

Senate File 2311

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50 AN ACT
70 RELATING TO APPROPRIATIONS FOR ECONOMIC DEVELOPMENT PURPOSES,
80 WORKFORCE DEVELOPMENT FIELD OFFICES, WORKFORCE TRAINING
90 AND ECONOMIC DEVELOPMENT FUNDS OF COMMUNITY COLLEGES, AND
100 INCLUDING EFFECTIVE DATE AND RETROACTIVE APPLICABILITY
110 PROVISIONS.

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

160 DIVISION I
170 APPROPRIATION RELATED

190 Section 1. CONTRACT OR APPROVED PROJECT OR ACTIVITY
200 VALIDATION. Any contract or approved project or activity
210 originally funded or intended to be funded in whole or in part
220 with moneys from the grow Iowa values fund, and entered into
230 or approved by the department of economic development or the
240 grow Iowa values board after June 30, 2003, and before June
250 16, 2004, in reliance on the publication of law implementing
260 the grow Iowa values fund in the 2003 Code Supplement and 2003
270 Iowa Acts, is valid and enforceable to the full extent of the
280 law. The Iowa supreme court decision in Rants and Iverson v.
290 Vilsack, No. 60/03=1948, June 16, 2004, and the provisions of
300 this Act shall not in themselves constitute grounds for
310 rescision or modification of such contracts or approved
320 projects or activities. This Act provides appropriations to
330 fund these contracts or approved projects or activities.

340 Sec. 2. ECONOMIC DEVELOPMENT APPROPRIATIONS.

350 1. There is appropriated from the fund created in
360 subsection 2, to the following designated entities and funds
370 for the fiscal year beginning July 1, 2004, and ending June
380 30, 2005, the following amounts, or so much thereof as is
390 necessary, to be used for the purposes designated:

400 a. (1) To the department of economic development for
410 marketing strategies for the state:
430 \$ 6,782,949

450 (2) Of the amount appropriated in subparagraph (1),
460 \$6,771,417 shall be expended pursuant to contracts or approved
470 projects or activities validated in this division of this Act.

480 b. (1) To the department of economic development for
490 financial assistance and incentives to businesses under
500 programs currently existing which are administered by the
510 department:
530 \$ 61,045,652

550 (2) Of the amount appropriated in subparagraph (1),
560 \$36,915,343 shall be expended pursuant to contracts or
570 approved projects or activities validated in this division of
580 this Act.

590 (3) In addition to the amount appropriated in subparagraph
600 (1), \$700,000 of any interest or earnings on moneys in the
610 fund created in subsection 2 which are credited to the fund
620 shall be appropriated to the department for the purposes
630 specified in subparagraph (1).

640 c. To the department of economic development for providing
650 financial assistance for projects in targeted state parks and
660 destination parks pursuant to contracts or approved projects
670 or activities validated in this division of this Act:
690 \$ 475,806

710 d. (1) For deposit in the loan and credit guarantee fund
720 created in section 15E.227:
740 \$ 5,728,402

760 (2) Of the amount appropriated in subparagraph (1), \$1,785
770 shall be expended pursuant to contracts or approved projects
780 or activities validated in this division of this Act.

790 e. To the department of economic development for financial
800 assistance for institutions of higher learning under the
810 control of the board of regents and for accredited private
820 institutions pursuant to contracts or approved projects or
830 activities validated in this division of this Act:
850 \$ 10,058,162

870 f. (1) To the department of economic development for
880 deposit into the workforce training and economic development
890 funds of the community colleges pursuant to section 260C.18A:
910 \$ 3,848,668

930 (2) Of the amount appropriated in subparagraph (1),
940 \$742,608 shall be expended pursuant to contracts or approved
950 projects or activities validated in this division of this Act.
960 g. To the department of economic development for deposit
970 into the workforce training and economic development funds of
980 the community colleges created in section 260C.18A for
990 purposes of the job retention program pursuant to section
1000 260F.9:
1020 \$ 1,000,000
1040 h. To the department of economic development for endow
1050 Iowa grants to lead philanthropic entities pursuant to section
1060 15E.304:
1080 \$ 155,303
1100 i. To the department of economic development for deposit
1110 into the general fund of the state for lost revenue due to
1120 endow Iowa tax credits granted pursuant to section 15E.305:
1140 \$ 155,303
1160 j. For deposit into the cash reserve fund to replace
1170 claims paid from the general fund of the state by the state
1180 appeal board as affirmed in section 3 of this division of this
1190 Act:
1210 \$ 10,749,754
1230 2. A federal economic stimulus and jobs holding fund is
1240 created in the state treasury under the control of the
1250 department of management consisting of moneys received from
1260 the federal government for state and local government fiscal
1270 relief under the federal Jobs and Growth Tax Relief
1280 Reconciliation Act of 2003. Notwithstanding section 12C.7,
1290 interest or earnings on moneys in the fund shall be credited
1300 to the fund. Moneys appropriated from the fund in this
1310 section shall be expended as provided in the federal law
1320 making the moneys available and in conformance with chapter
1330 17A.
1340 3. Notwithstanding section 8.33, moneys that remain
1350 unexpended at the end of a fiscal year shall not revert to any
1360 fund but shall remain available for expenditure for the
1370 designated purposes during the succeeding fiscal year.
1380 Sec. 3. PAYMENT OF CLAIMS. The general assembly affirms
1390 the action by the state appeal board on August 27, 2004,
1400 approving payment of claims against the state for moneys
1410 appropriated from the grow Iowa values fund and obligated
1420 prior to the Iowa supreme court decision of Rants and Iverson
1430 v. Vilsack, No. 60/03=1948, June 16, 2004, that invalidated
1440 the proper enactment of the appropriations.
1450 Sec. 4. REPEAL. 2003 Iowa Acts, First Extraordinary
1460 Session, chapter 2, sections 65 through 75, are repealed.
1470 Sec. 5. EFFECTIVE AND RETROACTIVE APPLICABILITY DATES.
1480 This division of this Act, being deemed of immediate
1490 importance, takes effect upon enactment and applies
1500 retroactively to July 1, 2003.
1520 DIVISION II
1530 WORKFORCE DEVELOPMENT FIELD OFFICES
1540 APPROPRIATIONS
1560 Sec. 6. NEW SECTION. 96.7A APPROPRIATIONS FOR WORKFORCE
1570 DEVELOPMENT FIELD OFFICES.
1580 There is appropriated from the general fund of the state to
1590 the department of workforce development for the fiscal period
1600 beginning July 1, 2004, and ending June 30, 2007, the
1610 following amounts, or so much thereof as is necessary, to be
1620 used for the purposes designated:
1630 For workforce development field offices, including
1640 salaries, support, maintenance, conducting labor market
1650 surveys, and miscellaneous purposes:
1670 1. FY 2004=2005..... \$ 6,525,000
1680 2. FY 2005=2006..... \$ 6,525,000
1690 3. FY 2006=2007..... \$ 3,262,500
1700 Notwithstanding section 8.33, moneys that remain unexpended at
1710 the end of the fiscal year shall not revert but shall remain
1720 available for expenditure for the designated purposes during the
1730 succeeding fiscal year.
1750 Sec. 7. EFFECTIVE DATE. This division of this Act, being
1760 deemed of immediate importance, takes effect upon enactment.
1780 DIVISION III
1790 WORKFORCE TRAINING AND ECONOMIC DEVELOPMENT FUNDS
1810 Sec. 8. Section 260C.18A, subsection 2, unnumbered
1820 paragraph 1, Code Supplement 2003, as amended by 2004 Iowa
1830 Acts, Senate File 2298, section 370, is amended to read as
1840 follows:
1850 ~~On July 1 of each year for the fiscal year beginning July~~
~~1860 1, 2003, and for every fiscal year thereafter, moneys from the~~
~~1870 grow Iowa values fund created in section 15G.108 are~~

~~1880 appropriated to the department of economic development for~~
~~1890 deposit in the workforce training and economic development~~
~~1900 funds in amounts determined pursuant to subsection 4. Moneys~~
1910 deposited in the funds and disbursed to community colleges for
1920 a fiscal year shall be expended for the following purposes,
1930 provided seventy percent of the moneys shall be used on
1940 projects in the areas of advanced manufacturing, information
1950 technology and insurance, and life sciences which include the
1960 areas of biotechnology, health care technology, and nursing
1970 care technology:

1980 Sec. 9. Section 260C.18A, subsections 3, 4, and 7, Code
1990 Supplement 2003, as amended by 2004 Iowa Acts, Senate File
2000 2298, section 330, are amended by striking the subsections.

2010 Sec. 10. Section 260C.18A, subsection 6, paragraph d, Code
2020 Supplement 2003, is amended to read as follows:

2030 d. Annually submit the two-year plan and progress report
2040 to the department of economic development in a manner
2050 prescribed by rules adopted by the department pursuant to
2060 chapter 17A and annually file a copy of the plan and progress
~~2070 report with the grow Iowa values board. For the fiscal year~~
~~2080 beginning July 1, 2004, and each fiscal year thereafter, a~~
~~2090 community college shall not have moneys deposited in the~~
~~2100 workforce training and economic development fund of that~~
~~2110 community college unless the grow Iowa values board approves~~
~~2120 the annual progress report of the community college.~~

2130 Sec. 11. Section 260C.18A, subsection 8, as enacted by
2140 2004 Iowa Acts, Senate File 2298, section 331, is amended by
2150 striking the subsection.

2160 Sec. 12. Section 260C.18A, Code Supplement 2003, is
2170 amended by adding the following new subsection:

2180 NEW SUBSECTION. 9. This section is repealed effective
2190 June 30, 2010.

2200 Sec. 13. EFFECTIVE AND RETROACTIVE APPLICABILITY DATES.
2210 This division of this Act, being deemed of immediate
2220 importance, takes effect upon enactment and applies
2230 retroactively to June 30, 2004.

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2290 JEFFREY M. LAMBERTI
2300 President of the Senate

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2320 _____
2330 CHRISTOPHER C. RANTS
2340 Speaker of the House
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2360 I hereby certify that this bill originated in the Senate and
2370 is known as Senate File 2311, Eightieth General Assembly.

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2400 _____
2410 MICHAEL E. MARSHALL
2420 Secretary of the Senate

2430 Approved _____, 2004

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2470 THOMAS J. VILSACK
2480 Governor