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## **Image 16**

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to read as follows:

6. For the fiscal year beginning July 1, 2009, the maximum amount of tax credits issued by the authority shall not exceed one million dollars. For each subsequent fiscal year, the

The amount of tax credits that may be issued awarded by the authority board shall be subject to the limitation in section 15.119.7

Sec. 9. Section 15.293A, subsections 8, 9, 10, 11, 12, and

13, Code 2014, are amended by striking the subsections.  
Sec. 10. Section 15.293B, Code 2014, is amended to read as

follows:

**15.293B Approval — requirements — repayment Application — registration — agreement.**

1. *a.* The authority shall develop a system for the application, review, registration, and authorization of projects awarded tax credits pursuant to this part and



shall control the issuance of all tax credit certificates to17  
investors pursuant to this part.18

*b.* The authority shall accept and, in conjunction with19  
the council, review applications for tax credits pursuant to20  
provided in section 15.293A and, with the approval of the21  
council, make tax credit award recommendations regarding the22  
applications to the board.23

*c.* Applications for redevelopment tax credits shall be24  
accepted during an annual application period established by the25  
authority.26

*d.* Upon review of an application, the authority may27  
register the project with the redevelopment tax credits28  
program. If the authority registers the project, the authority29  
may, in conjunction with the council, make a preliminary30  
determination as to the amount of tax credit for which an award31  
recommendation will be made to the board.32

*e.* After registering the project, the authority shall notify33  
the investor of successful registration under the redevelopment34  
tax credits program. The notification may include the amount35

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# Image 17

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of tax credit for which an award recommendation will be made1  
to the board. If an award recommendation is included in the2  
notification, such notification shall include a statement that3  
the award recommendation is a recommendation only. The amount4  
of tax credit included on a tax credit certificate issued5  
pursuant to this section shall be contingent upon an award6  
by the board and upon completion of the requirements in this7  
section.8

f. (1) All completed applications shall be reviewed and9  
scored on a competitive basis by the council and the board. In10  
reviewing and scoring applications, the council and the board11  
may consider any factors the council and board deem appropriate12  
for a competitive application process, including but not13  
limited to the financial need, quality, and feasibility of a14  
qualifying redevelopment project.15

(2) For purposes of this paragraph:16  
(a) "*Feasibility*" means the likelihood that the project will17  
obtain the financing necessary to allow for full completion of18  
the project and the likelihood that the proposed redevelopment19

or improvement that is the subject of the project will be fully20  
completed.21

(b) "*Financial need*" means the difference between the total22  
costs of the project less the total financing that will be23  
received for the project.24

(c) "*Quality*" means the merit of the project after25  
considering and evaluating its total characteristics and26  
measuring those characteristics in a uniform, objective manner27  
against the total characteristics of other projects that have28  
applied for the tax credit provided in section 15.293A during29  
the same annual application period.30

*g.* Upon reviewing and scoring all applications that are31  
part of an annual application period, the board may award tax32  
credits provided in section 15.293A.33

*h.* If the applicant for a tax credit provided in section34  
15.293A has also applied to an agency of the federal government35

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or to the authority, the board, or any other agency of state<sup>1</sup>  
government for additional financial assistance, the authority,<sup>2</sup>  
the council, and the board shall consider the amount of funding<sup>3</sup>  
to be received from such public sources when making a tax<sup>4</sup>

credit award pursuant to this section.<sup>5</sup>

*i.* An applicant that is unsuccessful in receiving a tax<sup>6</sup>  
credit award during an annual application period may make<sup>7</sup>  
additional applications during subsequent annual application<sup>8</sup>

periods. Such applicants shall be required to submit a new<sup>9</sup>  
application and shall be competitively reviewed and scored in<sup>10</sup>

the same manner as other applicants in that annual application<sup>11</sup>  
period.<sup>12</sup>

2. An investor applying for a tax credit shall provide the<sup>13</sup>  
authority with all of the following:<sup>14</sup>

*a.* Information showing the total costs of the qualifying<sup>15</sup>  
redevelopment project, including the costs of land acquisition,<sup>16</sup>  
cleanup, and redevelopment.<sup>17</sup>

*b.* Information about the financing sources of the investment<sup>18</sup>  
which are directly related to the qualifying redevelopment<sup>19</sup>  
project for which the taxpayer investor is seeking approval for<sup>20</sup>  
a tax credit, as provided in section 15.293A.<sup>21</sup>

*c.* Any other information deemed necessary by the board and<sup>22</sup>

the council to review and score the application pursuant to23  
subsection 1.24

3. If a taxpayer receives an investor is awarded a tax25  
credit pursuant to section 15.293A, but this section, the26  
authority and the investor shall enter into an agreement27  
concerning the qualifying redevelopment project. If the28  
investor fails to comply with any of the requirements of the29  
agreement, the taxpayer loses any right to the tax credit,30  
and the authority may find the investor in default under the31  
agreement and may revoke all or a portion of the tax credit32  
award. The department of revenue, upon notification by the33  
authority of an event of default, shall seek recovery repayment34  
of the value of the any such tax credit received already35

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# Image 19

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claimed in the same manner as provided in section 15.330,1  
subsection 2.2

4. This section is repealed on June 30, 2021. A registered3  
project shall be completed within thirty months of the date the4

project was registered unless the authority provides additional5  
time to complete the project. A project shall not be provided6  
more than twelve months of additional time. If the registered7  
project is not completed within the time required, the project8

is not eligible to claim a tax credit provided in section9  
15.293A.10

5. *a.* Upon completion of a registered project, an audit11  
of the project, completed by an independent certified public12  
accountant licensed in this state, shall be submitted to the13  
authority.14

*b.* Upon review of the audit and verification of the amount15  
of the qualifying investment, the authority may issue a tax16  
credit certificate to the investor stating the amount of tax17  
credit under section 15.293A the investor may claim.18

6. The authority, in conjunction with the department of19  
revenue, shall adopt rules to administer the redevelopment tax20  
credits program.21

Sec. 11. Section 15.294, subsection 4, Code 2014, is amended22  
to read as follows:23

4. The council, in conjunction with the authority, shall24  
consider applications for redevelopment tax credits as25

described provided in sections section 15.293A and 15.293B,26  
and may recommend to the authority which applications to27  
approve and the amount of such tax credits that each project is28  
eligible to receive should be awarded by the board.29

Sec. 12. APPLICABILITY. This Act applies to qualifying30  
redevelopment projects for which a redevelopment tax credit31  
is awarded on or after the effective date of this Act, and32  
qualifying redevelopment projects for which a redevelopment33  
tax credit was awarded prior to the effective date of this Act34  
shall be governed by sections 15.291, 15.293A, and 15.293B,35

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# Image 20

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Code 2014.1

## EXPLANATION2

The inclusion of this explanation does not constitute agreement with3  
the explanation's substance by the members of the general assembly.4

This bill makes several changes to the redevelopment tax credits program administered by the economic development authority (EDA).<sup>7</sup>

The bill defines the "redevelopment tax credits program"<sup>8</sup>

to be the tax credits program administered pursuant to Code sections 15.293A and 15.293B.<sup>10</sup>

The bill affects the qualification of redevelopment projects<sup>11</sup>

under the redevelopment tax credits program (program) by<sup>12</sup>

amending the definition of "grayfield site" to include an<sup>13</sup>

abandoned public building, and by specifying that a previously<sup>14</sup>

remediated or redeveloped brownfield site, which does not<sup>15</sup>

qualify for the program, means any prior remediation or<sup>16</sup>

redevelopment, including redevelopment for which an award of<sup>17</sup>

tax credits has been made under the program. "Abandoned public<sup>18</sup>

building" and related terms are defined in the bill.<sup>19</sup>

The bill amends the tax credit application and award<sup>20</sup>

process. The bill provides that tax credit applications shall<sup>21</sup>

be accepted by the EDA during an annual application period<sup>22</sup>

established by the EDA. After an application is received, the<sup>23</sup>

EDA may register the project under the program and may make a<sup>24</sup>

preliminary determination as to the amount of tax credit for<sup>25</sup>

which an award recommendation will be made to the economic<sup>26</sup>

development authority board (board). The EDA then notifies<sup>27</sup>

the investor of successful registration and, if applicable,<sup>28</sup>



the amount of tax credit for which an award recommendation<sup>29</sup>  
will be made to the board. All applications that are part of<sup>30</sup>  
that annual application period are required to be reviewed and<sup>31</sup>  
scored on a competitive basis by the brownfield redevelopment<sup>32</sup>  
advisory council (council) and the board. In reviewing and<sup>33</sup>  
scoring applications, the council and the board are allowed to<sup>34</sup>  
consider any factors they deem appropriate for a competitive<sup>35</sup>

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# Image 21

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application process, including but not limited to the financial<sup>1</sup>  
need, quality, and feasibility of a project.<sup>2</sup>  
The bill provides that if an applicant is unsuccessful in<sup>3</sup>  
receiving a tax credit award from the board during one annual<sup>4</sup>  
application period, the applicant may apply in a subsequent<sup>5</sup>  
annual application period provided the applicant submits a new<sup>6</sup>  
application and is competitively reviewed and scored in the<sup>7</sup>  
same manner as other applicants in that annual application<sup>8</sup>

period.<sup>9</sup>

The bill requires a tax credit application to include any<sup>10</sup> information deemed necessary by the board and the council to<sup>11</sup> appropriately review and score the application, in addition to<sup>12</sup> the information already required under Iowa law relating to the<sup>13</sup> project's total costs and financing sources. The bill strikes<sup>14</sup> language requiring the EDA to maintain a wait list for tax<sup>15</sup> credits.<sup>16</sup>

The bill strikes the provision requiring that if a<sup>17</sup> redevelopment tax credit recipient has also applied to the<sup>18</sup> state for additional financial assistance, the state shall not<sup>19</sup> consider the receipt of the tax credit when considering the<sup>20</sup> application for additional financial assistance and instead<sup>21</sup> provides that if a redevelopment tax credit applicant also<sup>22</sup> applies to a federal or state agency for additional financial<sup>23</sup> assistance, the EDA and the board shall consider the amount<sup>24</sup> of funding from these public sources when making a tax credit<sup>25</sup> award.<sup>26</sup>

The bill amends the amount of the tax credit. Under<sup>27</sup> current law, the amount of the tax credit is equal to a certain<sup>28</sup> percentage of the investor's qualifying investment depending<sup>29</sup> on whether the project is located on a grayfield site or a<sup>30</sup>



the investor in default and revoke all or a portion of the<sup>12</sup>  
tax credit award. If recovery of a claimed tax credit by the<sup>13</sup>  
department of revenue (DOR), as required under current law,<sup>14</sup>  
is necessary for failure to maintain the requirements of an<sup>15</sup>  
agreement, the bill provides that such recovery shall be in<sup>16</sup>  
the same manner as provided in Code section 15.330, subsection<sup>17</sup>  
2, which relates to the recovery of incentives under the high<sup>18</sup>  
quality jobs program.<sup>19</sup>

The bill amends the process of claiming the tax credits<sup>20</sup>  
by allowing the currently nonrefundable tax credits to be<sup>21</sup>  
refundable, but only to nonprofit organizations under certain<sup>22</sup>  
conditions. In order for tax credits to qualify as refundable,<sup>23</sup>  
a nonprofit organization must be an investor applying for<sup>24</sup>  
the tax credits, must be organized under Code chapter 504,<sup>25</sup>  
must qualify as a tax-exempt organization under section<sup>26</sup>  
501(c)(3) of the Internal Revenue Code, and must establish<sup>27</sup>  
these requirements during the tax credit application process.<sup>28</sup>  
The EDA will be required to indicate on the tax credit<sup>29</sup>  
certificate issued to these nonprofit organizations that such<sup>30</sup>  
requirements have been met. The bill requires that a taxpayer<sup>31</sup>  
include, rather than attach, a tax credit certificate with the<sup>32</sup>  
taxpayer's tax return. The bill amends the requirement that<sup>33</sup>

tax credits shall not be claimed for taxable years beginning34  
prior to July 1, 2009, to require that tax credits shall not35

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## Image 23

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be claimed prior to the tax year listed on the tax credit1  
certificate.2

The bill strikes Code section 15.293A, subsections 10 and3  
11, relating to the adoption of administrative rules by the4

EDA and the DOR, and the EDA’s cooperation with the department5  
of natural resources and local governments regarding the6  
dissemination of information about the program. The bill7  
requires the authority, in conjunction with the department8

of revenue, to adopt rules to administer the program. The9  
bill transfers to Code section 15.293B the language from10

Code section 15.293A, subsection 8, relating to the deadline11

for completing registered projects, and amends part of that12

language referencing the project’s approval date to instead13

reference the date upon which the project was registered.14

The bill amends the duties and powers of the council to15  
provide that it may recommend to the EDA the amount of tax16  
credits that a redevelopment project should be awarded, instead17  
of the amount of tax credits that a redevelopment project is18  
eligible to receive.19

Finally, the bill removes the automatic repeal date of the20  
program, which under current law is set to expire on June 30,21  
2021.22

The bill applies to qualifying redevelopment projects for23  
which a redevelopment tax credit is awarded on or after the24  
effective date of the bill. The bill provides that qualifying25  
redevelopment projects for which a redevelopment tax credit26  
was awarded prior to the effective date of the bill shall be27  
governed by current law.28

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# Image 24

# House File 2456 - Introduced

HOUSE FILE 2456

BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HSB 668)

## A BILL FOR

An Act relating to the approval and imposition of the<sup>1</sup> facilities property tax levy and the equipment replacement<sup>2</sup> and program sharing property tax levy for a merged area and<sup>3</sup> including effective date and applicability provisions.<sup>4</sup>

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:<sup>5</sup>

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# Image 25

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Section 1. Section 260C.15, subsection 1, Code 2014, is<sup>1</sup> amended to read as follows:<sup>2</sup>

1. Regular elections held by the merged area for the<sup>3</sup> election of members of the board of directors as required by<sup>4</sup>

section 260C.11 or for any other matter authorized by law and<sup>5</sup> designated for election by the board of directors of the merged<sup>6</sup> area, shall be held on the date of the school election as fixed<sup>7</sup> by section 277.1. However, elections held for the renewal<sup>8</sup>

imposition, rate change, or discontinuance of the twenty and  
one-fourth cents per thousand dollars of assessed valuation  
levy authorized in section 260C.22 shall be held either on the  
date of the school election as fixed by section 277.1 or at a  
special election held on the second Tuesday in September of  
the even-numbered year. The election notice shall be made a  
part of the local school election notice published as provided  
in section 49.53 in each local school district where voting is  
to occur in the merged area election and the election shall be  
conducted by the county commissioner of elections pursuant to  
chapters 39 through 53 and section 277.20.19

Sec. 2. Section 260C.22, subsection 1, paragraphs a and b,  
Code 2014, are amended to read as follows:

*a.* In addition to the tax authorized under section 260C.1722  
and upon resolution of the board of directors, the voters  
in a merged area may at the regular school election or at a  
special election held on the second Tuesday in September of  
the even-numbered year vote a tax not exceeding twenty and  
one-fourth cents per thousand dollars of assessed value in any  
one year for a period not to exceed ten years, unless otherwise  
provided under subsection 2, for the purchase of grounds,  
construction of buildings, payment of debts contracted for the





to be levied, the board of directors of any such merged area<sup>12</sup>  
is hereby authorized, without the necessity for any further<sup>13</sup>  
election, to borrow money and enter into loan agreements in<sup>14</sup>  
anticipation of the collection of such tax, and such board<sup>15</sup>  
shall, by resolution, provide for the levy of an annual<sup>16</sup>  
tax, within the limits of the special voted tax hereinbefore<sup>17</sup>  
authorized, sufficient to pay the amount of any such loan and<sup>18</sup>  
the interest thereon to maturity as the same becomes due. A<sup>19</sup>  
certified copy of this resolution shall be filed with the<sup>20</sup>  
county auditors of the counties in which such merged area is<sup>21</sup>  
located, and the filing thereof shall make it a duty of such<sup>22</sup>  
auditors to enter annually this levy for collection until<sup>23</sup>  
funds are realized to repay the loan and interest thereon in<sup>24</sup>  
full. Said loan must mature within the number of years for<sup>25</sup>  
which the tax has been voted and shall bear interest at a<sup>26</sup>  
rate or rates not exceeding that permitted by chapter 74A.<sup>27</sup>  
Any loan agreement entered into pursuant to authority herein<sup>28</sup>  
contained shall be in such form as the board of directors shall<sup>29</sup>  
by resolution provide and the loan shall be payable as to both<sup>30</sup>  
principal and interest from the proceeds of the annual levy of<sup>31</sup>  
the voted tax hereinbefore authorized, or so much thereof as<sup>32</sup>  
will be sufficient to pay the loan and interest thereon. In<sup>33</sup>



the tax appeared on the ballot, if the tax has been imposed<sup>15</sup>  
for a period of at least twenty consecutive years and either<sup>16</sup>  
the period of time for imposing the tax approved at the last<sup>17</sup>  
election under subsection 1 or the period of time for imposing<sup>18</sup>  
the tax established previously by resolution under this<sup>19</sup>  
subsection 2 is due to expire, the board of directors of the<sup>20</sup>  
merged area may, by resolution, continue to impose the voted<sup>21</sup>  
tax each year for a period not to exceed ten years at a rate not<sup>22</sup>  
to exceed the maximum rate approved at election until the tax<sup>23</sup>  
is discontinued or the maximum rate is increased following an<sup>24</sup>  
election pursuant to subsection 3. An increase in the maximum<sup>25</sup>  
rate of the voted tax, not to exceed the maximum rate specified<sup>26</sup>  
in subsection 1, shall be approved at election pursuant to the<sup>27</sup>  
requirements of subsection 3.<sup>28</sup>

3. A voted tax imposed under this section may be<sup>29</sup>  
discontinued, or its maximum rate changed, by petition and<sup>30</sup>  
election. Upon receipt of a petition containing the required<sup>31</sup>  
number of signatures, the board of directors of a merged area<sup>32</sup>  
shall direct the county commissioner of elections responsible<sup>33</sup>  
under section 47.2 for conducting elections in the merged area<sup>34</sup>  
to submit to the voters of the merged area the question of<sup>35</sup>

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# Image 28

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whether to discontinue the authority of the board of directors<sup>1</sup> to impose the voted tax under this section or to change the<sup>2</sup> maximum rate of the voted tax, whichever is applicable. The<sup>3</sup> petition must be signed by eligible electors equal in number<sup>4</sup>

to not less than twenty-five percent of the votes cast at the<sup>5</sup> last preceding election in the merged area where the question<sup>6</sup> of the imposition of the tax appeared on the ballot. The<sup>7</sup> question shall be submitted at an election held on a date<sup>8</sup>

authorized for an election under subsection 1, paragraph "a".<sup>9</sup> If a majority of those voting on the question of discontinuance<sup>10</sup>

of the board of directors' authority to impose the tax favors<sup>11</sup>

discontinuance, the board shall not impose the tax for any<sup>12</sup>

fiscal year beginning after expiration of the period of time<sup>13</sup>

for imposing the tax approved at the last election under<sup>14</sup>

subsection 1 or the period of time for imposing the tax<sup>15</sup>

established by resolution of the board under subsection 2,<sup>16</sup>

whichever is applicable, unless following discontinuance the<sup>17</sup>

voted tax is again authorized at election under subsection 1.18  
 If a majority of those voting on the question to change the19  
 maximum rate of the voted tax favors the proposed change, the20  
 new maximum rate shall apply to fiscal years beginning after21  
 the date of the election.22

Sec. 4. Section 260C.22, subsection 4, Code 2014, is amended23  
 by striking the subsection.24

Sec. 5. Section 260C.28, subsection 3, Code 2014, is amended25  
 to read as follows:26

3. *a.* If the board of directors wishes to certify for a27  
 levy under subsection 2, the board shall direct the county28  
 commissioner of elections to submit the question of such29  
 authorization for the board at an election held on a date30  
 specified in section 39.2, subsection 4, paragraph "c". If a31  
 majority of those voting on the question at the election favors32  
 authorization of the board to make such a levy, the board33  
 may certify for a levy as provided under subsection 2 during34  
 each of the ten years following the election, unless otherwise35

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be discontinued by petition and election. Upon receipt of a<sup>21</sup>  
petition containing the required number of signatures, the<sup>22</sup>  
board of directors of a merged area shall direct the county<sup>23</sup>  
commissioner of elections responsible under section 47.2 for<sup>24</sup>  
conducting elections in the merged area to submit to the voters<sup>25</sup>  
of the merged area the question of whether to discontinue the<sup>26</sup>  
authority of the board of directors to impose the additional<sup>27</sup>  
tax under subsection 2. The petition must be signed by<sup>28</sup>  
eligible electors equal in number to not less than twenty-five<sup>29</sup>  
percent of the votes cast at the last preceding election in<sup>30</sup>  
the merged area where the question of the imposition of the<sup>31</sup>  
additional tax appeared on the ballot. The question shall<sup>32</sup>  
be submitted at an election held on a date specified in<sup>33</sup>  
section 39.2, subsection 4, paragraph "c". If a majority of<sup>34</sup>  
those voting on the question of discontinuance of the board<sup>35</sup>

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of directors' authority to impose the additional tax favors1  
discontinuance, the board shall not impose the additional2  
tax for any fiscal year beginning after the expiration of3  
the period of time for imposing the tax approved at the last4

election under paragraph "a" or the period of time for imposing5  
the additional tax established by resolution of the board6  
under paragraph "b", whichever is applicable, unless following7  
discontinuance the additional tax is again authorized at8

election under paragraph "a":9

Sec. 6. EFFECTIVE UPON ENACTMENT. This Act, being deemed of10

immediate importance, takes effect upon enactment.11

Sec. 7. APPLICABILITY.12

1. This Act applies to merged area voted taxes under section13  
260C.22 in effect on the effective date of this Act and merged14  
area voted taxes approved at election under section 260C.22 on15  
or after the effective date of this Act.16

2. This Act applies to merged area taxes under section17  
260C.28, subsections 2 and 3, in effect on the effective date18  
of this Act and merged area taxes approved at election under19  
section 260C.28, subsection 3, on or after the effective date20  
of this Act.21

EXPLANATION22

**The inclusion of this explanation does not constitute agreement with23**

the explanation's substance by the members of the general assembly.24

This bill relates to the approval and imposition of the25

facilities property tax levy and the equipment replacement and26

program sharing property tax levy for a merged area.27

Current Code section 260C.22 provides that in addition to a28

merged area's property tax levy under Code section 260C.17, the29

voters in a merged area may vote a tax levy not exceeding 20 and30

one-fourth cents per \$1,000 of assessed value for a period not31

to exceed 10 years for the purchase of grounds, construction of32

buildings, payment of debts contracted for the construction of33

buildings, purchase of buildings and equipment for buildings,34

and the acquisition of libraries, for the purpose of paying35

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# Image 31

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costs of utilities, and for the purpose of maintaining,1

remodeling, improving, or expanding the community college of the merged area.<sup>3</sup>

Under the bill, following approval at two consecutive<sup>4</sup>

elections where the question of imposition of the tax was on<sup>5</sup> the ballot, if the tax has been imposed for a period of at<sup>6</sup> least 20 consecutive years and the period of time approved<sup>7</sup> for imposing the tax is due to expire, the board of directors<sup>8</sup>

of the merged area may, by resolution, continue to impose the<sup>9</sup> voted tax each year for a period not to exceed 10 years at<sup>10</sup>

a rate not to exceed the maximum rate approved at election<sup>11</sup>

until the tax is discontinued or its rate changed following<sup>12</sup>

an election initiated by petition. The bill also specifies<sup>13</sup>

that the election to impose the levy under Code section 260C.22<sup>14</sup>

shall be initiated by resolution of the board of directors of<sup>15</sup>

the merged area.<sup>16</sup>

The bill provides that upon the receipt of a petition<sup>17</sup>

containing the required number of signatures, the board of<sup>18</sup>

directors of a merged area shall direct the appropriate county<sup>19</sup>

commissioners of elections to submit to the registered voters<sup>20</sup>

of the merged area the question of whether to discontinue the<sup>21</sup>

authority of the board of directors to impose the voted tax or<sup>22</sup>

to change the rate of the tax. The petition must be signed by<sup>23</sup>

eligible electors equal in number to not less than 25 percent<sup>24</sup>

of the number of votes cast at the last preceding election in<sup>25</sup>

the merged area where the question of imposition of the tax<sup>26</sup>

appeared on the ballot. If a majority of those voting on the27  
question favors discontinuance, the board may not impose the28  
levy for any fiscal year beginning after the expiration of the29  
period of time for which the tax was last approved.30

The bill also strikes obsolete provisions of Code section31  
260C.22 relating to the imposition of the voted tax in specific32  
years.33

Current Code section 260C.28 provides that in addition to34  
a property tax levy of \$0.03 per \$1,000 of assessed value for35

-7-

LSB 5429HV (3) 85

md/sc 7/9

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# Image 32

H.F. 2456

equipment replacement, the board of directors of a merged area1  
may certify for levy at a rate in excess of the \$0.03 per \$1,0002  
of assessed value, if the excess tax levied does not cause the3  
total rate certified to exceed a rate of \$0.09 per \$1,000 of4

assessed value, and the excess revenue generated is used for5

purposes of program sharing between community colleges or for the purchase of instructional equipment, and the additional levy is approved at election. The approval at election may be

for a period not to exceed 10 years.

Under the bill, following approval at two consecutive

elections where the question of imposition of the additional

tax was on the ballot, if the additional tax has been imposed

for a period of at least 20 consecutive years and the period of

time approved for imposing the additional tax is due to expire,

the board of directors of the merged area may, by resolution,

continue to impose the additional tax each year for a period

not to exceed 10 years until the tax is discontinued following

an election initiated by petition.

The bill provides that upon the receipt of a petition

containing the required number of signatures, the board of

directors of a merged area shall direct the appropriate county

commissioners of elections to submit to the registered voters

of the merged area the question of whether to discontinue the

authority of the board of directors to impose the additional

tax. The petition must be signed by eligible electors equal

in number to not less than 25 percent of the number of votes

cast at the last preceding election in the merged area where

the question of the imposition of the additional tax appeared

on the ballot. If a majority of those voting on the question29  
 favors discontinuance, the board may not impose the additional30  
 tax for any fiscal year beginning after the expiration of the31  
 period of time for which the tax was last approved.32  
 The bill takes effect upon enactment and applies to merged33  
 area taxes in effect on the effective date of the bill34  
 and merged area taxes approved at election on or after the35

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LSB 5429HV (3) 85

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# Image 33

H.F. 2456

effective date of the bill.1

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# Image 34

## House File 2457 - Introduced

HOUSE FILE 2457

BY HALL

A BILL FOR

An Act relating to smoking in and on the grounds of long-term1  
care facilities.2

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:3

TLSB 5999YH (3) 85

pf/rj

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# Image 35

H.F. 2457

Section 1. Section 142D.3, subsection 2, Code 2014, is1  
amended by adding the following new paragraph:2

NEW PARAGRAPH. *f*. The grounds of a long-term care facility.3

Sec. 2. Section 142D.4, subsection 4, Code 2014, is amended4

by striking the subsection.5

EXPLANATION6

The inclusion of this explanation does not constitute agreement with7  
the explanation's substance by the members of the general assembly.8

This bill eliminates the exemption from the prohibitions9  
against smoking that allows smoking in private and semiprivate10  
rooms in long-term care facilities, occupied by one or more11  
individuals, all of whom are smokers and have requested in12  
writing to be placed in a room where smoking is permitted,13  
provided that smoke from these locations does not infiltrate14  
into areas in which smoking is otherwise prohibited. The bill15  
also prohibits smoking on the grounds of a long-term care16  
facility.17

Long-term care facilities are defined as health care18  
facilities (residential care facilities, nursing facilities,19  
intermediate care facilities for persons with mental20  
illness, and intermediate care facilities for persons with21  
an intellectual disability); elder group homes; and assisted22  
living programs.23

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LSB 5999YH (3) 85

pf/rj 1/1

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# Image 36

## House File 2458 - Introduced

HOUSE FILE 2458

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 679)

### A BILL FOR

An Act relating to and making appropriations involving state<sup>1</sup> government entities involved with agriculture, natural<sup>2</sup> resources, and environmental protection, making related<sup>3</sup> statutory changes, providing for eminent domain procedures,<sup>4</sup>

and including effective and applicability date provisions.<sup>5</sup>

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:<sup>6</sup>

TLSB 5003HV (3) 85

da/jp

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# Image 37

H.F. 2458

DIVISION I1

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP<sup>2</sup>

GENERAL APPROPRIATION FOR FY 2014-2015<sup>3</sup>

Section 1. 2013 Iowa Acts, chapter 132, section 27, is4

amended to read as follows:5

SEC. 27. GENERAL FUND — DEPARTMENT.6

1. There is appropriated from the general fund of the state7  
to the department of agriculture and land stewardship for the8

fiscal year beginning July 1, 2014, and ending June 30, 2015,9  
the following amount, or so much thereof as is necessary, to be10

used for the purposes designated:11

For purposes of supporting the department, including its12  
divisions, for administration, regulation, and programs; for13  
salaries, support, maintenance, and miscellaneous purposes; and14  
for not more than the following full-time equivalent positions:15

..... \$ 8,790,66416

17,605,49217

..... FTEs 372.0018

2. Of the amount appropriated in subsection 1, the following19  
amount is transferred to Iowa state university of science and20  
technology, to be used for the university's midwest grape and21  
wine industry institute:22

..... \$ 119,00023

238,00024

3. The department shall submit a report each quarter of the25  
fiscal year to the legislative services agency, the department26  
of management, the members of the joint appropriations27

subcommittee on agriculture and natural resources, and the28  
 chairpersons and ranking members of the senate and house29  
 committees on appropriations. The report shall describe in30  
 detail the expenditure of moneys appropriated in this section31  
 to support the department’s administration, regulation, and32  
 programs.33

DESIGNATED APPROPRIATIONS34

MISCELLANEOUS FUNDS35

-1-

LSB 5003HV (3) 85

da/jp 1/40

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# Image 38

H.F. 2458

Sec. 2. 2013 Iowa Acts, chapter 132, section 28, is amended1  
to read as follows:2

SEC. 28. UNCLAIMED PARI-MUTUEL WAGERING WINNINGS —3  
HORSE AND DOG RACING. There is appropriated from the moneys4

available under section 99D.13 to the department of agriculture5  
and land stewardship for the fiscal year beginning July 1,6  
2014, and ending June 30, 2015, the following amount, or so7

much thereof as is necessary, to be used for the purposes<sup>8</sup>  
designated:<sup>9</sup>  
For purposes of supporting the department’s administration<sup>10</sup>  
and enforcement of horse and dog racing law pursuant to section<sup>11</sup>  
99D.22, including for salaries, support, maintenance, and<sup>12</sup>  
miscellaneous purposes:<sup>13</sup>

..... \$ 152,758<sup>14</sup>  
305,516<sup>15</sup>

Sec. 3. 2013 Iowa Acts, chapter 132, section 29, is amended<sup>16</sup>  
to read as follows:<sup>17</sup>

SEC. 29. RENEWABLE FUEL INFRASTRUCTURE FUND — MOTOR<sup>18</sup>  
FUEL INSPECTION. There is appropriated from the renewable<sup>19</sup>  
fuel infrastructure fund created in section 159A.16 to the<sup>20</sup>  
department of agriculture and land stewardship for the fiscal<sup>21</sup>  
year beginning July 1, 2014, and ending June 30, 2015, the<sup>22</sup>  
following amount, or so much thereof as is necessary, to be<sup>23</sup>  
used for the purposes designated:<sup>24</sup>

For purposes of the inspection of motor fuel, including<sup>25</sup>  
salaries, support, maintenance, and miscellaneous purposes:<sup>26</sup>  
..... \$ 250,000<sup>27</sup>  
500,000<sup>28</sup>

The department shall establish and administer programs<sup>29</sup>



192.109, including conducting a survey of grade "A" milk and  
certifying the results to the secretary of agriculture:

..... \$ 94,59813

189,19614

2. Notwithstanding section 8.33, moneys appropriated in  
this section that remain unencumbered or unobligated at the  
close of the fiscal year shall not revert but shall remain  
available to be used for the purposes designated until the  
close of the succeeding fiscal year.

Sec. 5. 2013 Iowa Acts, chapter 132, section 31, is amended  
to read as follows:

SEC. 31. LOCAL FOOD AND FARM PROGRAM. There is appropriated  
from the general fund of the state to the department of  
agriculture and land stewardship for the fiscal year beginning  
July 1, 2014, and ending June 30, 2015, the following amount,  
or so much thereof as is necessary, to be used for the purposes  
designated:

1. For purposes of supporting the local food and farm  
program pursuant to chapter 267A:

..... \$ 37,50030

75,00031

2. The department shall enter into a cost-sharing agreement

with Iowa state university to support the local food and farm33  
program coordinator position as part of the university's34  
cooperative extension service in agriculture and home economics35

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LSB 5003HV (3) 85

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# Image 40

H.F. 2458

pursuant to chapter 267A.1  
3. Notwithstanding section 8.33, moneys appropriated in2  
this section that remain unencumbered or unobligated at the3  
close of the fiscal year shall not revert but shall remain4

available to be used for the purposes designated until the5  
close of the succeeding fiscal year.6  
Sec. 6. 2013 Iowa Acts, chapter 132, section 32, is amended7  
to read as follows:8

SEC. 32. AGRICULTURAL EDUCATION. There is appropriated9  
from the general fund of the state to the department of10  
agriculture and land stewardship for the fiscal year beginning11  
July 1, 2014, and ending June 30, 2015, the following amount,12  
or so much thereof as is necessary, to be used for the purposes13

designated:14

1. For purposes of allocating moneys to an Iowa association15  
affiliated with a national organization which promotes16  
agricultural education providing for future farmers:17

..... \$ 12,50018

25,00019

2. Notwithstanding section 8.33, moneys appropriated for20  
the fiscal year beginning July 1, 2014, in this section that21  
remain unencumbered or unobligated at the close of the fiscal22  
year shall not revert but shall remain available to be used23  
for the purposes designated until the close of the succeeding24  
fiscal year.25

Sec. 7. 2013 Iowa Acts, chapter 132, section 33, is amended26  
to read as follows:27

**SEC. 33. FARMERS WITH DISABILITIES PROGRAM.28**

1. There is appropriated from the general fund of the state29  
to the department of agriculture and land stewardship for the30  
fiscal year beginning July 1, 2014, and ending June 30, 2015,31  
the following amount, or so much thereof as is necessary, to be32  
used for the purposes designated:33

For purposes of supporting a program for farmers with34  
disabilities:35



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# Image 41

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..... \$ 65,0001  
 130,0002

2. The moneys appropriated in subsection 1 shall be used for3  
 the public purpose of providing a grant to a national nonprofit4

organization with over 80 years of experience in assisting5  
 children and adults with disabilities and special needs.6

a. The moneys shall be used to support a nationally7  
 recognized program that began in 1986 and has been replicated8

in at least 30 other states, but which is not available through9  
 any other entity in this state, and that provides assistance10

to farmers with disabilities in all 99 counties to allow the11

farmers to remain in their own homes and be gainfully engaged12

in farming through provision of agricultural worksite and home13

modification consultations, peer support services, services14

to families, information and referral, and equipment loan15

services.16

b. Notwithstanding section 8.33, moneys appropriated in<sup>17</sup>  
this section that remain unencumbered or unobligated at the<sup>18</sup>  
close of the fiscal year shall not revert but shall remain<sup>19</sup>  
available for expenditure for the purposes designated until the<sup>20</sup>  
close of the succeeding fiscal year.<sup>21</sup>

DIVISION II<sup>22</sup>

GENERAL FUND<sup>23</sup>

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP<sup>24</sup>

WATER QUALITY<sup>25</sup>

APPROPRIATIONS FOR FY 2014-2015<sup>26</sup>

Sec. 8. 2013 Iowa Acts, chapter 132, section 34, is amended<sup>27</sup>  
to read as follows:<sup>28</sup>

SEC. 34. WATER QUALITY INITIATIVE — GENERAL.<sup>29</sup>

1. There is appropriated from the general fund of the state<sup>30</sup>  
to the department of agriculture and land stewardship for the<sup>31</sup>  
fiscal year beginning July 1, 2014, and ending June 30, 2015,<sup>32</sup>  
the following amount, or so much thereof as is necessary, to be<sup>33</sup>  
used for the purposes designated:<sup>34</sup>

For deposit in the water quality initiative fund created<sup>35</sup>

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LSB 5003HV (3) 85

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# Image 42

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in section 466B.45, as enacted by this Act, for purposes of1  
supporting the water quality initiative administered by the2  
soil conservation division as provided in section 466B.42, as3  
enacted by this Act, including salaries, support, maintenance,4

miscellaneous purposes, and for not more than the following5  
full-time equivalent positions:6

..... \$ 4,400,0007  
..... FTEs 1.008

2.009

2. a. The moneys appropriated in subsection 1 shall be10  
used to support reducing nutrients projects in subwatersheds11  
as designated by the division that are part of high-priority12  
watersheds identified by the water resources coordinating13  
council established pursuant to section 466B.3. In supporting14  
reducing nutrients15

b. The moneys appropriated in subsection 1 shall be used to16  
support projects in watersheds generally, including regional17  
watersheds, as designated by the division and high-priority18  
watersheds identified by the water resources coordinating19

council established pursuant to section 466B.3.20

2A. In supporting projects in subwatersheds, the division21 shall establish and administer demonstration projects as22 follows and watersheds as provided in subsection 2, all of the23 following shall apply:24

a. The demonstration projects shall utilize water quality25 practices as described in the latest revision of the document26 entitled "Iowa Nutrient Reduction Strategy" initially presented27 in November 2012 by the department of agriculture and land28 stewardship, the department of natural resources, and Iowa29 state university of science and technology.30

b. The division shall implement demonstration projects as31 provided in paragraph "a" by providing for participation by32 persons who hold a legal interest in agricultural land used in33 farming. To every extent practical, the division shall provide34 for collaborative participation by such persons who hold a35

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LSB 5003HV (3) 85

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## Image 43

H.F. 2458

legal interest in agricultural land located within the same<sup>1</sup>  
subwatershed.<sup>2</sup>

c. The division shall implement a demonstration project on<sup>3</sup>  
a cost-share basis as determined by the division. However, the<sup>4</sup>

state's share of the amount shall not exceed 50 percent of the<sup>5</sup>  
estimated cost of establishing the practice as determined by<sup>6</sup>  
the division or 50 percent of the actual cost of establishing<sup>7</sup>  
the practice, whichever is less.<sup>8</sup>

d. The demonstration projects shall be used to educate other<sup>9</sup>  
persons about the feasibility and value of establishing similar<sup>10</sup>  
water quality practices. The division shall promote field day<sup>11</sup>  
events for purposes of allowing interested persons to establish<sup>12</sup>  
water quality practices on their agricultural land.<sup>13</sup>

e. The division shall conduct water quality evaluations<sup>14</sup>  
within supported subwatersheds. Within a reasonable period<sup>15</sup>  
after accumulating information from such evaluations,<sup>16</sup>  
the division shall create an aggregated database of water<sup>17</sup>  
quality practices. Any information identifying a person<sup>18</sup>  
holding a legal interest in agricultural land or specific<sup>19</sup>  
agricultural land shall be a confidential record under section<sup>20</sup>  
22.7 received, collected, or held under this section is a<sup>21</sup>  
confidential record and is exempted from public access pursuant<sup>22</sup>

to section 466B.49 as enacted by this 2014 Act.23

3. The moneys appropriated in subsection 1 shall be used24  
to support education and outreach in a manner that encourages25  
persons who hold a legal interest in agricultural land used for26  
farming to implement water quality practices, including the27  
establishment of such practices in watersheds generally, and28  
not limited to subwatersheds or high-priority watersheds.29

4. The moneys appropriated in subsection 1 may be used30  
to contract with persons to coordinate the implementation of31  
efforts provided in this section. Not more than \$150,000 shall32  
be used to support the administration of this section by a33  
full-time equivalent position.34

4A. The moneys appropriated in subsection 1 may be used by35

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# Image 44

H.F. 2458

the department to support urban soil and water conservation<sup>1</sup> efforts, which may include but are not limited to management<sup>2</sup> practices related to bioretention, landscaping, the use of<sup>3</sup> permeable pavement, and soil quality restoration. The moneys<sup>4</sup>

shall be allocated on a cost-share basis as provided in chapter<sup>5</sup> 161A.<sup>6</sup>

5. Notwithstanding any other provision of law to the<sup>7</sup> contrary, the department may use moneys appropriated in<sup>8</sup>

subsection 1 to carry out the provisions of this section on a<sup>9</sup> cost-share basis in combination with other moneys appropriated<sup>10</sup>

available to the department from the environment first<sup>11</sup>

fund created in section 8.57A for cost sharing to match the<sup>12</sup>

United States department of agriculture, natural resources<sup>13</sup>

conservation service, wetland reserve enhancement program a<sup>14</sup>

state or federal source.<sup>15</sup>

Sec. 9. 2013 Iowa Acts, chapter 132, section 35, is amended<sup>16</sup>

to read as follows:<sup>17</sup>

SEC. 35. IOWA NUTRIENT RESEARCH CENTER.<sup>18</sup>

1. There is appropriated from the general fund of the state<sup>19</sup>

to Iowa state university of science and technology for the<sup>20</sup>

fiscal year beginning July 1, 2014, and ending June 30, 2015,<sup>21</sup>

the following amount, or so much thereof as is necessary, to be<sup>22</sup>

used for the purposes designated:<sup>23</sup>

For purposes of supporting an Iowa nutrient research center<sup>24</sup>

as established in section 466B.47, as enacted in this Act:<sup>25</sup>

..... \$ 750,00026

1,500,00027

2. Notwithstanding section 8.33, moneys appropriated in28  
this section that remain unencumbered or unobligated at the29  
close of the fiscal year shall not revert but shall remain30  
available for expenditure for the purposes designated until the31  
close of the fiscal year beginning July 1, 2015.32

DIVISION III33

DEPARTMENT OF NATURAL RESOURCES34

GENERAL APPROPRIATIONS FOR FY 2014-201535

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LSB 5003HV (3) 85

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# Image 45

H.F. 2458

Sec. 10. 2013 Iowa Acts, chapter 132, section 37, is amended1  
to read as follows:2

SEC. 37. GENERAL FUND — DEPARTMENT.3

1. There is appropriated from the general fund of the state4



to the department of natural resources for the fiscal year5  
beginning July 1, 2014, and ending June 30, 2015, the following6  
amount, or so much thereof as is necessary, to be used for the7  
purposes designated:8

For purposes of supporting the department, including its9  
divisions, for administration, regulation, and programs; for10  
salaries, support, maintenance, and miscellaneous purposes; and11  
for not more than the following full-time equivalent positions:12

..... \$ 6,383,35013

12,862,30714

..... FTEs 1,145.9515

2. Of the number of full-time equivalent positions16  
authorized to the department pursuant to subsection 1, 50.0017  
full-time equivalent positions shall be allocated by the18  
department for seasonal employees for purposes of providing19  
maintenance, upkeep, and sanitary services at state parks.20  
This subsection shall not impact park ranger positions within21  
the department.22

3. The department shall submit a report each quarter of the23  
fiscal year to the legislative services agency, the department24  
of management, the members of the joint appropriations25  
subcommittee on agriculture and natural resources, and the26  
chairpersons and ranking members of the senate and house27  
committees on appropriations. The report shall describe in28

detail the expenditure of moneys appropriated under this29  
section to support the department’s administration, regulation,30  
and programs.31

Sec. 11. 2013 Iowa Acts, chapter 132, section 38, is amended32  
to read as follows:33

SEC. 38. STATE FISH AND GAME PROTECTION FUND — REGULATION34  
AND ADVANCEMENT OF OUTDOOR ACTIVITIES.35

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LSB 5003HV (3) 85

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# Image 46

H.F. 2458

1. There is appropriated from the state fish and game1  
protection fund to the department of natural resources for the2  
fiscal year beginning July 1, 2014, and ending June 30, 2015,3  
the following amount, or so much thereof as is necessary, to be4

used for the purposes designated:5

For purposes of supporting the regulation or advancement of6  
hunting, fishing, or trapping, or the protection, propagation,7  
restoration, management, or harvest of fish or wildlife,8

including for administration, regulation, law enforcement, and9  
programs; and for salaries, support, maintenance, equipment,10  
and miscellaneous purposes:11

..... \$ 20,539,11712

41,223,22513

2. Notwithstanding section 455A.10, the department may use14  
the unappropriated balance remaining in the state fish and game15  
protection fund to provide for the funding of health and life16  
insurance premium payments from unused sick leave balances of17  
conservation peace officers employed in a protection occupation18  
who retire, pursuant to section 97B.49B.19

3. Notwithstanding section 455A.10, the department of20  
natural resources may use the unappropriated balance remaining21  
in the state fish and game protection fund for the fiscal22  
year beginning July 1, 2014, and ending June 30, 2015, as is23  
necessary to fund salary adjustments for departmental employees24  
which the general assembly has made an operating budget25  
appropriation for in subsection 1.26

Sec. 12. 2013 Iowa Acts, chapter 132, section 39, is amended27  
to read as follows:28

**SEC. 39. GROUNDWATER PROTECTION FUND — WATER QUALITY.29**

There is appropriated from the groundwater protection fund30

created in section 455E.11 to the department of natural31  
resources for the fiscal year beginning July 1, 2014,32  
and ending June 30, 2015, from those moneys which are not33  
allocated pursuant to that section, the following amount, or34  
so much thereof as is necessary, to be used for the purposes35

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LSB 5003HV (3) 85

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# Image 47

H.F. 2458

designated:1

For purposes of supporting the department’s protection2  
of the state’s groundwater, including for administration,3  
regulation, and programs, and for salaries, support,4

maintenance, equipment, and miscellaneous purposes:5

..... \$ 1,727,9166

3,455,8327

DESIGNATED APPROPRIATIONS8

MISCELLANEOUS FUNDS9

Sec. 13. 2013 Iowa Acts, chapter 132, section 40, is amended10

to read as follows:11

SEC. 40. SPECIAL SNOWMOBILE FUND — SNOWMOBILE PROGRAM.12

There is appropriated from the special snowmobile fund created13  
under section 321G.7 to the department of natural resources for14  
the fiscal year beginning July 1, 2014, and ending June 30,15  
2015, the following amount, or so much thereof as is necessary,16  
to be used for the purpose designated:17

For purposes of administering and enforcing the state18  
snowmobile programs:19

..... \$ 50,00020  
100,00021

Sec. 14. 2013 Iowa Acts, chapter 132, section 41, is amended22  
to read as follows:23

SEC. 41. UNASSIGNED REVENUE FUND — UNDERGROUND STORAGE24

TANK SECTION EXPENSES. There is appropriated from the25  
unassigned revenue fund administered by the Iowa comprehensive26  
underground storage tank fund board to the department of27  
natural resources for the fiscal year beginning July 1, 2014,28  
and ending June 30, 2015, the following amount, or so much29  
thereof as is necessary, to be used for the purpose designated:30

For purposes of paying for administration expenses of the31  
department's underground storage tank section:32

..... \$ 100,00033

200,00034

SPECIAL APPROPRIATIONS35

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# Image 48

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GENERAL FUND1

Sec. 15. 2013 Iowa Acts, chapter 132, section 42, is amended2  
to read as follows:3

SEC. 42. FLOODPLAIN MANAGEMENT AND DAM SAFETY.4

1. There is appropriated from the general fund of the state5  
to the department of natural resources for the fiscal year6  
beginning July 1, 2014, and ending June 30, 2015, the following7  
amount, or so much thereof as is necessary, to be used for the8

purpose designated:9

For purposes of supporting floodplain management and dam10

safety:11

..... \$ 1,000,00012

2,000,00013

2. Of the amount appropriated in subsection 1, up to14

\$340,000 \$400,000 may be used by the department to acquire or15  
install stream gages for purposes of tracking and predicting16  
flood events and for compiling necessary data to improve flood17  
frequency analysis.18

3. Notwithstanding section 8.33, moneys appropriated in19  
subsection 1 that remain unencumbered or unobligated at the20  
close of the fiscal year shall not revert but shall remain21  
available for expenditure for the purposes designated until the22  
close of the succeeding fiscal year.23

Sec. 16. 2013 Iowa Acts, chapter 132, section 43, is amended24  
to read as follows:25

SEC. 43. FORESTRY HEALTH MANAGEMENT.26

1. There is appropriated from the general fund of the state27  
to the department of natural resources for the fiscal year28  
beginning July 1, 2014, and ending June 30, 2015, the following29  
amount, or so much thereof as is necessary, to be used for the30  
purposes designated:31

For purposes of providing for forestry health management32  
programs:33

..... \$ 100,00034

200,00035

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# Image 49

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2. Notwithstanding section 8.33, moneys appropriated in1  
this section that remain unencumbered or unobligated at the2  
close of the fiscal year shall not revert but shall remain3  
available to be used for the purposes designated until the4

close of the succeeding fiscal year.5

Sec. 17. 2013 Iowa Acts, chapter 132, section 44, is amended6  
to read as follows:7

SEC. 44. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND.8

1. There is transferred from the general fund of the state9  
to the loess hills development and conservation fund created in10  
section 161D.2 for the fiscal year beginning July 1, 2014, and11  
ending June 30, 2015, the following amount, or so much thereof12  
as is necessary, to be used for the purposes designated:13

For supporting the purposes of the fund:14

..... \$ 37,50015

75,00016

2. a. Of the amount transferred in subsection 1, \$28,12517



\$56,250 shall be allocated to the fund's hungry canyons18  
account.19

b. Not more than 10 percent of the moneys allocated to the20  
hungry canyons account as provided in paragraph "a" may be used21  
for administrative costs.22

3. a. Of the amount transferred in subsection 1, \$9,37523  
\$18,750 shall be allocated to the fund's loess hills alliance24  
account.25

b. Not more than 10 percent of the moneys allocated to the26  
loess hills alliance account as provided in paragraph "a" may27  
be used for administrative costs.28

4. Moneys deposited to the loess hills development and29  
conservation fund and its accounts for the fiscal year are30  
appropriated to the authority to be used as provided by law.31

DIVISION IV32

IOWA STATE UNIVERSITY33

SPECIAL GENERAL FUND APPROPRIATION FOR FY 2014-201534

Sec. 18. 2013 Iowa Acts, chapter 132, section 45, is amended35

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# Image 50

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to read as follows:1

## SEC. 45. VETERINARY DIAGNOSTIC LABORATORY.2

1. There is appropriated from the general fund of the state3  
to Iowa state university of science and technology for the4

fiscal year beginning July 1, 2014, and ending June 30, 2015,5  
the following amount, or so much thereof as is necessary, to be6  
used for the purposes designated:7

For purposes of supporting the college of veterinary8

medicine for the operation of the veterinary diagnostic9  
laboratory and for not more than the following full-time10

equivalent positions:11

..... \$ 1,881,31812

4,000,00013

..... FTEs 50.0014

51.0015

2. a. Iowa state university of science and technology16

shall not reduce the amount that it allocates to support the17

college of veterinary medicine from any other source due to the18

appropriation made in this section.19

b. Paragraph "a" does not apply to a reduction made to20

support the college of veterinary medicine, if the same<sup>21</sup>  
percentage of reduction imposed on the college of veterinary<sup>22</sup>  
medicine is also imposed on all of Iowa state university's<sup>23</sup>  
budget units.<sup>24</sup>

3. If by June 30, 2015, Iowa state university of science and<sup>25</sup>  
technology fails to allocate the moneys appropriated in this<sup>26</sup>  
section to the college of veterinary medicine in accordance<sup>27</sup>  
with this section, the moneys appropriated in this section for<sup>28</sup>  
that fiscal year shall revert to the general fund of the state.<sup>29</sup>

DIVISION V30

ENVIRONMENT FIRST FUND<sup>31</sup>

GENERAL APPROPRIATIONS FOR FY 2014-2015<sup>32</sup>

Sec. 19. 2013 Iowa Acts, chapter 132, section 47, is amended<sup>33</sup>  
to read as follows:<sup>34</sup>

SEC. 47. DEPARTMENT OF AGRICULTURE AND LAND<sup>35</sup>

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STEWARDSHIP. There is appropriated from the environment first1 fund created in section 8.57A to the department of agriculture2 and land stewardship for the fiscal year beginning July 1,3 2014, and ending June 30, 2015, the following amounts, or so4

much thereof as is necessary, to be used for the purposes5 designated:6

1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)7

a. For the conservation reserve enhancement program to8

restore and construct wetlands for the purposes of intercepting9 tile line runoff, reducing nutrient loss, improving water10

quality, and enhancing agricultural production practices:11

..... \$ 500,00012

1,000,00013

b. Not more than 10 percent of the moneys appropriated14

in paragraph "a" may be used for costs of administration and15

implementation of soil and water conservation practices.16

c. Notwithstanding any other provision in law, the17

department may provide state resources from this appropriation,18

in combination with other appropriate environment first19

fund appropriations, for cost sharing to match United States20

department of agriculture, natural resources conservation21

service, wetlands reserve enhancement program (WREP) funding22

available to Iowa.23

2. WATERSHED PROTECTION<sup>24</sup>

a. For continuation of a program that provides<sup>25</sup>  
multiobjective resource protections for flood control, water<sup>26</sup>  
quality, erosion control, and natural resource conservation:<sup>27</sup>  
..... \$ 450,000<sup>28</sup>

900,000<sup>29</sup>

b. Not more than 10 percent of the moneys appropriated<sup>30</sup>  
in paragraph "a" may be used for costs of administration and<sup>31</sup>  
implementation of soil and water conservation practices.<sup>32</sup>

3. FARM MANAGEMENT DEMONSTRATION PROGRAM<sup>33</sup>

a. For continuation of a statewide voluntary farm<sup>34</sup>  
management demonstration program to demonstrate the<sup>35</sup>

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# Image 52

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effectiveness and adaptability of emerging practices in1

agronomy that protect water resources and provide other2  
environmental benefits:3

..... \$ 312,5004

625,0005

b. Not more than 10 percent of the moneys appropriated6  
in paragraph "a" may be used for costs of administration and7  
implementation of soil and water conservation practices.8

c. Of the amount appropriated in paragraph "a", \$200,0009  
\$400,000 shall be allocated to an organization representing10

soybean growers to provide for an agriculture and environmen11

performance program in order to carry out the purposes of this12

subsection as specified in paragraph "a".13

#### 4. SOIL AND WATER CONSERVATION — ADMINISTRATION14

For use by the department for costs of administration and15

implementation of soil and water conservation practices:16

..... \$ 1,275,00017

2,550,00018

#### 5. CONSERVATION RESERVE PROGRAM (CRP)19

a. To encourage and assist farmers in enrolling in and the20

implementation of the federal conservation reserve program and21

to work with them to enhance their revegetation efforts to22

improve water quality and habitat:23

..... \$ 500,00024

1,000,00025

b. Not more than 10 percent of the moneys appropriated26

in paragraph "a" may be used for costs of administration and27  
implementation of soil and water conservation practices.28

6. SOIL AND WATER CONSERVATION29

a. For use by the department in providing for soil and30  
water conservation administration, the conservation of soil and31  
water resources, or the support of soil and water conservation32  
district commissioners:33

..... \$ 3,325,00034

7,375,00035

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# Image 53

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b. Not more than 5 percent of the moneys appropriated in1  
paragraph "a" may be allocated for cost sharing to address2  
complaints filed under section 161A.47.3

c. Of the moneys appropriated in paragraph "a", 5 percent4  
shall be allocated for financial incentives to establish5

practices to protect watersheds above publicly owned lakes of the state from soil erosion and sediment as provided in section 161A.73.8

d. Not more than 30 percent of a soil and water conservation district's allocation of moneys as financial incentives may be provided for the purpose of establishing management practices to control soil erosion on land that is row cropped, including but not limited to no-till planting, ridge-till planting, contouring, and contour strip-cropping as provided in section 161A.73.15

e. The state soil conservation committee established by section 161A.4 may allocate moneys appropriated in paragraph "a" to conduct research and demonstration projects to promote conservation tillage and nonpoint source pollution control practices.20

f. The allocation of moneys as financial incentives as provided in section 161A.73 may be used in combination with moneys allocated by the department of natural resources.23

g. Not more than 15 percent of the moneys appropriated in paragraph "a" may be used for costs of administration and implementation of soil and water conservation practices.26

h. In lieu of moneys appropriated in section 466A.5, not more than \$25,000 \$50,000 of the moneys appropriated in



paragraph "a" shall be used by the soil conservation division29  
of the department of agriculture and land stewardship to30  
provide administrative support to the watershed improvement31  
review board established in section 466A.3.32

7. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND33

a. For deposit in the loess hills development and34  
conservation fund created in section 161D.2:35

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..... \$ 262,5001  
800,0002

b. (1) Of the amount appropriated in paragraph "a",3  
\$196,875 \$600,000 shall be allocated to the fund's hungry4

canyons account.5

(2) Not more than 10 percent of the moneys allocated to the6  
hungry canyons account as provided in subparagraph (1) may be7  
used for administrative costs.8

c. (1) Of the amount appropriated in paragraph "a", \$65,6259 \$200,000 shall be allocated to the fund's loess hills alliance10 account.11

(2) Not more than 10 percent of the moneys allocated to the12 loess hills alliance account as provided in subparagraph (1)13 may be used for administrative costs.14

8. AGRICULTURAL DRAINAGE WELL WATER QUALITY ASSISTANCE FUND15

For deposit in the agricultural drainage well water quality16 assistance fund created in section 460.303 to be used for17 purposes of supporting the agricultural drainage well water18 quality assistance program as provided in section 460.304:19 ..... \$ 550,00020

9. SILOS AND SMOKESTACKS21

For purposes of supporting the silos and smokestacks22 national heritage area to provide continued agricultural23 education and preservation:24 ..... \$ 200,00025

Sec. 20. 2013 Iowa Acts, chapter 132, section 48, is amended26 to read as follows:27

SEC. 48. DEPARTMENT OF NATURAL RESOURCES. There is28 appropriated from the environment first fund created in section29 8.57A to the department of natural resources for the fiscal30

year beginning July 1, 2014, and ending June 30, 2015, the31  
following amounts, or so much thereof as is necessary, to be32  
used for the purposes designated:33

1. KEEPERS OF THE LAND34

For statewide coordination of volunteer efforts under the35

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# Image 55

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water quality and keepers of the land programs:1  
..... \$ 50,0002  
100,0003

2. STATE PARKS MAINTENANCE AND OPERATIONS4

For regular maintenance and operations of state parks and5  
staff time associated with these activities:6  
..... \$ 3,180,0007  
4,610,0008

3. GEOGRAPHIC INFORMATION SYSTEM (GIS)9

To provide local watershed managers with geographic10  
information system data for their use in developing,11

monitoring, and displaying results of their watershed work:12

..... \$ 97,50013

195,00014

4. WATER QUALITY MONITORING15

For continuing the establishment and operation of water16

quality monitoring stations:17

..... \$ 1,477,50018

2,955,00019

5. PUBLIC WATER SUPPLY SYSTEM ACCOUNT20

For deposit in the public water supply system account of the21

water quality protection fund created in section 455B.183A:22

..... \$ 250,00023

500,00024

6. REGULATION OF ANIMAL FEEDING OPERATIONS25

For the regulation of animal feeding operations, including26

as provided for in chapters 459 through 459B:27

..... \$ 660,00028

1,320,00029

7. AMBIENT AIR QUALITY30

For the abatement, control, and prevention of ambient31

air pollution in this state, including measures as necessary32

to assure attainment and maintenance of ambient air quality33

standards from particulate matter:34

..... \$ 212,50035

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425,0001

## 8. WATER QUANTITY REGULATION<sup>2</sup>

For regulating water quantity from surface and subsurface<sup>3</sup>  
sources by providing for the allocation and use of water<sup>4</sup>

resources, the protection and management of water resources,<sup>5</sup>  
and the preclusion of conflicts among users of water resources,<sup>6</sup>  
including as provided in chapter 455B, division III, part 4:<sup>7</sup>

..... \$ 247,5008

495,0009

## 9. GEOLOGICAL AND WATER SURVEY<sup>10</sup>

For continuing the operations of the department's geological<sup>11</sup>

and water survey including but not limited to providing<sup>12</sup>

analysis, data collection, investigative programs, and<sup>13</sup>

information for water supply development and protection:<sup>14</sup>

..... \$ 100,00015

200,00016

10. KEEP IOWA BEAUTIFUL INITIATIVE17

For purposes of supporting a keep Iowa beautiful initiative18  
in order to assist communities in developing and implementing19  
beautification and community development plans:20

..... \$ 100,00021

200,00022

Sec. 21. 2013 Iowa Acts, chapter 132, section 49, is amended23  
to read as follows:24

SEC. 49. REVERSION.25

1. Notwithstanding Except as provided in subsection 2,26  
and notwithstanding section 8.33, moneys appropriated for the27  
fiscal year beginning July 1, 2014, in this division of this28  
Act that remain unencumbered or unobligated at the close of the29  
fiscal year shall not revert but shall remain available to be30  
used for the purposes designated until the close of the fiscal31  
year beginning July 1, 2015, or until the project for which the32  
appropriation was made is completed, whichever is earlier.33

2. Notwithstanding section 8.33, moneys appropriated for34  
the fiscal year beginning July 1, 2014, in this division of35

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this Act to the department of agriculture and land stewardship<sup>1</sup>  
 to provide financial assistance for the establishment of<sup>2</sup>  
 permanent soil and water conservation practices that remain<sup>3</sup>  
 unencumbered or unobligated at the close of the fiscal year<sup>4</sup>

shall not revert but shall remain available for expenditure<sup>5</sup>  
 for the purposes designated until the close of the fiscal year<sup>6</sup>  
 beginning July 1, 2017.<sup>7</sup>  
 DIVISION VI<sup>8</sup>

ENVIRONMENT FIRST FUND<sup>9</sup>  
 SPECIAL APPROPRIATION FOR FY 2014-2015<sup>10</sup>

Sec. 22. 2013 Iowa Acts, chapter 132, is amended by adding<sup>11</sup>  
 the following new section:<sup>12</sup>

NEW SECTION. SEC. 64. REAP — IN LIEU OF GENERAL FUND<sup>13</sup>  
 APPROPRIATION. Notwithstanding the amount of the standing<sup>14</sup>  
 appropriation from the general fund of the state to the Iowa<sup>15</sup>  
 resources enhancement and protection fund as provided in<sup>16</sup>  
 section 455A.<sup>18</sup>, there is appropriated from the environment<sup>17</sup>

first fund created in section 8.57A to the Iowa resources18  
enhancement and protection fund, in lieu of the appropriation19  
made in section 455A.18, for the fiscal year beginning July 1,20  
2014, and ending June 30, 2015, the following amount, to be21  
allocated as provided in section 455A.19:22

..... \$ 16,000,00023

DIVISION VII24

SOIL AND WATER CONSERVATION PRACTICES25

REVERSION OF APPROPRIATIONS FOR FY 2013-201426

Sec. 23. 2013 Iowa Acts, chapter 132, section 25, is amended27  
to read as follows:28

SEC. 25. REVERSION.29

1. Notwithstanding Except as provided in subsection 2,30  
and notwithstanding section 8.33, moneys appropriated for the31  
fiscal year beginning July 1, 2013, in this division of this32  
Act that remain unencumbered or unobligated at the close of33  
the fiscal year shall not revert but shall remain available34  
to be used for the purposes designated until the close of the35

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succeeding fiscal year or until the project for which the  
 appropriation was made is completed, whichever is earlier.  
 2. Notwithstanding section 8.33, moneys appropriated for  
 the fiscal year beginning July 1, 2013, in this division of

this Act to the department of agriculture and land stewardship  
 to provide financial assistance for the establishment of  
 permanent soil and water conservation practices that remain  
 unencumbered or unobligated at the close of the fiscal year

shall not revert but shall remain available for expenditure  
 for the purposes designated until the close of the fiscal year

beginning July 1, 2016.

DIVISION VIII

REAP — OPEN SPACES ACCOUNT

SPECIAL APPROPRIATION FOR FY 2013-2014

Sec. 24. 2013 Iowa Acts, chapter 132, is amended by adding  
 the following new section:

NEW SECTION. SEC. 65. SPECIAL APPROPRIATION.

1. Notwithstanding section 455A.19, subsection 1, paragraph

“a”, there is appropriated from the open spaces account of

the Iowa resources enhancement and protection fund to the

department of natural resources for the fiscal year beginning21  
July 1, 2013, and ending June 30, 2014, the following amount,22  
or so much thereof as is necessary, to be used for the purposes23  
designated:24

For purposes of supporting the regular maintenance and25  
operations of state parks and staff time associated with these26  
activities:27

..... \$ 250,00028

2. The moneys appropriated in subsection 1 shall be expended29  
on or after the effective date of this division of this Act30  
prior to the expenditure of any unobligated moneys remaining in31  
the open spaces account.32

3. Notwithstanding section 455A.19, subsection 2, any33  
moneys appropriated in this section that remain unexpended34  
or unobligated at the close of the fiscal year beginning35

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July 1, 2013, shall revert to the Iowa resources enhancement and protection fund created pursuant to section 455A.18 for allocation to accounts other than the open spaces account as provided in section 455A.19.4

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

DIVISION IX

REAP — OPEN SPACES ACCOUNT  
SPECIAL APPROPRIATIONS FOR FY 2014-2015

Sec. 26. 2013 Iowa Acts, chapter 132, is amended by adding the following new section:

NEW SECTION. SEC. 66. SPECIAL APPROPRIATIONS.

1. Notwithstanding section 455A.19, subsection 1, paragraph "a", there is appropriated from the open spaces account of the Iowa resources enhancement and protection fund to the department of natural resources for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

a. For purposes of supporting the regular maintenance and operations of state parks and staff time associated with these activities:



and protection fund created pursuant to section 455A.18 for2  
allocation to accounts other than the open spaces account as3  
provided in section 455A.19.4

#### DIVISION X5

#### RELATED STATUTORY CHANGES6

#### DNR — PURCHASE OF RADIOS7

Sec. 27. 2011 Iowa Acts, chapter 128, section 19, subsection8

1, as amended by 2012 Iowa Acts, chapter 1135, section 15, as9  
amended by 2013 Iowa Acts, chapter 132, section 51, is amended10

to read as follows:11

#### SEC. 19. USE OF MONEYS — RADIOS.12

1. Notwithstanding 2010 Iowa Acts, chapter 1191, section 7,13

the department of natural resources may use the unappropriated14

balance remaining in the state fish and game protection fund15

for the fiscal year beginning July 1, 2010, and ending June16

30, 2011, to purchase mobile radios to meet federal and state17

requirements for homeland security and public safety. This18

section applies to those moneys in the fund that are not19

otherwise used, obligated, or encumbered for payment of health20

and life insurance premium payments for conservation peace21

officer retirements for that fiscal year. The department may22

use such moneys until June 30, 2014 2015.23

Sec. 28. EFFECTIVE UPON ENACTMENT. This division of this24

Act, being deemed of immediate importance, takes effect upon25

enactment.26

DIVISION XI27

RELATED STATUTORY CHANGES28

DNR — MANURE MANAGEMENT CERTIFICATION29

Sec. 29. 2013 Iowa Acts, chapter 132, section 17, is amended30

by adding the following new subsection:31

NEW SUBSECTION. 2A. Notwithstanding section 8.33, moneys32

appropriated in subsection 1 that remain unencumbered or33

unobligated at the close of the fiscal year beginning July34

1, 2013, shall not revert but shall remain available for35

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expenditure for the purposes designated until the close of the1  
fiscal year beginning July 1, 2014.2

Sec. 30. EFFECTIVE UPON ENACTMENT. This division of this3  
Act, being deemed of immediate importance, takes effect upon4

enactment.5

DIVISION XII6  
RELATED STATUTORY CHANGES FOR CODIFICATION IN 20147  
WATER QUALITY INITIATIVE — CONFIDENTIALITY8

Sec. 31. Section 466B.47, subsection 5, Code 2014, is9

amended by striking the subsection.10

Sec. 32. NEW SECTION. **466B.49 Confidentiality of11**

**information.12**

Any information received, collected, or held under this13  
subchapter is a confidential record, and is exempted from14  
public access as provided in section 22.7, if all of the15  
following apply:16

1. The information is received, collected, or held by any17  
of the following:18

*a.* The center.19

*b.* A nonprofit organization that conducts nutrient20  
management research, including but not limited to conducting21  
evaluations, assessments, or validations.22

2. The information identifies any of the following:23

*a.* A person who holds a legal interest in agricultural land24  
or who has previously held a legal interest in agricultural25  
land.26

*b.* A person who is involved or who has previously been27  
involved in managing the agricultural land or producing crops28

or livestock on the agricultural land.29

c. The identifiable location of the agricultural land.30

Sec. 33. EFFECTIVE UPON ENACTMENT. This division of this31  
Act, being deemed of immediate importance, takes effect upon32  
enactment.33

DIVISION XIII34

RELATED STATUTORY CHANGES FOR CODIFICATION IN 201435

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## REAP RESTRICTIONS ON OPEN SPACES ACCOUNT1

Sec. 34. Section 455A.19, subsection 1, paragraph a, Code2  
2014, is amended by adding the following new subparagraph:3  
NEW SUBPARAGRAPH. (4) The department shall not acquire4

any interest in land using moneys allocated to the open spaces5  
account under this paragraph "a" by exercising the power of6  
eminent domain, including as provided in chapters 6A and 6B.7

## Sec. 35. PENDING EMINENT DOMAIN PROCEEDINGS8



TERMINATED. Any proceeding commenced by the state and pending9  
on the effective date of this division of this Act to acquire10

any interest in land using moneys allocated to the open spaces11

account under section 455A.19, subsection 1, paragraph "a", by12

exercising the power of eminent domain, including as provided13

in chapters 6A and 6B, shall be immediately terminated.14

Sec. 36. APPROPRIATION MADE CONTINGENT. All unencumbered15

and unobligated moneys appropriated to the department of16

natural resources from the general fund of the state under17

2013 Iowa Acts, chapter 132, section 37, as amended in this18

2014 Iowa Act, shall immediately revert to the general fund of19

the state if the department uses moneys allocated to the open20

spaces account under section 455A.19, subsection 1, paragraph21

"a", to acquire any interest in land by exercising the power of22

eminent domain, including as provided in chapters 6A and 6B.23

Sec. 37. EFFECTIVE UPON ENACTMENT. This division of this24

Act, being deemed of immediate importance, takes effect upon25

enactment.26

DIVISION XIV27

RELATED STATUTORY CHANGES FOR CODIFICATION IN 2014 LOESS HILLS28

AUTHORITY AND ALLIANCE29

Sec. 38. NEW SECTION. **161D.9** **Oversee or manage public or**30



notice shall also be sent by ordinary mail to the last known<sup>12</sup>  
mailing address of each eligible voter. The notice shall<sup>13</sup>  
provide eligible voters with all information necessary to cast<sup>14</sup>  
a vote at a reasonable time and a reasonable manner.<sup>15</sup>

*b.* The board of directors of the alliance may conduct the<sup>16</sup>  
referendum by mail, electronic means, or a general meeting of<sup>17</sup>  
eligible voters. The board of directors shall conduct the<sup>18</sup>  
referendum and count and tabulate the ballots cast during<sup>19</sup>  
the referendum within thirty days following the close of the<sup>20</sup>  
referendum.<sup>21</sup>

*c.* If the voters disapprove the question, an additional<sup>22</sup>  
referendum on the same question shall not be conducted.<sup>23</sup>

3. This section shall not be construed to increase the<sup>24</sup>  
authority of the alliance provided in this chapter.<sup>25</sup>

Sec. 39. NEW SECTION. **161D.10 Rules.**<sup>26</sup>

The board of directors of the alliance shall adopt all rules<sup>27</sup>  
necessary to administer this subchapter.<sup>28</sup>

Sec. 40. EFFECTIVE UPON ENACTMENT. This division of this<sup>29</sup>  
Act, being deemed of immediate importance, takes effect upon<sup>30</sup>  
enactment.<sup>31</sup>

DIVISION XV<sup>32</sup>

RELATED STATUTORY CHANGES FOR CODIFICATION IN 2014<sup>33</sup>



requirements of this subsection shall not apply to condemnation<sup>15</sup>  
undertaken by the department of transportation.<sup>16</sup>

Sec. 42. Section 6A.19, Code 2014, is amended to read as<sup>17</sup>  
follows:<sup>18</sup>

**6A.19 Interpretative clause.**<sup>19</sup>

A grant in this chapter of right to take private property<sup>20</sup>  
for a public use shall not be construed as limiting a like<sup>21</sup>  
grant elsewhere in the Code for another and different use.<sup>22</sup>

Unless specifically provided by law, this chapter shall not<sup>23</sup>  
be construed to limit or otherwise affect the application of<sup>24</sup>  
chapters 478 and 479 to the eminent domain authority of the<sup>25</sup>  
utilities division of the department of commerce.<sup>26</sup>

Sec. 43. Section 6A.22, subsection 2, paragraph c,<sup>27</sup>  
subparagraph (1), Code 2014, is amended to read as follows:<sup>28</sup>

(1) (a) If private property is to be condemned for<sup>29</sup>  
development or creation of a lake, only that number of acres<sup>30</sup>  
justified as reasonable and necessary for a surface drinking<sup>31</sup>  
water source, and not otherwise acquired, may be condemned.<sup>32</sup>

In addition, the acquiring agency shall conduct a review of<sup>33</sup>  
prudent and feasible alternatives to provision of a drinking<sup>34</sup>  
water source prior to making a determination that such<sup>35</sup>

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lake development or creation is reasonable and necessary.<sup>1</sup>  
Development or creation of a lake as a surface drinking water<sup>2</sup>  
source includes all of the following:<sup>3</sup>

(i) Construction of the dam, including sites for suitable<sup>4</sup>

borrow material and the auxiliary spillway.<sup>5</sup>

(ii) The water supply pool.<sup>6</sup>

(iii) The sediment pool.<sup>7</sup>

(iv) The flood control pool.<sup>8</sup>

(v) The floodwater retarding pool.<sup>9</sup>

(vi) The surrounding area upstream of the dam no higher in<sup>10</sup>

elevation than the top of the dam's elevation.<sup>11</sup>

(vii) The appropriate setback distance required by state or<sup>12</sup>

federal laws and regulations to protect drinking water supply.<sup>13</sup>

(b) For purposes of this subparagraph (1), "*number of acres*<sup>14</sup>

*justified as reasonable and necessary for a surface drinking*<sup>15</sup>

*water source*" means according to guidelines of the United<sup>16</sup>

States natural resource conservation service and according to<sup>17</sup>

analyses of surface drinking water capacity needs conducted by18  
one or more registered professional engineers. The registered19  
professional engineers may, if appropriate, employ standards20  
or guidelines other than the guidelines of the United States21  
natural resource conservation service when determining the22  
number of acres justified as reasonable and necessary for23  
a surface drinking water source. The data and information24  
used by the registered professional engineers shall include25  
data and information relating to population and commercial26  
enterprise activity for the area from the two most recent27  
federal decennial censuses unless the district court of the28  
county in which the property is situated has determined by29  
a preponderance of the evidence that such data would not30  
accurately predict the population and commercial enterprise31  
activity of the area in the future.32

(c) A second review or analysis of the drinking water33  
capacity needs shall be performed upon receipt by the acquiring34  
agency of a petition signed by not less than twenty-five35

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# Image 66

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percent of the affected property owners. The registered1  
 professional engineer to perform the second review or analysis2  
 shall be selected by a committee appointed by the affected3  
 property owners and whose membership is comprised of at4

least fifty percent property owners affected by the proposed5  
 condemnation action. The acquiring agency shall be responsible6  
 for paying the fees and expenses of such an engineer.7

(d) If private property is to be condemned for development8

or creation of a lake, the plans, analyses, applications,9  
 including any application for funding, and other planning10

activities of the acquiring agency shall not include or provide11

for the use of the lake for recreational purposes.12

Sec. 44. Section 6B.54, subsection 10, paragraph a, Code13

2014, is amended by adding the following new subparagraph:14

NEW SUBPARAGRAPH. (3) Reasonable attorney fees and15

reasonable costs not to exceed one hundred thousand dollars,16

attributable to a determination that the creation of a lake17

through condemnation includes a future recreational use or that18

a violation of section 6A.22, subsection 2, paragraph "c",19

subparagraph (1), subparagraph division (d), has occurred, if20



such fees and costs are not otherwise provided under section21  
6B.33.22

Sec. 45. NEW SECTION. **6B.56B Disposition of condemned23  
property — two-year time period.24**

1. When two years have elapsed since property was condemned25  
for the creation of a lake according to the requirements of26  
section 6A.22, subsection 2, paragraph "c", subparagraph (1),27  
and the property has not been used for or construction has28  
not progressed substantially from the date the property was29  
condemned for the purpose stated in the application filed30  
pursuant to section 6B.3, and the acquiring agency has not31  
taken action to dispose of the property pursuant to section32  
6B.56, the acquiring agency shall, within sixty days, adopt a33  
resolution offering the property for sale to the prior owner34  
at a price as provided in section 6B.56. If the resolution35

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adopted approves an offer of sale to the prior owner, the offer<sup>1</sup> shall be made in writing and mailed by certified mail to the<sup>2</sup> prior owner. The prior owner has one hundred eighty days after<sup>3</sup> the offer is mailed to purchase the property from the acquiring<sup>4</sup>

agency.<sup>5</sup>

2. If the acquiring agency has not adopted a resolution<sup>6</sup> described in subsection 1 within the sixty-day time period, the<sup>7</sup> prior owner may, in writing, petition the acquiring agency to<sup>8</sup>

offer the property for sale to the prior owner at a price as<sup>9</sup> provided in section 6B.56. Within sixty days after receipt of<sup>10</sup>

such a petition, the acquiring agency shall adopt a resolution<sup>11</sup>

described in subsection 1. If the acquiring agency does not<sup>12</sup>

adopt such a resolution within sixty days after receipt of the<sup>13</sup>

petition, the acquiring agency is deemed to have offered the<sup>14</sup>

property for sale to the prior owner.<sup>15</sup>

3. The acquiring agency shall give written notice to the<sup>16</sup>

owner of the right to purchase the property under this section<sup>17</sup>

at the time damages are paid to the owner.<sup>18</sup>

Sec. 46. Section 403.7, subsection 1, unnumbered paragraph<sup>19</sup>

1, Code 2014, is amended to read as follows:<sup>20</sup>

A municipality shall have the right to acquire by<sup>21</sup>

condemnation any interest in real property, including a fee<sup>22</sup>

simple title thereto, which it may deem necessary for or in<sup>23</sup>

connection with an urban renewal project under this chapter,24  
 subject to the limitations on eminent domain authority25  
 in chapter chapters 6A and 6B. However, a municipality26  
 shall not condemn agricultural land included within an27  
 economic development area for any use unless the owner of28  
 the agricultural land consents to condemnation or unless the29  
 municipality determines that the land is necessary or useful30  
 for any of the following:31

Sec. 47. NEW SECTION. **423B.11 Use of revenues —**32  
**limitation.**33

The revenue raised by a local sales and services tax imposed34  
 under this chapter by a county shall not be expended for any35

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purpose related to a project that includes the condemnation of1

private property for the creation of a lake according to the2  
requirements of section 6A.22, subsection 2, paragraph "c",3  
subparagraph (1), if the local sales and services tax has not4

been approved at election in the area where the property to be5  
condemned is located.6

Sec. 48. Section 455A.5, Code 2014, is amended by adding the7  
following new subsection:8

NEW SUBSECTION. 7. The authority granted to the commission9  
to acquire real property for purposes of carrying out a10

duty related to development or maintenance of the recreation11

resources of the state, including planning, acquisition, and12

development of recreational projects, and areas and facilities13

related to such projects, shall not include the authority to14

acquire real property by eminent domain.15

Sec. 49. Section 456A.24, subsection 2, unnumbered16

paragraph 1, Code 2014, is amended to read as follows:17

Acquire by purchase, condemnation, lease, agreement,18

gift, and devise lands or waters suitable for the purposes19

hereinafter enumerated, and rights-of-way thereto, and to20

maintain the same for the following purposes, to wit:21

Sec. 50. Section 456A.24, Code 2014, is amended by adding22

the following new subsection:23

NEW SUBSECTION. 15. The authority granted the department24

to acquire real property for any statutory purpose relating to25

the development or maintenance of the recreation resources of26



The title to all lands purchased, condemned, or donated,6  
hereunder, for park or highway purposes and the title to all7  
lands purchased, condemned, or donated hereunder for highway8  
purposes, shall be taken in the name of the state and if9  
thereafter it shall be deemed advisable to sell any portion of10  
the land so purchased or condemned, the proceeds of such sale11  
shall be placed to the credit of the said public state parks12  
fund to be used for such park purposes.13

Sec. 53. Section 463C.8, subsection 1, paragraph k, Code14  
2014, is amended to read as follows:15

*k.* The power to acquire, own, hold, administer, and dispose16  
of property, except that such power is not a grant of authority17  
to acquire property by eminent domain.18

Sec. 54. 2013 Iowa Acts, chapter 132, is amended by adding19  
the following new section:20

NEW SECTION. SEC. 75. REPEAL. Sections 461A.9 and 461A.75,21  
Code 2014, are repealed.22

Sec. 55. SEVERABILITY. If any provision of this division of23  
this Act is held invalid, the invalidity shall not affect other24  
provisions or applications of this division of this Act which25  
can be given effect without the invalid provision, and to this26  
end the provisions of this division of this Act are severable27  
as provided in section 4.12.28

Sec. 56. EFFECTIVE UPON ENACTMENT. This division of this29  
Act, being deemed of immediate importance, takes effect upon30  
enactment.31

Sec. 57. APPLICABILITY. Except as otherwise provided in32  
this division of this Act, this division of this Act applies to33  
projects or condemnation proceedings pending or commenced on or34  
after the effective date of this division of this Act.35

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Sec. 58. RETROACTIVE APPLICABILITY. Notwithstanding any1  
provision of law to the contrary, the following provision or2  
provisions of this division of this Act apply retroactively to3  
projects or condemnation proceedings pending or commenced on or4  
after February 15, 2013:5  
1. The section of this division of this Act amending section6  
6A.22.7  
2. The section of this division of this Act enacting section8

6B.56B.9

## EXPLANATION<sup>10</sup>

**The inclusion of this explanation does not constitute agreement with<sup>11</sup>  
the explanation's substance by the members of the general assembly.<sup>12</sup>**

GENERAL. This bill relates to agriculture and natural<sup>13</sup>  
resources by increasing previously enacted appropriations<sup>14</sup>  
and making new appropriations for the 2014-2015 fiscal year<sup>15</sup>  
to support related entities, including the department of<sup>16</sup>  
agriculture and land stewardship (DALS), the department of<sup>17</sup>  
natural resources (DNR), and Iowa state university (ISU). The<sup>18</sup>  
previously enacted appropriations were made in 2013 Iowa Acts,<sup>19</sup>  
chapter 132 (SF 435).<sup>20</sup>

DALS — GENERAL FUND APPROPRIATION. For DALS, moneys are<sup>21</sup>  
appropriated from the general fund in order to support its<sup>22</sup>  
administrative divisions. Moneys are transferred to Iowa state<sup>23</sup>  
university to support its midwest grape and wine institute.<sup>24</sup>

DALS — MISCELLANEOUS FUNDS APPROPRIATIONS. The bill<sup>25</sup>  
appropriates moneys from a number of sources to support DALS<sup>26</sup>  
in order to support designated purposes, including moneys<sup>27</sup>  
derived from unclaimed winnings from horse and dog races,<sup>28</sup>  
for administration and enforcement of racing regulations<sup>29</sup>  
(Code section 99D.22); and moneys from the renewable fuel<sup>30</sup>



infrastructure fund, for purposes of motor fuel inspection and31  
 auditing biofuel processing and production (Code chapter 214A).32  
 DALS — SPECIAL GENERAL FUND APPROPRIATIONS. The bill makes33  
 special appropriations from the general fund to DALS in order34  
 to support specific purposes including milk inspection (Code35

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section 192.109), the local food and farm program (Code chapter1  
 267A), an agricultural education organization, and assistance2  
 to farmers with disabilities.3  
 DALS — WATER QUALITY INITIATIVE. Moneys are appropriated4  
 from the general fund for deposit in a water quality initiative5  
 fund for purposes of supporting a water quality initiative6  
 administered by DALS' soil conservation division and ISU. The7  
 bill allows DALS to use a portion of the appropriated moneys8  
 for urban soil and water conservation.9  
 DNR — GENERAL FUND AND OTHER MAJOR FUNDS APPROPRIATIONS.10  
 The bill makes appropriations from a number of funds to DNR in11

order to support its administrative divisions involving natural12  
resources and environmental protection from the general fund13  
of the state, the state fish and game protection fund, and the14  
groundwater protection fund.15

DNR — DESIGNATED MISCELLANEOUS FUNDS APPROPRIATIONS. The16  
bill appropriates moneys to DNR from a number of sources to17  
support designated purposes, including moneys deposited in the18  
special snowmobile fund (Code section 321G.7) to provide for19  
administering and enforcing the state snowmobile programs; and20  
moneys deposited in the unassigned revenue fund for purposes21  
of paying for administration of the department's underground22  
storage tank section.23

DNR — SPECIAL GENERAL FUND APPROPRIATIONS. The bill also24  
makes special appropriations from the general fund to DNR25  
in order to support specific purposes including floodplain26  
management and dam safety, and forestry health management27  
programs. Moneys are also transferred from the general fund to28  
the loess hills development and conservation fund.29

ISU — SPECIAL GENERAL FUND APPROPRIATIONS. The bill30  
appropriates moneys from the general fund to ISU to support the31  
operation of its veterinary diagnostic laboratory.32

DALS AND DNR — GENERAL ENVIRONMENT FIRST FUND. The bill33

appropriates moneys from the environment first fund to DAL34  
and DNR. For DAL3, moneys are appropriated to support the35

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conservation reserve enhancement program, a farm management1  
demonstration program, the conservation reserve program; soil2  
and water conservation efforts, the loess hills development and3  
conservation fund, and the agricultural drainage well water4

quality assistance fund. For DNR, moneys are appropriated to5  
support keepers of the land; the maintenance of state parks;6  
geographic information systems; water quality monitoring; the7  
public water supply system account; the regulation of animal8

feeding operations; ambient air quality regulation; water9  
quality regulation; the operation of DNR's geological and water10

survey; the keep Iowa beautiful initiative; and the silos and11

smokestacks national heritage area.12

The bill provides that moneys appropriated to DAL3 for FY13

2014 and FY 2015 to support soil and water conservation do not14

revert until the close of the fourth fiscal year after the15  
appropriation was made.16

RESOURCE ENHANCEMENT AND PROTECTION (REAP). The amount17  
of \$16 million is appropriated from the environment first18  
fund for FY 2014-2015 in lieu of the \$20 million standing19  
appropriation from the general fund (Code section 455A.18). A20  
special appropriation is made from REAP's open spaces account21  
for FY 2013-2014 and FY 2014-2015. The appropriation for FY22  
2013-2014 is for purposes of supporting regular maintenance23  
and operations of state parks and the appropriation for24  
FY 2014-2015 is made for purposes of supporting regular25  
maintenance and operations of state parks forestry health26  
management programs.27

DNR PURCHASE OF RADIOS. The bill extends the period for28  
one year that DNR is authorized to purchase radios using the29  
unappropriated balance remaining in the state fish and game30  
fund.31

MANURE MANAGEMENT CERTIFICATION. The bill extends for32  
another fiscal year the period when DNR may expend money33  
appropriated for FY 2013-2014 in order to implement an online34  
certification program for manure applicators. The provision is35

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effective upon enactment.1

STATUTORY CHANGES — REAP’s OPEN SPACES ACCOUNT. The bill2 prohibits DNR from exercising eminent domain power in acquiring3 land using moneys allocated to REAP’s open spaces account.4

STATUTORY CHANGES — WATER QUALITY INITIATIVE. The bill5 provides that information received, collected, or held by the6 Iowa nutrient research center or a nonprofit organization7 acting under the water quality initiative (Code chapter 466B,8

subchapter IV) is a confidential record and exempted from9 public access under the public records law.10

STATUTORY CHANGES — LOESS HILLS DEVELOPMENT AND11

CONSERVATION. The bill prohibits the loess hills development12

and conservation authority or board of directors of the loess13

hills alliance from executing any agreement with a local14

government or the state or federal government that allows the15

authority or alliance to oversee or manage public or private16

land unless approved by a referendum of persons holding land17

in proximity to the land proposed to be overseen or managed.18

The board is also required to adopt rules to administer its19

responsibilities.20

STATUTORY CHANGES — EMINENT DOMAIN PROCEDURES.21

GENERAL. The bill includes a division that makes changes22

relating to eminent domain authority and procedures.23

STATE REGISTER OF HISTORIC PLACES. The bill provides that24

property listed on the state register of historic places shall25

not be removed from the register solely for the purpose of26

allowing the property to be acquired by condemnation unless the27

condemnation is undertaken by the department of transportation.28

The bill also provides that property on the state register29

of historic places shall not be condemned unless a joint30

resolution authorizing the condemnation is approved by a vote31

of at least two-thirds of each chamber of the general assembly32

and signed by the governor. This approval procedure, however,33

does not apply to a condemnation undertaken by the department34

of transportation.35

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UTILITIES DIVISION. The bill specifies that Code chapter1  
 6A, unless specifically provided by law, is not to be construed2  
 to limit or otherwise affect the application of Code chapters3  
 478 and 479 providing eminent domain authority to the utilities4

division of the department of commerce.5

LAKES — GENERAL. The bill makes changes relating to eminent6  
 domain authority in relation to development or creation of7  
 a lake. The bill provides that when determining the number8

of acres justified as reasonable and necessary for a surface9  
 drinking water source, the registered professional engineers10

may, if appropriate, employ standards or guidelines other11

than the guidelines of the United States natural resource12

conservation service. The bill requires the data and13

information used by the registered professional engineers14

to include data and information relating to population and15

commercial enterprise activity for the area from the two most16

recent federal decennial censuses unless the district court of17

the county in which the property is situated has determined18

by a preponderance of the evidence that such data would not19

accurately predict the population and commercial enterprise20

activity of the area in the future.21

LAKES — DRINKING WATER. The bill also provides that a22  
 second review or analysis of the drinking water capacity needs23  
 shall be performed upon receipt by the acquiring agency of a24  
 petition signed by not less than 25 percent of the affected25  
 property owners. The registered professional engineer to26  
 perform the second review or analysis shall be selected by27  
 a committee appointed by the affected property owners and28  
 comprised of at least 50 percent property owners affected by29  
 the proposed condemnation action. The bill further provides30  
 that the acquiring agency shall pay for the services of such31  
 an engineer.32

LAKES — RECREATIONAL PURPOSES LIMITED. The bill provides33  
 that if private property is to be condemned for development34  
 or creation of a lake, the plans, analyses, applications,35

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including any application for funding, and other planning<sup>1</sup>  
activities of the acquiring agency shall not include or provide<sup>2</sup>  
for the use of the lake for recreational purposes.<sup>3</sup>

LAKES — ATTORNEY FEES. The bill adds reasonable attorney<sup>4</sup>

fees and reasonable costs that are attributable to certain<sup>5</sup>  
condemnation proceedings relating to the creation of a lake,<sup>6</sup>  
up to \$100,000, to the list of expenses reimbursable by an<sup>7</sup>  
acquiring agency to a property owner.<sup>8</sup>

LAKES — RESALE TO PRIOR OWNER. The bill provides that<sup>9</sup>  
when two years have elapsed since property was condemned for<sup>10</sup>

the creation of a lake and the property has not been used<sup>11</sup>

for or construction has not progressed substantially for the<sup>12</sup>

purpose stated in the application, and the acquiring agency<sup>13</sup>

has not taken action to dispose of the property pursuant to<sup>14</sup>

Code section 6B.56, the acquiring agency shall, within 60<sup>15</sup>

days, adopt a resolution offering the property for sale to the<sup>16</sup>

prior owner at a price as provided in Code section 6B.56. If<sup>17</sup>

the acquiring agency has not adopted a resolution within the<sup>18</sup>

60-day time period, the prior owner may petition the acquiring<sup>19</sup>

agency to offer the property for sale to the prior owner at a<sup>20</sup>

price as provided in Code section 6B.56. The bill requires the<sup>21</sup>

acquiring agency to give written notice to the owner at the<sup>22</sup>

time damages are paid to the owner of the right to purchase the<sup>23</sup>

property under such circumstances.24

LAKES — LOCAL SALES AND SERVICES TAX. The bill provides25

that the revenue raised by a local sales and services tax26

imposed under Code chapter 423B by a county shall not be27

expended for any purpose related to a project that includes28

the condemnation of private property for the creation of a29

lake if the local sales and services tax has not been approved30

at election in the area where the property to be condemned is31

located.32

URBAN RENEWAL. The bill also amends urban renewal law33

relating to the circumstances in which a municipality may34

condemn agricultural land within an economic development urban35

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# Image 76

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renewal area to provide that condemnation may occur if viable1



HOUSE FILE \_\_\_\_\_

BY (PROPOSED COMMITTEE ON

WAYS AND MEANS BILL BY

CHAIRPERSON SANDS)

A BILL FOR

An Act exempting from the state individual income tax the1  
earnings from a burial trust fund, and including retroactive2  
applicability provisions.3

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:4

TLSB 5874YC (1) 85

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# Image 78

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Section 1. Section 422.7, Code 2014, is amended by adding1  
the following new subsection:2

NEW SUBSECTION. 48. Subtract, to the extent included,3  
income from interest and earnings received from a burial trust4

fund as defined in section 523A.102.5

Sec. 2. RETROACTIVE APPLICABILITY. This Act applies6  
retroactively to January 1, 2014, for tax years beginning on7  
or after that date.8

EXPLANATION9

The inclusion of this explanation does not constitute agreement with<sup>10</sup>

the explanation's substance by the members of the general assembly.<sup>11</sup>

This bill exempts from the state individual income tax<sup>12</sup>

the interest and earnings received from a burial trust fund.<sup>13</sup>

Burial trust funds, which are governed by Code chapter 523A,<sup>14</sup>

are irrevocable trusts established by a person with a financial<sup>15</sup>

institution for the purpose of funding the future purchase of<sup>16</sup>

cemetery merchandise, funeral merchandise, funeral services, or<sup>17</sup>

a combination thereof upon the death of the person named in the<sup>18</sup>

burial trust fund's records or a related purchase agreement.<sup>19</sup>

The bill applies retroactively to January 1, 2014, for tax<sup>20</sup>

years beginning on or after that date.<sup>21</sup>

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# Image 79

## House Study Bill 681 - Introduced

HOUSE FILE \_\_\_\_\_

BY (PROPOSED COMMITTEE ON

WAYS AND MEANS BILL BY

CHAIRPERSON SANDS)

A BILL FOR

An Act exempting from the sales tax the sales price for the use1  
of self-pay washers and dryers.2

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:3

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# Image 80

H.F. \_\_\_\_\_

Section 1. Section 423.2, subsection 6, paragraph a, Code1  
2014, is amended to read as follows:2

a. The sales price of any of the following enumerated3  
services is subject to the tax imposed by subsection4

5: alteration and garment repair; armored car; vehicle repair;5  
battery, tire, and allied; investment counseling; service6  
charges of all financial institutions; barber and beauty; boat7  
repair; vehicle wash and wax; campgrounds; carpentry; roof,8

shingle, and glass repair; dance schools and dance studios;9  
dating services; dry cleaning, pressing, dyeing, and laundering10

excluding the use of self-pay washers and dryers; electrical11

and electronic repair and installation; excavating and12  
grading; farm implement repair of all kinds; flying service;13  
furniture, rug, carpet, and upholstery repair and cleaning; fur14  
storage and repair; golf and country clubs and all commercial15  
recreation; gun and camera repair; house and building moving;16  
household appliance, television, and radio repair; janitorial17  
and building maintenance or cleaning; jewelry and watch18  
repair; lawn care, landscaping, and tree trimming and removal;19  
limousine service, including driver; machine operator; machine20  
repair of all kinds; motor repair; motorcycle, scooter, and21  
bicycle repair; oilers and lubricators; office and business22  
machine repair; painting, papering, and interior decorating;23  
parking facilities; pay television; pet grooming; pipe24  
fitting and plumbing; wood preparation; executive search25  
agencies; private employment agencies, excluding services26  
for placing a person in employment where the principal place27  
of employment of that person is to be located outside of the28  
state; reflexology; security and detective services, excluding29  
private security and detective services furnished by a peace30  
officer with the knowledge and consent of the chief executive31  
officer of the peace officer's law enforcement agency; sewage32  
services for nonresidential commercial operations; sewing33

and stitching; shoe repair and shoeshine; sign construction<sup>34</sup>  
and installation; storage of household goods, mini-storage,<sup>35</sup>

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# Image 81

H.F. \_\_\_\_\_

and warehousing of raw agricultural products; swimming pool<sup>1</sup>  
cleaning and maintenance; tanning beds or salons; taxidermy<sup>2</sup>  
services; telephone answering service; test laboratories,<sup>3</sup>  
including mobile testing laboratories and field testing by<sup>4</sup>

testing laboratories, and excluding tests on humans or animals;<sup>5</sup>  
termite, bug, roach, and pest eradicators; tin and sheet metal<sup>6</sup>  
repair; transportation service consisting of the rental of<sup>7</sup>  
recreational vehicles or recreational boats, or the rental of<sup>8</sup>

motor vehicles subject to registration which are registered for<sup>9</sup>  
a gross weight of thirteen tons or less for a period of sixty<sup>10</sup>

days or less, or the rental of aircraft for a period of sixty<sup>11</sup>

days or less; Turkish baths, massage, and reducing salons,<sup>12</sup>

excluding services provided by massage therapists licensed<sup>13</sup>

under chapter 152C; water conditioning and softening; weighing;<sup>14</sup>



welding; well drilling; wrapping, packing, and packaging15  
of merchandise other than processed meat, fish, fowl, and16  
vegetables; wrecking service; wrecker and towing.17

Sec. 2. Section 423.3, Code 2014, is amended by adding the18  
following new subsection:19

NEW SUBSECTION. 101. The sales price for the use of a20  
self-pay washer or dryer.21

EXPLANATION22

**The inclusion of this explanation does not constitute agreement with23  
the explanation’s substance by the members of the general assembly.24**

This bill exempts the sales price for the use of self-pay25  
washers and dryers from the sales tax.26

By operation of Code section 423.6, an item exempt from the27  
imposition of the sales tax is also exempt from the use tax28  
imposed in Code section 423.5.29

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LSB 6187YC (2) 85

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# Image 82

## House Study Bill 682 - Introduced

HOUSE FILE \_\_\_\_\_

BY (PROPOSED COMMITTEE ON

WAYS AND MEANS BILL BY

CHAIRPERSON SANDS)

### A BILL FOR

An Act relating to state and local government powers and1  
limitations, including authorizing loans from city reserve2  
funds.3

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:4

TLSB 6186YC (1) 85

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# Image 83

H.F. \_\_\_\_\_

Section 1. Section 384.4, subsection 1, Code 2014, is1  
amended by adding the following new paragraph:2

NEW PARAGRAPH. *f.* Payments of principal and interest on3  
loans entered into pursuant to section 384.24B and authorized4

for repayment by the council from the debt service fund.5

Sec. 2. NEW SECTION. **384.24B General obligation loans funded by the city.**

1. A city may authorize a loan, as defined in this section, to borrow money for any general corporate purpose or essential corporate purpose in accordance with and subject to the provisions of this section.

2. *a.* For purposes of this section, "loan" means the sum of the transfers from the surplus of one or more reserve accounts or funds of the city which transfers are authorized for the purpose specified in the loan authorization document. A transfer from a reserve account or fund for the purposes of this section shall not cause the balance of reserves in such account or fund at the close of the fiscal year following the fiscal year in which the transfer is made to fall below any minimum balance prescribed by law for such account or fund. For the purposes of this section, "reserve account or fund" means moneys held by a city that are not operating funds, as defined in section 12B.10A, and which is authorized by law to receive interest pursuant to section 12C.7.

*b.* A loan to finance a general obligation bond project under this section shall not result in a user fee, rate, or property tax increase to support the annual operations of the account or fund from which the loan is made, as a result of

the unavailability of the surplus funds. For the purposes of<sup>29</sup>  
 this section, "*surplus*" means the cash balance available in<sup>30</sup>  
 any account or fund from which a loan will be made under this<sup>31</sup>  
 section which exceeds the amount of expenses or disbursements<sup>32</sup>  
 made from the account or fund in the previous three months,<sup>33</sup>  
 plus the amount of transfers, payments, or disbursements<sup>34</sup>  
 required in the following three months.<sup>35</sup>

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# Image 84

H.F. \_\_\_\_\_

3. *a.* A loan entered into by a city pursuant to this<sup>1</sup>  
 section may contain provisions similar to those found in loan<sup>2</sup>  
 agreements between private parties, including but not limited<sup>3</sup>  
 to the issuance of notes to evidence its obligations. The<sup>4</sup>

terms of each loan shall require repayment of the loan within<sup>5</sup>  
 ninety days to the extent necessary to prevent a user fee,<sup>6</sup>  
 rate, or property tax increase which raises the user fees,<sup>7</sup>  
 rates, or property taxes payable into the account or fund from<sup>8</sup>

which the loan is made above the level in effect at the time a9  
loan under this section is authorized.10

*b.* A loan authorized pursuant to this section shall11  
constitute an indebtedness within the meaning of any12  
constitutional debt limitation and shall be reported by the13  
city to the state treasurer in the same manner as required14  
for bonding activities pursuant to section 12.1. The full15  
or partial refunding of any loan under this section shall16  
be authorized as an essential corporate purpose pursuant to17  
section 384.24, subsection 3, paragraph "f".18

4. A loan made pursuant to this section is payable from the19  
debt service fund of the city. The governing body shall follow20  
the same authorization procedures required for the issuance21  
of general obligation bonds issued for the same purpose to22  
authorize a loan made payable from the debt service fund.23  
Upon approval of a loan, the loan shall be accounted for in24  
accordance with section 384.20.25

5. A loan made pursuant to this section shall include26  
provisions establishing an interest rate on the loan that shall27  
be set at a rate that is between the interest rate established28  
pursuant to section 12C.6, subsection 2, paragraph "a", and the29  
interest rate established pursuant to section 74A.6, subsection30



Sec. 3. Section 384.25, Code 2014, is amended to read as follows:

**384.25 General obligation bonds or loans for essential purposes.**

1. A city which proposes to carry out any essential corporate purpose within or without its corporate limits, and to contract indebtedness and issue general obligation bonds or authorize a loan described in section 384.24B, to provide funds to pay all or any part of the cost of a project must do so in accordance with the provisions of this division.
2. Before the council may institute proceedings for the issuance of bonds or authorization of a loan for an essential corporate purpose, a notice of the proposed action, including a statement of the amount and purposes of the bonds or loan, and the time and place of the meeting at which the council proposes to take action for the issuance of the bonds or authorization of the loan, must be published as provided in section 362.3. At the meeting, the council shall receive oral or written objections from any resident or property owner of the city. After all objections have been received and considered, the council may, at that meeting or any adjournment thereof, take additional action for the issuance of the bonds

or authorization of the loan or abandon the proposal to issue<sup>34</sup>

the bonds or authorize the loan. Any resident or property<sup>35</sup>

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# Image 86

H.F. \_\_\_\_\_

owner of the city may appeal the decision of the council to<sup>1</sup>  
take additional action to the district court of the county in<sup>2</sup>  
which any part of the city is located, within fifteen days<sup>3</sup>  
after the additional action is taken, but the additional action<sup>4</sup>

of the council is final and conclusive unless the court finds<sup>5</sup>  
that the council exceeded its authority. The provisions of<sup>6</sup>  
this subsection with respect to notice, hearing, and appeal,<sup>7</sup>  
are in lieu of the provisions contained in chapter 73A, or any<sup>8</sup>

other law.<sup>9</sup>

3. a. Notwithstanding subsection 2, a council may institute<sup>10</sup>

proceedings for the issuance of bonds or the authorization of a<sup>11</sup>

loan for an essential corporate purpose specified in section<sup>12</sup>

384.24, subsection 3, paragraph "w" or "x", in an amount equal<sup>13</sup>

to or greater than three million dollars by causing a notice<sup>14</sup>



of the proposal to issue the bonds or authorize the loan,<sup>15</sup>  
including a statement of the amount and purpose of the bonds<sup>16</sup>  
or loan, together with the maximum rate of interest which the<sup>17</sup>  
bonds are to bear or which will be charged to the principal<sup>18</sup>  
balance of the loan, and the right to petition for an election,<sup>19</sup>  
to be published at least once in a newspaper of general<sup>20</sup>  
circulation within the city at least ten days prior to the<sup>21</sup>  
meeting at which it is proposed to take action for the issuance<sup>22</sup>  
of the bonds or the authorization of the loan.<sup>23</sup>

*b.* If at any time before the date fixed for taking action<sup>24</sup>  
for the issuance of the bonds or the authorization of the<sup>25</sup>  
loan, a petition is filed with the clerk of the city signed<sup>26</sup>  
by eligible electors of the city equal in number to twenty<sup>27</sup>  
percent of the persons in the city who voted for the office of<sup>28</sup>  
president of the United States at the last preceding general<sup>29</sup>  
election that had such office on the ballot, asking that the<sup>30</sup>  
question of issuing the bonds or authorizing the loan be<sup>31</sup>  
submitted to the registered voters of the city, the council<sup>32</sup>  
shall either by resolution declare the proposal to issue the<sup>33</sup>  
bonds or authorize the loan to have been abandoned or shall<sup>34</sup>  
direct the county commissioner of elections to call a special<sup>35</sup>

LSB 6186YC (1) 85

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# Image 87

H.F. \_\_\_\_\_

election upon the question of issuing the bonds or authorizing1  
the loan. Notice of the election and its conduct shall be in2  
the manner provided in section 384.26.3

c. If a petition is not filed, or if a petition is filed and4

the proposition of issuing the bonds or authorizing the loan5  
is approved at an election, the council may proceed with the6  
authorization and issuance of the bonds or authorization of the7  
loan.8

Sec. 4. Section 384.26, subsections 1, 2, 4, and 5, Code9  
2014, are amended to read as follows:10

1. A city which proposes to carry out any general corporate11  
purpose within or without its corporate limits, and to contract12  
indebtedness and issue general obligation bonds or authorize a13  
loan described in section 384.24B, to provide funds to pay all14  
or any part of the costs of a project, must do so in accordance15  
with the provisions of this division.16

2. Before the council may institute proceedings for the17

issuance of bonds or authorization of a loan for a general18  
 corporate purpose, it shall call a special city election to19  
 vote upon the question of issuing the bonds or authorizing the20  
 loan. At the election the proposition must be submitted in one21  
 of the following form forms, as applicable:22

Shall the ..... (insert the name of the city) issue23  
 its bonds in an amount not exceeding the amount of \$.... for24  
 the purpose of .....?25

Shall the ..... (insert the name of the city) authorize26  
 a loan from its surplus funds in an amount not exceeding the27  
 amount of \$.... for the purpose of .....?28

4. The proposition of issuing general corporate purpose29  
 bonds or authorizing a loan for a general corporate purpose30  
 is not carried or adopted unless the vote in favor of the31  
 proposition is equal to at least sixty percent of the total32  
 vote cast for and against the proposition at the election.33

If the proposition of issuing the general corporate purpose34  
 bonds or authorizing a loan for a general corporate purpose is35

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LSB 6186YC (1) 85

aw/sc 5/8

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(3) In cities having a population in excess of seventy-five<sup>21</sup> thousand, in an amount of not more than one million dollars.<sup>22</sup>

*b.* If at any time before the date fixed for taking action<sup>23</sup> for the issuance of the bonds or the authorization of the<sup>24</sup> loan, a petition is filed with the clerk of the city in the<sup>25</sup> manner provided by section 362.4, asking that the question<sup>26</sup> of issuing the bonds or authorizing the loan be submitted to<sup>27</sup> the registered voters of the city, the council shall either by<sup>28</sup> resolution declare the proposal to issue the bonds or authorize<sup>29</sup> the loan to have been abandoned or shall direct the county<sup>30</sup> commissioner of elections to call a special election upon the<sup>31</sup> question of issuing the bonds or authorizing the loan. Notice<sup>32</sup> of the election and its conduct shall be in the manner provided<sup>33</sup> in the preceding subsections of this section.<sup>34</sup>

*c.* If no petition is filed, or if a petition is filed and<sup>35</sup>

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# Image 89

H.F. \_\_\_\_\_

the proposition of issuing the bonds or authorizing the loan<sup>1</sup>  
is approved at an election, the council may proceed with the<sup>2</sup>  
authorization and issuance of the bonds or the authorization<sup>3</sup>  
of the loan.<sup>4</sup>

Sec. 5. Section 384.33, Code 2014, is amended to read as<sup>5</sup>  
follows:<sup>6</sup>

## **384.33 Action.**<sup>7</sup>

No action may be brought which questions the legality of<sup>8</sup>

general obligation bonds, notes, or loans under this chapter or<sup>9</sup>  
the power of the city to issue the bonds, notes or loans or the<sup>10</sup>

effectiveness of any proceedings relating to the authorization<sup>11</sup>

and issuance of the bonds, notes, or loans from and after sixty<sup>12</sup>

days from the time the bonds, notes or loans are ordered issued<sup>13</sup>

by the city.<sup>14</sup>

## EXPLANATION<sup>15</sup>

**The inclusion of this explanation does not constitute agreement with<sup>16</sup>**

**the explanation's substance by the members of the general assembly.**<sup>17</sup>

This bill relates to state and local government powers and<sup>18</sup>

limitations.<sup>19</sup>

The bill enacts new Code section 384.24B to allow a city to<sup>20</sup>

borrow surplus money from its reserve accounts or funds for<sup>21</sup>

any general corporate purpose or essential corporate purpose.<sup>22</sup>

The bill requires that a city certify taxes to be levied for<sup>23</sup>

deposit in the debt service fund in the amount necessary to pay24  
principal and interest on loans authorized under the bill. The25  
bill defines "loan", "surplus", and "reserve account or fund".26  
The bill requires that such loans not cause the balances27  
of such reserve accounts or funds to fall below any minimum28  
balance prescribed by law and requires that a city shall not29  
become indebted under such loans to an amount in excess of \$630  
million. The bill requires that loans from reserve funds be31  
reported to the state treasurer in the same manner as required32  
for bonds issued by a city. The bill requires that such loans33  
not result in a user fee, rate, or property tax increase as34  
a result of unavailability of surplus funds. The terms of35

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LSB 6186YC (1) 85

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# Image 90

H.F. \_\_\_\_\_

each loan shall require repayment of the loan within 90 days1

to the extent necessary to prevent a user fee rate or property<sup>2</sup>  
tax increase. Such a loan shall be payable from the city debt<sup>3</sup>  
service fund and shall constitute an indebtedness within the<sup>4</sup>

meaning of any statutory debt limitation.<sup>5</sup>

The full or partial repayment of a loan entered into under<sup>6</sup>  
the bill shall constitute an essential corporate purpose<sup>7</sup>  
pursuant to Code section 384.24, subsection 3, paragraph "f".<sup>8</sup>

The bill provides that upon approval of such a loan that the<sup>9</sup>  
loan shall be accounted for as a separate account pursuant<sup>10</sup>

to current Code section 384.20. The bill further provides<sup>11</sup>

that interest rates on such a loan be set between the interest<sup>12</sup>

rate established for the deposit of public funds, established<sup>13</sup>

in current Code section 12C.6 and the maximum interest rate<sup>14</sup>

established for public obligations and assessments under<sup>15</sup>

current Code section 74A.6, subsection 2. The bill provides<sup>16</sup>

that such a loan not include any transfers or obligations from<sup>17</sup>

a reserve fund or account of a city utility or combined city<sup>18</sup>

utility.<sup>19</sup>

The bill requires that a city council follow substantially<sup>20</sup>

the same procedures for the issuance of general obligation<sup>21</sup>

bonds for essential corporate purposes, pursuant to Code<sup>22</sup>

section 384.25, or for general corporate purposes, pursuant to<sup>23</sup>

Code section 384.26 when making a loan from reserve funds.<sup>24</sup>

The bill further provides that no action may be brought<sup>25</sup>

against a city regarding the legality, power to issue, or power<sup>26</sup>





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# Image 92

S.F. 2342

DIVISION I1

FY 2013-20142

Section 1. 2011 Iowa Acts, chapter 127, section 61,3  
subsection 1, paragraph e, as amended by 2012 Iowa Acts,4

chapter 1131, section 2, is amended by adding the following new5  
unnumbered paragraphs:6

NEW UNNUMBERED PARAGRAPH. Of the moneys appropriated in7  
this lettered paragraph "e", \$50,000 is transferred to the Iowa8

public information board for purposes of furniture, fixtures,9  
office supplies, and equipment costs.10

NEW UNNUMBERED PARAGRAPH. Of the moneys appropriated in11

this lettered paragraph "e", \$141,003 shall be used for the12

payment of utility costs.13

NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,14

or any other provision of law, moneys appropriated in this15

lettered paragraph that remain unencumbered or unobligated at16

the close of the fiscal year that begins July 1, 2012, shall17

not revert but shall remain available for expenditure until the18

close of the fiscal year that begins July 1, 2014, as provided19

in this lettered paragraph.20

Sec. 2. EFFECTIVE UPON ENACTMENT. This division of this21  
Act, being deemed of immediate importance, takes effect upon22  
enactment.23

Sec. 3. RETROACTIVE APPLICABILITY. This division of this24  
Act applies retroactively to July 1, 2012.25

DIVISION II26

FY 2014–201527

Sec. 4. 2013 Iowa Acts, chapter 135, section 30, is amended28  
to read as follows:29

SEC. 30. DEPARTMENT OF ADMINISTRATIVE SERVICES.30

1. There is appropriated from the general fund of the state31  
to the department of administrative services for the fiscal32  
year beginning July 1, 2014, and ending June 30, 2015, the33  
following amounts, or so much thereof as is necessary, to be34  
used for the purposes designated, and for not more than the35

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LSB 5002SV (3) 85

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# Image 93

S.F. 2342

following full-time equivalent positions:1

a. For salaries, support, maintenance, and miscellaneous2 purposes:3

..... \$ 2,033,9624

4,067,9245

..... FTEs 73.496

65.797

b. For the payment of utility costs:8

..... \$ 1,329,4559

2,568,90910

..... FTEs 1.0011

Notwithstanding section 8.33, any excess moneys appropriated12

for utility costs in this lettered paragraph shall not revert13

to the general fund of the state at the end of the fiscal year14

but shall remain available for expenditure for the purposes of15

this lettered paragraph during the succeeding fiscal year.16

c. For Terrace Hill operations:17

..... \$ 202,95718

405,91419

..... FTEs 5.0020

2. Members of the general assembly serving as members of21

the deferred compensation advisory board shall be entitled22

to receive per diem and necessary travel and actual expenses23



SEC. 34. AUDITOR OF STATE.2

1. There is appropriated from the general fund of the state3  
to the office of the auditor of state for the fiscal year4

beginning July 1, 2014, and ending June 30, 2015, the following5  
amount, or so much thereof as is necessary, to be used for6  
the purposes designated, and for not more than the following7  
full-time equivalent positions:8

a. For salaries, support, maintenance, and miscellaneous9  
purposes:10

..... \$ 457,25311

944,50612

..... FTEs 103.0013

b. Of the moneys appropriated in this subsection, the14  
auditor shall expend such amount as is necessary for purposes15  
of conducting an audit concerning nondisclosed settlement16  
agreements made by the state with terminated state employees17  
since January 2011. The audit shall include but not be limited18  
to an examination of the nature of the positions subject19  
to termination with nondisclosure provisions, the payments20  
provided and the funding source of the payments, and the21  
identity and authority of the person or persons agreeing to the22  
settlement agreement on behalf of the state.23

2. The auditor of state may retain additional full-time24  
equivalent positions as is reasonable and necessary to25  
perform governmental subdivision audits which are reimbursable26



Sec. 6. 2013 Iowa Acts, chapter 135, section 35, is amended to read as follows:

SEC. 35. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There

is appropriated from the general fund of the state to the Iowa ethics and campaign disclosure board for the fiscal

beginning July 1, 2014, and ending June 30, 2015, the following

amount, or so much thereof as is necessary, for the purposes

designated:

For salaries, support, maintenance, and miscellaneous

purposes, and for not more than the following full-time

equivalent positions:

..... \$ 245,16817

550,33518

..... FTEs 5.0019

6.0020

Sec. 7. 2013 Iowa Acts, chapter 135, is amended by adding

the following new section:

NEW SECTION. SEC. 35A. INTERNAL SERVICE FUNDS — OFFICE

OF THE CHIEF INFORMATION OFFICER. There is appropriated to

the office of the chief information officer for the fiscal

year beginning July 1, 2014, and ending June 30, 2015, from

the revolving funds designated in chapter 8B and from internal

service funds created by the office such amounts as the office





1,220,3919

..... FTEs 18.5010

b. PROFESSIONAL LICENSING AND REGULATION BUREAU11

For salaries, support, maintenance, and miscellaneous12

purposes, and for not more than the following full-time13

equivalent positions:14

..... \$ 300,76915

601,53716

..... FTEs 12.5017

2. There is appropriated from the department of commerce18

revolving fund created in section 546.12 to the department of19

commerce for the fiscal year beginning July 1, 2014, and ending20

June 30, 2015, the following amounts, or so much thereof as is21

necessary, for the purposes designated:22

a. BANKING DIVISION23

For salaries, support, maintenance, and miscellaneous24

purposes, and for not more than the following full-time25

equivalent positions:26

..... \$ 4,583,61827

9,317,23528

..... FTEs 74.5029

b. CREDIT UNION DIVISION30



(3) The insurance division expenditures for examination12  
 purposes may exceed the projected receipts, refunds, and13  
 reimbursements, estimated pursuant to section 505.7, subsection14  
 7, including the expenditures for retention of additional15  
 personnel, if the expenditures are fully reimbursable and the16  
 division first does both of the following:17

(a) Notifies the department of management, the legislative18  
 services agency, and the legislative fiscal committee of the19  
 need for the expenditures.20

(b) Files with each of the entities named in subparagraph21  
 division (a) the legislative and regulatory justification for22  
 the expenditures, along with an estimate of the expenditures.23

d. UTILITIES DIVISION24

(1) For salaries, support, maintenance, and miscellaneous25  
 purposes, and for not more than the following full-time26  
 equivalent positions:27

..... \$ 4,089,70328

8,329,40529

..... FTEs 79.0030

(2) The utilities division may expend additional moneys,31  
 including moneys for additional personnel, if those additional32  
 expenditures are actual expenses which exceed the moneys33

budgeted for utility regulation and the expenditures are fully34  
reimbursable. Before the division expends or encumbers an35

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LSB 5002SV (3) 85

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# Image 98

S.F. 2342

amount in excess of the moneys budgeted for regulation, the1  
division shall first do both of the following:2

(a) Notify the department of management, the legislative3  
services agency, and the legislative fiscal committee of the4

need for the expenditures.5

(b) File with each of the entities named in subparagraph6  
division (a) the legislative and regulatory justification for7  
the expenditures, along with an estimate of the expenditures.8

(3) Of the moneys appropriated in this paragraph, the9  
utilities division may expend up to \$10,000 for purposes10

of entering into an agreement with the department of11

administrative services to contract with a professional12

engineering firm to conduct a cost/benefit engineering review13

of the energy efficiency of the solar panels utilized by the14

utilities board and consumer advocate building.15

3. CHARGES. Each division and the office of consumer16  
advocate shall include in its charges assessed or revenues17  
generated an amount sufficient to cover the amount stated18  
in its appropriation and any state-assessed indirect costs19  
determined by the department of administrative services.20

Sec. 9. 2013 Iowa Acts, chapter 135, section 37, is amended21  
to read as follows:22

SEC. 37. DEPARTMENT OF COMMERCE — PROFESSIONAL LICENSING23  
AND REGULATION BUREAU. There is appropriated from the housing24  
trust fund created pursuant to section 16.181, to the bureau of25  
professional licensing and regulation of the banking division26  
of the department of commerce for the fiscal year beginning27  
July 1, 2014, and ending June 30, 2015, the following amount,28  
or so much thereof as is necessary, to be used for the purposes29  
designated:30

For salaries, support, maintenance, and miscellaneous31  
purposes:32

..... \$ 31,15933

62,31734

Sec. 10. 2013 Iowa Acts, chapter 135, section 39, is amended35



purposes for the governor’s quarters at Terrace Hill, and for18  
not more than the following full-time equivalent positions:19

..... \$ 46,55620

93,11121

..... FTEs 2.0022

Sec. 11. 2013 Iowa Acts, chapter 135, section 40, is amended23  
to read as follows:24

SEC. 40. GOVERNOR’S OFFICE OF DRUG CONTROL POLICY. There25  
is appropriated from the general fund of the state to the26  
governor’s office of drug control policy for the fiscal year27  
beginning July 1, 2014, and ending June 30, 2015, the following28  
amount, or so much thereof as is necessary, to be used for the29  
purposes designated:30

For salaries, support, maintenance, and miscellaneous31  
purposes, including statewide coordination of the drug abuse32  
resistance education (D.A.R.E.) programs or similar programs,33  
and for not more than the following full-time equivalent34  
positions:35

-8-

LSB 5002SV (3) 85

ec/tm 8/19

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# Image 100

S.F. 2342

..... \$ 120,5671

241,1342

..... FTEs 4.003

Sec. 12. 2013 Iowa Acts, chapter 135, section 41, is amended4

to read as follows:5

SEC. 41. DEPARTMENT OF HUMAN RIGHTS. There is appropriated6  
from the general fund of the state to the department of human7  
rights for the fiscal year beginning July 1, 2014, and ending8

June 30, 2015, the following amounts, or so much thereof as is9  
necessary, to be used for the purposes designated:10

## 1. CENTRAL ADMINISTRATION DIVISION11

For salaries, support, maintenance, and miscellaneous12

purposes, and for not more than the following full-time13

equivalent positions:14

..... \$ 112,09215

224,18416

..... FTEs 5.6517

## 2. COMMUNITY ADVOCACY AND SERVICES DIVISION18

For salaries, support, maintenance, and miscellaneous19

purposes, and for not more than the following full-time20

equivalent positions:21

..... \$ 514,03922

1,028,07723

..... FTEs 9.6224

9.4525

Sec. 13. 2013 Iowa Acts, chapter 135, section 42, is amended26

to read as follows:27

SEC. 42. DEPARTMENT OF INSPECTIONS AND APPEALS. There28

is appropriated from the general fund of the state to the29

department of inspections and appeals for the fiscal year30

beginning July 1, 2014, and ending June 30, 2015, the following31

amounts, or so much thereof as is necessary, for the purposes32

designated:33

1. ADMINISTRATION DIVISION34

For salaries, support, maintenance, and miscellaneous35

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ec/tm 9/19

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# Image 101

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purposes, and for not more than the following full-time1  
equivalent positions:2

..... \$ 272,6213  
545,2424

..... FTEs 13.655

## 2. ADMINISTRATIVE HEARINGS DIVISION6

For salaries, support, maintenance, and miscellaneous7  
purposes, and for not more than the following full-time8

equivalent positions:9

..... \$ 339,47110  
678,94211

..... FTEs 23.0012

## 3. INVESTIGATIONS DIVISION13

a. For salaries, support, maintenance, and miscellaneous14

purposes, and for not more than the following full-time15

equivalent positions:16

..... \$ 1,286,54517  
2,573,08918

..... FTEs 61.5019

55.0020

b. The department, in coordination with the investigations21

division, shall submit a report to the general assembly by22

December 1, 2014, concerning the division's activities relative23

to fraud in public assistance programs for the fiscal year<sup>24</sup>  
beginning July 1, 2013, and ending June 30, 2014. The report<sup>25</sup>  
shall include but is not limited to a summary of the number<sup>26</sup>  
of cases investigated, case outcomes, overpayment dollars<sup>27</sup>  
identified, amount of cost avoidance, and actual dollars<sup>28</sup>  
recovered.<sup>29</sup>

4. HEALTH FACILITIES DIVISION<sup>30</sup>

a. For salaries, support, maintenance, and miscellaneous<sup>31</sup>  
purposes, and for not more than the following full-time<sup>32</sup>  
equivalent positions:<sup>33</sup>

..... \$ 2,546,01734

5,092,03335

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LSB 5002SV (3) 85

ec/tm 10/19

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# Image 102

S.F. 2342

..... FTEs 113.001

111.502

b. The department shall, in coordination with the health3 facilities division, make the following information available4

to the public as part of the department's development efforts5 to revise the department's internet website:6

(1) The number of inspections conducted by the division7 annually by type of service provider and type of inspection.8

(2) The total annual operations budget for the division,9 including general fund appropriations and federal contract10

dollars received by type of service provider inspected.11

(3) The total number of full-time equivalent positions in12 the division, to include the number of full-time equivalent13 positions serving in a supervisory capacity, and serving as14 surveyors, inspectors, or monitors in the field by type of15 service provider inspected.16

(4) Identification of state and federal survey trends,17 cited regulations, the scope and severity of deficiencies18 identified, and federal and state fines assessed and collected19 concerning nursing and assisted living facilities and programs.20

c. It is the intent of the general assembly that the21 department and division continuously solicit input from22 facilities regulated by the division to assess and improve23 the division's level of collaboration and to identify new24 opportunities for cooperation.25

5. EMPLOYMENT APPEAL BOARD26

a. For salaries, support, maintenance, and miscellaneous27  
purposes, and for not more than the following full-time28  
equivalent positions:29

..... \$ 21,10830

42,21531

..... FTEs 11.0032

b. The employment appeal board shall be reimbursed by33  
the labor services division of the department of workforce34  
development for all costs associated with hearings conducted35

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LSB 5002SV (3) 85

ec/tm 11/19

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# Image 103

S.F. 2342

under chapter 91C, related to contractor registration. The1  
board may expend, in addition to the amount appropriated under2  
this subsection, additional amounts as are directly billable3  
to the labor services division under this subsection and to4

retain the additional full-time equivalent positions as needed5

to conduct hearings required pursuant to chapter 91C.6

6. CHILD ADVOCACY BOARD<sup>7</sup>

a. For foster care review and the court appointed special<sup>8</sup>

advocate program, including salaries, support, maintenance, and<sup>9</sup>  
miscellaneous purposes, and for not more than the following<sup>10</sup>

full-time equivalent positions:<sup>11</sup>

..... \$ 1,340,145<sup>12</sup>

2,680,290<sup>13</sup>

..... FTEs 32.25<sup>14</sup>

b. The department of human services, in coordination with<sup>15</sup>

the child advocacy board and the department of inspections and<sup>16</sup>

appeals, shall submit an application for funding available<sup>17</sup>

pursuant to Tit. IV-E of the federal Social Security Act for<sup>18</sup>

claims for child advocacy board administrative review costs.<sup>19</sup>

c. The court appointed special advocate program shall<sup>20</sup>

investigate and develop opportunities for expanding<sup>21</sup>

fund-raising for the program.<sup>22</sup>

d. Administrative costs charged by the department of<sup>23</sup>

inspections and appeals for items funded under this subsection<sup>24</sup>

shall not exceed 4 percent of the amount appropriated in this<sup>25</sup>

subsection.<sup>26</sup>

7. FOOD AND CONSUMER SAFETY<sup>27</sup>

For salaries, support, maintenance, and miscellaneous<sup>28</sup>

purposes, and for not more than the following full-time29  
equivalent positions:30

..... \$ 639,66631

1,279,33132

..... FTEs 23.2533

23.6534

Sec. 14. 2013 Iowa Acts, chapter 135, section 44, is amended35

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LSB 5002SV (3) 85

ec/tm 12/19

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# Image 104

S.F. 2342

to read as follows:1  
SEC. 44. RACING AND GAMING COMMISSION.2  
1. RACETRACK REGULATION3  
There is appropriated from the gaming regulatory revolving4  
fund established in section 99F.20 to the racing and gaming5  
commission of the department of inspections and appeals for the6  
fiscal year beginning July 1, 2014, and ending June 30, 2015,7  
the following amount, or so much thereof as is necessary, to be8



used for the purposes designated:9  
 For salaries, support, maintenance, and miscellaneous10  
 purposes for the regulation of pari-mutuel racetracks, and for11  
 not more than the following full-time equivalent positions:12

..... \$ 1,534,24613

3,068,49214

..... FTEs 32.0315

2. EXCURSION BOAT AND GAMBLING STRUCTURE REGULATION16

a. There is appropriated from the gaming regulatory17  
 revolving fund established in section 99F.20 to the racing and18  
 gaming commission of the department of inspections and appeals19  
 for the fiscal year beginning July 1, 2014, and ending June 30,20  
 2015, the following amount, or so much thereof as is necessary,21  
 to be used for the purposes designated:22

For salaries, support, maintenance, and miscellaneous23

purposes for administration and enforcement of the excursion24  
 boat gambling and gambling structure laws, and for not more25  
 than the following full-time equivalent positions:26

..... \$ 1,522,86027

3,045,71928

..... FTEs 40.7229

b. For each additional license to conduct gambling games on30

an excursion gambling boat, gambling structure, or racetrack31  
enclosure issued during the period beginning January 1, 2014,32  
and ending June 30, 2015, there is appropriated from the gaming33  
regulatory revolving fund established in section 99F.20 to the34  
racing and gaming commission of the department of inspections35

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ec/tm 13/19

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# Image 105

S.F. 2342

and appeals for the fiscal year beginning July 1, 2014, and1  
ending June 30, 2015, an additional amount of not more than2  
\$191,000 to be used for not more than 2.00 full-time equivalent3  
positions.4

Sec. 15. 2013 Iowa Acts, chapter 135, section 45, is amended5  
to read as follows:6

SEC. 45. ROAD USE TAX FUND APPROPRIATION — DEPARTMENT OF7  
INSPECTIONS AND APPEALS. There is appropriated from the road8

use tax fund created in section 312.1 to the administrative9  
hearings division of the department of inspections and appeals10

for the fiscal year beginning July 1, 2014, and ending June 30,11

2015, the following amount, or so much thereof as is necessary,<sup>12</sup>  
for the purposes designated:<sup>13</sup>

For salaries, support, maintenance, and miscellaneous<sup>14</sup>  
purposes:<sup>15</sup>

..... \$ 811,94916

1,623,89717

Sec. 16. 2013 Iowa Acts, chapter 135, section 46, is amended<sup>18</sup>  
to read as follows:<sup>19</sup>

SEC. 46. DEPARTMENT OF MANAGEMENT.<sup>20</sup>

1. There is appropriated from the general fund of the state<sup>21</sup>  
to the department of management for the fiscal year beginning<sup>22</sup>  
July 1, 2014, and ending June 30, 2015, the following amounts,<sup>23</sup>  
or so much thereof as is necessary, to be used for the purposes<sup>24</sup>  
designated:<sup>25</sup>

For salaries, support, maintenance, and miscellaneous<sup>26</sup>  
purposes, and for not more than the following full-time<sup>27</sup>  
equivalent positions:<sup>28</sup>

..... \$ 1,275,11029

2,550,22030

..... FTEs 21.0031

20.5832

2. Of the moneys appropriated in this section, the<sup>33</sup>

department shall use a portion for enterprise resource34  
planning, providing for a salary model administrator,35

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LSB 5002SV (3) 85

ec/tm 14/19

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# Image 106

S.F. 2342

conducting performance audits, and for the department's LEAN1  
process.2

Sec. 17. 2013 Iowa Acts, chapter 135, section 47, is amended3  
to read as follows:4

SEC. 47. ROAD USE TAX FUND APPROPRIATION — DEPARTMENT OF5  
MANAGEMENT. There is appropriated from the road use tax fund6  
created in section 312.1 to the department of management for7  
the fiscal year beginning July 1, 2014, and ending June 30,8

2015, the following amount, or so much thereof as is necessary,9  
to be used for the purposes designated:10

For salaries, support, maintenance, and miscellaneous11

purposes:12

..... \$ 28,00013

56,00014

Sec. 18. 2013 Iowa Acts, chapter 135, section 48, is amended15  
to read as follows:16

SEC. 48. IOWA PUBLIC INFORMATION BOARD. There is17  
appropriated from the general fund of the state to the Iowa18  
public information board for the fiscal year beginning July19  
1, 2014, and ending June 30, 2015, the following amounts, or20  
so much thereof as is necessary, to be used for the purposes21  
designated:22

For salaries, support, maintenance, and miscellaneous23  
purposes and for not more than the following full-time24  
equivalent positions:25

..... \$ 137,50026

350,00027

..... FTEs 3.0028

Sec. 19. 2013 Iowa Acts, chapter 135, section 49, is amended29  
to read as follows:30

SEC. 49. DEPARTMENT OF REVENUE.31

1. There is appropriated from the general fund of the state32  
to the department of revenue for the fiscal year beginning July33  
1, 2014, and ending June 30, 2015, the following amounts, or34  
so much thereof as is necessary, to be used for the purposes35

LSB 5002SV (3) 85

ec/tm 15/19

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# Image 107

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designated:1

For salaries, support, maintenance, and miscellaneous2  
 purposes, and for not more than the following full-time3  
 equivalent positions:4

..... \$ 8,940,4205  
 17,880,8396

..... FTEs 245.247  
 228.508

2. Of the funds appropriated pursuant to this section,9  
 \$400,000 shall be used to pay the direct costs of compliance10

related to the collection and distribution of local sales and11  
 services taxes imposed pursuant to chapters 423B and 423E.12

3. The director of revenue shall prepare and issue a state13  
 appraisal manual and the revisions to the state appraisal14  
 manual as provided in section 421.17, subsection 17, without15  
 cost to a city or county.16

Sec. 20. 2013 Iowa Acts, chapter 135, section 50, is amended17

to read as follows:18

SEC. 50. MOTOR VEHICLE FUEL TAX APPROPRIATION. There is19  
appropriated from the motor fuel tax fund created by section20  
452A.77 to the department of revenue for the fiscal year21  
beginning July 1, 2014, and ending June 30, 2015, the following22  
amount, or so much thereof as is necessary, to be used for the23  
purposes designated:24

For salaries, support, maintenance, miscellaneous purposes,25  
and for administration and enforcement of the provisions of26  
chapter 452A and the motor vehicle use tax program:27

..... \$ 652,88828

1,305,77529

Sec. 21. 2013 Iowa Acts, chapter 135, section 51, is amended30  
to read as follows:31

SEC. 51. SECRETARY OF STATE.32

1. There is appropriated from the general fund of the state33  
to the office of the secretary of state for the fiscal year34  
beginning July 1, 2014, and ending June 30, 2015, the following35

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ec/tm 16/19

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For salaries, support, maintenance, and miscellaneous21  
purposes, and for not more than the following full-time22  
equivalent positions:23

..... \$ 542,19624

1,084,39225

..... FTEs 28.8026

2. The office of treasurer of state shall supply clerical27  
and secretarial support for the executive council.28

Sec. 23. 2013 Iowa Acts, chapter 135, section 54, is amended29  
to read as follows:30

SEC. 54. ROAD USE TAX FUND APPROPRIATION — OFFICE OF31  
TREASURER OF STATE. There is appropriated from the road use32  
tax fund created in section 312.1 to the office of treasurer of33  
state for the fiscal year beginning July 1, 2014, and ending34  
June 30, 2015, the following amount, or so much thereof as is35

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LSB 5002SV (3) 85

ec/tm 17/19

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# Image 109

S.F. 2342

necessary, to be used for the purposes designated:1  
For enterprise resource management costs related to the2  
distribution of road use tax funds:3  
..... \$ 46,5744

93,1485

Sec. 24. 2013 Iowa Acts, chapter 135, section 55, is amended6  
to read as follows:7

SEC. 55. IPERS — GENERAL OFFICE. There is appropriated8

from the Iowa public employees' retirement system fund to the9  
Iowa public employees' retirement system for the fiscal year10

beginning July 1, 2014, and ending June 30, 2015, the following11

amount, or so much thereof as is necessary, to be used for the12

purposes designated:13

For salaries, support, maintenance, and other operational14

purposes to pay the costs of the Iowa public employees'15

retirement system, and for not more than the following16

full-time equivalent positions:17

..... \$ 8,843,48418

15,686,96819

..... FTEs 90.1320

88.1321

Sec. 25. DEPARTMENT OF INSPECTIONS AND APPEALS FOOD22

INSPECTIONS INTERIM STUDY COMMITTEE. The legislative council23

is requested to establish an interim study committee during<sup>24</sup>  
the 2014 interim to examine food inspections conducted by the<sup>25</sup>  
department of inspections and appeals, including examination of<sup>26</sup>  
fees charged for the inspections. The study committee shall<sup>27</sup>  
present its conclusions and recommendations in a report to the<sup>28</sup>  
2015 session of the general assembly.<sup>29</sup>

Sec. 26. REPEAL. 2013 Iowa Acts, chapter 135, sections 38,<sup>30</sup>  
56, and 57, are repealed.<sup>31</sup>

**EXPLANATION<sup>32</sup>**

**The inclusion of this explanation does not constitute agreement with<sup>33</sup>  
the explanation's substance by the members of the general assembly.<sup>34</sup>**

This bill relates to moneys appropriated to various state<sup>35</sup>

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LSB 5002SV (3) 85

ec/tm 18/19

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# Image 110

S.F. 2342

departments, agencies, and funds for the fiscal year beginning<sup>1</sup>





with an ethanol plant to assist the ethanol plant in meeting<sup>15</sup>  
a low carbon fuel standard. Thermal heat generated by the<sup>16</sup>  
cogeneration facility and used for a commercial purpose may<sup>17</sup>  
be counted toward satisfying the ten megawatt reservation<sup>18</sup>  
requirement.<sup>19</sup>

*b.* A facility that has been issued a tax credit certificate<sup>20</sup>  
for a natural gas cogeneration facility incorporated within<sup>21</sup>  
or associated with an ethanol plant pursuant to paragraph "a"<sup>22</sup>  
prior to July 1, 2014, shall not be required to submit a new<sup>23</sup>  
application if the facility constructs or utilizes methane and<sup>24</sup>  
landfill gas or biogas cogeneration facilities on or after that<sup>25</sup>  
date and continues to meet the requirements of an eligible<sup>26</sup>  
renewable energy facility.<sup>27</sup>

Sec. 3. Section 476C.5, Code 2014, is amended to read as<sup>28</sup>  
follows:<sup>29</sup>

**476C.5 Certificate issuance period.**<sup>30</sup>

A producer or purchaser of renewable energy may receive<sup>31</sup>  
renewable energy tax credit certificates for a ten-year period<sup>32</sup>  
for each eligible renewable energy facility under this chapter.<sup>33</sup>  
The ten-year period for issuance of the tax credit certificates<sup>34</sup>  
begins with the date the purchaser of renewable energy first<sup>35</sup>

-1-



1, 2005, and before January 1, 2015. The bill extends the18  
 latter date by two years, to January 1, 2017, resulting in an19  
 additional two years for a facility to be placed into service20  
 and qualify for the credit. The bill makes a corresponding21  
 change to extend the 10-year duration during which a producer22  
 or purchaser of renewable energy may receive renewable energy23  
 tax credit certificates from an end date of December 31, 2024,24  
 to December 31, 2026.25

Additionally, the bill modifies provisions relating to26  
 the reservation of a specified amount of renewable energy27  
 tax credits being reserved for specified renewable energy28  
 facilities. Currently, an amount equivalent to 10 megawatts29  
 of nameplate generating capacity is reserved for natural gas30  
 cogeneration facilities incorporated within or associated31  
 with an ethanol plant to assist the plant in meeting a low32  
 carbon fuel standard. The bill expands facilities to which the33  
 reserved amount applies to include methane and landfill gas and34  
 biogas cogeneration facilities, and provides that thermal heat35

-2-

LSB 5620SV (2) 85

rn/sc 2/3

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# Image 114

S.F. 2343

generated by the cogeneration facility may be counted toward1  
 satisfying the 10 megawatt reservation requirement.2  
 The bill further provides that a facility which has been3  
 issued a tax credit certificate for a natural gas cogeneration4

facility prior to July 1, 2014, does not need to reapply for5  
 a certificate if the facility constructs or utilizes methane6  
 and landfill gas or biogas cogeneration facilities on or after7  
 July 1, 2014, and continues to meet all other requirements8

applicable to an eligible renewable energy facility.9

-3-

LSB 5620SV (2) 85

rn/sc 3/3

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# Image 115

## Senate File 2344 - Introduced

SENATE FILE 2344

BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SF 2333)

A BILL FOR

An Act relating to renewable fuels, by providing for biobutanol<sup>1</sup> and biobutanol blended gasoline, modifying the rate of<sup>2</sup> the E-15 plus gasoline promotion tax credit and extending<sup>3</sup> provisions for a biodiesel production refund, and including<sup>4</sup>

effective date and retroactive applicability provisions.<sup>5</sup>

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:<sup>6</sup>

TLSB 5886SV (3) 85

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# Image 116

S.F. 2344

DIVISION I1

BIOBUTANOL AND BIOBUTANOL BLENDED GASOLINE<sup>2</sup>

Section 1. Section 159A.2, subsection 1, Code 2014, is<sup>3</sup> amended to read as follows:<sup>4</sup>

1. "*Biodiesel*" and "*Biobutanol*"; "*biobutanol blended*<sup>5</sup>  
*gasoline*"; "*biodiesel*"; "*biodiesel blended fuel*"; "*ethanol*";<sup>6</sup>  
*"ethanol blended gasoline"*; and "*renewable fuel*" mean the same<sup>7</sup>  
as defined in section 214A.1.8

Sec. 2. Section 159A.2, subsections 5 and 8, Code 2014, are<sup>9</sup> amended by striking the subsections.<sup>10</sup>

Sec. 3. Section 159A.3, subsection 3, paragraph a, Code

2014, is amended to read as follows:

a. A chief purpose of the office is to further the production and consumption of ethanol blended gasoline and biobutanol blended gasoline in this state. The office shall be the primary state agency charged with the responsibility to promote public consumption of ethanol blended gasoline and biobutanol blended gasoline.

Sec. 4. Section 159A.6, subsection 1, paragraph d, Code

2014, is amended to read as follows:

d. Promote the advantages related to the use of coproducts derived from the production of renewable fuels, including the use of coproducts used as livestock feed or meal. Promotions shall be designed to inform the potential purchasers of the advantages associated with using coproducts. The office shall promote advantages associated with using coproducts of ethanol and biobutanol production as livestock feed or meal to cattle producers in this state.

Sec. 5. Section 214.1, subsection 1, Code 2014, is amended

to read as follows:

1. "*Biodiesel*", "*biodiesel fuel*", "*biofuel*", "*ethanol*", "*motor fuel*", "*Motor fuel*", "*retail dealer*", "*retail motor*"

*fuel site*”, and *wholesale dealer*” mean the same as defined in33  
section 214A.1.34

Sec. 6. Section 214A.1, Code 2014, is amended by adding the35

-1-

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# Image 117

S.F. 2344

following new subsections:1

NEW SUBSECTION. 2A. *Biobutanol*” means isobutyl alcohol2  
that is to be blended with gasoline if it meets the standards3  
provided in section 214A.2.4

NEW SUBSECTION. 2B. *Biobutanol blended gasoline*” means a5  
formulation of gasoline which is a liquid petroleum product6  
blended with biobutanol, if the formulation meets the standards7  
provided in section 214A.2.8

Sec. 7. Section 214A.1, subsections 6 and 23, Code 2014, are9  
amended to read as follows:10

6. *Biofuel*” means ethanol, biobutanol, or biodiesel.11

23. *Renewable fuel*” means a combustible liquid derived12

from grain starch, oilseed, animal fat, or other biomass; or13

produced from a biogas source, including any nonfossilized<sup>14</sup>  
decaying organic matter which is capable of powering machinery,<sup>15</sup>  
including but not limited to an engine or power plant.<sup>16</sup>

Renewable fuel includes but is not limited to biofuel, ethanol<sup>17</sup>  
blended gasoline, biobutanol blended gasoline, or biodiesel<sup>18</sup>  
blended fuel meeting the standards provided in section 214A.2.<sup>19</sup>  
Sec. 8. Section 214A.1, subsection 32, unnumbered paragraph<sup>20</sup>  
1, Code 2014, is amended to read as follows:<sup>21</sup>

*"Unleaded gasoline"* means gasoline, including ethanol<sup>22</sup>  
blended gasoline or biobutanol blended gasoline, if all of the<sup>23</sup>  
following applies:<sup>24</sup>

Sec. 9. Section 214A.2, subsection 1, Code 2014, is amended<sup>25</sup>  
to read as follows:<sup>26</sup>

1. The department shall adopt rules pursuant to chapter<sup>27</sup>  
17A for carrying out this chapter. The rules may include but<sup>28</sup>  
are not limited to specifications relating to motor fuel,<sup>29</sup>  
including but not limited to renewable fuel such as ethanol<sup>30</sup>  
blended gasoline, biobutanol blended gasoline, biodiesel,<sup>31</sup>  
biodiesel blended fuel, and motor fuel components such as an<sup>32</sup>  
oxygenate. In the interest of uniformity, the department shall<sup>33</sup>  
adopt by reference other specifications relating to tests and<sup>34</sup>  
standards for motor fuel, including renewable fuel and motor<sup>35</sup>

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# Image 118

S.F. 2344

fuel components, established by the United States environmental  
 protection agency and A.S.T.M. international.  
 Sec. 10. Section 214A.2, subsection 3, Code 2014, is amended  
 by adding the following new paragraph:

NEW PARAGRAPH. *c.* If the motor fuel is advertised for sale  
 or sold as biobutanol blended gasoline, the motor fuel must  
 comply with departmental standards which shall meet all of the  
 following requirements:

- (1) Biobutanol must be an agriculturally derived isobutyl  
 alcohol that meets A.S.T.M. international specification  
 D7862 for butanol for blending with gasoline for use as  
 automotive spark-ignition engine fuel, or a successor A.S.T.M.  
 international specification, as established by rules adopted  
 by the department.
- (2) Gasoline blended with biobutanol must meet requirements  
 established by rules adopted in part or in whole based on

A.S.T.M. international specification D4814.17

Sec. 11. Section 214A.2, subsection 5, Code 2014, is amended<sup>18</sup>  
to read as follows:<sup>19</sup>

5. *a.* Ethanol blended gasoline shall be designated E-xx<sup>20</sup>  
where "xx" is the volume percent of ethanol in the ethanol<sup>21</sup>  
blended gasoline and biodiesel.<sup>22</sup>

*b.* Biobutanol blended gasoline shall be designated<sup>23</sup>  
Bu-xx where "xx" is the volume percent of biobutanol in the<sup>24</sup>  
biobutanol blended gasoline.<sup>25</sup>

*c.* Biodiesel fuel shall be designated B-xx where "xx" is the<sup>26</sup>  
volume percent of biodiesel.<sup>27</sup>

Sec. 12. Section 214A.3, subsection 2, paragraph b, Code<sup>28</sup>  
2014, is amended by adding the following new subparagraph:<sup>29</sup>

NEW SUBPARAGRAPH. (02) A person shall not knowingly falsely<sup>30</sup>  
advertise biobutanol blended gasoline by using an inaccurate<sup>31</sup>  
designation as provided in section 214A.2.<sup>32</sup>

Sec. 13. Section 214A.5, subsection 2, Code 2014, is amended<sup>33</sup>  
to read as follows:<sup>34</sup>

2. A wholesale dealer selling ethanol blended gasoline,<sup>35</sup>

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biobutanol blended gasoline, or biodiesel blended fuel to1  
a purchaser shall provide the purchaser with a statement2  
indicating its designation as provided in section 214A.2. The3  
statement may be on the sales slip provided in this section4

or a similar document, including but not limited to a bill of5  
lading or invoice.6

Sec. 14. Section 214A.16, subsection 1, Code 2014, is7  
amended by adding the following new paragraph:8

NEW PARAGRAPH. *Od.* If biobutanol blended gasoline is sold9  
from a motor fuel pump, the motor fuel pump shall have affixed10

a decal identifying the biobutanol blended gasoline.11

DIVISION II12

E-15 PLUS GASOLINE PROMOTION TAX CREDIT13

Sec. 15. Section 422.11Y, subsection 4, paragraph b, Code14  
2014, is amended to read as follows:15

*b.* The designated rate of the tax credit for the following16  
three periods within each calendar year is as follows:17

(1) For calendar year 2012, calendar year 2013, and calendar18  
year 201419



(1) For the first period beginning January 1 and ending May20  
31, three cents.21

(2) For the second period beginning June 1 and ending22  
September 15, ten cents.23

(3) For calendar year 2015, calendar year 2016, and calendar24  
year 2017 the third period beginning September 16 and ending25  
December 31, two three cents.26

Sec. 16. EFFECTIVE DATE. This division of this Act, being27  
deemed of immediate importance, takes effect upon enactment.28

Sec. 17. RETROACTIVE APPLICABILITY. Section 422.11Y,29  
as amended in this division of this Act, and section 422.33,30  
subsection 11D, as applied through section 422.11Y, as amended31  
in this division of this Act, apply retroactively to tax years32  
beginning on and after January 1, 2014.33

DIVISION III34

BIODIESEL PRODUCTION REFUND35

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# Image 120

S.F. 2344

Sec. 18. Section 423.4, subsection 9, paragraphs b and e,<sup>1</sup>  
Code 2014, are amended to read as follows:<sup>2</sup>

*b.* The amount of the refund shall be calculated by<sup>3</sup>  
multiplying a designated rate by the total number of gallons<sup>4</sup>

of biodiesel produced by the biodiesel producer in this state<sup>5</sup>  
during each quarter of a calendar year. The designated rate<sup>6</sup>  
shall be as follows:<sup>7</sup>

(1) For the calendar year 2012, three cents.<sup>8</sup>

(2) For the calendar year 2013, two and one-half cents.<sup>9</sup>

(3) For the calendar year 2014, two cents.<sup>10</sup>

*e.* This subsection is repealed on January 1, 2015.<sup>11</sup>

## EXPLANATION<sup>12</sup>

**The inclusion of this explanation does not constitute agreement with<sup>13</sup>**

**the explanation's substance by the members of the general assembly.<sup>14</sup>**

GENERAL. This bill provides for the regulation and<sup>15</sup>

promotion of renewable fuel, including by creating a new class<sup>16</sup>

of biofuel referred to as biobutanol and the corresponding<sup>17</sup>

biobutanol blended gasoline (Code chapter 214A). The bill<sup>18</sup>

also amends provisions establishing an E-15 plus promotion tax<sup>19</sup>

credit due to expire on January 1, 2018 (Code sections 422.11<sup>20</sup>

and 422.33(11D)), and a biodiesel producer refund which is due<sup>21</sup>

to expire on January 1, 2015 (Code Section 423.4(a)).<sup>22</sup>

BIOBUTANOL AND BIOBUTANOL BLENDED GASOLINE — REGULATION.23

The bill amends provisions regarding the regulation of24  
 motor fuel, including biofuels and renewable fuel, by the25  
 department of agriculture and land stewardship. It classifies26  
 biobutanol as a biofuel (together with ethanol and biodiesel)27  
 and biobutanol blended gasoline as a renewable fuel (together28  
 with ethanol blended gasoline and biodiesel blended fuel).29  
 Biobutanol is isobutyl alcohol that is blended with gasoline.30  
 The bill establishes specifications for biobutanol and31  
 biobutanol blended gasoline, including specifications based on32  
 A.S.T.M. international standards, similar to specifications33  
 for ethanol, ethanol blended gasoline, biodiesel, and34  
 biodiesel blended fuel. The bill amends related provisions for35

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# Image 121

S.F. 2344

designating biobutanol blended gasoline (Code section 214A.2),<sup>1</sup> the advertising of biobutanol blended gasoline (Code section 214A.3),<sup>2</sup> documentation required to be maintained by wholesale<sup>3</sup> and retail dealers (Code section 214A.5), and the labeling of<sup>4</sup> motor fuel pumps (Code section 214A.16). Other provisions in<sup>5</sup> the Code chapter refer to biofuels, including those regulating<sup>6</sup> testing procedures (Code sections 214A.2B and 214A.7). The<sup>7</sup> bill requires that the office of renewable fuels and coproducts<sup>8</sup> promote the use of biobutanol and biobutanol blended gasoline<sup>9</sup> (Code chapter 159A). In addition, a number of other Code<sup>10</sup> chapters refer to biofuel or renewable fuel as defined in Code<sup>11</sup> section 214A.1, including provisions that are administered<sup>12</sup> by the department of agriculture and land stewardship (Code<sup>13</sup> chapters 159 and 203), that regulate certain supply agreements<sup>14</sup> (Code section 323.4A), and that are administered by the<sup>15</sup> department of revenue (Code chapters 422 and 452A).<sup>16</sup>

E-15 TAX CREDIT. The E-15 plus gasoline promotion tax<sup>17</sup> credit is calculated on the total gallons of ethanol blended<sup>18</sup> gasoline, classified as E-15 and higher, and sold and dispensed<sup>19</sup> by a retail dealer (see Code section 214A.1) during each<sup>20</sup> quarter. The amount of the tax credit equals a constant<sup>21</sup> (designated) rate multiplied by the total number of gallons of<sup>22</sup> E-15 or higher sold and dispensed by the retail dealer during<sup>23</sup> a calendar year assuming the retail dealer's tax year is on a<sup>24</sup> calendar year basis. A designated rate of 3 cents applies to<sup>25</sup>

each calendar year from 2012 through 2014. The designated rate<sup>26</sup>  
 is then reduced to 2 cents which will apply to each calendar<sup>27</sup>  
 year from 2015 through 2017 when the tax credit expires. The<sup>28</sup>  
 same calculations are applied to retail dealers whose tax<sup>29</sup>  
 years are not based on a calendar year (701 IAC 42.46). The<sup>30</sup>  
 bill revises the designated rate for three periods of time<sup>31</sup>  
 within a tax year (either based on a calendar or alternative<sup>32</sup>  
 fiscal year). For the first period (January 1 through May 31),<sup>33</sup>  
 the rate is 3 cents; for the second period (June 1 through<sup>34</sup>  
 September 15), the rate is 10 cents; and for the third period<sup>35</sup>

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# Image 122

S.F. 2344

(September 16 through December 31), the rate returns to 31  
 cents. This revision takes effect upon enactment of the bill<sup>2</sup>  
 and applies retroactively to January 1, 2014.<sup>3</sup>  
 BIODIESEL PRODUCER REFUND. A biodiesel producer is<sup>4</sup>



**Message: Iowa Legislature - Daily Legislation and Analysis -- APRIL 3, 2014**

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**Case Information:**

Message Type: Exchange  
Message Direction: External, Inbound  
Case: IWD Senator Petersen Request - Version 3  
Capture Date: 7/10/2014 1:32:39 PM  
Item ID: 40861916  
Policy Action: Not Specified

**Mark History:**

No reviewing has been done

**Policies:**

No Policies attached

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**✉ Iowa Legislature - Daily Legislation and Analysis -- APRIL 3, 2014**

**From** helpdesk@legis.state.ia.us      **Date** Friday, April 04, 2014 3:34 AM  
**To** Olivencia, Nicholas [IWD]  
**Cc**

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 **20140403.pdf** (1008 Kb HTML)

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Attached to this email is an Adobe Acrobat file that contains the bills, amendments, resolutions and study bills filed the previous day.

These files are archived and are available for download here:

<http://coolice.legis.state.ia.us/cool-ice/default.asp?Category=BillInfo&Service=DLA>

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# Image 1

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# Image 2

Senate File 2130

H-8212

Amend Senate File 2130, as amended, passed, and1  
reprinted by the Senate, as follows:2

1. Page 6, after line 24 by inserting:3  
<DIVISION \_\_\_4

PERSONNEL SETTLEMENT AGREEMENT PAYMENTS5  
Sec. \_\_\_\_. PERSONNEL SETTLEMENT AGREEMENT6  
PAYMENTS. As a condition made to any appropriation to7  
the department of transportation as provided in this8

Act, moneys appropriated and any other moneys available9  
for use by the department under this Act shall not10

be used for the payment of a personnel settlement11

agreement between the department and a state employee12

that contains a confidentiality provision intended to13

prevent public disclosure of the agreement or any terms14

of the agreement.>15

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COMMITTEE ON APPROPRIATIONS

SODERBERG of Plymouth, Chairperson

-1-

SF2130.3778 (1) 85

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# Image 3

## House File 2462 - Introduced

HOUSE FILE 2462

BY COMMITTEE ON GOVERNMENT

OVERSIGHT

(SUCCESSOR TO HSB 684)

A BILL FOR

An Act concerning public employee personnel settlement<sup>1</sup> agreements and disciplinary actions, and including effective<sup>2</sup> date and retroactive applicability provisions.<sup>3</sup>

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:<sup>4</sup>

TLSB 6201HV (3) 85

ec/rj

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# Image 4

H.F. 2462

Section 1. Section 22.7, subsection 11, paragraph a,<sup>1</sup> subparagraph (5), Code 2014, is amended to read as follows:<sup>2</sup>

(5) The fact that the individual resigned in lieu of<sup>3</sup> termination, was discharged, or was demoted as the result<sup>4</sup>

of a final disciplinary action upon the exhaustion of all5 applicable contractual, legal, and statutory remedies, and the6 documented reasons and rationale for the resignation in lieu of7 termination, the discharge, or the demotion.8

Sec. 2. NEW SECTION. **22.13A Personnel settlement agreements9 — state employees — confidentiality — disclosure.10**

1. For purposes of this section:11

*a. "Personnel settlement agreement"* means a binding legal12 agreement between a state employee and the state employee's13 employer, subject to section 22.13, to resolve a personnel14 dispute including but not limited to a grievance. *"Personnel15 settlement agreement"* does not include an initial decision by a16 state employee's immediate supervisor concerning a personnel17 dispute or grievance.18

*b. "State employee"* means an employee of the state who is19 an employee of the executive branch as described in sections20 7E.2 and 7E.5.21

2. Personnel settlement agreements shall not contain any22 confidentiality or nondisclosure provision that attempts to23 prevent the disclosure of the personnel settlement agreement.24

In addition, any confidentiality or nondisclosure provision in25 a personnel settlement agreement is void and unenforceable.26

3. The requirements of this section shall not be superseded27 by any provision of a collective bargaining agreement.28

4. All personnel settlement agreements shall be made easily<sup>29</sup>  
accessible to the public on an internet site maintained as<sup>30</sup>  
follows:<sup>31</sup>

*a.* For personnel settlement agreements with an employee of<sup>32</sup>  
the executive branch, excluding an employee of the state board<sup>33</sup>  
of regents or institution under the control of the state board<sup>34</sup>  
of regents, by the department of administrative services.<sup>35</sup>

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# Image 5

H.F. 2462

*b.* For personnel settlement agreements with an employee of<sup>1</sup>  
the state board of regents or institution under the control of<sup>2</sup>  
the state board of regents, by the state board of regents.<sup>3</sup>

Sec. 3. IMPLEMENTATION PROVISION. This Act shall not be<sup>4</sup>

construed to limit or impair the ability of law enforcement<sup>5</sup>  
personnel to investigate any activity that may violate the laws<sup>6</sup>  
of the state.<sup>7</sup>

Sec. 4. EFFECTIVE UPON ENACTMENT. This Act, being deemed of<sup>8</sup>

immediate importance, takes effect upon enactment.<sup>9</sup>  
Sec. 5. RETROACTIVE APPLICABILITY. The following provision<sup>10</sup>  
of this Act applies retroactively to January 1, 2004:<sup>11</sup>

1. The section of this Act amending section 22.7, subsection<sup>12</sup>  
11.13

#### EXPLANATION<sup>14</sup>

**The inclusion of this explanation does not constitute agreement with<sup>15</sup>  
the explanation's substance by the members of the general assembly.<sup>16</sup>**

This bill concerns disclosure of information relating to<sup>17</sup>  
disciplinary actions taken against certain public employees and<sup>18</sup>  
personnel settlement agreements with state employees.<sup>19</sup>  
Code section 22.7(11), concerning personal information in<sup>20</sup>  
confidential personnel records of government bodies, is amended<sup>21</sup>  
to provide that information in an official's, officer's, or<sup>22</sup>  
employee's personnel records concerning the fact that such an<sup>23</sup>  
individual resigned in lieu of termination or was demoted as<sup>24</sup>  
the result of a final disciplinary action by a government body<sup>25</sup>  
and the documented reasons and rationale for any resignation<sup>26</sup>  
in lieu of termination, discharge, or demotion against an<sup>27</sup>  
individual are public records and not confidential. Under<sup>28</sup>  
current law, only the fact in a personnel record that the<sup>29</sup>  
individual was discharged is considered a public record and not<sup>30</sup>  
confidential. This provision takes effect upon enactment and<sup>31</sup>







An Act relating to appropriations for health and human services<sup>1</sup> and veterans and including other related provisions and<sup>2</sup> appropriations, and including effective date and retroactive<sup>3</sup> and other applicability date provisions.<sup>4</sup>

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:<sup>5</sup>

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# Image 8

H.F. 2463

DIVISION I1

DEPARTMENT ON AGING<sup>2</sup>

Section 1. 2013 Iowa Acts, chapter 138, section 131, is<sup>3</sup> amended to read as follows:<sup>4</sup>

SEC. 131. DEPARTMENT ON AGING. There is appropriated from<sup>5</sup> the general fund of the state to the department on aging for<sup>6</sup> the fiscal year beginning July 1, 2014, and ending June 30,<sup>7</sup> 2015, the following amount, or so much thereof as is necessary,<sup>8</sup>

to be used for the purposes designated:<sup>9</sup>

For aging programs for the department on aging and area<sup>10</sup>

agencies on aging to provide citizens of Iowa who are 60 years<sup>11</sup>

of age and older with case management for frail elders, Iowa's<sup>12</sup>

aging and disabilities resource center, and other services<sup>13</sup>

which may include but are not limited to adult day services,14  
 respite care, chore services, information and assistance,15  
 and material aid, for information and options counseling for16  
 persons with disabilities who are 18 years of age or older,17  
 and for salaries, support, administration, maintenance, and18  
 miscellaneous purposes, and for not more than the following19  
 full-time equivalent positions:20

..... \$ 5,300,19021

10,606,06622

..... FTEs 28.0023

1. Funds appropriated in this section may be used to24  
 supplement federal funds under federal regulations. To25  
 receive funds appropriated in this section, a local area26  
 agency on aging shall match the funds with moneys from other27  
 sources according to rules adopted by the department. Funds28  
 appropriated in this section may be used for elderly services29  
 not specifically enumerated in this section only if approved30  
 by an area agency on aging for provision of the service within31  
 the area.32

2. Of the funds appropriated in this section, \$139,97333  
 \$279,946 is transferred to the economic development authority34  
 for the Iowa commission on volunteer services to be used for35



future goods or services which are not defined specifically by17  
good or service, time period, or recipient, may be purchased.18

b. The procedures shall provide that if any funds are19  
expended in a manner that is not in compliance with the20  
procedures and applicable federal and state laws, rules, and21  
regulations, and are subsequently subject to repayment, the22  
area agency on aging expending such funds in contravention of23  
such procedures, laws, rules and regulations, not the state,24  
shall be liable for such repayment.25

4. Of the funds appropriated in this section, \$125,00026  
\$250,000 shall be used to fund services to meet the unmet needs27  
of older individuals as identified in the annual compilation of28  
unmet service units by the area agencies on aging.29

5. Of the funds appropriated in this section, \$300,00030  
\$600,000 shall be used to fund home and community-based31  
services through the area agencies on aging that enable older32  
individuals to avoid more costly utilization of residential or33  
institutional services and remain in their own homes.34

6. Of the funds appropriated in this subsection, \$10,00035

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11.0020

2. Of the funds appropriated in this section, \$105,000<sup>21</sup>  
 \$210,000 shall be used to provide two local long-term care<sup>22</sup>  
 resident's advocates ombudsman to administer the certified<sup>23</sup>  
 volunteer long-term care resident's advocates ombudsman program<sup>24</sup>  
 pursuant to section 231.45, including operational certification<sup>25</sup>  
 and training costs.<sup>26</sup>

DIVISION III<sup>27</sup>

DEPARTMENT OF PUBLIC HEALTH<sup>28</sup>

Sec. 3. 2013 Iowa Acts, chapter 138, section 133, is amended<sup>29</sup>  
 to read as follows:<sup>30</sup>

SEC. 133. DEPARTMENT OF PUBLIC HEALTH. There is<sup>31</sup>  
 appropriated from the general fund of the state to the<sup>32</sup>  
 department of public health for the fiscal year beginning July<sup>33</sup>  
 1, 2014, and ending June 30, 2015, the following amounts, or<sup>34</sup>  
 so much thereof as is necessary, to be used for the purposes<sup>35</sup>

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# Image 11

H.F. 2463

designated:1

## 1. ADDICTIVE DISORDERS2

For reducing the prevalence of use of tobacco, alcohol, and3  
other drugs, and treating individuals affected by addictive4

behaviors, including gambling, and for not more than the5  
following full-time equivalent positions:6

..... \$ 13,581,8457

27,088,6908

..... FTEs 13.009

a. (1) Of the funds appropriated in this subsection,10

\$2,574,181 \$5,073,361 shall be used for the tobacco use11

prevention and control initiative, including efforts at the12

state and local levels, as provided in chapter 142A. The13

commission on tobacco use prevention and control established14

pursuant to section 142A.3 shall advise the director of15

public health in prioritizing funding needs and the allocation16

of moneys appropriated for the programs and activities of17

the initiative under this subparagraph (1) and shall make18

recommendations to the director in the development of budget19

requests relating to the initiative.20

(2) Of the funds allocated in this paragraph "a", \$37,50021

shall be used to develop a social media structure to engage22



Iowans.1

(5) (a) Of the funds allocated in this paragraph "a",2  
\$226,534 \$453,067 is transferred to the alcoholic beverages3  
division of the department of commerce for enforcement of4

tobacco laws, regulations, and ordinances and to engage in5  
tobacco control activities approved by the division of tobacco6  
use prevention and control as specified in the memorandum of7  
understanding entered into between the divisions.8

(b) For the fiscal year beginning July 1, 2014, and ending9  
June 30, 2015, the terms of the memorandum of understanding,10

entered into between the division of tobacco use prevention11

and control of the department of public health and the12

alcoholic beverages division of the department of commerce,13

governing compliance checks conducted to ensure licensed retail14

tobacco outlet conformity with tobacco laws, regulations, and15

ordinances relating to persons under eighteen years of age,16

shall continue to restrict the number of such checks to one17

check per retail outlet, and one additional check for any18

retail outlet found to be in violation during the first check.19

b. Of the funds appropriated in this subsection,20

\$11,007,665 \$22,015,329 shall be used for problem gambling and21

substance-related disorder prevention, treatment, and recovery22

services, including a 24-hour helpline, public information23

resources, professional training, and program evaluation.24

(1) Of the funds allocated in this paragraph "b", \$9,451,85825

\$18,903,715 shall be used for substance-related disorder26  
prevention and treatment.27

(a) Of the funds allocated in this subparagraph (1),28  
\$449,650 \$899,300 shall be used for the public purpose of a29  
grant program to provide substance-related disorder prevention30  
programming for children.31

(i) Of the funds allocated in this subparagraph division32  
(a), \$213,770 \$427,539 shall be used for grant funding for33  
organizations that provide programming for children by34  
utilizing mentors. Programs approved for such grants shall be35

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# Image 13

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certified or will be certified within six months of receiving1  
the grant award by the Iowa commission on volunteer services as2  
utilizing the standards for effective practice for mentoring3  
programs.4

(ii) Of the funds allocated in this subparagraph division5  
(a), \$213,420 \$426,839 shall be used for grant funding for6  
organizations that provide programming that includes youth7  
development and leadership. The programs shall also be8

recognized as being programs that are scientifically based with9  
evidence of their effectiveness in reducing substance-related10

disorders in children.11

(iii) The department of public health shall utilize a12

request for proposals process to implement the grant program.13

(iv) All grant recipients shall participate in a program14

evaluation as a requirement for receiving grant funds.15

(v) Of the funds allocated in this subparagraph division16

(a), up to \$22,461 \$44,922 may be used to administer17

substance-related disorder prevention grants and for program18

evaluations.19

(b) Of the funds allocated in this subparagraph (1),20

\$136,302 \$272,603 shall be used for culturally competent21

substance-related disorder treatment pilot projects.22

(i) The department shall utilize the amount allocated23

in this subparagraph division (b) for at least three pilot24

projects to provide culturally competent substance-related25

disorder treatment in various areas of the state. Each pilot26

project shall target a particular ethnic minority population.27

The populations targeted shall include but are not limited to28

African American, Asian, and Latino.29

(ii) The pilot project requirements shall provide for30  
documentation or other means to ensure access to the cultural31  
competence approach used by a pilot project so that such32  
approach can be replicated and improved upon in successor33  
programs.34

(2) Of the funds allocated in this paragraph "b", up35

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# Image 14

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to \$1,555,807 \$3,111,614 may be used for problem gambling1  
prevention, treatment, and recovery services.2

(a) Of the funds allocated in this subparagraph (2),3  
\$1,286,881 \$2,573,762 shall be used for problem gambling4

prevention and treatment.5

(b) Of the funds allocated in this subparagraph (2), up to6  
\$218,926 \$437,852 may be used for a 24-hour helpline, public7  
information resources, professional training, and program8

evaluation.<sup>9</sup>

(c) Of the funds allocated in this subparagraph (2), up<sup>10</sup>

to \$50,000 \$100,000 may be used for the licensing of problem<sup>11</sup>

gambling treatment programs.<sup>12</sup>

(3) It is the intent of the general assembly that from the<sup>13</sup>

moneys allocated in this paragraph "b", persons with a dual<sup>14</sup>

diagnosis of substance-related disorder and gambling addiction<sup>15</sup>

shall be given priority in treatment services.<sup>16</sup>

c. Notwithstanding any provision of law to the contrary,<sup>17</sup>

to standardize the availability, delivery, cost of delivery,<sup>18</sup>

and accountability of problem gambling and substance-related<sup>19</sup>

disorder treatment services statewide, the department shall<sup>20</sup>

continue implementation of a process to create a system<sup>21</sup>

for delivery of treatment services in accordance with the<sup>22</sup>

requirements specified in 2008 Iowa Acts, chapter 1187, section<sup>23</sup>

3, subsection 4. To ensure the system provides a continuum<sup>24</sup>

of treatment services that best meets the needs of Iowans,<sup>25</sup>

the problem gambling and substance-related disorder treatment<sup>26</sup>

services in any area may be provided either by a single agency<sup>27</sup>

or by separate agencies submitting a joint proposal.<sup>28</sup>

(1) The system for delivery of substance-related disorder<sup>29</sup>

and problem gambling treatment shall include problem gambling<sup>30</sup>

prevention.31

(2) The system for delivery of substance-related disorder32  
and problem gambling treatment shall include substance-related33  
disorder prevention by July 1, 2015.34

(3) Of the funds allocated in paragraph "b", the department35

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# Image 15

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may use up to \$50,000 \$100,000 for administrative costs to1  
continue developing and implementing the process in accordance2  
with this paragraph "c".3

d. The requirement of section 123.53, subsection 5, is met4

by the appropriations and allocations made in this 2014 Act for5  
purposes of substance-related disorder treatment and addictive6  
disorders for the fiscal year beginning July 1, 2014.7

e. The department of public health shall work with all8

other departments that fund substance-related disorder9  
prevention and treatment services and all such departments10

shall, to the extent necessary, collectively meet the state11



maintenance of effort requirements for expenditures for12  
substance-related disorder services as required under the13  
federal substance-related disorder prevention and treatment14  
block grant.15

2. HEALTHY CHILDREN AND FAMILIES16

For promoting the optimum health status for children,17  
adolescents from birth through 21 years of age, and families,18  
and for not more than the following full-time equivalent19  
positions:20

..... \$ 1,826,78021

3,671,60222

..... FTEs 14.0023

a. Of the funds appropriated in this subsection, not24  
more than \$367,421 \$734,841 shall be used for the healthy25  
opportunities for parents to experience success (HOPES)-healthy26  
families Iowa (HFI) program established pursuant to section27  
135.106. The funding shall be distributed to renew the grants28  
that were provided to the grantees that operated the program29  
during the fiscal year ending June 30, 2014.30

b. In order to implement the legislative intent stated in31  
sections 135.106 and 256I.9, that priority for home visitation32  
program funding be given to programs using evidence-based or33

promising models for home visitation, it is the intent of the34  
general assembly to phase in the funding priority in accordance35

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# Image 16

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with 2012 Iowa Acts, chapter 1133, section 2, subsection 2,1  
paragraph 0b.2

c. Of the funds appropriated in this subsection, \$663,9443  
\$1,327,887 shall be used to continue the department's4

initiative to provide for adequate developmental surveillance5  
and screening during a child's first five years statewide. The6  
funds shall be used first to fully fund the current sites to7  
ensure that the sites are fully operational, with the remaining8

funds to be used for expansion to additional sites. The full9  
implementation and expansion shall include enhancing the scope10

of the program through collaboration with the child health11

specialty clinics to promote healthy child development through12

early identification and response to both biomedical and social13

determinants of healthy development; by developing child14

health metrics to inform practice, document long-term health15  
impacts and savings, and provide for continuous improvement16  
through training, education, and evaluation; and by providing17  
for practitioner consultation particularly for children with18  
behavioral conditions and needs. The department of public19  
health shall also collaborate with the Iowa Medicaid enterprise20  
and the child health specialty clinics to integrate the21  
activities of the first five initiative into the establishment22  
of patient-centered medical homes, community utilities,23  
accountable care organizations, and other integrated care24  
models developed to improve health quality and population25  
health while reducing health care costs. To the maximum extent26  
possible, funding allocated in this paragraph shall be utilized27  
as matching funds for medical assistance program reimbursement.28

d. Of the funds appropriated in this subsection, \$15,79929  
\$74,640 shall be distributed to a statewide dental carrier to30  
provide funds to continue the donated dental services program31  
patterned after the projects developed by the lifeline network32  
to provide dental services to indigent elderly and disabled33  
individuals.34

e. Of the funds appropriated in this subsection, \$55,99835

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# Image 17

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\$111,995 shall be used for childhood obesity prevention.1  
f. Of the funds appropriated in this subsection, \$81,3842  
\$137,768 shall be used to provide audiological services and3  
hearing aids for children. The department may enter into a4

contract to administer this paragraph.5

g. Of the funds appropriated in this subsection, \$12,5006  
\$25,000 is transferred to the university of Iowa college of7  
dentistry for provision of primary dental services to children.8

State funds shall be matched on a dollar-for-dollar basis.9  
The university of Iowa college of dentistry shall coordinate10

efforts with the department of public health, bureau of11  
oral and health delivery systems, to provide dental care to12  
underserved populations throughout the state.13

h. Of the funds appropriated in this subsection, \$25,00014  
\$50,000 shall be used to address youth suicide prevention.15

i. The university of Iowa college of dentistry shall16  
develop and submit a proposal by December 15, 2014, to the17

individuals identified in this Act for submission of reports18  
 and to the chairpersons and ranking members of the joint19  
 appropriations subcommittee on education to offer a residency20  
 program in geriatric dentistry that prepares dentists with21  
 the specific skills needed to treat geriatric patients and22  
 provides incentives for the participants to remain in the23  
 state to practice dentistry upon completion of the program.24  
 The proposal shall include at a minimum, the curriculum to25  
 be utilized, the number of residency positions to be made26  
 available, the incentives for participants to practice27  
 dentistry in the state upon completion of the residency, the28  
 projected cost of the program, and any potential funding29  
 sources.30

3. CHRONIC CONDITIONS31

For serving individuals identified as having chronic32  
 conditions or special health care needs, and for not more than33  
 the following full-time equivalent positions:34

..... \$ 2,540,34635

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# Image 18

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5,040,6921

..... FTEs 6.002

a. Of the funds appropriated in this subsection, \$79,9663 \$159,932 shall be used for grants to individual patients4

who have phenylketonuria (PKU) to assist with the costs of5 necessary special foods.6

b. Of the funds appropriated in this subsection, \$445,8227 \$891,644 shall be used for the brain injury services program8

pursuant to section 135.22B, including for continuation of the9 contracts for resource facilitator services in accordance with10

section 135.22B, subsection 9, and to enhance brain injury11

training and recruitment of service providers on a statewide12

basis. Of the amount allocated in this paragraph, \$47,50013

\$95,000 shall be used to fund one full-time equivalent position14

to serve as the state brain injury service services program15

manager.16

c. Of the funds appropriated in this subsection, \$273,99117

\$547,982 shall be used as additional funding to leverage18

federal funding through the federal Ryan White Care Act, Tit.19

II, AIDS drug assistance program supplemental drug treatment20

grants.21

d. Of the funds appropriated in this subsection, \$49,91222 \$99,823 shall be used for the public purpose of continuing to23 contract with an existing national-affiliated organization24 to provide education, client-centered programs, and client25 and family support for people living with epilepsy and their26 families.27

e. Of the funds appropriated in this subsection, \$392,55728 \$785,114 shall be used for child health specialty clinics.29

f. Of the funds appropriated in this subsection,30 \$200,000 \$400,000 shall be used by the regional autism31 assistance program established pursuant to section 256.35,32 and administered by the child health specialty clinic located33 at the university of Iowa hospitals and clinics. The funds34 shall be used to enhance interagency collaboration and35

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# Image 19

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coordination of educational, medical, and other human services<sup>1</sup>  
for persons with autism, their families, and providers of<sup>2</sup>  
services, including delivering regionalized services of care<sup>3</sup>  
coordination, family navigation, and integration of services<sup>4</sup>

through the statewide system of regional child health specialty<sup>5</sup>  
clinics and fulfilling other requirements as specified in<sup>6</sup>  
chapter 225D, creating the autism support program, as enacted<sup>7</sup>  
in this Act. The university of Iowa shall not receive funds<sup>8</sup>

allocated under this paragraph for indirect costs associated<sup>9</sup>  
with the regional autism assistance program.<sup>10</sup>

g. Of the funds appropriated in this subsection, \$285,497<sup>11</sup>

\$570,993 shall be used for the comprehensive cancer control<sup>12</sup>

program to reduce the burden of cancer in Iowa through<sup>13</sup>

prevention, early detection, effective treatment, and ensuring<sup>14</sup>

quality of life. Of the funds allocated in this lettered<sup>15</sup>

paragraph, \$75,000 \$150,000 shall be used to support a melanoma<sup>16</sup>

research symposium, a melanoma biorepository and registry,<sup>17</sup>

basic and translational melanoma research, and clinical trials.<sup>18</sup>

h. Of the funds appropriated in this subsection, \$63,225<sup>19</sup>

\$126,450 shall be used for cervical and colon cancer screening,<sup>20</sup>

and \$250,000 \$500,000 shall be used to enhance the capacity<sup>21</sup>

of the cervical cancer screening program to include provision<sup>22</sup>

of recommended prevention and early detection measures to a<sup>23</sup>





For strengthening the health care delivery system at the2  
local level, and for not more than the following full-time3  
equivalent positions:4

..... \$ 4,281,3095  
9,284,4366

..... FTEs 18.257

a. Of the funds appropriated in this subsection, \$49,7078

\$99,414 is allocated for continuation of the child vision9  
screening program implemented through the university of Iowa10

hospitals and clinics in collaboration with early childhood11

Iowa areas. The program shall submit a report to the12

individuals identified in this Act for submission of reports13

regarding the use of funds allocated under this paragraph14

“a”. The report shall include the objectives and results for15

the program year including the target population and how the16

funds allocated assisted the program in meeting the objectives;17

the number, age, and location within the state of individuals18

served; the type of services provided to the individuals19

served; the distribution of funds based on service provided;20

and the continuing needs of the program.21

b. Of the funds appropriated in this subsection, \$55,32822

\$110,656 is allocated for continuation of an initiative23

implemented at the university of Iowa and \$49,952 \$99,90424

is allocated for continuation of an initiative at the state25

mental health institute at Cherokee to expand and improve the26

workforce engaged in mental health treatment and services.27

The initiatives shall receive input from the university of28

Iowa, the department of human services, the department of29

public health, and the mental health and disability services30

commission to address the focus of the initiatives.31

c. Of the funds appropriated in this subsection, \$582,31432

\$1,164,628 shall be used for essential public health services33

that promote healthy aging throughout the lifespan, contracted34

through a formula for local boards of health, to enhance health35

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# Image 21

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promotion and disease prevention services.1

d. Of the funds appropriated in this section, \$49,6432

\$99,286 shall be deposited in the governmental public health3  
system fund created in section 135A.8 to be used for the4

purposes of the fund.5

e. Of the funds appropriated in this subsection, \$52,7246 \$105,448 shall be used to continue to address the shortage of7 mental health professionals in the state.8

f. Of the funds appropriated in this subsection, \$25,0009 \$50,000 shall be used for a grant to a statewide association10 of psychologists that is affiliated with the American11 psychological association to be used for continuation of a12 program to rotate intern psychologists in placements in urban13 and rural mental health professional shortage areas, as defined14 in section 135.180.15

g. Of the funds appropriated in this subsection, the16 following amounts shall be allocated to the Iowa collaborative17 safety net provider network established pursuant to section18 135.153 to be used for the purposes designated. The following19 amounts allocated under this lettered paragraph shall be20 distributed to the specified provider and shall not be reduced21 for administrative or other costs prior to distribution:22

(1) For distribution to the Iowa primary care association23 for statewide coordination of the Iowa collaborative safety net24 provider network:25

..... \$ 72,89326

145,78527

(2) For distribution to the Iowa primary care association28

to be used to continue a training program for sexual assault29  
response team (SART) members, including representatives of30  
law enforcement, victim advocates, prosecutors, and certified31  
medical personnel:32

..... \$ 25,00033

50,00034

(3) For distribution to federally qualified health centers35

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## Image 22

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for necessary infrastructure, statewide coordination, provider1  
recruitment, service delivery, and provision of assistance to2  
patients in securing a medical home inclusive of oral health3  
care:4

..... \$ 37,5005

75,0006

(4) For distribution to the local boards of health that7  
provide direct services for pilot programs in three counties to8

assist patients in securing a medical home inclusive of oral  
health care:10

..... \$ 38,57711

77,15312

(5) For distribution to maternal and child health centers13  
for pilot programs in three service areas to assist patients in14  
securing a medical home inclusive of oral health care:15

..... \$ 47,56316

95,12617

(6) For distribution to free clinics for necessary18  
infrastructure, statewide coordination, provider recruitment,19  
service delivery, and provision of assistance to patients in20  
securing a medical home inclusive of oral health care:21

..... \$ 174,16122

348,32223

(7) For distribution to rural health clinics for necessary24  
infrastructure, statewide coordination, provider recruitment,25  
service delivery, and provision of assistance to patients in26  
securing a medical home inclusive of oral health care:27

..... \$ 70,77228

141,54429

(8) For continuation of the safety net provider patient30



h. Of the funds appropriated in this subsection, \$87,950<sup>12</sup>  
\$175,900 shall be used for continuation of the work of the<sup>13</sup>  
direct care worker advisory council established pursuant to<sup>14</sup>  
2008 Iowa Acts, chapter 1188, section 69, in implementing the<sup>15</sup>  
recommendations in the final report submitted by the advisory<sup>16</sup>  
council to the governor and the general assembly in March 2012.<sup>17</sup>

i. (1) Of the funds appropriated in this subsection,<sup>18</sup>  
\$89,438 \$178,875 shall be used for allocation to an independent<sup>19</sup>  
statewide direct care worker organization under continuation<sup>20</sup>  
of the contract in effect during the fiscal year ending June<sup>21</sup>  
30, 2013 2014, with terms determined by the director of public<sup>22</sup>  
health relating to education, outreach, leadership development,<sup>23</sup>  
mentoring, and other initiatives intended to enhance the<sup>24</sup>  
recruitment and retention of direct care workers in health care<sup>25</sup>  
and long-term care settings.<sup>26</sup>

(2) Of the funds appropriated in this subsection, \$37,500<sup>27</sup>  
\$75,000 shall be used to provide scholarships or other forms of<sup>28</sup>  
subsidization for direct care worker educational conferences,<sup>29</sup>  
training, or outreach activities.<sup>30</sup>

j. Of the funds appropriated in this subsection, the<sup>31</sup>  
department may use up to \$29,088 \$58,175 for up to one<sup>32</sup>  
full-time equivalent position to administer the volunteer<sup>33</sup>





established program for children and adults and that is solely<sup>15</sup>  
dedicated to preserving sight and preventing blindness through<sup>16</sup>  
education, nationally certified vision screening and training,<sup>17</sup>  
and community and patient service programs. The organization<sup>18</sup>  
shall submit a report to the individuals identified in this<sup>19</sup>  
Act for submission of reports regarding the use of funds<sup>20</sup>  
allocated under this paragraph "n". The report shall include<sup>21</sup>  
the objectives and results for the program year including<sup>22</sup>  
the target population and how the funds allocated assisted<sup>23</sup>  
the program in meeting the objectives; the number, age, and<sup>24</sup>  
location within the state of individuals served; the type of<sup>25</sup>  
services provided to the individuals served; the distribution<sup>26</sup>  
of funds based on services provided; and the continuing needs<sup>27</sup>  
of the program.<sup>28</sup>

o. Of the funds appropriated in this subsection, \$12,500<sup>29</sup>  
\$25,000 shall be used for the establishment continuation of a<sup>30</sup>  
wellness council under the direction of the director of public<sup>31</sup>  
health to increase support for wellness activities in the<sup>32</sup>  
state.<sup>33</sup>

p. Of the funds appropriated in this section, \$579,075<sup>34</sup>  
\$1,158,150 is allocated to the Iowa collaborative safety net<sup>35</sup>

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# Image 25

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provider network established pursuant to section 135.153 to1  
be used for the continued development and implementation of a2  
statewide regionally based network to provide an integrated3  
approach to health care delivery through care coordination4

that supports primary care providers and links patients with5  
community resources necessary to empower patients in addressing6  
biomedical and social determinants of health to improve health7  
outcomes. The Iowa collaborative safety net provider network8

shall work in conjunction with the department of human services9  
to align the integrated network with the health care delivery10

system model developed under the state innovation models11

initiative grant. The Iowa collaborative safety net provider12

network shall submit a progress report to the individuals13

designated in this Act for submission of reports by December14

31, 2014, including progress in developing and implementing the15

network, how the funds were distributed and used in developing16

and implementing the network, and the remaining needs in17

developing and implementing the network.18

q. Of the funds appropriated in this subsection, \$1,000,00019  
\$3,000,000 shall be deposited in the medical residency training20  
account created in section 135.175, subsection 5, paragraph21  
"a", and is appropriated from the account to the department22  
of public health to be used for the purposes of the medical23  
residency training state matching grants program as specified24  
in section 135.176. However, notwithstanding any provision25  
to the contrary in section 135.176, priority in the awarding26  
of grants shall be given to the development of new medical27  
residency positions, psychiatric residency positions, and28  
family practice residency positions.29

r. Of the funds appropriated in this section, \$25,00030  
\$50,000 shall be distributed to a statewide nonprofit31  
organization to be used for the public purpose of supporting32  
a partnership between medical providers and parents through33  
community health centers to promote reading and encourage34  
literacy skills so children enter school prepared for success35

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# Image 26

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in reading.1

s. The department shall adopt rules pursuant to chapter 17A2  
 to include physical therapists as primary care professionals3  
 and to include physical therapy as a primary health service for4

the purposes of the PRIMECARRE endeavor under section 135.107.5

t. Of the funds appropriated in this subsection, \$100,0006  
 shall be transferred to the university of Iowa hospitals7  
 and clinics to implement a collaborative care model between8

psychiatry and primary care practices that will improve mental9  
 health care in Iowa. The university of Iowa hospitals and10

clinics shall submit a report by December 15, 2014, to the11

individuals identified in this Act for submission of reports on12

the progress of implementation of the collaborative model.13

## 5. HEALTHY AGING14

To provide public health services that reduce risks and15

invest in promoting and protecting good health over the16

course of a lifetime with a priority given to older Iowans and17

vulnerable populations:18

..... \$ 3,648,57119

7,297,14220

6. ENVIRONMENTAL HAZARDS21

For reducing the public's exposure to hazards in the22  
environment, primarily chemical hazards, and for not more than23  
the following full-time equivalent positions:24

..... \$ 401,93525

803,87026

..... FTEs 4.0027

Of the funds appropriated in this subsection, \$268,87528  
\$537,750 shall be used for childhood lead poisoning provisions.29

7. INFECTIOUS DISEASES30

For reducing the incidence and prevalence of communicable31  
diseases, and for not more than the following full-time32  
equivalent positions:33

..... \$ 667,57834

1,335,15535

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# Image 27

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..... FTEs 4.001

## 8. PUBLIC PROTECTION<sup>2</sup>

For protecting the health and safety of the public through<sup>3</sup> establishing standards and enforcing regulations, and for not<sup>4</sup>

more than the following full-time equivalent positions:<sup>5</sup>

..... \$ 1,639,3866

3,420,0277

..... FTEs 131.008

a. Of the funds appropriated in this subsection, not more<sup>9</sup> than \$227,350 \$454,700 shall be credited to the emergency<sup>10</sup>

medical services fund created in section 135.25. Moneys in<sup>11</sup>

the emergency medical services fund are appropriated to the<sup>12</sup>

department to be used for the purposes of the fund.<sup>13</sup>

b. Of the funds appropriated in this subsection, \$101,516<sup>14</sup>

\$203,032 shall be used for sexual violence prevention<sup>15</sup>

programming through a statewide organization representing<sup>16</sup>

programs serving victims of sexual violence through the<sup>17</sup>

department's sexual violence prevention program. The amount<sup>18</sup>

allocated in this lettered paragraph shall not be used to<sup>19</sup>

supplant funding administered for other sexual violence<sup>20</sup>

prevention or victims assistance programs.<sup>21</sup>

c. Of the funds appropriated in this subsection, \$299,376<sup>22</sup>

\$598,751 shall be used for the state poison control center.<sup>23</sup>

At such time as the department of human services receives<sup>24</sup>  
approval from the centers for Medicare and Medicaid services<sup>25</sup>  
of the United States department of health and human services<sup>26</sup>  
to implement a new health services initiative under the<sup>27</sup>  
federal Children’s Health Insurance Program Reauthorization<sup>28</sup>  
Act of 2009, Pub. L. No. 111-3, to provide funding for the<sup>29</sup>  
state poison control center as directed in this 2014 Act,<sup>30</sup>  
and notifies the department of public health, the department<sup>31</sup>  
of public health shall transfer from the allocation made in<sup>32</sup>  
this paragraph "c", an amount sufficient to provide the state<sup>33</sup>  
matching funds necessary to draw down the maximum federal<sup>34</sup>  
matching funds available for that purpose.<sup>35</sup>

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d. Of the funds appropriated in this subsection, \$50,000<sup>1</sup>



shall be used for community fluoridation education.2

9. RESOURCE MANAGEMENT3

For establishing and sustaining the overall ability of the4

department to deliver services to the public, and for not more5  
than the following full-time equivalent positions:6

..... \$ 402,0277  
855,0728

..... FTEs 5.009

The university of Iowa hospitals and clinics under the10

control of the state board of regents shall not receive11

indirect costs from the funds appropriated in this section.12

The university of Iowa hospitals and clinics billings to the13

department shall be on at least a quarterly basis.14

DIVISION IV15

VETERANS16

Sec. 4. 2013 Iowa Acts, chapter 138, section 134, is amended17

to read as follows:18

SEC. 134. DEPARTMENT OF VETERANS AFFAIRS. There is19

appropriated from the general fund of the state to the20

department of veterans affairs for the fiscal year beginning21

July 1, 2014, and ending June 30, 2015, the following amounts,22

or so much thereof as is necessary, to be used for the purposes23

designated:24

1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION25

For salaries, support, maintenance, and miscellaneous26



providing services at the Iowa veterans home under a collective bargaining agreement, such employees and the agreement shall be continued by the successor employer as though there had not

been a change in employer.

c. Within available resources and in conformance with

associated state and federal program eligibility requirements,

the Iowa veterans home may implement measures to provide

financial assistance to or on behalf of veterans or their

spouses who are participating in the community reentry program.

e. The Iowa veterans home expenditure report shall be

submitted monthly to the legislative services agency.

### 3. HOME OWNERSHIP ASSISTANCE PROGRAM

For transfer to the Iowa finance authority for the

continuation of the home ownership assistance program for

persons who are or were eligible members of the armed forces of

the United States, pursuant to section 16.54:

..... \$ 800,000

2,500,000

Sec. 5. 2013 Iowa Acts, chapter 138, section 135, is amended

to read as follows:

SEC. 135. LIMITATION OF COUNTY COMMISSIONS OF VETERAN

AFFAIRS FUND STANDING APPROPRIATIONS. Notwithstanding the

standing appropriation in the following designated section for

the fiscal year beginning July 1, 2014, and ending June 30,29  
 2015, the amounts amount appropriated from the general fund of30  
 the state pursuant to that section for the following designated31  
 purposes shall not exceed the following amount:32  
 For the county commissions of veteran affairs fund under33  
 section 35A.16:34

..... \$ 495,00035

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990,0001

DIVISION V2

DEPARTMENT OF HUMAN SERVICES3

Sec. 6. 2013 Iowa Acts, chapter 138, section 136, is amended4

to read as follows:5

SEC. 136. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK6

GRANT. There is appropriated from the fund created in section7

8.41 to the department of human services for the fiscal year8

beginning July 1, 2014, and ending June 30, 2015, from moneys  
 received under the federal temporary assistance for needy  
 families (TANF) block grant pursuant to the federal Personal  
 Responsibility and Work Opportunity Reconciliation Act of 1996,  
 Pub. L. No. 104-193, and successor legislation, the following  
 amounts, or so much thereof as is necessary, to be used for the  
 purposes designated:

1. To be credited to the family investment program account  
 and used for assistance under the family investment program  
 under chapter 239B:

..... \$ 9,058,474

9,879,488

2. To be credited to the family investment program account  
 and used for the job opportunities and basic skills (JOBS)  
 program and implementing family investment agreements in  
 accordance with chapter 239B:

..... \$ 5,933,220

11,091,911

3. To be used for the family development and  
 self-sufficiency grant program in accordance with section  
 216A.107:

..... \$ 1,449,490

2,898,98031

Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of

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the succeeding fiscal year. However, unless such moneys are encumbered or obligated on or before September 30, 2015, the moneys shall revert.

4. For field operations:

..... \$ 15,648,1165  
31,296,2326

5. For general administration:

..... \$ 1,872,0008

3,744,0009

6. For state child care assistance:

..... \$ 12,866,34411

34,947,11012

a. The Of the funds appropriated in this subsection are,13  
\$26,347,110 is transferred to the child care and development14  
block grant appropriation made by the Eighty-fifth General15  
Assembly, 2013 Session, in 2013 Iowa Acts, chapter 136, section16  
14 for the federal fiscal year beginning October 1, 2014, and17  
ending September 30, 2015. Of this amount, \$100,000 \$200,00018  
shall be used for provision of educational opportunities to19  
registered child care home providers in order to improve20  
services and programs offered by this category of providers21  
and to increase the number of providers. The department may22  
contract with institutions of higher education or child care23  
resource and referral centers to provide the educational24  
opportunities. Allowable administrative costs under the25  
contracts shall not exceed 5 percent. The application for a26  
grant shall not exceed two pages in length.27

b. Any funds appropriated in this subsection remaining28  
unallocated shall be used for state child care assistance29  
payments for individuals enrolled in the family investment30  
program who are employed.31

7. For distribution to counties and regions through the32  
property tax relief fund for mental health and disability33

services as provided in an appropriation made for this purpose:34

..... \$ 2,447,02635

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4,894,0521

8. For child and family services:2

..... \$ 16,042,2153

32,084,4304

9. For child abuse prevention grants:5

..... \$ 62,5006

125,0007

10. For pregnancy prevention grants on the condition that8

family planning services are funded:9

..... \$ 965,03410

1,930,06711

Pregnancy prevention grants shall be awarded to programs12

in existence on or before July 1, 2014, if the programs have13

demonstrated positive outcomes. Grants shall be awarded to14



pregnancy prevention programs which are developed after July 15, 2014, if the programs are based on existing models that have demonstrated positive outcomes. Grants shall comply with the requirements provided in 1997 Iowa Acts, chapter 208, section 14, subsections 1 and 2, including the requirement that grant programs must emphasize sexual abstinence. Priority in the awarding of grants shall be given to programs that serve areas of the state which demonstrate the highest percentage of unplanned pregnancies of females of childbearing age within the geographic area to be served by the grant.

11. For technology needs and other resources necessary to meet federal welfare reform reporting, tracking, and case management requirements:

..... \$ 518,59328

1,037,18629

The department shall transfer TANF block grant funding appropriated and allocated in this subsection to the child care and development block grant appropriation in accordance with federal law as necessary to comply with the provisions of this subsection.

12. For the family investment program share of the costs to

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continue to develop and maintain a new, integrated eligibility1  
determination system:2

..... \$ 2,525,2263

6,549,5494

13. a. Notwithstanding any provision to the contrary,5  
including but not limited to requirements in section 8.41 or6  
provisions in 2013 or 2014 Iowa Acts regarding the receipt and7  
appropriation of federal block grants, federal funds from the8  
temporary assistance for needy families block grant received9  
by the state not otherwise appropriated in this section and10  
remaining available for the fiscal year beginning July 1, 2014,11  
are appropriated to the department of human services to the12  
extent as may be necessary to be used in the following priority13  
order: the family investment program, for state child care14  
assistance program payments for individuals enrolled in the15  
family investment program who are employed, and for the family16  
investment program share of costs to develop and maintain a17

new, integrated eligibility determination system. The federal18  
 funds appropriated in this paragraph "a" shall be expended only19  
 after all other funds appropriated in subsection 1 for the20  
 assistance under the family investment program, in subsection 621  
 for child care assistance, or in subsection 12 for the family22  
 investment program share of the costs to continue to develop23  
 and maintain a new, integrated eligibility determination24  
 system, as applicable, have been expended.25

b. The department shall, on a quarterly basis, advise the26  
 legislative services agency and department of management of27  
 the amount of funds appropriated in this subsection that was28  
 expended in the prior quarter.29

14. Of the amounts appropriated in this section, \$6,481,00430  
 \$12,962,008 for the fiscal year beginning July 1, 2014, is31  
 transferred to the appropriation of the federal social services32  
 block grant made to the department of human services for that33  
 fiscal year.34

15. For continuation of the program providing categorical35

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eligibility for the food assistance program as specified for1  
 the program in the section of this division of this 2014 Act2  
 relating to the family investment program account:3

..... \$ 12,5004

25,0005

16. The department may transfer funds allocated in this6  
 section to the appropriations made in this division of this Act7  
 for the same fiscal year for general administration and field8

operations for resources necessary to implement and operate the9  
 services referred to in this section and those funded in the10

appropriation made in this division of this Act for the same11

fiscal year for the family investment program from the general12

fund of the state.13

Sec. 7. 2013 Iowa Acts, chapter 138, section 137, is amended14

to read as follows:15

SEC. 137. FAMILY INVESTMENT PROGRAM ACCOUNT.16

1. Moneys credited to the family investment program (FIP)17

account for the fiscal year beginning July 1, 2014, and18

ending June 30, 2015, shall be used to provide assistance in19

accordance with chapter 239B.20

2. The department may use a portion of the moneys credited21  
 to the FIP account under this section as necessary for22  
 salaries, support, maintenance, and miscellaneous purposes.23

3. The department may transfer funds allocated in this24  
 section to the appropriations made in this division of this Act25  
 for the same fiscal year for general administration and field26  
 operations for resources necessary to implement and operate the27  
 services referred to in this section and those funded in the28  
 appropriation made in this division of this Act for the same29  
 fiscal year for the family investment program from the general30  
 fund of the state.31

4. Moneys appropriated in this division of this Act and32  
 credited to the FIP account for the fiscal year beginning July33  
 1, 2014, and ending June 30, 2015, are allocated as follows:34

a. To be retained by the department of human services to35

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be used for coordinating with the department of human rights1  
to more effectively serve participants in FIP and other shared2  
clients and to meet federal reporting requirements under the3  
federal temporary assistance for needy families block grant:4

..... \$ 10,0005

20,0006

b. To the department of human rights for staffing,7  
administration, and implementation of the family development8

and self-sufficiency grant program in accordance with section9  
216A.107:10

..... \$ 3,021,41711

6,042,83412

(1) Of the funds allocated for the family development and13  
self-sufficiency grant program in this lettered paragraph,14  
not more than 5 percent of the funds shall be used for the15  
administration of the grant program.16

(2) The department of human rights may continue to implement17  
the family development and self-sufficiency grant program18  
statewide during fiscal year 2014-2015.19

c. For the diversion subaccount of the FIP account:20

..... \$ 849,20021

815,00022

A portion of the moneys allocated for the subaccount may23



nutrition assistance program (SNAP) employment and training2  
state plan in order to maximize to the fullest extent permitted3  
by federal law the use of the 50 percent federal reimbursement4

provisions for the claiming of allowable federal reimbursement5  
funds from the United States department of agriculture6  
pursuant to the federal SNAP employment and training program7  
for providing education, employment, and training services8

for eligible food assistance program participants, including9  
but not limited to related dependent care and transportation10

expenses.11

(2) The department shall continue the categorical federal12  
food assistance program eligibility at 160 percent of the13  
federal poverty level and continue to eliminate the asset test14  
from eligibility requirements, consistent with federal food15  
assistance program requirements. The department shall include16  
as many food assistance households as is allowed by federal17  
law. The eligibility provisions shall conform to all federal18  
requirements including requirements addressing individuals who19  
are incarcerated or otherwise ineligible.20

e. For the JOBS program:21

..... \$ 9,845,40822

18,494,13123

5. Of the child support collections assigned under FIP,24  
an amount equal to the federal share of support collections25  
shall be credited to the child support recovery appropriation26



made in this division of this Act. Of the remainder of the27  
 assigned child support collections received by the child28  
 support recovery unit, a portion shall be credited to the FIP29  
 account, a portion may be used to increase recoveries, and a30  
 portion may be used to sustain cash flow in the child support31  
 payments account. If as a consequence of the appropriations32  
 and allocations made in this section the resulting amounts33  
 are insufficient to sustain cash assistance payments and meet34  
 federal maintenance of effort requirements, the department35  
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shall seek supplemental funding. If child support collections1  
 assigned under FIP are greater than estimated or are otherwise2  
 determined not to be required for maintenance of effort, the3  
 state share of either amount may be transferred to or retained4  
 in the child support payment account.5

6. The department may adopt emergency rules for the family investment, JOBS, food assistance, and medical assistance programs if necessary to comply with federal requirements.

Sec. 8. 2013 Iowa Acts, chapter 138, section 138, is amended to read as follows:

SEC. 138. FAMILY INVESTMENT PROGRAM GENERAL FUND. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

To be credited to the family investment program (FIP) account and used for family investment program assistance under chapter 239B:

..... \$ 24,218,60720  
48,503,87521

1. Of the funds appropriated in this section, \$3,912,18922 \$7,402,220 is allocated for the JOBS program.

2. Of the funds appropriated in this section, \$1,581,92724 \$3,163,854 is allocated for the family development and self-sufficiency grant program.

3. Notwithstanding section 8.39, for the fiscal year beginning July 1, 2014, if necessary to meet federal

maintenance of effort requirements or to transfer federal29  
 temporary assistance for needy families block grant funding30  
 to be used for purposes of the federal social services block31  
 grant or to meet cash flow needs resulting from delays in32  
 receiving federal funding or to implement, in accordance with33  
 this division of this Act, activities currently funded with34  
 juvenile court services, county, or community moneys and state35

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moneys used in combination with such moneys, the department1  
 of human services may transfer funds within or between any2  
 of the appropriations made in this division of this Act and3  
 appropriations in law for the federal social services block4

grant to the department for the following purposes, provided5  
 that the combined amount of state and federal temporary6  
 assistance for needy families block grant funding for each7  
 appropriation remains the same before and after the transfer:8

- a. For the family investment program.9
  - b. For child care assistance.10
  - c. For child and family services.11
  - d. For field operations.12
  - e. For general administration.13
  - f. For distribution to counties or regions for services to14  
persons with mental illness or an intellectual disability.15
- This subsection shall not be construed to prohibit the use16  
of existing state transfer authority for other purposes. The17  
department shall report any transfers made pursuant to this18  
subsection to the legislative services agency.19

4. Of the funds appropriated in this section, \$97,83920  
\$195,678 shall be used for continuation of a grant to an21  
Iowa-based nonprofit organization with a history of providing22  
tax preparation assistance to low-income Iowans in order to23  
expand the usage of the earned income tax credit. The purpose24  
of the grant is to supply this assistance to underserved areas25  
of the state.26

5. Of the funds appropriated in this section, \$20,00027  
\$40,000 shall be used for the continuation of an unfunded28  
pilot project, as defined in 441 IAC 100.1, relating to29  
parental obligations, in which the child support recovery30

unit participates, to support the efforts of a nonprofit31  
 organization committed to strengthening the community through32  
 youth development, healthy living, and social responsibility in33  
 a county with a population over 350,000. The funds allocated34  
 in this subsection shall be used by the recipient organization35

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to develop a larger community effort, through public and1  
 private partnerships, to support a broad-based fatherhood2  
 initiative that promotes payment of child support obligations,3  
 improved family relationships, and full-time employment.4

6. The department may transfer funds appropriated in this5  
 section to the appropriations made in this division of this Act6  
 for general administration and field operations as necessary7  
 to administer this section and the overall family investment8

program.9

Sec. 9. 2013 Iowa Acts, chapter 138, section 139, is amended10

to read as follows:11

SEC. 139. CHILD SUPPORT RECOVERY. There is appropriated<sup>12</sup>  
 from the general fund of the state to the department of human<sup>13</sup>  
 services for the fiscal year beginning July 1, 2014, and ending<sup>14</sup>  
 June 30, 2015, the following amount, or so much thereof as is<sup>15</sup>  
 necessary, to be used for the purposes designated:<sup>16</sup>

For child support recovery, including salaries, support,<sup>17</sup>  
 maintenance, and miscellaneous purposes, and for not more than<sup>18</sup>  
 the following full-time equivalent positions:<sup>19</sup>

..... \$ 7,086,885<sup>20</sup>

14,911,230<sup>21</sup>

..... FTEs 464.00<sup>22</sup>

1. The department shall expend up to \$12,165 \$24,329,<sup>23</sup>  
 including federal financial participation, for the fiscal year<sup>24</sup>  
 beginning July 1, 2014, for a child support public awareness<sup>25</sup>  
 campaign. The department and the office of the attorney<sup>26</sup>  
 general shall cooperate in continuation of the campaign. The<sup>27</sup>  
 public awareness campaign shall emphasize, through a variety<sup>28</sup>  
 of media activities, the importance of maximum involvement of<sup>29</sup>  
 both parents in the lives of their children as well as the<sup>30</sup>  
 importance of payment of child support obligations.<sup>31</sup>

2. Federal access and visitation grant moneys shall be<sup>32</sup>  
 issued directly to private not-for-profit agencies that provide<sup>33</sup>

services designed to increase compliance with the child access<sup>34</sup>  
provisions of court orders, including but not limited to<sup>35</sup>

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neutral visitation sites and mediation services.<sup>1</sup>  
3. The appropriation made to the department for child<sup>2</sup>  
support recovery may be used throughout the fiscal year in the<sup>3</sup>  
manner necessary for purposes of cash flow management, and for<sup>4</sup>  
cash flow management purposes the department may temporarily<sup>5</sup>  
draw more than the amount appropriated, provided the amount<sup>6</sup>  
appropriated is not exceeded at the close of the fiscal year.<sup>7</sup>  
4. With the exception of the funding amount specified, the<sup>8</sup>  
requirements established under 2001 Iowa Acts, chapter 191,<sup>9</sup>  
section 3, subsection 5, paragraph "c", subparagraph (3), shall<sup>10</sup>  
be applicable to parental obligation pilot projects for the<sup>11</sup>  
fiscal year beginning July 1, 2014, and ending June 30, 2015.<sup>12</sup>  
Notwithstanding 441 IAC 100.8, providing for termination of<sup>13</sup>  
rules relating to the pilot projects, the rules shall remain<sup>14</sup>

in effect until June 30, 2015.15

Sec. 10. 2013 Iowa Acts, chapter 138, section 140, is16

amended to read as follows:17

SEC. 140. HEALTH CARE TRUST FUND — MEDICAL ASSISTANCE —18

FY 2013-2014 2014-2015. Any funds remaining in the health19

care trust fund created in section 453A.35A for the fiscal20

year beginning July 1, 2014, and ending June 30, 2015, are21

appropriated to the department of human services to supplement22

the medical assistance program appropriations made in this23

division of this Act, for medical assistance reimbursement and24

associated costs, including program administration and costs25

associated with program implementation.26

Sec. 11. 2013 Iowa Acts, chapter 138, section 142,27

unnumbered paragraph 2, is amended to read as follows:28

For medical assistance program reimbursement and associated29

costs as specifically provided in the reimbursement30

methodologies in effect on June 30, 2014, except as otherwise31

expressly authorized by law, consistent with options under32

federal law and regulations, and contingent upon receipt of33

approval from the office of the governor of reimbursement for34

each abortion performed under the program:35

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..... \$ 1,143,810,3111  
1,248,017,0142

Sec. 12. 2013 Iowa Acts, chapter 138, section 142,3  
subsection 18, paragraph a, is amended to read as follows:4

a. The department shall continue to implement the cost5  
containment strategies for the medical assistance program in6  
the fiscal year beginning July 1, 2014, that were recommended7  
by the governor for the fiscal year beginning July 1, 2013, as8

specified in this Act and may adopt emergency rules for such9  
implementation. The department shall not implement the cost10

containment strategy that requires transition of the provision11

of personal care under the consumer-directed attendant12

care option to agency-provided personal care services while13

retaining the consumer choice option for those individuals able14

and desiring to self-direct services.15

Sec. 13. 2013 Iowa Acts, chapter 138, section 142,16

subsection 18, is amended by adding the following new17

paragraph:18

NEW PARAGRAPH. 0e. The department shall report the19  
implementation of any cost containment strategies under this20  
subsection to the individuals specified in this division of21  
this Act for submission of reports on a quarterly basis.22

Sec. 14. 2013 Iowa Acts, chapter 138, section 142, is23  
amended by adding the following new subsections:24

NEW SUBSECTION. 22. Of the funds appropriated in this25  
section, \$4,847,559 shall be used to implement reductions26  
in the waiting lists of all medical assistance home and27  
community-based services waivers. The funds shall be expended28  
to add an equal number of waiver waiting list slots to each of29  
the types of waivers.30

NEW SUBSECTION. 23. The department of human services31  
shall perform a detailed analysis regarding the inclusion of32  
the Medicaid program pharmacy benefit in the managed care33  
organization plan for Medicaid members under the MEDIPASS34  
program and the Iowa health and wellness plan in order to35

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enhance the value of the pharmacist-member interaction, utilize1  
the most appropriate and least costly treatment for the member,2  
and more fully integrate the pharmacy benefit into patient care3  
management. The analysis shall include but is not limited to4

a review of the provider network to be used to ensure network5  
adequacy, patient choice, in-person patient care management,6  
and continuity of care; financial transparency requirements;7  
timely data sharing; formulary, preferred drug list, and prior8

authorization requirements; provisions for continuing to9  
provide any therapeutic classes of drugs under the traditional10

Medicaid program; standards for pharmacy reimbursement11

rates including dispensing fees; the type of reimbursement12

methodology to be used for the managed care organization to13

provide the pharmacy benefit including but not limited to a14

capitation or a shared savings model; outcomes, performance,15

and reporting requirements; patient protections including but16

not limited to appeals and grievance processes, emergency17

refill requirements, and patient transition of care and18

exceptions to policy provisions; the projected cost or savings;19

and any federal approval necessary to provide the pharmacy20

benefit to the specified members through a managed care21  
organization. The department shall report the results of its22  
analysis to the individuals identified in this division of this23  
Act for submission of reports by December 15, 2014, and shall24  
not implement the inclusion of the pharmacy benefit in the25  
managed care organization plan providing coverage to Medicaid26  
members under the MEDIPASS program and the Iowa health and27  
wellness plan without prior approval of the general assembly.28

Sec. 15. 2013 Iowa Acts, chapter 138, section 143, is29  
amended to read as follows:30

SEC. 143. MEDICAL CONTRACTS. There is appropriated from the31  
general fund of the state to the department of human services32  
for the fiscal year beginning July 1, 2013 2014, and ending33  
June 30, 2014 2015, the following amount, or so much thereof as34  
is necessary, to be used for the purpose designated:35

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# Image 43

H.F. 2463

For medical contracts:1

..... \$ 6,145,7852

17,323,3663

1. The department of inspections and appeals shall4

provide all state matching funds for survey and certification5  
activities performed by the department of inspections6  
and appeals. The department of human services is solely7  
responsible for distributing the federal matching funds for8

such activities.9

2. Of the funds appropriated in this section, \$25,00010

\$50,000 shall be used for continuation of home and11

community-based services waiver quality assurance programs,12

including the review and streamlining of processes and policies13

related to oversight and quality management to meet state and14

federal requirements.15

3. Of the amount appropriated in this section, up to16

\$100,000 \$200,000 may be transferred to the appropriation17

for general administration in this division of this Act to18

be used for additional full-time equivalent positions in the19

development of key health initiatives such as cost containment,20

development and oversight of managed care programs, and21

development of health strategies targeted toward improved22

quality and reduced costs in the Medicaid program.23

4. Of the funds appropriated in this section, \$500,000<sup>24</sup> shall be used for planning and development,<sup>25</sup> in cooperation with the department of public health, of a<sup>26</sup> phased-in program to provide a dental home for children.<sup>27</sup>

5. Of the funds appropriated in this section, \$37,500<sup>28</sup> shall be used for continued implementation of a uniform<sup>29</sup> cost report.<sup>30</sup>

6. Of the funds appropriated in this section, \$1,000,000<sup>31</sup> shall be used for the autism support program created<sup>32</sup> in chapter 225D, as enacted in this Act.<sup>33</sup>

7. Of the funds appropriated in this section, \$49,895<sup>34</sup> shall be used for continued implementation of an<sup>35</sup>

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# Image 44

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electronic medical records system.1

Sec. 16. 2013 Iowa Acts, chapter 138, section 144, is2 amended to read as follows:3

SEC. 144. STATE SUPPLEMENTARY ASSISTANCE.4

1. There is appropriated from the general fund of the5 state to the department of human services for the fiscal year6 beginning July 1, 2014, and ending June 30, 2015, the following7 amount, or so much thereof as is necessary, to be used for the8

purpose designated:9

For the state supplementary assistance program:10

..... \$ 8,256,08711

14,121,15412

2. The department shall increase the personal needs13 allowance for residents of residential care facilities by the14 same percentage and at the same time as federal supplemental15 security income and federal social security benefits are16 increased due to a recognized increase in the cost of living.17

The department may adopt emergency rules to implement this18 subsection.19

3. If during the fiscal year beginning July 1, 2014,20 the department projects that state supplementary assistance21 expenditures for a calendar year will not meet the federal22 pass-through requirement specified in Tit. XVI of the federal23 Social Security Act, section 1618, as codified in 42 U.S.C.24 §1382g, the department may take actions including but not25 limited to increasing the personal needs allowance for26

residential care facility residents and making programmatic27  
 adjustments or upward adjustments of the residential care28  
 facility or in-home health-related care reimbursement rates29  
 prescribed in this division of this Act to ensure that federal30  
 requirements are met. In addition, the department may make31  
 other programmatic and rate adjustments necessary to remain32  
 within the amount appropriated in this section while ensuring33  
 compliance with federal requirements. The department may adopt34  
 emergency rules to implement the provisions of this subsection.35

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## Image 45

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Sec. 17. 2013 Iowa Acts, chapter 138, section 145, is1 amended to read as follows:2

SEC. 145. CHILDREN’S HEALTH INSURANCE PROGRAM.3

1. There is appropriated from the general fund of the4  
 state to the department of human services for the fiscal year5



beginning July 1, 2014, and ending June 30, 2015, the following6  
amount, or so much thereof as is necessary, to be used for the7  
purpose designated:8

For maintenance of the healthy and well kids in Iowa (hawk-i)9  
program pursuant to chapter 514I, including supplemental dental10  
services, for receipt of federal financial participation under11  
Tit. XXI of the federal Social Security Act, which creates the12  
children’s health insurance program:13

..... \$ 18,403,05114

45,877,99815

2. Of the funds appropriated in this section, \$70,72516

\$153,500 is allocated for continuation of the contract for17  
outreach with the department of public health.18

3. The department of human services shall request approval19  
from the centers for Medicare and Medicaid services of the20  
United States department of health and human services to21  
utilize administrative funding under the federal Children’s22  
Health Insurance Program Reauthorization Act of 2009, Pub.23  
L. No. 111-3, to provide the maximum federal matching funds24  
available to implement a new health services initiative as25  
provided under section 2105(a)(1)(D)(ii) of the federal Social26  
Security Act, to fund the state poison control center.27

Sec. 18. 2013 Iowa Acts, chapter 138, section 146, is28



level consistent with the waiting list requirements of section 9  
237A.13. Any state obligation to provide services pursuant to 10  
this section is limited to the extent of the funds appropriated 11  
in this section. 12

3. Of the funds appropriated in this section, \$216,227 13  
\$432,453 is allocated for the statewide grant program for child 14  
care resource and referral services under section 237A.26. 15  
A list of the registered and licensed child care facilities 16  
operating in the area served by a child care resource and 17  
referral service shall be made available to the families 18  
receiving state child care assistance in that area. 19

4. Of the funds appropriated in this section, \$468,487 20  
\$936,974 is allocated for child care quality improvement 21  
initiatives including but not limited to the voluntary quality 22  
rating system in accordance with section 237A.30. 23

5. Of the funds appropriated in this section, \$67,589 shall 24  
be used to conduct fingerprint-based national criminal history 25  
record checks of home-based child care providers pursuant 26  
to section 237A.5, subsection 2, through the United States 27  
department of justice, federal bureau of investigation. 28

6. Of the amount appropriated in this section, up to 29  
\$12,500 shall be used to continue to implement a searchable 30

internet-based application as part of the consumer information31  
 made available under section 237A.25. The application shall32  
 provide a listing of the child care providers in this state33  
 that have received a rating under the voluntary quality rating34  
 system implemented pursuant to section 237A.30 and information35

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on whether a provider specializes in child care for infants,1  
 school-age children, children with special needs, or other2  
 populations or provides any other specialized services to3  
 support family needs.4

7. Of the funds appropriated in this section, \$3,175,0005  
 \$6,350,000 shall be credited to the early childhood programs6  
 grants account in the early childhood Iowa fund created7  
 in section 256I.11. The moneys shall be distributed for8

funding of community-based early childhood programs targeted9  
 to children from birth through five years of age developed10

by early childhood Iowa areas in accordance with approved11

community plans as provided in section 256I.8.12

8. The department may use any of the funds appropriated<sup>13</sup> in this section as a match to obtain federal funds for use in<sup>14</sup> expanding child care assistance and related programs. For<sup>15</sup> the purpose of expenditures of state and federal child care<sup>16</sup> funding, funds shall be considered obligated at the time<sup>17</sup> expenditures are projected or are allocated to the department's<sup>18</sup> service areas. Projections shall be based on current and<sup>19</sup> projected caseload growth, current and projected provider<sup>20</sup> rates, staffing requirements for eligibility determination<sup>21</sup> and management of program requirements including data systems<sup>22</sup> management, staffing requirements for administration of the<sup>23</sup> program, contractual and grant obligations and any transfers<sup>24</sup> to other state agencies, and obligations for decategorization<sup>25</sup> or innovation projects.<sup>26</sup>

9. A portion of the state match for the federal child care<sup>27</sup> and development block grant shall be provided as necessary to<sup>28</sup> meet federal matching funds requirements through the state<sup>29</sup> general fund appropriation made for child development grants<sup>30</sup> and other programs for at-risk children in section 279.51.31

10. If a uniform reduction ordered by the governor under<sup>32</sup> section 8.31 or other operation of law, transfer, or federal<sup>33</sup>

funding reduction reduces the appropriation made in this34  
section for the fiscal year, the percentage reduction in the35

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# Image 48

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amount paid out to or on behalf of the families participating1  
in the state child care assistance program shall be equal to or2  
less than the percentage reduction made for any other purpose3  
payable from the appropriation made in this section and the4

federal funding relating to it. The percentage reduction to5  
the other allocations made in this section shall be the same as6  
the uniform reduction ordered by the governor or the percentage7  
change of the federal funding reduction, as applicable.8

If there is an unanticipated increase in federal funding9  
provided for state child care assistance, the entire amount10

of the increase shall be used for state child care assistance11

payments. If the appropriations made for purposes of the12

state child care assistance program for the fiscal year are13

determined to be insufficient, it is the intent of the general14

assembly to appropriate sufficient funding for the fiscal year<sup>15</sup>  
in order to avoid establishment of waiting list requirements.<sup>16</sup>  
11. Notwithstanding section 8.33, moneys advanced for<sup>17</sup>  
purposes of the programs developed by early childhood Iowa<sup>18</sup>  
areas, advanced for purposes of wraparound child care, or<sup>19</sup>  
received from the federal appropriations made for the purposes<sup>20</sup>  
of this section that remain unencumbered or unobligated at the<sup>21</sup>  
close of the fiscal year shall not revert to any fund but shall<sup>22</sup>  
remain available for expenditure for the purposes designated<sup>23</sup>  
until the close of the succeeding fiscal year.<sup>24</sup>

Sec. 19. 2013 Iowa Acts, chapter 138, section 147, is<sup>25</sup>  
amended to read as follows:<sup>26</sup>

SEC. 147. JUVENILE INSTITUTIONS. There is appropriated<sup>27</sup>  
from the general fund of the state to the department of human<sup>28</sup>  
services for the fiscal year beginning July 1, 2014, and ending<sup>29</sup>  
June 30, 2015, the following amounts, or so much thereof as is<sup>30</sup>  
necessary, to be used for the purposes designated:<sup>31</sup>

1. For operation of the costs of security, building and<sup>32</sup>  
grounds maintenance, utilities, salary, and support for the<sup>33</sup>  
facilities located at the Iowa juvenile home at Toledo and for<sup>34</sup>  
salaries, support, maintenance, and miscellaneous purposes, and<sup>35</sup>

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for not more than the following full-time equivalent positions:1

..... \$ 4,429,6782

788,5313

..... FTEs 114.004

15.005

2. For operation of the state training school at Eldora and6  
for salaries, support, maintenance, and miscellaneous purposes,7  
and for not more than the following full-time equivalent8

positions:9

..... \$ 5,628,48510

11,500,09811

..... FTEs 164.3012

Of the funds appropriated in this subsection, \$45,57513

\$91,150 shall be used for distribution to licensed classroom14

teachers at this and other institutions under the control of15

the department of human services based upon the average student16

yearly enrollment at each institution as determined by the17



department.18

3. A portion of the moneys appropriated in this section19 shall be used by the state training school and by the Iowa20 juvenile home for grants for adolescent pregnancy prevention21 activities at the institutions in the fiscal year beginning22 July 1, 2014.23

Sec. 20. 2013 Iowa Acts, chapter 138, is amended by adding24 the following new section:25

NEW SECTION. SEC. 147A. CHILDREN ADJUDICATED AS DELINQUENT26 OR CHILD IN NEED OF ASSISTANCE — IOWA JUVENILE HOME. There27 is appropriated from the general fund of the state to the28 department of human services for the fiscal year beginning July29 1, 2014, and ending June 30, 2015, the following amount, or30 so much thereof as is necessary, to be used for the purposes31 designated:32

For the placement costs of female children adjudicated33 as delinquent and male and female children adjudicated as a34 child in need of assistance, and for the costs of compensatory35

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education for children formerly placed at the Iowa juvenile  
home at Toledo:

..... \$ 5,110,5343

1. Of the funds appropriated in this section, \$3,892,5344

shall be used for the placement costs of female children  
adjudicated as delinquent and male and female children  
adjudicated as a child in need of assistance, who are deemed by  
the department to be eligible for use of the funds.

2. Of the funds appropriated in this section, \$1,218,0009  
shall be used for the costs of compensatory education to

address the reviews of special education of certain children

placed at the Iowa juvenile home conducted by the department of

education in fall 2013 and reported to the department of human

services on October 7 and December 20, 2013.

3. By January 1, 2015, the department shall provide a

report to the governor and the legislative services agency that

includes a description of the status of juvenile delinquent

girls in out-of-home placements during the period beginning

December 1, 2013, and ending December 1, 2014; identifies

their placement histories; provides the reason for placement;

provides a status report on educational services and treatment<sup>21</sup>  
of youth at department facilities; and makes appropriate<sup>22</sup>  
recommendations for legislation deemed necessary.<sup>23</sup>

Sec. 21. 2013 Iowa Acts, chapter 138, section 148, is<sup>24</sup>  
amended to read as follows:<sup>25</sup>

SEC. 148. CHILD AND FAMILY SERVICES.<sup>26</sup>

1. There is appropriated from the general fund of the<sup>27</sup>  
state to the department of human services for the fiscal year<sup>28</sup>  
beginning July 1, 2014, and ending June 30, 2015, the following<sup>29</sup>  
amount, or so much thereof as is necessary, to be used for the<sup>30</sup>  
purpose designated:<sup>31</sup>

For child and family services:<sup>32</sup>

..... \$ 45,641,960<sup>33</sup>

95,664,831<sup>34</sup>

2. Up to \$2,600,000 \$5,200,000 of the amount of federal<sup>35</sup>

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temporary assistance for needy families block grant funding<sup>1</sup>  
appropriated in this division of this Act for child and family<sup>2</sup>  
services shall be made available for purposes of juvenile<sup>3</sup>  
delinquent graduated sanction services.<sup>4</sup>

3. The department may transfer funds appropriated in this<sup>5</sup>  
section as necessary to pay the nonfederal costs of services<sup>6</sup>  
reimbursed under the medical assistance program, state child<sup>7</sup>  
care assistance program, or the family investment program which<sup>8</sup>

are provided to children who would otherwise receive services<sup>9</sup>  
paid under the appropriation in this section. The department<sup>10</sup>

may transfer funds appropriated in this section to the<sup>11</sup>

appropriations made in this division of this Act for general<sup>12</sup>

administration and for field operations for resources necessary<sup>13</sup>

to implement and operate the services funded in this section.<sup>14</sup>

4. a. Of the funds appropriated in this section, up<sup>15</sup>

to \$16,121,163 \$36,400,721 is allocated as the statewide<sup>16</sup>

expenditure target under section 232.143 for group foster care<sup>17</sup>

maintenance and services. If the department projects that such<sup>18</sup>

expenditures for the fiscal year will be less than the target<sup>19</sup>

amount allocated in this lettered paragraph, the department may<sup>20</sup>

reallocate the excess to provide additional funding for shelter<sup>21</sup>

care or the child welfare emergency services addressed with the<sup>22</sup>

allocation for shelter care.<sup>23</sup>

b. If at any time after September 30, 2014, annualization<sup>24</sup>  
of a service area's current expenditures indicates a service<sup>25</sup>  
area is at risk of exceeding its group foster care expenditure<sup>26</sup>  
target under section 232.143 by more than 5 percent, the<sup>27</sup>  
department and juvenile court services shall examine all<sup>28</sup>  
group foster care placements in that service area in order to<sup>29</sup>  
identify those which might be appropriate for termination.<sup>30</sup>  
In addition, any aftercare services believed to be needed<sup>31</sup>  
for the children whose placements may be terminated shall be<sup>32</sup>  
identified. The department and juvenile court services shall<sup>33</sup>  
initiate action to set dispositional review hearings for the<sup>34</sup>  
placements identified. In such a dispositional review hearing,<sup>35</sup>

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the juvenile court shall determine whether needed aftercare<sup>1</sup>

services are available and whether termination of the placement<sup>2</sup>  
is in the best interest of the child and the community.<sup>3</sup>

5. In accordance with the provisions of section 232.188,<sup>4</sup>

the department shall continue the child welfare and juvenile<sup>5</sup>  
justice funding initiative during fiscal year 2014-2015. Of<sup>6</sup>  
the funds appropriated in this section, \$858,877 \$1,717,753<sup>7</sup>  
is allocated specifically for expenditure for fiscal year<sup>8</sup>

2014-2015 through the decategorization service services funding<sup>9</sup>  
pools and governance boards established pursuant to section<sup>10</sup>

232.188.11

6. A portion of the funds appropriated in this section<sup>12</sup>

may be used for emergency family assistance to provide other<sup>13</sup>

resources required for a family participating in a family<sup>14</sup>

preservation or reunification project or successor project to<sup>15</sup>

stay together or to be reunified.<sup>16</sup>

7. Notwithstanding section 234.35 or any other provision<sup>17</sup>

of law to the contrary, state funding for shelter care and<sup>18</sup>

the child welfare emergency services contracting implemented<sup>19</sup>

to provide for or prevent the need for shelter care shall be<sup>20</sup>

limited to \$3,808,024 \$7,717,822.<sup>21</sup>

8. Federal funds received by the state during the fiscal<sup>22</sup>

year beginning July 1, 2014, as the result of the expenditure<sup>23</sup>

of state funds appropriated during a previous state fiscal<sup>24</sup>

year for a service or activity funded under this section are<sup>25</sup>

appropriated to the department to be used as additional funding<sup>26</sup>



adjudicated under chapter 232, of which not more than \$7,500  
\$15,000 may be used for the purpose of training. A portion of  
the cost of each school-based liaison officer shall be paid by

the school district or other funding source as approved by the  
chief juvenile court officer.

b. Of the funds appropriated in this section, up to \$374,493  
\$748,985 is allocated for the payment of the expenses of  
court-ordered services provided to children who are under the  
supervision of the department, which expenses are a charge upon  
the state pursuant to section 232.141, subsection 4.

c. Notwithstanding section 232.141 or any other provision  
of law to the contrary, the amounts allocated in this  
subsection shall be distributed to the judicial districts  
as determined by the state court administrator and to the  
department's service areas as determined by the administrator  
of the department's division of child and family services. The  
state court administrator and the division administrator shall  
make the determination of the distribution amounts on or before  
June 15, 2014.

d. Notwithstanding chapter 232 or any other provision of  
law to the contrary, a district or juvenile court shall not  
order any service which is a charge upon the state pursuant  
to section 232.141 if there are insufficient court-ordered



services funds available in the district court or departmental29  
 service area distribution amounts to pay for the service. The30  
 chief juvenile court officer and the departmental service area31  
 manager shall encourage use of the funds allocated in this32  
 subsection such that there are sufficient funds to pay for33  
 all court-related services during the entire year. The chief34  
 juvenile court officers and departmental service area managers35

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shall attempt to anticipate potential surpluses and shortfalls1  
 in the distribution amounts and shall cooperatively request the2  
 state court administrator or division administrator to transfer3  
 funds between the judicial districts' or departmental service4  
 areas' distribution amounts as prudent.5  
 e. Notwithstanding any provision of law to the contrary,6  
 a district or juvenile court shall not order a county to pay7  
 for any service provided to a juvenile pursuant to an order8

entered under chapter 232 which is a charge upon the state<sup>9</sup>  
under section 232.141, subsection 4.10

f. Of the funds allocated in this subsection, not more<sup>11</sup>  
than \$41,500 \$83,000 may be used by the judicial branch for<sup>12</sup>  
administration of the requirements under this subsection.<sup>13</sup>

g. Of the funds allocated in this subsection, \$8,500 \$17,000<sup>14</sup>  
shall be used by the department of human services to support<sup>15</sup>  
the interstate commission for juveniles in accordance with<sup>16</sup>  
the interstate compact for juveniles as provided in section<sup>17</sup>  
232.173.<sup>18</sup>

10. Of the funds appropriated in this section, \$4,026,613<sup>19</sup>  
\$8,053,226 is allocated for juvenile delinquent graduated<sup>20</sup>  
sanctions services. Any state funds saved as a result of<sup>21</sup>  
efforts by juvenile court services to earn federal Tit. IV-E<sup>22</sup>  
match for juvenile court services administration may be used<sup>23</sup>  
for the juvenile delinquent graduated sanctions services.<sup>24</sup>

11. Of the funds appropriated in this section, \$804,143<sup>25</sup>  
\$1,608,285 is transferred to the department of public health<sup>26</sup>  
to be used for the child protection center grant program in<sup>27</sup>  
accordance with section 135.118. The grant amounts under the<sup>28</sup>  
program shall be equalized so that each center receives a<sup>29</sup>  
uniform amount of at least \$122,500 \$245,000.<sup>30</sup>

12. If the department receives federal approval to31  
 implement a waiver under Tit. IV-E of the federal Social32  
 Security Act to enable providers to serve children who remain33  
 in the children’s families and communities, for purposes of34  
 eligibility under the medical assistance program through 2535

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years of age, children who participate in the waiver shall be1  
 considered to be placed in foster care.2

13. Of the funds appropriated in this section, \$1,628,4903  
 \$3,256,980 is allocated for the preparation for adult living4

program pursuant to section 234.46.5

14. Of the funds appropriated in this section, \$260,0756  
 \$520,150 shall be used for juvenile drug courts. The amount7  
 allocated in this subsection shall be distributed as follows:8

To the judicial branch for salaries to assist with the9  
 operation of juvenile drug court programs operated in the10

following jurisdictions:11

a. Marshall county:12

..... \$ 31,35413

62,70814

b. Woodbury county:15

..... \$ 62,84116

125,68217

c. Polk county:18

..... \$ 97,94619

195,89220

d. The third judicial district:21

..... \$ 33,96722

67,93423

e. The eighth judicial district:24

..... \$ 33,96725

67,93426

15. Of the funds appropriated in this section, \$113,66927

\$227,337 shall be used for the public purpose of continuing28

a grant to a nonprofit human services organization providing29

services to individuals and families in multiple locations in30

southwest Iowa and Nebraska for support of a project providing31

immediate, sensitive support and forensic interviews, medical32

exams, needs assessments, and referrals for victims of child33



20. Of the funds appropriated in this section, \$718,29815  
\$1,186,595 is allocated for funding of the community circle of16  
care collaboration for children and youth in northeast Iowa.17

21. Of the funds appropriated in this section, at least18  
\$73,579 \$147,158 shall be used for the child welfare training19  
academy.20

22. Of the funds appropriated in this section, \$12,50021  
\$25,000 shall be used for the public purpose of continuation22  
of a grant to a child welfare services provider headquartered23  
in a county with a population between 205,000 and 215,000 in24  
the latest certified federal census that provides multiple25  
services including but not limited to a psychiatric medical26  
institution for children, shelter, residential treatment, after27  
school programs, school-based programming, and an Asperger's28  
syndrome program, to be used for support services for children29  
with autism spectrum disorder and their families.30

23. Of the funds appropriated in this section, \$12,50031  
\$25,000 shall be used for the public purpose of continuing a32  
grant to a hospital-based provider headquartered in a county33  
with a population between 90,000 and 95,000 in the latest34  
certified federal census that provides multiple services35

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including but not limited to diagnostic, therapeutic, and<sup>1</sup>  
behavioral services to individuals with autism spectrum<sup>2</sup>  
disorder across the lifespan. The grant recipient shall<sup>3</sup>  
utilize the funds to continue the pilot project to determine<sup>4</sup>

the necessary support services for children with autism<sup>5</sup>  
spectrum disorder and their families to be included in the<sup>6</sup>  
children’s disabilities services system. The grant recipient<sup>7</sup>  
shall submit findings and recommendations based upon the<sup>8</sup>

results of the pilot project to the individuals specified in<sup>9</sup>  
this division of this Act for submission of reports by December<sup>10</sup>

31, 2014.<sup>11</sup>

24. Of the funds appropriated in this section, \$163,974<sup>12</sup>  
\$211,872 shall be used for continuation of the central Iowa<sup>13</sup>  
system of care program grant through June 30, 2015.<sup>14</sup>

25. Of the funds appropriated in this section, \$80,000<sup>15</sup>  
\$110,000 shall be used for the public purpose of the<sup>16</sup>  
continuation of a system of care grant implemented in Cerro<sup>17</sup>

Gordo and Linn counties.18

26. Of the funds appropriated in this section, at least19  
\$12,500 \$25,000 shall be used to continue and to expand the20  
foster care respite pilot program in which postsecondary21  
students in social work and other human services-related22  
programs receive experience by assisting family foster care23  
providers with respite and other support.24

27. Of the funds appropriated in this section, \$160,00025  
shall be used for the public purpose of funding child welfare26  
services with a system of care approach through a nonprofit27  
provider of child welfare services that has been in existence28  
for more than 115 years, is located in a county with a29  
population of more than 200,000 but less than 220,000 according30  
to the latest census information issued by the United States31  
census bureau provider, is licensed as a psychiatric medical32  
institution for children, and has not been a system of care33  
grantee prior to July 1, 2014.34

Sec. 22. 2013 Iowa Acts, chapter 138, section 149, is35

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pf/jp 50/95

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# Image 58

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amended to read as follows:1

SEC. 149. ADOPTION SUBSIDY.2

1. There is appropriated from the general fund of the3  
state to the department of human services for the fiscal year4

beginning July 1, 2014, and ending June 30, 2015, the following5  
amount, or so much thereof as is necessary, to be used for the6  
purpose designated:7

For adoption subsidy payments and services:8

.....	\$ 20,364,6419
42,580,74910	

2. The department may transfer funds appropriated in11  
this section to the appropriation made in this division of12  
this Act for general administration for costs paid from the13  
appropriation relating to adoption subsidy.14

3. Federal funds received by the state during the15  
fiscal year beginning July 1, 2014, as the result of the16  
expenditure of state funds during a previous state fiscal17  
year for a service or activity funded under this section are18  
appropriated to the department to be used as additional funding19  
for the services and activities funded under this section.20

Notwithstanding section 8.33, moneys received in accordance<sup>21</sup>  
 with this subsection that remain unencumbered or unobligated<sup>22</sup>  
 at the close of the fiscal year shall not revert to any fund<sup>23</sup>  
 but shall remain available for expenditure for the purposes<sup>24</sup>  
 designated until the close of the succeeding fiscal year.<sup>25</sup>

Sec. 23. 2013 Iowa Acts, chapter 138, section 151, is<sup>26</sup>  
 amended to read as follows:<sup>27</sup>

SEC. 151. FAMILY SUPPORT SUBSIDY PROGRAM.<sup>28</sup>

1. There is appropriated from the general fund of the<sup>29</sup>  
 state to the department of human services for the fiscal year<sup>30</sup>  
 beginning July 1, 2014, and ending June 30, 2015, the following<sup>31</sup>  
 amount, or so much thereof as is necessary, to be used for the<sup>32</sup>  
 purpose designated:<sup>33</sup>

For the family support subsidy program subject to the<sup>34</sup>  
 enrollment restrictions in section 225C.37, subsection 3:<sup>35</sup>

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..... \$ 546,4781

1,079,7392

2. The department shall use at least \$241,750 \$532,5003  
of the moneys appropriated in this section for the family4

support center component of the comprehensive family support5  
program under section 225C.47. Not more than \$12,500 \$25,0006  
of the amount allocated in this subsection shall be used for7  
administrative costs.8

3. If at any time during the fiscal year, the amount of9  
funding available for the family support subsidy program10

is reduced from the amount initially used to establish the11

figure for the number of family members for whom a subsidy12

is to be provided at any one time during the fiscal year,13

notwithstanding section 225C.38, subsection 2, the department14

shall revise the figure as necessary to conform to the amount15

of funding available.16

Sec. 24. 2013 Iowa Acts, chapter 138, section 152, is17

amended to read as follows:18

SEC. 152. CONNER DECREE. There is appropriated from the19

general fund of the state to the department of human services20

for the fiscal year beginning July 1, 2014, and ending June 30,21

2015, the following amount, or so much thereof as is necessary,22

to be used for the purpose designated:23

For building community capacity through the coordination<sup>24</sup>  
and provision of training opportunities in accordance with the<sup>25</sup>  
consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.<sup>26</sup>  
Iowa, July 14, 1994):<sup>27</sup>

..... \$ 16,81128

33,63229

Sec. 25. 2013 Iowa Acts, chapter 138, section 153, is<sup>30</sup>  
amended to read as follows:<sup>31</sup>

SEC. 153. MENTAL HEALTH INSTITUTES. There is appropriated<sup>32</sup>  
from the general fund of the state to the department of human<sup>33</sup>  
services for the fiscal year beginning July 1, 2014, and ending<sup>34</sup>  
June 30, 2015, the following amounts, or so much thereof as is<sup>35</sup>

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# Image 60

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necessary, to be used for the purposes designated:1

1. For the state mental health institute at Cherokee for2 salaries, support, maintenance, and miscellaneous purposes, and3 for not more than the following full-time equivalent positions:4

..... \$ 2,977,2325  
6,031,9346

..... FTEs 169.207

2. For the state mental health institute at Clarinda for8

salaries, support, maintenance, and miscellaneous purposes, and9 for not more than the following full-time equivalent positions:10

..... \$ 3,375,93411  
6,787,30912

..... FTEs 86.1013

3. For the state mental health institute at Independence for14

salaries, support, maintenance, and miscellaneous purposes, and15 for not more than the following full-time equivalent positions:16

..... \$ 5,159,38917  
10,484,38618

..... FTEs 233.0019

4. For the state mental health institute at Mount Pleasant20

for salaries, support, maintenance, and miscellaneous purposes,21 and for not more than the following full-time equivalent22

positions:23

..... \$ 683,34324  
1,417,79625

..... FTEs 97.9226



..... \$ 7,110,2326

14,855,6937

2. The department may continue to bill for state resource8

center services utilizing a scope of services approach used for9  
private providers of ICFID services, in a manner which does not10

shift costs between the medical assistance program, counties,11

or other sources of funding for the state resource centers.12

3. The state resource centers may expand the time-limited13

assessment and respite services during the fiscal year.14

4. If the department's administration and the department15

of management concur with a finding by a state resource16

center's superintendent that projected revenues can reasonably17

be expected to pay the salary and support costs for a new18

employee position, or that such costs for adding a particular19

number of new positions for the fiscal year would be less20

than the overtime costs if new positions would not be added,21

the superintendent may add the new position or positions. If22

the vacant positions available to a resource center do not23

include the position classification desired to be filled, the24

state resource center's superintendent may reclassify any25

vacant position as necessary to fill the desired position. The26

superintendents of the state resource centers may, by mutual27

agreement, pool vacant positions and position classifications28

during the course of the fiscal year in order to assist one  
another in filling necessary positions.

5. If existing capacity limitations are reached in  
operating units, a waiting list is in effect for a service  
a special need for which a payment source or other funding  
is available for the service or to address the special need,  
and facilities for the service or to address the special need

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can be provided within the available payment source or other  
funding, the superintendent of a state resource center may  
authorize opening not more than two units or other facilities  
and begin implementing the service or addressing the special

need during fiscal year 2014-2015.

Sec. 27. 2013 Iowa Acts, chapter 138, section 155, is  
amended to read as follows:

SEC. 155. SEXUALLY VIOLENT PREDATORS.



1. There is appropriated from the general fund of the9  
state to the department of human services for the fiscal year10  
beginning July 1, 2014, and ending June 30, 2015, the following11  
amount, or so much thereof as is necessary, to be used for the12  
purpose designated:13

For costs associated with the commitment and treatment of14  
sexually violent predators in the unit located at the state15  
mental health institute at Cherokee, including costs of legal16  
services and other associated costs, including salaries,17  
support, maintenance, and miscellaneous purposes, and for not18  
more than the following full-time equivalent positions:19

..... \$ 4,708,48520

9,923,56321

..... FTEs 124.5022

132.5023

2. Unless specifically prohibited by law, if the amount24  
charged provides for recoupment of at least the entire amount25  
of direct and indirect costs, the department of human services26  
may contract with other states to provide care and treatment27  
of persons placed by the other states at the unit for sexually28  
violent predators at Cherokee. The moneys received under29  
such a contract shall be considered to be repayment receipts30

and used for the purposes of the appropriation made in this31  
section.32

Sec. 28. 2013 Iowa Acts, chapter 138, section 156, is33  
amended to read as follows:34

SEC. 156. FIELD OPERATIONS. There is appropriated from the35  
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# Image 63

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general fund of the state to the department of human services1  
for the fiscal year beginning July 1, 2014, and ending June 30,2  
2015, the following amount, or so much thereof as is necessary,3  
to be used for the purposes designated:4

For field operations, including salaries, support,5  
maintenance, and miscellaneous purposes, and for not more than6  
the following full-time equivalent positions:7  
..... \$ 33,261,1948

66,670,9769  
..... FTEs 1,837.0010

1A. As a condition of this appropriation, the department11

shall make every possible effort to fill the entire number of<sup>12</sup>  
positions authorized by this section and, unless specifically<sup>13</sup>  
provided otherwise by an applicable collective bargaining<sup>14</sup>  
agreement, the department is not subject to any approval<sup>15</sup>  
requirement external to the department to fill a field<sup>16</sup>  
operations vacancy within the number of full-time equivalent<sup>17</sup>  
positions authorized by this section. The department shall<sup>18</sup>  
report on the first of each month to the chairpersons and<sup>19</sup>  
ranking members of the appropriations committees of the senate<sup>20</sup>  
and house of representatives, and the persons designated by<sup>21</sup>  
this Act for submission of reports concerning the status of<sup>22</sup>  
filling the positions.<sup>23</sup>

## 2. Priority in filling full-time equivalent positions<sup>24</sup>

shall be given to those positions related to child protection<sup>25</sup>  
services and eligibility determination for low-income families.<sup>26</sup>

Sec. 29. 2013 Iowa Acts, chapter 138, section 157, is<sup>27</sup>

amended to read as follows:<sup>28</sup>

SEC. 157. GENERAL ADMINISTRATION. There is appropriated<sup>29</sup>  
from the general fund of the state to the department of human<sup>30</sup>  
services for the fiscal year beginning July 1, 2014, and ending<sup>31</sup>  
June 30, 2015, the following amount, or so much thereof as is<sup>32</sup>  
necessary, to be used for the purpose designated:<sup>33</sup>



and home and community-based services waiver services for15  
adults with disabilities under the medical assistance program.16

4. Of the funds appropriated in this section, \$25,00017  
\$50,000 is transferred to the Iowa finance authority to be18  
used for administrative support of the council on homelessness19  
established in section 16.100A and for the council to fulfill20  
its duties in addressing and reducing homelessness in the21  
state.22

5A. Of the funds appropriated in this section \$250,000 is23  
transferred to the department of inspections and appeals to be24  
used to implement a new mental health advocate division in the25  
department in accordance with this 2014 Act.26

Sec. 30. 2013 Iowa Acts, chapter 138, section 158, is27  
amended to read as follows:28

SEC. 158. VOLUNTEERS. There is appropriated from the29  
general fund of the state to the department of human services30  
for the fiscal year beginning July 1, 2014, and ending June 30,31  
2015, the following amount, or so much thereof as is necessary,32  
to be used for the purpose designated:33

For development and coordination of volunteer services:34

..... \$ 42,33035



(2) The department shall utilize an average acquisition<sup>18</sup>  
 cost reimbursement methodology for all drugs covered under the<sup>19</sup>  
 medical assistance program in accordance with 2012 Iowa Acts,<sup>20</sup>  
 chapter 1133, section 33.21

(3) Notwithstanding subparagraph (2), if the centers for<sup>22</sup>  
 Medicare and Medicaid services of the United States department<sup>23</sup>  
 of health and human services (CMS) requires, as a condition<sup>24</sup>  
 of federal Medicaid funding, that the department implement an<sup>25</sup>  
 aggregate federal upper limit (FUL) for drug reimbursement<sup>26</sup>  
 based on the average manufacturer's price (AMP), the department<sup>27</sup>  
 may utilize a reimbursement methodology for all drugs covered<sup>28</sup>  
 under the Medicaid program based on the national average drug<sup>29</sup>  
 acquisition cost (NADAC) methodology published by CMS, in order<sup>30</sup>  
 to assure compliance with the aggregate FUL, minimize outcomes<sup>31</sup>  
 of drug reimbursements below pharmacy acquisition costs, limit<sup>32</sup>  
 administrative costs, and minimize any change in the aggregate<sup>33</sup>  
 reimbursement for drugs. The department may adopt emergency<sup>34</sup>  
 rules to implement this subparagraph.<sup>35</sup>

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Sec. 33. 2013 Iowa Acts, chapter 138, section 159,1  
subsection 1, paragraph n, is amended to read as follows:2  
n. For the fiscal year beginning July 1, 2014, the3  
reimbursement rates for inpatient mental health services4

provided at hospitals shall remain at the rates in effect5  
on June 30, 2014, subject to Medicaid program upper payment6  
limit rules; community mental health centers and providers7  
of mental health services to county residents pursuant to a8

waiver approved under section 225C.7, subsection 3, shall be9  
reimbursed at 100 percent of the reasonable costs for the10

provision of services to recipients of medical assistance; and11

psychiatrists shall be reimbursed at the medical assistance12

program fee for service rate.13

Sec. 34. 2013 Iowa Acts, chapter 138, section 159,14

subsection 1, is amended by adding the following new paragraph:15

NEW PARAGRAPH. 0o. For the fiscal year beginning July16

1, 2014, community mental health centers may choose to be17

reimbursed for the services provided to recipients of medical18

assistance through either of the following options:19

(1) For 100 percent of the reasonable costs of the services.20



(2) In accordance with the alternative reimbursement rate<sup>21</sup>  
methodology established by the medical assistance program's<sup>22</sup>  
managed care contractor for mental health services and approved<sup>23</sup>  
by the department of human services.<sup>24</sup>

Sec. 35. 2013 Iowa Acts, chapter 138, section 159,<sup>25</sup>  
subsection 6, is amended to read as follows:<sup>26</sup>

6. For the fiscal year beginning July 1, 2014, the<sup>27</sup>  
reimbursement rates for family-centered service providers,<sup>28</sup>  
family foster care service providers, group foster care service<sup>29</sup>  
providers, and the resource family recruitment and retention<sup>30</sup>  
contractor shall remain at the rates in effect on June 30,<sup>31</sup>  
2014.<sup>32</sup>

Sec. 36. 2013 Iowa Acts, chapter 138, section 159, is<sup>33</sup>  
amended by adding the following new subsection:<sup>34</sup>

NEW SUBSECTION. 6A. a. For the purposes of this<sup>35</sup>

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subsection, "combined reimbursement rate" means the combined<sup>1</sup>  
service and maintenance reimbursement rate for a service level<sup>2</sup>  
under the department's reimbursement methodology.<sup>3</sup>

b. For the fiscal year beginning July 1, 2014, the combined<sup>4</sup>

reimbursement rate for the department's group foster care<sup>5</sup>  
service levels, community - D1, comprehensive - D2, and<sup>6</sup>  
enhanced - D3, shall be 80 percent of the patient-day weighted<sup>7</sup>  
statewide average cost of group foster care cost reports<sup>8</sup>

that were verified and used for the foster group care rate<sup>9</sup>  
methodology workgroup final report submitted to the general<sup>10</sup>

assembly in December 2012, as adjusted for utilization in the<sup>11</sup>

fiscal year beginning July 1, 2014.<sup>12</sup>

Sec. 37. 2013 Iowa Acts, chapter 138, section 159,<sup>13</sup>

subsection 9, is amended to read as follows:<sup>14</sup>

9. For the fiscal year beginning July 1, 2013 2014, the<sup>15</sup>

department shall calculate reimbursement rates for intermediate<sup>16</sup>

care facilities for persons with intellectual disabilities at<sup>17</sup>

the 80th percentile. Beginning July 1, 2013 2014, the rate<sup>18</sup>

calculation methodology shall utilize the consumer price index<sup>19</sup>

inflation factor applicable to the fiscal year beginning July<sup>20</sup>

1, 2013.<sup>21</sup>

Sec. 38. 2013 Iowa Acts, chapter 138, section 160, is<sup>22</sup>

amended to read as follows:<sup>23</sup>

SEC. 160. EMERGENCY RULES.24

1. If specifically authorized by a provision of this25  
 division of this Act for the fiscal year beginning July 1, 201326  
 2014, the department of human services or the mental health27  
 and disability services commission may adopt administrative28  
 rules under section 17A.4, subsection 3, and section 17A.5,29  
 subsection 2, paragraph "b", to implement the provisions and30  
 the rules shall become effective immediately upon filing or31  
 on a later effective date specified in the rules, unless the32  
 effective date is delayed by the administrative rules review33  
 committee. Any rules adopted in accordance with this section34  
 shall not take effect before the rules are reviewed by the35

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administrative rules review committee. The delay authority1

provided to the administrative rules review committee under2  
section 17A.4, subsection 7, and section 17A.8, subsection 9,3  
shall be applicable to a delay imposed under this section,4

notwithstanding a provision in those sections making them5  
inapplicable to section 17A.5, subsection 2, paragraph "b".6  
Any rules adopted in accordance with the provisions of this7  
section shall also be published as notice of intended action8

as provided in section 17A.4.9

2. If during the fiscal year beginning July 1, 201310

2014, the department of human services is adopting rules in11  
accordance with this section or as otherwise directed or12  
authorized by state law, and the rules will result in an13  
expenditure increase beyond the amount anticipated in the14  
budget process or if the expenditure was not addressed in15  
the budget process for the fiscal year, the department shall16  
notify the persons designated by this division of this Act for17  
submission of reports, the chairpersons and ranking members18  
of the committees on appropriations, and the department of19  
management concerning the rules and the expenditure increase.20  
The notification shall be provided at least 30 calendar days21  
prior to the date notice of the rules is submitted to the22  
administrative rules coordinator and the administrative code23  
editor.24

Sec. 39. 2013 Iowa Acts, chapter 138, section 161, is25

amended to read as follows:26



in section 249A.33 to the department of human services for the6  
fiscal year beginning July 1, 2014, and ending June 30, 2015,7  
the following amount, or so much thereof as is necessary, to be8

used for the purpose designated:9

Notwithstanding any provision of law to the contrary, to10

supplement the appropriations made in this Act for medical11

contracts under the medical assistance program for the fiscal12

year beginning July 1, 2013 2014, and ending June 30, 201413

2015:14

..... \$ 3,325,00015

5,467,56416

Sec. 41. 2013 Iowa Acts, chapter 138, section 163, is17

amended to read as follows:18

SEC. 163. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF19

HUMAN SERVICES. Notwithstanding any provision to the contrary20

and subject to the availability of funds, there is appropriated21

from the quality assurance trust fund created in section22

249L.4 to the department of human services for the fiscal year23

beginning July 1, 2014, and ending June 30, 2015, the following24

amounts, or so much thereof as is necessary, for the purposes25

designated:26

To supplement the appropriation made in this Act from the27

general fund of the state to the department of human services28



4, paragraph r, is amended to read as follows:9  
r. Of the funds appropriated in this subsection, \$2,000,00010  
shall be deposited in the medical residency training account11  
created in section 135.175, subsection 5, paragraph "a", and12  
is appropriated from the account to the department of public13  
health to be used for the purposes of the medical residency14  
training state matching grants program as specified in section15  
135.176. However, notwithstanding any provision to the16  
contrary in section 135.176, priority in the awarding of grants17  
shall be given to the development of new medical residency18  
positions, psychiatric residency positions, and family practice19  
residency positions.20

#### CONSUMER-DIRECTED ATTENDANT CARE21

Sec. 44. 2013 Iowa Acts, chapter 138, section 12, subsection22  
19, paragraph a, subparagraph (6), is amended to read as23  
follows:24

(6) The department shall require transition of the25  
provision by individual providers of personal care under the26  
consumer-directed attendant care option to agency-provided27  
personal care services and shall retain the consumer choice28  
option for those individuals able and desiring to self-direct29  
services.30



AUTISM31

Sec. 45. 2013 Iowa Acts, chapter 138, section 13, subsection32

10, is amended to read as follows:33

10. Of the funds appropriated in this section, \$2,000,00034

shall be used for the autism support program created in35

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chapter 225D, as enacted in this Act, beginning January 1,1  
2014. Notwithstanding section 8.33, moneys allocated in this2  
subsection that remain unencumbered or unobligated at the close3  
of the fiscal year shall not revert but shall remain available4

for expenditure for the purposes designated until the close of5  
the succeeding fiscal year.6

FOSTER CARE RESPITE7

Sec. 46. 2013 Iowa Acts, chapter 138, section 18, subsection8

26, is amended to read as follows:9

26. Of the funds appropriated in this section, at least10

\$25,000 shall be used to continue and to expand the foster11

care respite pilot program in which postsecondary students in12  
social work and other human services-related programs receive13  
experience by assisting family foster care providers with14  
respite and other support. Notwithstanding section 8.33,15  
moneys allocated in this subsection that remain unencumbered or16  
unobligated at the close of the fiscal year shall not revert17  
but shall remain available for expenditure for the purposes18  
designated until the close of the succeeding fiscal year.19

#### COMMUNITY MENTAL HEALTH CENTER REIMBURSEMENT20

Sec. 47. 2013 Iowa Acts, chapter 138, section 29, subsection21

1, paragraph n, is amended to read as follows:22

n. For the fiscal year beginning July 1, 2013, the23  
reimbursement rates for inpatient mental health services24  
provided at hospitals shall be increased by 1 percent over the25  
rates in effect on June 30, 2013, subject to Medicaid program26  
upper payment limit rules; community mental health centers27  
and providers of mental health services to county residents28  
pursuant to a waiver approved under section 225C.7, subsection29  
3, shall be reimbursed at 100 percent of the reasonable30  
costs for the provision of services to recipients of medical31  
assistance; and psychiatrists shall be reimbursed at the32  
medical assistance program fee-for-service rate.33

Sec. 48. 2013 Iowa Acts, chapter 138, section 29, subsection 34  
1, is amended by adding the following new paragraph: 35

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NEW PARAGRAPH. 0o. For the fiscal year beginning July 1, 2013, community mental health centers may choose to be reimbursed for the services provided to recipients of medical assistance through either of the following options:

- (1) For 100 percent of the reasonable costs of the services.
- (2) In accordance with the alternative reimbursement rate methodology established by the medical assistance program's managed care contractor for mental health services and approved by the department of human services.

Sec. 49. EMERGENCY RULES. The department of human services may adopt emergency rules under section 17A.4, subsection 3, and section 17A.5, subsection 2, paragraph "b", to implement the section of this division of this Act amending 2013 Iowa Acts, chapter 138, section 29, subsection 1, paragraph "n" and

enacting "0o", and the rules shall be effective immediately15  
upon filing unless a later date is specified in the rules. Any16  
rules adopted in accordance with this section shall also be17  
published as a notice of intended action as provided in section18  
17A.4.19

Sec. 50. EFFECTIVE UPON ENACTMENT. This division of this20  
Act, being deemed of immediate importance, takes effect upon21  
enactment.22

Sec. 51. RETROACTIVE APPLICABILITY. The section of this23  
division of this Act amending 2013 Iowa Acts, chapter 138,24  
section 12, subsection 19, paragraph "a", subparagraph (6),25  
applies retroactively to July 1, 2013.26

Sec. 52. RETROACTIVE APPLICABILITY. The sections of this27  
division of this Act amending 2013 Iowa Acts, chapter 138,28  
section 29, subsection 1, paragraph "n" and enacting new29  
paragraph "0o", apply retroactively to July 1, 2013.30

#### DIVISION IX31

#### MENTAL HEALTH AND DISABILITY SERVICES32

Sec. 53. MENTAL HEALTH AND DISABILITY SERVICES —33  
EQUALIZATION PAYMENTS TRANSFER AND APPROPRIATION.34

1. There is transferred from the general fund of the35

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# Image 73

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state to the department of human services for the fiscal year1  
beginning July 1, 2014, and ending June 30, 2015, the following2  
amount, or so much thereof as is necessary, to be used for the3  
purposes designated:4

For deposit in the property tax relief fund created in5  
section 426B.1, for distribution as provided in this section:6  
..... \$ 30,555,8237

2. The moneys credited to the property tax relief fund in8

accordance with this section are appropriated to the department9  
of human services for distribution of equalization payments for10

counties in the amounts specified in section 426B.3, subsection11

4, for the fiscal year beginning July 1, 2014. If the county12

is part of a region that has been approved by the department in13

accordance with section 331.389, to commence partial or full14

operations, the county's equalization payment shall be remitted15

to the region for expenditure as approved by the region's16

governing board.17

3. a. For the purposes of this subsection, "payment18 obligation" means an outstanding obligation for payment to19 the department of human services for the undisputed cost of20 services provided under the medical assistance program prior21 to July 1, 2012, or for the undisputed cost of non-Medicaid22 services provided prior to July 1, 2013.23

b. Unless a county has entered into an agreement as provided24 in paragraph "c", if a county receiving an equalization payment25 under this section has a payment obligation, the county shall26 remit to the department any unpaid portion of the payment27 obligation prior to June 30, 2015, from moneys available to the28 county that meet federal match requirements for the medical29 assistance program and for the child enrollment contingency30 fund under the federal Children's Health Insurance Program31 Reauthorization Act of 2009.32

c. A county that has not paid the county's payment33 obligation in full as provided in paragraph "b" shall enter34 into an agreement with the department for remittance of35

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any unpaid portion of the county's payment obligation. An1  
 agreement entered into under this lettered paragraph shall2  
 provide for remittance of any unpaid portion by the end of3  
 the fiscal year beginning July 1, 2014. The equalization4

payment for a county subject to this lettered paragraph shall5  
 be remitted as provided by the county's agreement with the6  
 department.7

d. The equalization payment for a county that is not subject8

to paragraph "c" shall be remitted on or before July 15, 2014.9

## Sec. 54. STATE PAYMENT PROGRAM REMITTANCE APPROPRIATION.10

The moneys transferred to the property tax relief fund for the11

fiscal year beginning July 1, 2014, from the federal social12

services block grant pursuant to 2013 Iowa Acts, chapter 136,13

section 11, subsection 3, paragraph "e", and from the federal14

temporary assistance for needy families block grant, totaling15

at least \$11,774,275, are appropriated to the department of16

human services for the fiscal year beginning July 1, 2014, to17

be used for distribution of state payment program remittances18

to counties for the fiscal year in accordance with this19

section. The state payment program remittance shall be an20

amount equal to the amount paid to a county of residence under<sup>21</sup>  
the program for state case services known as the state payment<sup>22</sup>  
program, implemented pursuant to section 331.440, subsection<sup>23</sup>  
5, Code 2013, during the most recently available twelve-month<sup>24</sup>  
period.<sup>25</sup>

Sec. 55. VOCATIONAL REHABILITATION SERVICES —<sup>26</sup>

EMPLOYMENT. The department of human services and the division<sup>27</sup>  
of vocational rehabilitation services of the department of<sup>28</sup>  
education shall jointly develop protocols and program models to<sup>29</sup>  
integrate the employment-related services and other supports<sup>30</sup>  
provided to persons with disabilities through federal match<sup>31</sup>  
funding administered by the department and the division.<sup>32</sup>  
The department and the division shall report on or before<sup>33</sup>  
December 15, 2014, to the individuals identified in this Act<sup>34</sup>  
for submission of reports and to the chairpersons and ranking<sup>35</sup>

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members of the joint appropriations subcommittee on education<sup>1</sup>  
on the expenditure of such funding in the previous fiscal year<sup>2</sup>  
along with findings and recommendations.<sup>3</sup>

Sec. 56. BED AVAILABILITY TRACKING SYSTEM PROPOSAL. The<sup>4</sup>

department of human services shall continue and expand upon<sup>5</sup>  
the study regarding the possible development of a psychiatric<sup>6</sup>  
and substance-related disorder treatment hospital bed tracking<sup>7</sup>  
system as documented in its report submitted in December<sup>8</sup>

2013 pursuant to 2013 Iowa Acts, chapter 130, section 56.9  
In addition to representatives of magistrates and the Iowa<sup>10</sup>

hospital association, the expanded study shall include<sup>11</sup>

representatives of the regional mental health and disability<sup>12</sup>

services system, state mental health institutes, and the Iowa<sup>13</sup>

association of community providers. The study shall identify<sup>14</sup>

options for implementing a bed tracking system in the fiscal<sup>15</sup>

year beginning July 1, 2015, and include a detailed proposal<sup>16</sup>

for the option preferred by the study group. The content of<sup>17</sup>

the detailed proposal shall include a budget, identification<sup>18</sup>

of how bed availability and related data would be entered<sup>19</sup>

into the system and verified, how privacy information would<sup>20</sup>

be protected, preferred options and rationales for addressing<sup>21</sup>

implementation issues, a preferred administrative structure,<sup>22</sup>

and other operational provisions. The results of the expanded<sup>23</sup>

study shall be submitted on or before December 15, 2014, along  
with findings and recommendations to the governor and the  
persons designated by this Act for submission of reports.  
Sec. 57. STUDY OF COMMUNITY-BASED SERVICE OPTIONS FOR  
PERSONS WITH SERIOUS MENTAL ILLNESS. The department of  
human services shall engage representatives of the department  
of inspections and appeals, the regional mental health and  
disability services system, the Iowa association of community  
providers and other service providers, and other stakeholders  
to study community-based placement options for persons with  
serious mental illness to divert them from or end their need  
for an institutional placement. The study shall consider

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both services currently available and services that should

be developed to meet the needs of persons with serious<sup>2</sup> mental illness. The system elements addressed by the study<sup>3</sup> shall include but are not limited to regulatory, liability,<sup>4</sup>

and funding issues, and other barriers to maintaining<sup>5</sup> current community-based services options and developing new<sup>6</sup> options. The results of the study, including findings and<sup>7</sup> recommendations shall be reported on or before December 15,<sup>8</sup>

2014, to the governor and the persons designated by this Act<sup>9</sup> for submission of reports.<sup>10</sup>

Sec. 58. Section 331.388, subsection 3, Code 2014, is<sup>11</sup> amended to read as follows:<sup>12</sup>

3. "*Population*" means, as of July 1 of the fiscal year<sup>13</sup> preceding the fiscal year in which the population figure is<sup>14</sup> applied, the population shown by the latest preceding certified<sup>15</sup> federal census or the latest applicable population estimate<sup>16</sup> issued by the United States census bureau, whichever is most<sup>17</sup> recent.<sup>18</sup>

Sec. 59. Section 331.391, Code 2014, is amended by adding<sup>19</sup> the following new subsection:<sup>20</sup>

NEW SUBSECTION. 4. If a region is meeting the financial<sup>21</sup> obligations for implementation of its regional service system<sup>22</sup> management plan for a fiscal year and residual funding is<sup>23</sup> anticipated, the regional administrator shall reserve an<sup>24</sup> adequate amount for cash flow of expenditure obligations in<sup>25</sup> the next fiscal year. The cash flow amount shall not exceed<sup>26</sup>

twenty-five percent of the gross expenditures budgeted for the27  
 combined account or for all regional accounts for the fiscal28  
 year in progress. Residual funding remaining after the cash29  
 flow amount is reserved shall be used to expand the region’s30  
 core services under section 331.397, subsection 4, and then to31  
 make additional core service domains available in the region as32  
 enumerated in section 331.397, subsection 6.33

Sec. 60. Section 331.397, subsection 4, paragraph d,34  
 unnumbered paragraph 1, Code 2014, is amended to read as35

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follows:1

Support for employment or for activities leading to2  
 employment providing an appropriate match with an individual’s3  
 abilities, including but not limited to all of the following:4

Sec. 61. Section 331.424A, Code 2014, is amended by adding5

the following new subsection:6

NEW SUBSECTION. 3A. An amount shall be reserved in the7  
county services fund to address cash flow obligations in the8

next fiscal year. The cash flow amount shall not exceed9  
twenty-five percent of the gross expenditures budgeted from the10

county services fund for the fiscal year in progress. The cash11

flow amount for a county's services fund shall be specified in12

the regional governance agreement entered into by the county13

under section 331.392.14

Sec. 62. Section 426B.3, subsection 4, Code 2014, is amended15

to read as follows:16

4. *a.* For the fiscal years beginning July 1, 2013,17

and July 1, 2014, and July 1, 2015, a county with a county18

population expenditure target amount that exceeds the amount19

of the county's base year expenditures for mental health and20

disabilities services shall receive an equalization payment for21

the difference.22

*b.* The equalization payments determined in accordance23

with this subsection shall be made by the department of human24

services for each fiscal year as provided in appropriations25

made from the property tax relief fund for this purpose. If26

the county is part of a region that has been approved by the27

department in accordance with section 331.389, to commence28

partial or full operations, the county's equalization payment<sup>29</sup>  
shall be remitted to the region or the county, as appropriate,<sup>30</sup>  
for expenditure as approved by the region's governing board or<sup>31</sup>  
in accordance with the county's service management plan, as<sup>32</sup>  
appropriate. The payment for a county that has been approved<sup>33</sup>  
by the department to operate as an individual county region<sup>34</sup>  
shall be remitted to the county for expenditure as approved by<sup>35</sup>

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the county board of supervisors. For the fiscal year beginning<sup>1</sup>  
July 1, 2013, and succeeding fiscal years, the payment shall<sup>2</sup>  
be remitted on or before December 31 only for those counties<sup>3</sup>  
approved to operate as an individual county region or to be<sup>4</sup>

part of a region. Remittance of the payment for a county<sup>5</sup>  
without such approval shall be deferred until such approval is<sup>6</sup>  
granted.<sup>7</sup>

Sec. 63. Section 426B.3, subsection 5, paragraph b, Code<sup>8</sup>

2014, is amended to read as follows:9

*b.* (1) For the fiscal year beginning July 1, 2013, and10

succeeding fiscal years, the department of human services shall11

calculate a Medicaid offset amount for each county for the12

fiscal year. The department shall adopt rules in consultation13

with the county finance committee specifying the information14

to be used in calculating a Medicaid offset amount. The15

information shall include but is not limited to identification16

of the amount expended for specific services and supports that17

would otherwise be payable by the county for persons eligible18

under a county's approved service management plan but are were19

instead paid by the Iowa health and wellness plan. The amount20

calculated for a county shall be subject to review by the21

auditor of that county or subject to independent audit. The22

Medicaid offset amounts calculated for the counties are subject23

to review by the auditor of state prior to their certification.24

The Medicaid offset amounts calculated by the department for a25

county for a fiscal year are not official until certified by26

the director of human services and submitted to the governor27

and general assembly by October 15 December 1 immediately28

following the end of the fiscal year for which the offset29

amounts were calculated.30

(2) In implementing subparagraph (1), a county's offset31  
amount for the fiscal year beginning July 1, 2013, shall be32  
calculated by first identifying the actual amounts expended33  
from the county's services fund during the base period of July34  
1, 2013, through December 31, 2013, for services and supports35

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provided to persons who became eligible for the Iowa health1  
and wellness plan during the implementation period of January2  
1, 2014, and June 30, 2014. For purposes of calculating the3  
offset amount, it shall be assumed that the expenditures for4

the same services and supports provided under the plan during5  
the implementation period are equal to the amount expended by6  
the county for those services and supports for the comparable7  
time during the base period.8

Sec. 64. 2013 Iowa Acts, chapter 136, section 11, subsection9  
3, paragraph e, is amended to read as follows:10

e. To be credited to the property tax relief fund created11



in section 426B.1:12

(1) FY 2013-201413

..... \$ 7,480,23314

Of the amount allocated in this subparagraph, up to15  
\$600,000 may be used by the department of human services for16  
distribution to counties for state case services provided17  
in prior fiscal years for persons with mental illness,18  
intellectual disability, or a developmental disability in19  
accordance with section 331.440, Code 2013.20

(2) FFY 2014-201521

..... \$ 7,480,23322

Of the amount allocated in this subparagraph, up to23  
\$600,000 may be used by the department of human services for24  
distribution to counties for state case services provided for25  
persons with mental illness, intellectual disability, or a26  
developmental disability in accordance with section 331.440,27  
Code 2013, or in accordance with a dispute resolution process28  
implemented in accordance with section 331.394, subsection 529  
or 6.30

DIVISION X31

FAMILY SUPPLEMENTATION32

Sec. 65. Section 249A.4, subsection 10, paragraph b,33

subparagraph (6), Code 2014, is amended to read as follows:34

(6) Supplementation shall not be applicable if the35

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facility's occupancy rate is less than eighty fifty percent.1

DIVISION XII

MISCELLANEOUS3

Sec. 66. Section 217.32, Code 2014, is amended to read as4

follows:5

**217.32 Office space in county.6**

Where the department of human services assigns personnel to7  
an office located in a county for the purpose of performing in8

that county designated duties and responsibilities assigned by9  
law to the department, it shall be the responsibility of the10

county to provide and maintain the necessary office space and11

office supplies and equipment for the personnel so assigned12

in the same manner as if they were employees of the county.13

The department shall at least annually, or more frequently if14

the department so elects, reimburse the county for a portion,15  
designated by law, of the cost of maintaining office space and16  
providing supplies and equipment as required by this section,17  
and also for a similar portion of the cost of providing the18  
necessary office space if in order to do so it is necessary19  
for the county to lease office space outside the courthouse or20  
any other building owned by the county. The portion of the21  
foregoing costs reimbursed to the county under this section22  
shall be equivalent to the proportion of those costs which23  
the federal government authorizes to be paid from available24  
federal funds, unless the general assembly directs otherwise25  
when appropriating funds for support of the department. The26  
department shall annually report to the auditor of state, on27  
or before November 1, detailing for the preceding fiscal year28  
the charges to and costs incurred by each county for office29  
space and for providing supplies and equipment and the amounts30  
reimbursed by the department in accordance with this section.31  
The auditor of state shall analyze the information and publicly32  
issue an opinion as to whether the charges and costs incurred33  
and reimbursement amounts are reasonable, as compared to cost34  
limitations and reimbursement amounts applied by the department35

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to private providers, to federal cost guidelines, and to other1  
standards identified by the auditor of state.2

Sec. 67. Section 256I.8, subsection 3, Code 2014, is amended3  
to read as follows:4

3. An area board shall not be a provider of services to or5  
for the area board except as authorized by a waiver granted6  
by the state board. The state board shall adopt criteria7  
for granting a waiver based upon cost effectiveness, service8

quality improvement or maintenance, or other appropriate basis9  
identified by the state board.10

DIVISION XII11

ASSET VERIFICATION12

Sec. 68. MEDICAID PROGRAM — ASSET, INCOME, AND IDENTITY13

VERIFICATION. The department of human services shall contract14

with a third-party vendor to establish an electronic asset,15

income, and identity eligibility verification system for the16

purposes of determining or redetermining the eligibility of17

an individual who is an applicant for or recipient of medical18  
 assistance under the Medicaid state plan on the basis of19  
 being aged, blind, or disabled in accordance with 42 U.S.C.20  
 §1396w. The third-party vendor shall be able to demonstrate in21  
 writing its current relationships or contracts with financial22  
 institutions in the state and nationally. Participation by23  
 financial institutions in providing account balances for asset24  
 verification shall remain voluntary. The department of human25  
 services shall submit by September 1, 2014, a progress report26  
 to the individuals identified in this 2014 Act for submission27  
 of reports.28

Sec. 69. EFFECTIVE UPON ENACTMENT. This division of this29  
 Act, being deemed of immediate importance, takes effect upon30  
 enactment.31

DIVISION XIII32

INTERDEPARTMENTAL COORDINATION — INDIVIDUALS RELEASED FROM33  
 CORRECTIONAL SYSTEM34

Sec. 70. INTERDEPARTMENTAL COORDINATION — INDIVIDUALS35

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RELEASED FROM THE CORRECTIONAL SYSTEM.1

1. The department of human services, the department2  
of public health, and the department of corrections shall3  
implement an interagency collaborative effort to provide an4

integrated approach to address the medical and psychosocial5  
needs of individuals upon release from a correctional facility.6

The collaboration shall provide for all of the following:7

a. Coordination between the departments of policies and8

procedures to facilitate information sharing, during the9  
prerelease, transitional, and postrelease phases, including the10

development of protocols to share health and other personal11

information of an individual between departmental personnel12

involved in providing the individual's prerelease, transition,13

and postrelease services and support.14

b. Cross-disciplinary prerelease preparation that includes15

application for medical assistance, social security disability,16

and other supports for which the individual may be eligible;17

assessment of the holistic clinical and social needs of the18

individual including but not limited those relating to health19

and medical care, housing, education and training, employment20



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DIVISION XIV<sup>1</sup>

DEPARTMENTAL RESPONSIBILITY FOR MENTAL HEALTH ADVOCATES<sup>2</sup>

Sec. 71. NEW SECTION. **10A.901 Definitions.**<sup>3</sup>

As used in this article, unless the context otherwise<sup>4</sup>

requires:<sup>5</sup>

1. "*Administrator*" means the person coordinating the<sup>6</sup>  
administration of the division.<sup>7</sup>

2. "*Division*" means the mental health advocate division of<sup>8</sup>

the department of inspections and appeals.<sup>9</sup>

Sec. 72. NEW SECTION. **10A.902 Duties of administrator.**<sup>10</sup>

The administrator shall administer the division's conduct<sup>11</sup>

of the mental health advocate program as provided by section<sup>12</sup>

229.19 and other applicable law. The person appointed as<sup>13</sup>

administrator must meet the qualifications to be appointed as a<sup>14</sup>

mental health advocate. The administrator's duties may include<sup>15</sup>

but are not limited to all of the following:<sup>16</sup>

1. *a.* Approving the appointment of persons to serve as<sup>17</sup>

mental health advocates and identifying qualifications for<sup>18</sup>

persons serving as mental health advocates. A mental health<sup>19</sup>

advocate serving as of June 30, 2015, shall be deemed to be<sup>20</sup>

qualified. The minimum qualifications for a mental health<sup>21</sup>

advocate whose initial appointment commences on or after July<sup>22</sup>

1, 2015, shall be a bachelor's degree from an accredited<sup>23</sup>





performed by persons appointed to serve as mental health2  
advocates and for reassigning advocate responsibilities based3  
on the location of the patient's placement or other patient4

need. The court shall be notified of any reassignment. The5  
procedures for appointing a person to a vacant mental health6  
advocate position assigned to a geographic area shall require7  
the person appointed to the vacant position to reside within8

the assigned geographic area.9

4. Administering program additions and expansions,10

including providing advocate services for persons with a11

substance-related disorder and persons found not guilty12

by reason of insanity, if such additions or expansions are13

authorized and funded.14

5. Developing and implementing a case weight system for use15

in appointing and compensating advocates.16

6. Administering case reviews and audits.17

7. Implementing a uniform description of the duties18

of mental health advocates, based upon the best practices19

developed and promulgated by the judicial council pursuant to20

section 229.19, subsection 1, paragraph "c".21

Sec. 73. TRANSITION.22

1. The department of inspections and appeals shall commence23

organizational activities during the fiscal year beginning July24

1, 2014, as necessary to fully implement this division and25

assume responsibility for mental health advocates as provided26



*m.* Provide consultation and technical assistance to6  
patients' mental health advocates appointed pursuant to7  
section 229.19, in cooperation with the judicial branch and the8  
department of inspections and appeals, and to the certified9  
volunteer long-term care ombudsmen certified pursuant to10  
section 231.45.11

Sec. 75. Section 226.31, Code 2014, is amended to read as12  
follows:13

**226.31 Examination by court — notice.**14

Before granting the order authorized in section 226.3015  
the court or judge shall investigate the allegations of the16  
petition and before proceeding to a hearing on the allegations17  
shall require notice to be served on the attorney who18  
represented the patient in any prior proceedings under sections19  
229.6 to 229.15 or the and to any mental health advocate20  
appointed for the patient under section 229.19, or in the case21  
of a patient who entered the hospital voluntarily, on any22  
relative, friend, or guardian of the person in question of the23  
filing of the application. At the hearing the court or judge24  
shall appoint a guardian ad litem for the person, if the court25  
or judge deems such action necessary to protect the rights26  
of the person. The guardian ad litem shall be a practicing27  
attorney.28



229.8, subsection 3. The mental health advocate designated for  
the court may attend the hospitalization any court hearing of  
any involving the respondent for whom the advocate has received  
notice of a hospitalization hearing.

Sec. 78. Section 229.12, subsection 2, Code 2014, is amended  
to read as follows:

2. All persons not necessary for the conduct of the  
proceeding shall be excluded, except that the court may admit  
persons having a legitimate interest in the proceeding and  
shall permit the mental health advocate from the respondent's  
county of residence designated for the court by the department  
of inspections and appeals to attend the hearing. Upon motion  
of the county attorney, the judge may exclude the respondent  
from the hearing during the testimony of any particular witness  
if the judge determines that witness's testimony is likely to  
cause the respondent severe emotional trauma.

Sec. 79. Section 229.14A, subsection 1, Code 2014, is  
amended to read as follows:

1. With respect to a chief medical officer's report made  
pursuant to section 229.14, subsection 1, paragraph "b", "c",  
or "d", or any other provision of this chapter related to  
involuntary commitment for which the court issues a placement



this section the court shall furnish a copy to the patient's<sup>12</sup> attorney, or alternatively and to the mental health advocate<sup>13</sup> appointed as required by section 229.19 for the patient. The<sup>14</sup> court shall examine the report and take the action thereon<sup>15</sup> which it deems appropriate. Should the court fail to receive<sup>16</sup> any report required by this section or section 229.14 at the<sup>17</sup> time the report is due, the court shall investigate the reason<sup>18</sup> for the failure to report and take whatever action may be<sup>19</sup> necessary in the matter.<sup>20</sup>

Sec. 82. Section 229.19, Code 2014, is amended to read as<sup>21</sup> follows:<sup>22</sup>

**229.19 Advocates Mental health advocates — duties —<sup>23</sup> compensation — state and county liability.<sup>24</sup>**

1. *a.* In each county with a population of three hundred<sup>25</sup> thousand or more inhabitants the board of supervisors shall<sup>26</sup> appoint an individual who has demonstrated by prior activities<sup>27</sup> an informed concern for the welfare and rehabilitation of<sup>28</sup> persons with mental illness, and who is not an officer or<sup>29</sup> employee of the department of human services nor of any agency<sup>30</sup> or facility providing care or treatment to persons with mental<sup>31</sup> illness, to act as an advocate representing the interests of<sup>32</sup> patients involuntarily hospitalized by the court, in any matter<sup>33</sup>



relating to the patients' hospitalization or treatment under34  
section 229.14 or 229.15. In each county with a population of35

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under three hundred thousand inhabitants, the chief judge of1  
the judicial district encompassing the county shall appoint2  
the advocate. For the purposes of this section, "division"3  
means the mental health advocate division of the department of4

inspections and appeals.5

b. The court or, if the advocate is appointed by the county6  
board of supervisors, the board shall assign the advocate7  
appointed from a patient's county of residence to represent8

the interests of the patient. If a patient has no county of9  
residence or the patient is a state case, the court or, if the10

advocate is appointed by the county board of supervisors, the11

board shall assign the advocate appointed from the county where12

the hospital or facility is located to represent the interests13

of the patient.14

c. The advocate's responsibility with respect to any patient<sup>15</sup> shall begin at whatever time the attorney employed or appointed<sup>16</sup> to represent that patient as respondent in hospitalization<sup>17</sup> proceedings, conducted under sections 229.6 to 229.13, reports<sup>18</sup> to the court that the attorney's services are no longer<sup>19</sup> required and requests the court's approval to withdraw as<sup>20</sup> counsel for that patient. However, if<sup>21</sup>

b. If the patient is found to be seriously mentally impaired<sup>22</sup> at the hospitalization hearing, the attorney representing the<sup>23</sup> patient shall automatically be relieved of responsibility in<sup>24</sup> the case and an a mental health advocate shall be assigned to<sup>25</sup> appointed for the patient at the conclusion of the hearing<sup>26</sup> unless the attorney indicates an intent to continue the<sup>27</sup> attorney's services and. The court shall notify the division<sup>28</sup> of the court's finding and the division shall appoint an<sup>29</sup> advocate for the patient. The advocate's responsibility with<sup>30</sup> respect to a patient shall begin when the advocate is appointed<sup>31</sup> for the patient. The attorney representing the patient shall<sup>32</sup> automatically be relieved of responsibility at the conclusion<sup>33</sup> of the hearing unless the attorney requests to continue<sup>34</sup> representation and the court so directs authorizes the attorney<sup>35</sup>



patient and to originate communications with the patient within18  
five days of the patient's commitment.19

(4) To visit the patient within fifteen days of the20  
patient's commitment and periodically thereafter.21

(5) To communicate with medical personnel treating the22  
patient and to review the patient's medical records pursuant23  
to section 229.25.24

(6) To file with the court and the division quarterly25  
reports, and additional reports as the advocate feels necessary26  
or as required by the court division, in a form prescribed by27  
the court division. The reports shall state what actions the28  
advocate has taken with respect to each patient and the amount29  
of time spent.30

(7) To utilize the related best practices for the duties31  
identified in this paragraph "d" "c" developed and promulgated32  
by the judicial council.33

*e. d.* An Subject to the availability of funding34  
appropriated for this purpose, a mental health advocate may35

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also be appointed pursuant to this section for an individual1  
 who has been diagnosed with a co-occurring mental illness and2  
 substance-related disorder.3

2. The hospital or facility to which a patient is committed4

shall grant all reasonable requests of the patient’s mental5  
 health advocate to visit the patient, to communicate with6  
 medical personnel treating the patient, and to review the7  
 patient’s medical records pursuant to section 229.25. An8

advocate shall not disseminate information from a patient’s9  
 medical records to any other person unless done for official10

purposes in connection with the advocate’s duties pursuant to11

this chapter or when required by law.12

3. The court or, if the advocate is appointed by the county13

board of supervisors, the board division shall prescribe14

provide reasonable compensation for the services of the15

advocate in accordance with section 10A.902. The compensation16

shall be based upon the reports filed by the advocate with17

the court. The advocate’s compensation shall be paid by the18

county in which the court is located, either on order of the19

court or, if the advocate is appointed by the county board of20

supervisors, on the direction of the board. If the advocate<sup>21</sup>  
 is appointed by the court, the advocate is an employee of<sup>22</sup>  
 the state for purposes of chapter 669. If the advocate is<sup>23</sup>  
 appointed by the county board of supervisors, the advocate is<sup>24</sup>  
 an employee of the county for purposes of chapter 670. If the<sup>25</sup>  
 patient or the person who is legally liable for the patient's<sup>26</sup>  
 support is not indigent, the board division shall recover<sup>27</sup>  
 the costs of compensating the advocate from that person. If<sup>28</sup>  
 that person has an income level as determined pursuant to<sup>29</sup>  
 section 815.9 greater than one hundred percent but not more<sup>30</sup>  
 than one hundred fifty percent of the poverty guidelines,<sup>31</sup>  
 at least one hundred dollars of the advocate's compensation<sup>32</sup>  
 shall be recovered in the manner prescribed by the county<sup>33</sup>  
 board of supervisors. If that person has an income level as<sup>34</sup>  
 determined pursuant to section 815.9 greater than one hundred<sup>35</sup>

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fifty percent of the poverty guidelines, at least two hundred1  
dollars of the advocate's compensation shall be recovered in2  
substantially the same manner prescribed by the county board of3  
supervisors as provided in section 815.9.4

Sec. 83. Section 229.25, subsection 1, paragraph a,5  
subparagraph (1), Code 2014, is amended to read as follows:6  
(1) The information is requested by a licensed physician,7  
attorney, or the mental health advocate who provides appointed8  
for the person. The requester must provide the chief medical9  
officer with a written waiver signed by the person about whom10  
the information is sought.11

Sec. 84. APPOINTMENT OF MENTAL HEALTH ADVOCATES. The12  
persons appointed to provide mental health advocate services13  
under section 229.19 immediately prior to July 1, 2015, shall14  
be appointed as mental health advocates pursuant to section15  
10A.902, effective July 1, 2015.16

Sec. 85. EFFECTIVE DATE. This division of this Act takes17  
effect July 1, 2015.18

DIVISION XVI19

PRIOR AUTHORIZATION20

Sec. 86. NEW SECTION. **505.26 Prior authorization for21  
prescription drug benefits — standard process and form.22**

1. As used in this section:23





certified to perform specified health care services consistent  
with state law.<sup>3</sup>

*d. "Health care provider"* means a health care professional  
or a facility.<sup>5</sup>

*e. "Health care services"* means services for the diagnosis,<sup>6</sup>  
prevention, treatment, cure, or relief of a health condition,<sup>7</sup>  
illness, injury, or disease.<sup>8</sup>

*f. "Health carrier"* means an entity subject to the insurance<sup>9</sup>  
laws of this state, or subject to the jurisdiction of the<sup>10</sup>  
commissioner, including an insurance company offering sickness<sup>11</sup>  
and accident plans, a health maintenance organization, a<sup>12</sup>  
nonprofit health service corporation, a plan established<sup>13</sup>  
pursuant to chapter 509A for public employees, or any other<sup>14</sup>  
entity providing a plan of health insurance, health care<sup>15</sup>  
benefits, or health care services. *"Health carrier"* includes,<sup>16</sup>  
for purposes of this section, an organized delivery system.<sup>17</sup>

*g. "Pharmacy benefits manager"* means the same as defined in<sup>18</sup>  
section 510B.1.<sup>19</sup>

2. The commissioner shall develop, by rule, a standard prior<sup>20</sup>  
authorization process and form for use by health carriers and<sup>21</sup>  
pharmacy benefits managers that require prior authorization for<sup>22</sup>  
prescription drug benefits pursuant to a health benefit plan,<sup>23</sup>  
by January 1, 2015.<sup>24</sup>

3. Prior to development of the standard prior authorization<sup>25</sup>  
process and form, the commissioner shall hold at least one<sup>26</sup>

public hearing to gather input in developing the standard27  
process and form from interested parties.28

4. The standard prior authorization process shall meet all29  
of the following requirements:30

*a.* Health carriers and pharmacy benefits managers shall31  
allow health care providers to submit a prior authorization32  
request electronically.33

*b.* Health carriers and pharmacy benefits managers shall34  
provide that approval of a prior authorization request shall be35

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valid for a minimum of one hundred eighty days.1

*c.* Health carriers and pharmacy benefits managers shall2  
ensure that the prior authorization process allows a health3  
carrier or pharmacy benefits manager to substitute a generic4

drug for a previously approved brand-name drug with the health5

care provider's approval and the patient's consent.6

*d.* Health carriers and pharmacy benefits managers shall make7  
the following available and accessible on their internet sites:8

(1) Prior authorization requirements and restrictions,9  
including a list of drugs that require prior authorization.10

(2) Clinical criteria that are easily understandable11

to health care providers, including clinical criteria for12

reauthorization of a previously approved drug after the prior13

authorization period has expired.14

(3) Standards for submitting and considering requests,15

including evidence-based guidelines, when possible, for making16

prior authorization determinations.17

*e.* Health carriers and pharmacy benefits managers shall18

provide a process for health care providers to appeal a prior19

authorization determination.20

5. In adopting an electronic prior authorization standard,21

the commissioner shall consider national standards pertaining22

to electronic prior authorization, such as those developed by23

the national council for prescription drug programs.24

6. The standard prior authorization form shall meet all of25

the following requirements:26

*a.* Not exceed two pages in length.27

*b.* Be available in an electronic format.28



request the additional information within the seventy-two-hour<sup>9</sup>  
period and once the additional information is provided the<sup>10</sup>

provisions of paragraph "a" shall again apply.<sup>11</sup>

## EXPLANATION<sup>12</sup>

**The inclusion of this explanation does not constitute agreement with<sup>13</sup>**

**the explanation's substance by the members of the general assembly.<sup>14</sup>**

This bill relates to appropriations for health and human<sup>15</sup>  
services made in 2013 Iowa Acts, chapter 138 (SF 446) for<sup>16</sup>  
fiscal year 2014-2015 to the department of veterans affairs,<sup>17</sup>  
the Iowa veterans home, the department on aging, the office<sup>18</sup>  
of long-term care ombudsman, the department of public health,<sup>19</sup>  
Iowa finance authority, state board of regents, department of<sup>20</sup>  
inspections and appeals, department of human rights, and the<sup>21</sup>  
department of human services (DHS). With some exceptions the<sup>22</sup>  
enacted amounts appropriated for FY 2014-2015 are approximately<sup>23</sup>  
50 percent of the amounts appropriated for the same purposes<sup>24</sup>  
for the prior fiscal year along with some other changes. The<sup>25</sup>  
bill revises the appropriation amounts.<sup>26</sup>

The bill is organized into divisions.<sup>27</sup>

DEPARTMENT ON AGING — FY 2014-2015. This division amends<sup>28</sup>

appropriations from the general fund of the state for the<sup>29</sup>

department on aging for FY 2014-2015.<sup>30</sup>

OFFICE OF LONG-TERM CARE OMBUDSMAN — FY 2014-2015. This<sup>31</sup>



amends certain health-related appropriations for FY 2014-2015.<sup>13</sup>  
A number of the appropriations are made for purposes of the<sup>14</sup>  
medical assistance (Medicaid) program in addition to the<sup>15</sup>  
general fund appropriations made for this purpose for the same<sup>16</sup>  
fiscal year. The division provides that if the total amounts<sup>17</sup>  
appropriated from all sources for the medicaid program for<sup>18</sup>  
FY 2014-2015 exceed the amount needed, the excess remains<sup>19</sup>  
available to be used for the program in the succeeding fiscal<sup>20</sup>  
year.<sup>21</sup>

PERSONNEL SETTLEMENT AGREEMENTS. This division provides<sup>22</sup>  
that as a condition of the appropriations in the bill, the<sup>23</sup>  
moneys appropriated and any other moneys available cannot be<sup>24</sup>  
used for payment of a personnel settlement agreement that<sup>25</sup>  
contains a confidentiality provision intended to prevent public<sup>26</sup>  
disclosure of the agreement or any terms of the agreement.<sup>27</sup>

PRIOR YEAR APPROPRIATIONS. This division amends provisions<sup>28</sup>  
from prior year appropriations.<sup>29</sup>

The division amends a provision appropriating funds to<sup>30</sup>  
the medical residency training account to provide that<sup>31</sup>  
notwithstanding any provision to the contrary under the<sup>32</sup>  
account, priority in awarding of grants shall be given to the<sup>33</sup>  
development of new medical residency positions, psychiatric<sup>34</sup>





MENTAL HEALTH AND DISABILITY SERVICES. This division<sup>16</sup>  
relates to mental health and disabilities services (MH/DS)<sup>17</sup>  
administered by county regions, makes appropriations, and<sup>18</sup>  
extends county levy equalization provisions for the services.<sup>19</sup>  
A new general fund transfer is made to the property tax<sup>20</sup>  
relief fund and then appropriated for FY 2014-2015 for<sup>21</sup>  
distribution to counties and regions to equalize the funding in<sup>22</sup>  
order for the combined amount of property tax and equalization<sup>23</sup>  
funding available for MH/DS to amount to \$47.28 per capita. In<sup>24</sup>  
addition, an appropriation is made for distribution of state<sup>25</sup>  
case funding to counties.<sup>26</sup>

The department of human services and the division of<sup>27</sup>  
vocational rehabilitation services of the department of<sup>28</sup>  
education are required to jointly develop protocols and program<sup>29</sup>  
models to integrate the employment-related services and other<sup>30</sup>  
supports provided to persons with disabilities through federal<sup>31</sup>  
match funding administered by the department and the division.<sup>32</sup>

The department and the division are required to report to the<sup>33</sup>  
joint appropriations subcommittees on health and human services<sup>34</sup>  
and on education on the expenditure of such funding in the<sup>35</sup>

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the population shown by the latest preceding certified federal19  
 census or the latest applicable population estimate issued by20  
 the United States census bureau, whichever is most recent. The21  
 bill provides that the date utilized is July 1 of the fiscal22  
 year preceding the fiscal year in which the population figure23  
 is applied.24

Code section 331.391, relating to MH/DS regional financing,25  
 is amended to require that if a region is meeting the financial26  
 obligations for implementation of its regional service system27  
 management plan for a fiscal year and residual funding is28  
 anticipated, the regional administrator is to reserve an29  
 adequate amount for cash flow of expenditure obligations in the30  
 next fiscal year. The amount reserved for cash flow is limited31  
 to 25 percent of the previous fiscal year's gross expenditures.32  
 Residual funding remaining after the cash flow amount is33  
 reserved is to be used to expand the region's core services and34  
 then to make additional core service domains available in the35

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region.<sup>1</sup>

Code section 331.397, relating to regional core services<sup>2</sup> for the adult mental health and disability services system,<sup>3</sup> is amended. Code section 331.397 lists core service domains<sup>4</sup>

that the mental health and disability service regions are<sup>5</sup> required to make available to adults with mental illness or<sup>6</sup> an intellectual disability. Under each of the domains is a<sup>7</sup> list of services included in the domain. The bill requires<sup>8</sup>

the service domain relating to support for employment to<sup>9</sup> also authorize support for activities leading to employment<sup>10</sup>

providing an appropriate match with an individual's abilities.<sup>11</sup>

Code section 331.424, relating to the county levy for MH/DS,<sup>12</sup>

and Code section 331.391, relating to regional finances, are<sup>13</sup>

amended to provide that a county and the regions must reserve<sup>14</sup>

an adequate amount for cash flow purposes in the next fiscal<sup>15</sup>

year. Residual funding remaining after the cash flow amount<sup>16</sup>

is reserved is to be used to expand core services and then to<sup>17</sup>

make additional core services available. The maximum cash<sup>18</sup>

flow reserve is limited to 25 percent of the gross expenditure<sup>19</sup>

budgeted for the fiscal year.<sup>20</sup>

Code section 426B.3, relating to per capita funding for<sup>21</sup>



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expenditures by counties during the period of July 1, 2013,1  
through December 31, 2013.2

The appropriation of federal social services block grant3  
funding for FY 2014-2015 in 2013 Iowa Acts, chapter 136 (HF4

614), to the property tax relief fund is amended to make an5  
allocation to DHS for state case services similar to the6  
allocation made for this purpose for the prior fiscal year.7  
FAMILY SUPPLEMENTATION. This division amends Code section8

249A.4, relating to supplementation by the resident or family9  
of a resident who is covered by the Medicaid program of the10

costs of nursing care by reducing the occupancy rate of the11

nursing facility from 80 percent to 50 percent in order for12

supplementation to be applicable.13

MISCELLANEOUS. This division includes miscellaneous14

provisions.15

Code section 217.32, relating to office space provided by16

counties for department of human services personnel assigned17

to provide local services, is amended. The department is18

required to report annually to the auditor of state detailing19

the costs incurred by each county for office space and for20

providing supplies and equipment and the amounts reimbursed by21

the department in the preceding fiscal year. The auditor of22

state is required to publicly issue an opinion as to whether23

the charges and costs incurred and departmental reimbursements24

are reasonable.25

Code section 256I.8, relating to the duties of early26

childhood Iowa area boards, is amended to authorize the early27

childhood Iowa state board to waive a prohibition against an28

area board acting as a provider of services to or for the29

area board. The state board is required to adopt criteria30

for granting a waiver based upon cost effectiveness, service31

quality improvement or maintenance, or other appropriate basis32

identified by the state board.33

ASSET VERIFICATION. This division directs the department34

of human services to contract with a third-party vendor to35

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establish an electronic asset, income, and identity eligibility1  
verification system for applicants for and recipients of2

Medicaid who are eligible based upon being aged, blind,3  
or disabled. The third-party vendor must demonstrate in4

writing its current relationships or contracts with financial5  
institutions in the state and nationally. Participation6  
by financial institutions in providing account balances is7  
voluntary. DHS is to submit a progress report to certain8

legislators by September 1, 2014. The division takes effect9  
upon enactment.10

#### INTERDEPARTMENTAL COORDINATION FOR INDIVIDUALS RELEASED11

FROM THE CORRECTIONAL SYSTEM. This division directs the12  
departments of human services, public health, and corrections13  
to implement an interagency collaborative effort to provide an14  
integrated approach to address the medical and psychosocial15  
needs of individuals upon release from a correctional facility.16

The departments are directed to submit by December 15, 2014,17

a report to certain legislators describing the details of18

the approach developed and implemented, any barriers to the19

development and implementation, any recommendations for changes20

in statute or rules to facilitate the approach, and any other21

recommendations.22

#### DEPARTMENTAL RESPONSIBILITY FOR MENTAL HEALTH ADVOCATES.23

This division establishes an office of mental health advocate24

in the department of inspections and appeals and specifies25

duties for the administrator of the office. The department is26



required to contract with the state board of regents to employ<sup>27</sup>  
the persons appointed to serve as mental health advocates.<sup>28</sup>  
A transition provision directs the department to commence<sup>29</sup>  
organizational activities during FY 2014-2015 as necessary<sup>30</sup>  
to fully implement the new departmental office and all of<sup>31</sup>  
the bill's related substantive provisions on July 1, 2015.<sup>32</sup>  
The department is granted emergency rulemaking authority if<sup>33</sup>  
necessary to achieve the implementation date.<sup>34</sup>  
This division takes effect July 1, 2014.<sup>35</sup>

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IMPLEMENTATION — MENTAL HEALTH ADVOCATES. This division<sup>1</sup>  
provides for implementation of the change in administration<sup>2</sup>  
of the mental health advocates on July 1, 2015, including<sup>3</sup>  
conforming changes to various Code sections.<sup>4</sup>

Code section 225C.4, relating to the duties of the<sup>5</sup>

administrator of the mental health and disability services6  
division of the department of human services, is amended7  
to correct a reference to mental health advocates and to8

include the department of human rights in a duty for providing9  
consultation and technical assistance to advocates.10

Code section 226.31, relating to an application for a court11  
order for transfer of a dangerous patient from a state mental12  
health institute, is amended to correct a reference to the13  
advocate to be included in a notice of a hearing.14

Code section 229.2, relating to admissions of juvenile15  
mental health patients, is amended to correct a reference to16  
the appointment of a mental health advocate for juveniles17  
involuntarily committed.18

Code section 229.9A, relating to requirements for the clerk19  
of court to notify a mental health advocate of application and20  
order information, is amended to correct a reference to the21  
advocate and to authorize the advocate to attend any court22  
hearing involving the respondent.23

Code section 229.12, relating to the procedure for24  
hospitalization hearings, is amended to correct a reference to25  
the advocate.26

Code section 229.14A, relating to notice requirements for27  
involuntary commitment placement orders and transfers, is28



mentally impaired is revised to require the attorney to<sup>9</sup>  
cooperate with the patient's advocate instead of assuming the<sup>10</sup>  
duties of an advocate. Responsibility for compensation of<sup>11</sup>  
the mental health advocate is shifted to the division and the<sup>12</sup>  
division is required to recover the costs of the mental health<sup>13</sup>  
advocate if the person is not indigent.<sup>14</sup>

Code section 229.25, relating to exceptions for release of<sup>15</sup>  
medical records maintained by a hospital or other treatment<sup>16</sup>  
facility, is amended to correct a reference to the advocate<sup>17</sup>  
regarding the release of the records to the advocate when the<sup>18</sup>  
patient has signed a waiver.<sup>19</sup>

The bill includes a provision providing for the appointment<sup>20</sup>  
on July 1, 2015, of the persons serving as mental health<sup>21</sup>  
advocates immediately prior to that date.<sup>22</sup>

This division takes effect July 1, 2015.<sup>23</sup>

**PRIOR AUTHORIZATION.** This division, in new Code section<sup>24</sup>  
505.26, requires the development and use of a standard process<sup>25</sup>  
and form to obtain prior authorization for prescription drug<sup>26</sup>  
benefits under a health benefit plan. The division provides<sup>27</sup>  
definitions and requires the commissioner of insurance to<sup>28</sup>  
develop, by rule, a standard process and form by January 1,<sup>29</sup>  
2015. Before developing the process and form, the commissioner<sup>30</sup>



KEARNS

A Resolution honoring the Iowa State University men's1  
basketball team.2

WHEREAS, the Ides of March take on new meaning3  
since the Iowa State University men's basketball team,4

the Cyclones, have won their second Big 12 Conference5  
Tournament Championship; and6

WHEREAS, the 16th-ranked Cyclones won this year's7  
championship with wins over Kansas State University and8

the University of Kansas, and finally with a 74-65 win9  
over Baylor University; and10

WHEREAS, in the championship game the Cyclones11  
demonstrated determination and tenacity, winning a12  
come-from-behind victory in the last seven minutes of13  
the game; and14

WHEREAS, teammates DeAndre Kane, Georges Niang,15  
Naz Long, Dustin Hogue, and Big 12 player of the year16  
Melvin Ejim all scored in double digits to clinch the17  
win; and18

WHEREAS, fourth-year Head Coach Fred Hoiberg19  
dedicated the win to Johnny Orr, the iconic former20

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coach who passed away in 2013; and1  
 WHEREAS, the Cyclones ended the season in high2  
 style, with a third-straight NCAA tournament appearance3  
 capped by a Sweet 16 appearance, just the fourth4

in Iowa State history and the first since 2000; NOW5  
 THEREFORE,6

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That7  
 the House of Representatives congratulates Head Coach8

Fred Hoiberg, other members of the Cyclones coaching9  
 staff, and the members of the 2013-2014 Iowa State10

University men’s basketball team for a brilliant season11

that culminated in the Big 12 Conference Tournament12

Championship.13

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a. "Adoption" means the permanent placement in this4  
state of a child by the department of human services, by a5  
licensed agency under chapter 238, by an agency that meets the6  
provisions of the interstate compact in section 232.158, or7  
by a person making an independent placement according to the8  
provisions of chapter 600.9

b. "Child" means an individual who is under the age of10  
eighteen years.11

c. "Qualified adoption expenses" means unreimbursed expenses12  
paid or incurred in connection with the adoption of a child,13  
including medical and hospital expenses of the biological14  
mother which are incident to the child's birth, welfare agency15  
fees, legal fees, and all other fees and costs which relate to16  
the adoption of a child. "Qualified adoption expenses" does17  
not include expenses paid or incurred in violation of state or18  
federal law.19

2. The taxes imposed under this division, less the credits20  
allowed under section 422.12, shall be reduced by an adoption21  
tax credit equal to the amount of qualified adoption expenses22  
paid or incurred by the taxpayer during the tax year in23  
connection with the adoption of a child by the taxpayer, not to24  
exceed two thousand five hundred dollars per adoption.25

3. Any credit in excess of the tax liability is refundable.26  
In lieu of claiming a refund, the taxpayer may elect to have27



the child is placed by a child-placing agency licensed under8  
chapter 238 or by a person making an independent placement9  
according to the provisions of chapter 600. If the taxpayer10  
claims an adoption tax credit under section 422.12A, the11  
taxpayer shall recompute for purposes of this subsection the12  
amount of the deduction by excluding the amount of qualified13  
adoption expenses, as defined in section 422.12A, used in14  
computing the adoption tax credit.15

Sec. 3. RETROACTIVE APPLICABILITY. This Act applies16  
retroactively to January 1, 2014, for tax years beginning on17  
or after that date.18

#### EXPLANATION19

**The inclusion of this explanation does not constitute agreement with20  
the explanation's substance by the members of the general assembly.21**

This bill provides an individual income tax credit equal to22  
the amount of qualified adoption expenses paid or incurred by a23  
taxpayer during the tax year in connection with the adoption of24  
a child, which is defined in the bill as an individual who is25  
under the age of 18 years. The tax credit cannot exceed \$2,50026  
per adoption.27

The adoption of a child qualifies for the tax credit if the28  
adoption is completed by the department of human services,29  
a child-placing agency licensed under Code chapter 238, an30