative code editor shall
2 prescribe a uniform style and form required for a
3 person filing a document for publication in the Iowa
4 administrative bulletin or the Iowa administrative
5 code, including but not limited to a rulemaking
6 document. A rulemaking document includes a notice
7 of intended action as provided in section 17A.4 or
8 an adopted rule for filing as provided in section
9 17A.5. The rulemaking document shall correlate each
10 rule to the uniform numbering system established by
11 the administrative code editor. The administrative
12 code editor shall provide for the publication of
13 an electronic publication version of the Iowa
14 administrative bulletin and the Iowa administrative
15 code. The administrative code editor shall review
16 all submitted documents for style and form and notify
17 the administrative rules coordinator if a rulemaking
18 document is not in proper style or form, and may return
19 or revise a document which is not in proper style and
20 form. The style and form prescribed shall require
21 that a rulemaking document include a reference to the
22 statute which the rules are intended to implement.

23 Sec. 29. Section 2B.5A, subsection 6, paragraph a,
24 subparagraph (2), subparagraph division (b), Code 2014,
25 is amended to read as follows:

26 (b) A print ~~edition~~ version may include an index.

27 Sec. 30. Section 2B.5B, subsection 2, Code 2014, is
28 amended to read as follows:

29 2. The administrative code editor, upon direction
30 by the Iowa supreme court and in accordance with the
31 policies of the legislative council pursuant to section
32 2.42 and the legislative services agency pursuant
33 to section 2A.1, shall prescribe a uniform style and
34 form required for filing a document for publication in
35 the Iowa court rules. The document shall correlate
36 each rule to the uniform numbering system. The
37 administrative code editor shall provide for the
38 publication of an electronic publication version of
39 the Iowa court rules. The administrative code editor
40 shall review all submitted documents for style and
41 form and notify the Iowa supreme court if a rulemaking
42 document is not in proper style or form, and may return
43 or revise a document which is not in proper style and
44 form.

45 Sec. 31. Section 2B.5B, subsection 3, paragraph b,
46 subparagraph (2), subparagraph division (b), Code 2014,
47 is amended to read as follows:

48 (b) A print version ~~shall~~ may include an index.

49 Sec. 32. Section 2B.6, subsection 2, paragraph b,
50 Code 2014, is amended to read as follows:

1 *b.* The Iowa Code ~~or Code Supplement~~, as provided in
2 section 2B.12.

3 Sec. 33. Section 2B.12, Code 2014, is amended to
4 read as follows:

5 **2B.12 Iowa Code and Code Supplement.**

6 1. The legislative services agency shall control
7 and maintain in a secure electronic repository
8 custodial information used to publish the Iowa Code.

9 2. The legislative services agency shall publish
10 an annual edition of the Iowa Code as soon as
11 possible after the final adjournment of a regular
12 or special session of a general assembly. ~~However,~~
13 ~~the legislative services agency may publish a new~~
14 ~~Code Supplement in lieu of the Iowa Code as soon as~~
15 ~~possible after the final adjournment of a regular~~
16 ~~session of a general assembly. The legislative~~
17 ~~services agency may publish a new edition of the Iowa~~
18 ~~Code or Code Supplement as soon as possible after the~~
19 ~~final adjournment of a special session of the general~~
20 ~~assembly.~~

21 3. An edition of the Iowa Code ~~or Code Supplement~~
22 shall contain each Code section in its new or amended
23 form. However, a new section or amendment which does
24 not take effect until after the probable publication
25 date of a succeeding Iowa Code ~~or Code Supplement~~
26 may be deferred for publication in that succeeding
27 Iowa Code ~~or Code Supplement~~. The sections shall
28 be inserted in each edition in a logical order as
29 determined by the Iowa Code editor in accordance with
30 the policies of the legislative council.

31 4. Each section of an Iowa Code ~~or Code Supplement~~
32 shall be indicated by a number printed in boldface
33 type and shall have an appropriate headnote printed in
34 boldface type.

35 5. The Iowa Code shall include all of the
36 following:

37 *a.* The Declaration of Independence.

38 *b.* The Articles of Confederation.

39 *c.* The Constitution of the United States.

40 *d.* The laws of the United States relating to the
41 authentication of records.

42 *e.* The Constitution of the State of Iowa, original
43 and codified versions.

44 *f.* The Act admitting Iowa into the union as a
45 state.

46 *g.* The arrangement of the Code into distinct units,
47 as established by the legislative services agency,
48 which may include titles, subunits of titles, chapters,
49 subunits of chapters, and sections, and subunits of
50 sections. The distinct units shall be numbered and may

1 include names.

2 *h.* All of the statutes of Iowa of a general and
3 permanent nature, except as provided in subsection 3.

4 *i.* A comprehensive method to search and identify
5 its contents, including the text of the Constitution
6 and statutes of the State of Iowa.

7 (1) An electronic version may include search and
8 retrieval programming, analysis of titles and chapters,
9 and an index and a summary index.

10 (2) A print version shall include an analysis of
11 titles and chapters, and may include an index and a
12 summary index.

13 6. The Iowa Code may include all of the following:

14 *a.* A preface.

15 *b.* A description of citations to statutes.

16 *c.* Abbreviations to other publications which may be
17 referred to in the Iowa Code.

18 *d.* Appropriate historical references or source
19 notes.

20 *e.* An analysis of the Code by titles and chapters.

21 *f.* Other reference materials as determined by the
22 Iowa Code editor in accordance with any policies of the
23 legislative council.

24 ~~7. A Code Supplement shall include all of the~~
25 ~~following:~~

26 ~~*a.* The text of statutes of Iowa of a general~~
27 ~~and permanent nature that were enacted during the~~
28 ~~preceding regular or special session, except as~~
29 ~~provided in subsection 3; an indication of all sections~~
30 ~~repealed during that session; and any amendments to~~
31 ~~the Constitution of the State of Iowa approved by the~~
32 ~~voters since the adjournment of the previous regular~~
33 ~~session of the general assembly.~~

34 ~~*b.* A chapter title and number for each chapter or~~
35 ~~part of a chapter included.~~

36 ~~*c.* A comprehensive method to search and identify~~
37 ~~its contents, including the text of statutes and the~~
38 ~~Constitution of the State of Iowa.~~

39 ~~(1) An electronic version may include search and~~
40 ~~retrieval programming and an index and a summary index.~~

41 ~~(2) A print version may include an index and a~~
42 ~~summary index.~~

43 ~~8. 7. The Iowa Code or Code Supplement may include~~
44 ~~appropriate tables showing the disposition of Acts of~~
45 ~~the general assembly, the corresponding sections from~~
46 ~~edition to edition of an Iowa Code or Code Supplement,~~
47 ~~and other reference material as determined by the~~
48 ~~Iowa Code editor in accordance with policies of the~~
49 ~~legislative council.~~

50 8. In lieu of or in addition to publishing an

1 annual edition of the Iowa Code, the legislative
2 services agency, in accordance with the policies of
3 the legislative council, may publish a supplement to
4 the Iowa Code, as necessary or desirable, in a manner
5 similar to the publication of an annual edition of the
6 Iowa Code.

7 Sec. 34. Section 2B.13, subsection 1, unnumbered
8 paragraph 1, Code 2014, is amended to read as follows:

9 The Iowa Code editor in preparing the copy for an
10 edition of the Iowa Code ~~or Code Supplement~~ shall not
11 alter the sense, meaning, or effect of any Act of the
12 general assembly, but may:

13 Sec. 35. Section 2B.13, subsection 1, paragraph f,
14 Code 2014, is amended to read as follows:

15 f. Transfer, divide, or combine sections or parts
16 of sections and add or ~~amend~~ revise headnotes to
17 sections and ~~subsections~~ section subunits. Pursuant to
18 section 3.3, the headnotes are not part of the law.

19 Sec. 36. Section 2B.13, subsection 3, paragraph a,
20 Code 2014, is amended to read as follows:

21 a. The Iowa Code editor may, in preparing the copy
22 for an edition of the Iowa Code ~~or Code Supplement~~,
23 establish standards for and change capitalization,
24 spelling, and punctuation in any provision for purposes
25 of uniformity and consistency in language.

26 Sec. 37. Section 2B.13, subsection 4, paragraph a,
27 Code 2014, is amended to read as follows:

28 a. The Iowa Code editor shall seek direction
29 from the senate committee on judiciary and the house
30 committee on judiciary when making Iowa Code ~~or Code~~
31 ~~Supplement~~ changes.

32 Sec. 38. Section 2B.13, subsection 5, Code 2014, is
33 amended to read as follows:

34 5. The Iowa Code editor may prepare and publish
35 comments deemed necessary for a proper explanation
36 of the manner of ~~printing~~ publishing a section or
37 chapter of the Iowa Code ~~or Code Supplement~~. The Iowa
38 Code editor shall maintain a record of all of the
39 corrections made under subsection 1. The Iowa Code
40 editor shall also maintain a separate record of the
41 changes made under subsection 1, paragraphs "b" through
42 "h". The records shall be available to the public.

43 Sec. 39. Section 2B.13, subsection 7, paragraph a,
44 Code 2014, is amended to read as follows:

45 a. The effective date of an edition of the Iowa
46 Code or of a supplement to the Iowa Code Supplement
47 or an edition of the Iowa administrative code is its
48 publication date. A publication date is the date the
49 publication is conclusively presumed to be complete,
50 incorporating all revisions or editorial changes.

1 Sec. 40. Section 2B.13, subsection 7, paragraph
2 b, subparagraph (1), Code 2014, is amended to read as
3 follows:

4 (1) For the Iowa Code or a supplement to the
5 Iowa Code Supplement, the publication date is the
6 first day of the next regular session of the general
7 assembly convened pursuant to Article III, section 2,
8 of the Constitution of the State of Iowa. However,
9 the legislative services agency may establish an
10 alternative publication date, which may be the date
11 that the publication is first available to the public
12 accessing the general assembly's internet site. The
13 legislative services agency shall provide notice of
14 such an alternative publication date on the general
15 assembly's internet site.

16 Sec. 41. Section 2B.17, subsection 2, paragraph b,
17 Code 2014, is amended to read as follows:

18 b. For statutes, the official versions of
19 publications shall be known as the Iowa Acts, the Iowa
20 Code, and the Code Supplement for supplements for the
21 years 1979 through 2011.

22 Sec. 42. Section 2B.17, subsection 4, paragraph c,
23 Code 2014, is amended to read as follows:

24 c. The Iowa Code shall be cited as the Iowa
25 Code. The Code Supplement Supplements to the Iowa
26 Code published for the years 1979 through 2011 shall
27 be cited as the Code Supplement. Subject to the
28 legislative services agency style manual, the Iowa Code
29 may be cited as the Code of Iowa or Code and the Code
30 Supplement may be cited as the Iowa Code Supplement,
31 with references identifying parts of the publication,
32 including but not limited to title or chapter, section,
33 or subunit of a section. If the citation refers to a
34 past edition of the Iowa Code or Code Supplement, the
35 citation shall identify the year of publication. The
36 legislative services agency style manual shall provide
37 for a citation form for any supplements to the Iowa
38 Code published after the year 2013.

39 Sec. 43. Section 2B.18, subsection 1, Code 2014, is
40 amended to read as follows:

41 1. The Iowa Code editor is the custodian of the
42 official legal publications known as the Iowa Acts,
43 Iowa Code, and Code Supplement for supplements to the
44 Iowa Code for the years 1979 through 2011, and for any
45 other supplements to the Iowa Code. The Iowa Code
46 editor may attest to and authenticate any portion
47 of such official legal publication for purposes of
48 admitting a portion of the official legal publication
49 in any court or office of any state, territory,
50 or possession of the United States or in a foreign

1 jurisdiction.

2 Sec. 44. Section 3.1, subsection 1, paragraphs a
3 and b, Code 2014, are amended to read as follows:

4 a. Shall refer to the numbers of the sections or
5 chapters of the Code ~~or Code Supplement~~ to be amended
6 or repealed, but it is not necessary to refer to the
7 sections or chapters in the title.

8 b. Shall refer to the session of the general
9 assembly and the sections and chapters of the Acts to
10 be amended if the bill relates to a section or sections
11 of an Act not appearing in the Code ~~or codified in a~~
12 ~~supplement to the Code.~~

13 Sec. 45. Section 3.3, Code 2014, is amended to read
14 as follows:

15 **3.3 Headnotes and historical references.**

16 1. Proper headnotes may be placed at the beginning
17 of a section of a bill or at the beginning of a Code
18 section, and at the end of a Code section there may
19 be placed a reference to the section number of the
20 Code, or any Iowa Act from which the matter of the Code
21 section was taken or Code section subunit. However,
22 except as provided for the uniform commercial code
23 pursuant to section 554.1107, headnotes shall not be
24 considered as part of the law as enacted.

25 2. At the end of a Code section there may be placed
26 a reference to the section number of the Code, or any
27 Iowa Act from which the matter of the Code section was
28 taken. Historical references shall not be considered
29 as a part of the law as enacted.

30 DIVISION V

31 STATEWIDE PRESCHOOL

32 Sec. 46. Section 256C.3, subsection 3, paragraph h,
33 Code 2014, is amended to read as follows:

34 h. Provision for ensuring that children receiving
35 care from other child care arrangements can participate
36 in the preschool program with minimal disruption due to
37 transportation and movement from one site to another.
38 The children participating in the preschool program may
39 be transported by the school district to activities
40 associated with the program along with other children.

41 Sec. 47. Section 256C.4, subsection 1, paragraphs g
42 and h, Code 2014, are amended to read as follows:

43 g. For the fiscal year beginning July 1, ~~2011~~
44 2013, and each succeeding fiscal year, of the amount
45 of preschool foundation aid received by a school
46 district for a fiscal year in accordance with section
47 257.16, not more than five percent may be used by
48 the school district for administering the district's
49 approved local program. Outreach activities and rent
50 for facilities not owned by the school district are

1 permissive uses of the administrative funds.
2 *h.* For the fiscal year beginning July 1, ~~2012~~ 2013,
3 and each succeeding fiscal year, of the amount of
4 preschool foundation aid received by a school district
5 for a fiscal year in accordance with section 257.16,
6 not less than ninety-five percent of the per pupil
7 amount shall be passed through to a community-based
8 provider for each pupil enrolled in the district's
9 approved local program. For the fiscal year beginning
10 July 1, ~~2011~~ 2013, and each succeeding fiscal year, not
11 more than ~~five~~ ten percent of the amount of preschool
12 foundation aid passed through to a community-based
13 provider may be used by the community-based provider
14 for administrative costs. The costs of outreach
15 activities and rent for facilities not owned by
16 the school district are permissive administrative
17 costs. The costs of transportation involving children
18 participating in the preschool program and other
19 children may be prorated.

20 Sec. 48. EFFECTIVE UPON ENACTMENT. This division
21 of this Act, being deemed of immediate importance,
22 takes effect upon enactment.

23 Sec. 49. RETROACTIVE APPLICABILITY. This division
24 of this Act applies retroactively to July 1, 2013.

25 DIVISION VI

26 SCHOOL DISTRICT PER PUPIL TRANSPORTATION COST

27 Sec. 50. Section 257.11, Code 2014, is amended by
28 adding the following new subsection:

29 NEW SUBSECTION. 7A. *School district per pupil*
30 *transportation cost.*

31 *a.* In order to provide additional funds for school
32 districts with district transportation costs per pupil
33 in excess of the state average transportation costs per
34 pupil, as those amounts are determined under section
35 257.31, subsection 17, a supplementary weighting plan
36 for determining enrollment is adopted.

37 *b.* A supplementary weighting amount per pupil as
38 determined under paragraph "*c*" shall be assigned to
39 each transported pupil of a school district that meets
40 the requirement of paragraph "*a*".

41 *c.* The department of management shall calculate
42 a supplementary weighting amount per pupil for each
43 school district meeting the requirement of paragraph
44 "*a*" to generate an amount for the school district equal
45 to the number of transported pupils in the district
46 multiplied by the difference between the district
47 transportation costs per pupil and the state average
48 transportation cost per pupil.

49 *d.* Eligibility for supplementary weighting under
50 this subsection shall not affect a school district's

1 eligibility for transportation assistance under section
2 257.31, subsection 17.

3 Sec. 51. APPLICABILITY. This division of this Act
4 applies to school budget years beginning on or after
5 July 1, 2014.

6 DIVISION VII

7 PERSONNEL SETTLEMENT AGREEMENTS

8 Sec. 52. NEW SECTION. 70A.35 Personnel settlement
9 agreements — public employers.

10 1. For purposes of this section:

11 a. "*Personnel settlement agreement*" means a binding
12 legal agreement between an employee and the employee's
13 state employer to resolve a personnel dispute including
14 but not limited to a grievance. "*Personnel settlement*
15 *agreement*" does not include an initial decision by an
16 employee's immediate supervisor concerning a personnel
17 dispute or grievance.

18 b. "*State employer*" means any of the following:

19 (1) The executive branch of state government,
20 to include a unit of state government, which is an
21 authority, board, commission, committee, council,
22 department, or independent agency as defined in section
23 7E.4, including but not limited to each principal
24 central department enumerated in section 7E.5; the
25 office of the governor; and the office of an elective
26 constitutional or statutory officer.

27 (2) The general assembly, or any office or unit
28 under its administrative authority.

29 (3) The judicial branch, as provided in section
30 602.1102.

31 2. a. For personnel settlement agreements with an
32 employee of the executive branch, excluding an employee
33 of the state board of regents or institution under the
34 control of the state board of regents, the personnel
35 settlement agreement shall, to the extent consistent
36 with any provision of an applicable collective
37 bargaining agreement, be reviewed and approved as
38 to form by the attorney general or by the attorney
39 general's designee, and approved by the director of
40 the department of management, the director of the
41 department of administrative services, and the head of
42 the agency involved with the matter at issue.

43 b. For personnel settlement agreements with an
44 employee of the state board of regents or institution
45 under the control of the state board of regents,
46 the personnel settlement agreement shall, to the
47 extent consistent with any provision of an applicable
48 collective bargaining agreement, be reviewed and
49 approved as to form by the attorney general or by
50 the attorney general's designee, and approved by the

1 executive director of the state board of regents and
2 the head of the institution involved with the matter
3 at issue. Any costs or payments associated with the
4 personnel settlement agreement shall be authorized by
5 the state appeal board established in section 24.26,
6 and paid as a claim under chapter 25.

7 *c.* For personnel settlement agreements with
8 an employee of the judicial branch, the personnel
9 settlement agreement shall, to the extent consistent
10 with any provision of an applicable collective
11 bargaining agreement, be approved by the state court
12 administrator.

13 *d.* For personnel settlement agreements with an
14 employee of the general assembly, the personnel
15 settlement agreement shall be approved by the
16 legislative council or the appropriate committee of the
17 senate or house of representatives.

18 *e.* For personnel settlement agreements with an
19 employee subject to review and approval pursuant to
20 the requirements of a collective bargaining agreement
21 that are inconsistent with the requirements of this
22 subsection, a report on the personnel settlement
23 agreement shall be provided to those persons who would
24 otherwise review or approve the personnel settlement
25 agreement for that employee.

26 3. Personnel settlement agreements shall not
27 contain any confidentiality or nondisclosure provision
28 that attempts to prevent the disclosure of the
29 personnel settlement agreement. A confidentiality
30 or nondisclosure provision in a personnel settlement
31 agreement is void and unenforceable.

32 4. All personnel settlement agreements shall be
33 made easily accessible to the public on an internet
34 site maintained as follows:

35 *a.* For personnel settlement agreements with an
36 employee of the executive branch, excluding an employee
37 of the state board of regents or institution under
38 the control of the state board of regents, by the
39 department of administrative services.

40 *b.* For personnel settlement agreements with an
41 employee of the state board of regents or institution
42 under the control of the state board of regents, by the
43 state board of regents.

44 *c.* For personnel settlement agreements with an
45 employee of the judicial branch, by the judicial
46 branch.

47 *d.* For personnel settlement agreements with an
48 employee of the general assembly, by the general
49 assembly.

50 Sec. 53. EFFECTIVE UPON ENACTMENT. This division

1 of this Act, being deemed of immediate importance,
2 takes effect upon enactment.

3 DIVISION VIII

4 PERSONNEL SETTLEMENT AGREEMENTS EXAMINATION

5 Sec. 54. AUDITOR OF STATE EXAMINATION — PERSONNEL
6 SETTLEMENT AGREEMENTS. The auditor of state shall
7 expend such amount as is necessary for purposes
8 of conducting an examination concerning personnel
9 settlement agreements made by the state with terminated
10 state employees since January 2011 that were not
11 approved by the state appeal board or decided by the
12 public employment relations board. The examination
13 shall include the nature of the positions subject to
14 termination, the payments provided and the funding
15 source of the payments, and the identity and authority
16 of the person or persons signing the personnel
17 settlement agreement on behalf of the state. A report
18 on the results of the examination shall be submitted to
19 the general assembly by December 1, 2014. The auditor
20 of state shall be authorized to charge the department
21 of administrative services for costs associated with
22 the examination.

23 Sec. 55. EFFECTIVE UPON ENACTMENT. This division
24 of this Act, being deemed of immediate importance,
25 takes effect upon enactment.

26 DIVISION IX

27 SERVICE CONTRACTS

28 Sec. 56. Section 8.47, subsection 1, unnumbered
29 paragraph 1, Code 2014, is amended to read as follows:

30 The department of administrative services, in
31 cooperation with the office of attorney general and
32 the department of management, shall adopt uniform
33 terms and conditions for service contracts executed
34 by a department or establishment benefiting from
35 service contracts which terms and conditions shall be
36 consistent with the contractual requirements of chapter
37 8F. The terms and conditions shall include but are not
38 limited to all of the following:

39 Sec. 57. Section 8F.3, subsection 3, Code 2014, is
40 amended to read as follows:

41 3. Prior to entering into a service contract with a
42 recipient entity, the oversight agency shall ~~determine~~
43 do all of the following:

44 a. Determine whether the recipient entity can
45 reasonably be expected to comply with the requirements
46 of the service contract. If the oversight entity is
47 unable to determine whether the recipient entity can
48 reasonably be expected to comply with the requirements
49 of the service contract, the oversight entity shall
50 request such information from the recipient entity as

1 described in subsection 1 to make a determination. If
2 the oversight agency determines from the information
3 provided that the recipient entity cannot reasonably be
4 expected to comply with the requirements of the service
5 contract, the oversight agency shall not enter into the
6 service contract.

7 b. Perform a cost comparison establishing whether
8 the contract costs from the proposed service contract
9 are less than the costs of having the services provided
10 by an agency. Contract costs shall include direct
11 costs, including salaries and fringe benefits, indirect
12 overhead costs, including the contractor's proportional
13 share of existing administrative salaries and benefits,
14 rent and equipment costs, utilities, and materials.
15 Additionally, transition costs, including unemployment
16 compensation, shall be included in the analysis of
17 contract costs. If the oversight agency determines
18 from the information provided that the contract costs
19 of the recipient entity are not less than the costs
20 of having the services provided by an agency, the
21 oversight agency shall not enter into the service
22 contract.

23 c. If the proposed service contract may result in
24 reduced public employment by an agency in an area,
25 perform an economic impact analysis to consider the
26 impact of the service contract on the possible loss of
27 employment or income in the affected area, impact on
28 social services to include public assistance programs,
29 economic impact on local businesses, any possible
30 changes in tax revenue for the affected area, and any
31 environmental impacts that may result from the service
32 contract.

33 Sec. 58. Section 8F.3, Code 2014, is amended by
34 adding the following new subsection:

35 NEW SUBSECTION. 4. A service contract with a
36 recipient entity shall include the following terms and
37 conditions:

38 a. Specific performance criteria and cost
39 parameters with termination provisions for failure to
40 meet the performance criteria and cost parameters.

41 b. A requirement that the compensation paid to
42 employees of a recipient entity pursuant to the service
43 contract shall be comparable to the compensation paid
44 to public employees performing similar work or the
45 average private sector wage in this state for similar
46 work, whichever is less.

47 c. A provision prohibiting the automatic renewal of
48 the terms of a service contract without complying with
49 the requirements of this section prior to renewing the
50 service contract.

1 d. A provision prohibiting the payment for services
2 under the service contract regardless of whether the
3 services are actually provided.

4 Sec. 59. Section 8F.4, Code 2014, is amended by
5 adding the following new subsection:

6 NEW SUBSECTION. 4. An oversight agency shall make
7 information described in section 8F.3, subsection 3,
8 paragraphs "b" and "c", and information required to be
9 reported by a recipient agency pursuant to this section
10 available to the public.

11 Sec. 60. Section 8G.3, subsection 3, paragraph
12 a, Code 2014, is amended by adding the following new
13 subparagraph:

14 NEW SUBPARAGRAPH. (10) A recipient entity as
15 defined in section 8F.2.

16 Sec. 61. Section 8G.4, subsection 2, Code 2014, is
17 amended by adding the following new paragraph:

18 NEW PARAGRAPH. *0j.* Information required to be
19 provided pursuant to chapter 8F.

20 DIVISION X

21 STATE EMPLOYMENT HIRING PROCEDURES

22 Sec. 62. NEW SECTION. 70A.21 **State employment —**
23 **designation of ineligibility procedures — penalty.**

24 1. A board, commission, agency, or department of
25 the state that seeks to designate an individual as
26 ineligible to apply for; to be considered, referred, or
27 approved for; or to be appointed to employment by the
28 state or any of its boards, commissions, agencies, or
29 departments, shall do all of the following:

30 a. Maintain documentation of the designation
31 of ineligibility, to include signatures from the
32 individual's immediate supervisor and the applicable
33 head of the board, commission, agency, or department,
34 the extent of the individual's ineligibility for state
35 employment, proof of notification of the individual,
36 and any information concerning any appeals regarding
37 the designation.

38 b. Notify the individual prior to or within ten
39 days of discharge of the designation of ineligibility
40 and the extent of the individual's ineligibility for
41 state employment. The notification shall include
42 information on the process for an individual to appeal,
43 remove, or modify the designation of ineligibility.

44 2. Each board, commission, agency, or department
45 of the state shall establish a process for an
46 individual to appeal, remove, or modify a designation
47 of ineligibility. Following a final determination by
48 the board, commission, agency or department within
49 the executive branch of the state relative to an
50 appeal or attempt to remove or modify a designation

1 of ineligibility by an individual, the individual
2 may appeal to the public employment relations board
3 created in section 20.5, for individuals subject to the
4 jurisdiction of the board, and to an administrative law
5 judge employed by the department of inspections and
6 appeals, for all other individuals.

7 **Sec. 63. NEW SECTION. 70A.22 State employee hiring**
8 **requirements.**

9 An employer of state employees shall establish
10 procedures providing for the hiring of employees by
11 the employer. The procedures shall provide for the
12 public announcement of vacancies of the employer
13 at least ten days in advance of the date fixed for
14 the filing of applications for the vacancies and
15 for the advertisement of the vacancies through the
16 communications media.

17 **DIVISION XI**

18 **STATE EMPLOYEE BONUSES**

19 **Sec. 64. NEW SECTION. 22.13B Executive branch**
20 **bonuses — disclosure.**

21 1. For purposes of this section:

22 a. "*Bonus pay*" means any additional remuneration
23 in an amount exceeding two hundred dollars provided
24 an employee in the form of a bonus, including but
25 not limited to a retention bonus, recruitment bonus,
26 exceptional job performance pay, extraordinary
27 job performance pay, exceptional performance pay,
28 extraordinary duty pay, or extraordinary or special
29 duty pay, and any extra benefit not otherwise provided
30 to other similarly situated employees.

31 b. "*Executive branch employee*" means an employee
32 of the executive branch of state government, which
33 includes any unit of state government, including
34 but not limited to an authority, board, commission,
35 committee, council, department, or independent
36 agency as defined in section 7E.4, and each principal
37 central department enumerated in section 7E.5; the
38 office of the governor; and the office of an elective
39 constitutional or statutory officer.

40 2. A decision to provide bonus pay to an executive
41 branch employee, including the amount paid and the
42 documented reasons and rationale for the bonus paid,
43 shall be a public record.

44 3. All decisions to provide bonus pay to an
45 executive branch employee, including information
46 described in subsection 2, shall be made easily
47 accessible to the public on an internet site maintained
48 as follows:

49 a. For decisions to provide bonus pay to an
50 employee of the executive branch, excluding an employee

1 of the state board of regents or institution under
2 the control of the state board of regents, by the
3 department of administrative services.

4 *b.* For decisions to provide bonus pay to an
5 employee of the state board of regents or institution
6 under the control of the state board of regents, by the
7 state board of regents.

8 DIVISION XII

9 WHISTLEBLOWER PROTECTION

10 Sec. 65. Section 8A.417, subsection 4, Code 2014,
11 is amended by striking the subsection and inserting in
12 lieu thereof the following:

13 4. *a.* For purposes of this subsection, "*a*
14 *disclosure of information permitted by this section*"
15 includes any of the following:

16 (1) A disclosure of any information by the employee
17 to a member or employee of the general assembly if the
18 information can be used by the member or employee of
19 the general assembly in the performance of the member's
20 or employee's duties, regardless of whether the member
21 or employee requested the information.

22 (2) A disclosure of information to any appropriate
23 person if the employee reasonably believes the
24 information evidences a violation of law or rule,
25 mismanagement, a gross abuse of funds, an abuse of
26 authority, or a substantial and specific danger to
27 public health or safety.

28 *b.* A person shall not do any of the following as a
29 reprisal against an employee in a position in a merit
30 system administered by, or subject to approval of,
31 the director, who makes a disclosure of information
32 permitted by this section or who fails to inform
33 the person that the employee made a disclosure of
34 information permitted by this section:

35 (1) Discharge, suspend, or demote the employee, or
36 take any other adverse employment action resulting in
37 a reduction of the employee's pay.

38 (2) Fail to appoint or promote the employee to a
39 position in the merit system or fail to take action
40 regarding an advantage to the employee.

41 *c.* However, an employee may be required to inform
42 the person that the employee made a disclosure of
43 information permitted by this section if the employee
44 represented that the disclosure was the official
45 position of the employee's immediate supervisor or
46 employer.

47 *d.* An employer subject to the requirements of this
48 subsection shall inform the employer's employees on a
49 regular basis of their rights to disclose information
50 as provided in this subsection.

1 e. This subsection does not apply if the disclosure
2 of the information is prohibited by statute.

3 Sec. 66. Section 8F.3, subsection 1, paragraph d,
4 Code 2014, is amended to read as follows:

5 d. Information regarding any policies adopted
6 by the governing body of the recipient entity that
7 ensure compliance with section 70A.29 and that prohibit
8 taking adverse employment action against employees of
9 the recipient entity who disclose information about a
10 service contract to the oversight agency, the auditor
11 of state, the office of the attorney general, or
12 the office of ombudsman and that state whether those
13 policies are substantially similar to the protection
14 provided to state employees under section 70A.28. The
15 information provided shall state whether employees of
16 the recipient entity are informed on a regular basis
17 of their rights pursuant to section 70A.29 and of
18 their rights to disclose information to the oversight
19 agency, the office of ombudsman, the auditor of state,
20 or the office of the attorney general and the telephone
21 numbers of those organizations.

22 Sec. 67. Section 70A.28, subsection 1, Code 2014,
23 is amended to read as follows:

24 1. A person who serves as the head of a state
25 department or agency or otherwise serves in a
26 supervisory capacity within the executive or
27 legislative branch of state government shall not
28 prohibit an employee of the state from making a
29 disclosure of information permitted by this section or
30 require an employee of the state to inform the person
31 that the employee made a disclosure of information
32 permitted by this section and shall not prohibit an
33 employee of the state from disclosing any information
34 to a member or employee of the general assembly or from
35 disclosing information to any other public official
36 or law enforcement agency if the employee reasonably
37 believes the information evidences a violation of
38 law or rule, mismanagement, a gross abuse of funds,
39 an abuse of authority, or a substantial and specific
40 danger to public health or safety. However, an
41 employee may be required to inform the person that the
42 employee made a disclosure of information permitted
43 by this section if the employee represented that the
44 disclosure was the official position of the employee's
45 immediate supervisor or employer.

46 Sec. 68. Section 70A.28, subsection 2, Code 2014,
47 is amended by striking the subsection and inserting in
48 lieu thereof the following:

49 2. a. A person shall not do any of the following
50 as a reprisal against an employee in a position in a

1 state employment system administered by, or subject to
2 approval of, a state agency, who makes a disclosure of
3 information permitted by this section or who fails to
4 inform the person that the employee made a disclosure
5 of information permitted by this section:

6 (1) Discharge, suspend, or demote the employee, or
7 take any other adverse employment action resulting in
8 a reduction of the employee's pay.

9 (2) Fail to appoint or promote the employee to a
10 position in the state employment system or fail to take
11 action regarding an advantage to the employee.

12 b. However, an employee may be required to inform
13 the person that the employee made a disclosure of
14 information permitted by this section if the employee
15 represented that the disclosure was the official
16 position of the employee's immediate supervisor or
17 employer.

18 Sec. 69. Section 70A.28, Code 2014, is amended by
19 adding the following new subsection:

20 NEW SUBSECTION. 2A. For purposes of this section,
21 "*a disclosure of information permitted by this section*"
22 includes any of the following:

23 a. A disclosure of any information by the employee
24 to a member or employee of the general assembly if the
25 information can be used by the member or employee of
26 the general assembly in the performance of the member's
27 or employee's duties, regardless of whether the member
28 or employee requested the information.

29 b. A disclosure of information to any appropriate
30 person if the employee reasonably believes the
31 information evidences a violation of law or rule,
32 mismanagement, a gross abuse of funds, an abuse of
33 authority, or a substantial and specific danger to
34 public health or safety.

35 Sec. 70. Section 70A.28, subsection 5, paragraph a,
36 Code 2014, is amended to read as follows:

37 a. A person who violates subsection 2 is liable to
38 an aggrieved employee for affirmative relief including
39 reinstatement, with or without back pay, actual
40 damages, or any other equitable relief the court deems
41 appropriate, including attorney fees and costs.

42 Sec. 71. Section 70A.29, Code 2014, is amended by
43 adding the following new subsection:

44 NEW SUBSECTION. 01. For purposes of this section,
45 unless the context otherwise requires:

46 a. "*Disclosure of information permitted by this*
47 *section*" includes any of the following:

48 (1) A disclosure of any information by the employee
49 to a member or employee of the general assembly if the
50 information can be used by the member or employee of

1 the general assembly in the performance of the member's
2 or employee's duties, regardless of whether the member
3 or employee requested the information.

4 (2) A disclosure of information to any appropriate
5 person if the employee reasonably believes the
6 information evidences a violation of law or rule,
7 mismanagement, a gross abuse of funds, an abuse of
8 authority, or a substantial and specific danger to
9 public health or safety.

10 b. "Eligible employer" means any of the following:

11 (1) A political subdivision of this state.

12 (2) An entity organized under chapter 28E.

13 (3) A recipient entity as defined in section 8F.2.

14 Sec. 72. Section 70A.29, subsection 1, Code 2014,
15 is amended by striking the subsection and inserting in
16 lieu thereof the following:

17 1. a. A person shall not do any of the following
18 as a reprisal against an employee in a position in
19 employment by an eligible employer for a disclosure of
20 information permitted by this section:

21 (1) Discharge, suspend, or demote the employee, or
22 take any other adverse employment action resulting in
23 a reduction of the employee's pay.

24 (2) Fail to appoint or promote the employee to
25 a position in the employment or fail to take action
26 regarding an advantage to the employee.

27 b. This section does not apply if the disclosure of
28 the information is prohibited by statute.

29 Sec. 73. Section 70A.29, subsection 3, paragraph a,
30 Code 2014, is amended to read as follows:

31 a. A person who violates subsection 1 is liable to
32 an aggrieved employee for affirmative relief including
33 reinstatement, with or without back pay, actual
34 damages, or any other equitable relief the court deems
35 appropriate, including attorney fees and costs.

36 Sec. 74. Section 70A.29, Code 2014, is amended by
37 adding the following new subsection:

38 NEW SUBSECTION. 4. An eligible employer subject
39 to the requirements of this section shall inform the
40 employer's employees on a regular basis of their rights
41 to disclose information as provided in this section.

42 DIVISION XIII

43 VERTICAL INFRASTRUCTURE ADVISORY COMMITTEE

44 Sec. 75. NEW SECTION. 8.57G Vertical
45 infrastructure advisory committee.

46 1. A vertical infrastructure advisory committee is
47 established consisting of seven members, appointed by
48 the governor, and subject to confirmation by the senate
49 pursuant to section 2.32. Committee members shall be
50 appointed in compliance with sections 69.16, 69.16A,

1 and 69.16C. Committee members shall reside in this
2 state.

3 2. The members of the committee shall serve for
4 staggered three-year terms which shall begin and end
5 pursuant to section 69.19. Members appointed shall
6 continue to serve until their respective successors
7 are appointed. Vacancies in the membership of the
8 committee shall be filled by the governor. Members
9 shall receive actual expenses incurred while serving in
10 their official capacity. Members may also be eligible
11 to receive compensation as provided in section 7E.6.
12 The governor shall designate the chairperson of the
13 committee.

14 3. The department of management and the department
15 of administrative services shall provide staff
16 assistance and support services to the committee.

17 4. The committee shall have the following duties:

18 a. Oversee the inventory and assessment of the
19 vertical infrastructure owned or under the control of
20 the state.

21 b. Develop and recommend methods for identifying,
22 evaluating, and prioritizing infrastructure needs.

23 c. Annually develop and submit to the governor and
24 the general assembly no later than December 15 of each
25 year, comprehensive five-year plans of recommendations,
26 including suggested lists of priority projects. The
27 priority listing of projects shall be developed to
28 assist the governor in establishing a priority listing
29 of priority projects to be submitted to the general
30 assembly pursuant to section 8.22. Recommendations
31 shall include the level of funding necessary to
32 complete each project recommended and a timetable for
33 completion of the project if the project is anticipated
34 to require more than one year to complete.>

35 _____. Title page, by striking lines 1 through 3
36 and inserting <An Act relating to state and local
37 finances by making appropriations, providing for fees,
38 providing for legal responsibilities, and providing
39 for regulatory requirements, taxation, and other
40 properly related matters, and including penalties and
41 effective date and retroactive and other applicability
42 provisions.>>

HALL of Woodbury