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HOUSE FILE 705

BY COMMITTEE ON ECONOMIC
DEVELOPMENT

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(SUCCESSOR TO HSB 230)

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Vote: Ayes 72 Nays 26 Vote: Ayes 46 Nays 1
Approved April 4, 1990

A BILL FOR

1 An Act establishing primary and satellite research and marketing
2 centers for economic development programs and services.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 705

1 Section 1. NEW SECTION. 15.301 ESTABLISHMENT OF PRIMARY
2 CENTER FOR ECONOMIC DEVELOPMENT PROGRAMS AND SERVICES --
3 DIRECTOR.

4 1. A primary center for the coordination of economic
5 development services and programs is established within the
6 department of economic development. The director of the
7 department of economic development is the executive director
8 of the primary center. To aid in fulfilling the purposes of
9 the primary center, the director shall establish satellite
10 centers throughout the state.

11 2. The director shall contract with the regional
12 coordinating council in each economic development service area
13 to provide economic development programs and services to
14 businesses in the area. The contract shall provide for the
15 following:

16 a. Establish a satellite center within the area.

3712-17 b. Provide for an agreement to employ an area director and
18 other personnel as needed for the department and regional
19 coordinating councils.

20 c. Provide for facilities and support services for the
21 satellite center.

22 d. Contain an annual budget for the programs and services
23 for the area.

24 3. The director shall cooperate with the councils of
25 governments and merged area schools in the state to fulfill
26 the purposes of the primary center.

27 Sec. 2. NEW SECTION. 15.302 DUTIES OF PRIMARY CENTER.

28 The duties of the primary center include but are not
29 limited to the following:

30 1. To coordinate comprehensive statewide and regional
31 economic development planning efforts.

32 2. To coordinate the delivery of economic development
33 programs and services with other local, state, and federal
34 programs and activities.

35 3. To coordinate and administer the economic development

1 state fund as established in this subchapter.

2 4. To develop data and conduct research to keep abreast of
3 changing market demands and emerging trends including studies
4 to help target marketing resources and develop marketing
5 strategies and to aid in opening new markets for Iowa
6 businesses.

7 5. To serve as a depository of information by cataloging
8 the products and services available from Iowa businesses and
9 providing businesses with a source for locating and contacting
10 potential buyers or suppliers of their products and services.

11 6. To provide a marketing center for businesses to utilize
12 within the state for the purpose of facilitating trade for
13 Iowa businesses.

14 7. To develop standards for the community builder program.

15 Sec. 3. NEW SECTION. 15.303 AREA DEVELOPMENT DISTRICTS
16 ESTABLISHED -- COUNCILS OF GOVERNMENTS AND REGIONAL
17 COORDINATING COUNCILS -- COORDINATION.

18 1. To facilitate and fulfill the purposes of this
19 division, the state is divided into area development
20 districts. The department shall divide the state into area
21 development districts which shall have boundaries based upon
22 county lines. The boundaries initially established shall
23 follow the boundaries of existing councils of governments and
24 may be altered by the department upon request by the affected
25 councils of governments and regional coordinating councils.

26 2. A county which is not a member of a council of
27 governments on the effective date of this Act, may within six
28 months petition the department individually or with contiguous
29 counties to form a new council of governments and area
30 development districts. The county may, within an additional
31 ninety days, petition the department to join an existing
32 council of governments. After nine months the department
33 shall assign any remaining unserved counties to an existing
34 council of governments and area development districts.

35 Nothing in this subsection shall prevent a county that is not

1 a member of a council of governments on the effective date of
2 this Act from joining an existing council of governments at
3 any time during the nine-month period.

4 3. A council of governments pursuant to chapters 28E and
5 473A is established in each regional economic area development
6 district. The council of governments shall provide planning
7 services and technical assistance in community development and
8 economic development to cities and counties in the area
9 development district.

312-10 4. A regional coordinating council is established in each
11 regional economic area development district. The membership
12 of the regional coordinating council shall be representative
13 of government, business, labor, and education in the area
14 development district. Business and labor sector
15 representation shall comprise at least one-half of the
16 membership. The appointment and terms of office of the
17 members shall be governed by bylaws adopted by each regional
18 coordinating council. A regional coordinating council in
19 existence prior to the effective date of this Act may continue
20 in existence for ninety days until a successor council is
21 established and approved by the department. A council of
22 governments may expand its membership to include
23 representation from business, labor, and education and along
24 with its corresponding regional coordinating council jointly
25 petition the department to serve as the regional coordinating
26 council for its area development district.

27 5. Councils of governments and regional coordinating
28 councils shall be considered public agencies for the purpose
29 of chapter 28E. Councils of governments and regional
30 coordinating councils may enter into agreements under chapter
31 28E with other councils of governments, regional coordinating
32 councils and merged area schools for the purposes of fostering
33 planning efforts, tourism, or other economic development
34 activities.

35 6. A regional coordinating council shall operate in and

1 serve the same area development district as the corresponding
2 council of governments. The regional coordinating council and
3 the council of governments shall meet at least quarterly to
4 share information, develop plans and programs, and coordinate
5 the performance of duties pursuant to this subchapter.

6 7. Each council of governments shall prepare a regional
7 economic plan for the area development district which shall be
3712-8 updated annually. The plan shall include but is not limited
9 to the following:

- 10 a. Inventory and needs assessment of regional
- 11 infrastructure.
- 12 b. Labor supply.
- 13 c. Cultural and fine arts resources.
- 14 d. Housing.
- 15 e. Primary health care services.
- 16 f. Natural resources, conservation, and recreational
- 17 facilities.

3712-18 g. Region-wide development opportunities including the
19 following:

- 20 (1) Transportation systems.
- 21 (2) Natural resource or recreational facilities.

3712-22 8. The council of governments shall utilize the regional
23 coordinating council as an advisory board regarding issues of
24 regional economic importance and may recommend these issues be
25 included in the regional economic development plan. The
26 council of governments shall seek to assist the regional
27 coordinating council in providing services to the area
28 development district and in providing assistance to the
29 governing bodies of the cities or counties in the area
30 development district including but not limited to coordinating
31 the delivery of economic development services from federal,
32 state, or local agencies and developing cooperative programs.

3712-33 Sec. 4. NEW SECTION. 15.304 REGIONAL COORDINATING
34 COUNCILS -- DUTIES.

35 1. A regional coordinating council shall adopt annually a

1 satellite center business service delivery work program. The
2 work program shall be submitted to the department for approval
3 before its adoption. The council shall have an approved work
4 program on file with the department before the release of any
5 state funds by the department to the satellite center or to a
6 political subdivision in that area. The work program shall
7 guide the delivery of satellite center services and activities
8 to businesses in the area development district. The
9 department shall issue guidelines for the preparation of the
10 work program. The regional coordinating council shall consult
11 and may contract with the council of governments within its
12 area development district in the preparation and adoption of
13 the work program.

14 2. A regional coordinating council shall cooperate with
15 the department in the implementation of local, regional, and
16 statewide systems to coordinate the delivery of economic
17 programs and services to businesses. If feasible, the council
18 may recommend to the department a plan for collocation of
19 economic development service providers within the area
20 development district.

21 3. A regional coordinating council shall elect a
22 representative to serve on the department's advisory council
23 to provide input in the annual review and update of the
24 state's strategic economic development plan.

25 4. A council of government and the regional coordinating
26 council shall review and the regional coordinating council
27 shall certify the completion of the community builder program
28 pursuant to section 15.306 for cities and counties within the
29 area development district.

30 5. Merged area school boards shall report any assistance
31 they provide to businesses within an area development district
32 to the appropriate regional coordinating council and council
33 of government.

34 Sec. 5. NEW SECTION. 15.305 SATELLITE CENTERS
35 ESTABLISHED -- DUTIES.

1 The satellite center shall serve as the focal point within
2 the regional economic development area development district to
3 provide services offered by the primary center to businesses.
4 The duties of the satellite center and its director for the
5 regional economic development area development district
6 include all of the following:

- 3712-7 1. Functioning as a clearinghouse and referral center for
8 information important to the delivery of economic development
9 services to businesses in the area development district.
- 10 2. Assisting the regional coordinating council in
11 preparing and implementing an annual satellite center business
12 service delivery work program.
- 13 3. Overseeing the satellite center's computer system and
14 computer data input, and maintaining and updating information,
15 including the catalogue of products and services, business
16 profiles, the rural information and referral system, community
17 data, trade lead data, and other relevant data systems or
18 networks, available from the department or other sources.
- 19 4. Implementing the "try Iowa" trade lead program and the
20 international trade opportunities program of the department.
- 21 5. Performing other duties and responsibilities related to
22 services to businesses assigned to the satellite center by the
23 primary center.

24 Sec. 6. NEW SECTION. 15.306 COMMUNITY BUILDER PROGRAM.

25 1. The department shall be responsible for coordinating
26 and administering the community builder program as established
27 in this subchapter and for developing standards for the
28 program.

- 3712-29 2. A city or county seeking any assistance or funds from
30 the state shall be required to complete the community builder
31 program. The city or county shall submit the community
32 builder program to the council of governments for review and
33 to the regional coordinating council for certification based
34 upon criteria established by the administrative rules of the
35 department. The regional coordinating council shall file a

1 notice of certification for approved cities and counties with
2 the department. The department shall maintain a roster of
3 certified cities and counties and shall provide notice of
4 certification upon request to the state department of
5 transportation, the department of natural resources, and other
6 state agencies. The community builder program shall be
7 completed by a city or county on behalf of an unincorporated
8 community according to the following schedule:

- 3712-9 a. A city or unincorporated community with a population
10 under twenty-five hundred, by July 1, 1992.
- 3712-11 b. A city or unincorporated community with a population of
12 twenty-five hundred, but less than five thousand, by July 1,
13 1994.
- 3712-14 c. A city or unincorporated community or county with a
15 population of five thousand or more, by July 1, 1996.
- 16 3. The components of the community builder program shall
17 be established and updated by rule by the department and shall
18 include but not be limited to the following information:
- 3712-19 a. A community economic preparedness plan.
- 20 b. A county or region-wide employment and labor force
21 survey.
- 22 c. A community quick reference document.
- 23 d. A capital improvements plan, including an inventory of
24 infrastructure, cultural and fine arts resources, housing,
25 primary health care services, and natural resources,
26 conservation, and recreational facilities.
- 3712-27 e. Regional economic development coordinating plans.
- 28 f. Documentation of local efforts to proceed with economic
29 development, including available public and private financial
30 resources.
- 31 g. A five-year community economic development strategy.
- 32 h. Membership in a council of governments.
- 33 i. A review and analysis of tax revenue losses
34 attributable to tax abatement in the community.
- 3712-35 4. An agency or department shall not award state

1 competitive funds to a city, county or a county on behalf of
2 an unincorporated community, which is not certified under this
3 section. The department may grant a one-year extension to
4 complete the community builder program and retain eligibility
5 for funding to a city or county or a county on behalf of an
6 unincorporated community if the city or county or county on
7 behalf of an unincorporated community demonstrates to the
8 department substantial progress in meeting the requirements of
9 this section, is a member of a certified cluster of
10 communities and demonstrates substantial progress toward
11 obtaining individual certification, or demonstrates that
12 unusual circumstances require a waiver of the requirement. A
13 city or county or county on behalf of an unincorporated
14 community is limited to one extension under this subsection
15 after which time it must have received certification prior to
16 qualifying for funding.

3712-17 5. The department shall contract with the councils of
18 governments to provide technical assistance to cities and
19 counties participating in the community builder program. The
20 department may also contract with councils of governments to
21 act as area representatives and advocates of the department's
22 programs through the delivery of programs to appropriate
23 clientele in the area development districts.

3112-24 6. A city or county shall not receive state grants one
25 year following the date of certification unless the city or
26 county demonstrates substantial financial participation in the
27 project for which the city or county is seeking assistance.

3712-28 Sec. 7. NEW SECTION. 15.307 STATE COMMUNITY BUILDER
29 FUND.

30 1. A state community builder fund is created in the state
31 treasury and is to be administered by the department of
32 economic development. The purpose of the fund is to provide
33 matching moneys to the regional community builder fund.

3712-34 2. A city or county is not eligible for the funds from the
35 state community builder fund unless a community builder

1 program has been submitted and completion has been certified
2 by the regional coordinating council.

3 3. A regional coordinating council shall certify to the
4 department evidence of matching dollars in the regional
5 community builder fund at least equal to the amount requested
6 from the state community builder fund prior to the release of
7 any moneys from the fund to that area development district.
8 No in-kind or other noncash match shall be accepted for the
9 purposes of this section.

10 4. The funds provided to a regional community builder fund
11 under this section shall be deposited on a pro rata basis into
12 the regional funds created in section 15.308.

13 Sec. 8. NEW SECTION. 15.308 REGIONAL COMMUNITY BUILDER
14 FUND.

15 1. In addition to any other regional economic development
3712-16 fund, a regional community builder fund shall be established
17 by a chapter 28E agreement between the appropriate council of
18 governments and regional coordinating council.

3712-19 2. The regional community builder fund shall be operated
20 by the council of governments as an economic development
21 revolving loan fund for the benefit of cities and counties
22 within the area development district. Projects funded under
23 this section shall require approval or concurrence by the
24 appropriate regional coordinating council. Councils of
25 governments and regional coordinating councils may establish
26 joint project review committees for this purpose. Moneys from
27 the fund may be used for projects including but not limited to
28 traditional or new infrastructure, speculative shell buildings
29 constructed by a local development organization, capital
30 improvements for main street or historic preservation
31 projects, or community or business development demonstration
32 projects. No more than half the funds may be used to provide
33 low interest or zero interest loans to nonretail small
34 businesses in the service delivery area.

35 3. The chapter 28E agreement shall be approved by the

1 department prior to the establishment of the fund. The
2 department shall develop guidelines for such agreements. The
3 agreement shall specify the role, if any, the following other
4 organizations will play in the operation of the regional fund:

5 a. Extension services, including Iowa state university of
6 science and technology and local county extension offices.

7 b. Merged area schools.

8 c. Small business development centers.

9 d. Private economic development groups.

3712-10 4. Prior to or as part of the chapter 28E agreement, the
11 council of governments, in cooperation with the appropriate
12 regional coordinating council, shall prepare a regional
13 economic development service delivery plan and submit it to
14 the department for approval. The department shall develop
15 guidelines for such plans. The plan shall serve as a guide
16 for the coordination of economic development services provided
17 by the following groups:

18 a. The regional coordinating council and the satellite
19 center.

20 b. The council of governments.

21 c. Extension services.

22 d. Merged area schools.

23 e. Public and private universities and colleges.

24 f. Small business development centers.

25 g. Private economic development groups.

3712-26 5. The regional community builder fund is a revolving loan
27 fund consisting of moneys collected from any source available
28 in the area development district to provide loans to cities
29 and counties and groups of cities and counties in the area
30 development district for economic development purposes. Upon
31 approval by the affected regional coordinating councils,
32 councils of governments may enter into a chapter 28E agreement
33 to provide for projects involving two or more service delivery
34 areas.

3712-35 6. The council of governments shall review loan

1 applications and make recommendations on funding to the
2 regional coordinating council. The regional coordinating
3 council and council of governments shall concur on the
4 recipients. Cities and counties which have completed the
5 community builder program shall be given priority for funding.

6 Sec. 9. NEW SECTION. 15.309 This chapter shall not
7 preclude a city or county from forming an economic development
8 unit with another city or county and shall not prohibit the
9 receipt of funds by a city or county from other sources.

10 Sec. 10. NEW SECTION. 15.310 This chapter shall not
11 preclude a city or county of this state from participating in
12 an area development district involving cities or counties in
13 an adjoining state.

14 Sec. 11. Section 473A.1, Code 1989, is amended to read as
15 follows:

16 473A.1 AUTHORITY OF GOVERNING BODIES -- ~~JOINT-COMMISSION~~
17 COUNCIL OF GOVERNMENTS.

312-18 The governing bodies of two or more adjoining cities,
19 independently or together with the governing body or bodies of
20 the county or counties within which such cities are located,
21 or the governing bodies of two or more adjoining counties, or
22 a county and its major city or cities, or the governing bodies
23 of one or more counties together with the governing bodies of
24 one or more cities adjoining such county or counties, or any
25 of the above together with a school district, benefited water
26 district, benefited fire district, sanitary district or any
27 other similar district which may be formed under an Act of the
28 legislature may co-operate in the creation of a ~~joint-planning~~
29 ~~commission-which-may-be-designated-to-be-a-regional-or~~
30 ~~metropolitan-planning-commission~~ council of governments, as
31 agreed among the governing bodies. The governing bodies of
32 cities, counties, school districts or other governmental units
33 may co-operate with the governing bodies of the cities and
34 counties or other authorized governing bodies of any adjoining
35 state or states in the creation of such a ~~joint-planning~~

1 commission council of governments where such co-operation has
2 been authorized by law by the adjoining state or states.

3 The ~~joint-planning-commission~~ council of governments shall
4 be separate and apart from the governmental units creating it,
5 may sue and be sued, contract for the purchase and sale of
6 real and personal property necessary for its purposes, and
7 shall be a juristic entity as the term is used in section
8 97C.2, subsection 6.

9 Sec. 12. Section 473A.2, Code 1989, is amended to read as
10 follows:

11 473A.2 MEMBERSHIP.

12 The commission council shall have not less than five
13 members, appointed by the governing bodies of the area served
14 by the commission council. A majority of the members of the
15 commission council may be citizens who hold no other public
16 office or position except appointive membership on a city plan
17 commission or other planning commission, board or agency.
18 Citizen members shall be appointed for overlapping terms of
19 not less than three nor more than five years or thereafter
20 until their successors are appointed. The appointing
21 governing bodies shall determine the amount of compensation,
22 if any, to be paid to the members of a commission council.
23 Any vacancy in the membership of a commission council shall be
24 filled for the unexpired term in the same manner as the
25 initial appointment. The governing bodies shall have
26 authority to remove any member for cause stated in writing and
27 after a public hearing.

28 Sec. 13. Section 473A.3, Code 1989, is amended to read as
29 follows:

30 473A.3 ORGANIZATION.

31 The ~~joint-planning-commission~~ council of governments shall
32 elect one of its members as chairperson who shall serve for
33 one year or until the chairperson is re-elected or the
34 chairperson's successor is elected. The commission council
35 shall appoint a secretary who may be an officer or an employee

1 of a governing body or of the commission council. The members
2 of the commission council shall meet not less than four times
3 a year at the call of the chairperson and at such other times
4 as the chairperson or the members of the commission council
5 shall determine, shall adopt rules for the transaction of
6 business, and shall keep a record of their resolutions,
7 transactions, findings and determinations, which record shall
8 be a public record. The commission council may employ such
9 employees and staff as it may deem necessary for its work,
10 including a director of planning and consultants. In the
11 performance of its duties, the commission council may co-
12 operate with, contract with, and accept and expend funds from
13 federal, state, or local agencies, public or semipublic
14 agencies, or private individuals or corporations, and may
15 carry out such co-operative undertakings and contract. ~~It~~ The
16 council may enter into other contracts and make expenditures
17 for the purchase of required equipment and supplies, and
18 exercise all other powers necessary to carry out the purposes
19 of this chapter. The expenditures of the commission council,
20 exclusive of gifts or grants to the commission council or its
21 contract receipts, shall be within the amounts appropriated or
22 provided to the commission council by the governing bodies of
23 the area served by the commission council, who are empowered
24 to determine, agree upon, and appropriate funds for the
25 payment of the expenses of the commission council of their
26 respective shares thereof. The governing bodies of the area
27 served by the commission council shall co-operate with the
28 commission council and may aid the commission council by
29 furnishing staff, services, and property.

30 Sec. 14. Section 473A.4, Code 1989, is amended to read as
31 follows:

32 473A.4 POWERS AND DUTIES.

33 The commission council shall have the power and duty to
34 make comprehensive studies and plans for the development of
35 the area it serves which will guide the unified development of

1 the area and which will eliminate planning duplication and
2 promote economy and efficiency in the co-ordinated development
3 of the area and the general welfare, convenience, safety, and
4 prosperity of its people. The plan or plans collectively
5 shall be known as the regional-or-metropolitan council of
6 government development plan. The plans for the development of
7 the area may include, but shall not be limited to,
8 recommendations with respect to existing and proposed
9 highways, bridges, airports, streets, parks and recreational
10 areas, schools and public institutions and public utilities,
11 public open spaces, and sites for public buildings and
12 structures; districts for residence, business, industry,
13 recreation, agriculture, and forestry; water supply,
14 sanitation, drainage, protection against floods and other
15 disasters; areas for housing developments, slum clearance and
16 urban renewal and redevelopment; location of private and
17 public utilities, including but not limited to sewerage and
18 water supply systems; and such other recommendations
19 concerning current and impending problems as may affect the
20 area served by the commission council. Time and priority
21 schedules and cost estimates for the accomplishment of the
22 recommendations may also be included in the plans. The plans
23 shall be based upon and include appropriate studies of the
24 location and extent of present and anticipated populations;
25 social, physical, and economic resources, problems and trends;
26 and governmental conditions and trends. The commission
27 council is also authorized to make surveys, land-use studies,
28 and urban renewal plans, provide technical services and other
3712-29 planning work for the area it serves and for cities, counties,
30 and other political subdivisions in the area. A plan or plans
31 of the commission council may be adopted, added to, and
32 changed from time to time by a majority vote of the planning
33 commission council. The plan or plans may in whole or in part
34 be adopted by the governing bodies of the co-operating cities
35 and counties as the general plans of such cities and counties.

1 The commission council may also assist the governing bodies
2 and other public authorities or agencies within the area it
3 serves in carrying out any regional plan or plans, and assist
4 any planning commission, board or agency of the cities and
5 counties and political subdivisions in the preparation or
6 effectuation of local plans and planning consistent with the
7 program of the commission council. The commission council may
8 co-operate and confer, as far as possible, with planning
9 agencies of other states or of regional groups of states
10 adjoining its area.

11 A planning-commission council of governments formed under
12 the provisions of this chapter shall, upon designation as such
13 by the governor, serve as a district, regional or metropolitan
14 agency for comprehensive planning for its area for the purpose
15 of carrying out the functions as defined for such an agency by
16 federal, state and local laws and regulations.

17 Sec. 15. Section 473A.5, Code 1989, is amended to read as
18 follows:

19 473A.5 PLANS DISTRIBUTED.

20 Copies of the plan or plans and amendments or revisions of
21 a plan or plans prepared by a commission council may be
22 transmitted by the commission council to the chief
23 administrative officers, the legislative bodies, the planning
3712-24 commissions, boards or agencies of the counties and cities,
25 within its area, and to ~~regional-or-metropolitan-planning~~
26 ~~commissions~~ councils of governments established for adjoining
27 areas. A commission council may make copies of its plan or
28 plans or parts of plans available for general distribution or
29 sale, and may advise and supply information, as far as
30 available, to persons and organizations who may request such
31 advice and information and who are concerned with the area's
32 development problems. ~~It~~ A council may also provide
33 information to state and local agencies and to the public at
34 large, in order to foster public awareness and understanding
35 of the objectives of ~~regional-or-metropolitan~~ area planning,

1 and in order to stimulate public interest and participation in
2 the orderly, integrated development of the area served by the
3 commission council.

4 Sec. 16. Section 473A.6, Code 1989, is amended to read as
5 follows:

6 473A.6 FILING DOCUMENTS WITH COMMISSION COUNCIL.

7 To facilitate effective and harmonious planning of the
8 ~~region-or-metropolitan~~ area, all governing bodies in the area
9 served by a commission council of governments, and all county
10 and city planning commissions, boards or agencies in the area
11 may file with the commission council, for its information, all
12 county or city plans, zoning ordinances, official maps,
13 building codes, subdivision regulations, or amendments or
14 revisions of them, as well as copies of their regular and
15 special reports dealing in whole or in part with planning
16 matters. County or city governing bodies, or county or city
17 local planning commissions, boards or agencies may also submit
18 proposals to a commission council for such plans, ordinances,
19 maps, codes, regulations, amendments or revisions prior to
20 their adoption, in order to afford an opportunity to the
21 commission council to study such proposals and to render
22 advice thereon.

23 Sec. 17. Section 473A.7, Code 1989, is amended to read as
24 follows:

312-25 473A.7 CONSTRUCTION OF PROVISIONS.

26 Nothing in this chapter shall be construed to remove or
27 limit the powers of the co-operating cities, counties, school
28 districts, benefited water districts, benefited fire
29 districts, sanitary districts, or similar districts as
30 provided by state law. All legislative power with respect to
31 zoning and other planning legislation shall remain with the
32 governing body of the co-operative cities and counties. Each
33 participating city or county may continue to have its own
34 planning commission or board but may under the joint agreement
35 and in the interest of economy and efficiency and in the

1 interest of uniform standards and procedures, request the
2 ~~metropolitan-or-regional-planning-commission~~ council of
3 governments to assume duties and functions of local planning
4 agencies in whole or in part. The ~~metropolitan-or-regional~~
5 ~~planning-commission~~ council of governments shall have the duty
6 and function of promoting public interest and understanding of
7 the economic and social necessity for long-term co-ordinated
8 planning for the ~~metropolitan-or-regional~~ area, but its
9 official recommendations shall be made to the governing bodies
10 of the co-operating cities, counties, school districts,
11 benefited water districts, benefited fire districts, sanitary
12 districts, or similar districts.

13 Sec. 18. Section 473A.8, Code 1989, is amended to read as
14 follows:

15 473A.8 CONTRACTS FOR PLANNING.

16 A metropolitan-planning-commission council of governments
3712-17 may contract with professional consultants, the Iowa
18 department of economic development or the federal government,
19 for local planning assistance.

20 EXPLANATION

21 This bill creates the primary research and marketing center
22 for economic development programs and services. The purpose
23 of the primary center is to assist regional centers in
24 coordinating statewide and regional economic development
25 planning, coordinating the delivery of programs and services
26 with other economic development programs, conducting research
27 on market trends and strategies, providing information on
28 available Iowa business products and services, and providing a
29 marketing center for business. The department shall divide
30 the state into economic area development districts based upon
31 county lines with satellite centers established by the
32 director. The boundaries of the regions may be changed by the
33 director upon request of the affected regions. The bill
34 establishes the duties of the satellite centers and the
35 satellite center directors. The satellite center director

1 serves as a contact within the area to provide assistance to
2 businesses, communities, and others to obtain access to
3 programs.

4 The bill establishes a regional coordinating council for
5 each area with at least twelve members selected from state and
6 local government, business, and education sectors within the
7 area. The appointment and terms of members are regulated by
8 bylaws of the regional coordinating councils. The council is
9 required to adopt a regional economic development program and
10 coordination plan.

11 The bill provides for a community builder program to assist
12 a city, unincorporated community, and county in planning for
13 future economic development. The program shall contain a wide
14 list of informational components and shall be filed with the
15 department upon certification of the program by the regional
16 coordinating council. An agency or department shall not award
17 state competitive funds to a city, county, or unincorporated
18 community which is not certified.

19 The bill also creates a state community builder fund and
20 regional community builder fund to provide a revolving loan
21 fund for economic development by certified communities. Funds
22 from the state fund shall be provided to the regional fund.

23 The bill also requires coordination between the regional
24 coordinating councils and the department of economic
25 development. The regional councils may enter into chapter 28E
26 agreements with each other.

27 This bill establishes the councils of government under
28 chapter 473A.

29 This program replaces the primary research and marketing
30 center program presently in section 28.101.

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HOUSE FILE 705

H-3712

1 Amend House File 705 as follows:

2 1. Page 1, by striking lines 17 through 23 and
3 inserting the following:

4 "b. Provide for a joint agreement on employment of
5 a director and other personnel, specific job duties,
6 wages and benefits, supervisory responsibilities of
7 the department and procedures for evaluation,
8 promotion, and termination.

9 c. Provide for designation by the regional
10 coordinating council of a local entity to provide
11 facilities and other support services to the satellite
12 center director.

13 d. Contain an annual budget related to agreed upon
14 programs and services, and provisions for transfer of
15 funds from the state to the regional coordinating
16 council or its designated service entities."

3783, 3718

17 2. Page 3, line 12, by inserting after the word
18 "shall" the following: "consist of at least twelve
19 members which shall".

20 3. Page 3, line 20, by striking the words "for
21 ninety days".

22 4. Page 3, by striking lines 21 through 26 and
23 inserting the following: "established and approved by
24 the department. If the boundary of the new area
25 development district will present a significant change
26 in the existing regional coordinating council
27 boundary, the existing regional coordinating council
28 and the council of governments of the new area shall
29 select a representative committee to make a
30 recommendation to the department on representation
31 under this part. If no agreement is reached within
32 ninety days after the effective date of this part, the
33 department shall direct the establishment of a
34 regional coordinating council for the new area."

3783

35 5. Page 4, line 7, by striking the word
36 "economic" and inserting the following: "community
37 development".

38 6. Page 4, line 18, by inserting after the word
39 "including" the following: "but not limited to".

40 7. Page 4, lines 24 and 25, by striking the words
41 "may recommend these issues be included" and inserting
42 the following: "shall consider these issues for
43 inclusion".

44 8. Page 4, line 25, by striking the word
45 "economic" and inserting the following: "community".

46 9. Page 4, by striking lines 30 through 32 and
47 inserting the following: "development district. The
48 council of governments shall provide planning services
49 and technical assistance in community development and
50 economic development to cities, clusters of cities,

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Page 2

1 and counties in the area."

2 10. Page 5, lines 5 and 6, by striking the words

3 "or to a political subdivision in that area".

4 11. Page 5, by striking lines 30 through 33 and

5 inserting the following:

6 "5. Merged area school boards shall report any job

7 training or retraining provided directly to a business

8 within an area development district to the appropriate

9 regional coordinating council, council of governments,

10 and affected city and county."

11 12. Page 5, by inserting before line 34 the

12 following:

13 "6. Each city and county shall report any proposed

14 tax abatement, special tax district, or property

15 valuation change to the merged area school, regional

16 coordinating council and council of governments within

17 the area."

18 13. Page 6, by striking lines 7 through 23 and

19 inserting the following:

20 "1. Acting as an area representative and advocate

21 of the department's programs for business through

22 delivery of the programs to the appropriate area

23 business.

24 2. Functioning as a clearinghouse and referral

25 center for information on business assistance

26 services.

27 3. Coordinating delivery of economic development

3718 28 services to a business within the area by convening

29 regular meetings of appropriate providers within the

30 area.

31 4. Assisting the regional coordinating council in

32 preparing and implementing an annual regional economic

33 development work plan for delivery of services to

34 businesses.

35 5. Overseeing the satellite center's computer

36 system and computer data input, and maintaining and

37 updating information, including the catalog of

38 products and services, business profiles, the rural

39 information and referral system, community data, trade

40 lead data, and other relevant data systems or networks

41 available from the department or other sources.

42 6. Implementing the "try Iowa" trade lead program

43 and the international trade opportunities program of

44 the department.

45 7. Performing other related duties and

46 responsibilities assigned to the satellite center by

47 the primary center."

48 14. Page 6, by striking lines 29 through 31 and

49 inserting the following:

50 "2. A city, cluster of cities, or county seeking

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Page 3

1 grants or awards from the state or utilizing any tax
2 abatement provisions and programs shall be required to
3 complete the community builder program. The city,
4 cluster of cities, or county shall submit the
5 community".

6 15. Page 6, line 33, by inserting after the word
7 "for" the following: "review and".

8 16. Page 7, line 1, by striking the word "cities"
9 and inserting the following: "cities, clusters of
10 cities".

11 17. Page 7, line 3, by striking the word "cities"
12 and inserting the following: "cities, clusters of
13 cities".

14 18. Page 7, line 7, by striking the word "city"
15 and inserting the following: "city or cluster of
16 cities".

17 19. Page 7, line 9, by striking the word "city"
18 and inserting the following: "city, cluster of
19 cities,".

20 20. Page 7, line 11, by striking the word "city"
21 and inserting the following: "city, cluster of
22 cities,".

23 21. Page 7, line 14, by striking the word "city"
24 and inserting the following: "city, cluster of
25 cities".

2722 26 22. Page 7, line 19, by inserting after the word
27 "plan." the following: "The department shall develop
28 a plan designed to meet the needs of the various
29 communities in each population category under
30 subsection 2 of this section.

31 23. Page 7, by striking line 27 and inserting the
32 following:

33 "e. Participation in a regional economic
34 development plan."

35 24. Page 8, line 1, by inserting after the word
36 "city," the following: "cluster of cities,".

37 25. Page 8, line 5, by inserting after the word
38 "city" the following: "or cluster of cities".

39 26. Page 8, line 6, by inserting after the word
40 "city" the following: "or cluster of cities".

41 27. Page 8, line 10, by striking the word
42 "communities" and inserting the following "cities".

43 28. Page 8, line 13, by inserting after the word
44 "city" the following: "or cluster of cities".

45 29. Page 8, line 16, by inserting after the word
46 "funding." the following: "The department shall
47 consult with the regional coordinating council before
48 a waiver is granted."

49 30. Page 8, by striking lines 17 through 23 and
50 inserting the following:

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Page 4

- 1 "5. The department may contract with the councils
2 of governments to provide technical assistance to
3 cities, clusters of cities, counties or unincorporated
4 communities participating in the community builder
5 program."
6 31. Page 8, line 24, by inserting after the word
7 "city" the following: "or cluster of cities or county
8 on behalf of an unincorporated community".
9 32. Page 8, by striking line 25 and inserting the
10 following: "year following the enactment of this
11 section unless the city or cluster of cities or county
12 on behalf of an unincorporated community or".
13 33. Page 8, by inserting before line 28 the
14 following:
15 "7. The department shall develop a review
16 procedure pursuant to administrative rule to determine
17 substantial financial participation by the city or
18 cluster of cities or county or unincorporated
19 community including but not limited to the following:
20 a. Local tax rates.
21 b. Local fees and assessments.
22 c. The average income for the city or county in
23 comparison to the average income of the state.
24 d. The average taxable valuations for the city or
25 county in comparison to the average taxable valuation
26 of the state."
27 34. By striking page 8, line 34, through page 9,
28 line 2.
29 35. Page 9, line 16, by striking the word "shall"
30 and inserting the following: "may".
31 36. Page 9, line 20, by striking the words "by
32 the council of governments".
33 37. Page 9, line 21, by inserting after the word
34 "cities" the following: ", clusters of cities,
35 unincorporated communities".
36 38. Page 9, line 24, by inserting after the word
37 "council" the following: "and council of
38 governments".
39 39. Page 9, line 31, by striking the words "or
40 business".
41 40. Page 9, line 32, by inserting after the word
42 "provide" the following: "assistance to business.
43 The assistance must be in the form of".
44 41. Page 9, line 34, by striking the words
45 "service delivery area." and inserting the following:
46 "area development district and shall not be used to
47 assist a business relocating within Iowa. Violation
48 of this subsection may cause the department pursuant
49 to administrative rule to close the fund to assistance
50 for businesses."

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Page 5

- 1 42. Page 10, line 11, by striking the words ", in
2 cooperation with" and inserting the following: "and".
3 43. Page 10, lines 13 and 14, by striking the
4 words "and submit it to the department for approval".
5 44. Page 10, by striking lines 26 through 34 and
6 inserting the following:
7 "5. The regional coordinating councils and
8 councils of governments may enter into a chapter 28E
9 agreement to provide for projects involving two or
10 more area development districts."
11 45. By striking page 10, line 35, through page
12 11, line 5, and inserting the following:
13 "6. The regional coordinating council and council
14 of governments may establish a loan board."
15 46. Page 11, line 25, by striking the words
16 "school district" and inserting the following:
17 "~~school-district~~ merged area school".
18 47. Page 11, line 32, by striking the words
19 "school districts" and inserting the following:
20 "~~school-districts~~ merged area schools".
21 48. Page 14, line 29, by inserting after the word
22 "counties," the following: "merged area schools,".
23 49. Page 15, line 24, by inserting after the word
24 "counties" the following: ", merged area schools,
25 regional coordinating councils".
26 50. Page 16, lines 27 and 28, by striking the
27 words "school districts" and inserting the following:
28 "~~school-districts~~ merged area schools".
29 51. Page 17, line 10, by striking the words
30 "school districts" and inserting the following:
31 "~~school-districts,~~ merged area schools, regional
32 coordinating councils".
33 52. By renumbering as necessary.

By SWARTZ of Marshall

H-3712 FILED MARCH 29, 1989

Adopted 4-4-89 (p. 1229)

Don. Small BUS. & C. dev.
Amend per 5381, Do Pass 3/7 (p. 919)

HOUSE FILE 705
BY COMMITTEE ON ECONOMIC
DEVELOPMENT

(SUCCESSOR TO HSB 230)

(As Amended and Passed by the House April 4, 1989)

Per Passed House, ^{per H-5776} Date 3/22/90 (p. 1322) Passed Senate, Date 3/13/90 (p. 1041)
Vote: Ayes 93 Nays 1 Vote: Ayes 46 Nays 1
Approved April 4, 1990
" Motion to reconsider 3/14 (p. 1069)
" w/ps 3/19

A BILL FOR

1 An Act establishing primary and satellite research and marketing
2 centers for economic development programs and services.

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

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House Amendments _____
Deleted Language ✕

S-538/amends all

1 Section 1. NEW SECTION. 15.301 ESTABLISHMENT OF PRIMARY
2 CENTER FOR ECONOMIC DEVELOPMENT PROGRAMS AND SERVICES --
3 DIRECTOR.

4 1. A primary center for the coordination of economic
5 development services and programs is established within the
6 department of economic development. The director of the
7 department of economic development is the executive director
8 of the primary center. To aid in fulfilling the purposes of
9 the primary center, the director shall establish satellite
10 centers throughout the state.

11 2. The director shall contract with the regional
12 coordinating council in each economic development service area
13 to provide economic development programs and services to
14 businesses in the area. The contract shall provide for the
15 following:

- 16 a. Establish a satellite center within the area.
- 17 b. Provide for a joint agreement on employment of a
18 director and other personnel, specific job duties, wages and
19 benefits, supervisory responsibilities of the department and
20 procedures for evaluation, promotion, and termination.
- 21 c. Provide for designation by the regional coordinating
22 council of a local entity to provide facilities and other
23 support services to the satellite center director.
- 24 d. Contain an annual budget related to agreed upon
25 programs and services, and provisions for transfer of funds
26 from the state to the regional coordinating council or its
27 designated service entities.

28 3. The director shall cooperate with the councils of
29 governments and merged area schools in the state to fulfill
30 the purposes of the primary center.

31 Sec. 2. NEW SECTION. 15.302 DUTIES OF PRIMARY CENTER.

32 The duties of the primary center include but are not
33 limited to the following:

- 34 1. To coordinate comprehensive statewide and regional
35 economic development planning efforts.

1 2. To coordinate the delivery of economic development
2 programs and services with other local, state, and federal
3 programs and activities.

4 3. To coordinate and administer the economic development
5 state fund as established in this subchapter.

6 4. To develop data and conduct research to keep abreast of
7 changing market demands and emerging trends including studies
8 to help target marketing resources and develop marketing
9 strategies and to aid in opening new markets for Iowa
10 businesses.

11 5. To serve as a depository of information by cataloging
12 the products and services available from Iowa businesses and
13 providing businesses with a source for locating and contacting
14 potential buyers or suppliers of their products and services.

15 6. To provide a marketing center for businesses to utilize
16 within the state for the purpose of facilitating trade for
17 Iowa businesses.

18 7. To develop standards for the community builder program.

19 Sec. 3. NEW SECTION. 15.303 AREA DEVELOPMENT DISTRICTS
20 ESTABLISHED -- COUNCILS OF GOVERNMENTS AND REGIONAL
21 COORDINATING COUNCILS -- COORDINATION.

22 1. To facilitate and fulfill the purposes of this
23 division, the state is divided into area development
24 districts. The department shall divide the state into area
25 development districts which shall have boundaries based upon
26 county lines. The boundaries initially established shall as
27 nearly as practical follow the boundaries of the existing
28 regional coordinating councils. Each regional coordinating
29 council shall recommend to the department boundaries for the
30 area development districts based upon county lines. The
31 department shall as nearly as possible conform to the regional
32 coordinating council recommendations for forming boundaries.

33 2. A county which is not a member of a council of
34 governments on the effective date of this Act, may within six
35 months petition the department individually or with contiguous

1 counties to form a new council of governments and area
2 development districts. The county may, within an additional
3 ninety days, petition the department to join an existing
4 council of governments. After nine months the department
5 shall assign any remaining unserved counties to an existing
6 council of governments and area development districts.
7 Nothing in this subsection shall prevent a county that is not
8 a member of a council of governments on the effective date of
9 this Act from joining an existing council of governments at
10 any time during the nine-month period.

11 3. A council of governments pursuant to chapters 28E and
12 473A is established in each regional economic area development
13 district. The council of governments shall provide planning
14 services and technical assistance in community development and
15 economic development to cities and counties in the area
16 development district. However, cities and counties are not
17 required to accept planning services and technical assistance
18 from a council of governments.

19 4. A regional coordinating council is established in each
20 regional economic area development district. The membership
21 of the regional coordinating council shall consist of at least
22 twelve members which shall be representative of government,
23 business, labor, and education in the area development
24 district. Business and labor sector representation shall
25 comprise at least one-half of the membership. The appointment
26 and terms of office of the members shall be governed by bylaws
27 adopted by each regional coordinating council. A regional
28 coordinating council in existence prior to the effective date
29 of this Act may continue in existence until a successor
*30 council is established and approved by the department. If the
31 boundary of the new area development district will present a
32 significant change in the existing regional coordinating
33 council boundary, the existing regional coordinating council
34 and the council of governments of the new area shall select a
35 representative committee to make a recommendation to the

1 department on representation under this part. If no agreement
2 is reached within ninety days after the effective date of this
3 part, the department shall direct the establishment of a
4 regional coordinating council for the new area.

5 5. Councils of governments and regional coordinating
6 councils shall be considered public agencies for the purpose
7 of chapter 28E. Councils of governments and regional
8 coordinating councils may enter into agreements under chapter
9 28E with other councils of governments, regional coordinating
10 councils and merged area schools for the purposes of fostering
11 planning efforts, tourism, or other economic development
12 activities.

13 6. The regional coordinating council and the council of
14 governments shall meet at least quarterly to share
15 information, develop plans and programs, and coordinate the
16 performance of duties pursuant to this subchapter.

17 7. Each council of governments shall prepare a regional
18 community development plan for the area development district
19 which shall be updated annually. The plan shall include but
20 is not limited to the following:

21 a. Inventory and needs assessment of regional
22 infrastructure.

23 b. Labor supply.

24 c. Cultural and fine arts resources.

25 d. Housing.

26 e. Primary health care services.

27 f. Natural resources, conservation, and recreational
28 facilities.

29 g. Region-wide development opportunities including but not
30 limited to the following:

31 (1) Transportation systems.

32 (2) Natural resource or recreational facilities.

33 8. The council of governments shall utilize the regional
34 coordinating council as an advisory board regarding issues of
35 regional economic importance and shall consider these issues

1 for inclusion in the regional community development plan. The
2 council of governments shall seek to assist the regional
3 coordinating council in providing services to the area
4 development district and in providing assistance to the
5 governing bodies of the cities or counties in the area
6 development district. The council of governments shall
7 provide planning services and technical assistance in
8 community development to cities, clusters of cities, and
9 counties in the area.

10 Sec. 4. NEW SECTION. 15.304 REGIONAL COORDINATING
11 COUNCILS -- DUTIES.

12 1. A regional coordinating council shall adopt annually a
13 satellite center business service delivery work program. The
14 work program shall be submitted to the department for approval
15 before its adoption. The council shall have an approved work
16 program on file with the department before the release of any
*17 state funds by the department to the satellite center. The
18 work program shall guide the delivery of satellite center
19 services and activities to businesses in the area development
20 district. The department shall issue guidelines for the
21 preparation of the work program. The regional coordinating
22 council shall consult and may contract with the council of
23 governments within its area development district in the
24 preparation and adoption of the work program.

25 2. A regional coordinating council shall cooperate with
26 the department in the implementation of local, regional, and
27 statewide systems to coordinate the delivery of economic
28 programs and services to businesses. If feasible, the council
29 may recommend to the department a plan for collocation of
30 economic development service providers within the area
31 development district.

32 3. A regional coordinating council shall elect a
33 representative to serve on the department's advisory council
34 to provide input in the annual review and update of the
35 state's strategic economic development plan.

1 4. A council of government and the regional coordinating
2 council shall review and the regional coordinating council
3 shall certify the completion of the community builder program
4 pursuant to section 15.306 for cities and counties within the
5 area development district.

6 5. Merged area school boards shall report any job training
7 or retraining provided directly to a business within an area
8 development district to the appropriate regional coordinating
9 council, council of governments, and affected city and county.

10 6. Each city and county shall report any proposed tax
11 abatement, special tax district, or property valuation change
12 to the merged area school, regional coordinating council and
13 council of governments within the area.

14 Sec. 5. NEW SECTION. 15.305 SATELLITE CENTERS
15 ESTABLISHED -- DUTIES.

16 The satellite center shall serve as the focal point within
17 the regional economic development area development district to
18 provide services offered by the primary center to businesses.
19 The duties of the satellite center and its director for the
20 regional economic development area development district
21 include all of the following:

22 1. Acting as an area representative and advocate of the
23 department's programs for business through delivery of the
24 programs to the appropriate area business.

25 2. Functioning as a clearinghouse and referral center for
26 information on business assistance services.

27 3. Coordinating delivery of economic development services
28 to businesses within the area by convening regular meetings of
29 appropriate providers within the area.

30 4. Assisting the regional coordinating council in
31 preparing and implementing an annual regional economic
32 development work plan for delivery of services to businesses.

33 5. Overseeing the satellite center's computer system and
34 computer data input, and maintaining and updating information,
35 including the catalog of products and services, business

1 profiles, the rural information and referral system, community
2 data, trade lead data, and other relevant data systems or
3 networks available from the department or other sources.

4 6. Implementing the "try Iowa" trade lead program and the
5 international trade opportunities program of the department.

6 7. Performing other related duties and responsibilities
7 assigned to the satellite center by the primary center.

8 Sec. 6. NEW SECTION. 15.306 COMMUNITY BUILDER PROGRAM.

9 1. The department shall be responsible for coordinating
10 and administering the community builder program as established
11 in this subchapter and for developing standards for the
12 program.

13 2. A city, cluster of cities, or county seeking grants or
14 awards from the state or utilizing any tax abatement
15 provisions and programs shall be required to complete the
16 community builder program. The city, cluster of cities, or
17 county shall submit the community builder program to the
18 council of governments for review and to the regional
19 coordinating council for review and certification based upon
20 criteria established by the administrative rules of the
21 department. The regional coordinating council shall file a
22 notice of certification for approved cities, clusters of
23 cities and counties with the department. The department shall
24 maintain a roster of certified cities, clusters of cities and
25 counties and shall provide notice of certification upon
26 request to the state department of transportation, the
27 department of natural resources, and other state agencies.
28 The community builder program shall be completed by a city or
29 cluster of cities or county on behalf of an unincorporated
30 community according to the following schedule:

31 a. A city, cluster of cities, or unincorporated community
32 with a population under twenty-five hundred, by July 1, 1992.

33 b. A city, cluster of cities, or unincorporated community
34 with a population of twenty-five hundred, but less than five
35 thousand, by July 1, 1994.

1 c. A city, cluster of cities or unincorporated community
2 or county with a population of five thousand or more, by July
3 1, 1996.

4 A city with a population under twenty-five hundred may
5 elect to join with the county in which the city is located in
6 the completion of a community builder program. A city which
7 elects to join with the county in the completion of a
8 community builder program shall participate in the completion
9 of the program and shall provide the necessary information to
10 the county for the completion of the community builder
11 program.

12 3. The components of the community builder program shall
13 be established and updated by rule by the department and shall
14 include but not be limited to the following information:

15 a. A community economic preparedness plan. The department
16 shall develop a plan designed to meet the needs of the various
17 communities in each population category under subsection 2 of
18 this section.

19 b. A county or region-wide employment and labor force
20 survey.

21 c. A community quick reference document.

22 d. A capital improvements plan, including an inventory of
23 infrastructure, cultural and fine arts resources, housing,
24 primary health care services, and natural resources,
25 conservation, and recreational facilities.

26 e. Participation in a regional economic development plan.

27 f. Documentation of local efforts to proceed with economic
28 development, including available public and private financial
29 resources.

30 g. A five-year community economic development strategy.

31 h. Membership in a council of governments.

32 i. A review and analysis of tax revenue losses
33 attributable to tax abatement in the community.

34 4. An agency or department shall not award state
35 competitive funds to a city, cluster of cities, county or a

1 county on behalf of an unincorporated community, which is not
2 certified under this section. The department may grant a one-
3 year extension to complete the community builder program and
4 retain eligibility for funding to a city or cluster of cities
5 or county or a county on behalf of an unincorporated community
6 if the city or cluster of cities or county or county on behalf
7 of an unincorporated community demonstrates to the department
8 substantial progress in meeting the requirements of this
9 section, is a member of a certified cluster of cities and
10 demonstrates substantial progress toward obtaining individual
11 certification, or demonstrates that unusual circumstances
12 require a waiver of the requirement. A city or cluster of
13 cities or county or county on behalf of an unincorporated
14 community is limited to one extension under this subsection
15 after which time it must have received certification prior to
16 qualifying for funding. The department shall consult with the
17 regional coordinating council before a waiver is granted.
18 Cities, clusters of cities, or counties may apply for state
19 competitive funds prior to the dates for certification of a
20 community builder program as set out in subsection 2. A city,
21 cluster of cities, or county may be awarded state competitive
22 funds after the dates set out in subsection 2 only upon
23 certification of a community builder program or pursuant to
24 subsection 6.

25 5. The department may contract with the councils of
26 governments to provide technical assistance to cities,
27 clusters of cities, counties or unincorporated communities
28 participating in the community builder program.

29 6. A city or cluster of cities or county on behalf of an
30 unincorporated community or county shall not receive state
31 grants one year following the enactment of this section unless
32 the city or cluster of cities or county on behalf of an
33 unincorporated community or county demonstrates substantial
34 financial participation in the project for which the city or
35 county is seeking assistance.

1 7. The department shall develop a review procedure
2 pursuant to administrative rule to determine substantial
3 financial participation by the city or cluster of cities or
4 county or unincorporated community including but not limited
5 to the following:

6 a. Local tax rates.

7 b. Local fees and assessments.

8 c. The average income for the city or county in comparison
9 to the average income of the state.

10 d. The average taxable valuations for the city or county
11 in comparison to the average taxable valuation of the state.

12 Sec. 7. NEW SECTION. 15.307 STATE COMMUNITY BUILDER
13 FUND.

14 1. A state community builder fund is created in the state
15 treasury and is to be administered by the department of
16 economic development. The purpose of the fund is to provide
17 matching moneys to the regional community builder fund.

18 2. A regional coordinating council shall certify to the
19 department evidence of matching dollars in the regional
20 community builder fund at least equal to the amount requested
21 from the state community builder fund prior to the release of
22 any moneys from the fund to that area development district.
23 No in-kind or other noncash match shall be accepted for the
24 purposes of this section.

25 3. The funds provided to a regional community builder fund
26 under this section shall be deposited on a pro rata basis into
27 the regional funds created in section 15.308.

28 Sec. 8. NEW SECTION. 15.308 REGIONAL COMMUNITY BUILDER
29 FUND.

30 1. In addition to any other regional economic development
31 fund, a regional community builder fund may be established by
32 a chapter 28E agreement between the appropriate council of
33 governments and regional coordinating council.

34 2. The regional community builder fund shall be operated
*35 as an economic development revolving loan fund for the benefit

1 of cities, clusters of cities, unincorporated communities and
2 counties within the area development district. Projects
3 funded under this section shall require approval or
4 concurrence by the appropriate regional coordinating council
5 and council of governments. Councils of governments and
6 regional coordinating councils may establish joint project
7 review committees for this purpose. Moneys from the fund may
8 be used for projects including but not limited to traditional
9 or new infrastructure, speculative shell buildings constructed
10 by a local development organization, capital improvements for
11 main street or historic preservation projects, or community
12 development demonstration projects. No more than half the
*13 funds may be used to provide assistance to business. The
14 assistance must be in the form of low interest or zero
15 interest loans to nonretail small businesses in the area
16 development district and shall not be used to assist a
17 business relocating within Iowa. Violation of this subsection
18 may cause the department pursuant to administrative rule to
19 close the fund to assistance for businesses.

20 3. The chapter 28E agreement shall be approved by the
21 department prior to the establishment of the fund. The
22 department shall develop guidelines for such agreements. The
23 agreement shall specify the role, if any, the following other
24 organizations will play in the operation of the regional fund:

- 25 a. Extension services, including Iowa state university of
26 science and technology and local county extension offices.
- 27 b. Merged area schools.
- 28 c. Small business development centers.
- 29 d. Private economic development groups.

30 4. Prior to or as part of the chapter 28E agreement, the
31 council of governments and the appropriate regional
32 coordinating council, shall prepare a regional economic
*33 development service delivery plan. The department shall
34 develop guidelines for such plans. The plan shall serve as a
35 guide for the coordination of economic development services

1 provided by the following groups:

2 a. The regional coordinating council and the satellite
3 center.

4 b. The council of governments.

5 c. Extension services.

6 d. Merged area schools.

7 e. Public and private universities and colleges.

8 f. Small business development centers.

9 g. Private economic development groups.

10 5. The regional coordinating councils and councils of
11 governments may enter into a chapter 28E agreement to provide
12 for projects involving two or more area development districts.

13 6. The regional coordinating council and council of
14 governments may establish a loan board.

15 Sec. 9. NEW SECTION. 15.309 This chapter shall not
16 preclude a city or county from forming an economic development
17 unit with another city or county and shall not prohibit the
18 receipt of funds by a city or county from other sources.

19 Sec. 10. NEW SECTION. 15.310 This chapter shall not
20 preclude a city or county of this state from participating in
21 an area development district involving cities or counties in
22 an adjoining state.

23 Sec. 11. Section 473A.1, Code 1989, is amended to read as
24 follows:

25 473A.1 AUTHORITY OF GOVERNING BODIES -- JOINT-COMMISSION
26 COUNCIL OF GOVERNMENTS.

27 The governing bodies of two or more adjoining cities,
28 independently or together with the governing body or bodies of
29 the county or counties within which such cities are located,
30 or the governing bodies of two or more adjoining counties, or
31 a county and its major city or cities, or the governing bodies
32 of one or more counties together with the governing bodies of
33 one or more cities adjoining such county or counties, or any
34 of the above together with a school-district merged area
35 school, benefited water district, benefited fire district,

1 sanitary district or any other similar district which may be
2 formed under an Act of the legislature may co-operate in the
3 creation of a ~~joint-planning-commission-which-may-be~~
4 ~~designated-to-be-a-regional-or-metropolitan-planning~~
5 commission council of governments, as agreed among the
6 governing bodies. The governing bodies of cities, counties,
7 school-districts merged area schools or other governmental
8 units may co-operate with the governing bodies of the cities
9 and counties or other authorized governing bodies of any
10 adjoining state or states in the creation of such a joint
11 planning-commission council of governments where such co-
12 operation has been authorized by law by the adjoining state or
13 states.

14 The joint-planning-commission council of governments shall
15 be separate and apart from the governmental units creating it,
16 may sue and be sued, contract for the purchase and sale of
17 real and personal property necessary for its purposes, and
18 shall be a juristic entity as the term is used in section
19 97C.2, subsection 6.

20 Sec. 12. Section 473A.2, Code 1989, is amended to read as
21 follows:

22 473A.2 MEMBERSHIP.

23 The commission council shall have not less than five
24 members, appointed by the governing bodies of the area served
25 by the commission council. A majority of the members of the
26 commission council may be citizens who hold no other public
27 office or position except appointive membership on a city plan
28 commission or other planning commission, board or agency.
29 Citizen members shall be appointed for overlapping terms of
30 not less than three nor more than five years or thereafter
31 until their successors are appointed. The appointing
32 governing bodies shall determine the amount of compensation,
33 if any, to be paid to the members of a commission council.
34 Any vacancy in the membership of a commission council shall be
35 filled for the unexpired term in the same manner as the

1 initial appointment. The governing bodies shall have
2 authority to remove any member for cause stated in writing and
3 after a public hearing.

4 Sec. 13. Section 473A.3, Code 1989, is amended to read as
5 follows:

6 473A.3 ORGANIZATION.

7 The ~~joint-planning-commission~~ council of governments shall
8 elect one of its members as chairperson who shall serve for
9 one year or until the chairperson is re-elected or the
10 chairperson's successor is elected. The commission council
11 shall appoint a secretary who may be an officer or an employee
12 of a governing body or of the commission council. The members
13 of the commission council shall meet not less than four times
14 a year at the call of the chairperson and at such other times
15 as the chairperson or the members of the commission council
16 shall determine, shall adopt rules for the transaction of
17 business, and shall keep a record of their resolutions,
18 transactions, findings and determinations, which record shall
19 be a public record. The commission council may employ such
20 employees and staff as it may deem necessary for its work,
21 including a director of planning and consultants. In the
22 performance of its duties, the commission council may co-
23 operate with, contract with, and accept and expend funds from
24 federal, state, or local agencies, public or semipublic
25 agencies, or private individuals or corporations, and may
26 carry out such co-operative undertakings and contract. ~~It~~ The
27 council may enter into other contracts and make expenditures
28 for the purchase of required equipment and supplies, and
29 exercise all other powers necessary to carry out the purposes
30 of this chapter. The expenditures of the commission council,
31 exclusive of gifts or grants to the commission council or its
32 contract receipts, shall be within the amounts appropriated or
33 provided to the commission council by the governing bodies of
34 the area served by the commission council, who are empowered
35 to determine, agree upon, and appropriate funds for the

1 payment of the expenses of the commission council of their
2 respective shares thereof. The governing bodies of the area
3 served by the commission council shall co-operate with the
4 commission council and may aid the commission council by
5 furnishing staff, services, and property.

6 Sec. 14. Section 473A.4, Code 1989, is amended to read as
7 follows:

8 473A.4 POWERS AND DUTIES.

9 The commission council shall have the power and duty to
10 make comprehensive studies and plans for the development of
11 the area it serves which will guide the unified development of
12 the area and which will eliminate planning duplication and
13 promote economy and efficiency in the co-ordinated development
14 of the area and the general welfare, convenience, safety, and
15 prosperity of its people. The plan or plans collectively
16 shall be known as the regional-or-metropolitan council of
17 government development plan. The plans for the development of
18 the area may include, but shall not be limited to,
19 recommendations with respect to existing and proposed
20 highways, bridges, airports, streets, parks and recreational
21 areas, schools and public institutions and public utilities,
22 public open spaces, and sites for public buildings and
23 structures; districts for residence, business, industry,
24 recreation, agriculture, and forestry; water supply,
25 sanitation, drainage, protection against floods and other
26 disasters; areas for housing developments, slum clearance and
27 urban renewal and redevelopment; location of private and
28 public utilities, including but not limited to sewerage and
29 water supply systems; and such other recommendations
30 concerning current and impending problems as may affect the
31 area served by the commission council. Time and priority
32 schedules and cost estimates for the accomplishment of the
33 recommendations may also be included in the plans. The plans
34 shall be based upon and include appropriate studies of the
35 location and extent of present and anticipated populations;

1 social, physical, and economic resources, problems and trends;
2 and governmental conditions and trends. The commission
3 council is also authorized to make surveys, land-use studies,
4 and urban renewal plans, provide technical services and other
5 planning work for the area it serves and for cities, counties,
6 merged area schools, and other political subdivisions in the
7 area. A plan or plans of the commission council may be
8 adopted, added to, and changed from time to time by a majority
9 vote of the planning-commission council. The plan or plans
10 may in whole or in part be adopted by the governing bodies of
11 the co-operating cities and counties as the general plans of
12 such cities and counties. The commission council may also
13 assist the governing bodies and other public authorities or
14 agencies within the area it serves in carrying out any
15 regional plan or plans, and assist any planning commission,
16 board or agency of the cities and counties and political
17 subdivisions in the preparation or effectuation of local plans
18 and planning consistent with the program of the commission
19 council. The commission council may co-operate and confer, as
20 far as possible, with planning agencies of other states or of
21 regional groups of states adjoining its area.

22 A planning-commission council of governments formed under
23 the provisions of this chapter shall, upon designation as such
24 by the governor, serve as a district, regional or metropolitan
25 agency for comprehensive planning for its area for the purpose
26 of carrying out the functions as defined for such an agency by
27 federal, state and local laws and regulations.

28 Sec. 15. Section 473A.5, Code 1989, is amended to read as
29 follows:

30 473A.5 PLANS DISTRIBUTED.

31 Copies of the plan or plans and amendments or revisions of
32 a plan or plans prepared by a commission council may be
33 transmitted by the commission council to the chief
34 administrative officers, the legislative bodies, the planning
35 commissions, boards or agencies of the counties, merged area

1 schools, regional coordinating councils and cities, within its
2 area, and to ~~regional-or-metropolitan-planning-commissions~~
3 councils of governments established for adjoining areas. A
4 commission council may make copies of its plan or plans or
5 parts of plans available for general distribution or sale, and
6 may advise and supply information, as far as available, to
7 persons and organizations who may request such advice and
8 information and who are concerned with the area's development
9 problems. ~~It~~ A council may also provide information to state
10 and local agencies and to the public at large, in order to
11 foster public awareness and understanding of the objectives of
12 ~~regional-or-metropolitan~~ area planning, and in order to
13 stimulate public interest and participation in the orderly,
14 integrated development of the area served by the ~~commission~~
15 council.

16 Sec. 16. Section 473A.6, Code 1989, is amended to read as
17 follows:

18 473A.6 FILING DOCUMENTS WITH COMMISSION COUNCIL.

19 To facilitate effective and harmonious planning of the
20 ~~region-or-metropolitan~~ area, all governing bodies in the area
21 served by a commission council of governments, and all county
22 and city planning commissions, boards or agencies in the area
23 may file with the commission council, for its information, all
24 county or city plans, zoning ordinances, official maps,
25 building codes, subdivision regulations, or amendments or
26 revisions of them, as well as copies of their regular and
27 special reports dealing in whole or in part with planning
28 matters. County or city governing bodies, or county or city
29 local planning commissions, boards or agencies may also submit
30 proposals to a commission council for such plans, ordinances,
31 maps, codes, regulations, amendments or revisions prior to
32 their adoption, in order to afford an opportunity to the
33 commission council to study such proposals and to render
34 advice thereon.

35 Sec. 17. Section 473A.7, Code 1989, is amended to read as

1 follows:

2 473A.7 CONSTRUCTION OF PROVISIONS.

3 Nothing in this chapter shall be construed to remove or
4 limit the powers of the co-operating cities, counties, school
5 districts merged area schools, benefited water districts,
6 benefited fire districts, sanitary districts, or similar
7 districts as provided by state law. All legislative power
8 with respect to zoning and other planning legislation shall
9 remain with the governing body of the co-operative cities and
10 counties. Each participating city or county may continue to
11 have its own planning commission or board but may under the
12 joint agreement and in the interest of economy and efficiency
13 and in the interest of uniform standards and procedures,
14 request the ~~metropolitan-or-regional-planning-commission~~
15 council of governments to assume duties and functions of local
16 planning agencies in whole or in part. The ~~metropolitan-or~~
17 ~~regional-planning-commission~~ council of governments shall have
18 the duty and function of promoting public interest and
19 understanding of the economic and social necessity for long-
20 term co-ordinated planning for the ~~metropolitan-or-regional~~
21 area, but its official recommendations shall be made to the
22 governing bodies of the co-operating cities, counties, school
23 districts, merged area schools, regional coordinating
24 councils, benefited water districts, benefited fire districts,
25 sanitary districts, or similar districts.

26 Sec. 18. Section 473A.8, Code 1989, is amended to read as
27 follows:

28 473A.8 CONTRACTS FOR PLANNING.

29 A ~~metropolitan-planning-commission~~ council of governments
30 may contract with professional consultants, the Iowa
31 department of economic development or the federal government,
32 for local planning assistance.

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HOUSE FILE 705

H-3783

- 1 Amend amendment, H-3712, to House File 705, as
2 follows:
3 1. Page 1, by inserting before line 17 the
4 following:
5 "____. Page 2, by striking lines 23 through 25 and
6 inserting the following: "as nearly as practical
7 follow the boundaries of the existing regional
8 coordinating councils. Each regional coordinating
9 council shall recommend to the department boundaries
10 for the area development districts based upon county
11 lines. The department shall as nearly as possible
12 conform to the regional coordinating council
13 recommendations for forming boundaries.""
14 2. Page 1, by inserting before line 35 the
15 following:
16 "____. By striking page 3, line 35 through page 4,
17 line 2, and inserting the following:
18 "6. The regional coordinating council and"."
19 3. Renumber as necessary.

By SWARTZ of Marshall
GRONINGA of Cerro Gordo

H-3783 FILED APRIL 3, 1989

Adopted 4-7-89 (p. 1228)

HOUSE FILE 705

H-3718

- 1 Amend amendment, H-3712, to House File 705 as
 2 follows:
 3 1. Page 1, by inserting after line 16 the fol-
 4 lowing:
 5 "_____. Page 3, line 9, by inserting after the word
 6 "district." the following: "However, cities and
 7 counties are not required to accept planning services
 8 and technical assistance from a council of
 9 governments."
 10 2. Page 1, line 49, by striking the word "and".
 11 3. Page 1, line 50, by striking the words
 12 "economic development".
 13 4. Page 2, line 28, by striking the words "a
 14 business" and inserting the following: "businesses".
 15 5. Page 3, line 48, by inserting after the word
 16 "granted." the following: "Cities, clusters of
 17 cities, or counties may apply for state competitive
 18 funds prior to the dates for certification of a
 19 community builder program as set out in subsection 2.
 20 A city, cluster of cities, or county may be awarded
 21 state competitive funds after the dates set out in
 22 subsection 2 only upon certification of a community
 23 builder program or pursuant to subsection 6."
 24 6. By renumbering as necessary.

By SWARTZ of Marshall

H-3718 FILED MARCH 30, 1989

Adopted 4-4-89 (p. 1228)

HOUSE FILE 705

H-3722

- 1 Amend amendment, H-3712, to House File 705, as
 2 follows:
 3 1. Page 3, by inserting before line 26 the
 4 following:
 5 "_____. Page 7, by inserting before line 16 the
 6 following:
 7 "A city with a population under twenty-five hundred
 8 may elect to join with the county in which the city is
 9 located in the completion of a community builder
 10 program. A city which elects to join with the county
 11 in the completion of a community builder program shall
 12 participate in the completion of the program and shall
 13 provide the necessary information to the county for
 14 the completion of the community builder program."
 15 2. By renumbering as necessary.

By BENNETT of Ida

H-3722 FILED MARCH 30, 1989

Adopted 4-4-89 (p. 1229)

HOUSE FILE 705

S-5381

1 Amend House File 705, as amended, passed, and
2 reprinted by the House, as follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Section 1. Section 15.108, subsection 3,
6 paragraph a, subparagraph (2), Code Supplement 1989,
7 is amended by striking the subparagraph.

8 Sec. 2. Section 15.264, subsection 3, Code 1989,
9 is amended by striking the subsection.

10 Sec. 3. NEW SECTION. 15.301 TITLE.

11 This part shall be known as the "Iowa Economic
12 Development Network Act".

13 Sec. 4. NEW SECTION. 15.302 PURPOSE -- INTENT.

14 1. The purpose of the Iowa economic development
15 network is to create and stimulate economic
16 opportunity through planning and technical assistance
17 and support to entrepreneurs and existing business in
18 the state.

19 2. It is the intent of the general assembly to
20 make available and coordinate economic development
21 services and programs to assist individuals,
22 businesses, and communities through the Iowa economic
23 development network.

24 Sec. 5. NEW SECTION. 15.303 ESTABLISHMENT OF
25 IOWA ECONOMIC DEVELOPMENT NETWORK -- DUTIES OF
26 DIRECTOR.

27 1. The Iowa economic development network is
28 established in the department of economic development.
29 The director of the department of economic development
30 is the executive director of the Iowa economic
31 development network.

32 2. The director shall do all of the following:

33 a. Establish a primary center for economic
34 development programs and services.

35 b. Establish a statewide system of regional
36 economic development centers.

37 c. Establish regional coordinating councils to
38 coordinate the regional delivery of economic
39 development programs and services to businesses and
40 the operation of the regional economic development
41 centers.

42 d. Cooperate with the councils of governments,
43 merged area schools, small business development
44 centers, the center for industrial research and
45 service, the Iowa quality coalition, other service
46 providers, and new and existing businesses in the
47 state to fulfill the purposes of the Iowa economic
48 development network.

49 Sec. 6. NEW SECTION. 15.304 IOWA ECONOMIC
50 DEVELOPMENT NETWORK -- DUTIES.

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- 1 The Iowa economic development network shall do all
2 of the following:
- 3 1. Coordinate the delivery of economic development
4 and community development programs and services with
5 other local, regional, state, and federal programs and
6 activities.
 - 7 2. Provide leadership and support in the
8 development and implementation of statewide, regional,
9 and local economic and community development planning
10 efforts.
 - 11 3. Provide information and data to Iowa
12 businesses, communities, and individuals through a
13 central registry.
 - 14 4. Provide coordination, assistance, and support
15 for the operation of regional economic development
16 centers, and regional coordinating councils.
 - 17 5. Establish, in coordination with the Iowa
18 economic development training program, a professional
19 development training and education curriculum that
20 will implement a certification program for
21 administrators and employees of the regional economic
22 development centers, the department, and other
23 interested persons.

24 Sec. 7. NEW SECTION. 15.305 REGIONAL
25 COORDINATING COUNCILS -- DUTIES.

- 26 1. For purposes of the Iowa economic development
27 network, the state is divided into fifteen regions.
28 The boundaries of the regions are contiguous to the
29 boundaries established for the merged areas under
30 chapter 280A. Each region shall establish a regional
31 coordinating council.
- 32 2. The director of the department of economic
33 development shall contract with each regional
34 coordinating council to provide economic development
35 programs and services to businesses in the area. The
36 contract shall include but is not limited to the
37 following:
- 38 a. Establishment and operation of a regional
39 economic development center within each region. The
40 department may authorize and provide supplemental
41 funding for a subcenter of the regional economic
42 development center within the merged area upon
43 application by the regional coordinating council. A
44 subcenter shall be based upon demographic and
45 geographic considerations that are adopted by the
46 department.
 - 47 b. Employment of an administrator and other
48 personnel to operate the regional economic development
49 center. The contract shall include responsibilities
50 and duties of the administrator and other personnel,

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1 wage and benefit provisions, and performance measures
2 related to the operation of the regional economic
3 development center.

4 c. An annual budget for the operation of the
5 regional economic development center including a
6 provision to transfer funds from the department to the
7 regional coordinating council or its designee, as
8 agreed upon by the regional coordinating council and
9 the director. The budget shall reflect the work plan
10 of the regional coordinating council and the regional
11 economic development center to implement the intent
12 and purposes of the Iowa economic development network.

13 d. Authorization for a regional coordinating
14 council to enter into agreements to obtain necessary
15 facilities or other support services for the regional
16 economic development center.

17 3. Membership of the regional coordinating council
18 shall consist of at least twelve members who shall be
19 representative of education, government, business and
20 industry, labor, and service organizations in the
21 merged area. Private sector representation shall
22 comprise at least one-half of the membership. A
23 council of governments serving a substantial portion
24 of the merged area may have a representative on the
25 regional coordinating council. The appointment and
26 terms of office of the members shall be governed by
27 bylaws adopted by each regional coordinating council.

28 4. A director, officer, employee, member, trustee,
29 or volunteer, of a regional coordinating council is
30 not liable for the debts or obligations of the
31 regional coordinating council and a director, officer,
32 employee, member, trustee, or volunteer is not
33 personally liable for a claim based upon an act or
34 omission of the person performed in the discharge of
35 the person's duties, except for acts or omissions
36 which involve intentional misconduct or known
37 violation of the law, or for a transaction from which
38 the person derives an improper personal benefit.

39 5. The regional coordinating councils shall do all
40 of the following:

41 a. Adopt a multiyear regional business assistance
42 work plan to implement the purposes of the Iowa
43 economic development network and guide the operation
44 of the regional economic development center in the
45 delivery of programs and services to businesses in the
46 region and provide annual updates. The work plan may
47 include other activities specifically designed to meet
48 the needs of businesses in the region. The regional
49 coordinating council may consult with the councils of
50 governments or other service providers within the

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1 region in the preparation and adoption of the work
2 plan and may contract with one or more councils of
3 governments or other service providers in its
4 preparation. The work plan shall be submitted to the
5 department for review and comment before the adoption
6 of the work plan by the regional coordinating council.
7 Before the release of any state funds by the
8 department for operation of a regional economic
9 development center, the work plan shall be approved by
10 the department.

11 b. Establish and operate a regional economic
12 development center to implement the goals and
13 objectives established in the work plan and deliver
14 economic development programs and services to
15 businesses in the region.

16 c. Cooperate with the department to promote local,
17 regional, and statewide service delivery systems, to
18 coordinate the delivery of economic development
19 programs and services to businesses in the region, and
20 to participate in the Iowa economic development
21 network.

22 d. Elect annually a representative to serve on the
23 advisory council established by the department to
24 provide input on the review and update of the state's
25 economic development strategic plan.

26 e. Conduct an annual inventory of business
27 assistance service providers to businesses within the
28 region and provide a matrix of available technical
29 services to the department.

30 f. Meet at least quarterly with the board of
31 directors or their designees of the merged area
32 school, any councils of governments serving a
33 substantial portion of the region, and representatives
34 of any small business development center, incubator,
35 representatives of any area quality council, and the
36 center for industrial research and service serving the
37 region to share information, develop plans and
38 programs, and coordinate the delivery of services
39 within the region.

40 Sec. 8. NEW SECTION. 15.306 PRIMARY CENTER FOR
41 ECONOMIC DEVELOPMENT PROGRAMS AND SERVICES.

42 A primary center for economic development programs
43 and services is established in the department of
44 economic development. The primary center shall do all
45 of the following:

46 1. Implement a comprehensive statewide economic
47 development planning process and provide leadership,
48 coordination, and support to regional and local
49 economic and community development planning efforts.

50 2. Implement the activities of the Iowa economic

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1 development network and coordinate the delivery of
2 economic development and community development
3 programs and services with other local, regional,
4 state, and federal programs and activities.
5 3. Coordinate planning efforts of the regional
6 coordinating councils in the preparation of annual
7 regional business assistance work plans and provide
8 technical assistance and support to the regional
9 economic development centers.

10 4. Collect and analyze information and data,
11 develop databases, and perform research to keep
12 abreast of Iowa's present economic base, changing
13 market demands, and emerging trends including
14 identification of targeted markets and development of
15 marketing strategies.

16 5. Establish a database of products and services
17 available from Iowa businesses to provide businesses
18 with a source for locating buyers for or suppliers of
19 their products and services and utilize the database
20 to provide a noncommissioned brokerage service for
21 facilitating trade by Iowa businesses.

22 6. Establish a database of community and economic
23 information to aid local, regional, and statewide
24 community development and economic development
25 planning and service delivery efforts.

26 Sec. 9. NEW SECTION. 15.307 REGIONAL ECONOMIC
27 DEVELOPMENT CENTERS.

28 1. A regional economic development center shall
29 create and stimulate economic development by assisting
30 and supporting entrepreneurs and businesses in the
31 region.

32 2. A regional economic development center shall do
33 all of the following:

34 a. Provide outreach to entrepreneurs and
35 businesses and function as a clearinghouse and
36 referral center for information on business assistance
37 programs and services. The regional economic
38 development center shall serve as a liaison between
39 businesses in the region and the Wallace technology
40 transfer foundation of Iowa, the internet foundation,
41 the department, and other business assistance service
42 providers for the purpose of fostering science and
43 technology transfer and international trade
44 opportunities.

45 b. Develop a support network to create and promote
46 entrepreneurship, business retention, business
47 development, and business expansion within the region.

48 c. Maintain ongoing communication with other
49 business assistance service providers in the region
50 and coordinate the delivery of programs and services

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1 between the service providers and businesses.

2 d. Assist the regional coordinating council in
3 preparing and implementing the annual regional
4 business assistance work plan and inventory of
5 business assistance service providers.

6 e. Provide the regional link for the database and
7 information systems of the Iowa economic development
8 network and the primary center. In providing the
9 regional link, the regional economic development
10 center shall do all of the following:

11 (1) Implement and utilize the department's
12 domestic and international trade lead programs to
13 facilitate trade opportunities for businesses in the
14 region, including updating information for the catalog
15 of products and services, maintaining and updating
16 business profiles, and providing trade lead data.

17 (2) Provide information and referral to
18 individuals and businesses about available programs
19 and services.

20 (3) Cooperate with councils of governments and the
21 primary center in the development and maintenance of a
22 statewide community database.

23 (4) Provide other information and data concerning
24 the region to the primary center or other sources.

25 f. Perform other related duties and
26 responsibilities assigned to the regional economic
27 development center as agreed upon in the contract
28 entered into between the department and the regional
29 coordinating council.

30 Sec. 10. NEW SECTION. 15.308 COMMUNITY BUILDER
31 PROGRAM.

32 1. A community builder program is established in
33 the Iowa department of economic development. The
34 purpose of the program is to encourage a city, cluster
35 of cities, county, group of counties, unincorporated
36 community or group of unincorporated communities to
37 implement planning efforts for community, business,
38 and economic development.

39 2. A city, cluster of cities, county, group of
40 counties, unincorporated community or group of
41 unincorporated communities which participate and
42 receive certification under this program may be
43 eligible for additional consideration under the
44 following state financial assistance programs:

45 a. The community economic betterment account under
46 section 99E.32.

47 b. The community development block grant program.

48 c. The rural community 2000 program under chapter
49 15.

50 d. Recycling projects under section 455D.15.

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- 1 e. Revitalize Iowa's sound economy fund under
2 chapter 315.
- 3 f. Programs administered by the Iowa finance
4 authority under chapter 220.
- 5 g. Water, conservation, or any resource
6 enhancement and protection program under the control
7 of the department of natural resources.
- 8 3. A department administering a program under
9 subsection 2 shall adopt administrative rules
10 providing bonus points of not less than five percent
11 and not more than twenty percent of the points
12 available under the program for certified participants
13 under this section.
- 14 4. A city, cluster of cities, county, group of
15 counties, unincorporated community or group of
16 unincorporated communities not yet certified under
17 this section but awarded a grant or initiative from
18 the state shall initiate a process to establish a
19 community builder program within six months of the
20 award, to be completed within three years of the
21 receipt of the award.
- 22 5. A city, cluster of cities, county, group of
23 counties, unincorporated community, or group of
24 unincorporated communities shall submit a community
25 builder program to the regional coordinating council
26 for coordination, review, and comment and to the
27 department for certification.
- 28 6. A community builder program shall include, but
29 is not limited to, all of the following information:
- 30 a. A plan to improve infrastructure, cultural and
31 fine arts resources, housing, primary health care ser-
32 vices, and natural resources, conservation, and
33 recreational facilities. The plan shall include a
34 prioritization of identified needs.
- 35 b. A community database including an inventory and
36 assessment of infrastructure, cultural and fine arts
37 resources, housing, primary health care services, and
38 natural resources, conservation and recreational
39 facilities. The database shall also include an
40 assessment of applicants' participation in a county or
41 regional economic development plan.
- 42 c. A five-year community economic development
43 strategic plan designed to meet the needs of the
44 community.
- 45 d. A list of local community programs to encourage
46 economic development including public and private
47 financial resources, an analysis of current and
48 potential local tax revenues, and tax abatement
49 programs.
- 50 e. A county or regional survey of the available

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1 employment and labor force.
2 7. The department may enter into a contract with
3 councils of governments or other service providers to
4 provide technical assistance to a city, cluster of
5 cities, county, group of counties, or unincorporated
6 community, or group of unincorporated communities
7 participating in a community builder program.
8 8. The department shall adopt administrative rules
9 pursuant to chapter 17A to administer this division.
10 Sec. 11. Section 28.101, Code 1989, is repealed."
11 2. Title page, by striking lines 1 and 2 and
12 inserting the following: "An Act establishing the
13 Iowa economic development network and related councils
14 and centers to assist in making available economic
15 development programs and services."

By COMMITTEE ON SMALL BUSINESS
AND ECONOMIC DEVELOPMENT
LEONARD L. BOSWELL, Chairperson

S-5381 FILED MARCH 7, 1990

Adopted as amended by 5471 3/13 (p. 1041)

HOUSE FILE 705

S-5471

1 Amend the Committee amendment, S-5381, to House
2 File 705, as amended, passed, and reprinted by the
3 House, as follows:
4 1. Page 2, line 22, by striking the words ", the
5 department," and inserting the following: "and which
6 would be available to the administrators and employees
7 of the department".
8 2. Page 3, lines 22 and 23, by striking the words
9 "A council of governments" and inserting the
10 following: "Service providers".
11 3. Page 3, lines 49 and 50, by striking the words
12 "the councils of governments or other".
13 4. Page 4, lines 2 and 3, by striking the words
14 "councils of governments or other".
15 5. Page 6, line 20, by striking the words
16 "councils of governments" and inserting the following:
17 "service providers".
18 6. Page 8, line 2, by striking the word "The" and
19 inserting the following: "Contingent on the
20 availability of funding for this purpose, the".
21 7. Page 8, line 3, by striking the words
22 "councils of governments or other".

By JOHN P. KIBBIE
LEONARD L. BOSWELL

S-5471 FILED MARCH 13, 1990

ADOPTED (p. 1040)

SENATE AMENDMENT TO HOUSE FILE 705

H-5776

1 Amend House File 705, as amended, passed, and
2 reprinted by the House, as follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Section 1. Section 15.108, subsection 3,
6 paragraph a, subparagraph (2), Code Supplement 1989,
7 is amended by striking the subparagraph.

8 Sec. 2. Section 15.264, subsection 3, Code 1989,
9 is amended by striking the subsection.

10 Sec. 3. NEW SECTION. 15.301 TITLE.

11 This part shall be known as the "Iowa Economic
12 Development Network Act".

13 Sec. 4. NEW SECTION. 15.302 PURPOSE -- INTENT.

14 1. The purpose of the Iowa economic development
15 network is to create and stimulate economic
16 opportunity through planning and technical assistance
17 and support to entrepreneurs and existing business in
18 the state.

19 2. It is the intent of the general assembly to
20 make available and coordinate economic development
21 services and programs to assist individuals,
22 businesses, and communities through the Iowa economic
23 development network.

24 Sec. 5. NEW SECTION. 15.303 ESTABLISHMENT OF
25 IOWA ECONOMIC DEVELOPMENT NETWORK -- DUTIES OF
26 DIRECTOR.

27 1. The Iowa economic development network is
28 established in the department of economic development.
29 The director of the department of economic development
30 is the executive director of the Iowa economic
31 development network.

32 2. The director shall do all of the following:

33 a. Establish a primary center for economic
34 development programs and services.

35 b. Establish a statewide system of regional
36 economic development centers.

37 c. Establish regional coordinating councils to
38 coordinate the regional delivery of economic
39 development programs and services to businesses and
40 the operation of the regional economic development
41 centers.

42 d. Cooperate with the councils of governments,
43 merged area schools, small business development
44 centers, the center for industrial research and
45 service, the Iowa quality coalition, other service
46 providers, and new and existing businesses in the
47 state to fulfill the purposes of the Iowa economic
48 development network.

49 Sec. 6. NEW SECTION. 15.304 IOWA ECONOMIC
50 DEVELOPMENT NETWORK -- DUTIES.

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1 The Iowa economic development network shall do all
2 of the following:

- 3 1. Coordinate the delivery of economic development
4 and community development programs and services with
5 other local, regional, state, and federal programs and
6 activities.
- 7 2. Provide leadership and support in the
8 development and implementation of statewide, regional,
9 and local economic and community development planning
10 efforts.
- 11 3. Provide information and data to Iowa
12 businesses, communities, and individuals through a
13 central registry.
- 14 4. Provide coordination, assistance, and support
15 for the operation of regional economic development
16 centers, and regional coordinating councils.
- 17 5. Establish, in coordination with the Iowa
18 economic development training program, a professional
19 development training and education curriculum that
20 will implement a certification program for
21 administrators and employees of the regional economic
22 development centers and which would be available to
23 the administrators and employees of the department and
24 other interested persons.

25 Sec. 7. NEW SECTION. 15.305 REGIONAL
26 COORDINATING COUNCILS -- DUTIES.

27 1. For purposes of the Iowa economic development
28 network, the state is divided into fifteen regions.
29 The boundaries of the regions are contiguous to the
30 boundaries established for the merged areas under
31 chapter 280A. Each region shall establish a regional
32 coordinating council.

33 2. The director of the department of economic
34 development shall contract with each regional
35 coordinating council to provide economic development
36 programs and services to businesses in the area. The
37 contract shall include but is not limited to the
38 following:

39 a. Establishment and operation of a regional
40 economic development center within each region. The
41 department may authorize and provide supplemental
42 funding for a subcenter of the regional economic
43 development center within the merged area upon
44 application by the regional coordinating council. A
45 subcenter shall be based upon demographic and
46 geographic considerations that are adopted by the
47 department.

48 b. Employment of an administrator and other
49 personnel to operate the regional economic development
50 center. The contract shall include responsibilities

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1 and duties of the administrator and other personnel,
2 wage and benefit provisions, and performance measures
3 related to the operation of the regional economic
4 development center.

5 c. An annual budget for the operation of the
6 regional economic development center including a
7 provision to transfer funds from the department to the
8 regional coordinating council or its designee, as
9 agreed upon by the regional coordinating council and
10 the director. The budget shall reflect the work plan
11 of the regional coordinating council and the regional
12 economic development center to implement the intent
13 and purposes of the Iowa economic development network.

14 d. Authorization for a regional coordinating
15 council to enter into agreements to obtain necessary
16 facilities or other support services for the regional
17 economic development center.

18 3. Membership of the regional coordinating council
19 shall consist of at least twelve members who shall be
20 representative of education, government, business and
21 industry, labor, and service organizations in the
22 merged area. Private sector representation shall
23 comprise at least one-half of the membership. Service
24 providers serving a substantial portion of the merged
25 area may have a representative on the regional
26 coordinating council. The appointment and terms of
27 office of the members shall be governed by bylaws
28 adopted by each regional coordinating council.

29 4. A director, officer, employee, member, trustee,
30 or volunteer, of a regional coordinating council is
31 not liable for the debts or obligations of the
32 regional coordinating council and a director, officer,
33 employee, member, trustee, or volunteer is not
34 personally liable for a claim based upon an act or
35 omission of the person performed in the discharge of
36 the person's duties, except for acts or omissions
37 which involve intentional misconduct or known
38 violation of the law, or for a transaction from which
39 the person derives an improper personal benefit.

40 5. The regional coordinating councils shall do all
41 of the following:

42 a. Adopt a multiyear regional business assistance
43 work plan to implement the purposes of the Iowa
44 economic development network and guide the operation
45 of the regional economic development center in the
46 delivery of programs and services to businesses in the
47 region and provide annual updates. The work plan may
48 include other activities specifically designed to meet
49 the needs of businesses in the region. The regional
50 coordinating council may consult with service

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1 providers within the region in the preparation and
2 adoption of the work plan and may contract with one or
3 more service providers in its preparation. The work
4 plan shall be submitted to the department for review
5 and comment before the adoption of the work plan by
6 the regional coordinating council. Before the release
7 of any state funds by the department for operation of
8 a regional economic development center, the work plan
9 shall be approved by the department.

10 b. Establish and operate a regional economic
11 development center to implement the goals and
12 objectives established in the work plan and deliver
13 economic development programs and services to
14 businesses in the region.

15 c. Cooperate with the department to promote local,
16 regional, and statewide service delivery systems, to
17 coordinate the delivery of economic development
18 programs and services to businesses in the region, and
19 to participate in the Iowa economic development
20 network.

21 d. Elect annually a representative to serve on the
22 advisory council established by the department to
23 provide input on the review and update of the state's
24 economic development strategic plan.

25 e. Conduct an annual inventory of business
26 assistance service providers to businesses within the
27 region and provide a matrix of available technical
28 services to the department.

29 f. Meet at least quarterly with the board of
30 directors or their designees of the merged area
31 school, any councils of governments serving a
32 substantial portion of the region, and representatives
33 of any small business development center, incubator,
34 representatives of any area quality council, and the
35 center for industrial research and service serving the
36 region to share information, develop plans and
37 programs, and coordinate the delivery of services
38 within the region.

39 Sec. 8. NEW SECTION. 15.306 PRIMARY CENTER FOR
40 ECONOMIC DEVELOPMENT PROGRAMS AND SERVICES.

41 A primary center for economic development programs
42 and services is established in the department of
43 economic development. The primary center shall do all
44 of the following:

45 1. Implement a comprehensive statewide economic
46 development planning process and provide leadership,
47 coordination, and support to regional and local
48 economic and community development planning efforts.

49 2. Implement the activities of the Iowa economic
50 development network and coordinate the delivery of

1 economic development and community development

2 programs and services with other local, regional,

3 state, and federal programs and activities.

4 3. Coordinate planning efforts of the regional

5 coordinating councils in the preparation of annual

6 regional business assistance work plans and provide

7 technical assistance and support to the regional

8 economic development centers.

9 4. Collect and analyze information and data,

10 develop databases, and perform research to keep

11 abreast of Iowa's present economic base, changing

12 market demands, and emerging trends including

13 identification of targeted markets and development of

14 marketing strategies.

15 5. Establish a database of products and services

16 available from Iowa businesses to provide businesses

17 with a source for locating buyers for or suppliers of

18 their products and services and utilize the database

19 to provide a noncommissioned brokerage service for

20 facilitating trade by Iowa businesses.

21 6. Establish a database of community and economic

22 information to aid local, regional, and statewide

23 community development and economic development

24 planning and service delivery efforts.

25 Sec. 9. NEW SECTION. 15.307 REGIONAL ECONOMIC

26 DEVELOPMENT CENTERS.

27 1. A regional economic development center shall

28 create and stimulate economic development by assisting

29 and supporting entrepreneurs and businesses in the

30 region.

31 2. A regional economic development center shall do

32 all of the following:

33 a. Provide outreach to entrepreneurs and

34 businesses and function as a clearinghouse and

35 referral center for information on business assistance

36 programs and services. The regional economic

37 development center shall serve as a liaison between

38 businesses in the region and the Wallace technology

39 transfer foundation of Iowa, the internet foundation,

40 the department, and other business assistance service

41 providers for the purpose of fostering science and

42 technology transfer and international trade

43 opportunities.

44 b. Develop a support network to create and promote

45 entrepreneurship, business retention, business

46 development, and business expansion within the region.

47 c. Maintain ongoing communication with other

48 business assistance service providers in the region

49 and coordinate the delivery of programs and services

50 between the service providers and businesses.

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- 1 d. Assist the regional coordinating council in
2 preparing and implementing the annual regional
3 business assistance work plan and inventory of
4 business assistance service providers.
- 5 e. Provide the regional link for the database and
6 information systems of the Iowa economic development
7 network and the primary center. In providing the
8 regional link, the regional economic development
9 center shall do all of the following:
- 10 (1) Implement and utilize the department's
11 domestic and international trade lead programs to
12 facilitate trade opportunities for businesses in the
13 region, including updating information for the catalog
14 of products and services, maintaining and updating
15 business profiles, and providing trade lead data.
- 16 (2) Provide information and referral to
17 individuals and businesses about available programs
18 and services.
- 19 (3) Cooperate with service providers and the
20 primary center in the development and maintenance of a
21 statewide community database.
- 22 (4) Provide other information and data concerning
23 the region to the primary center or other sources.
- 24 f. Perform other related duties and
25 responsibilities assigned to the regional economic
26 development center as agreed upon in the contract
27 entered into between the department and the regional
28 coordinating council.
- 29 Sec. 10. NEW SECTION. 15.308 COMMUNITY BUILDER
30 PROGRAM.
- 31 1. A community builder program is established in
32 the Iowa department of economic development. The
33 purpose of the program is to encourage a city, cluster
34 of cities, county, group of counties, unincorporated
35 community or group of unincorporated communities to
36 implement planning efforts for community, business,
37 and economic development.
- 38 2. A city, cluster of cities, county, group of
39 counties, unincorporated community or group of
40 unincorporated communities which participate and
41 receive certification under this program may be
42 eligible for additional consideration under the
43 following state financial assistance programs:
- 44 a. The community economic betterment account under
45 section 99E.32.
- 46 b. The community development block grant program.
- 47 c. The rural community 2000 program under chapter
48 15.
- 49 d. Recycling projects under section 455D.15.
- 50 e. Revitalize Iowa's sound economy fund under

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1 chapter 315.

2 f. Programs administered by the Iowa finance
3 authority under chapter 220.

4 g. Water, conservation, or any resource
5 enhancement and protection program under the control
6 of the department of natural resources.

7 3. A department administering a program under
8 subsection 2 shall adopt administrative rules
9 providing bonus points of not less than five percent
10 and not more than twenty percent of the points
11 available under the program for certified participants
12 under this section.

13 4. A city, cluster of cities, county, group of
14 counties, unincorporated community or group of
15 unincorporated communities not yet certified under
16 this section but awarded a grant or initiative from
17 the state shall initiate a process to establish a
18 community builder program within six months of the
19 award, to be completed within three years of the
20 receipt of the award.

21 5. A city, cluster of cities, county, group of
22 counties, unincorporated community, or group of
23 unincorporated communities shall submit a community
24 builder program to the regional coordinating council
25 for coordination, review, and comment and to the
26 department for certification.

27 6. A community builder program shall include, but
28 is not limited to, all of the following information:

29 a. A plan to improve infrastructure, cultural and
30 fine arts resources, housing, primary health care ser-
31 vices, and natural resources, conservation, and
32 recreational facilities. The plan shall include a
33 prioritization of identified needs.

34 b. A community database including an inventory and
35 assessment of infrastructure, cultural and fine arts
36 resources, housing, primary health care services, and
37 natural resources, conservation and recreational
38 facilities. The database shall also include an
39 assessment of applicants' participation in a county or
40 regional economic development plan.

41 c. A five-year community economic development
42 strategic plan designed to meet the needs of the
43 community.

44 d. A list of local community programs to encourage
45 economic development including public and private
46 financial resources, an analysis of current and
47 potential local tax revenues, and tax abatement
48 programs.

49 e. A county or regional survey of the available
50 employment and labor force.

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1 7. Contingent on the availability of funding for
2 this purpose, the department may enter into a contract
3 with service providers to provide technical assistance
4 to a city, cluster of cities, county, group of
5 counties, or unincorporated community, or group of
6 unincorporated communities participating in a
7 community builder program.

8 8. The department shall adopt administrative rules
9 pursuant to chapter 17A to administer this division.

10 Sec. 11. Section 28.101, Code 1989, is repealed."

11 2. Title page, by striking lines 1 and 2 and
12 inserting the following: "An Act establishing the
13 Iowa economic development network and related councils
14 and centers to assist in making available economic
15 development programs and services."

RECEIVED FROM THE SENATE

H-5776 FILED MARCH 20, 1990

Assan concurred 3/22 (p. 1322)

ECONOMIC DEVELOPMENT

HOUSE FILE 905
BY (PROPOSED GOVERNOR'S BILL)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act establishing primary and satellite research and marketing
2 centers for economic development programs and services.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 28.101, Code 1989, is amended by
2 striking the section and inserting in lieu thereof the
3 following:

4 28.101 ESTABLISHMENT OF PRIMARY AND SATELLITE RESEARCH AND
5 MARKETING CENTERS FOR ECONOMIC DEVELOPMENT PROGRAMS AND
6 SERVICES -- DIRECTOR.

7 The primary research and marketing center for economic
8 development programs and services, referred to in this
9 division as the "primary center" is established within the
10 department of economic development. The director of the
11 department of economic development is the executive director
12 of the primary center. To aid in fulfilling the purposes of
13 the primary center, the director may establish satellite
14 centers throughout the state. The director may consult with
15 the regional coordinating council in each economic development
16 service area to establish a location for the satellite
17 centers. The director shall employ a satellite center
18 director in each satellite center and other personnel as
19 needed. The department may contract with a designated local
20 entity to provide facilities and other support services to the
21 satellite center director.

22 Sec. 2. NEW SECTION. 28.102 DUTIES.

23 The duties of the primary center include but are not
24 limited to the following:

- 25 1. Coordinate comprehensive statewide and regional
26 economic development planning efforts.
- 27 2. Coordinate the delivery of programs and services with
28 other state, local, and federal economic development programs
29 and activities.
- 30 3. Develop data and conduct research to keep abreast of
31 changing market demands and emerging trends including studies
32 to help target marketing resources and develop marketing
33 strategies and to aid in opening new markets for Iowa
34 businesses.
- 35 4. Serve as a depository of information by cataloging the

1 products and services available from Iowa businesses and
2 providing businesses with a source for locating and contacting
3 potential buyers or suppliers of their products and services.

4 5. Provide a marketing center for businesses to utilize
5 within the state for the purpose of facilitating trade for
6 Iowa businesses.

7 Sec. 3. NEW SECTION. 28.103 SATELLITE CENTERS
8 ESTABLISHED -- DUTIES.

9 To facilitate the establishment of the satellite centers
10 and to aid in fulfilling the purposes of the primary center,
11 the department shall divide the state into economic
12 development service areas which shall have boundaries based
13 upon county lines. The boundaries initially established may
14 be altered by the department upon request by the affected
15 regional coordinating councils.

16 The satellite center shall serve as the focal point within
17 the economic development service area to provide services
18 offered by the primary center. The duties of the satellite
19 center and its director for the economic development service
20 area include:

21 a. Acting as a area representative and advocate of the
22 department's programs through delivery of the programs to the
23 appropriate area clientele.

24 b. Functioning as a clearinghouse and referral center for
25 information on service providers involved in economic
26 development at the area, state, and federal level.

27 c. Coordinating delivery of all federal, state, and local
28 economic development programs and services within the area.

29 d. Assisting the regional coordinating council on
30 preparing and implementing an annual regional economic
31 development and coordination plan.

32 e. Overseeing the area center's computer system, and
33 computer data input, and maintaining and updating the
34 information, including the catalogue of products and services,
35 business profiles, the rural information and referral system,

1 community data, trade lead data and other relevant data
2 systems or networks available from the department or other
3 sources.

4 f. implementing the "try Iowa" trade lead program and the
5 international trade opportunities program.

6 g. Performing other duties and responsibilities assigned
7 to the area center by the primary center.

8 Sec. 4. NEW SECTION. 28.104 REGIONAL COORDINATING
9 COUNCILS.

10 1. The regional coordinating council of each economic
11 development service area consists of at least twelve members
12 who shall be selected from state and local government,
13 business, and education sectors within and representative of
14 the area. The business sector representation must represent
15 no less than one-half of the membership.

16 A regional coordinating council in existence prior to the
17 effective date of this Act shall continue under this statute.
18 The terms of office of the members and the appointment of the
19 members is governed by the bylaws adopted by the regional
20 coordinating council.

21 2. The regional coordinating council shall adopt annually
22 a regional economic development coordination plan prepared
23 pursuant to section 28.103, subsection 2, paragraph "c". The
24 plan shall be submitted to the department for approval before
25 its adoption. The council shall have an approved plan on file
26 with the department before the release of any state funds by
27 the department to that area. The plan shall include, but is
28 not limited to, a basic regional economic analysis; needs and
29 strategies for short-term and long-term regional development
30 efforts; an inventory of economic and community development
31 resources available in the area; an assessment of service
32 needs, an evaluation of how those needs are being met, and
33 recommendations on proposed new services; strategies for
34 coordinating the delivery of existing and new services in the
35 area; and a review of service and location consolidation

1 opportunities. If an organization described in section 28E.15
2 or chapter 473A is operational within the economic development
3 service area, the regional coordinating council shall consult
4 with that organization in the preparation of the plan. The
5 coordinator may contract with the organization for assistance
6 in preparation of the plan.

7 3. The regional coordinating councils shall cooperate with
8 the department in the implementation of a statewide system to
9 coordinate the delivery of economic programs and services. If
10 feasible, the council may recommend to the department a plan
11 for establishing a single location for service providers
12 within the area.

13 4. Each council shall elect a representative to serve on
14 the state advisory council for the state's strategic plan.

15 5. A regional coordinating council may enter into an
16 agreement under chapter 28E with other regional coordinating
17 councils for the purpose of fostering tourism or other
18 economic development activities within their area. Regional
19 coordinating councils are public agencies for purposes of
20 chapter 28E.

21 EXPLANATION

22 This bill creates the primary research and marketing center
23 for economic development programs and services. The purpose
24 of the primary center is to assist regional centers in
25 coordinating statewide and regional economic development
26 planning, coordinating the delivery of programs and services
27 with other economic development programs, conducting research
28 on market trends and strategies, providing information on
29 available Iowa business products and services, and providing a
30 marketing center for business. The department shall divide
31 the state into economic development service areas based upon
32 county lines with satellite centers established by the
33 director. The boundaries of the regions may be changed by the
34 director upon request of the affected regions. The bill
35 establishes the duties of the satellite centers and the

1 satellite center directors. The satellite center director
2 serves as a contact within the area to provide assistance to
3 businesses, communities, and others to obtain access to
4 programs.

5 The bill establishes a regional coordinating council for:
6 each area with at least twelve members selected from state and
7 local government, business, and education sectors within the
8 area. The appointment and terms of members are regulated by
9 bylaws of the regional coordinating councils. The council is
10 required to adopt a regional economic development program and
11 coordination plan. The plan shall be approved and filed with
12 the department of economic development prior to release of any
13 state funds by the department to the area.

14 The bill also requires coordination between the regional
15 coordinating councils and the department of economic
16 development. The regional councils may enter into chapter 28E
17 agreements with each other.

18 This program replaces the primary research and marketing
19 center program presently in section 28.101.

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HOUSE FILE 705

AN ACT

ESTABLISHING AN IOWA ECONOMIC DEVELOPMENT NETWORK AND RELATED COUNCILS AND CENTERS TO ASSIST IN MAKING AVAILABLE ECONOMIC DEVELOPMENT PROGRAMS AND SERVICES

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

Section 1. Section 15.100, subsection 3, paragraph a, subparagraph (2), Code Supplement 1989, is amended by striking the subparagraph.

Sec. 2. Section 15.264, subsection 3, Code 1989, is amended by striking the subsection.

Sec. 3. NEW SECTION. 15.301 TITLE.

This part shall be known as the "Iowa Economic Development Network Act".

Sec. 4. NEW SECTION. 15.302 PURPOSE -- INTENT.

1. The purpose of the Iowa economic development network is to create and stimulate economic opportunity through planning and technical assistance and support to entrepreneurs and existing business in the state.

2. It is the intent of the general assembly to make available and coordinate economic development services and programs to assist individuals, businesses, and communities through the Iowa economic development network.

Sec. 5. NEW SECTION. 15.303 ESTABLISHMENT OF IOWA ECONOMIC DEVELOPMENT NETWORK -- DUTIES OF DIRECTOR.

1. The Iowa economic development network is established in the department of economic development. The director of the department of economic development is the executive director of the Iowa economic development network.

2. The director shall do all of the following:

a. Establish a primary center for economic development programs and services.

b. Establish a state-wide system of regional economic development centers.

c. Establish regional coordinating councils to coordinate the regional delivery of economic development programs and services to businesses and the operation of the regional economic development centers.

d. Cooperate with the councils of governments, merged area schools, small business development centers, the center for industrial research and service, the Iowa quality coalition, other service providers, and new and existing businesses in the state to fulfill the purposes of the Iowa economic development network.

Sec. 6. NEW SECTION. 15.304 IOWA ECONOMIC DEVELOPMENT NETWORK -- DUTIES.

The Iowa economic development network shall do all of the following:

1. Coordinate the delivery of economic development and community development programs and services with other local, regional, state, and federal programs and activities.

2. Provide leadership and support in the development and implementation of statewide, regional, and local economic and community development planning efforts.

3. Provide information and data to Iowa businesses, communities, and individuals through a central registry.

4. Provide coordination, assistance, and support for the operation of regional economic development centers, and regional coordinating councils.

5. Establish, in coordination with the Iowa economic development training program, a professional development training and education curriculum that will implement a certification program for administrators and employees of the regional economic development centers and which would be available to the administrators and employees of the department and other interested persons.

Sec. 7. NEW SECTION 15.305 REGIONAL COORDINATING COUNCILS - DUTIES.

1. For purposes of the Iowa economic development network, the state is divided into fifteen regions. The boundaries of the regions are contiguous to the boundaries established for the merged areas under chapter 280A. Each region shall establish a regional coordinating council.

2. The director of the department of economic development shall contract with each regional coordinating council to provide economic development programs and services to businesses in the area. The contract shall include but is not limited to the following.

a. Establishment and operation of a regional economic development center within each region. The department may authorize and provide supplemental funding for a subcenter of the regional economic development center within the merged area upon application by the regional coordinating council. A subcenter shall be based upon demographic and geographic considerations that are adopted by the department.

b. Employment of an administrator and other personnel to operate the regional economic development center. The contract shall include responsibilities and duties of the administrator and other personnel, wage and benefit provisions, and performance measures related to the operation of the regional economic development center.

c. An annual budget for the operation of the regional economic development center including a provision to transfer funds from the department to the regional coordinating council or its designee, as agreed upon by the regional coordinating council and the director. The budget shall reflect the work plan of the regional coordinating council and the regional economic development center to implement the intent and purposes of the Iowa economic development network.

d. Authorization for a regional coordinating council to enter into agreements to obtain necessary facilities or other support services for the regional economic development center.

3. Membership of the regional coordinating council shall consist of at least twelve members who shall be representative of education, government, business and industry, labor, and service organizations in the merged area. Private sector representation shall comprise at least one-half of the membership. Service providers serving a substantial portion of the merged area may have a representative on the regional coordinating council. The appointment and terms of office of the members shall be governed by bylaws adopted by each regional coordinating council.

4. A director, officer, employee, member, trustee, or volunteer, of a regional coordinating council is not liable for the debts or obligations of the regional coordinating council and a director, officer, employee, member, trustee, or volunteer is not personally liable for a claim based upon an act or omission of the person performed in the discharge of the person's duties, except for acts or omissions which involve intentional misconduct or known violation of the law, or for a transaction from which the person derives an improper personal benefit.

5. The regional coordinating councils shall do all of the following:

a. Adopt a multiyear regional business assistance work plan to implement the purposes of the Iowa economic development network and guide the operation of the regional economic development center in the delivery of programs and services to businesses in the region and provide annual updates. The work plan may include other activities specifically designed to meet the needs of businesses in the region. The regional coordinating council may consult with service providers within the region in the preparation and adoption of the work plan and may contract with one or more service providers in its preparation. The work plan shall be submitted to the department for review and comment before the adoption of the work plan by the regional coordinating

council. Before the release of any state funds by the department for operation of a regional economic development center, the work plan shall be approved by the department.

b. Establish and operate a regional economic development center to implement the goals and objectives established in the work plan and deliver economic development programs and services to businesses in the region.

c. Cooperate with the department to promote local, regional, and statewide service delivery systems, to coordinate the delivery of economic development programs and services to businesses in the region, and to participate in the Iowa economic development network.

d. Elect annually a representative to serve on the advisory council established by the department to provide input on the review and update of the state's economic development strategic plan.

e. Conduct an annual inventory of business assistance service providers to businesses within the region and provide a matrix of available technical services to the department.

f. Meet at least quarterly with the board of directors or their designees of the merged area school, any councils of governments serving a substantial portion of the region, and representatives of any small business development center, incubator, representatives of any area quality council, and the center for industrial research and service serving the region to share information, develop plans and programs, and coordinate the delivery of services within the region.

Sec. 9. NEW SECTION. 15.306 PRIMARY CENTER FOR ECONOMIC DEVELOPMENT PROGRAMS AND SERVICES.

A primary center for economic development programs and services is established in the department of economic development. The primary center shall do all of the following:

1. Implement a comprehensive statewide economic development planning process and provide leadership.

coordination, and support to regional and local economic and community development planning efforts.

2. Implement the activities of the Iowa economic development network and coordinate the delivery of economic development and community development programs and services with other local, regional, state, and federal programs and activities.

3. Coordinate planning efforts of the regional coordinating councils in the preparation of annual regional business assistance work plans and provide technical assistance and support to the regional economic development centers.

4. Collect and analyze information and data, develop databases, and perform research to keep abreast of Iowa's present economic base, changing market demands, and emerging trends including identification of targeted markets and development of marketing strategies.

5. Establish a database of products and services available from Iowa businesses to provide businesses with a source for locating buyers for or suppliers of their products and services and utilize the database to provide a noncommissioned brokerage service for facilitating trade by Iowa businesses

6. Establish a database of community and economic information to aid local, regional, and statewide community development and economic development planning and service delivery efforts.

Sec. 9. NEW SECTION. 15.307 REGIONAL ECONOMIC DEVELOPMENT CENTERS.

1. A regional economic development center shall create and stimulate economic development by assisting and supporting entrepreneurs and businesses in the region.

2. A regional economic development center shall do all of the following:

4. Provide outreach to entrepreneurs and businesses and function as a clearinghouse and referral center for

information on business assistance programs and services. The regional economic development center shall serve as a liaison between businesses in the region and the Wallace technology transfer foundation of Iowa, the Internet foundation, the department, and other business assistance service providers for the purpose of fostering science and technology transfer and international trade opportunities.

b. Develop a support network to create and promote entrepreneurship, business retention, business development, and business expansion within the region.

c. Maintain ongoing communication with other business assistance service providers in the region and coordinate the delivery of programs and services between the service providers and businesses.

d. Assist the regional coordinating council in preparing and implementing the annual regional business assistance work plan and inventory of business assistance service providers.

e. Provide the regional link for the database and information systems of the Iowa economic development network and the primary center. In providing the regional link, the regional economic development center shall do all of the following:

(1) Implement and utilize the department's domestic and international trade lead programs to facilitate trade opportunities for businesses in the region, including updating information for the catalog of products and services, maintaining and updating business profiles, and providing trade lead data.

(2) Provide information and referral to individuals and businesses about available programs and services.

(3) Cooperate with service providers and the primary center in the development and maintenance of a state-wide community database.

(4) Provide other information and data concerning the region to the primary center or other sources.

f. Perform other related duties and responsibilities assigned to the regional economic development center as agreed upon in the contract entered into between the department and the regional coordinating council.

Sec. 10. NEW SECTION. 15.308 COMMUNITY BUILDER PROGRAM.

1. A community builder program is established in the Iowa department of economic development. The purpose of the program is to encourage a city, cluster of cities, county, group of counties, unincorporated community or group of unincorporated communities to implement planning efforts for community, business, and economic development.

2. A city, cluster of cities, county, group of counties, unincorporated community or group of unincorporated communities which participate and receive certification under this program may be eligible for additional consideration under the following state financial assistance programs:

a. The community economic betterment account under section 99E 32.

b. The community development block grant program.

c. The rural community 2000 program under chapter 15.

d. Recycling projects under section 455D.15

e. Revitalize Iowa's sound economy fund under chapter 115.

f. Programs administered by the Iowa finance authority under chapter 220.

g. Water, conservation, or any resource enhancement and protection program under the control of the department of natural resources.

3. A department administering a program under subsection 2 shall adopt administrative rules providing bonus points of not less than five percent and not more than twenty percent of the points available under the program for certified participants under this section.

4. A city, cluster of cities, county, group of counties, unincorporated community or group of unincorporated communities not yet certified under this section but awarded a

grant or initiative from the state shall initiate a process to establish a community builder program within six months of the award, to be completed within three years of the receipt of the award.

5. A city, cluster of cities, county, group of counties, unincorporated community, or group of unincorporated communities shall submit a community builder program to the regional coordinating council for coordination, review, and consent and to the department for certification.

6. A community builder program shall include, but is not limited to, all of the following information:

a. A plan to improve infrastructure, cultural and fine arts resources, housing, primary health care services, and natural resources, conservation, and recreational facilities. The plan shall include a prioritization of identified needs.

b. A community database including an inventory and assessment of infrastructure, cultural and fine arts resources, housing, primary health care services, and natural resources, conservation and recreational facilities. The database shall also include an assessment of applicants' participation in a county or regional economic development plan.

c. A five-year community economic development strategic plan designed to meet the needs of the community.

d. A list of local community programs to encourage economic development including public and private financial resources, an analysis of current and potential local tax revenues, and tax abatement programs.

e. A county or regional survey of the available employment and labor force.

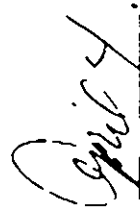
7. Contingent on the availability of funding for this purpose, the department may enter into a contract with service providers to provide technical assistance to a city, cluster of cities, county, group of counties, or unincorporated community, or group of unincorporated communities participating in a community builder program.

8. The department shall adopt administrative rules pursuant to chapter 17A to administer this division. Sec. 11 Section 28.101, Code 1989, is repealed.

DONALD D. AVERSON
Speaker of the House

JO ANN ZIMMERMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 705, Seventy-third General Assembly.



JOSEPH O'BRIEN
Chief Clerk of the House
Approved _____, 1990

TERRY E. BRANSTAD
Governor