

House File 875 - Enrolled

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HOUSE FILE 875

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AN ACT
RELATING TO AND MAKING APPROPRIATIONS TO STATE DEPARTMENTS
AND AGENCIES FROM THE REBUILD IOWA INFRASTRUCTURE FUND,
ENVIRONMENT FIRST FUND, TOBACCO SETTLEMENT TRUST FUND,
VERTICAL INFRASTRUCTURE FUND, GENERAL FUND OF THE STATE, AND
RELATED MATTERS, AND CREATING THE HONEY CREEK PREMIER DESTI=
NATION PARK BOND PROGRAM AND AUTHORITY AND PROVIDING FOR
THE ISSUANCE OF TAX-EXEMPT BONDS, AND INCLUDING EFFECTIVE AND
RETROACTIVE APPLICABILITY DATE PROVISIONS.

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

DIVISION I
STATE GENERAL FUND

Section 1. There is appropriated from the general fund of
the state to the following departments and agencies for the
fiscal year beginning July 1, 2005, and ending June 30, 2006,
the following amounts, or so much thereof as is necessary, to
be used for the purposes designated:

- 1. DEPARTMENT OF EDUCATION
To the vocational rehabilitation division to replace lost
indirect costs:
..... \$ 101,164
- 2. DEPARTMENT OF PUBLIC SAFETY
For capitol building and judicial building security:
..... \$ 800,000

DIVISION II

STORMWATER DISCHARGE PERMIT FEES

Sec. 2. STORMWATER DISCHARGE PERMIT FEES APPROPRIATION ==
AIR QUALITY MONITORING. Notwithstanding any contrary
provision of state law, there is appropriated from stormwater
discharge permit fees as authorized to be collected pursuant
to section 455B.103A to the department of natural resources
for the fiscal year beginning July 1, 2005, and ending June
30, 2006, the following amount, or so much thereof as is
necessary, to be used for the purposes designated:

- For full-time personnel to conduct air quality monitoring,
which may include but is not limited to staffing required to
perform field monitoring and laboratory functions, including
salaries, support, maintenance, and miscellaneous purposes:
..... \$ 275,000

DIVISION III

REBUILD IOWA INFRASTRUCTURE FUND

Sec. 3. There is appropriated from the rebuild Iowa
infrastructure fund to the following departments and agencies
for the fiscal year beginning July 1, 2005, and ending June
30, 2006, the following amounts, or so much thereof as is
necessary, to be used for the purposes designated:

- 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
 - a. For technology improvement projects, notwithstanding
section 8.57, subsection 6, paragraph "c":
..... \$ 3,802,000
Of the amount appropriated in this lettered paragraph,
\$2,700,000 is allocated for continued implementation and
operation of the integrated information for Iowa system;
\$792,000 is allocated for continued development and
implementation of the electronic tax administration project;
and \$310,000 is allocated for maintenance and costs associated
with upgrading the enterprise data warehouse.
 - b. For relocation and project costs directly associated
with remodeling projects on the capitol complex and for
facility lease payments, notwithstanding section 8.57,
subsection 6, paragraph "c":
..... \$ 1,824,000
 - c. For routine maintenance of state buildings and
facilities, notwithstanding section 8.57, subsection 6,
paragraph "c":
..... \$ 2,000,000
 - d. For major renovation and major repair needs, including
health, life, and fire safety needs, and for compliance with
the federal Americans With Disabilities Act, for state
buildings and facilities under the purview of the department:
..... \$ 291,891

3 6 e. For upgrades to the electrical distribution system
 3 7 serving the capitol complex:
 3 8 \$ 1,843,878
 3 9 f. For remodeling and renovation of the sexually violent
 3 10 predators unit at Cherokee:
 3 11 \$ 1,400,000
 3 12 g. For the costs associated with the replacement of the
 3 13 powerhouse facilities at the Iowa juvenile home at Toledo:
 3 14 \$ 1,161,045
 3 15 h. For improvements to the Wallace state office building:
 3 16 \$ 625,000
 3 17 i. For maintenance of the Terrace Hill complex:
 3 18 \$ 571,000
 3 19 2. DEPARTMENT OF CORRECTIONS
 3 20 a. For construction of a community-based correctional
 3 21 facility, including district offices, in Fort Dodge:
 3 22 \$ 50,000
 3 23 b. For the lease-payment under the lease-purchase
 3 24 agreement to connect the electrical system supporting the
 3 25 special needs unit in Fort Madison:
 3 26 \$ 333,168
 3 27 c. For remodeling and renovation of the kitchen facilities
 3 28 at the Anamosa correctional facility:
 3 29 \$ 940,000
 3 30 d. For maintenance costs of the department of corrections
 3 31 and board of parole associated with the department of
 3 32 administrative services, notwithstanding section 8.57,
 3 33 subsection 6, paragraph "c":
 3 34 \$ 105,300
 3 35 e. For rent payments for the community-based corrections
 4 1 facility located in Davenport and the department of
 4 2 corrections training center, notwithstanding section 8.57,
 4 3 subsection 6, paragraph "c":
 4 4 \$ 122,000
 4 5 3. DEPARTMENT OF CULTURAL AFFAIRS
 4 6 For continuation of the project recommended by the Iowa
 4 7 battle flag advisory committee to stabilize the condition of
 4 8 the battle flag collection, notwithstanding section 8.57,
 4 9 subsection 6, paragraph "c":
 4 10 \$ 220,000
 4 11 4. DEPARTMENT OF ECONOMIC DEVELOPMENT
 4 12 a. To provide a grant to match federal grant dollars that
 4 13 affect areas that are both an enterprise zone and a brownfield
 4 14 site in a county with a population of at least 103,000,
 4 15 notwithstanding section 8.57, subsection 6, paragraph "c":
 4 16 \$ 500,000
 4 17 b. For costs associated with a study involving an
 4 18 environmental assessment and preliminary cultural and
 4 19 historical impact related to the establishment of a regional
 4 20 ferryboat service between Iowa and Illinois, notwithstanding
 4 21 section 8.57, subsection 6, paragraph "c":
 4 22 \$ 60,000
 4 23 The funds are to be allocated to an area of the state that
 4 24 has an established ferryboat task force. The funds
 4 25 appropriated in this lettered paragraph are contingent upon
 4 26 the receipt of federal matching funds and financial
 4 27 participation by the state of Illinois in the study.
 4 28 5. DEPARTMENT OF EDUCATION
 4 29 a. To provide resources for structural and technological
 4 30 improvements to local libraries and for the enrich Iowa
 4 31 program, notwithstanding section 8.57, subsection 6, paragraph
 4 32 "c":
 4 33 \$ 700,000
 4 34 b. For maintenance and lease costs associated with
 4 35 connections for part III of the Iowa communications network,
 5 1 notwithstanding section 8.57, subsection 6, paragraph "c":
 5 2 \$ 2,727,000
 5 3 c. To the public broadcasting division for replacing
 5 4 transmitters, notwithstanding section 8.57, subsection 6,
 5 5 paragraph "c":
 5 6 \$ 2,000,000
 5 7 d. For major renovation and major repair needs, including
 5 8 health, life, and fire safety needs, and for compliance with
 5 9 the federal Americans With Disabilities Act, for state
 5 10 buildings and facilities under the purview of the community
 5 11 colleges:
 5 12 \$ 2,000,000
 5 13 The moneys appropriated in this lettered paragraph shall be
 5 14 allocated to the community colleges based upon the
 5 15 distribution formula established in section 260C.18C, if
 5 16 enacted by 2005 Iowa Acts, House File 816.

5 17 e. For implementation of the provisions of Code chapter
 5 18 280A, as amended by 2005 Iowa Acts, House File 739, if
 5 19 enacted, notwithstanding section 8.57, subsection 6, paragraph
 5 20 "c":
 5 21 \$ 500,000
 5 22 6. DEPARTMENT OF HUMAN SERVICES
 5 23 To provide a grant for the planning, design, and
 5 24 construction of a residential treatment facility for youth
 5 25 with emotional and behavioral disorders in a central Iowa
 5 26 county with a population of approximately 80,000:
 5 27 \$ 250,000
 5 28 7. IOWA FINANCE AUTHORITY
 5 29 For deposit into the transitional housing revolving loan
 5 30 program fund created in section 16.184, if enacted by 2005
 5 31 Iowa Acts, House File 825:
 5 32 \$ 1,400,000
 5 33 8. IOWA STATE FAIR AUTHORITY
 5 34 For vertical infrastructure projects on the state
 5 35 fairgrounds:
 6 1 \$ 750,000
 6 2 For purposes of this subsection, "vertical infrastructure"
 6 3 means the same as defined in section 8.57, subsection 6,
 6 4 paragraph "c".
 6 5 9. NATIONAL PROGRAM FOR PLAYGROUND SAFETY AT THE
 6 6 UNIVERSITY OF NORTHERN IOWA
 6 7 For the Iowa safe surfacing initiative, notwithstanding
 6 8 section 8.57, subsection 6, paragraph "c":
 6 9 \$ 500,000
 6 10 Not more than 2.5 percent of the funds appropriated in this
 6 11 subsection shall be used by the national program for
 6 12 playground safety for administrative costs associated with the
 6 13 Iowa safe surfacing initiative.
 6 14 The crumb rubber playground tiles for the initiative shall
 6 15 be international play equipment manufacturers association
 6 16 (IPEMA)-certified to the American society for testing and
 6 17 materials (ASTM) F1292 standard.
 6 18 The national program for playground safety shall submit a
 6 19 report by January 15, 2006, to the joint appropriations
 6 20 subcommittee on transportation, infrastructure, and capitals
 6 21 detailing the use of the moneys appropriated in this
 6 22 subsection. The report shall specify the projects for which
 6 23 moneys were used and the cost of each project including the
 6 24 amounts spent on administration.
 6 25 10. DEPARTMENT OF NATURAL RESOURCES
 6 26 a. For lake dredging and the construction of bike trails
 6 27 at Lake Cornelia in Wright county, notwithstanding section
 6 28 8.57, subsection 6, paragraph "c":
 6 29 \$ 429,000
 6 30 b. For the purchase of property adjacent to Waubonsie
 6 31 state park and for the improvement of facilities at Waubonsie
 6 32 state park:
 6 33 \$ 1,500,000
 6 34 c. For costs associated with renovation and improvements
 6 35 at the Fort Atkinson state preserve:
 7 1 \$ 500,000
 7 2 d. For costs associated with Iowa's membership in the mid=
 7 3 America port commission established in chapter 28K,
 7 4 notwithstanding section 8.57, subsection 6, paragraph "c":
 7 5 \$ 80,000
 7 6 e. For costs associated with the planning, design, and
 7 7 construction of a destination park:
 7 8 \$ 3,000,000
 7 9 11. DEPARTMENT OF PUBLIC SAFETY
 7 10 a. For costs of entering into and making payments under a
 7 11 lease-purchase agreement to replace and upgrade the automated
 7 12 fingerprint identification system, notwithstanding section
 7 13 8.57, subsection 6, paragraph "c":
 7 14 \$ 550,000
 7 15 b. To the division of fire safety for allocation to the
 7 16 fire service training bureau for the planning, design, and
 7 17 construction of fire regional training facilities in the
 7 18 state:
 7 19 \$ 800,000
 7 20 Of the amount appropriated in this lettered paragraph,
 7 21 \$300,000 shall be allocated to the Waterloo fire regional
 7 22 training center.
 7 23 Of the amount appropriated in this lettered paragraph,
 7 24 \$200,000 shall be allocated to the Dubuque fire regional
 7 25 training center.
 7 26 The division of fire safety shall submit a report by
 7 27 January 15, 2006, to the joint appropriations subcommittee on

7 28 transportation, infrastructure, and capitals detailing the use
7 29 of the moneys appropriated in this subsection.
7 30 c. To the division of fire safety for allocation to the
7 31 fire service training bureau to be used for the revolving loan
7 32 program for equipment purchases by local fire departments,
7 33 notwithstanding section 8.57, subsection 6, paragraph "c":
7 34 \$ 500,000
7 35 12. STATE BOARD OF REGENTS
8 1 a. For major maintenance at the Iowa school for the deaf
8 2 and the Iowa braille and sight saving school:
8 3 \$ 500,000
8 4 b. For major renovation and major repair needs, including
8 5 health, life, and fire safety needs, and for compliance with
8 6 the federal Americans With Disabilities Act, for state
8 7 buildings and facilities under the purview of the state board
8 8 of regents institutions:
8 9 \$ 6,250,000
8 10 13. STATE DEPARTMENT OF TRANSPORTATION
8 11 a. For operation and maintenance of the network of
8 12 automated weather observation and data transfer systems
8 13 associated with the Iowa aviation weather system, the runway
8 14 marking program for public airports, the windsock program for
8 15 public airports, and the aviation improvement program,
8 16 notwithstanding section 8.57, subsection 6, paragraph "c":
8 17 \$ 564,792
8 18 b. For a vertical infrastructure improvement grant program
8 19 for improvements at general aviation airports within the
8 20 state:
8 21 \$ 750,000
8 22 In awarding assistance under the vertical infrastructure
8 23 improvement grant program, the department shall give
8 24 preference to projects that demonstrate a collaborative effort
8 25 between airports.
8 26 c. For acquiring, constructing, and improving recreational
8 27 trails within the state:
8 28 \$ 1,000,000
8 29 Of the amount appropriated in this lettered paragraph,
8 30 \$500,000 shall be used for funding, on a matching basis,
8 31 recreational trail projects, with priority given to completion
8 32 of trail connections and sections between existing trails and
8 33 parks within the established state recreational trails system.
8 34 Such projects shall be matched by \$1 of private or other funds
8 35 for each \$3 of state funds.
9 1 d. For the rail assistance program and to provide economic
9 2 development project funding:
9 3 \$ 35,959
9 4 Sec. 4. There is appropriated from the rebuild Iowa
9 5 infrastructure fund to the following departments and agencies
9 6 for the fiscal year beginning July 1, 2006, and ending June
9 7 30, 2007, the following amounts, or so much thereof as is
9 8 necessary, to be used for the purposes designated:
9 9 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
9 10 a. For costs associated with the remodeling of the records
9 11 and property center:
9 12 \$ 2,200,000
9 13 b. For costs associated with the replacement of the
9 14 powerhouse facilities at the Iowa juvenile home at Toledo:
9 15 \$ 1,521,045
9 16 2. DEPARTMENT OF CORRECTIONS
9 17 a. For construction of a community-based correctional
9 18 facility, including district offices, in Fort Dodge:
9 19 \$ 1,400,000
9 20 b. For the remodeling and renovation of the kitchen
9 21 facilities at the Anamosa correctional facility:
9 22 \$ 1,840,000
9 23 Sec. 5. DEPARTMENT OF CORRECTIONS. There is appropriated
9 24 from the rebuild Iowa infrastructure fund to the department of
9 25 corrections for the fiscal year beginning July 1, 2007, and
9 26 ending June 30, 2008, the following amount, or so much thereof
9 27 as is necessary, to be used for the purpose designated:
9 28 For construction of a community-based correctional
9 29 facility, including district offices, in Fort Dodge:
9 30 \$ 2,450,000
9 31 Sec. 6. 2001 Iowa Acts, chapter 185, section 12, is
9 32 amended to read as follows:
9 33 SEC. 12. REVERSION. ~~Notwithstanding~~
9 34 1. Except as provided in subsection 2 and notwithstanding
9 35 section 8.33, moneys appropriated in this division of this Act
10 1 shall not revert at the close of the fiscal year for which
10 2 they were appropriated but shall remain available for the
10 3 purposes designated until the close of the fiscal year that

10 4 begins July 1, 2004, or until the project for which the
10 5 appropriation was made is completed, whichever is earlier.
10 6 2. Notwithstanding section 8.33, moneys appropriated in
10 7 section 6, subsection 1, of this division of this Act shall
10 8 not revert at the close of the fiscal year for which they were
10 9 appropriated but shall remain available for the purpose
10 10 designated until the close of the fiscal year that begins July
10 11 1, 2005, or until the project for which the appropriation was
10 12 made is completed, whichever is earlier.

10 13 Sec. 7. 2004 Iowa Acts, chapter 1175, section 288,
10 14 subsection 13, paragraph c, is amended to read as follows:
10 15 c. For costs of entering into and making a down payment
10 16 under a lease-purchase agreement to replace and upgrade the
10 17 automated fingerprint identification system, notwithstanding
10 18 section 8.57, subsection 5, paragraph "c":
10 19 FY 2004=2005 \$ 550,000
10 20 The appropriation made in this lettered paragraph to enter
10 21 into and make payments under a lease-purchase agreement
10 22 constitutes approval by the general assembly of a financing
10 23 agreement in excess of \$1 million as required by section
10 24 12.28, subsection 6.

10 25 Sec. 8. COMMISSION OF VETERANS AFFAIRS TRANSFER.
10 26 Notwithstanding 2002 Iowa Acts, chapter 1173, section 10,
10 27 subsection 13, any unencumbered and unobligated moneys
10 28 remaining on the effective date of this section from the
10 29 appropriation made in 2002 Iowa Acts, chapter 1173, section
10 30 10, subsection 12, may be transferred to the appropriation
10 31 made in 2000 Iowa Acts, chapter 1225, section 19, to be used
10 32 for the purposes designated in 2000 Iowa Acts, chapter 1225,
10 33 section 19, as amended by 2004 Iowa Acts, chapter 1175,
10 34 section 296.

10 35 Sec. 9. REVERSION. Notwithstanding section 8.33, moneys
11 1 appropriated from the rebuild Iowa infrastructure fund in this
11 2 division of this Act, except for the moneys appropriated in
11 3 section 1, subsection 2, paragraph "a", for maintenance costs
11 4 of the department of corrections and subsection 5, paragraph
11 5 "d", for the vocational rehabilitation division of the
11 6 department of education, shall not revert at the close of the
11 7 fiscal year for which they were appropriated but shall remain
11 8 available for the purposes designated until the close of the
11 9 fiscal year that begins July 1, 2008, or until the project for
11 10 which the appropriation was made is completed, whichever is
11 11 earlier. This section does not apply to the sections in this
11 12 division of this Act that were previously enacted and are
11 13 amended in this division of this Act.

11 14 Sec. 10. Section 8.57B, subsection 4, Code 2005, is
11 15 amended to read as follows:

- 11 16 4. There is appropriated from the rebuild Iowa
11 17 infrastructure fund to the vertical infrastructure fund, the
11 18 following:
- 11 19 a. For the fiscal year beginning July 1, 2005, and ending
11 20 June 30, 2006, the sum of fifteen million dollars.
 - 11 21 b. For the fiscal year beginning July 1, 2006, and ending
11 22 June 30, 2007, the sum of fifteen million dollars.
 - 11 23 c. For the fiscal year beginning July 1, 2007, and ending
11 24 June 30, 2008, the sum of fifty million dollars.
 - 11 25 d. For the fiscal year beginning July 1, 2008, and ending
11 26 June 30, 2009, the sum of fifty million dollars.

11 27 Sec. 11. Section 328.1, subsection 9, Code 2005, is
11 28 amended to read as follows:

11 29 9. "Airport" means any landing area used regularly by
11 30 aircraft for receiving or discharging passengers or cargo, and
11 31 all appurtenant areas used or suitable for airport buildings
11 32 or other airport facilities, and all appurtenant rights of
11 33 way, whether heretofore or hereafter established. "Airport"
11 34 includes land within a city with a population greater than one
11 35 hundred seventy-five thousand which is acquired to replace or
12 1 mitigate land used in an airport runway project at an existing
12 2 airport when federal law, grant, or action requires such
12 3 replacement or mitigation.

12 4 Sec. 12. Section 452A.79, unnumbered paragraph 2, Code
12 5 2005, is amended to read as follows:

12 6 Annually For the fiscal year beginning July 1, 2005, the
12 7 first four hundred eleven thousand three hundred eleven
12 8 dollars derived from the excise tax on the sale of motor fuel
12 9 used in watercraft shall be deposited in the general fund of
12 10 the state. ~~The and the~~ moneys in excess of four hundred
12 11 eleven thousand three hundred eleven dollars shall be
12 12 deposited in the rebuild Iowa infrastructure fund. For the
12 13 fiscal years beginning on or after July 1, 2006, all revenues
12 14 derived from the excise tax on the sale of motor fuel used in

12 15 watercraft shall be deposited in the rebuild Iowa
12 16 infrastructure fund. Moneys deposited to the general fund and
12 17 to the rebuild Iowa infrastructure fund under this section and
12 18 section 452A.84 are subject to the requirements of section
12 19 8.60 and are subject to appropriation by the general assembly
12 20 to the department of natural resources for use in its
12 21 recreational boating program, which may include but is not
12 22 limited to:
12 23 Sec. 13. 2005 Iowa Acts, House File 466, section 3, is
12 24 repealed.
12 25 Sec. 14. EFFECTIVE DATE. The sections of this division of
12 26 this Act relating to the amendment to 2004 Iowa Acts, chapter
12 27 1175, section 288, subsection 13, appropriating moneys for a
12 28 lease=purchase agreement, relating to the amendment to 2001
12 29 Iowa Acts, chapter 185, section 12, and relating to the
12 30 commission of veterans affairs transfer, being deemed of
12 31 immediate importance, take effect upon enactment.

12 32 DIVISION IV

12 33 ENVIRONMENT FIRST FUND

12 34 Sec. 15. There is appropriated from the environment first
12 35 fund to the following departments and agencies for the fiscal
13 1 year beginning July 1, 2005, and ending June 30, 2006, the
13 2 following amounts, or so much thereof as is necessary, to be
13 3 used for the purposes designated:

13 4 1. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
13 5 a. For the conservation reserve enhancement program to
13 6 restore and construct wetlands for the purposes of
13 7 intercepting tile line runoff, reducing nutrient loss,
13 8 improving water quality, and enhancing agricultural production
13 9 practices:

13 10 \$ 1,500,000
13 11 Not more than 5 percent of the moneys appropriated in this
13 12 lettered paragraph may be used for costs of administration and
13 13 implementation of soil and water conservation practices.

13 14 b. For continuation of a program that provides
13 15 multiobjective resource protections for flood control, water
13 16 quality, erosion control, and natural resource conservation:
13 17 \$ 2,700,000

13 18 Not more than 5 percent of the moneys appropriated in this
13 19 lettered paragraph may be used for costs of administration and
13 20 implementation of soil and water conservation practices.

13 21 c. For continuation of a statewide voluntary farm
13 22 management demonstration program to demonstrate the
13 23 effectiveness and adaptability of emerging practices in
13 24 agronomy that protect water resources and provide other
13 25 environmental benefits:
13 26 \$ 850,000

13 27 Not more than 5 percent of the moneys appropriated in this
13 28 lettered paragraph may be used for costs of administration and
13 29 implementation of soil and water conservation practices.

13 30 Of the amount appropriated in this lettered paragraph,
13 31 \$400,000 shall be allocated to the Iowa soybean association's
13 32 agriculture and environment performance program.

13 33 d. For deposit in the alternative drainage system
13 34 assistance fund created in section 460.303 to be used for
13 35 purposes of supporting the alternative drainage system
14 1 assistance program as provided in section 460.304:
14 2 \$ 500,000

14 3 Not more than 5 percent of the moneys appropriated in this
14 4 lettered paragraph may be used for costs of administration and
14 5 implementation of soil and water conservation practices.

14 6 e. To provide financial assistance for the establishment
14 7 of permanent soil and water conservation practices:
14 8 \$ 5,500,000

14 9 (1) Not more than 5 percent of the moneys appropriated in
14 10 this lettered paragraph may be allocated for cost-sharing to
14 11 abate complaints filed under section 161A.47.

14 12 (2) Of the moneys appropriated in this lettered paragraph,
14 13 5 percent shall be allocated for financial incentives to
14 14 establish practices to protect watersheds above publicly owned
14 15 lakes of the state from soil erosion and sediment as provided
14 16 in section 161A.73.

14 17 (3) Not more than 30 percent of a soil and water
14 18 conservation district's allocation of moneys as financial
14 19 incentives may be provided for the purpose of establishing
14 20 management practices to control soil erosion on land that is
14 21 row-cropped, including but not limited to no-till planting,
14 22 ridge-till planting, contouring, and contour strip-cropping as
14 23 provided in section 161A.73.

14 24 (4) The state soil conservation committee created in
14 25 section 161A.4 may allocate moneys appropriated in this

14 26 lettered paragraph to conduct research and demonstration
14 27 projects to promote conservation tillage and nonpoint source
14 28 pollution control practices.
14 29 (5) The financial incentive payments may be used in
14 30 combination with department of natural resources moneys.
14 31 (6) Not more than 10 percent of the moneys appropriated in
14 32 this lettered paragraph may be used for costs of
14 33 administration and implementation of soil and water
14 34 conservation practices.
14 35 f. To encourage and assist farmers in enrolling in and the
15 1 implementation of federal conservation programs and work with
15 2 them to enhance their revegetation efforts to improve water
15 3 quality and habitat:
15 4 \$ 2,000,000
15 5 Not more than 5 percent of the moneys appropriated in this
15 6 lettered paragraph may be used for costs of administration and
15 7 implementation of soil and water conservation practices.
15 8 g. For deposit in the loess hills development and
15 9 conservation fund created in section 161D.2:
15 10 \$ 600,000
15 11 Of the amount appropriated in this lettered paragraph,
15 12 \$400,000 shall be allocated to the hungry canyons account and
15 13 \$200,000 shall be allocated to the loess hills alliance
15 14 account to be used for the purposes for which the moneys in
15 15 those accounts are authorized to be used under chapter 161D.
15 16 No more than 5 percent of the moneys allocated to the hungry
15 17 canyons account in this lettered paragraph may be used for
15 18 administrative costs. No more than 10 percent of the moneys
15 19 allocated to the loess hills alliance account in this lettered
15 20 paragraph may be used for administrative costs.
15 21 h. For deposit in the southern Iowa development and
15 22 conservation fund created in section 161D.12:
15 23 \$ 300,000
15 24 Not more than 5 percent of the moneys appropriated in this
15 25 lettered paragraph may be used for administrative costs.
15 26 2. DEPARTMENT OF ECONOMIC DEVELOPMENT
15 27 For deposit in the brownfield redevelopment fund created in
15 28 section 15.293 to provide assistance under the brownfield
15 29 redevelopment program:
15 30 \$ 500,000
15 31 3. DEPARTMENT OF NATURAL RESOURCES
15 32 a. For statewide coordination of volunteer efforts under
15 33 the water quality and keepers of the land programs:
15 34 \$ 100,000
15 35 b. For purposes of funding capital projects for the
16 1 purposes specified in section 452A.79, and for expenditures
16 2 for the local cost-share grants to be used for capital
16 3 expenditures to local governmental units for boating
16 4 accessibility:
16 5 \$ 2,300,000
16 6 c. For regular maintenance of state parks and staff time
16 7 associated with these activities:
16 8 \$ 2,000,000
16 9 d. To provide local watershed managers with geographic
16 10 information system data for their use in developing,
16 11 monitoring, and displaying results of their watershed work:
16 12 \$ 195,000
16 13 e. For continuing the establishment and operation of water
16 14 quality monitoring stations:
16 15 \$ 2,955,000
16 16 f. For deposit in the administration account of the water
16 17 quality protection fund, to carry out the purposes of that
16 18 account:
16 19 \$ 500,000
16 20 g. For the dredging of lakes, including necessary
16 21 preparation for dredging, in accordance with the department's
16 22 classification of Iowa lakes restoration report:
16 23 \$ 1,500,000
16 24 Of the amount appropriated in this lettered paragraph,
16 25 \$100,000 shall be allocated for the five island lake in Palo
16 26 Alto county.
16 27 The department shall consider the following criteria for
16 28 funding lake dredging projects as provided in this lettered
16 29 paragraph, and shall prioritize projects based on the
16 30 following:
16 31 (1) Documented efforts to address watershed protection,
16 32 considering testing, conservation efforts, and the amount of
16 33 time devoted to watershed protection.
16 34 (2) Protection of a natural resource and natural habitat.
16 35 (3) Percentage of public access and undeveloped lakefront
17 1 property.

17 2 (4) Continuation of current projects partially funded by
17 3 state resources to achieve department recommendations.

17 4 RESOURCES ENHANCEMENT AND PROTECTION FUND

17 5 Sec. 16. Notwithstanding the amount of the standing
17 6 appropriation from the general fund of the state under section
17 7 455A.18, subsection 3, there is appropriated from the
17 8 environment first fund to the Iowa resources enhancement and
17 9 protection fund, in lieu of the appropriation made in section
17 10 455A.18, for the fiscal year beginning July 1, 2005, and
17 11 ending June 30, 2006, the following amount, to be allocated as
17 12 provided in section 455A.19:

17 13 \$ 11,000,000

17 14 Sec. 17. Section 161A.80, subsection 2, paragraphs a and
17 15 b, Code 2005, are amended to read as follows:

17 16 a. This section is repealed on July 1, ~~2005~~ 2015.

17 17 b. The principal and interest from any blufflands
17 18 protection loan outstanding on July 1, ~~2005~~ 2015, and payable
17 19 to the blufflands protection revolving fund, shall be paid to
17 20 the administrative director of the division of soil
17 21 conservation on or after July 1, ~~2005~~ 2015, pursuant to the
17 22 terms of the loan agreement and shall be credited to the
17 23 rebuild Iowa infrastructure fund.

17 24 Sec. 18. REVERSION.

17 25 1. Except as provided in subsection 2, and notwithstanding
17 26 section 8.33, moneys appropriated in this division of this Act
17 27 that remain unencumbered or unobligated shall not revert at
17 28 the close of the fiscal year for which they were appropriated
17 29 but shall remain available for the purposes designated until
17 30 the close of the fiscal year beginning July 1, 2006, or until
17 31 the project for which the appropriation was made is completed,
17 32 whichever is earlier.

17 33 2. Notwithstanding section 8.33, moneys appropriated in
17 34 this division of this Act to the department of agriculture and
17 35 land stewardship to provide financial assistance for the
18 1 establishment of permanent soil and water conservation
18 2 practices that remain unencumbered or unobligated at the close
18 3 of the fiscal year shall not revert but shall remain available
18 4 for expenditure for the purposes designated until the close of
18 5 the fiscal year that begins July 1, 2008.

18 6 DIVISION V

18 7 TOBACCO SETTLEMENT TRUST FUND

18 8 Sec. 19.

18 9 1. There is appropriated from the tax-exempt bond proceeds
18 10 restricted capital funds account of the tobacco settlement
18 11 trust fund to the following departments and agencies for the
18 12 fiscal year beginning July 1, 2005, and ending June 30, 2006,
18 13 the following amounts, or so much thereof as is necessary, to
18 14 be used for the purposes designated:

18 15 a. DEPARTMENT OF ADMINISTRATIVE SERVICES

18 16 (1) For capitol interior restoration:

18 17 \$ 4,500,000

18 18 Of the amount appropriated in this subparagraph, \$700,000
18 19 shall be used for cleanup costs associated with the water
18 20 damage in the statehouse resulting from the pipe break that
18 21 occurred on December 24, 2004, and for renovation of areas in
18 22 the statehouse that experienced such water damage.

18 23 The use of the moneys allocated in this subparagraph shall
18 24 not be construed or interpreted as an indication by the
18 25 governor or general assembly that the state is the responsible
18 26 party for the water damage in the statehouse resulting from
18 27 the pipe break that occurred on December 24, 2004, and for the
18 28 resulting costs or that the amounts allocated in this
18 29 subparagraph represent the total amount necessary to address
18 30 all costs associated with the water damage.

18 31 (2) For remodeling and renovation of the sexually violent
18 32 predators unit located at the state mental health institute at
18 33 Cherokee:

18 34 \$ 650,000

18 35 (3) For major renovation and major repair needs, including
19 1 health, life, and fire safety needs, and for compliance with
19 2 the federal Americans With Disabilities Act, for state
19 3 buildings and facilities under the purview of the department:

19 4 \$ 3,000,000

19 5 b. DEPARTMENT OF CORRECTIONS

19 6 For the remodeling and renovation of the kitchen facilities
19 7 at the Anamosa correctional facility:

19 8 \$ 600,000

19 9 c. DEPARTMENT OF ECONOMIC DEVELOPMENT

19 10 For accelerated career education program capital projects
19 11 at community colleges that are authorized under chapter 260G
19 12 and that meet the definition of "vertical infrastructure" in

19 13 section 8.57B, subsection 3:
19 14 \$ 1,500,000
19 15 The moneys appropriated in this lettered paragraph shall be
19 16 allocated equally among the community colleges in the state.
19 17 If any portion of the equal allocation to a community college
19 18 is not obligated or encumbered by April 1, 2006, the
19 19 unobligated and unencumbered portions shall be available for
19 20 use by other community colleges.
19 21 d. DEPARTMENT OF HUMAN SERVICES
19 22 For planning, design, and construction of a family resource
19 23 center in a city with a population between 95,000 and 100,000
19 24 residents:
19 25 \$ 250,000
19 26 e. DEPARTMENT OF PUBLIC SAFETY
19 27 For the first phase of the regional emergency responder
19 28 training facility project of the nonprofit Dubuque county fire
19 29 fighters association:
19 30 \$ 100,000
19 31 f. IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION
19 32 For replacement of equipment for the Iowa communications
19 33 network notwithstanding section 12E.12, subsection 1,
19 34 paragraph "b", subparagraph (1):
19 35 \$ 1,704,719
20 1 g. STATE DEPARTMENT OF TRANSPORTATION
20 2 For vertical infrastructure improvements at the commercial
20 3 air service airports within the state:
20 4 \$ 1,500,000
20 5 Fifty percent of the funds appropriated in this lettered
20 6 paragraph shall be allocated equally between each commercial
20 7 service airport, 40 percent of the funds shall be allocated
20 8 based on the percentage that the number of enplaned passengers
20 9 at each commercial service airport bears to the total number
20 10 of enplaned passengers in the state during the previous fiscal
20 11 year, and 10 percent of the funds shall be allocated based on
20 12 the percentage that the air cargo tonnage at each commercial
20 13 service airport bears to the total air cargo tonnage in the
20 14 state during the previous fiscal year. In order for a
20 15 commercial service airport to receive funding under this
20 16 lettered paragraph, the airport shall be required to submit
20 17 applications for funding of specific projects to the
20 18 department for approval by the state transportation
20 19 commission.
20 20 2. TAX-EXEMPT STATUS == USE OF APPROPRIATIONS. Payment of
20 21 moneys from the appropriations in this section shall be made
20 22 in a manner that does not adversely affect the tax-exempt
20 23 status of any outstanding bonds issued by the tobacco
20 24 settlement authority.
20 25 3. REVERSION. Notwithstanding section 8.33, moneys
20 26 appropriated in this section shall not revert at the close of
20 27 the fiscal year for which they were appropriated but shall
20 28 remain available for the purposes designated until the close
20 29 of the fiscal year that begins July 1, 2006, or until the
20 30 project for which the appropriation was made is completed,
20 31 whichever is earlier.
20 32 Sec. 20. PAYMENTS IN LIEU OF TUITION. There is
20 33 appropriated from the tax-exempt bond proceeds restricted
20 34 capital funds account of the tobacco settlement trust fund to
20 35 the state board of regents for the fiscal year beginning July
21 1 1, 2005, and ending June 30, 2006, the following amount, or so
21 2 much thereof as is necessary, to be used for the purposes
21 3 designated:
21 4 For allocation by the state board of regents to the state
21 5 university of Iowa, the Iowa state university of science and
21 6 technology, and the university of northern Iowa to reimburse
21 7 the institutions for deficiencies in their operating funds
21 8 resulting from the pledging of tuitions, student fees and
21 9 charges, and institutional income to finance the cost of
21 10 providing academic and administrative buildings and facilities
21 11 and utility services at the institutions notwithstanding
21 12 section 12E.12, subsection 1, paragraph "b", subparagraph (1):
21 13 \$ 10,329,981
21 14 Sec. 21. PRISON DEBT SERVICE. There is appropriated from
21 15 the tax-exempt bond proceeds restricted capital funds account
21 16 of the tobacco settlement trust fund to the office of the
21 17 treasurer of state for the fiscal year beginning July 1, 2005,
21 18 and ending June 30, 2006, the following amount, or so much
21 19 thereof as is necessary, to be used for the purpose
21 20 designated:
21 21 For repayment of prison infrastructure bonds under section
21 22 16.177 notwithstanding section 12E.12, subsection 1, paragraph
21 23 "b", subparagraph (1):

21 24 \$ 5,422,390
 21 25 Sec. 22. 2001 Iowa Acts, chapter 185, section 30, is
 21 26 amended to read as follows:
 21 27 SEC. 30. REVERSION. ~~Notwithstanding~~
 21 28 1. Except as provided in subsection 2 and notwithstanding
 21 29 section 8.33, moneys appropriated in this division of this Act
 21 30 shall not revert at the close of the fiscal year for which
 21 31 they were appropriated but shall remain available for the
 21 32 purposes designated until the close of the fiscal year that
 21 33 begins July 1, 2004, or until the project for which the
 21 34 appropriation was made is completed, whichever is earlier.
 21 35 2. Notwithstanding section 8.33, moneys appropriated in
 22 1 section 25, subsection 3, paragraph "b", and section 28 of
 22 2 this division of this Act shall not revert at the close of the
 22 3 fiscal year for which they were appropriated but shall remain
 22 4 available for the purpose designated until the close of the
 22 5 fiscal year that begins July 1, 2005, or until the project for
 22 6 which the appropriation was made is completed, whichever is
 22 7 earlier.

22 8 Sec. 23. 2002 Iowa Acts, chapter 1173, section 1,
 22 9 subsection 7, paragraph a, as amended by 2004 Iowa Acts,
 22 10 chapter 1175, section 310, is amended to read as follows:
 22 11 a. For parking improvements and provision of street access
 22 12 for the judicial building:
 22 13 FY 2002=2003 \$ 700,000
 22 14 FY 2003=2004 \$ 0
 22 15 FY 2004=2005 \$ 0
 22 16 FY 2005=2006 \$ 0

22 17 Of the amount appropriated in this lettered paragraph for
 22 18 FY 2002=2003, up to \$330,000 may be used for costs associated
 22 19 with ~~operation of the judicial building, notwithstanding~~
 22 20 ~~section 12E.12, subsection 1, paragraph "b", subparagraph (1)~~
 22 21 ~~site work in the vicinity of the judicial building.~~

22 22 Sec. 24. 2003 Iowa Acts, chapter 177, section 22,
 22 23 subsection 6, paragraph a, is amended by striking the
 22 24 paragraph.

22 25 Sec. 25. EFFECTIVE DATE. The section of this division of
 22 26 this Act relating to the amendment to 2001 Iowa Acts, chapter
 22 27 185, section 30, being deemed of immediate importance, takes
 22 28 effect upon enactment.

22 29 Sec. 26. EFFECTIVE DATE. The section of this division of
 22 30 this Act amending 2002 Iowa Acts, chapter 1173, section 1,
 22 31 subsection 7, being deemed of immediate importance, takes
 22 32 effect upon enactment.

22 33 Sec. 27. EFFECTIVE DATE. The section of this division of
 22 34 this Act amending 2003 Iowa Acts, chapter 177, section 22,
 22 35 subsection 6, being deemed of immediate importance, takes
 23 1 effect upon enactment.

23 2 DIVISION VI
 23 3 VERTICAL INFRASTRUCTURE FUND

23 4 Sec. 28. There is appropriated from the vertical
 23 5 infrastructure fund to the following departments and agencies
 23 6 for the fiscal year beginning July 1, 2005, and ending June
 23 7 30, 2006, the following amounts, or so much thereof as is
 23 8 necessary, to be used for the purposes designated:

23 9 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
 23 10 For major renovation and major repair needs, including
 23 11 health, life, and fire safety needs, and for compliance with
 23 12 the federal Americans With Disabilities Act, for state
 23 13 buildings and facilities under the purview of the department:
 23 14 \$ 5,623,200

23 15 Of the amount appropriated in this subsection, up to
 23 16 \$200,000 may be used for costs associated with the vertical
 23 17 infrastructure program, notwithstanding section 8.57B,
 23 18 subsection 3.

23 19 2. DEPARTMENT OF CULTURAL AFFAIRS
 23 20 For historical site preservation grants, to be used for the
 23 21 restoration, preservation, and development of historical
 23 22 sites:

23 23 \$ 500,000
 23 24 Historical site preservation grants shall only be awarded
 23 25 for projects which meet the definition of "vertical
 23 26 infrastructure" in section 8.57B, subsection 3.

23 27 In making grants pursuant to this subsection, the
 23 28 department shall consider the existence and amount of other
 23 29 funds available to an applicant for the designated project. A
 23 30 grant awarded from moneys appropriated in this subsection
 23 31 shall not exceed \$100,000 per project. Not more than two
 23 32 grants may be awarded in the same county.

23 33 3. DEPARTMENT OF ECONOMIC DEVELOPMENT
 23 34 For accelerated career education program capital projects

23 35 at community colleges that are authorized under chapter 260G
 24 1 and that meet the definition of "vertical infrastructure" in
 24 2 section 8.57B, subsection 3:
 24 3 \$ 4,000,000
 24 4 The moneys appropriated in this subsection shall be
 24 5 allocated equally among the community colleges in the state.
 24 6 If any portion of the equal allocation to a community college
 24 7 is not obligated or encumbered by April 1, 2006, the
 24 8 unobligated and unencumbered portions shall be available for
 24 9 use by other community colleges.
 24 10 4. DEPARTMENT OF PUBLIC DEFENSE
 24 11 a. For construction of a national guard readiness center
 24 12 in or near Fort Dodge:
 24 13 \$ 608,000
 24 14 b. For maintenance and repair of national guard armories
 24 15 and facilities, notwithstanding section 8.57B, subsection 3:
 24 16 \$ 1,269,000
 24 17 c. For upgrading the water treatment facility at Camp
 24 18 Dodge:
 24 19 \$ 1,939,800
 24 20 5. OFFICE OF TREASURER OF STATE
 24 21 For county fair infrastructure improvements for
 24 22 distribution in accordance with chapter 174 to qualified fairs
 24 23 which belong to the association of Iowa fairs:
 24 24 \$ 1,060,000
 24 25 Sec. 29. REVERSION. Notwithstanding section 8.33, moneys
 24 26 appropriated from the vertical infrastructure fund for the
 24 27 fiscal year that begins July 1, 2005, in this division of this
 24 28 Act shall not revert at the close of the fiscal year for which
 24 29 they were appropriated but shall remain available for the
 24 30 purposes designated until the close of the fiscal year that
 24 31 begins July 1, 2008, or until the project for which the
 24 32 appropriation was made is completed, whichever is earlier.
 24 33 Sec. 30. DEPARTMENT OF ADMINISTRATIVE SERVICES.
 24 34 1. There is appropriated from the vertical infrastructure
 24 35 fund to the department of administrative services for the
 25 1 designated fiscal years, the following amounts, or so much
 25 2 thereof as if necessary, to be used for the purposes
 25 3 designated:
 25 4 For major renovation and major repair needs, including
 25 5 health, life, and fire safety needs, and for compliance with
 25 6 the federal Americans With Disabilities Act, for state
 25 7 buildings and facilities under the purview of the department:
 25 8 FY 2006=2007..... \$ 10,000,000
 25 9 FY 2007=2008..... \$ 40,000,000
 25 10 FY 2008=2009..... \$ 40,000,000
 25 11 Notwithstanding section 8.33, moneys appropriated in this
 25 12 section shall not revert at the close of the fiscal year for
 25 13 which they were appropriated but shall remain available for
 25 14 the purposes designated until the close of the fiscal year
 25 15 that begins July 1, 2010, or until the project for which the
 25 16 appropriation was made is completed, whichever is earlier.
 25 17 DIVISION VII
 25 18 RAILROAD REVOLVING LOAN AND GRANT FUND
 25 19 Sec. 31. Section 327H.20A, Code 2005, is amended to read
 25 20 as follows:
 25 21 327H.20A RAILROAD REVOLVING LOAN AND GRANT FUND.
 25 22 1. A railroad revolving loan and grant fund is established
 25 23 in the office of the treasurer of state under the control of
 25 24 the department authority. Moneys in this the fund shall be
 25 25 expended for loans the following purposes:
 25 26 a. Grants or loans to provide assistance for the
 25 27 restoration, conservation, improvement, and construction of
 25 28 railroad main lines, branch lines, switching yards, sidings,
 25 29 rail connections, intermodal yards, highway grade separations,
 25 30 and other railroad-related improvements.
 25 31 b. Grants or loans for rail economic development projects
 25 32 that improve rail facilities, including the construction of
 25 33 branch lines, sidings, rail connections, intermodal yards, and
 25 34 other rail-related improvements that spur economic development
 25 35 and job growth.
 26 1 2. The department authority shall administer a program for
 26 2 the granting and administration of loans and grants under this
 26 3 section. No more than fifty percent of the total moneys
 26 4 available in the fund in any year shall be awarded in the form
 26 5 of grants. The authority may establish a limit on the amount
 26 6 that may be awarded as a grant for any given project in order
 26 7 to maximize the use of the moneys in the fund. The department
 26 8 authority may enter into agreements with railroad
 26 9 corporations, the United States government, cities, counties,
 26 10 and other persons for carrying out the purposes of this

26 11 section.

26 12 3. Moneys Notwithstanding any other provision to the
26 13 contrary, on or after July 1, 2006, moneys received as loan
26 14 repayments for loans made pursuant to this chapter or chapter
26 15 327I before, on, or after July 1, 2005, other than repayments
26 16 of federal moneys subject to section 327H.21, shall be

26 17 credited to the railroad revolving loan and grant fund.
26 18 Notwithstanding section 8.33, moneys in the railroad revolving
26 19 loan and grant fund shall not revert to the general fund of
26 20 the state but shall remain available indefinitely for
26 21 expenditure under this section.

26 22 Sec. 32. Section 327H.26, Code 2005, is amended to read as
26 23 follows:

26 24 327H.26 ~~DEFINITION~~ DEFINITIONS.

26 25 As used in this chapter, unless the context otherwise
26 26 requires, "~~department~~":

26 27 1. "Department" means the state department of
26 28 transportation.

26 29 2. "Authority" means the railway finance authority created
26 30 in chapter 327I.

26 31 Sec. 33. Section 327I.8, Code 2005, is amended by adding
26 32 the following new subsection:

26 33 NEW SUBSECTION. 8. Administer the railroad revolving loan
26 34 and grant fund as provided in section 327H.20A.

26 35 Sec. 34. Sections 327H.18 and 327H.20, Code 2005, are
27 1 repealed.

27 2 Sec. 35. Notwithstanding section 327H.18, Code 2005, and
27 3 chapter 327I, there is appropriated from the general fund of
27 4 the state to the railroad revolving loan fund established in
27 5 section 327H.20A for the fiscal year beginning July 1, 2004,
27 6 and ending June 30, 2005, an amount equal to the amount of the
27 7 loan repayments made under section 327H.18, Code 2005, and
27 8 chapter 327I that exceed \$1,308,704 during the fiscal year
27 9 beginning July 1, 2004.

27 10 Sec. 36. Notwithstanding section 327H.18, Code 2005, and
27 11 chapter 327I, there is appropriated from the general fund of
27 12 the state to the railroad revolving loan and grant fund
27 13 established in section 327H.20A, as amended by this Act, for
27 14 the fiscal year beginning July 1, 2005, and ending June 30,
27 15 2006, an amount equal to the amount of the loan repayments
27 16 made under section 327H.18, Code 2005, and chapter 327I that
27 17 exceed \$1,288,481 during the fiscal year beginning July 1,
27 18 2005.

27 19 Sec. 37. CONTINUATION OF PRIOR AGREEMENTS. It is the
27 20 intent of the general assembly that the enactment of this
27 21 division of this Act shall not affect the terms or duration of
27 22 railroad assistance agreements entered into under chapter 327H
27 23 prior to the effective date of this division of this Act.

27 24 Sec. 38. EFFECTIVE DATE AND APPLICABILITY. The section of
27 25 this division of this Act that appropriates excess rail
27 26 assistance loan repayments for the fiscal year beginning July
27 27 1, 2004, and ending June 30, 2005, being deemed of immediate
27 28 importance, takes effect upon enactment and applies
27 29 retroactively to July 1, 2004.

27 30 DIVISION VIII

27 31 IOWA COMMUNICATIONS NETWORK

27 32 Sec. 39. Section 8D.3, subsection 3, paragraph i, Code
27 33 2005, is amended to read as follows:

27 34 i. Evaluate existing and projected rates for use of the
27 35 system and ensure that rates are sufficient to pay for the
28 1 operation of the system excluding the cost of construction and
28 2 lease costs for Parts I, II, and III. The commission shall
28 3 establish all hourly rates to be charged to all authorized
28 4 users for the use of the network and shall consider all costs
28 5 of the network in establishing the rates. A fee established

28 6 by the commission to be charged to a hospital licensed
28 7 pursuant to chapter 135B, a physician clinic, or the federal
28 8 government shall be at an appropriate rate so that, at a
28 9 minimum, there is no state subsidy related to the costs of the
28 10 connection or use of the network related to such user.

28 11 Sec. 40. Section 8D.13, subsection 11, Code 2005, is
28 12 amended to read as follows:

28 13 11. The fees charged for use of the network and state
28 14 communications shall be based on the ongoing ~~operational costs~~
28 15 ~~expenses~~ of the network and of providing state communications
28 16 ~~only~~. For the services rendered to state agencies by the
28 17 commission, the commission shall prepare a statement of
28 18 services rendered and the agencies shall pay in a manner
28 19 consistent with procedures established by the department of
28 20 administrative services.

28 21 DIVISION IX

ACCESS IOWA HIGHWAYS

Sec. 41.

1. INTENT. It is the intent of the general assembly to formulate an access Iowa plan which shall designate portions of the commercial and industrial network of highways as access Iowa highways. The goal of the access Iowa plan shall be to enhance the existing Iowa economy and ensure its continuing development and growth in the national and global competitive marketplace by providing for early completion of the construction of the most important portions of the Iowa highway system. These portions of the system shall be those that are essential for support of intrastate transportation and commerce and essential for ensuring Iowans direct access to the nation's system of interstate highways and transportation services.

The general assembly's past actions are consistent with the access Iowa plan. The general assembly has set general policy guidelines for the state transportation commission's planning and programming development, directed that road service be equalized throughout the state, determined that a commercial and industrial network of highways would benefit Iowa transportation services, directed the commission to focus at least part of their legislatively provided resources on the commercial and industrial network, and directed that the commission consider equalization of accessibility for economic development as one of the factors in establishing its plan and program priorities for the commercial and industrial network. These actions recognize that interstate commerce and national economic development are furthered and supported by the national system of interstate and defense highways and the national highway system, and that Iowa commerce and economic development are supported by Iowa's commercial and industrial network of highways.

2. ACCESS IOWA HIGHWAY DESIGNATION. The state department of transportation shall designate portions of the commercial and industrial network of highways as access Iowa highways and shall expedite and accelerate development of access Iowa highways. When designating those portions of the commercial and industrial network as access Iowa highways, the department shall consider the direct and priority linkages between economic centers within the state with populations of 20,000 or more and the enhancement of intrastate mobility and Iowa regional accessibility and national accessibility.

3. REPEAL. This section is repealed effective July 1, 2015.

DIVISION X
HONEY CREEK PREMIER DESTINATION
PARK BOND PROGRAM

Sec. 42. Section 12.30, subsection 1, paragraph a, Code 2005, is amended to read as follows:

a. "Authority" means a department, or public or quasi-public instrumentality of the state including, but not limited to, the authority created under chapter 12E, 16, 16A, 175, 257C, 261A, ~~or~~ 327I, or 463C, which has the power to issue obligations, except that "authority" does not include the state board of regents or the Iowa finance authority to the extent it acts pursuant to chapter 260C.

Sec. 43. NEW SECTION. 463C.1 TITLE.

This chapter shall be known and may be cited as the "Honey Creek Premier Destination Park Bond Program".

Sec. 44. NEW SECTION. 463C.2 DEFINITIONS.

As used in this chapter, unless the context otherwise requires:

1. "Authority" means the honey creek premier destination park authority created in section 463C.4.

2. "Board" means the governing board of the authority.

3. "Bonds" means bonds, notes, and other obligations and financing arrangements issued or entered into by the authority pursuant to this chapter.

4. "Department" means the department of natural resources.

5. "Fund" means the honey creek premier destination park bond fund created in section 463C.11.

6. "Program" means the honey creek premier destination park bond program established in section 463C.10.

Sec. 45. NEW SECTION. 463C.3 LEGISLATIVE FINDINGS.

1. The establishment of the honey creek premier destination park bond program and honey creek premier destination park authority is in all respects for the benefit of the people of the state of Iowa, for the improvement of their health and welfare, and for the promotion of the economy, which are public purposes.

30 33 2. The authority will be performing an essential
30 34 governmental function in the exercise of the powers and duties
30 35 conferred upon it by this chapter.

31 1 3. The authority will assist in the establishment of the
31 2 honey creek premier destination park in the state which will
31 3 provide important recreational and economic benefits to the
31 4 state.

31 5 4. Current efforts to develop the honey creek premier
31 6 destination park in the state have fallen short and the
31 7 creation of an authority which has the mission of engaging and
31 8 assisting in these efforts will increase the likelihood of
31 9 reaching the desired goal.

31 10 5. It is necessary to create the honey creek premier
31 11 destination park bond program and authority to encourage the
31 12 investment of private capital to stimulate the development and
31 13 construction of the park including lodges, campgrounds,
31 14 cabins, and golf courses through the use of public financing,
31 15 and to this extent it is the public policy of this state to
31 16 support the honey creek premier destination park bond program
31 17 in the procurement of necessary moneys for deposit into the
31 18 honey creek premier destination park bond fund.

31 19 Sec. 46. NEW SECTION. 463C.4 ESTABLISHMENT OF HONEY
31 20 CREEK PREMIER DESTINATION PARK AUTHORITY.

31 21 1. The honey creek premier destination park authority is
31 22 created and constitutes a public instrumentality and agency of
31 23 the state, separate and distinct from the state, exercising
31 24 public and essential governmental functions.

31 25 2. The purposes of the authority include all of the
31 26 following:

31 27 a. To implement and administer the honey creek premier
31 28 destination park bond program and to establish a stable source
31 29 of revenue to be used for the purposes designated in this
31 30 chapter.

31 31 b. To issue bonds and enter into funding options,
31 32 consistent with this chapter, including refunding and
31 33 refinancing its debt and obligations.

31 34 c. To provide for and secure the issuance and repayment of
31 35 its bonds.

32 1 d. To invest funds available under this chapter to provide
32 2 for a source of revenue in accordance with the program plan.

32 3 e. To refund and refinance the authority's debts and
32 4 obligations, and to manage its funds, obligations, and
32 5 investments as necessary and if consistent with its purpose.

32 6 f. To implement the purposes of this chapter.

32 7 3. The authority shall invest its funds and accounts in
32 8 accordance with this chapter and shall not take action or
32 9 invest in any manner that would cause the state to become a
32 10 stockholder in any corporation or that would cause the state
32 11 to assume or agree to pay the debt or liability of any
32 12 corporation in violation of the United States Constitution or
32 13 the Constitution of the State of Iowa.

32 14 4. The authority shall not create any obligation of this
32 15 state or any political subdivision of this state within the
32 16 meaning of any constitutional or statutory debt limitation.

32 17 5. The authority shall not pledge the credit or taxing
32 18 power of this state or any political subdivision of this
32 19 state, or make its debts payable out of any moneys except
32 20 those of the authority specifically pledged for their payment.

32 21 Sec. 47. NEW SECTION. 463C.5 GOVERNING BOARD.

32 22 1. The powers of the authority are vested in and shall be
32 23 exercised by a board consisting of the treasurer of state, the
32 24 auditor of state, and the director of the department of
32 25 management. Notwithstanding the provisions of section 12.30,
32 26 subsection 2, regarding ex officio nonvoting status, the
32 27 treasurer of state shall act as a voting member of the
32 28 authority.

32 29 2. Two members of the board constitute a quorum.

32 30 3. The members shall elect a chairperson, vice
32 31 chairperson, and secretary, annually, and other officers as
32 32 the members determine necessary. The treasurer of state shall
32 33 serve as treasurer of the authority.

32 34 4. Meetings of the board shall be held at the call of the
32 35 chairperson or when a majority of the members so requests.

33 1 5. The members of the board shall not receive compensation
33 2 by reason of their membership on the board.

33 3 Sec. 48. NEW SECTION. 463C.6 STAFF == ASSISTANCE BY
33 4 STATE OFFICERS, AGENCIES, AND DEPARTMENTS.

33 5 1. The staff of the office of the treasurer of state shall
33 6 also serve as staff of the authority under the supervision of
33 7 the treasurer.

33 8 2. State officers, agencies, and departments may render

33 9 services to the authority within their respective functions,
33 10 as requested by the authority.

33 11 Sec. 49. NEW SECTION. 463C.7 LIMITATION OF LIABILITY.

33 12 Members of the board and persons acting on the authority's
33 13 behalf, while acting within the scope of their employment or
33 14 agency, are not subject to personal liability resulting from
33 15 carrying out the powers and duties conferred on them under
33 16 this chapter.

33 17 Sec. 50. NEW SECTION. 463C.8 GENERAL POWERS OF
33 18 AUTHORITY.

33 19 1. The authority has all the general powers necessary to
33 20 carry out its purposes and duties and to exercise its specific
33 21 powers, including but not limited to all of the following
33 22 powers:

33 23 a. The power to issue its bonds and to enter into other
33 24 funding options as provided in this chapter.

33 25 b. The power to have perpetual succession as a public
33 26 instrumentality and agency of the state, until dissolved in
33 27 accordance with this chapter.

33 28 c. The power to sue and be sued in its own name.

33 29 d. The power to make and execute agreements, contracts,
33 30 and other instruments, with any public or private person, in
33 31 accordance with this chapter.

33 32 e. The power to hire and compensate legal counsel,
33 33 notwithstanding chapter 13.

33 34 f. The power to hire investment advisors and other persons
33 35 as necessary to fulfill its purpose.

34 1 g. The power to invest or deposit moneys of or held by the
34 2 authority in any manner determined by the authority,
34 3 notwithstanding chapter 12B or 12C.

34 4 h. The power to procure insurance, other credit
34 5 enhancements, and other financing arrangements, and to execute
34 6 instruments and contracts and to enter into agreements
34 7 convenient or necessary to facilitate financing arrangements
34 8 of the authority and to fulfill the purposes of the authority
34 9 under this chapter, including but not limited to such
34 10 arrangements, instruments, contracts, and agreements as bond
34 11 insurance, liquidity facilities, interest rate agreements, and
34 12 letters of credit.

34 13 i. The power to accept appropriations, gifts, grants,
34 14 loans, or other aid from public or private entities.

34 15 j. The power to adopt rules consistent with this chapter
34 16 and in accordance with chapter 17A, as the board determines
34 17 necessary.

34 18 k. The power to acquire, own, hold, administer, and
34 19 dispose of property.

34 20 l. The power to determine, in connection with the issuance
34 21 of bonds, and subject to the sales agreement, the terms and
34 22 other details of financing, and the method of implementation
34 23 of the program plan.

34 24 m. The power to perform any act not inconsistent with
34 25 federal or state law necessary to carry out the purposes of
34 26 the authority.

34 27 2. The authority is exempt from the requirements of
34 28 chapter 8A, subchapter III.

34 29 Sec. 51. NEW SECTION. 463C.9 POWERS NOT RESTRICTED ==
34 30 LAW COMPLETE IN ITSELF.

34 31 This chapter shall not restrict or limit the powers which
34 32 the authority has under any other law of this state, but is
34 33 cumulative as to any such powers. A proceeding, notice, or
34 34 approval is not required for the creation of the authority or
34 35 the issuance of obligations or an instrument as security,
35 1 except as provided in this chapter.

35 2 Sec. 52. NEW SECTION. 463C.10 HONEY CREEK PREMIER
35 3 DESTINATION PARK BOND PROGRAM.

35 4 The authority shall assist in the development and expansion
35 5 of the honey creek premier destination park in the state
35 6 through the establishment of the honey creek premier
35 7 destination park bond program. The authority may issue its
35 8 bonds or notes, or series of bonds or notes, for the purpose
35 9 of defraying the cost of one or more projects for the
35 10 development and expansion of the honey creek premier
35 11 destination park in the state, including lodges, campgrounds,
35 12 cabins, and golf courses, and make secured and unsecured loans
35 13 for the acquisition and construction of such projects on terms
35 14 the authority determines.

35 15 Sec. 53. NEW SECTION. 463C.11 HONEY CREEK PREMIER
35 16 DESTINATION PARK BOND FUND.

35 17 1. The honey creek premier destination park bond fund is
35 18 established as a separate and distinct fund in the state
35 19 treasury consisting of honey creek premier destination park

35 20 revenues, any moneys appropriated by the general assembly to
35 21 the fund, and any other moneys available to and obtained or
35 22 accepted by the authority for placement in the fund. The
35 23 moneys in the fund shall be used to develop the honey creek
35 24 premier destination park in the state by funding the
35 25 development and construction of facilities in the park
35 26 including but not limited to lodges, campgrounds, cabins, and
35 27 golf courses. The treasurer of state is authorized to
35 28 establish separate and distinct accounts within the honey
35 29 creek premier destination park bond fund in connection with
35 30 the issuance of the authority's bonds in accordance with the
35 31 trust indenture or resolution authorizing the bonds and the
35 32 authority is authorized to determine which revenues and
35 33 accounts shall be pledged as security for the bonds. Amounts
35 34 deposited in the honey creek premier destination park bond
35 35 fund shall be deposited in the separate and distinct accounts
36 1 as set forth in the trust indenture or resolution authorizing
36 2 the bonds. The authority is authorized to pledge and use the
36 3 gross revenues from the honey creek premier destination park
36 4 to and for payment of the bonds. Revenues may also be used
36 5 for the payment of insurance, other credit enhancements, and
36 6 other financing arrangements. Operating expenses of the honey
36 7 creek premier destination park may be paid from the revenues
36 8 to the extent the revenues exceed the amount determined by the
36 9 authority to be necessary for debt service on the bonds.

36 10 2. Payments of interest, repayments of moneys loaned
36 11 pursuant to this chapter, and recaptures of awards shall be
36 12 deposited in the fund.

36 13 3. Moneys in the fund may be used by the authority for the
36 14 purpose of providing grants, loans, forgivable loans, loan
36 15 guarantees under the honey creek premier destination park bond
36 16 program established in this chapter, and otherwise funding the
36 17 development and construction of facilities in the park
36 18 including but not limited to lodges, campgrounds, cabins, and
36 19 golf courses. The moneys in the fund shall be used for the
36 20 development and construction of facilities in the honey creek
36 21 premier destination park.

36 22 4. The authority, in consultation with the department,
36 23 shall determine which projects qualify for assistance from the
36 24 fund, and which projects shall be funded.

36 25 Sec. 54. NEW SECTION. 463C.12 PREMIER DESTINATION PARK
36 26 BONDS.

36 27 1. The authority may issue bonds for the purpose of
36 28 funding the honey creek premier destination park bond fund
36 29 established in section 463C.11 and for the purpose of
36 30 refunding any bonds issued under this section. The authority
36 31 may issue bonds in principal amounts which, in the opinion of
36 32 the board, are necessary to provide sufficient funds for the
36 33 honey creek premier destination park bond fund established in
36 34 section 463C.11, the payment of interest on the bonds, the
36 35 establishment of reserves to secure the bonds, the costs of
37 1 issuance of the bonds, other expenditures of the authority
37 2 incident to and necessary or convenient to carry out the bond
37 3 issue for the fund, and all other expenditures of the board
37 4 necessary or convenient to administer the fund; provided,
37 5 however, excluding the issuance of refunding bonds, bonds
37 6 issued pursuant to this section shall not be issued in an
37 7 aggregate principal amount which exceeds twenty-eight million
37 8 dollars.

37 9 2. The bonds are investment securities and negotiable
37 10 instruments within the meaning of and for the purposes of the
37 11 uniform commercial code.

37 12 3. The authority may pledge amounts deposited in the honey
37 13 creek premier destination park bond fund established in
37 14 section 463C.11 as security for the payment of the principal
37 15 of premium, if any, and interest on the bonds. Bonds issued
37 16 under this section are payable solely and only out of the
37 17 moneys, assets, or revenues of the honey creek premier
37 18 destination park bond fund and any bond reserve funds
37 19 established pursuant to section 463C.13, all of which may be
37 20 deposited with trustees or depositories in accordance with
37 21 bond or security documents, and are not an indebtedness of
37 22 this state, or a charge against the general credit or general
37 23 fund of the state, and the state shall not be liable for the
37 24 bonds except from amounts on deposit in the funds. Bonds
37 25 issued under this section shall contain a statement that the
37 26 bonds do not constitute an indebtedness of the state.

37 27 4. The bonds shall be:

37 28 a. In a form, issued in denominations, executed in a
37 29 manner, payable over terms and with rights of redemption, and
37 30 subject to such other terms and conditions as prescribed in

37 31 the trust indenture, resolution, or other instrument
37 32 authorizing their issuance.

37 33 b. Negotiable instruments under the laws of this state and
37 34 may be sold at prices, at public or private sale, and in a
37 35 manner as prescribed by the authority. Chapters 73A, 74, 74A,
38 1 and 75 do not apply to the sale or issuance of the bonds.

38 2 c. Subject to the terms, conditions, and covenants
38 3 providing for the payment of the principal, redemption
38 4 premiums, if any, interest, and other terms, conditions,
38 5 covenants, and protective provisions safeguarding payment, not
38 6 inconsistent with this section and as determined by the trust
38 7 indenture, resolution, or other instrument authorizing their
38 8 issuance.

38 9 5. The bonds are securities in which public officers and
38 10 bodies of this state, political subdivisions of this state,
38 11 insurance companies and associations and other persons
38 12 carrying on an insurance business, banks, trust companies,
38 13 savings associations, savings and loan associations, and
38 14 investment companies, administrators, guardians, executors,
38 15 trustees, and other fiduciaries, and other persons authorized
38 16 to invest in bonds or other obligations of the state, may
38 17 properly and legally invest funds, including capital, in their
38 18 control or belonging to them.

38 19 6. Bonds must be authorized by a trust indenture,
38 20 resolution, or other instrument of the authority that is
38 21 approved by the authority. However, a trust indenture,
38 22 resolution, or other instrument authorizing the issuance of
38 23 bonds may delegate to an officer of the authority the power to
38 24 negotiate and fix the details of an issuance of bonds.

38 25 7. Neither the resolution, trust agreement, or any other
38 26 instrument by which a pledge is created is required to be
38 27 recorded or filed under the uniform commercial code to be
38 28 valid, binding, or effective.

38 29 8. All bonds issued by the authority in connection with
38 30 the program are exempt from taxation by the state of Iowa and
38 31 the interest on the bonds is exempt from state income taxes
38 32 and state inheritance and estate taxes.

38 33 9. The authority may issue bonds for the purpose of
38 34 refunding any bonds or notes issued pursuant to this section
38 35 then outstanding, including the payment of any redemption
39 1 premiums thereon and any interest accrued or to accrue to the
39 2 date of redemption of the outstanding bonds or notes. Until
39 3 the proceeds of bonds issued for the purpose of refunding
39 4 outstanding bonds or notes are applied to the purchase or
39 5 retirement of outstanding bonds or notes or the redemption of
39 6 outstanding bonds or notes, the proceeds may be placed in
39 7 escrow and be invested and reinvested in accordance with the
39 8 provisions of this section. The interest, income, and profits
39 9 earned or realized on an investment may also be applied to the
39 10 payment of the outstanding bonds or notes to be refunded by
39 11 purchase, retirement, or redemption. After the terms of the
39 12 escrow have been fully satisfied and carried out, any balance
39 13 of proceeds and interest earned or realized on the investments
39 14 may be returned to the board for deposit in the honey creek
39 15 premier destination park bond fund established in section
39 16 463C.11. All refunding bonds shall be issued and secured and
39 17 subject to the provisions of this chapter in the same manner
39 18 and to the same extent as other bonds issued pursuant to this
39 19 section.

39 20 Sec. 55. NEW SECTION. 463C.13 BOND RESERVE FUNDS.

39 21 1. The authority may create and establish one or more
39 22 special funds, to be known as bond reserve funds, and shall
39 23 pay into each bond reserve fund any moneys appropriated and
39 24 made available by the authority for the purpose of the bond
39 25 reserve fund, any proceeds of sale of notes or bonds to the
39 26 extent provided in the trust indenture, resolution, or other
39 27 instrument of the treasurer of state authorizing their
39 28 issuance, and any other moneys which may be available to the
39 29 authority for the purpose of the bond reserve fund from any
39 30 other sources. All moneys held in a bond reserve fund, except
39 31 as otherwise provided in this section, shall be used as
39 32 required solely for the payment of the principal of bonds
39 33 secured in whole or in part by the bond reserve fund or of the
39 34 sinking fund payments with respect to the bonds, the purchase
39 35 or redemption of the bonds, the payment of interest on the
40 1 bonds, or the payments of any redemption premium required to
40 2 be paid when the bonds are redeemed prior to maturity.

40 3 2. Moneys in a bond reserve fund shall not be withdrawn
40 4 from the bond reserve fund at any time in an amount that will
40 5 reduce the amount of the bond reserve fund to less than the
40 6 bond reserve fund requirement established for the bond reserve

40 7 fund, as provided in this section, except for the purpose of
40 8 making, with respect to bonds secured in whole or in part by
40 9 the bond reserve fund, payment when due of principal,
40 10 interest, redemption premiums, and the sinking fund payments
40 11 with respect to the bonds for the payment of which other
40 12 moneys are not available. Any income or interest earned by,
40 13 or incremental to, a bond reserve fund due to the investment
40 14 of moneys in the bond reserve fund may be transferred by the
40 15 authority to other reserve funds or the honey creek premier
40 16 destination park bond fund to the extent the transfer does not
40 17 reduce the amount of that bond reserve fund below the bond
40 18 reserve fund requirement for the bond reserve fund.

40 19 3. The authority shall not at any time issue bonds,
40 20 secured in whole or in part by a bond reserve fund, if, upon
40 21 the issuance of the bonds, the amount in the bond reserve fund
40 22 will be less than the bond reserve fund requirement for the
40 23 bond reserve fund, unless the authority at the time of
40 24 issuance of the bonds deposits in the bond reserve fund from
40 25 the proceeds of the bonds issued or from other sources an
40 26 amount which, together with the amount then in the bond
40 27 reserve fund, will not be less than the bond reserve fund
40 28 requirement for the bond reserve fund. For the purposes of
40 29 this section, the term "bond reserve fund requirement" means,
40 30 as of any particular date of computation, an amount of money,
40 31 as provided in the trust indenture, resolution, or other
40 32 instrument of the authority authorizing the bonds with respect
40 33 to which the bond reserve fund is established, equal to not
40 34 more than ten percent of the outstanding principal amount of
40 35 bonds secured in whole or in part by the bond reserve fund.

41 1 4. To assure the continued operation and solvency of the
41 2 authority for the carrying out of its corporate purposes,
41 3 provision is made in subsection 1 for the accumulation in each
41 4 bond reserve fund of an amount equal to the bond reserve fund
41 5 requirement for the fund. In order further to assure
41 6 maintenance of the bond reserve funds, the chairperson of the
41 7 authority shall, on or before January 1 of each calendar year,
41 8 make and deliver to the governor the chairperson's certificate
41 9 stating the sum, if any, required to restore each bond reserve
41 10 fund to the bond reserve fund requirement for that fund.
41 11 Within thirty days after the beginning of the session of the
41 12 general assembly next following the delivery of the
41 13 certificate, the governor shall submit to both houses printed
41 14 copies of a budget including the sum, if any, required to
41 15 restore each bond reserve fund to the bond reserve fund
41 16 requirement for that fund. Any sums appropriated by the
41 17 general assembly and paid to the authority pursuant to this
41 18 section shall be deposited by the authority in the applicable
41 19 bond reserve fund.

41 20 Sec. 56. NEW SECTION. 463C.14 PLEDGES.

41 21 It is the intention of the general assembly that a pledge
41 22 made in respect of bonds or notes shall be valid and binding
41 23 from the time the pledge is made, that the money or property
41 24 so pledged and received after the pledge by the treasurer of
41 25 state shall immediately be subject to the lien of the pledge
41 26 without physical delivery or further act, and that the lien of
41 27 the pledge shall be valid and binding as against all parties
41 28 having claims of any kind in tort, contract, or otherwise
41 29 against the treasurer of state whether or not the parties have
41 30 notice of the lien.

41 31 Sec. 57. NEW SECTION. 463C.15 MONEYS OF THE AUTHORITY.

41 32 1. Moneys of the authority from whatever source derived,
41 33 except as otherwise provided in this chapter, shall be paid to
41 34 the authority and shall be deposited in the honey creek
41 35 premier destination park bond fund. The moneys shall be
42 1 withdrawn on the order of the person authorized by the
42 2 authority. Deposits shall, if required by the authority, be
42 3 secured in the manner determined by the authority. The
42 4 auditor of state and the auditor's legally authorized
42 5 representatives may periodically examine the accounts and
42 6 books of the authority, including its receipts, disbursements,
42 7 contracts, leases, sinking funds, investments and any other
42 8 records and papers relating to its financial standing, and the
42 9 authority shall not be required to pay a fee for the
42 10 examination.

42 11 2. The authority may contract with holders of its bonds or
42 12 notes as to the custody, collection, security, investment, and
42 13 payment of moneys of the authority, of moneys held in trust or
42 14 otherwise for the payment of bonds or notes, and to carry out
42 15 the contract. Moneys held in trust or otherwise for the
42 16 payment of bonds or notes or in any way to secure bonds or
42 17 notes and deposits of the moneys may be secured in the same

42 18 manner as moneys of the authority, and banks and trust
42 19 companies may give security for the deposits.

42 20 3. Subject to the provisions of any contract with
42 21 bondholders or noteholders and to the approval of the director
42 22 of the department of administrative services, the authority
42 23 shall prescribe a system of accounts.

42 24 4. The authority shall submit to the governor, the auditor
42 25 of state, the department of management, and the department of
42 26 administrative services, within thirty days of its receipt by
42 27 the authority, a copy of the report of every external
42 28 examination of the books and accounts of the authority other
42 29 than copies of the reports of examinations made by the auditor
42 30 of state.

42 31 Sec. 58. NEW SECTION. 463C.16 ANNUAL REPORT.

42 32 1. The authority shall submit to the governor, the general
42 33 assembly, and the attorney general, on or before December 31,
42 34 annually, a report including information regarding all of the
42 35 following:

43 1 a. Its operations and accomplishments.

43 2 b. Its receipts and expenditures during the previous
43 3 fiscal year, in accordance with classifications it establishes
43 4 for its operating and capital accounts.

43 5 c. Its assets and liabilities at the end of the previous
43 6 fiscal year and the status of reserve, special, and other
43 7 funds.

43 8 d. A schedule of its bonds outstanding at the end of the
43 9 previous fiscal year, and a statement of the amounts redeemed
43 10 and issued during the previous fiscal year.

43 11 e. A statement of its proposed and projected activities.

43 12 f. Recommendations to the governor and the general
43 13 assembly, as deemed necessary.

43 14 g. A statement of all projects funded in the previous
43 15 fiscal year.

43 16 h. Any other information deemed necessary.

43 17 2. The annual report shall identify performance goals of
43 18 the authority, and clearly indicate the extent of progress
43 19 during the reporting period in attaining these goals.

43 20 Sec. 59. NEW SECTION. 463C.17 EXEMPTION FROM COMPETITIVE
43 21 BID LAWS.

43 22 The authority and contracts entered into by the authority
43 23 in carrying out its public and essential governmental
43 24 functions are exempt from the laws of the state which provide
43 25 for competitive bids and hearings in connection with
43 26 contracts, except as provided in section 12.30. However, the
43 27 exemption from competitive bid laws in this section shall not
43 28 be construed to apply to contracts for the development of the
43 29 park or the development or construction of facilities in the
43 30 park, including, but not limited to, lodges, campgrounds,
43 31 cabins, and golf courses.

43 32 Sec. 60. NEW SECTION. 463C.18 BANKRUPTCY.

43 33 Prior to the date which is three hundred sixty-six days
43 34 after which the authority no longer has any bonds outstanding,
43 35 the authority is prohibited from filing a voluntary petition
44 1 under chapter 9 of the federal bankruptcy code or such
44 2 corresponding chapter or section as may, from time to time, be
44 3 in effect, and a public official or organization, entity, or
44 4 other person shall not authorize the authority to be or become
44 5 a debtor under chapter 9 or any successor or corresponding
44 6 chapter or sections during such periods. The provisions of
44 7 this section shall be part of any contractual obligation owed
44 8 to the holders of bonds issued under this chapter. Any such
44 9 contractual obligation shall not subsequently be modified by
44 10 state law, during the period of the contractual obligation.

44 11 Sec. 61. NEW SECTION. 463C.19 DISSOLUTION OF THE
44 12 AUTHORITY.

44 13 The authority shall dissolve no later than two years after
44 14 the date of final payment of all outstanding bonds and the
44 15 satisfaction of all outstanding obligations of the authority,
44 16 except to the extent necessary to remain in existence to
44 17 fulfill any outstanding covenants or provisions with
44 18 bondholders or third parties made in accordance with this
44 19 chapter. Upon dissolution of the authority, all assets of the
44 20 authority shall be returned to the state and shall be
44 21 deposited in the general fund of the state, unless otherwise
44 22 directed by the general assembly, and the authority shall
44 23 execute any necessary assignments or instruments, including
44 24 any assignment of any right, title, or ownership to the state
44 25 for receipt of payments.

44 26 Sec. 62. NEW SECTION. 463C.20 LIBERAL INTERPRETATION.

44 27 This chapter, being deemed necessary for the welfare of the
44 28 state and its people, shall be liberally construed to effect

44 29 its purpose.

44 30 Sec. 63. MATCHING FUNDS. Moneys appropriated in this Act,
44 31 if enacted, to be used for the purpose of funding the
44 32 development and construction of the honey creek premier
44 33 destination park shall be available only for projects that
44 34 contain a match of four dollars of private funds for each
44 35 three dollars of state funds.

45 1 Sec. 64. EFFECTIVE DATE. This division of this Act, being
45 2 deemed of immediate importance, takes effect upon enactment.

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CHRISTOPHER C. RANTS
Speaker of the House

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JOHN P. KIBBIE
President of the Senate

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45 13

45 14 I hereby certify that this bill originated in the House and
45 15 is known as House File 875, Eighty-first General Assembly.

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MARGARET THOMSON
Chief Clerk of the House

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45 21 Approved _____, 2005

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45 24

THOMAS J. VILSACK
Governor

45 26