



THOMAS J. VILSACK
GOVERNOR

OFFICE OF THE GOVERNOR

SALLY J. PEDERSON
LT. GOVERNOR

May 31, 2006

The Honorable Chester Culver
Secretary of State
State Capitol Building
L O C A L


Dear Mr. Secretary:

I hereby transmit:

House File 2782, 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, the Endowment for Iowa's Health Restricted Capitals Fund, the Technology Reinvestment Fund, the Endowment for Iowa's Health Account, the Public Transit Infrastructure Grant Fund, the Iowa Great Places Program Fund, and related matters and providing immediate, retroactive, and future effective dates.

The above House File is hereby approved this date.

Sincerely,


Thomas J. Vilsack
Governor

TJV:jmc

cc: Secretary of the Senate
Chief Clerk of the House





HOUSE FILE 2782

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, THE ENDOWMENT FOR IOWA'S HEALTH RESTRICTED CAPITALS FUND, THE TECHNOLOGY REINVESTMENT FUND, THE ENDOWMENT FOR IOWA'S HEALTH ACCOUNT, THE PUBLIC TRANSIT INFRASTRUCTURE GRANT FUND, THE IOWA GREAT PLACES PROGRAM FUND, AND RELATED MATTERS AND PROVIDING IMMEDIATE, RETROACTIVE, AND FUTURE EFFECTIVE DATES.

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

DIVISION I

REBUILD IOWA INFRASTRUCTURE FUND

Section 1. There is appropriated from the rebuild Iowa infrastructure fund to the following departments and agencies for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. DEPARTMENT OF ADMINISTRATIVE SERVICES

a. 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":

..... \$ 1,824,500

Of the funds appropriated in this paragraph, \$210,600 is allocated to the department of corrections and board of parole for assessed maintenance charges by the department of administrative services, \$122,000 is allocated for rent payments for the community-based corrections facility located

in Davenport, and \$185,768 is allocated to the department of cultural affairs for costs associated with leasing space for the state records center.

b. For routine maintenance of state buildings and facilities, notwithstanding section 8.57, subsection 6, paragraph "c":

..... \$ 2,536,500

c. For maintenance of the Terrace Hill complex:

..... \$ 75,000

2. DEPARTMENT OF CORRECTIONS

a. For the lease payment under the lease-purchase agreement to connect the electrical system supporting the special needs unit at Fort Madison:

..... \$ 333,168

b. For systemic study and planning of the state prison system to maximize the efficient use of the current infrastructure, capacity, and treatment needs, versus projected needs of the prison system based on the Iowa prison population forecast:

..... \$ 500,000

3. DEPARTMENT OF CULTURAL AFFAIRS

a. For continuation of the project recommended by the Iowa battle flag advisory committee to stabilize the condition of the battle flag collection, notwithstanding section 8.57, subsection 6, paragraph "c":

..... \$ 220,000

b. For historical site preservation grants to be used for the restoration, preservation, and development of historic sites:

..... \$ 800,000

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

c. For providing a grant to the Grout museum district for costs associated with the construction and site development at the Sullivan brothers veterans museum in order to honor Iowa veterans and their many contributions:

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

d. For the American gothic visitors education center in Eldon, Iowa, for infrastructure purposes:

..... \$ 250,000

4. DEPARTMENT OF ECONOMIC DEVELOPMENT

For costs associated with the construction, renovation, major repair, and site development of Iowa port authorities pursuant to chapter 28J:

..... \$ 80,000

The amount appropriated in this subsection shall be administered by the department as a grant program. The purpose of the grant program is to provide support for programs that enhance, foster, aid, provide, or promote transportation, economic development, recreation, governmental operations, culture, or research within the jurisdiction of a port authority pursuant to chapter 28J. Grants shall be awarded in the manner provided by the department pursuant to rule.

5. DEPARTMENT OF EDUCATION

To provide resources for structural and technological improvements to local libraries and for the enrich Iowa program, notwithstanding section 8.57, subsection 6, paragraph "c":

..... \$ 1,200,000

Of the amount appropriated in this subsection, \$200,000 shall be allocated to the state library and \$50,000 shall be allocated equally to each library service area.

6. DEPARTMENT OF HUMAN SERVICES

To provide a matching grant for the planning, design, renovation, and construction of a residential treatment facility for youth with emotional and behavioral disorders in a city with a population of between 10,000 and 15,000 residents located in a central Iowa county with a population of approximately 375,000 residents:

..... \$ 300,000

It is the intent of the general assembly that the matching grant awarded from the funds appropriated under this subsection shall be awarded only to the extent that the state moneys are matched from sources other than the state on a dollar-for-dollar basis.

7. IOWA FINANCE AUTHORITY

For deposit into the transitional housing revolving loan program fund created in section 16.184:

..... \$ 1,400,000

8. DEPARTMENT OF NATURAL RESOURCES

a. To be used to assist in the purchase, through public-private partnerships, of certain unique and treasured land in Iowa:

..... \$ 1,500,000

b. For repair and maintenance of the four season bathhouse shelter at Lake Darling:

..... \$ 250,000

9. DEPARTMENT OF PUBLIC DEFENSE

a. For construction costs associated with the Camp Dodge armed forces readiness center:

..... \$ 100,000

b. For allocation to the homeland security and emergency management division for the STARCOMM project:

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

10. DEPARTMENT OF PUBLIC HEALTH

To an established regional environmental public health and emergency management program for costs associated with the planning, design, and construction of a building to house environmental public health and emergency and facility management:

..... \$ 100,000

11. DEPARTMENT OF PUBLIC SAFETY

a. For the planning, design, and construction of a law enforcement driving safety training facility in the same location as the automobile racetrack facility as defined in section 423.4, subsection 5:

..... \$ 800,000

b. For allocation to the division of fire protection for the planning, design, and construction of regional emergency response training centers in the state:

..... \$ 2,300,000

Of the amount appropriated in this lettered paragraph, \$400,000 shall be allocated to the Sioux City fire department.

Of the amount appropriated in this lettered paragraph, \$500,000 shall be allocated to the Council Bluffs fire department.

Of the amount appropriated in this lettered paragraph, \$150,000 shall be allocated to the Dubuque county firemen's association.

Of the amount appropriated in this lettered paragraph, \$150,000 shall be allocated to the Waterloo regional hazardous materials training center.

Of the amount appropriated in this lettered paragraph, \$400,000 shall be allocated to eastern Iowa community college.

Of the amount appropriated in this lettered paragraph, \$400,000 shall be allocated to Iowa lakes community college.

Of the amount appropriated in this lettered paragraph, an additional \$300,000 shall be available to a lead public agency of any of the regional emergency response training centers upon application to the fire service training bureau. The state fire marshal shall adopt rules that establish an application procedure for a lead public agency of any of the regional emergency response training centers identified in section 100B.16. The highest priority use for the moneys appropriated under this paragraph shall be for regional emergency response training centers comprised of two merged areas. Such moneys shall be used for the same purposes for which the previously identified allocations may be spent and shall not be used for facilities related to providing advanced training as specified in section 100B.16.

12. STATE BOARD OF REGENTS

a. For allocation by the state board of regents to the state university of Iowa, the Iowa state university of science and technology, and the university of Northern Iowa to reimburse the institutions for deficiencies in their operating funds resulting from the pledging of tuition, student fees and charges, and institutional income to finance the cost of providing academic and administrative buildings and facilities and utility services at the institutions, notwithstanding section 8.57, subsection 6, paragraph "c":

..... \$ 10,329,981

b. For implementation of the recommendations provided in separate consultant reports on bioscience, advanced manufacturing, and information technology submitted to the department of economic development in the calendar years 2004 and 2005, including projects submitted for review to the technology and commercialization resources organization

created in this Act, if enacted, notwithstanding section 8.57, subsection 6, paragraph "c":

..... \$ 8,200,000

c. For vertical infrastructure-related improvements associated with the implementation of the recommendations provided in separate consultant reports on bioscience, advanced manufacturing, and information technology submitted to the department of economic development in the calendar years 2004 and 2005, including projects submitted for review to the technology and commercialization resources organization created in this Act, if enacted:

..... \$ 1,800,000

d. For the design and construction of a new university hygienic laboratory at the state university of Iowa:

..... \$ 8,350,000

e. For the construction, major renovation, and maintenance of a veterinary laboratory at Iowa state university of science and technology:

..... \$ 2,000,000

f. 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 state board of regents institutions:

..... \$ 6,200,000

It is the intent of the general assembly that the moneys appropriated in this subsection supplant state university operating funds used for the purposes stated.

g. For endowments and salaries, notwithstanding section 8.57, subsection 6, paragraph "c":

..... \$ 5,000,000

h. To provide a grant for the construction of, and purchasing equipment for, a facility to be used exclusively for processing novel proteins from agricultural products for pharmaceutical, nutraceutical, or chemical applications:

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

13. NATIONAL PROGRAM FOR PLAYGROUND SAFETY AT THE UNIVERSITY OF NORTHERN IOWA

For the Iowa safe surfacing initiative, notwithstanding section 8.57, subsection 6, paragraph "c":

..... \$ 500,000

Not more than 2.5 percent of the funds appropriated in this subsection shall be used by the national program for playground safety for administrative costs associated with the Iowa safe surfacing initiative.

The crumb rubber playground tiles for the initiative shall be international play equipment manufacturers association (IPEMA)-certified to the American society for testing and materials (A.S.T.M.) F1292 standard.

The national program for playground safety shall submit a report by January 15, 2007, to the joint appropriations subcommittee on transportation, infrastructure, and capitals detailing the use of the moneys appropriated in this subsection. The report shall specify the projects for which moneys were used and the cost of each project, including the amounts spent on administration.

14. DEPARTMENT OF TRANSPORTATION

a. For deposit into the railroad revolving loan and grant fund created in section 327H.20A:

..... \$ 235,000

b. For operation and maintenance of the network of automated weather observation and data transfer systems associated with the Iowa aviation weather system, the runway marking program for public airports, the windsock program for public airports, and the aviation improvement program, notwithstanding section 8.57, subsection 6, paragraph "c":

..... \$ 564,000

15. TREASURER OF STATE

a. For repayment of prison infrastructure revenue bonds under section 16.177, notwithstanding section 8.57, subsection 6, paragraph "c":

..... \$ 5,416,604

b. For county fair infrastructure improvements for distribution in accordance with chapter 174 to qualified fairs which belong to the association of Iowa fairs:

..... \$ 1,060,000

Sec. 2. There is appropriated from the rebuild Iowa infrastructure fund to the following departments for the fiscal year beginning July 1, 2007, and ending June 30, 2008, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. DEPARTMENT OF ADMINISTRATIVE SERVICES

For construction of a new school and infirmary building at the Iowa juvenile home at Toledo and for the renovation of existing school buildings and the demolition of other buildings:

..... \$ 3,100,000

2. DEPARTMENT OF CULTURAL AFFAIRS

For deposit into the Iowa great places program fund created in section 303.3D as enacted in this Act:

..... \$ 3,000,000

3. DEPARTMENT OF PUBLIC DEFENSE

For allocation to the homeland security and emergency management division for the STARCOMM project:

..... \$ 2,000,000

4. DEPARTMENT OF TRANSPORTATION

For deposit into the public transit infrastructure grant fund created in section 324A.6A, if enacted in this Act:

..... \$ 2,200,000

Sec. 3. There is appropriated from the rebuild Iowa infrastructure fund to the department of public defense for the fiscal year beginning July 1, 2008, and ending June 30, 2009, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For allocation to the homeland security and emergency management division for the STARCOMM project:

..... \$ 1,600,000

Sec. 4. REVERSION.

1. Notwithstanding section 8.33, moneys appropriated for the fiscal year beginning July 1, 2006, in this division of this Act that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for the purposes designated until the close of the fiscal year that begins July 1, 2009, or until the project for which the appropriation was made is completed, whichever is earlier.

2. Notwithstanding section 8.33, moneys appropriated for the fiscal year beginning July 1, 2007, in this division of this Act that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for the purposes designated until the close of the fiscal year that begins July 1, 2010, or until the project for which the appropriation was made is completed, whichever is earlier.

3. Notwithstanding section 8.33, moneys appropriated for the fiscal year beginning July 1, 2008, in this division of this Act that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for the purposes designated until the close of the fiscal year that begins July 1, 2011, or until the project for which the appropriation was made is completed, whichever is earlier.

Sec. 5. DEPARTMENT OF ADMINISTRATIVE SERVICES. There is appropriated from the rebuild Iowa infrastructure fund to the department of administrative services for the designated fiscal years, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For planning, design, and construction costs associated with the construction of a new approximately 350,000-gross-square-foot state office building, including costs associated with furnishings, employee relocation, and the demolition of the Wallace Building:

FY 2007-2008.....	\$ 16,100,000
FY 2008-2009.....	\$ 16,800,000
FY 2009-2010.....	\$ 6,657,100

Notwithstanding section 8.33, moneys appropriated in this section shall not revert at the close of the fiscal year for which they were appropriated but shall remain available for the purposes designated until the close of the fiscal year that begins July 1, 2011, or until the project for which the appropriation was made is completed, whichever is earlier.

Sec. 6. STATE BOARD OF REGENTS. There is appropriated from the rebuild Iowa infrastructure fund to the state board of regents for the following fiscal years the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For the design and construction of a new university hygienic laboratory at the state university of Iowa:

FY 2007-2008.....	\$ 15,650,000
FY 2008-2009.....	\$ 12,000,000

Notwithstanding section 8.33, moneys appropriated in this section shall not revert at the close of the fiscal year for which they were appropriated but shall remain available for the purposes designated until the close of the fiscal year that begins July 1, 2011, or until the project for which the appropriation was made is completed, whichever is earlier.

DIVISION II
ENVIRONMENT FIRST FUND

Sec. 7. There is appropriated from the environment first fund to the following departments and agencies for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

a. For the conservation reserve enhancement program to restore and construct wetlands for the purposes of intercepting tile line runoff, reducing nutrient loss, improving water quality, and enhancing agricultural production practices:

..... \$ 1,500,000

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

b. For continuation of a program that provides multiobjective resource protections for flood control, water quality, erosion control, and natural resource conservation:

..... \$ 2,700,000

Of the amount appropriated in this lettered paragraph, \$150,000 is allocated to the department for the purpose of funding a detailed project report by the United States army corps of engineers to study flood prevention improvements to a levee located in the largest city in a county in this state with a population between 190,000 and 200,000. To receive funds pursuant to this paragraph, the city shall provide local matching moneys on a dollar-for-dollar basis and shall work to obtain any available federal funding.

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

c. For continuation of a statewide voluntary farm management demonstration program to demonstrate the effectiveness and adaptability of emerging practices in agronomy that protect water resources and provide other environmental benefits:

..... \$ 850,000

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

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

d. For deposit in the agricultural drainage well water quality assistance fund created in section 460.303 to be used for purposes of supporting the alternative drainage system assistance program as provided in section 460.304:

..... \$ 500,000

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

e. To provide financial assistance for the establishment of permanent soil and water conservation practices:

..... \$ 5,500,000

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

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

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

(4) The state soil conservation committee created in section 161A.4 may allocate moneys appropriated in this lettered paragraph to conduct research and demonstration projects to promote conservation tillage and nonpoint source pollution control practices.

(5) The financial incentive payments may be used in combination with department of natural resources moneys.

(6) Not more than 10 percent of the moneys appropriated in this lettered paragraph may be used for costs of administration and implementation of soil and water conservation practices.

f. To encourage and assist farmers in enrolling in and the implementation of federal conservation programs and to work with them to enhance their revegetation efforts to improve water quality and habitat:

..... \$ 2,000,000

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

g. For deposit in the loess hills development and conservation fund created in section 161D.2:

..... \$ 600,000

Of the amount appropriated in this lettered paragraph, \$400,000 shall be allocated to the hungry canyons account and \$200,000 shall be allocated to the loess hills alliance account to be used for the purposes for which the moneys in those accounts are authorized to be used under chapter 161D. No more than 10 percent of the moneys allocated to the hungry canyons account in this lettered paragraph may be used for administrative costs. No more than 10 percent of the moneys allocated to the loess hills alliance account in this lettered paragraph may be used for administrative costs.

h. For deposit in the southern Iowa development and conservation fund created in section 161D.12:

..... \$ 300,000

Not more than 5 percent of the moneys appropriated in this lettered paragraph may be used for administrative costs.

2. DEPARTMENT OF ECONOMIC DEVELOPMENT

For deposit in the brownfield redevelopment fund created in section 15.293 to provide assistance under the brownfield redevelopment program:

..... \$ 500,000

3. DEPARTMENT OF NATURAL RESOURCES

a. For statewide coordination of volunteer efforts under the water quality and keepers of the land programs:

..... \$ 100,000

b. For purposes of funding capital projects for the purposes specified in section 452A.79, and for expenditures for the local cost-share grants to be used for capital expenditures to local governmental units for boating accessibility:

..... \$ 2,500,000

c. For regular maintenance of state parks and staff time associated with these activities:

..... \$ 2,000,000

d. To provide local watershed managers with geographic information system data for their use in developing, monitoring, and displaying results of their watershed work:

..... \$ 195,000

e. For continuing the establishment and operation of water quality monitoring stations:

..... \$ 2,955,000

f. For deposit in the administration account of the water quality protection fund, to carry out the purposes of that account:

..... \$ 500,000

g. 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

h. For the dredging of lakes, including necessary preparation for dredging, in accordance with the department's classification of Iowa lakes restoration report:

..... \$ 975,000

Of the amount appropriated for the dredging of lakes, \$225,000 shall be allocated for a lake with public access that has the support of a benefitted lake district located in a county with a population between 18,350 and 18,450.

The department shall monitor private lake recipients with a department presence of the funds appropriated in this lettered paragraph and such recipients shall provide local matching moneys on a dollar-for-dollar basis.

The department shall consider the following criteria for funding lake dredging projects as provided in this lettered paragraph, and shall prioritize projects based on the following:

- (1) Documented efforts to address watershed protection, considering testing, conservation efforts, and the amount of time devoted to watershed protection.
- (2) Protection of a natural resource and natural habitat.

(3) Percentage of public access and undeveloped lakefront property.

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

i. For completion of the tire reclamation project near Rhodes:

..... \$ 50,000

Sec. 8. There is appropriated from the environment first fund to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2007, and ending June 30, 2008, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the purpose of funding a detailed project report by the United States army corps of engineers to study flood prevention improvements to a levee located in the largest city in a county in this state with a population between 190,000 and 200,000:

..... \$ 150,000

To receive funds pursuant to this section, the city shall provide local matching moneys on a dollar-for-dollar basis and shall work to obtain any available federal funding.

Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for the purposes designated until the close of the fiscal year that begins July 1, 2010, or until the project for which the appropriation was made is completed, whichever is earlier.

RESOURCES ENHANCEMENT AND PROTECTION FUND

Sec. 9. Notwithstanding the amount of the standing appropriation from the general fund of the state under section 455A.18, subsection 3, there is appropriated from the environment first fund to the Iowa resources enhancement and protection fund, in lieu of the appropriation made in section 455A.18, for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amount, to be allocated as provided in section 455A.19:

..... \$ 11,000,000

Sec. 10. REVERSION.

1. Except as provided in subsection 2, and notwithstanding section 8.33, moneys appropriated for the fiscal year beginning July 1, 2006, in this division of this Act that

remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for the purposes designated until the close of the fiscal year beginning July 1, 2007, or until the project for which the appropriation was made is completed, whichever is earlier.

2. Notwithstanding section 8.33, moneys appropriated in this division of this Act to the department of agriculture and land stewardship to provide financial assistance for the establishment of permanent soil and water conservation practices that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that begins July 1, 2009.

Sec. 11. CONTINGENT EFFECTIVE DATE. The lettered paragraph in the section of this division of this Act making an appropriation from the environment first fund to the department of natural resources for purposes related to use attainability analyses is contingent upon the enactment of section 455B.176A by the Eighty-first General Assembly, 2006 Session, making it necessary for the department to contract with qualified persons outside the department to conduct use attainability analyses.

DIVISION III
TOBACCO SETTLEMENT TRUST FUND

Sec. 12.

1. There is appropriated from the tax-exempt bond proceeds restricted capital funds account of the tobacco settlement trust 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:

a. DEPARTMENT OF ADMINISTRATIVE SERVICES

(1) For upgrades to the electrical distribution system serving the capitol complex:

..... \$ 3,468,800

(2) For costs associated with the remodeling of the records and property center:

..... \$ 2,200,000

(3) For costs associated with the restoration of the west capitol terrace:

..... \$ 2,300,000

(4) For costs to repair parking lots on the capitol complex:

..... \$ 1,545,000

b. DEPARTMENT OF CORRECTIONS

(1) For construction of a community-based correctional facility, including district offices, in Fort Dodge:

..... \$ 1,400,000

(2) For the remodeling and renovation of the kitchen facilities at the Anamosa correctional facility:

..... \$ 1,840,000

(3) For the Oakdale expansion one-time equipment purchases and expenses:

..... \$ 3,376,519

c. DEPARTMENT OF NATURAL RESOURCES

For state park infrastructure renovations:

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

Of the amount appropriated in this lettered paragraph, \$25,000 shall be used for improvements to the stone wall at Backbone state park.

d. DEPARTMENT OF PUBLIC DEFENSE

(1) For major maintenance projects at national guard armories and facilities:

..... \$ 1,500,000

(2) For upgrades to the Camp Dodge water distribution system:

..... \$ 750,000

(3) For construction of a national guard aviation armory in Waterloo:

..... \$ 399,000

e. DEPARTMENT OF PUBLIC SAFETY

For construction of an Iowa state patrol post in district 8:

..... \$ 2,400,000

2. TAX-EXEMPT STATUS -- USE OF APPROPRIATIONS. Payment of moneys from the appropriations in this section shall be made in a manner that does not adversely affect the tax-exempt status of any outstanding bonds issued by the tobacco settlement authority.

3. REVERSION. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert

but shall remain available for the purposes designated until the close of the fiscal year that begins July 1, 2006.

Sec. 13. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION IV

VERTICAL INFRASTRUCTURE FUND

Sec. 14. There is appropriated from the vertical infrastructure fund to the state board of regents for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

STATE BOARD OF REGENTS

For vertical infrastructure-related improvements associated with the implementation of the recommendations provided in separate consultant reports on bioscience, advanced manufacturing, and information technology submitted to the department of economic development in the calendar years 2004 and 2005, including projects submitted for review to the technology and commercialization resources organization created in this Act, if enacted:

..... \$ 5,000,000

Sec. 15. REVERSION. Notwithstanding section 8.33, moneys appropriated in this division of this Act that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for the purposes designated until the close of the fiscal year that begins July 1, 2009, or until the project for which the appropriation was made is completed, whichever is earlier.

DIVISION V

ENDOWMENT FOR IOWA'S HEALTH RESTRICTED CAPITALS FUND

Sec. 16. There is appropriated from the endowment for Iowa's health restricted capitals fund to the following departments and agencies for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. DEPARTMENT OF ADMINISTRATIVE SERVICES

a. For capitol interior and exterior restoration and 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:

..... \$ 6,830,000

Of the amount appropriated in this paragraph, up to \$500,000 shall be used to establish areas of rescue assistance in emergency evacuation situations.

Of the amount appropriated in this lettered paragraph, funds shall be used for the maintenance of the exterior windows on the east side of the capitol building.

b. For planning, design, and construction costs associated with the construction of a new approximately 350,000-gross-square-foot state office building:

..... \$ 37,585,000

c. For upgrades to the Woodward state resource center wastewater treatment system:

..... \$ 2,443,000

d. For costs associated with the replacement of the powerhouse facilities at the Iowa juvenile home at Toledo:

..... \$ 1,521,045

e. For construction of a new school and infirmary building at the Iowa juvenile home at Toledo and for the renovation of existing school buildings and the demolition of other buildings:

..... \$ 5,030,668

f. For discretion by the director of the department of administrative services to be used to purchase property or enter into agreements to purchase property which would be appropriate or beneficial to the state:

..... \$ 500,000

2. DEPARTMENT FOR THE BLIND

For costs associated with department for the blind building renovations:

..... \$ 4,000,000

3. DEPARTMENT OF CORRECTIONS

a. For construction of a community-based correctional facility, including district offices, in Davenport:

..... \$ 3,750,000

b. For construction of a community-based correctional facility, including district offices, in Fort Dodge:

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

c. To the sixth judicial district department of correctional services for the design and construction of a

20-bed residential facility for offenders under the supervision of the district department who have mental health or dual diagnosis needs:

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

4. DEPARTMENT OF CULTURAL AFFAIRS

For deposit into the Iowa great places program fund created in section 303.3D, if enacted in this Act:

..... \$ 3,000,000

Of the amount deposited into the Iowa great places program fund pursuant to this subsection, \$1,000,000 is appropriated for and shall be allocated to each Iowa great place identified through the Iowa great places program in fiscal year 2005-2006. Notwithstanding section 8.33, the amounts appropriated and allocated pursuant to this paragraph that remain unencumbered at the close of the fiscal year shall not revert but shall remain available for expenditure by the department for the purposes designated in this paragraph until the close of the succeeding fiscal year.

5. DEPARTMENT OF ECONOMIC DEVELOPMENT

For accelerated career education program capital projects at community colleges that are authorized under chapter 260G and that meet the definition of "vertical infrastructure" in section 8.57B, subsection 3:

..... \$ 5,500,000

The moneys appropriated in this subsection shall be allocated equally among the community colleges in the state. If any portion of the equal allocation to a community college is not obligated or encumbered by April 1, 2007, the unobligated and unencumbered portions shall be available for use by other community colleges.

6. DEPARTMENT OF EDUCATION

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 community colleges:

..... \$ 2,000,000

The moneys appropriated in this subsection shall be allocated to the community colleges based upon the state aid distribution formula established in section 260C.18C.

7. IOWA STATE FAIR AUTHORITY

For capital projects on the Iowa state fairgrounds:

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

8. DEPARTMENT OF PUBLIC DEFENSE

a. For construction of a national guard readiness center in Iowa City:

..... \$ 1,444,288

b. For construction of a national guard aviation armory in Waterloo:

..... \$ 1,236,000

c. For construction of a national guard armory in Spencer:

..... \$ 689,000

d. For allocation to the homeland security and emergency management division for the STARCOMM project:

..... \$ 600,000

9. DEPARTMENT OF PUBLIC SAFETY

For allocation to the division of fire protection for the planning, design, and construction of regional emergency response training centers in the state:

..... \$ 2,000,000

Of the amount appropriated in this subsection, \$400,000 shall be allocated to north Iowa area community college.

Of the amount appropriated in this subsection, \$400,000 shall be allocated to southeastern Iowa community college.

Of the amount appropriated in this subsection, \$400,000 shall be allocated to Des Moines area community college to be used at the Ankeny campus site.

Of the amount appropriated in this subsection, \$400,000 shall be allocated to the city of Coralville fire department.

Of the amount appropriated in this subsection, \$400,000 shall be allocated to Iowa central community college.

10. STATE BOARD OF REGENTS

For major renovation and major repair needs, including health, life, and fire safety needs, and for compliance with the federal American With Disabilities Act, for state buildings and facilities under the purview of state board of regents institutions:

..... \$ 10,000,000

Of the funds appropriated in this paragraph, \$5,000,000 is allocated for costs associated with the planning, design, and construction of the chemistry building at Iowa state

university of science and technology, \$3,000,000 is allocated for costs associated with completing upgrades to the electrical distribution system at the university of northern Iowa, and \$2,000,000 is allocated for costs associated with the planning, design, and construction of a new building to house the college of public health at the state university of Iowa.

11. DEPARTMENT OF TRANSPORTATION

a. For infrastructure improvements at general aviation airports within the state:

..... \$ 750,000

b. For vertical infrastructure improvements at the commercial air service airports within the state:

..... \$ 1,500,000

Fifty percent of the funds appropriated in this lettered paragraph shall be allocated equally between each commercial service airport, 40 percent of the funds shall be allocated based on the percentage that the number of enplaned passengers at each commercial service airport bears to the total number of enplaned passengers in the state during the previous fiscal year, and 10 percent of the funds shall be allocated based upon the percentage that the air cargo tonnage at each commercial service airport bears to the total air cargo tonnage in the state during the previous fiscal year. In order for a commercial service airport to receive funding under this lettered paragraph, the airport shall be required to submit applications for funding of specific projects to the department for approval by the state transportation commission.

c. For acquiring, constructing, and improving recreational trails within the state:

..... \$ 2,000,000

Of the amount appropriated in this lettered paragraph, \$200,000 shall be allocated for trail projects in Wapello county.

d. For deposit into the public transit infrastructure grant fund created in section 324A.6A:

..... \$ 2,200,000

12. DEPARTMENT OF VETERANS AFFAIRS

For capital improvement projects at the Iowa veterans home:

..... \$ 6,200,000

Sec. 17. TAX-EXEMPT STATUS -- USE OF APPROPRIATIONS.

Payment of moneys from the appropriations in this section shall be made in a manner that does not adversely affect the tax-exempt status of any outstanding bonds issued by the tobacco settlement authority.

Sec. 18. REVERSION.

1. Except as provided in subsections 2 and 3, notwithstanding section 8.33, moneys appropriated from the endowment for Iowa's health restricted capitals fund for the fiscal years that begin July 1, 2005, and July 1, 2006, in this division of this Act that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for the purposes designated until the close of the fiscal year that begins July 1, 2009, or until the project for which the appropriation was made is completed, whichever is earlier.

2. Notwithstanding section 8.33, moneys appropriated from the endowment for Iowa's health restricted capitals fund for the fiscal year that begins July 1, 2006, and ends June 30, 2007, in this division of this Act to the department of veterans affairs for capital improvement projects at the Iowa veterans home that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that begins July 1, 2010.

3. Notwithstanding section 8.33, moneys appropriated from the endowment for Iowa's health restricted capitals fund for the fiscal year beginning July 1, 2006, and ending June 30, 2007, in this division of this Act to the department of education for major renovation and major repair needs at the community colleges that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year beginning July 1, 2010, or until the project for which appropriated is completed, whichever is earlier.

Sec. 19. REPORT. Annually, on or before January 1 of each year, a state agency that received an appropriation from the endowment for Iowa's health restricted capitals fund for the preceding fiscal year shall report to the joint transportation, infrastructure, and capitals appropriation

subcommittee, the legislative services agency, the department of management, and the legislative capital projects committee of the legislative council the status of all ongoing projects for which an appropriation from the fund has been made. The report shall include a description of the project, the progress of work completed, the total estimated cost of the project, a list of all revenue sources being used to fund the project, the amount of funds expended, the amount of funds obligated, and an estimated completion date of the project.

Sec. 20. EFFECTIVE DATE. The section of this division of this Act appropriating moneys to the department of administrative services for the fiscal year beginning July 1, 2005, for restoration of the west capitol terrace, being deemed of immediate importance, takes effect upon enactment.

DIVISION VI

TECHNOLOGY REINVESTMENT FUND

Sec. 21. There is appropriated from the technology reinvestment fund created in section 8.57C to the following departments and agencies for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

- 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
For technology improvement projects:
..... \$ 3,358,334
- 2. DEPARTMENT OF CORRECTIONS
For costs associated with the Iowa corrections offender network data system:
..... \$ 500,000
- 3. DEPARTMENT OF EDUCATION
 - a. For implementation of the provisions of chapter 280A:
..... \$ 500,000
 - b. For maintenance and lease costs associated with connections for Part III of the Iowa communications network:
..... \$ 2,727,000
 - c. For allocation to the public broadcasting division for installation costs for the conversion to high definition broadcasting at the Iowa public television facilities:
..... \$ 2,300,000
 - d. To the public broadcasting division for replacing transmitters:
..... \$ 1,425,000

e. To the public broadcasting division for the purchase of equipment intended to provide an uninterruptible power supply: \$ 315,000

4. DEPARTMENT OF HUMAN RIGHTS

For the cost of equipment and computer software for the implementation of Iowa's criminal justice information system: \$ 2,645,066

5. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

For technological improvements to the board's electronic filing system: \$ 39,100

6. IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION

For replacement of equipment for the Iowa communications network: \$ 1,997,500

7. IOWA LAW ENFORCEMENT ACADEMY

For information technology upgrades and renovations at the Iowa law enforcement academy: \$ 50,000

8. BOARD OF PAROLE

For information technology upgrades for the board of parole: \$ 75,000

9. DEPARTMENT OF PUBLIC DEFENSE

For information technology upgrades for the Iowa national guard: \$ 75,000

10. DEPARTMENT OF PUBLIC SAFETY

a. For continuation of payments on the lease of the automated fingerprint identification system: \$ 550,000

b. For information technology hardware and software upgrades for the department of public safety: \$ 943,000

Sec. 22. REVERSION. Notwithstanding section 8.33, moneys appropriated in this division of this Act that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for the purposes designated until the close of the fiscal year beginning July 1, 2007, or until the project for which the appropriation was made is completed, whichever is earlier.

Sec. 23. NEW SECTION. 8.57C TECHNOLOGY REINVESTMENT FUND.

1. A technology reinvestment fund is created under the authority of the department of management. The fund shall consist of appropriations made to the fund and transfers of interest, earnings, and moneys from other funds as provided by law. The fund shall be separate from the general fund of the state and the balance in the fund shall not be considered part of the balance of the general fund of the state. However, the fund shall be considered a special account for the purposes of section 8.53, relating to generally accepted accounting principles.

2. Moneys in the fund in a fiscal year shall be used as appropriated by the general assembly for the acquisition of computer hardware and software, software development, telecommunications equipment, and maintenance and lease agreements associated with technology components and for the purchase of equipment intended to provide an uninterruptible power supply.

3. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 2006, and for each subsequent fiscal year, the sum of seventeen million five hundred thousand dollars to the technology reinvestment fund.

4. Annually, on or before January 1 of each year, a state agency that received an appropriation from this fund for the preceding fiscal year shall report to the joint transportation, infrastructure, and capitals appropriation subcommittee, the legislative services agency, the department of management, and the legislative capital projects committee of the legislative council the status of all ongoing projects for which an appropriation from this fund has been made. The report shall include a description of the project, the progress of work completed, the total estimated cost of the project, a list of all revenue sources being used to fund the project, the amount of funds expended, the amount of funds obligated, and an estimated completion date of the project.

DIVISION VII

ENDOWMENT FOR IOWA'S HEALTH ACCOUNT

Sec. 24. Notwithstanding section 12.65, subsection 2, and section 12E.12, subsection 1, paragraph "b", subparagraph (2), there is appropriated from the endowment for Iowa's health

account of the tobacco settlement trust fund established in section 12E.12 to the following departments and agencies for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. DEPARTMENT OF NATURAL RESOURCES

For implementation of lake projects that have established watershed improvement initiatives and community support in accordance with the department's annual lake restoration plan and report:

..... \$ 8,600,000

It is the intent of the general assembly that all lake restoration projects that satisfy the criteria required in section 456A.33B and whose project designers worked with the department to develop an action plan prior to January 1, 2006, shall be funded in the amounts and according to the timeline for fiscal year 2006-2007 provided in the department's Iowa lakes restoration report submitted to the Eighty-first General Assembly.

Of the amounts appropriated in this subsection, at least the following amounts shall be allocated as follows:

a. For clear lake in Cerro Gordo county:

..... \$ 4,000,000

b. For storm lake in Buena Vista county:

..... \$ 500,000

c. For crystal lake in Hancock county:

..... \$ 1,400,000

d. For the purposes of contracting with qualified persons outside the department to conduct use attainability analyses in conformance with section 455B.176A, as enacted in 2006 Iowa Acts, Senate File 2363, if enacted, or in any other Act of the Eighty-first General Assembly, 2006 Session:

..... \$ 750,000

2. TREASURER OF STATE

For deposit in the watershed improvement fund created in section 466A.2:

..... \$ 5,000,000

Sec. 25. Notwithstanding section 12.65, subsection 2, and section 12E.12, subsection 1, paragraph "b", subparagraph (2), there is appropriated from the endowment for Iowa's health account of the tobacco settlement trust fund established in

section 12E.12 to the treasurer of state for the fiscal year beginning July 1, 2007, and ending June 30, 2008, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For deposit in the watershed improvement fund created in section 466A.2:

..... \$ 5,000,000

Sec. 26. NEW SECTION. 456A.33B LAKE RESTORATION PLAN AND REPORT.

1. It is the intent of the general assembly that the department of natural resources shall develop annually a lake restoration plan and report that shall be submitted to the joint appropriations subcommittee on transportation, infrastructure, and capitals and the legislative services agency by no later than January 1 of each year. The plan and report shall include the department's plans and recommendations for lake restoration projects to receive funding consistent with the process and criteria provided in this section, and shall include the department's assessment of the progress and results of projects funded with moneys appropriated under this section.

The department shall recommend funding for lake restoration projects that are designed to achieve the following goals:

- a. Ensure a cost-effective, positive return on investment for the citizens of Iowa.
- b. Ensure local community commitment to lake and watershed protection.
- c. Ensure significant improvement in water clarity, safety, and quality of Iowa lakes.
- d. Provide for a sustainable, healthy, functioning lake system.
- e. Result in the removal of the lake from the impaired waters list.

2. The process and criteria the department shall utilize to recommend funding for lake restoration projects shall be as follows:

- a. The department shall develop an initial list of not more than thirty-five significant public lakes to be considered for funding based on the feasibility of each lake for restoration and the use or potential use of the lake, if restored. The list shall include lake projects under active

development that the department shall recommend be given priority for funding so long as progress toward completion of the projects remains consistent with the goals of this section.

b. The department shall meet with representatives of communities where lakes on the initial list are located to provide an initial lake restoration assessment and to explain the process and criteria for receiving lake restoration funding. Communities with lakes not included on the initial list may petition the director of the department for a preliminary lake restoration assessment and explanation of the funding process and criteria. The department shall work with representatives of each community to develop a joint lake restoration action plan. At a minimum, each joint action plan shall document the causes, sources, and magnitude of lake impairment, evaluate the feasibility of the lake and watershed restoration options, establish water quality goals and a schedule for attainment, assess the economic benefits of the project, identify the sources and amounts of any leveraged funds, and describe the community's commitment to the project, including local funding. The community's commitment to the project may include moneys to fund a lake diagnostic study and watershed assessment, including development of a TMDL (total maximum daily load).

c. Each joint lake restoration plan shall comply with the following guidelines:

(1) Biologic controls will be utilized to the maximum extent, wherever possible.

(2) If proposed, dredging of the lake will be conducted to a mean depth of at least ten feet to gain water quality benefits unless a combination of biologic and structural controls is sufficient to assure water quality targets will be achieved at a shallower average water depth.

(3) The costs of lake restoration will include the maintenance costs of improvements to the lake.

(4) Delivery of phosphorous and sediment from the watershed will be controlled and in place before lake restoration begins. Loads of phosphorous and sediment, in conjunction with in-lake management, will meet or exceed the following water quality targets:

(a) Clarity. A four-and-one-half-foot secchi depth will be achieved fifty percent of the time from April 1 through September 30.

(b) Safety. Beaches will meet water quality standards for recreational use.

(c) Biota. A diverse, balanced, and sustainable aquatic community will be maintained.

(d) Sustainability. The water quality benefits of the restoration efforts will be sustained for at least fifty years.

d. The department shall evaluate the joint action plans and prioritize the plans based on the criteria required in this section. The department's annual lake restoration plan and report shall include the prioritized list and the amounts of state and other funding the department recommends for each lake restoration project. The department may seek public comment on its recommendations prior to submitting the plan and report to the general assembly.

DIVISION VIII

CHANGES TO PRIOR APPROPRIATIONS

Sec. 27. 2001 Iowa Acts, chapter 185, section 30, as amended by 2005 Iowa Acts, chapter 178, section 22, is amended to read as follows:

SEC. 30. REVERSION.

1. Except as provided in subsection 2 and notwithstanding section 8.33, moneys appropriated in this division of this Act shall not revert at the close of the fiscal year for which they were appropriated but shall remain available for the purposes designated until the close of the fiscal year that begins July 1, 2004, or until the project for which the appropriation was made is completed, whichever is earlier.

2. Notwithstanding section 8.33, moneys appropriated in section 25, subsection 3, paragraph "b", and section 28 of this division of this Act shall not revert at the close of the fiscal year for which they were appropriated but shall remain available for the purpose designated until the close of the fiscal year that begins July 1, ~~2005~~ 2006, or until the project for which the appropriation was made is completed, whichever is earlier.

Sec. 28. 2002 Iowa Acts, chapter 1173, section 1, subsection 3, paragraph b, is amended to read as follows:

b. To provide a grant for construction of, and purchasing of equipment for, a facility to be used exclusively for processing novel proteins from agricultural products for pharmaceutical, nutraceutical, or chemical applications:

FY 2002-2003.....	\$ 3,268,696	<u>0</u>
FY 2003-2004.....	\$	0
FY 2004-2005.....	\$	0
FY 2005-2006.....	\$	0

The moneys appropriated in this paragraph "b" shall comprise no more than 15 percent of the total costs of construction of, and purchasing equipment for, the facility.

Sec. 29. 2004 Iowa Acts, chapter 1175, section 288, subsection 4, paragraph b, is amended to read as follows:

b. For construction of a community-based correctional facility, including district offices, in Davenport:

FY 2004-2005.....	\$ 3,000,000	
FY 2005-2006.....	\$ 3,750,000	
FY 2006-2007.....	\$ 3,750,000	<u>0</u>

~~It is the intent of the general assembly that the department of management allocate the entire appropriation for the fiscal year beginning July 1, 2006, to the department of corrections by July 31, 2006.~~

Sec. 30. 2004 Iowa Acts, chapter 1175, section 288, subsection 7, paragraph d, is amended to read as follows:

d. For allocation to the public broadcasting division for costs of installation of digital and analog television for Iowa public television facilities, notwithstanding section 8.57, subsection 5, paragraph "c":

FY 2004-2005.....	\$ 8,000,000	
FY 2005-2006.....	\$ 8,000,000	
FY 2006-2007.....	\$ 2,300,000	<u>0</u>

Sec. 31. 2005 Iowa Acts, chapter 178, section 4, is amended to read as follows:

SEC. 4. There is appropriated from the rebuild Iowa infrastructure fund to the following departments and agencies for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. DEPARTMENT OF ADMINISTRATIVE SERVICES

a. For costs associated with the remodeling of the records and property center:

..... \$ 272007000
0

b. For costs associated with the replacement of the powerhouse facilities at the Iowa juvenile home at Toledo:

..... \$ 175217045
0

2. DEPARTMENT OF CORRECTIONS

a. For construction of a community-based correctional facility, including district offices, in Fort Dodge:

..... \$ 174007000
0

b. For the remodeling and renovation of the kitchen facilities at the Anamosa correctional facility:

..... \$ 178407000
0

Sec. 32. 2005 Iowa Acts, chapter 179, section 13, unnumbered paragraph 2, is amended to read as follows:

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 community colleges:

FY 2006-2007..... \$ 270007000
0
FY 2007-2008..... \$ 2,000,000
FY 2008-2009..... \$ 2,000,000

DIVISION IX

MISCELLANEOUS CODE CHANGES

Sec. 33. Section 8.57, subsection 6, Code 2005, is amended by adding the following new paragraph:

NEW PARAGRAPH. h. Annually, on or before January 1 of each year, a state agency that received an appropriation from the rebuild Iowa infrastructure fund for the preceding fiscal year shall report to the joint transportation, infrastructure, and capitals appropriation subcommittee, the legislative services agency, the department of management, and the legislative capital projects committee of the legislative council the status of all ongoing projects for which an

appropriation from the fund has been made. The report shall include a description of the project, the progress of work completed, the total estimated cost of the project, a list of all revenue sources being used to fund the project, the amount of funds expended, the amount of funds obligated, and an estimated completion date of the project.

Sec. 34. Section 8.57A, Code 2005, is amended by adding the following new subsection:

NEW SUBSECTION. 5. Annually, on or before January 1 of each year, a state agency that received an appropriation from the environment first fund for the preceding fiscal year shall report to the joint transportation, infrastructure, and capitals appropriation subcommittee, the legislative services agency, the department of management, and the legislative capital projects committee of the legislative council the status of all ongoing projects for which an appropriation from the fund has been made. The report shall include a description of the project, the progress of work completed, the total estimated cost of the project, a list of all revenue sources being used to fund the project, the amount of funds expended, the amount of funds obligated, and an estimated completion date of the project.

Sec. 35. Section 8.57B, Code Supplement 2005, is amended by adding the following new subsection:

NEW SUBSECTION. 5. Annually, on or before January 1 of each year, a state agency that received an appropriation from the vertical infrastructure fund for the preceding fiscal year shall report to the joint transportation, infrastructure, and capitals appropriation subcommittee, the legislative services agency, the department of management, and the legislative capital projects committee of the legislative council the status of all ongoing projects for which an appropriation from the fund has been made. The report shall include a description of the project, the progress of work completed, the total estimated cost of the project, a list of all revenue sources being used to fund the project, the amount of funds expended, the amount of funds obligated, and an estimated completion date of the project.

Sec. 36. Section 8A.321, subsection 10, Code Supplement 2005, is amended to read as follows:

10. Prepare annual status reports for all ongoing capital projects of ~~all-state-agencies, as defined in section 8-3A~~ the department, and submit the status reports to the ~~legislative capital-projects-committee~~ joint transportation, infrastructure, and capitals appropriation subcommittee.

Sec. 37. NEW SECTION. 8A.330 NEW CONSTRUCTION -- RETURN ON INVESTMENT.

The department shall not expend or obligate more than \$1,000,000 in total of the funds appropriated for a project unless authorized by a constitutional majority of each house of the general assembly, or upon approval by a constitutional majority of the members of each house of the general assembly appointed to the legislative fiscal committee if the general assembly is not in session. If the return on investment is less than five percent, the expenditure or obligation of the funds must be approved by the general assembly and the governor. Additionally, prior to expending or obligating more than \$1,000,000 in total, the department shall submit a business plan related to the construction of a new state office building that includes all of the following:

1. A list of the identified agencies that will occupy the building and an estimate of the number of employees of each agency.

2. The rental or lease costs currently paid by the identified state agencies, and the estimated rental or lease costs to be incurred by the identified state agencies if a new state office building is not constructed.

3. A return on investment analysis associated with the construction of a new state office building compared with the following:

a. Continuing to lease or rent space for existing state agencies in addition to renovating the Wallace state office building.

b. Entering into an agreement for the construction of a new building for use by the state through a long-term lease or long-term lease-purchase agreement.

Sec. 38. Section 12E.12, Code 2005, is amended by adding the following new subsection:

NEW SUBSECTION. 9. Annually, on or before January 1 of each year, a state agency that received an appropriation from the tobacco settlement trust fund for the preceding fiscal

year shall report to the joint transportation, infrastructure, and capitals appropriation subcommittee, the legislative services agency, the department of management, and the legislative capital projects committee of the legislative council the status of all ongoing projects for which an appropriation from the fund has been made. The report shall include a description of the project, the progress of work completed, the total estimated cost of the project, a list of all revenue sources being used to fund the project, the amount of funds expended, the amount of funds obligated, and an estimated completion date of the project.

Sec. 39. Section 15I.1, subsection 2, paragraph a, Code Supplement 2005, is amended to read as follows:

a. Medical and dental insurance plans. If an employer offers medical insurance under both single and family coverage plans, the employer shall be given credit for providing medical insurance under family coverage plans to all new employees.

Sec. 40. Section 100B.3, Code 2005, is amended to read as follows:

100B.3 TRAINING AGREEMENTS.

~~The state fire marshal, subject to the approval of the state fire service and emergency response council, may~~ shall enter into written agreements with other ~~educational institutions~~ public agencies that have established regional emergency response training centers under section 100B.16 to provide training in conjunction with training provided by the fire service training bureau ~~or~~. Moneys appropriated shall not be distributed by the department of public safety to a regional training center until such an agreement has been entered into with the regional training center.

The state fire marshal may enter into written agreements with other educational institutions to assist in research conducted by the bureau.

Sec. 41. Section 100B.4, unnumbered paragraph 1, Code Supplement 2005, is amended to read as follows:

Fees assessed pursuant to this chapter shall be retained by the division of state fire marshal and such repayments received shall be used exclusively to offset the cost of fire service training. Fees charged by regional emergency response training centers for fire service training programs as

described in section 100B.6 shall not be greater than the fee schedule established by rule by the state fire marshal.

Sec. 42. Section 100B.7, subsection 2, paragraphs k and l, Code 2005, are amended to read as follows:

k. Plan and coordinate fire schools and other short courses of instruction on a statewide, regional, and local level, utilizing existing educational institutions, programs, and facilities as feasible provided in sections 100B.16 and 100B.18.

1. Prepare for the state fire marshal and the state fire service and emergency response council an annual report of activities that include a summary of classes taught, budget, and staff activities. The annual report shall include a report of the activities of each regional emergency response training center established under section 100B.16.

Sec. 43. NEW SECTION. 100B.15 DEFINITIONS.

As used in this part:

1. "Bureau" means the fire service training bureau.
2. "Council" means the state fire service and emergency response council.
3. "Emergency responders" means firefighters, law enforcement officers, emergency medical service personnel, and other personnel having emergency response duties.
4. "Emergency response service" means fire protection service, law enforcement, emergency medical service, hazardous materials containment and disposal, search and rescue operations, evacuation operations, and other related services.
5. "Municipality" means a city, county, township, benefited fire district, or agency authorized by law to provide emergency response services.
6. "Public agency" means a municipality, a community college, or an association representing fire fighters.
7. "Training center" means a regional emergency response training center established under section 100B.16.

Sec. 44. NEW SECTION. 100B.16 REGIONAL EMERGENCY RESPONSE TRAINING CENTERS.

1. Regional emergency response training centers shall be established to provide training to fire fighters and other emergency responders. The lead public agency for the training centers shall be the following community colleges for the following merged areas:

a. Northeast Iowa community college for merged area I in partnership with the Dubuque county firemen's association and to provide advanced training in agricultural emergency response as such advanced training is funded by the homeland security and emergency management division of the department of public defense.

b. North Iowa area community college for merged area II in partnership with the Mason City fire department.

c. Iowa lakes community college for merged area III.

d. Iowa central community college for merged area V and to provide advanced training in homeland security as such advanced training is funded by the homeland security and emergency management division of the department of public defense.

e. Hawkeye community college for merged area VII in partnership with the Waterloo regional hazardous materials training center and to provide advanced training in hazardous materials emergency response as such advanced training is funded by the homeland security and emergency management division of the department of public defense.

f. Eastern Iowa community college for merged area IX in partnership with the city of Davenport fire department.

g. Kirkwood community college for merged area X in partnership with the city of Coralville fire department and the Iowa City fire department and to provide advanced training in agricultural terrorism response and mass casualty and fatality response as such advanced training is funded by the homeland security and emergency management division of the department of public defense.

h. Des Moines area community college for merged area XI and to provide advanced training in operations integration in compliance with the national incident management system as such advanced training is funded by the homeland security and emergency management division of the department of public defense.

i. Western Iowa technical community college for merged area XII in partnership with the Sioux City fire department and to provide advanced training in emergency responder communications as such advanced training is funded by the homeland security and emergency management division of the department of public defense.

j. Iowa western community college for merged areas XIII and XIV in partnership with southwestern community college and the Council Bluffs fire department.

k. Southeastern Iowa community college for merged areas XV and XVI in partnership with Indian hills community college and the city of Fort Madison fire department.

The public agencies named in paragraphs "a" through "j" shall, in conjunction with the bureau, coordinate fire service training programs as described in section 100B.6 at each training center.

2. a. A lead public agency listed in subsection 1, paragraphs "a" through "k", shall submit an application to the bureau in order to be eligible to receive a state appropriation for the agency's training center. The bureau shall prescribe the form of the application and, on or before August 15, 2006, shall provide such application to each lead public agency.

b. An applicant lead public agency shall indicate on the application the location of the proposed training center. An applicant shall also include on the application the location of any existing facilities required in section 100B.17 and located in the training region. The application shall be accompanied by letters from public agencies and private businesses in the merged area stating an intent to participate in, and provide for financial support for, establishment and activities of the training center.

c. By January 10 of each year, the bureau shall submit to the general assembly a list of applications received and the action taken by the bureau on each application. The bureau shall, upon request, provide the applications and supporting documentation submitted by each applicant.

3. In selecting a location for a proposed training center, an applicant lead public agency shall consider, and address in the application, all of the following:

a. The availability and proximity of quality classroom space with adequate audio-visual support.

b. The availability and adequate supply from area emergency response service entities of equipment which supports training.

c. A site where limited, safe open burning would not be challenged or prohibited due to environmental issues or community concerns.

d. Proximity to a medical facility.

e. The availability of water mains, roadway, drainage, electrical service, and reasonably flat terrain.

f. Accessibility to area fire departments.

The application shall include letters of support for the recommended site from emergency response entities in the region.

4. Applications must be submitted to the bureau by September 15, 2006, in order for a training center to be eligible to receive state funds in the fiscal year beginning July 1, 2006, if funds are appropriated to that training center for that fiscal year. The bureau shall review and approve an application and, if approved, distribute funds appropriated for that training center within thirty days of receiving the application from the applicant. State funds that have been appropriated for use by a specified training center shall be distributed to that training center as soon as possible after the bureau approves such training center's application.

5. The application shall list the training facilities to be required in order for a training center to provide training to fire fighters and other emergency responders. If a lead agency or a partner of a lead agency already owns or utilizes a required training facility, that facility shall not be duplicated when constructing the required training facilities listed on the application.

6. The state fire marshal may adopt administrative rules under section 17A.4, subsection 2, and section 17A.5, subsection 2, paragraph "b", to administer this section.

Sec. 45. NEW SECTION. 100B.17 TRAINING CENTER FACILITIES -- ADVANCED TRAINING -- INSPECTIONS.

1. Each training center is required to have the facilities listed on the application in section 100B.16. In addition, each training center assigned an area of advanced training as specified in section 100B.16 is required to have facilities to support instruction in its area of advanced training. These facilities shall include facilities and structures to support full-scale training exercises in such area of advanced training as recommended or required by any applicable state or national training facility standards.

2. The bureau shall inspect the facilities of each training center to ensure compliance with the requirements of this section.

Sec. 46. NEW SECTION. 100B.18 TRAINING PROVIDED.

1. Training centers shall provide fire service training in accordance with curriculum approved by the bureau. The bureau, in cooperation with the public agencies operating the training centers, shall provide the necessary training materials, curriculum, training aids, and training schedule.

2. Training centers may provide emergency response service training in addition to fire service training. A training center shall offer joint training exercises to emergency responders. The bureau shall work in conjunction with those state agencies charged with developing training standards for emergency response service training to develop a curriculum and standards for emergency response service training provided by a training center.

3. A training center shall offer training to any emergency responder who applies for training at the training center regardless of the emergency responder's place of residence or employment.

Sec. 47. NEW SECTION. 100B.19 AGREEMENTS FOR TRAINING AND FINANCIAL ASSISTANCE -- AUTHORITY.

A public agency operating a training center may enter into agreements under chapter 28E to provide emergency response service training to emergency responders. The agreements may provide for financial contributions from participating public agencies, private fire departments, and emergency response service entities and may provide for in-kind contributions of land, equipment, and personnel from such public agencies, private fire departments, and other entities providing emergency response services.

Sec. 48. NEW SECTION. 262B.21 RESEARCH AND DEVELOPMENT PLATFORMS.

1. For purposes of this section, and sections 262B.22 and 262B.23, "core platform areas" means the areas of advanced manufacturing, biosciences, information solutions, and financial services.

2. The state board of regents shall do all of the following:

a. Recruit employees, build capacity, and invest moneys to ensure rapid scientific progress in the core platform areas.

b. Create endowed chair positions and employ persons with entrepreneurial expertise.

c. Invest in technology development infrastructure to strengthen and accelerate the scientific and commercialization work in the core platform areas.

d. Provide financial assistance in the form of grants for purposes of accelerating the transformation of new and ongoing research and development initiatives in the core platform areas into commercial opportunities.

e. Actively participate in advisory groups dedicated to the areas of bioscience advanced manufacturing, and information solutions.

Sec. 49. NEW SECTION. 262B.22 TECHNOLOGY AND COMMERCIALIZATION RESOURCE ORGANIZATION.

1. The general assembly finds and declares that the public good requires that Iowa successfully participate and compete in the emerging world economy. A technology and commercialization resource organization is established to formulate and implement plans and programs for the core platform areas and to facilitate their commercial application within the state.

2. The technology and commercialization resource organization shall receive recommendations for research projects which have commercialization potential from institutions of higher learning under the control of the state board of regents. In cooperation with commercialization experts in the private sector, the organization shall analyze research project submissions and make recommendations regarding which projects should receive funding and how much funding such projects should receive. The recommendations of the organization shall be forwarded to the state board of regents. The state board of regents shall review the recommendations and may approve, deny, or modify the recommendations, but the state board of regents shall not change the primary focus of the proposal. The state board of regents may award financial assistance to approved research projects.

3. A technology and commercialization resource organization shall be incorporated under chapter 504. The

organization shall not be regarded as a state agency, except for purposes of chapter 17A. A member of the board of directors is not considered a state employee, except for purposes of chapter 669. A natural person employed by the organization is a state employee for purposes of the Iowa public employees' retirement system, state health and dental plans, and other state employee benefit plans and chapter 669. Chapters 8, 8A, and 20, and other provisions of law that relate to requirements or restrictions dealing with state personnel or state funds, do not apply to the organization or any employees of the board of directors or the organization except to the extent provided in this chapter.

4. The board of directors of the organization shall consist of eight voting members as follows:

- a. The president of the state board of regents.
- b. The three members of the economic development subcommittee of the state board of regents.
- c. The chief technology officer of the state.
- d. One member selected by a biosciences development organization designated by the department of economic development pursuant to section 15G.111, subsection 2.
- e. The chairperson of the advanced manufacturing steering group of the department of economic development.
- f. The chairperson of the information solutions steering group of the department of economic development.

5. The members of the board of directors shall annually elect a president of the board from the board membership. A vacancy shall be filled by the appointing authority. Members are eligible for actual expense reimbursement while fulfilling duties of the board.

Sec. 50. NEW SECTION. 262B.23 ENDOWED CHAIRS AND SALARIES.

The state board of regents may use for salaries and may create endowed chair positions at each of the regents universities using, in part, moneys appropriated to the state board of regents for purposes of implementing recommendations provided in separate consultant reports on bioscience, advanced manufacturing, and information technology submitted to the department of economic development in the calendar years 2004 and 2005. Such moneys may only be used to partially fund an endowed chair position if significant

private contributions and contributions from governmental entities other than the state and political subdivisions of the state are used to fund the position. Not more than fifty percent of the cost of funding an endowed chair position shall be paid with such moneys. The endowed chair positions shall be used to attract scholars recruited nationally and internationally who can bring with them related start-up business ventures or a concept for near-term commercialization.

Sec. 51. Section 303.3C, subsection 1, paragraph c, Code Supplement 2005, is amended to read as follows:

c. Initially, three Iowa great places projects shall be identified by the Iowa great places board. ~~Two-years-after the-third-project-is-identified-by-the-board,-the~~ The board may identify up to six additional Iowa great places for participation under the program.

Sec. 52. Section 303.3C, subsection 1, Code Supplement 2005, is amended by adding the following new paragraphs:

NEW PARAGRAPH. d. The department of cultural affairs shall work in cooperation with the vision Iowa and community attraction and tourism programs for purposes of maximizing and leveraging moneys appropriated to identified Iowa great places.

NEW PARAGRAPH. e. As a condition of receiving state funds, an identified Iowa great place shall present information to the board concerning the proposed activities and total financial needs of the project.

NEW PARAGRAPH. f. The department of cultural affairs shall account for any funds appropriated from the endowment for Iowa health restricted capitals fund for an identified Iowa great place.

Sec. 53. Section 303.3C, subsection 3, paragraph b, Code Supplement 2005, is amended to read as follows:

b. Identify ~~three~~ Iowa great places for purposes of receiving a package of resources under the program.

Sec. 54. NEW SECTION. 303.3D IOWA GREAT PLACES PROGRAM FUND.

1. An Iowa great places program fund is created under the authority of the department of cultural affairs. The fund shall consist of appropriations made to the fund and transfers of interest, earnings, and moneys from other funds as provided

by law. Notwithstanding section 12C.7, subsection 2, interest or earnings on investments or time deposits of the moneys in the Iowa great places program fund shall be credited to the Iowa great places program fund.

2. Moneys appropriated for a fiscal year to the fund shall be used by the general assembly to fund capital infrastructure projects for identified Iowa great places through the Iowa great places program established in section 303.3C.

3. In awarding moneys the department of cultural affairs shall give consideration to the particular needs of each identified Iowa great place.

4. Notwithstanding section 8.33, moneys credited to the great places program fund shall not revert to the fund from which appropriated.

Sec. 55. NEW SECTION. 324A.6A PUBLIC TRANSIT INFRASTRUCTURE GRANT FUND.

A public transit infrastructure grant fund is established within the department. Moneys in the fund shall be awarded to public transit systems within the state for construction and infrastructure projects that meet the definition of "vertical infrastructure" in section 8.57, subsection 6, paragraph "c". The fund shall consist of appropriations made to the fund and transfers of interest, earnings, and moneys from other funds as provided by law. In awarding grant assistance, the office of public transit within the department shall, by rule, specify certain criteria that must be included in a grant application, which shall include but not be limited to information on the feasibility of completion of an individual infrastructure project. Notwithstanding section 8.33, moneys in the public transit infrastructure grant fund shall not revert to the fund from which they are appropriated but shall remain available indefinitely for expenditure under this section.

Sec. 56. Section 328.36, Code 2005, is amended by striking the section and inserting in lieu thereof the following:

328.36 DEPOSIT AND USE OF REVENUES.

1. All moneys received by the department pursuant to section 328.21 shall be deposited into the state aviation fund in section 328.56.

2. Notwithstanding subsection 1, for the fiscal year beginning July 1, 2007, and ending June 30, 2008, fifty

percent of the moneys collected under section 328.21 shall be deposited in the state aviation fund in section 328.56 and fifty percent shall be deposited in the general fund of the state.

Sec. 57. NEW SECTION. 328.56 STATE AVIATION FUND.

1. A state aviation fund is created under the authority of the department. The fund shall consist of moneys deposited in the fund pursuant to sections 328.21 and 452A.82 and other moneys appropriated to the fund.

2. Moneys in the fund in a fiscal year shall be used as appropriated by the general assembly for airport engineering studies, construction or improvements, and the windsock program for public airports. In awarding moneys, the department shall give preference to projects that demonstrate a collaborative effort between airports.

Sec. 58. Section 422.34A, Code 2005, is amended by adding the following new subsection:

NEW SUBSECTION. 8. Utilizing a distribution facility within this state, owning or leasing property at a distribution facility within this state that is used at or distributed from the distribution facility, or selling property shipped or distributed from a distribution facility. For purposes of this subsection, "distribution facility" means an establishment where shipments of tangible personal property are processed for delivery to customers. "Distribution facility" does not include an establishment where retail sales of tangible personal property or returns of such property are undertaken with respect to retail customers on more than twelve days a year except for a distribution facility which processes customer sales orders by mail, telephone, or electronic means, if the distribution facility also processes shipments of tangible personal property to customers provided that not more than ten percent of the dollar amount of goods are delivered and shipped so as to be included in the gross sales of the corporation within this state as provided in section 422.33, subsection 2, paragraph "b", subparagraph (6).

Sec. 59. Section 452A.79, Code Supplement 2005, is amended by striking the section and inserting in lieu thereof the following:

452A.79 USE OF REVENUE.

Except as provided in sections 452A.79A, 452A.82, and 452A.84, the net proceeds of the excise tax on the diesel special fuel and the excise tax on motor fuel and other special fuel, and penalties collected under the provision of this chapter, shall be credited to the road use tax fund.

Sec. 60. NEW SECTION. 452A.79A MARINE FUEL TAX FUND.

1. A marine fuel tax fund is created under the authority of the department of natural resources. The fund shall consist of all revenues derived from the excise tax on the sale of motor fuel used in watercraft as provided in section 452A.84 and other moneys appropriated to the fund.

2. Moneys in the fund in a fiscal year shall be used as appropriated by the general assembly for use by the department of natural resources in its recreational boating program, which may include but is not limited to:

- a. Dredging and renovation of lakes of this state.
- b. Acquisition, development, and maintenance of access to public boating waters.
- c. Development and maintenance of boating facilities and navigation aids.
- d. Administration, operation, and maintenance of recreational boating activities of the department of natural resources.
- e. Acquisition, development, and maintenance of recreation facilities associated with recreational boating.

Sec. 61. Section 452A.82, Code 2005, is amended to read as follows:

452A.82 AVIATION FUEL TAX FUND.

The portion of the moneys collected under this chapter received on account of aviation gasoline and special fuel used in aircraft shall be deposited in a separate fund to be maintained by the treasurer. All moneys remaining in the separate fund after the cost of administering the fund has been paid shall be credited to the ~~general fund of the state~~ aviation fund created in section 328.56.

Sec. 62. Section 452A.84, Code 2005, is amended to read as follows:

452A.84 TRANSFER TO ~~STATE-GENERAL~~ MARINE FUEL TAX FUND.

The treasurer of state shall transfer from the motor fuel tax fund to the ~~general~~ marine fuel tax fund of the state that portion of moneys collected under this chapter attributable to motor fuel used in watercraft computed as follows:

1. Determine monthly the total amount of motor fuel tax collected under this chapter and multiply the amount by nine-tenths of one percent.

2. Subtract from the figure computed pursuant to subsection 1 of this section three percent of the figure for administrative costs and further subtract from the figure the amounts refunded to commercial fishers pursuant to section 452A.17, subsection 1, paragraph "a", subparagraph (7). All moneys remaining after claims for refund and the cost of administration have been made shall be transferred to the ~~general~~ marine fuel tax fund ~~of-the-state~~.

Sec. 63. 2006 Iowa Acts, Senate File 2363, section 5, if enacted, is amended by striking the section and inserting in lieu thereof the following:

SEC. 5. NEW SECTION. 16.134 WASTEWATER TREATMENT FINANCIAL ASSISTANCE PROGRAM.

1. The Iowa finance authority shall establish and administer a wastewater treatment financial assistance program. The purpose of the program shall be to provide grants to enhance water quality and to assist communities to comply with water quality standards adopted by the department of natural resources. The program shall be administered in accordance with rules adopted by the authority pursuant to chapter 17A.

2. A wastewater treatment financial assistance fund is created under the authority of the Iowa finance authority. The fund shall consist of appropriations made to the fund and transfers of interest, earnings, and moneys from other funds as provided by law. Moneys in the fund are not subject to section 8.33. Notwithstanding section 12C.7, subsection 2, interest or earnings on moneys in the fund shall be credited to the fund.

3. Financial assistance under the program shall be used to install or upgrade wastewater treatment facilities and systems, and for engineering or technical assistance for facility planning and design.

4. The authority shall distribute financial assistance in the fund in accordance with the following:

a. Communities shall be eligible for financial assistance by qualifying as a disadvantaged community and seeking financial assistance for the installation or upgrade of

wastewater treatment facilities due to regulatory activity in response to water quality standards adopted by the department of natural resources in calendar year 2006. For purposes of this section, the term "disadvantaged community" means the same as defined by the department of natural resources for the drinking water facilities revolving loan fund established in section 455B.295. Communities with a population of three thousand or more do not qualify for financial assistance under the program.

b. Priority shall be given to projects in which the financial assistance is used to obtain financing under the Iowa water pollution control works and drinking water facilities financing program pursuant to section 16.131 or other federal or state financing.

c. Priority shall also be given to projects whose completion will provide significant improvement to water quality in the relevant watershed.

d. A community meeting the criteria of paragraph "a" shall be required to provide matching moneys in accordance with the following:

(1) Unsewered incorporated communities with a population of less than five hundred and communities with a population of less than five hundred shall be required to provide a five percent match.

(2) Communities with a population of five hundred or more but less than one thousand shall be required to provide a ten percent match.

(3) Communities with a population of one thousand or more but less than one thousand five hundred shall be required to provide a twenty percent match.

(4) Communities with a population of one thousand five hundred or more but less than two thousand shall be required to provide a thirty percent match.

(5) Communities with a population of two thousand or more but less than three thousand shall be required to provide a forty percent match.

e. Financial assistance in the form of grants shall be issued on a quarterly basis.

5. The authority in cooperation with the department of natural resources shall share information and resources when determining the qualifications of a community for financial assistance from the fund.

6. The authority may use an amount of not more than four percent of any moneys appropriated for deposit in the fund for administration purposes.

7. It is the intent of the general assembly that for the fiscal period beginning July 1, 2007, and ending June 30, 2016, a minimum of four million dollars shall be appropriated each fiscal year to the authority for deposit in the wastewater treatment financial assistance fund.

Sec. 64. STUDY OF EMERGENCY SERVICES IN THE STATE. The legislative council is requested to establish a committee to study emergency services in the state during the 2006 legislative interim.

The interim committee is directed to receive input from the department of public defense, division of homeland security and emergency management, departments of human services, public health, and public safety, including the state fire marshal, and representatives of emergency services providers, including but not limited to the Iowa firemen's association, Iowa fire chiefs association, Iowa association of professional fire chiefs, and Iowa professional fire fighters, Iowa emergency medical services association, and emergency room physicians.

The interim committee is directed to expeditiously complete its study and issue findings and make recommendations regarding the governance, structure, and funding of the state's emergency services and the training available in the state for emergency services providers for consideration during the 2007 legislative session.

Sec. 65. AVIATION FUEL TAX FUND -- GENERAL FUND CREDIT. Notwithstanding section 452A.82, for the fiscal year beginning July 1, 2007, 50 percent of the moneys remaining after the cost of administering the aviation fuel tax fund shall be credited to the general fund.

Sec. 66. EFFECTIVE DATES AND RETROACTIVE APPLICABILITY.

1. The section of this division of this Act enacting section 422.34A, subsection 8, being deemed of immediate importance, takes effect upon enactment and applies retroactively to January 1, 2006, for tax years beginning on or after that date.

2. The sections of this division of this Act amending sections 328.36, 452A.79, 452A.82, and 452A.84 and enacting

sections 328.56 and 452A.79A, relating to a state aviation fund and a marine fuel tax fund, take effect July 1, 2007.

Sec. 67. EFFECTIVE DATE. The sections of this division of this Act amending sections 100B.3, 100B.4, and 100B.7, and enacting sections 100B.15 through 100B.19, being deemed of immediate importance, take effect upon enactment.

DIVISION X

MISCELLANEOUS APPROPRIATIONS

Sec. 68. WASTEWATER TREATMENT FINANCIAL ASSISTANCE FUND -- IOWA FINANCE AUTHORITY. There is appropriated from any interest or earnings on moneys in the federal economic stimulus and jobs holding account to the Iowa finance authority for deposit in the wastewater treatment financial assistance fund created in section 16.134, the following amount:

..... \$ 4,000,000

Sec. 69. RESOURCE CONSERVATION AND DEVELOPMENT PROJECTS -- DEPARTMENT OF NATURAL RESOURCES. There is appropriated from any interest or earnings on moneys in the federal economic stimulus and jobs holding account to the department of natural resources for the development of projects relating to natural resource-based business opportunities, the following amount:

..... \$ 300,000

Local resource conservation and development groups sponsored by county governments or sponsored by soil and water conservation districts shall be eligible to receive funding on the condition that such groups receive dollar-for-dollar funding.

DIVISION XI

UTILITIES BOARD AND CONSUMER ADVOCATE BUILDING PROJECT

Sec. 70. NEW SECTION. 12.91 UTILITIES BOARD AND CONSUMER ADVOCATE BUILDING PROJECT.

1. For purposes of this section:

a. "Bonds" means bonds, notes, or other evidences of indebtedness issued under this section.

b. "Chargeable expenses" means expenses charged by the utilities board and the consumer advocate division of the department of justice under section 476.10.

c. "Chargeable expenses fund" means the fund created in the state treasury under this section.

d. "Project" means a building and related improvements and furnishings authorized under section 476.10B.

2. The treasurer of state may issue bonds and do all things necessary in order to finance the costs of the project. The treasurer of state shall have all of the powers which are necessary to issue and secure bonds to provide the financing for the project. The treasurer of state may issue bonds in principal amounts which, in the opinion of the treasurer, are necessary to provide sufficient funds for the costs of the project, the payment of interest on the bonds, the establishment of reserves to secure the bonds, the costs of issuance of the bonds, other expenditures of the treasurer of state incident to and necessary or convenient to carry out the bond issue, and all other expenditures of the utilities board and the department of administrative services in connection with the construction of the project. The bonds are investment securities and negotiable instruments within the meaning of and for purposes of the Iowa uniform commercial code, chapter 554.

3. Bonds issued under this section are payable solely and only out of the moneys, assets, or revenues of the chargeable expenses fund and any bond reserve funds established pursuant to this section, all of which may be held by the treasurer of state or deposited with trustees or depositories in accordance with bond or security documents and pledged by the treasurer of state to the payment thereof. Bonds issued under this section shall contain a statement that the bonds do not constitute an indebtedness of the state. The treasurer of state shall not pledge the credit or taxing power of this state or any political subdivision of this state or make bonds issued pursuant to this section payable out of any moneys except those in the chargeable expenses fund and any bond reserve funds established pursuant to this section.

4. The proceeds of bonds issued by the treasurer of state and not required for immediate disbursement may be deposited with a trustee or depository as provided in the bond documents and invested or reinvested in any investment as directed by the treasurer of state and specified in the trust indenture, resolution, or other instrument pursuant to which the bonds are issued without regard to any limitation otherwise provided by law.

5. The bonds shall be:

a. In a form, issued in denominations, executed in a manner, and payable over terms and with rights of redemption, and be subject to such other terms and conditions as prescribed in the trust indenture, resolution, or other instrument authorizing their issuance.

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

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

6. The bonds are securities in which public officers and bodies of this state; political subdivisions of this state; insurance companies and associations and other persons carrying on an insurance business; banks, trust companies, savings associations, savings and loan associations, and investment companies; administrators, guardians, executors, trustees, and other fiduciaries; and other persons authorized to invest in bonds or other obligations of the state, may properly and legally invest funds, including capital, in their control or belonging to them.

7. Bonds must be authorized by a trust indenture, resolution, or other instrument of the treasurer of state.

8. Neither the resolution, trust agreement, nor any other instrument by which a pledge is created needs to be recorded or filed under the Iowa uniform commercial code, chapter 554, to be valid, binding, or effective.

9. Bonds issued under the provisions of this section are declared to be issued for a general public and governmental purpose and all bonds issued under this section shall be exempt from taxation by the state of Iowa and the interest on the bonds shall be exempt from the state income tax and the state inheritance and estate tax.

10. Subject to the terms of any bond documents, moneys in the chargeable expenses fund may be expended for administration expenses of the treasurer of state in connection with the bonds.

11. The treasurer of state may issue bonds for the purpose of refunding any bonds issued pursuant to this section then outstanding, including the payment of any redemption premiums thereon and any interest accrued or to accrue to the date of redemption of the outstanding bonds. Until the proceeds of bonds issued for the purpose of refunding outstanding bonds are applied to the purchase or retirement of outstanding bonds or the redemption of outstanding bonds, the proceeds may be placed in escrow and be invested and reinvested in accordance with the provisions of this section. The interest, income, and profits earned or realized on an investment may also be applied to the payment of the outstanding bonds to be refunded by purchase, retirement, or redemption. After the terms of the escrow have been fully satisfied and carried out, any balance of proceeds and interest earned or realized on the investments may be returned to the treasurer of state for deposit in the chargeable expenses fund unless all bonds issued under the provisions of this section have been retired in which case the proceeds shall be deposited in the general fund of the state. All refunding bonds shall be issued and secured and subject to the provisions of this chapter in the same manner and to the same extent as other bonds issued pursuant to this section.

12. A chargeable expenses fund is created and established as a separate and distinct fund in the state treasury. The moneys in the fund are appropriated for payment of the principal of, premium, and interest on any bonds issued under this section. Moneys in the fund shall not be subject to appropriation for any other purpose by the general assembly, but shall be used only for the purposes of the chargeable expenses fund. The treasurer of state shall act as custodian of the fund and disburse moneys contained in the fund for payment of the principal of, premium, and interest on any bonds issued under this section. Notwithstanding section 476.10, there shall in each fiscal year be deposited in the chargeable expenses fund from amounts collected by the utilities board as chargeable expenses an amount equal to the

principal of, premium, if any, and interest on any bonds issued under this section to become due, whether at maturity, by call for optional redemption or by sinking fund redemption, in such fiscal year. The treasurer of state is authorized to pledge any amounts in the chargeable expenses fund as security for the payment of the principal of, premium, and interest on any bonds issued under this section. The treasurer of state may provide in the trust indenture, resolution, or other instrument authorizing the issuance of bonds for the transfer to the general fund of the state of any amounts on deposit in the chargeable expenses fund that are not necessary for the payment of the principal of, premium, and interest on any bonds issued under this section.

13. Moneys in the chargeable expenses fund are not subject to section 8.33. Notwithstanding section 12C.7, subsection 2, interest or earnings on moneys in the fund shall be credited to the fund.

14. a. The treasurer of state may create and establish one or more special funds, to be known as "bond reserve funds", to secure one or more issues of bonds issued pursuant to this section. The treasurer of state shall pay into each bond reserve fund any moneys appropriated and made available by the state or the treasurer of state for the purpose of the fund, any proceeds of sale of bonds to the extent provided in the resolutions authorizing their issuance, and any other moneys which may be available to the treasurer of state for the purpose of the fund from any other sources. All moneys held in a bond reserve fund, except as otherwise provided in this chapter, shall be used as required solely for the payment of the principal of bonds secured in whole or in part by the fund or of the sinking fund payments with respect to the bonds, the purchase or redemption of the bonds, the payment of interest on the bonds, or the payments of any redemption premium required to be paid when the bonds are redeemed prior to maturity.

b. Moneys in a bond reserve fund shall not be withdrawn from it at any time in an amount that will reduce the amount of the fund to less than the bond reserve fund requirement established for the fund, as provided in this subsection, except for the purpose of making, with respect to bonds secured in whole or in part by the fund, payment when due of

principal, interest, redemption premiums, and the sinking fund payments with respect to the bonds for the payment of which other moneys of the treasurer of state are not available. Any income or interest earned by, or incremental to, a bond reserve fund due to the investment of it may be transferred by the treasurer of state to other funds or accounts to the extent the transfer does not reduce the amount of that bond reserve fund below the bond reserve fund requirement for that bond reserve fund. For the purposes of this subsection, the term "bond reserve fund requirement" means, as of any particular date of computation, an amount of money, as provided in the resolutions authorizing the bonds with respect to which the fund is established.

c. The treasurer of state shall comply with the provisions of section 476.10B in order to assure the maintenance of any bond reserve funds established under this section.

15. It is the intent of the general assembly that a pledge made in respect of bonds issued under this section shall be valid and binding from the time the pledge is made, that the money or property so pledged and received after the pledge by the treasurer of state shall immediately be subject to the lien of the pledge without physical delivery or further act, and that the lien of the pledge shall be valid and binding as against all parties having claims of any kind in tort, contract, or otherwise against the treasurer of state whether or not the parties have notice of the lien.

16. Bonds issued pursuant to this section are not debts of the state, or of any political subdivision of the state, and do not constitute a pledge of the faith and credit of the state or a charge against the general credit or general fund of the state. The issuance of any bonds pursuant to this section by the treasurer of state does not directly, indirectly, or contingently obligate the state or a political subdivision of the state to apply moneys from, or to levy or pledge any form of taxation whatever, to the payment of the bonds. Bonds issued under this section are payable solely and only from the sources and special fund provided in this section.

17. This section, being necessary for the welfare of this state and its inhabitants, shall be liberally construed to effect its purposes.

Sec. 71. Section 422.7, Code Supplement 2005, is amended by adding the following new subsection:

NEW SUBSECTION. 45. Subtract, to the extent included, income from interest and earnings received from the bonds issued under section 12.91.

Sec. 72. FISCAL YEAR 2005-2006 EXPENDITURE AUTHORITY -- BUILDING PROJECT. Notwithstanding sections 8.33 and 476.10 or any other provision to the contrary, any balance of the operational appropriation for the utilities board for the fiscal year beginning July 1, 2005, that remains unused, unencumbered, or unobligated at the close of the fiscal year shall not revert but shall remain available to be used for purposes of the energy-efficient building project authorized under section 476.10B, as enacted by this division of this Act, or for relocation costs in succeeding fiscal years.

Sec. 73. NEW SECTION. 476.10B ENERGY-EFFICIENT BUILDING.

1. For the purposes of this section, "building project expenses" means expenses that have been approved by the utilities board for the building and related improvements and furnishings developed under this section and that are considered part of the regulatory expenses charged by the utilities board and the consumer advocate division of the department of justice for carrying out duties under section 476.10.

2. The department of administrative services, in consultation with the board and the consumer advocate division of the department of justice, shall provide for the construction of a building to house the board and the division. A building developed under this subsection shall be a model energy-efficient building that may be used as a public example for similar efforts. The building shall comply with the life cycle cost provisions developed pursuant to section 72.5. The building shall be located on the capitol complex grounds or at another convenient location in the vicinity of the capitol complex grounds.

3. Building project expenses shall include but are not limited to the costs associated with construction, maintenance, and operation of the building that are approved by the board and shall also include principal of, premium, if any, and interest on indebtedness to finance the building.

4. The department of administrative services' costs associated with construction, maintenance, and operation of the building as provided under chapter 8A are building project expenses.

5. A cost-effective approach for financing construction of the building shall be utilized, which may include but is not limited to lease, lease-purchase, bonding, or installment acquisition arrangement, or a financing arrangement under section 12.28. If financing for the building is implemented under section 12.28, the limitation on principal under that section does not apply. This subsection is not a qualification of any other powers which the board and the division may possess and the authorizations and powers granted under this subsection are not subject to the terms, requirements, or limitations of any other provisions of law. The department of administrative services must comply with the provisions of section 12.28 when entering into financing agreements for the purchase of real or personal property.

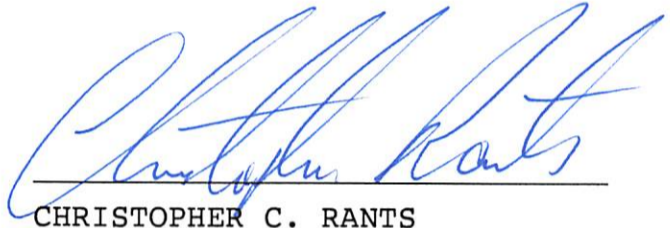
6. a. If financing for the building is implemented through bonding, the provisions of section 12.91 shall apply. In order to assure maintenance of the bond reserve funds established in connection with the financing, the treasurer of state shall, on or before January 1 of each calendar year, make and deliver to the governor the treasurer's certificate stating the sum, if any, required to restore each bond reserve fund to the bond reserve fund requirement for that fund.

b. Within thirty days after the beginning of the session of the general assembly next following the delivery of the certificate, the governor shall submit to both houses of the general assembly printed copies of a budget including the sum, if any, required to restore each bond reserve fund to the bond reserve fund requirement for that fund. Any sums appropriated by the general assembly and paid to the treasurer of state shall be deposited by the treasurer of state in the applicable bond reserve fund.

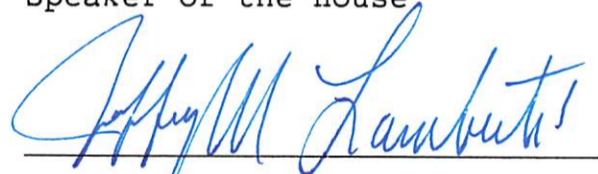
7. The department of administrative services, in consultation with the board and the division, shall secure architectural services, contract for construction, engineering, and construction oversight and management, and control the funding associated with the building construction and the building's operation and maintenance. The department

of administrative services may utilize consultants or other expert assistance to address feasibility, planning, or other considerations connected with construction of the building or decision making regarding the building. The department of administrative services, on behalf of the board and division, shall consult with the office of the governor, appropriate legislative bodies, and the capitol planning commission.

Sec. 74. EFFECTIVE DATE. The section of this division of this Act relating to the expenditure authority of the utilities board for the fiscal year beginning July 1, 2005, being deemed of immediate importance, takes effect upon enactment.



CHRISTOPHER C. RANTS
Speaker of the House



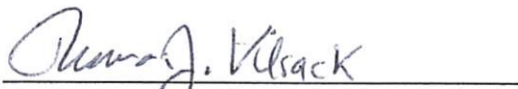
JEFFREY M. LAMBERTI
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2782, Eighty-first General Assembly.



MARGARET THOMSON
Chief Clerk of the House

Approved May 31st, 2006



THOMAS J. VILSACK
Governor