

House Amendment to
Senate File 2308

S-5176

1 Amend Senate File 2308, as passed by the Senate, as
2 follows:

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

5 <DIVISION I
6 ENHANCE IOWA

7 Section 1. Section 12.71, Code 2016, is amended by
8 adding the following new subsections:

9 NEW SUBSECTION. 11. The treasurer of state shall
10 not issue bonds or refunding bonds under this section
11 after June 30, 2016.

12 NEW SUBSECTION. 12. This section is repealed on
13 the date that all bonds and refunding bonds issued
14 pursuant to this section are redeemed in full. The
15 treasurer of state shall notify the Iowa Code editor
16 of this occurrence.

17 Sec. 2. Section 15F.101, subsection 2, Code 2016,
18 is amended to read as follows:

19 2. "*Board*" means the ~~vision~~ enhance Iowa board as
20 created in [section 15F.102](#).

21 Sec. 3. Section 15F.102, Code 2016, is amended by
22 striking the section and inserting in lieu thereof the
23 following:

24 **15F.102 Enhance Iowa board.**

25 1. An enhance Iowa board is established consisting
26 of the members described in subsection 2. The board
27 is located within the authority for administrative
28 purposes. The director of the authority shall provide
29 office space, staff assistance, and necessary supplies
30 and equipment for the board. The director shall budget
31 moneys to cover the compensation and expenses of the
32 board. In performing its functions, the board is
33 performing a public function on behalf of the state and
34 is a public instrumentality of the state.

35 2. The board shall consist of the following voting

1 members appointed by the governor:
2 *a.* Two members from each United States
3 congressional district in the state as established in
4 section 40.1.
5 *b.* Three members from the state at large.
6 3. *a.* Of the voting members appointed pursuant to
7 subsection 2, the governor shall appoint the following:
8 (1) One person selected by the board of the Iowa
9 natural heritage foundation.
10 (2) One person with professional experience in
11 finance or investment banking.
12 (3) One person with professional experience in the
13 tourism industry.
14 (4) One person with professional experience in
15 architecture, landscape architecture, or historic
16 preservation.
17 (5) One person with professional experience in
18 cultural attractions and programming.
19 (6) Six persons actively employed in the private,
20 for-profit sector of the economy who have substantial
21 expertise in economic development.
22 *b.* The governor shall appoint the voting members
23 pursuant to subsection 2, subject to sections 69.16,
24 69.16A, and 69.16C, and subject to confirmation by the
25 senate.
26 *c.* The members appointed pursuant to subsection 2
27 shall be appointed to two-year staggered terms and the
28 terms shall commence and end as provided by section
29 69.19. If a vacancy occurs, a successor shall be
30 appointed to serve the unexpired term. A successor
31 shall be appointed in the same manner and subject to
32 the same qualifications as the original appointment to
33 serve the unexpired term.
34 4. In addition to the voting members, the
35 membership of the board shall include four members of

1 the general assembly with one member designated by each
2 of the following: the majority leader of the senate,
3 the minority leader of the senate, the speaker of the
4 house of representatives, and the minority leader of
5 the house of representatives. A legislative member
6 serves for a term as provided in section 69.16B in an
7 ex officio, nonvoting capacity.

8 5. The governor shall designate the chairperson
9 and vice chairperson of the board from the members
10 appointed pursuant to subsection 2. In the case of
11 absence or disability of the chairperson and vice
12 chairperson, the members of the board shall elect a
13 temporary chairperson by a majority vote of those
14 members who are present and voting.

15 6. Each voting member of the board shall serve on
16 at least one of the three review committees referred to
17 in sections 15F.203, 15F.304, and 15F.401A.

18 7. A majority of the total voting membership of the
19 board constitutes a quorum.

20 Sec. 4. Section 15F.103, Code 2016, is amended by
21 adding the following new subsections:

22 NEW SUBSECTION. 3A. Oversee the administration by
23 the authority of the sports tourism program pursuant
24 to this chapter.

25 NEW SUBSECTION. 3B. Oversee the administration of
26 the river enhancement community attraction and tourism
27 program pursuant to this chapter.

28 Sec. 5. Section 15F.104, Code 2016, is amended to
29 read as follows:

30 **15F.104 Authority duties.**

31 The authority, subject to approval by the board,
32 shall adopt administrative rules pursuant to chapter
33 17A necessary to administer ~~the community attraction~~
34 ~~and tourism program and the vision Iowa program~~ the
35 programs established pursuant to this chapter. The

1 authority shall provide the board with assistance
2 in implementing administrative functions, marketing
3 the programs, providing technical assistance and
4 application assistance to applicants under the
5 programs, negotiating contracts, and providing project
6 follow-up. The authority, ~~in cooperation with the~~
7 ~~treasurer of state,~~ may conduct negotiations on behalf
8 of the board with applicants regarding terms and
9 conditions applicable to awards under the programs.

10 Sec. 6. NEW SECTION. 15F.107 Enhance Iowa fund.

11 1. a. The authority shall establish a fund
12 pursuant to section 15.106A, subsection 1, paragraph
13 "o", for purposes of allocating moneys to programs
14 specified in an appropriation made to the enhance Iowa
15 fund. A fund established for purposes of this section
16 may be administered as a revolving fund and may consist
17 of any moneys appropriated by the general assembly for
18 purposes of this section.

19 b. Notwithstanding section 8.33, at the end of each
20 fiscal year moneys in a fund established for purposes
21 of this section shall not revert to any other fund but
22 shall remain in the fund for expenditure for subsequent
23 fiscal years.

24 c. Notwithstanding section 12C.7, subsection 2,
25 interest or earnings on moneys in the fund shall be
26 credited to the fund. Repayments and recaptures of
27 program moneys shall be credited to the fund.

28 2. The authority shall submit a report to the
29 general assembly and the governor's office each year
30 that moneys are appropriated to the fund established
31 in this section describing the use of moneys and the
32 results achieved under each of the programs receiving
33 fund moneys.

34 Sec. 7. Section 15F.203, subsections 1 and 2, Code
35 2016, are amended to read as follows:

1 1. Applications for assistance under the program
2 shall be submitted to the authority. For those
3 applications that meet the eligibility criteria, the
4 authority shall forward the applications to the board
5 and provide a staff review analysis and evaluation to
6 the community attraction and tourism program review
7 committee referred to in subsection 2 and to the board.

8 2. A review committee composed of five members of
9 the board shall review community attraction and tourism
10 program applications ~~submitted~~ forwarded to the board
11 and make recommendations regarding the applications
12 to the board. The review committee shall consist of
13 members of the board ~~listed in,~~ with one member from
14 each congressional district under section 15F.102,
15 subsection 2, paragraphs paragraph "a" through "e",
16 and one member from the state at large under section
17 15F.102, subsection 2, paragraph "b".

18 Sec. 8. Section 15F.204, subsection 8, Code 2016,
19 is amended by striking the subsection.

20 Sec. 9. Section 15F.304, subsections 1 and 2, Code
21 2016, are amended to read as follows:

22 1. Applications for assistance under the program
23 shall be submitted to the authority. For those
24 applications that meet the eligibility criteria, the
25 authority shall forward the applications to the board
26 and provide a staff review and evaluation to the vision
27 Iowa program review committee referred to in subsection
28 2 and to the board.

29 2. A review committee composed of ~~eight~~ six
30 members of the board shall review vision Iowa program
31 applications and river enhancement community attraction
32 and tourism project applications ~~submitted~~ forwarded
33 to the board and make recommendations regarding the
34 applications to the board. The review committee shall
35 consist of members of the board ~~listed in,~~ with one

1 member from each congressional district undersection
2 15F.102, subsection 2, paragraphs ~~"d"~~ through
3 ~~"h"~~ paragraph "a", and two members from the state at
4 large under section 15F.102, subsection 2, paragraph
5 "b".

6 Sec. 10. NEW SECTION. 15F.401 Sports tourism
7 program.

8 1. a. The authority shall establish, and, at
9 the direction of the board, shall administer a sports
10 tourism program to provide financial assistance for
11 projects that promote sporting events for organizations
12 of accredited colleges and universities and other
13 sporting events in the state.

14 b. For purposes of this section:

15 (1) "*District*" means a regional sports authority
16 district certified under section 15E.321.

17 (2) "*Financial assistance*" means assistance provided
18 only from the funds available to the authority or the
19 board and includes assistance in the form of grants,
20 loans, and forgivable loans.

21 (3) "*Organization*" means a corporation, conference,
22 association, or other organization which has as one of
23 its primary purposes the sponsoring or administration
24 of extracurricular intercollegiate athletic contests
25 or competitions.

26 c. The authority, by rule, shall define "*accredited*
27 *colleges and universities*", in consultation with the
28 college student aid commission.

29 2. a. A city or county in the state or a public
30 organization, including a convention and visitors
31 bureau or a district, may apply to the authority
32 for financial assistance for a project that actively
33 and directly promotes sporting events for accredited
34 colleges and universities and other sporting events
35 in the area served by the city, county, or public

1 organization.

2 *b.* A city, county, or public organization may apply
3 for and receive financial assistance for more than one
4 project.

5 *c.* A city, county, or public organization may
6 apply for financial assistance for a project that
7 spans multiple fiscal years or may apply for renewal
8 of financial assistance awarded in a prior year if
9 all applicable contractual requirements are met. The
10 decision as to whether to renew an award shall be at
11 the discretion of the board. The board may adopt by
12 rule certain metrics and return on investment estimates
13 for purposes of this paragraph. The authority may
14 include such metrics and estimates in a program
15 agreement executed pursuant to this section.

16 *d.* A convention and visitors bureau may apply to
17 the authority for financial assistance pursuant to
18 this section and a district may apply to the authority
19 for district financial assistance, but a convention
20 and visitors bureau shall not in the same year receive
21 financial assistance under the program created in this
22 section and financial assistance as part of a district.

23 3. The authority shall process applications under
24 this section in accordance with this section and
25 section 15F.401A.

26 4. An applicant shall demonstrate matching funds
27 in order to receive financial assistance pursuant to
28 this section. The amount of matching funds that may be
29 required shall be at the board's discretion.

30 5. The board shall make final funding decisions
31 on each application and may approve, deny, defer, or
32 modify applications for financial assistance under the
33 program, in its discretion, in order to fund as many
34 projects with the moneys available as possible. The
35 board and the authority may negotiate with applicants

1 regarding the details of projects and the amount
2 and terms of any award. In making final funding
3 decisions pursuant to this subsection, the board and
4 the authority are exempt from chapter 17A.

5 6. a. A city, county, or public organization may
6 use financial assistance received under the program for
7 marketing, promotions, and infrastructure. Whether an
8 activity or individual cost item is directly related to
9 the promotion of the sporting event shall be within the
10 discretion of the authority.

11 b. All applications to the authority for financial
12 assistance shall be made at least ninety days prior
13 to an event's scheduled date. A city, county, or
14 public organization shall not use financial assistance
15 received under the program as reimbursement for
16 completed projects.

17 7. An applicant receiving financial assistance
18 shall provide an annual report to the authority for
19 years in which it receives financial assistance under
20 this section. The report shall include the information
21 the authority deems relevant.

22 8. Each applicant receiving an award of financial
23 assistance from the board shall enter into an agreement
24 with the authority. The agreement shall contain such
25 terms and conditions as the board may place on the
26 award or the authority may deem necessary for the
27 efficient administration of the program established in
28 this subchapter.

29 9. The authority, with the approval of the board,
30 shall adopt rules for the administration of this
31 subchapter.

32 Sec. 11. NEW SECTION. 15F.401A Sports tourism
33 program application review.

34 1. Applications for assistance under the sports
35 tourism program shall be submitted to the authority.

1 For those applications that meet the eligibility
2 criteria, the authority shall forward the applications
3 to the board and provide a staff review analysis
4 and evaluation to the sports tourism program review
5 committee referred to in subsection 2 and to the board.

6 2. A review committee composed of five members
7 of the board shall review sports tourism program
8 applications forwarded to the board and make
9 recommendations regarding the applications to the
10 authority. The review committee shall consist of
11 members of the board, with one member from each
12 congressional district under section 15F.102,
13 subsection 2, paragraph "a", and one member from the
14 state at large under section 15F.102, subsection 2,
15 paragraph "b".

16 3. When reviewing the applications, the review
17 committee and the authority shall consider, at a
18 minimum, all of the following:

19 a. Impact of the project on the local, regional,
20 and state economies.

21 b. Potential to attract Iowans and out-of-state
22 visitors.

23 c. Amount of positive advertising or media coverage
24 the project generates.

25 d. Quality, size, and scope of the project.

26 e. Ratio of public-to-private investment.

27 4. Upon review of the recommendations of the review
28 committee, the board shall approve, defer, or deny the
29 applications in accordance with section 15F.401.

30 Sec. 12. NEW SECTION. 15F.402 Sports tourism
31 program fund.

32 1. a. The authority shall establish a fund
33 pursuant to section 15.106A, subsection 1, paragraph
34 "o", for purposes of financing sports tourism projects
35 as described in this subchapter. The fund established

1 for purposes of this section may be administered
2 as a revolving fund and may consist of any moneys
3 appropriated by the general assembly for purposes of
4 this section.

5 *b.* Notwithstanding section 8.33, moneys in a fund
6 established for purposes of this section at the end of
7 each fiscal year shall not revert to any other fund but
8 shall remain in the fund for expenditure for subsequent
9 fiscal years.

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

13 2. *a.* Moneys in the fund are appropriated to
14 the authority for purposes of providing financial
15 assistance to cities, counties, and public
16 organizations under the sports tourism program
17 established and administered pursuant to this
18 subchapter.

19 *b.* The board in its discretion shall allocate
20 the available moneys in the fund among the programs
21 described in paragraph "a" in the amounts determined
22 by the board.

23 DIVISION II

24 CONFORMING PROVISIONS

25 Sec. 13. Section 12.72, subsection 1, Code 2016, is
26 amended to read as follows:

27 1. A vision Iowa fund is created and established
28 as a separate and distinct fund in the state treasury.
29 The moneys in the fund are appropriated to the ~~vision~~
30 enhance Iowa board for purposes of the vision Iowa
31 program established in [section 15F.302](#). Moneys in the
32 fund shall not be subject to appropriation for any
33 other purpose by the general assembly, but shall be
34 used only for the purposes of the vision Iowa fund.
35 The treasurer of state shall act as custodian of the

1 fund and disburse moneys contained in the fund as
2 directed by the ~~vision~~ enhance Iowa board, including
3 automatic disbursements of funds received pursuant
4 to the terms of bond indentures and documents and
5 security provisions to trustees. The fund shall be
6 administered by the ~~vision~~ enhance Iowa board which
7 shall make expenditures from the fund consistent
8 with the purposes of the vision Iowa program without
9 further appropriation. An applicant under the vision
10 Iowa program shall not receive more than seventy-five
11 million dollars in financial assistance from the fund.

12 Sec. 14. Section 12.75, subsection 1, Code 2016, is
13 amended to read as follows:

14 1. The ~~vision~~ enhance Iowa board may undertake
15 a project for two or more applicants jointly or for
16 any combination of applicants, and may combine for
17 financing purposes, with the consent of all of the
18 applicants which are involved, the project and some
19 or all future projects of any applicant, and sections
20 12.71, 12.72, and 12.74, [this section](#), and sections
21 12.76 and 12.77 apply to and for the benefit of the
22 ~~vision~~ enhance Iowa board and the joint applicants.
23 However, the money set aside in a fund or funds pledged
24 for any series or issue of bonds or notes shall be
25 held for the sole benefit of the series or issue
26 separate and apart from money pledged for another
27 series or issue of bonds or notes of the treasurer
28 of state. To facilitate the combining of projects,
29 bonds or notes may be issued in series under one or
30 more resolutions or trust agreements and may be fully
31 open-ended, thus providing for the unlimited issuance
32 of additional series, or partially open-ended, limited
33 as to additional series.

34 Sec. 15. Section 15.108, subsection 5, paragraph c,
35 Code 2016, is amended to read as follows:

1 c. Coordinate and develop with the department
2 of transportation, the department of natural
3 resources, the department of cultural affairs, the
4 ~~vision~~ enhance Iowa board, other state agencies, and
5 local and regional entities public interpretation,
6 marketing, and education programs that encourage
7 Iowans and out-of-state visitors to participate in the
8 recreational and leisure opportunities available in
9 Iowa. The authority shall establish and administer
10 a program that helps connect both Iowa residents and
11 residents of other states to new and existing Iowa
12 experiences as a means to enhance the economic, social,
13 and cultural well-being of the state. The program
14 shall include a broad range of new opportunities, both
15 rural and urban, including main street destinations,
16 green space initiatives, and artistic and cultural
17 attractions.

18 Sec. 16. Section 15E.321, Code 2016, is amended by
19 adding the following new subsection:

20 NEW SUBSECTION. 3A. Each district may apply for
21 and receive financial assistance under the sports
22 tourism program established by the authority pursuant
23 to section 15F.401.

24 DIVISION III

25 TRANSITION PROVISIONS

26 Sec. 17. BOARD COOPERATION — TRANSITION
27 PROVISIONS. The economic development authority shall
28 ensure the effective transition of powers and duties
29 from the vision Iowa board to the enhance Iowa board in
30 implementing this Act. In the interest of maintaining
31 the institutional knowledge possessed by members of
32 the vision Iowa board, it is the intent of the general
33 assembly that the governor should appoint at least
34 three but not more than seven members of the vision
35 Iowa board in existence on June 30, 2016, to the

1 enhance Iowa board. The initial members of the enhance
2 Iowa board shall be appointed by November 1, 2016.>
3 2. Title page, line 5, by striking <making
4 appropriations,>