

AN ACT

RELATING TO GOVERNMENT OPERATIONS AND EFFICIENCY AND
OTHER RELATED MATTERS AND INCLUDING EFFECTIVE DATE AND
APPLICABILITY PROVISIONS.

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

DIVISION I

GOVERNMENT INFORMATION TECHNOLOGY SERVICES

Section 1. Section 8A.205, subsection 2, paragraph g, Code 2011, is amended to read as follows:

g. Encourage participating agencies to utilize duplex printing and a print on demand strategy to reduce printing costs, publication overruns, excessive inventory, and obsolete printed materials.

Sec. 2. DEPARTMENT OF ADMINISTRATIVE SERVICES —
INFORMATION TECHNOLOGY DEVICE INVENTORY.

1. The department of administrative services shall complete an inventory of information technology devices utilized by the department and participating agencies, as defined in section 8A.201. The department shall conduct the inventory with the goal of identifying potential information technology device upgrades, changes, or other efficiencies that will meet the information technology needs of the applicable department or

agency at reduced cost to the state.

2. The department shall submit a report to the general assembly by January 1, 2013, describing the department's actions as required by this section. The report shall, if applicable, identify any statutory barriers or needed technology investments for pursuing efforts described in this section and shall include in the report its findings and any recommendations for legislative action.

Sec. 3. DEPARTMENT OF ADMINISTRATIVE SERVICES —
INFORMATION TECHNOLOGY COORDINATION AND MANAGEMENT.

1. The department of administrative services, in accordance with the requirements of 2010 Acts, chapter 1031, and Code section 8A.202, subsection 2, paragraph "g", to coordinate and manage information technology services within the department, shall establish a schedule by which all departments subject to the requirements of that Act and chapter 8A shall comply with these requirements. The schedule shall provide for implementation of the requirements to all affected state agencies and departments by December 31, 2013. The department shall submit a copy of the schedule to the general assembly by July 31, 2012, and shall provide periodic updates to the general assembly on the progress of meeting the time deadlines contained in the schedule.

2. In procuring information technology as provided in section 8A.207, the department of administrative services should explore strategies of procuring information technology through leasing.

DIVISION II

MEDICATION THERAPY MANAGEMENT

Sec. 4. NEW SECTION. 8A.441 Medication therapy management.

1. As used in this section, unless the context otherwise requires:

a. "Eligible employee" means an employee of the state, with the exception of an employee of the state board of regents or institutions under the state board of regents, for whom group health plans are established pursuant to chapter 509A providing for third-party payment or prepayment for health or medical expenses.

b. "Medication therapy management" means a systematic process performed by a licensed pharmacist, designed to improve quality outcomes for patients and lower health care costs, including emergency room, hospital, provider, and other costs, by optimizing appropriate medication use linked directly to

achievement of the clinical goals of therapy. Medication therapy management shall include all of the following services:

(1) A medication therapy review and in-person consultation relating to all medications, vitamins, and herbal supplements currently being taken by an eligible individual.

(2) A medication action plan, subject to the limitations specified in this section, communicated to the individual and the individual's primary care physician or other appropriate prescriber to address issues including appropriateness, effectiveness, safety, drug interactions, and adherence. The medication action plan may include drug therapy recommendations to prescribers that are needed to meet clinical goals and achieve optimal patient outcomes.

(3) Documentation and follow-up to ensure consistent levels of pharmacy services and positive outcomes.

2. *a.* The department shall utilize a request for proposals process and shall enter into a contract for the provision of medication therapy management services for eligible employees who meet any of the following criteria:

(1) An individual who takes four or more prescription drugs to treat or prevent two or more chronic medical conditions.

(2) An individual with a prescription drug therapy problem who is identified by the prescribing physician or other appropriate prescriber, and referred to a pharmacist for medication therapy management services.

(3) An individual who meets other criteria established by the third-party payment provider contract, policy, or plan.

b. The contract shall require the entity to provide annual reports to the general assembly detailing the costs, savings, estimated cost avoidance and return on investment, and improved patient outcomes related to the medication therapy management services provided. The entity shall guarantee demonstrated annual savings for overall health care costs, including emergency room, hospital, provider, and other costs, with savings including associated cost avoidance, at least equal to the program's costs with any shortfall amount refunded to the state. The contract shall include terms, conditions, and applicable measurement standards associated with the demonstration of savings. The department shall verify the demonstrated savings reported by the entity were achieved in accordance with the agreed upon measurement standards. The entity shall be prohibited from using the entity's employees to provide the medication therapy management services and shall

instead be required to contract with licensed pharmacies, pharmacists, or physicians.

c. The department may establish an advisory committee comprised of an equal number of physicians and pharmacists to provide advice and oversight in evaluating the results of the program. The department shall appoint the members of the advisory committee based upon designees of the Iowa pharmacy association, the Iowa medical society, and the Iowa osteopathic medical association.

d. The fees for pharmacist-delivered medication therapy management services shall be separate from the reimbursement for prescription drug product or dispensing services; shall be determined by each third-party payment provider contract, policy, or plan; and must be reasonable based on the resources and time required to provide the service.

e. A fee shall be established for physician reimbursement for services delivered for medication therapy management as determined by each third-party payment provider contract, policy, or plan, and must be reasonable based on the resources and time required to provide the service.

f. If any part of the medication therapy management plan developed by a pharmacist incorporates services which are outside the pharmacist's independent scope of practice including the initiation of therapy, modification of dosages, therapeutic interchange, or changes in drug therapy, the express authorization of the individual's physician or other appropriate prescriber is required.

Sec. 5. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION III

STATE PHYSICAL RESOURCES

Sec. 6. STATE EMPLOYEE WORK ENVIRONMENT ANALYSIS AND REPORT. By September 30, 2012, the department of administrative services shall conduct a high level needs analysis of state employee work stations and office standards, assessing adequate square footage needs, and creating healthy, productive, and efficient work environments in an economical manner. Overall objectives of the analysis shall include improving employee density; properly allocating space for individual and group work; improving worker health and safety; improving technology integration; and improving energy efficiency and sustainability in state offices. The department

shall submit findings and recommendations to the capitol planning commission and to the legislative fiscal committee by October 30, 2012.

DIVISION IV
AUDITS

Sec. 7. Section 11.6, subsection 10, Code Supplement 2011, is amended to read as follows:

10. The auditor of state shall adopt rules in accordance with chapter 17A to establish and collect a filing fee for the filing of each report of audit or examination conducted pursuant to ~~subsections 1 through 3~~ subsection 1, paragraphs "a" and "c", subsection 2, and subsection 3. The funds collected shall be maintained in a segregated account for use by the office of the auditor of state in performing audits conducted pursuant to subsection 4 and for work paper reviews conducted pursuant to subsection 5. Any funds collected by the auditor pursuant to subsection 4 shall be deposited in this account. Notwithstanding section 8.33, the funds in this account shall not revert at the end of any fiscal year.

Sec. 8. Section 182.18, subsection 1, Code 2011, is amended to read as follows:

1. Moneys collected under this chapter are subject to audit by the auditor of state and shall be used by the Iowa sheep and wool promotion board first for the payment of collection and refund expenses, second for payment of the costs and expenses arising in connection with conducting referendums, and third for the purposes identified in section 182.11, ~~and fourth for the cost of audits for the auditor of state.~~ Moneys of the board remaining after a referendum is held at which a majority of the voters favor termination of the board and the assessment shall continue to be expended in accordance with this chapter until exhausted. ~~The auditor of state may seek reimbursement for the cost of the audit.~~

Sec. 9. Section 184.14, subsection 2, Code 2011, is amended to read as follows:

2. Moneys collected, deposited in the fund, and transferred to the council as provided in this chapter are subject to audit by the auditor of state. ~~The auditor of state may seek reimbursement for the cost of the audit.~~ The moneys transferred to the council shall be used by the council first for the payment of collection expenses, second for payment of the costs and expenses arising in connection with conducting referendums, and third to perform the functions and carry out

the duties of the council as provided in this chapter, ~~and fourth for the cost of audits by the auditor of state.~~ Moneys remaining after the council is abolished and the imposition of an assessment is terminated pursuant to a referendum conducted pursuant to section 184.5 shall continue to be expended in accordance with this chapter until exhausted.

Sec. 10. Section 184A.6, subsection 2, Code 2011, is amended to read as follows:

2. The council shall expend moneys from the account first for the payment of expenses for the collection of assessments, ~~second and then~~ for the payment of expenses related to conducting a referendum as provided in section 184A.12, ~~and third for the cost of audits by the auditor of state as required in section 184A.9.~~ The council shall expend remaining moneys for market development, producer education, and the payment of refunds to producers as provided in this chapter.

Sec. 11. Section 184A.9, Code 2011, is amended to read as follows:

184A.9 Audit.

Moneys required to be deposited in the turkey council account as provided in section 184A.4 shall be subject to audit by the auditor of state. ~~The auditor of state may seek reimbursement for the cost of the audit from moneys deposited in the turkey council account.~~

Sec. 12. Section 185C.26, Code 2011, is amended to read as follows:

185C.26 Deposit of moneys — corn promotion fund.

A state assessment collected by the board from a sale of corn shall be deposited in the office of the treasurer of state in a special fund known as the corn promotion fund. The fund may include any gifts, rents, royalties, interest, license fees, or a federal or state grant received by the board. Moneys collected, deposited in the fund, and transferred to the board as provided in this chapter shall be subject to audit by the auditor of state. ~~The auditor of state may seek reimbursement for the cost of the audit from moneys deposited in the fund as provided in this chapter.~~ The department of administrative services shall transfer moneys from the fund to the board for deposit into an account established by the board in a qualified financial institution. The department shall transfer the moneys as provided in a resolution adopted by the board. However, the department is only required to transfer moneys once during each day and only during hours when the offices of

the state are open. From moneys collected, the board shall first pay all the direct and indirect costs incurred by the secretary and the costs of referendums, elections, and other expenses incurred in the administration of this chapter, before moneys may be expended for the purpose of carrying out the purposes of this chapter as provided in section 185C.11.

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

DIVISION V

HOMELAND SECURITY AND EMERGENCY MANAGEMENT ORGANIZATION

Sec. 14. Section 7E.5, subsection 1, paragraph p, Code Supplement 2011, is amended to read as follows:

p. The department of public defense, created in section 29.1, which has primary responsibility for state military forces ~~and emergency management~~.

Sec. 15. Section 7E.5, subsection 1, Code Supplement 2011, is amended by adding the following new paragraph:

NEW PARAGRAPH. w. The department of homeland security and emergency management, created in section 29C.5, which has primary responsibility for the administration of emergency planning matters, including emergency resource planning in this state, homeland security activities, and coordination of available services and resources in the event of a disaster to include those services and resources of the federal government and private entities.

Sec. 16. Section 8A.202, subsection 5, paragraph e, Code 2011, is amended to read as follows:

e. (1) ~~The department of public defense, including both the military division and the homeland security and emergency management division,~~ shall not be required to obtain any information technology services pursuant to this subchapter for the department of public defense ~~or its divisions~~ that is provided by the department pursuant to this chapter without the consent of the adjutant general.

(2) The department of homeland security and emergency management shall not be required to obtain any information technology services pursuant to this subchapter for the department of homeland security and emergency management that is provided by the department pursuant to this chapter without the consent of the director of the department of homeland security and emergency management.

Sec. 17. Section 8D.2, subsection 5, paragraph b, Code

Supplement 2011, is amended to read as follows:

b. For the purposes of this chapter, "public agency" also includes any homeland security or defense facility or disaster response agency established by the ~~administrator~~ director of the department of homeland security and emergency management ~~division of the department of public defense~~ or the governor or any facility connected with a security or defense system or disaster response as required by the ~~administrator~~ director of the department of homeland security and emergency management ~~division of the department of public defense~~ or the governor.

Sec. 18. Section 8D.9, subsection 3, Code Supplement 2011, is amended to read as follows:

3. A facility that is considered a public agency pursuant to section 8D.2, subsection 5, paragraph "b", shall be authorized to access the Iowa communications network strictly for homeland security communication purposes and disaster communication purposes. Any utilization of the network that is not related to communications concerning homeland security or a disaster, as defined in section 29C.2, is expressly prohibited. Access under this subsection shall be available only if a state of disaster emergency is proclaimed by the governor pursuant to section 29C.6 or a homeland security or disaster event occurs requiring connection of disparate communications systems between public agencies to provide for a multiagency or multijurisdictional response. Access shall continue only for the period of time the homeland security or disaster event exists. For purposes of this subsection, disaster communication purposes includes training and exercising for a disaster if public notice of the training and exercising session is posted on the ~~website~~ internet site of the department of homeland security and emergency management ~~division of the department of public defense~~. A scheduled and noticed training and exercising session shall not exceed five days. Interpretation and application of the provisions of this subsection shall be strictly construed.

Sec. 19. Section 16.191, subsection 2, paragraph e, Code Supplement 2011, is amended to read as follows:

e. The ~~administrator~~ director of the department of homeland security and emergency management ~~division of the department of public defense~~ or the ~~administrator's~~ director's designee.

Sec. 20. Section 22.7, subsection 45, Code Supplement 2011, is amended to read as follows:

45. The critical asset protection plan or any part of the

plan prepared pursuant to section 29C.8 and any information held by the department of homeland security and emergency management ~~division~~ that was supplied to the ~~division~~ department by a public or private agency or organization and used in the development of the critical asset protection plan to include, but not be limited to, surveys, lists, maps, or photographs. However, the ~~administrator~~ director shall make the list of assets available for examination by any person. A person wishing to examine the list of assets shall make a written request to the ~~administrator~~ director on a form approved by the ~~administrator~~ director. The list of assets may be viewed at the ~~division's~~ department's offices during normal working hours. The list of assets shall not be copied in any manner. Communications and asset information not required by law, rule, or procedure that are provided to the ~~administrator~~ director by persons outside of government and for which the ~~administrator~~ director has signed a nondisclosure agreement are exempt from public disclosures. The department of homeland security and emergency management ~~division~~ may provide all or part of the critical asset plan to federal, state, or local governmental agencies which have emergency planning or response functions if the ~~administrator~~ director is satisfied that the need to know and intended use are reasonable. An agency receiving critical asset protection plan information from the ~~division~~ department shall not disseminate the information without prior approval of the ~~administrator~~ director.

Sec. 21. Section 23A.2, subsection 10, paragraph m, Code 2011, is amended to read as follows:

m. The repair, calibration, or maintenance of radiological detection equipment by the department of homeland security and emergency management ~~division of the department of public defense~~.

Sec. 22. Section 29.1, Code 2011, is amended to read as follows:

29.1 Department of public defense.

The department of public defense is composed of the ~~military division and the homeland security and emergency management division~~ office of the adjutant general and the military forces of the state of Iowa. The adjutant general is the director of the department of public defense and ~~the budget and personnel of all of the divisions are subject to the approval of the adjutant general~~ shall perform all functions, responsibilities, powers, and duties over the military forces of the state of

Iowa as provided in the laws of the state. ~~The Iowa emergency response commission established by section 30.2 is attached to the department of public defense for organizational purposes.~~

Sec. 23. Section 29.2A, Code 2011, is amended to read as follows:

29.2A Airport fire fighters — maximum age.

The maximum age for a person to be employed as an airport fire fighter by the ~~military division of the~~ department of public defense is sixty-five years of age.

Sec. 24. Section 29A.3A, subsection 4, paragraph a, Code 2011, is amended to read as follows:

a. Operations and administration of the civil air patrol relating to missions not qualifying for federal mission status shall be funded by the state from moneys appropriated to the department of homeland security and emergency management ~~division of the department of public defense~~ for that purpose.

Sec. 25. Section 29A.12, subsection 1, Code 2011, is amended to read as follows:

1. The adjutant general shall have command and control of the ~~military division~~ department of public defense, and perform such duties as pertain to the office of the adjutant general under law and regulations, pursuant to the authority vested in the adjutant general by the governor. The adjutant general shall superintend the preparation of all letters and reports required by the United States from the state, and perform all the duties prescribed by law. The adjutant general shall have charge of the state military reservations, and all other property of the state kept or used for military purposes. The adjutant general may accept and expend nonappropriated funds in accordance with law and regulations. The adjutant general shall cause an inventory to be taken at least once each year of all military stores, property, and funds under the adjutant general's jurisdiction. In each year preceding a regular session of the general assembly, the adjutant general shall prepare a detailed report of the transactions of that office, its expenses, and other matters required by the governor for the period since the last preceding report, and the governor may at any time require a similar report.

Sec. 26. Section 29A.56, Code 2011, is amended to read as follows:

29A.56 Special police.

The adjutant general may by order entered of record commission one or more of the employees of the ~~military~~

~~division~~ department of public defense as special police. Such special police shall on the premises of any state military reservation or other state military property have and exercise the powers of regular peace officers.

Sec. 27. Section 29C.1, subsection 1, Code 2011, is amended to read as follows:

1. To establish a department of homeland security and emergency management ~~division of the department of public defense~~ and to authorize the establishment of local organizations for emergency management in the political subdivisions of the state.

Sec. 28. Section 29C.2, Code Supplement 2011, is amended by adding the following new subsections:

NEW SUBSECTION. 1A. "*Department*" means the department of homeland security and emergency management.

NEW SUBSECTION. 1B. "*Director*" means the director of the department of homeland security and emergency management.

Sec. 29. Section 29C.5, Code 2011, is amended to read as follows:

29C.5 Homeland Department of homeland security and emergency management division.

A The department of homeland security and emergency management division is created ~~within the department of public defense~~. The department of homeland security and emergency management division shall be responsible for the administration of emergency planning matters, including emergency resource planning in this state, cooperation with, support of, funding for, and tasking of the civil air patrol for missions not qualifying for federal mission status as described in section 29A.3A in accordance with operational and funding criteria developed with the adjutant general and coordinated with the civil air patrol, homeland security activities, and coordination of available services and resources in the event of a disaster to include those services and resources of the federal government and private entities. The Iowa emergency response commission established by section 30.2 is attached to the department of homeland security and emergency management for organizational purposes.

Sec. 30. Section 29C.8, Code Supplement 2011, is amended to read as follows:

29C.8 Powers and duties of ~~administrator~~ director.

1. The department of homeland security and emergency management division shall be under the management of an

~~administrator~~ a director appointed by the governor.

2. The ~~administrator~~ director shall be vested with the authority to administer emergency management and homeland security affairs in this state and shall be responsible for preparing and executing the emergency management and homeland security programs of this state subject to the direction of the ~~adjutant-general~~ governor. In the event of a disaster beyond local control, the director may assume direct operational control over all or any part of the emergency management functions within this state.

3. The ~~administrator~~ director, upon the direction of the governor ~~and supervisory control of the director of the department of public defense~~, shall:

a. Prepare a comprehensive emergency plan and emergency management program for homeland security, disaster preparedness, response, recovery, mitigation, emergency operation, and emergency resource management of this state. The plan and program shall be integrated into and coordinated with the homeland security and emergency plans of the federal government and of other states to the fullest possible extent ~~and~~. The director shall also coordinate the preparation of plans and programs for emergency management of the political subdivisions and various state departments of this state. The plans shall be integrated into and coordinated with a comprehensive state homeland security and emergency program for this state as coordinated by the ~~administrator of the homeland security and emergency management division~~ director to the fullest possible extent.

b. Make such studies and surveys of the industries, resources, and facilities in this state as may be necessary to ascertain the vulnerabilities of critical state infrastructure and assets to attack and the capabilities of the state for disaster recovery, disaster planning and operations, and emergency resource management, and to plan for the most efficient emergency use thereof.

c. Provide technical assistance to any commission requiring the assistance in the development of an emergency management or homeland security program.

d. Implement planning and training for emergency response teams as mandated by the federal government under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 as amended by the Superfund Amendments and Reauthorization Act of 1986, 42 U.S.C. § 9601 et seq.

e. Prepare a critical asset protection plan that contains an inventory of infrastructure, facilities, systems, other critical assets, and symbolic landmarks; an assessment of the criticality, vulnerability, and level of threat to the assets; and information pertaining to the mobilization, deployment, and tactical operations involved in responding to or protecting the assets.

f. Approve and support the development and ongoing operations of homeland security and emergency response teams to be deployed as a resource to supplement and enhance disrupted or overburdened local emergency and disaster operations and deployed as available to provide assistance to other states pursuant to the interstate emergency management assistance compact described in section 29C.21. The following shall apply to homeland security and emergency response teams:

(1) A member of a homeland security and emergency response team acting under this section upon the directive of the ~~administrator~~ director or pursuant to a governor's disaster proclamation as provided in section 29C.6 shall be considered an employee of the state for purposes of section 29C.21 and chapter 669 and shall be afforded protection as an employee of the state under section 669.21. Disability, workers' compensation, and death benefits for team members working under the authority of the ~~administrator~~ director or pursuant to the provisions of section 29C.6 shall be paid by the state in a manner consistent with the provisions of chapter 85, 410, or 411 as appropriate, depending on the status of the member, provided that the member is registered with the ~~homeland security and emergency management division~~ department as a member of an approved team and is participating as a team member in a response or recovery operation initiated by the ~~administrator~~ director or governor pursuant to this section or in a training or exercise activity approved by the ~~administrator~~ director.

(2) Each approved homeland security and emergency management response team shall establish standards for team membership, shall provide the division with a listing of all team members, and shall update the list each time a member is removed from or added to the team. Individuals so identified as team members shall be considered to be registered as team members for purposes of subparagraph (1).

(3) Upon notification of a compensable loss to a member of a homeland security and emergency management response team, the

department of administrative services shall process the claim and seek authorization from the executive council to pay as an expense paid from the appropriations addressed in section 7D.29 those costs associated with covered benefits.

g. Implement and support the national incident management system as established by the United States department of homeland security to be used by state agencies and local and tribal governments to facilitate efficient and effective assistance to those affected by emergencies and disasters.

4. The ~~administrator~~ director, with the approval of the governor ~~and upon recommendation of the adjutant general~~, may employ a deputy ~~administrator~~ director and such technical, clerical, stenographic, and other personnel and make such expenditures within the appropriation or from other funds made available to the department ~~of public defense for purposes of emergency management~~, as may be necessary to administer this chapter.

5. The ~~homeland security and emergency management division~~ department may charge fees for the repair, calibration, or maintenance of radiological detection equipment and may expend funds in addition to funds budgeted for the servicing of the radiological detection equipment. The ~~division~~ department shall adopt rules pursuant to chapter 17A providing for the establishment and collection of fees for radiological detection equipment repair, calibration, or maintenance services and for entering into agreements with other public and private entities to provide the services. Fees collected for repair, calibration, or maintenance services shall be treated as repayment receipts as defined in section 8.2 and shall be used for the operation of the ~~division's~~ department's radiological maintenance facility or radiation incident response training.

Sec. 31. Section 29C.8A, subsection 2, Code Supplement 2011, is amended to read as follows:

2. The emergency response fund shall be administered by the ~~homeland security and emergency management division~~ department to carry out planning and training for the emergency response teams.

Sec. 32. Section 29C.9, subsections 1, 5, 7, 8, and 10, Code Supplement 2011, are amended to read as follows:

1. The county boards of supervisors, city councils, and the sheriff in each county shall cooperate with the ~~homeland security and emergency management division of the department of public defense~~ department to establish a commission to carry

out the provisions of this chapter.

5. The commission shall model its bylaws and conduct its business according to the guidelines provided in the ~~state division's~~ department's administrative rules.

7. The commission shall delegate to the emergency management coordinator the authority to fulfill the commission duties as described in the ~~division's~~ department's administrative rules. Each commission shall appoint a local emergency management coordinator who shall meet the qualifications specified in the administrative rules by the ~~administrator of the homeland security and emergency management division~~ director. Additional emergency management personnel may be appointed at the discretion of the commission.

8. The commission shall develop, adopt, and submit for approval by local governments within the commission's jurisdiction, a comprehensive emergency plan which meets standards adopted by the ~~division~~ department in accordance with chapter 17A. If an approved comprehensive emergency plan has not been prepared according to established standards and the ~~administrator of the homeland security and emergency management division~~ director finds that satisfactory progress is not being made toward the completion of the plan, or if the ~~administrator~~ director finds that a commission has failed to appoint a qualified emergency management coordinator as provided in this chapter, the ~~administrator~~ director shall notify the governing bodies of the counties and cities affected by the failure and the governing bodies shall not appropriate any moneys to the local emergency management fund until the comprehensive emergency plan is prepared and approved or a qualified emergency management coordinator is appointed. If the ~~administrator~~ director finds that a commission has appointed an unqualified emergency management coordinator, the ~~administrator~~ director shall notify the commission citing the qualifications which are not met and the commission shall not approve the payment of the salary or expenses of the unqualified emergency management coordinator.

10. Two or more commissions may, upon review by the ~~state administrator~~ director and with the approval of their respective boards of supervisors and cities, enter into agreements pursuant to chapter 28E for the joint coordination and administration of emergency management services throughout the multicounty area.

Sec. 33. Section 29C.11, subsection 1, Code Supplement

2011, is amended to read as follows:

1. The local emergency management commission shall, in collaboration with other public and private agencies within this state, develop mutual aid arrangements for reciprocal disaster services and recovery aid and assistance in case of disaster too great to be dealt with unassisted. The arrangements shall be consistent with the ~~homeland security and emergency management division~~ department plan and program, and in time of emergency each local emergency management agency shall render assistance in accordance with the provisions of the mutual aid arrangements.

Sec. 34. Section 29C.12, Code 2011, is amended to read as follows:

29C.12 Use of existing facilities.

In carrying out the provisions of this chapter, the governor, ~~and the director of the department of public defense,~~ and the executive officers or governing boards of political subdivisions of the state shall utilize, to the maximum extent practicable, the services, equipment, supplies, and facilities of existing departments, officers, and agencies of the state and of political subdivisions at their respective levels of responsibility.

Sec. 35. Section 29C.12A, Code 2011, is amended to read as follows:

29C.12A Participation in funding disaster recovery facility.

All state government departments and agencies may participate in sharing the cost of the design, construction, and operation of a disaster recovery facility located in the ~~STARC~~ joint forces headquarters armory at Camp Dodge. State departments and agencies may use funds from any source, including but not limited to user fees and appropriations for operational or capital purposes, to participate in the facility.

Sec. 36. Section 29C.14, Code 2011, is amended to read as follows:

29C.14 Director of the department of administrative services to issue warrants.

The director of the department of administrative services shall draw warrants on the treasurer of state for the purposes specified in this chapter, upon duly itemized and verified vouchers that have been approved by the ~~administrator~~ director of the department of homeland security and emergency management ~~division~~.

Sec. 37. Section 29C.18, subsection 1, Code 2011, is amended to read as follows:

1. Every organization for homeland security and emergency management established pursuant to this chapter and its officers shall execute and enforce the orders or rules made by the governor, or under the governor's authority and the orders or rules made by subordinate organizations and not contrary or inconsistent with the orders or rules of the governor.

Sec. 38. Section 29C.20B, Code Supplement 2011, is amended to read as follows:

29C.20B Disaster case management.

1. The department of homeland security and emergency management ~~division~~ shall work with the department of human services and nonprofit, voluntary, and faith-based organizations active in disaster recovery and response in coordination with the department of human services to establish a statewide system of disaster case management to be activated following the governor's proclamation of a disaster emergency or the declaration of a major disaster by the president of the United States for individual assistance purposes. Under the system, the department of homeland security and emergency management ~~division~~ shall coordinate case management services locally through local committees as established in each commission's emergency plan.

2. The department of homeland security and emergency management ~~division~~, in conjunction with the department of human services and an Iowa representative to the national voluntary organizations active in disaster, shall adopt rules pursuant to chapter 17A to create coordination mechanisms and standards for the establishment and implementation of a statewide system of disaster case management which shall include at least all of the following:

- a. Disaster case management standards.
- b. Disaster case management policies.
- c. Reporting requirements.
- d. Eligibility criteria.
- e. Coordination mechanisms necessary to carry out the services provided.
- f. Development of formal working relationships with agencies and creation of interagency agreements for those considered to provide disaster case management services.
- g. Coordination of all available services for individuals from multiple agencies.

Sec. 39. Section 29C.22, subsection 3, paragraph c, Code Supplement 2011, is amended to read as follows:

c. The authorized representative of a participating government may initiate a request by contacting the department of homeland security and emergency management ~~division of the state department of public defense~~. When a request is received by the ~~division~~ department, the ~~division~~ department shall directly contact other participating governments to coordinate the provision of mutual aid.

Sec. 40. Section 29C.22, subsection 11, paragraphs b and c, Code Supplement 2011, are amended to read as follows:

b. Any participating government may withdraw from this compact by adopting an ordinance or resolution repealing the same, but a withdrawal shall not take effect until thirty days after the governing body of the withdrawing participating government has given notice in writing of the withdrawal to the ~~administrator~~ director of the department of homeland security and emergency management ~~division~~ who shall notify all other participating governments. The action shall not relieve the withdrawing political subdivision from obligations assumed under this compact prior to the effective date of withdrawal.

c. Duly authenticated copies of this compact and any supplementary agreements as may be entered into shall be deposited, at the time of their approval, with the ~~administrator~~ director of the department of homeland security and emergency management ~~division~~ who shall notify all participating governments and other appropriate agencies of state government.

Sec. 41. Section 30.2, subsections 1 and 2, Code Supplement 2011, are amended to read as follows:

1. The Iowa emergency response commission is established. The commission is responsible directly to the governor. The commission is attached to the department of ~~public defense~~ homeland security and emergency management for routine administrative and support services only.

2. a. The commission is composed of ~~fifteen~~ sixteen members appointed by the governor. One member shall be appointed to represent the department of homeland security and emergency management, one to represent the department of agriculture and land stewardship, one to represent the department of workforce development, one to represent the department of justice, one to represent the department of natural resources, one to represent the department of public defense, one to represent the Iowa

department of public health, one to represent the department of public safety, one to represent the state department of transportation, one to represent the state fire service and emergency response council, one to represent a local emergency planning committee, one to represent the Iowa hazardous materials task force, and one to represent the office of the governor. Three representatives from private industry shall also be appointed by the governor, subject to confirmation by the senate.

b. The commission members representing the departments of homeland security and emergency management, workforce development, natural resources, public defense, public safety, and transportation, a local emergency planning committee, and one private industry representative designated by the commission shall be voting members of the commission. The remaining members of the commission shall serve as nonvoting, advisory members.

Sec. 42. Section 30.5, subsection 2, Code 2011, is amended to read as follows:

2. The commission may enter into agreements pursuant to chapter 28E to accomplish any duty imposed upon the commission by the Emergency Planning and Community Right-to-know Act, but the commission shall not compensate any governmental unit for the performance of duties pursuant to such an agreement. Funding for administering the duties of the commission under sections 30.7, 30.8, and 30.9 shall be included in the budgets of the department of natural resources and the department of ~~public defense~~ homeland security and emergency management.

Sec. 43. Section 30.9, Code Supplement 2011, is amended to read as follows:

30.9 Duties to be allocated to department of ~~public defense~~ homeland security and emergency management.

Agreements negotiated by the commission and the department of ~~public defense~~ homeland security and emergency management shall provide for the allocation of duties to the department of ~~public defense~~ homeland security and emergency management as follows:

1. Comprehensive emergency plans required to be developed under section 303 of the Emergency Planning and Community ~~Right-to-Know~~ Right-to-know Act, 42 U.S.C. § 11003, shall be submitted to the department of ~~public defense~~ homeland security and emergency management. Committee submission to that department constitutes compliance with the requirement for

reporting to the commission. After initial submission, a plan need not be resubmitted unless revisions are requested by the commission. The department of ~~public defense~~ homeland security and emergency management shall review the plan on behalf of the commission and shall incorporate the provisions of the plan into its responsibilities under chapter 29C.

2. The department of ~~public defense~~ homeland security and emergency management shall advise the commission of the failure of any committee to submit an initial comprehensive emergency response and recovery plan or a revised plan requested by the commission.

3. The department of ~~public defense~~ homeland security and emergency management shall make available to the public upon request during normal working hours the information in its possession pursuant to section 324 of the Emergency Planning and Community ~~Right-to-Know~~ Right-to-know Act, 42 U.S.C. § 11044.

Sec. 44. Section 34A.2, subsection 2, Code 2011, is amended to read as follows:

~~2.~~ 3A. "~~Administrator~~" "Director" means the ~~administrator~~ director of the department of homeland security and emergency management ~~division of the department of public defense.~~

Sec. 45. Section 34A.2A, Code 2011, is amended to read as follows:

34A.2A Program manager — appointment — duties.

1. The ~~administrator~~ director of the department of homeland security and emergency management ~~division of the department of public defense~~ shall appoint an E911 program manager to administer this chapter.

2. The E911 program manager shall act under the supervisory control of the ~~administrator~~ director of the department of homeland security and emergency management ~~division of the department of public defense~~, and in consultation with the E911 communications council, and shall perform the duties specifically set forth in this chapter and as assigned by the ~~administrator~~ director.

Sec. 46. Section 34A.6, subsection 3, Code 2011, is amended to read as follows:

3. The secretary of state, in consultation with the ~~administrator~~ director, shall adopt rules for the conduct of joint E911 service referendums as required by and consistent with subsections 1 and 2.

Sec. 47. Section 34A.7A, subsection 1, paragraph a, Code

2011, is amended to read as follows:

a. Notwithstanding section 34A.6, the ~~administrator~~ director shall adopt by rule a monthly surcharge of up to sixty-five cents to be imposed on each wireless communications service number provided in this state. The surcharge shall be imposed uniformly on a statewide basis and simultaneously on all wireless communications service numbers as provided by rule of the ~~administrator~~ director.

Sec. 48. Section 34A.7A, subsection 2, paragraphs a and h, Code 2011, are amended to read as follows:

a. An amount as appropriated by the general assembly to the ~~administrator~~ director shall be allocated to the ~~administrator~~ director and program manager for implementation, support, and maintenance of the functions of the ~~administrator~~ director and program manager and to employ the auditor of state to perform an annual audit of the wireless E911 emergency communications fund.

h. The ~~administrator~~ director, in consultation with the program manager and the E911 communications council, shall adopt rules pursuant to chapter 17A governing the distribution of the surcharge collected and distributed pursuant to this subsection. The rules shall include provisions that all joint E911 service boards and the department of public safety which answer or service wireless E911 calls are eligible to receive an equitable portion of the receipts.

Sec. 49. Section 34A.15, subsection 3, Code Supplement 2011, is amended to read as follows:

3. The council shall advise and make recommendations to the ~~administrator~~ director and program manager regarding the implementation of this chapter. Such advice and recommendations shall be provided on issues at the request of the ~~administrator~~ director or program manager or as deemed necessary by the council.

Sec. 50. Section 35A.5, subsection 16, Code Supplement 2011, is amended to read as follows:

16. In coordination with the ~~military division of the~~ department of public defense, advise service members prior to, and after returning from, deployment on active duty service outside the United States of issues related to the filing of tax returns and the payment of taxes due and encourage a service member who has not filed a return or who owes taxes to contact the department of revenue prior to deployment.

Sec. 51. Section 80.28, subsection 2, paragraph a,

subparagraph (3), Code 2011, is amended to read as follows:

(3) One member representing the department of homeland security and emergency management division.

Sec. 52. Section 80B.11C, Code 2011, is amended to read as follows:

80B.11C Telecommunicator training standards.

The director of the academy, subject to the approval of the council, in consultation with the Iowa state sheriffs' and deputies' association, the Iowa police executive forum, the Iowa association of chiefs of police and peace officers, the Iowa state police association, the Iowa association of professional fire fighters, the Iowa emergency medical services association, the joint council of Iowa fire service organizations, the Iowa department of public safety, the Iowa chapter of the association of public safety communications officials-international, inc., the Iowa chapter of the national emergency number association, the department of homeland security and emergency management division ~~of the Iowa department of public defense~~, and the Iowa department of public health, shall adopt rules pursuant to chapter 17A establishing minimum standards for training of telecommunicators. For purposes of this section, "telecommunicator" means a person who receives requests for, or dispatches requests to, emergency response agencies which include, but are not limited to, law enforcement, fire, rescue, and emergency medical services agencies.

Sec. 53. Section 97B.49B, subsection 1, paragraph e, subparagraph (8), Code Supplement 2011, is amended to read as follows:

(8) An airport fire fighter employed by the ~~military division of the~~ department of public defense.

Sec. 54. Section 100B.22, subsection 1, paragraph a, Code 2011, is amended to read as follows:

a. 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:

(1) 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 department of homeland security and emergency management division ~~of the~~

~~department of public defense.~~

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

(3) Iowa lakes community college for merged area III and northwest Iowa community college for merged area IV.

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

(5) 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 department of homeland security and emergency management ~~division of the department of public defense.~~

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

(7) 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 department of homeland security and emergency management ~~division of the department of public defense.~~

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

(9) 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 department of homeland security and emergency management ~~division of the department of public defense.~~

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

(11) 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.

Sec. 55. Section 135.141, subsection 2, paragraphs a and j, Code 2011, are amended to read as follows:

a. Coordinate with the department of homeland security and emergency management ~~division of the department of public defense~~ the administration of emergency planning matters which involve the public health, including development, administration, and execution of the public health components of the comprehensive emergency plan and emergency management program pursuant to section 29C.8.

j. Adopt rules pursuant to chapter 17A for the administration of this division of this chapter including rules adopted in cooperation with the Iowa pharmacy association and the Iowa hospital association for the development of a surveillance system to monitor supplies of drugs, antidotes, and vaccines to assist in detecting a potential public health disaster. Prior to adoption, the rules shall be approved by the state board of health and the ~~administrator~~ director of the department of homeland security and emergency management ~~division of the department of public defense~~.

Sec. 56. Section 135.145, subsections 1 and 2, Code 2011, are amended to read as follows:

1. When the department of public safety or other federal, state, or local law enforcement agency learns of a case of a disease or health condition, unusual cluster, or a suspicious event that may be the cause of a public health disaster, the department or agency shall immediately notify the department, the ~~administrator~~ director of the department of homeland security and emergency management ~~division of the department of public defense~~, the department of agriculture and land stewardship, and the department of natural resources as appropriate.

2. When the department learns of a case of a disease or health condition, an unusual cluster, or a suspicious event that may be the cause of a public health disaster, the department shall immediately notify the department of public safety, the department of homeland security and emergency management ~~division of the department of public defense~~, and other appropriate federal, state, and local agencies and officials.

Sec. 57. Section 163.3A, subsection 2, Code Supplement 2011, is amended to read as follows:

2. The services shall be performed under the direction of

the department and may be part of measures authorized by the governor under a declaration or proclamation issued pursuant to chapter 29C. In such case, the department shall cooperate with the Iowa department of public health under chapter 135, and the department of ~~public defense~~, homeland security and emergency management ~~division~~, and local emergency management agencies as provided in chapter 29C.

Sec. 58. Section 163.51, subsection 2, paragraph b, Code 2011, is amended to read as follows:

b. If the department confirms an outbreak of foot and mouth disease in this state, the department shall cooperate with the governor; federal agencies, including the United States department of agriculture; and state agencies, including the department of homeland security and emergency management ~~division of the department of public defense~~, in order to provide the public with timely and accurate information regarding the outbreak. The department shall cooperate with organizations representing agricultural producers in order to provide all necessary information to agricultural producers required to control the outbreak.

Sec. 59. Section 305.8, subsection 1, paragraph b, Code 2011, is amended to read as follows:

b. In consultation with the department of homeland security and emergency management ~~division of the department of public defense~~, establish policies, standards, and guidelines for the identification, protection, and preservation of records essential for the continuity or reestablishment of governmental functions in the event of an emergency arising from a natural or other disaster.

Sec. 60. Section 455B.266, subsection 1, paragraph d, Code 2011, is amended to read as follows:

d. Determination by the department in conjunction with the department of homeland security and emergency management ~~division of the department of public defense~~ of a local crisis which affects availability of water.

Sec. 61. Section 455B.385, Code 2011, is amended to read as follows:

455B.385 State hazardous condition contingency plan.

All public agencies, as defined in chapter 28E, shall cooperate in the development and implementation of a state hazardous condition contingency plan. The plan shall detail the manner in which public agencies shall participate in the response to a hazardous condition. The director may enter

into agreements, with approval of the commission, with any state agency or unit of local government or with the federal government, as necessary to develop and implement the plan. The plan shall be coordinated with the department of homeland security and emergency management ~~division of the department of public defense~~ and any joint emergency management agencies established pursuant to chapter 29C.

Sec. 62. Section 466B.3, subsection 4, paragraph d, Code Supplement 2011, is amended to read as follows:

d. The ~~administrator~~ director of the department of homeland security and emergency management ~~division of the department of public defense~~ or the ~~administrator's~~ director's designee.

Sec. 63. REPEAL. Sections 29.2, 29.3, and 29C.7, Code and Code Supplement 2011, are repealed.

Sec. 64. TRANSITION PROVISIONS.

1. Any rule, regulation, form, order, or directive promulgated by the division of homeland security and emergency management of the department of public defense shall continue in full force and effect until amended, repealed, or supplemented by affirmative action of the department of homeland security and emergency management as established in this Act.

2. All employees of the division of homeland security and emergency management of the department of public defense shall be considered employees of the department of homeland security and emergency management upon the elimination of the former and creation of the latter as provided in this Act.

DIVISION VI

IOWA JOBS BOARD

Sec. 65. Section 12.87, subsection 12, Code Supplement 2011, is amended to read as follows:

12. Neither the treasurer of state, the ~~Iowa jobs board~~ finance authority, nor any person acting on behalf of the treasurer of state or the ~~Iowa jobs board~~ finance authority while acting within the scope of their employment or agency, is subject to personal liability resulting from carrying out the powers and duties conferred by this section and sections 12.88 through 12.90.

Sec. 66. Section 16.193, subsection 1, Code Supplement 2011, is amended to read as follows:

1. The ~~Iowa finance authority~~, ~~subject to approval by the Iowa jobs board~~, shall adopt administrative rules pursuant to chapter 17A necessary to administer the Iowa jobs program and

Iowa jobs II program. The authority shall ~~provide the board with assistance in implementing administrative functions,~~ be responsible for providing technical assistance and application assistance to applicants under the programs, negotiating contracts, and providing project follow up. ~~The authority, in cooperation with the board, may conduct negotiations on behalf of the board with applicants regarding terms and conditions applicable to awards under the program.~~

Sec. 67. Section 16.194, subsection 2, Code 2011, is amended to read as follows:

2. A city or county or a public organization in this state may submit an application to the ~~Iowa jobs board~~ authority for financial assistance for a local infrastructure competitive grant for an eligible project under the program, notwithstanding any limitation on the state's percentage in funding as contained in section 29C.6, subsection 17.

Sec. 68. Section 16.194, subsection 4, unnumbered paragraph 1, Code 2011, is amended to read as follows:

The ~~board~~ authority shall consider the following criteria in evaluating eligible projects to receive financial assistance under the program:

Sec. 69. Section 16.194, subsection 7, Code 2011, is amended to read as follows:

7. In order for a project to be eligible to receive financial assistance from the ~~board~~ authority, the project must be a public construction project pursuant to subsection 1 with a demonstrated substantial local, regional, or statewide economic impact.

Sec. 70. Section 16.194, subsection 8, unnumbered paragraph 1, Code 2011, is amended to read as follows:

The ~~board~~ authority shall not approve an application for assistance for any of the following purposes:

Sec. 71. Section 16.194, subsection 9, paragraph b, Code 2011, is amended to read as follows:

b. Any portion of an amount allocated for projects that remains unexpended or unencumbered one year after the allocation has been made may be reallocated to another project category, at the discretion of the ~~board~~ authority. The ~~board~~ authority shall ensure that all bond proceeds be expended within three years from when the allocation was initially made.

Sec. 72. Section 16.194, subsection 10, Code 2011, is amended to read as follows:

10. The ~~board~~ authority shall ensure that funds obligated

under this section are coordinated with other federal program funds received by the state, and that projects receiving funds are located in geographically diverse areas of the state.

Sec. 73. Section 16.194A, subsections 2, 7, 9, and 10, Code 2011, are amended to read as follows:

2. A city or county in this state that applies the smart planning principles and guidelines pursuant to sections 18B.1 and 18B.2 may submit an application to the ~~Iowa jobs board~~ authority for financial assistance for a local infrastructure competitive grant for an eligible project under the program, notwithstanding any limitation on the state's percentage in funding as contained in section 29C.6, subsection 17.

7. In order for a project to be eligible to receive financial assistance from the ~~board~~ authority, the project must be a public construction project pursuant to subsection 1 with a demonstrated substantial local, regional, or statewide economic impact.

9. Any portion of an amount allocated for projects that remains unexpended or unencumbered one year after the allocation has been made may be reallocated to another project category, at the discretion of the ~~board~~ authority. The ~~board~~ authority shall ensure that all bond proceeds be expended within three years from when the allocation was initially made.

10. The ~~board~~ authority shall ensure that funds obligated under this section are coordinated with other federal program funds received by the state, and that projects receiving funds are located in geographically diverse areas of the state.

Sec. 74. Section 16.194A, subsection 4, unnumbered paragraph 1, Code 2011, is amended to read as follows:

The ~~board~~ authority shall consider the following criteria in evaluating eligible projects to receive financial assistance under the program:

Sec. 75. Section 16.194A, subsection 8, unnumbered paragraph 1, Code 2011, is amended to read as follows:

The ~~board~~ authority shall not approve an application for assistance for any of the following purposes:

Sec. 76. Section 16.195, Code Supplement 2011, is amended to read as follows:

16.195 Iowa jobs program application review.

1. Applications for assistance under the Iowa jobs program and Iowa jobs II program shall be submitted to the ~~Iowa finance~~ authority for review and approval. ~~The authority shall provide a staff review and evaluation of applications to the Iowa jobs~~

~~program review committee referred to in subsection 2 and to the Iowa jobs board.~~

~~2. A review committee composed of members of the board as determined by the board shall review Iowa jobs program applications submitted to the board and make recommendations regarding the applications to the board. When reviewing the applications, the review committee and the authority shall consider the project criteria specified in sections 16.194 and 16.194A. The board authority shall develop the appropriate level of transparency regarding project fund allocations.~~

~~3. Upon approval of an application for financial assistance under the program, the board authority shall notify the treasurer of state regarding the amount of moneys needed to satisfy the award of financial assistance and the terms of the award. The treasurer of state shall notify the Iowa finance authority any time moneys are disbursed to a recipient of financial assistance under the program.~~

Sec. 77. Section 16.196, Code 2011, is amended to read as follows:

16.196 Iowa jobs restricted capitals fund — appropriations.

~~1. An Iowa jobs restricted capitals fund is created and established as a separate and distinct fund in the state treasury. The fund consists of moneys appropriated from the revenue bonds capitals fund created in section 12.88. The moneys in the fund are appropriated to the Iowa jobs board for purposes of the Iowa jobs program established in section 16.194. 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 Iowa jobs program. The treasurer of state shall act as custodian of the fund and disburse moneys contained in the fund. The fund shall be administered by the board which shall make allocations from the fund consistent with the purposes of the Iowa jobs program.~~

~~2. 1. There is appropriated from the revenue bonds capitals fund created in section 12.88, to the Iowa jobs restricted capitals fund, for the fiscal year beginning July 1, 2009, and ending June 30, 2010, one hundred sixty-five million dollars to be allocated as follows:~~

~~a. One hundred eighteen million five hundred thousand dollars for competitive grants for local infrastructure projects relating to disaster rebuilding, reconstruction and replacement of local buildings, flood control and flood protection, and future flood prevention public projects. An~~

applicant for a local infrastructure grant shall not receive more than fifty million dollars in financial assistance from the fund.

b. Forty-six million five hundred thousand dollars for disaster relief and mitigation and local infrastructure grants for the following renovation and construction projects, notwithstanding any limitation on the state's percentage participation in funding as contained in section 29C.6, subsection 17:

(1) For grants to a county with a population between one hundred eighty-nine thousand and one hundred ninety-six thousand in the latest preceding certified federal census, to be distributed as follows:

(a) Ten million dollars for the construction of a new, shared facility between nonprofit human service organizations serving the public, especially the needs of low-income Iowans, including those displaced as a result of the disaster of 2008.

(b) Five million dollars for the construction or renovation of a facility for a county-funded workshop program serving the public and particularly persons with mental illness or developmental disabilities.

(2) For grants to a city with a population between one hundred ten thousand and one hundred twenty thousand in the latest preceding certified federal census, to be distributed as follows:

(a) Five million dollars for an economic redevelopment project benefiting the public by improving energy efficiency and the development of alternative and renewable energy technologies.

(b) Ten million dollars for a museum serving the public and dedicated to the preservation of an eastern European cultural heritage through the collection, exhibition, preservation, and interpretation of historical artifacts.

(c) Five million dollars for a theater serving the public and promoting culture, entertainment, and tourism.

(d) Five million dollars for a public library.

(e) Five million dollars for a public works building.

(3) One million five hundred thousand dollars, to be distributed as follows:

(a) Five hundred thousand dollars to a city with a population between six hundred and six hundred fifty in the latest preceding certified federal census, for a public fire station.

(b) Five hundred thousand dollars to a city with a population between one thousand four hundred and one thousand five hundred in the latest preceding certified federal census, for a public fire station.

(c) Five hundred thousand dollars for a city with a population between seven thousand eight hundred and seven thousand eight hundred fifty, for a public fire station.

~~3.~~ 2. Grant awards for a project under subsection 2, paragraph "b", are contingent upon submission of a plan for each project by the applicable county or city governing board or in the case of a project submitted pursuant to subsection 2, paragraph "b", subparagraph (2), subparagraph division (b), by the board of directors, to the ~~Iowa jobs board~~ authority, no later than September 1, 2009, detailing a description of the project, the plan to rebuild, and the amount or percentage of federal, state, local, or private matching moneys which will be or have been provided for the project. Funds not utilized in accordance with subsection 2, paragraph "b", due to failure to file a plan by the September 1 deadline shall revert to the ~~Iowa jobs restricted~~ revenue bonds capitals fund to be available for local infrastructure competitive grants. A grant recipient under subsection 2, paragraph "b", shall not be precluded from applying for a local infrastructure competitive grant pursuant to this section and section 16.195.

~~4. 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.~~

~~5.~~ 3. Annually, on or before January 15 of each year, the ~~board~~ authority shall report to the legislative services agency and the department of management the status of all projects receiving moneys from the fund completed or in progress. 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 the date the project was completed or an estimated completion date of the project, where applicable.

~~6.~~ 4. Payment of moneys appropriated from the fund shall be made in a manner that does not adversely affect the tax-exempt status of any outstanding bonds issued by the treasurer of state.

Sec. 78. Section 16.197, Code 2011, is amended to read as follows:

16.197 Limitation of liability.

~~A member of the Iowa jobs board, a person acting on behalf of the board while acting within the scope of their employment or agency,~~ The authority or the treasurer of state, shall not be subject to personal liability resulting from carrying out the powers and duties of the ~~board~~ authority or the treasurer, as applicable, in sections ~~16.192~~ 16.193 through 16.196.

Sec. 79. IOWA JOBS BOARD — TRANSITION PROVISIONS — LIMITATION OF LIABILITY.

1. Any contract or agreement issued or entered into by the Iowa jobs board relating to the provisions of this division of this Act, in effect on the effective date of this division of this Act, shall continue in full force and effect and any responsibility of the board relative to the contracts or agreements as provided in those contracts or agreements shall be transferred to the Iowa finance authority.

2. A member of the Iowa jobs board or a person acting on behalf of the board while acting within the scope of that person's employment or agency shall not be subject to personal liability resulting from carrying out the powers and duties of the board prior to the effective date of this division of this Act, as applicable, in sections 12.87 through 12.90 and in sections 16.192 through 16.196, Code and Code Supplement 2011.

Sec. 80. REPEAL. Sections 16.191 and 16.192, Code Supplement 2011, are repealed.

DIVISION VII

ELECTRONIC COMMUNICATIONS

Sec. 81. Section 22.7, Code Supplement 2011, is amended by adding the following new subsection:

NEW SUBSECTION. 65. Electronic mail addresses of individuals collected by state departments and agencies for the purpose of electronic communications.

Sec. 82. STATE DEPARTMENT AND AGENCY LIMITATIONS ON MAIL. Notwithstanding any provision of the law to the contrary, a state department or agency shall provide departmental or agency notices or information through the department's or agency's internet site or through electronic mail to the fullest extent possible. This requirement shall not apply to department and agency communications required for purposes of pursuing legal action or to comply with federal law. Departments and agencies shall have rulemaking authority to implement this section and to collect electronic mail addresses for the purpose of electronic communications.

DIVISION VIII
STATE RECORDS

Sec. 83. Section 96.11, subsection 11, Code 2011, is amended to read as follows:

11. *Destruction of records.* The department may destroy or dispose of such original reports or records as have been properly recorded or summarized in the permanent records of the department and are deemed by the director and the ~~state records commission~~ department of cultural affairs to be no longer necessary to the proper administration of this chapter. Wage records of the individual worker or transcripts therefrom may be destroyed or disposed of, if approved by the ~~state records commission~~ department of cultural affairs, two years after the expiration of the period covered by such wage records or upon proof of the death of the worker. Such destruction or disposition shall be made only by order of the director in consultation with the ~~state records commission~~ department of cultural affairs. Any moneys received from the disposition of such records shall be deposited to the credit of the employment security administration fund, subject to rules promulgated by the department.

Sec. 84. Section 305.2, subsection 2, Code 2011, is amended to read as follows:

2. "Archives" means records that have been appraised by the ~~state records commission~~ department as having sufficient historical, research, evidential, or informational value to warrant permanent preservation and that have been transferred to the custody of the state archives.

Sec. 85. Section 305.2, subsections 3 and 5, Code 2011, are amended by striking the subsections.

Sec. 86. Section 305.2, Code 2011, is amended by adding the following new subsection:

NEW SUBSECTION. 4A. "Department" means the department of cultural affairs.

Sec. 87. Section 305.2, subsection 10, Code 2011, is amended to read as follows:

10. "Records series retention and disposition schedule" means a timetable established by the ~~state records commission~~ department that describes the length of time a records series of an agency or multiple agencies must be retained in active and inactive status and provides authorization for a final disposition of the records series by destruction or permanent retention.

Sec. 88. Section 305.4, unnumbered paragraph 1, Code 2011, is amended to read as follows:

The ~~commission~~ department shall adopt government information policies, standards, and guidelines to do all of the following:

Sec. 89. Section 305.8, subsection 1, unnumbered paragraph 1, Code 2011, is amended to read as follows:

The ~~commission~~ department shall do all of the following:

Sec. 90. Section 305.8, subsection 1, Code 2011, is amended by adding the following new paragraph:

NEW PARAGRAPH. *0e.* Provide training, advice, and counsel to agencies on government information policies, standards, and guidelines.

Sec. 91. Section 305.8, subsection 1, Code 2011, is amended by adding the following new paragraphs:

NEW PARAGRAPH. *0f.* Develop and distribute operating procedures for agencies to use to implement the plans, policies, standards, and guidelines adopted by the department.

NEW PARAGRAPH. *00f.* Manage any centralized records storage facility established by the department for the temporary storage of agency records prior to their final disposition by destruction or permanent preservation in accordance with the records series retention and disposition schedules.

NEW PARAGRAPH. *000f.* Appoint a state archivist to head the state archives and records program.

NEW PARAGRAPH. *0000f.* Manage the state archives and develop operating procedures for the transfer, accession, arrangement, description, preservation, protection, and public access of those records the department identifies as having permanent value.

NEW PARAGRAPH. *00000f.* Maintain physical custody and legal custody of archives that have been transferred and delivered to the state archives.

(1) Upon receipt by the state archivist, the archives shall not be removed without the state archivist's consent except in response to a subpoena of a court of record or in accordance with approved records series retention and disposition schedules or after review and approval of the department.

(2) Upon request, the state archivist shall make a certified copy of any record in the legal custody or in the physical custody of the state archivist, or a certified transcript of any record if reproduction is inappropriate because of legal or physical considerations. If a copy or transcript is properly authenticated, it has the same legal effect as though

certified by the officer from whose office it was transferred or by the secretary of state. The department shall establish reasonable fees for certified copies or certified transcripts of records in the legal custody or physical custody of the state archivist.

NEW PARAGRAPH. *000000f.* Establish, maintain, and administer an archive of records created and maintained in electronic format in order to preserve and provide public access to state government records identified as having permanent historical value by the department.

Sec. 92. Section 305.8, subsection 1, Code 2011, is amended by adding the following new paragraph:

NEW PARAGRAPH. *0i.* Establish rates to be charged an agency by the department for storage and retention of records of the agency in a records storage facility maintained by the department. Rates established shall be reviewed annually by the department and shall be reasonably related to the cost of storing and retaining records of an agency.

Sec. 93. Section 305.8, subsection 2, unnumbered paragraph 1, Code 2011, is amended to read as follows:

The ~~commission~~ department may do all of the following:

Sec. 94. Section 305.8, subsection 2, Code 2011, is amended by adding the following new paragraph:

NEW PARAGRAPH. *0g.* Upon written consent of the state archivist, accept records of political subdivisions that are voluntarily transferred to the state archives.

Sec. 95. Section 305.8, subsection 2, paragraph e, Code 2011, is amended to read as follows:

e. Make, or cause to be made, preservation duplicates of records, which may include existing copies of original state records. Any preservation duplicate record shall be durable, accurate, complete, and clear, and shall be made by means designated by the ~~commission~~ department.

Sec. 96. NEW SECTION. **305.8A Records retention and storage costs — billing — internal service fund.**

1. The department may bill an agency for records storage and retention services rendered by the department pursuant to the rates established by the department for these services. The department shall periodically render a billing statement to an agency outlining the cost of services provided. The amount indicated on the statement shall be paid by the agency and amounts received by the department shall be considered repayment receipts as defined in section 8.2, and deposited

into the accounts of the department.

2. *a.* The department may establish and maintain an internal service fund in accordance with generally accepted accounting principles, as defined in section 8.57, for the records storage and retention activities of the department which are primarily funded from billings to agencies for services rendered by the department.

b. The internal service fund shall be administered by the department and shall consist of moneys collected by the department from billings issued in accordance with this section and any other moneys obtained or accepted by the department, including but not limited to gifts, loans, donations, grants, and contributions, which are designated to support the activities of the internal service fund.

c. The proceeds of the internal service fund established pursuant to this section shall be used by the department for the operations of the department in records storage and retention consistent with this chapter.

d. Section 8.33 does not apply to any moneys in the internal service fund established pursuant to this section. Notwithstanding section 12C.7, subsection 2, interest or earnings on moneys deposited in the fund shall be credited to the fund.

e. The director of the department shall annually provide financial information and reports relative to the internal service fund established pursuant to this section to the department of management and the general assembly. The information provided may include the recommendation that a portion of unexpended net income be periodically returned to the appropriate funding source.

Sec. 97. Section 305.10, subsection 1, paragraphs c, d, e, f, and j, Code 2011, are amended to read as follows:

c. Cooperate with the ~~state records commission~~ department and the state archives and records program in the development and implementation of government information policies, standards, and guidelines, and in the development and implementation of records series retention and disposition schedules.

d. Comply with requests from the ~~state records commission~~ or department and the state archives and records program to examine records in the possession, constructive possession, or control of the agency in order to carry out the purposes of this chapter.

e. Inventory agency records in accordance with ~~state records commission~~ department policies to draft records series retention and disposition schedules.

f. Identify vital operating records in accordance with the policies, standards, and guidelines of the ~~state records commission~~ department.

j. Provide for compliance with this chapter and the rules adopted by the ~~state records commission~~ department.

Sec. 98. Section 305.10, subsection 2, Code 2011, is amended to read as follows:

2. Agency heads may petition the ~~state records commission~~ department to create or modify government information policies, standards, and guidelines, and to create or modify records series retention and disposition schedules.

Sec. 99. Section 305.11, Code 2011, is amended to read as follows:

305.11 Termination of state agency — records transfer.

Upon the termination of a state agency whose functions have not been transferred to another agency, custody of the records of the agency shall transfer to the ~~commission~~ department.

Sec. 100. Section 305.14, Code 2011, is amended to read as follows:

305.14 Liability precluded.

No ~~member~~ employee of the ~~commission~~ department or head of an agency shall be held liable for damages or loss, or civil or criminal liability, because of the destruction of public records pursuant to the provisions of this chapter or any other law authorizing their destruction.

Sec. 101. Section 305.15, Code 2011, is amended to read as follows:

305.15 Exemptions — duties of state department of transportation and state board of regents.

The state department of transportation and the agencies and institutions under the control of the state board of regents are exempt from the state records manual and the provisions of this chapter. However, the state department of transportation and the state board of regents shall adopt rules pursuant to chapter 17A for their employees, agencies, and institutions that are consistent with the objectives of this chapter. The rules shall be approved by the ~~state records commission~~ department.

Sec. 102. Section 305.16, subsection 6, paragraph b, subparagraph (1), Code 2011, is amended to read as follows:

(1) Serve in an advisory capacity to the ~~state records commission~~ department, the state archives and records program, and other statewide archival or records agencies.

Sec. 103. Section 321.31, subsection 1, paragraph b, Code 2011, is amended to read as follows:

b. The department may make photostatic, microfilm, or other photographic copies of certificates of title, registration receipts, or other records, reports or documents which are required to be retained by the department. When copies have been made, the department may destroy the original records in such manner as prescribed by the director. The photostatic, microfilm, or other photographic copies, when no longer of use, may be destroyed in the manner prescribed by the director, subject to the approval of the ~~state records commission~~ department of cultural affairs. Photostatic, microfilm, or other photographic copies of records shall be admissible in evidence when duly certified and authenticated by the officer having custody and control of the copies of records. Records of vehicle certificates of title may be destroyed seven years after the date of issue.

Sec. 104. REPEAL. Sections 305.3, 305.5, 305.6, 305.7, and 305.9, Code 2011, are repealed.

Sec. 105. ADMINISTRATIVE RULES — TRANSITION PROVISIONS.

1. Any rule, regulation, form, order, or directive promulgated by the state records commission relative to the provisions of this Act in existence on the effective date of this division of this Act shall continue in full force and effect until amended, repealed, or supplemented by affirmative action of the department of cultural affairs under the duties and powers established in this division of this Act and under the procedure established in subsection 2.

2. In regard to updating references and format in the Iowa administrative code in order to correspond to the transferring of duties as established in this division of this Act, the administrative rules coordinator and the administrative rules review committee, in consultation with the administrative code editor, shall jointly develop a schedule for the necessary updating of the Iowa administrative code.

DIVISION IX

DEPARTMENT OF TRANSPORTATION PROVISIONS

Sec. 106. Section 321.196, subsection 4, Code 2011, is amended to read as follows:

4. The department in its discretion may authorize the

renewal of a valid driver's license other than a commercial driver's license upon application without an examination provided that the applicant meets one of the following conditions:

a. The applicant satisfactorily passes a vision test as prescribed by the department ~~or.~~

b. The applicant files a vision report in accordance with section 321.186A which shows that the applicant's visual acuity level meets or exceeds those required by the department.

c. The applicant is eligible for license renewal electronically, pursuant to rules adopted by the department.

4A. An application for renewal of a driver's license shall include a statement for the applicant to sign that acknowledges the applicant's knowledge of the requirement to notify the department of a mailing address change under section 321.182, subsection 1.

Sec. 107. REPEAL. Section 321.116, Code 2011, is repealed.

Sec. 108. EMERGENCY RULES. The department of transportation may adopt emergency rules under section 17A.4, subsection 3, and section 17A.5, subsection 2, paragraph "b", to implement section 321.196, subsection 4, paragraph "c", as enacted in this division of this Act, and the rules shall be effective immediately upon filing unless a later date is specified in the rules. Any rules adopted in accordance with this section shall also be published as a notice of intended action as provided in section 17A.4.

Sec. 109. EFFECTIVE UPON ENACTMENT. The following provisions of this division of this Act, being deemed of immediate importance, take effect upon enactment:

1. The section of this division of this Act amending section 321.196, subsection 4.

2. The section of this division of this Act authorizing the adoption of emergency rules.

Sec. 110. APPLICABILITY. The section of this division of this Act that repeals section 321.116 applies for registration years beginning on or after January 1, 2013.

DIVISION X

REPORT — STATE DEBT COORDINATOR

Sec. 111. DEPARTMENT OF REVENUE AND OFFICE OF THE STATE DEBT COORDINATOR — REPORT. The director of the department of revenue shall develop and recommend legislative proposals deemed necessary for the continued efficiency of the functions of the office of the state debt coordinator established in

section 421C.1, and shall prepare and file a report detailing the recommendations. The report shall be filed by the director of the department of revenue with the department of management, the governor, and the general assembly no later than January 14, 2013.

DIVISION XI

POLLUTION PREVENTION AND WASTE MANAGEMENT ASSISTANCE

Sec. 112. Section 455B.481, subsections 1 through 3, Code 2011, are amended to read as follows:

1. ~~The purpose of this part is to promote the proper and safe storage, treatment, and disposal management of solid, hazardous, and low-level radioactive wastes in Iowa. The management of these wastes generated within Iowa is the responsibility of Iowans. It is the intent of the general assembly that Iowans assume this responsibility to the extent consistent with the protection of public health, safety, and the environment, and that Iowans insure that waste management practices, as alternatives to land disposal, including source reduction, recycling, compaction, incineration, and other forms of waste reduction, are employed.~~

2. ~~It is also the intent of the general assembly that a comprehensive waste management plan be established by the department which includes: the determination of need and adequate regulatory controls prior to the initiation of site selection; the process for selecting a superior site determined to be necessary; the establishment of a process for a site community to submit or present data, views, or arguments regarding the selection of the operator and the technology that best ensures proper facility operation; the prohibition of shallow land burial of hazardous and low-level radioactive wastes; the establishment of a regulatory framework for a facility; and the establishment of provisions for the safe and orderly development, operation, closure, postclosure, and long-term monitoring and maintenance of the facility.~~

3. ~~2. In order to meet capacity assurance requirements of section 104k of the federal Superfund Amendments and Reauthorization Act of 1986, Pub. L. No. 99-499, and further the objectives of waste minimization, the~~ The department, in cooperation with the ~~small business assistance~~ Iowa waste reduction center at the university of northern Iowa, shall work with generators of hazardous wastes in the state to develop and implement aggressive waste minimization programs. ~~The goal of these programs is to reduce the volume of hazardous waste~~

~~generated in the state as a whole by twenty-five percent of the amount generated as of January 1, 1987, as reported in the biennial reports collected by the United States environmental protection agency. The twenty-five percent reduction goal shall be reached as expeditiously as possible and no later than July 1, 1994. In meeting the reduction goal, elements "a" through "d" of the hazardous waste management hierarchy shall be utilized. The department, in cooperation with the small business assistance center, shall reassess the twenty-five percent reduction goal in 1994. The department shall promote research and development, provide and promote educational and informational programs, promote and encourage provide confidential, voluntary technical assistance to hazardous waste generators, promote assistance by the small business assistance Iowa waste reduction center, and promote other activities by the public and private sectors that support this goal. In the promotion of the goal, the following hazardous waste management pollution prevention hierarchy, in descending order of preference, is established by the department:~~

- ~~a.~~ Source reduction for waste elimination.
- ~~b.~~ Reuse.
- ~~c.~~ On-site recycling.
- ~~d.~~ d. Off-site recycling.
- ~~e.~~ e. Waste treatment.
- ~~f.~~ f. Incineration Combustion with energy recovery.
- ~~g.~~ g. Land disposal.

Sec. 113. Section 455B.481, subsections 4 and 5, Code 2011, are amended by striking the subsections.

Sec. 114. Section 455B.482, Code 2011, is amended by adding the following new subsection:

NEW SUBSECTION. 7A. "*Pollution prevention*" means employment of a practice that reduces the industrial use of toxic substances or reduces the environmental and health hazards associated with an environmental waste without diluting or concentrating the waste before the release, handling, storage, transport, treatment, or disposal of the waste.

Sec. 115. Section 455B.484, Code 2011, is amended by adding the following new subsection:

NEW SUBSECTION. 1A. Implement the waste management policy provided in section 455B.481.

Sec. 116. Section 455B.484, subsections 2, 3, 4, 6, 7, 9, and 10, Code 2011, are amended by striking the subsections.

Sec. 117. Section 455B.484A, subsection 1, paragraph c,

Code 2011, is amended to read as follows:

c. *"Assistance program"* means the ~~waste reduction assistance~~ pollution prevention program of the department or of the Iowa waste reduction center for safe and economic management of solid waste and hazardous substances conducted pursuant to section 268.4.

Sec. 118. Section 455B.485, subsections 3 and 5, Code 2011, are amended by striking the subsections.

Sec. 119. Section 455B.486, subsection 1, Code 2011, is amended by striking the subsection.

Sec. 120. Section 455B.487, unnumbered paragraph 1, Code 2011, is amended to read as follows:

The commission shall adopt rules establishing criteria for the identification of land areas or sites which are suitable for the operation of facilities for the management of ~~hazardous and~~ low-level radioactive wastes. Upon request, the department shall assist in locating suitable sites for the location of a facility. The commission may purchase or condemn land to be leased or used for the operation of a facility subject to chapter 6A. Consideration for a contract for purchase of land shall not be in excess of funds appropriated by the general assembly for that purpose. The commission may lease land purchased under this section to any person including the state or a state agency. This section authorizes the state to own or operate ~~hazardous waste facilities and~~ low-level radioactive waste facilities, subject to the approval of the general assembly.

Sec. 121. Section 455B.487, unnumbered paragraph 11, Code 2011, is amended by striking the unnumbered paragraph.

Sec. 122. Section 455B.487, subsections 1 through 3, Code 2011, are amended by striking the subsections.

Sec. 123. Section 455D.1, Code 2011, is amended by adding the following new subsection:

NEW SUBSECTION. 4A. *"Pollution prevention techniques"* means any of the following practices employed by the user of a toxic substance:

a. Input substitution, which is the replacement of a toxic substance or raw material used in a production process with a nontoxic or less toxic substance.

b. Product reformulation, which is the substitution of an end product which is nontoxic or less toxic upon use or release for an existing end product.

c. Production process redesign or modification, which is

the development and use of production processes of a different design other than those currently in use.

d. Production process modernization, which is the upgrading or replacing of existing production process equipment or methods with other equipment or methods based on the same production process.

e. Improved operation and maintenance of existing production process equipment and methods, which is the modification or addition to existing equipment or methods, including but not limited to such techniques as improved housekeeping practices, system adjustments, product and process inspections, and production process control equipment or methods.

f. Recycling, reuse, or extended use of toxic substances by using equipment or methods that become an integral part of the production process.

Sec. 124. Section 455D.5, subsection 2, paragraph h, Code 2011, is amended to read as follows:

h. Promotion of the concentration of the efforts of the business and industry resource search service by the ~~small business assistance~~ Iowa waste reduction center for the safe and economic management of solid waste and hazardous substances at the university of northern Iowa, to locate existing waste streams and materials from businesses and industries which generate small amounts of waste and to catalyze the reuse of these materials in the production of goods and services.

Sec. 125. Section 455D.7, subsection 1, Code 2011, is amended to read as follows:

1. Unless otherwise specified in this chapter, adopt rules necessary to implement this chapter pursuant to chapter 17A. ~~Initial rules shall be adopted no later than April 1, 1992.~~

Sec. 126. Section 455D.7, subsection 4, Code 2011, is amended by striking the subsection.

Sec. 127. Section 455D.15, subsection 2, Code Supplement 2011, is amended by striking the subsection and inserting in lieu thereof the following:

2. The fund shall be utilized by the department for providing technical assistance to Iowa businesses in developing and implementing pollution prevention techniques.

Sec. 128. Section 455D.15, subsection 3, Code Supplement 2011, is amended by striking the subsection.

Sec. 129. Section 455E.8, subsections 2 and 3, Code 2011, are amended by striking the subsections.

Sec. 130. REPEAL. Sections 455B.516, 455B.517, and

455B.518, Code 2011, are repealed.

DIVISION XII

ONGOING PROGRAM REVIEW

Sec. 131. Section 2.69, subsection 4, Code 2011, is amended by adding the following new paragraph:

NEW PARAGRAPH. *0c.* Comprehensively review on a regular basis the programs and projects administered by state government to determine whether each program and project reviewed is effectively and efficiently meeting the needs for which created, and whether the needs remain applicable. The review shall consider whether modifications to the program or project reviewed could better meet the needs identified in a more effective manner.

DIVISION XIII

BOARDS AND COMMISSIONS

Sec. 132. Section 34A.2A, subsection 2, Code 2011, is amended to read as follows:

2. The E911 program manager shall act under the supervisory control of the administrator of the homeland security and emergency management division of the department of public defense, and in consultation with the ~~E911 communications council~~ state interoperable communications system board established in section 80.28, and perform the duties specifically set forth in this chapter and as assigned by the administrator.

Sec. 133. Section 34A.7A, subsection 2, paragraph h, Code 2011, is amended to read as follows:

h. The administrator, in consultation with the program manager and the ~~E911 communications council~~ state interoperable communications system board established in section 80.28, shall adopt rules pursuant to chapter 17A governing the distribution of the surcharge collected and distributed pursuant to this subsection. The rules shall include provisions that all joint E911 service boards and the department of public safety which answer or service wireless E911 calls are eligible to receive an equitable portion of the receipts.

Sec. 134. Section 34A.15, subsection 3, Code Supplement 2011, is amended to read as follows:

3. The council shall advise and make recommendations to the ~~administrator and program manager~~ state interoperable communications system board established in section 80.28 regarding the implementation of this chapter. Such advice and recommendations shall be provided on issues at the request

of the ~~administrator or program manager~~ state interoperable communications system board established in section 80.28 or as deemed necessary by the council.

Sec. 135. Section 80.29, Code 2011, is amended by adding the following new subsection:

NEW SUBSECTION. 12A. Advise and make recommendations, in consultation with the E911 communications council established in section 34A.15, to the director of the department of homeland security and emergency management and the E911 program manager appointed pursuant to section 34A.2A regarding the implementation of chapter 34A. Such advice and recommendations shall be provided on issues at the request of the director or program manager or as deemed necessary by the board. However, the authority of the board as to this duty is limited to the issues specifically identified in this subsection and does not preempt the authority of the utilities board, created in section 474.1, to act on issues within the jurisdiction of the utilities board.

Sec. 136. Section 190A.3, subsection 4, Code 2011, is amended to read as follows:

4. The ~~farm-to-school council~~ department of agriculture and land stewardship and the department of education shall actively seek financial or in-kind contributions from organizations or persons to support the program.

Sec. 137. Section 256.9, subsection 55, paragraph j, Code Supplement 2011, is amended by striking the paragraph.

Sec. 138. REPEAL. Section 190A.2, Code 2011, is repealed.

Sec. 139. MULTIPLE AMENDMENTS — HARMONIZATION AND PREVALENCE.

1. The amendments in this division of this Act and in the division of this Act creating a department of homeland security and emergency management to section 34A.2A, subsection 2, and section 34A.7A, subsection 2, paragraph "h", shall be harmonized by the Code editor in accordance with section 2B.13.

2. If section 34A.15, subsection 3, is amended in this division of this Act and in the division of this Act creating a department of homeland security and emergency management, the amendments are deemed irreconcilable and the amendment in this division of this Act shall prevail.

DIVISION XIV

OBSOLETE PROVISIONS

Sec. 140. REPEAL. Section 15.112, Code Supplement 2011, is repealed.

Sec. 141. REPEAL. Chapters 15C and 15D, Code 2011, are repealed.

JOHN P. KIBBIE
President of the Senate

KRAIG PAULSEN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2338, Eighty-fourth General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved _____, 2012

TERRY E. BRANSTAD
Governor