

3/24/98 Rereferred To: Economic Dev.

FEB 9 1998

Place On Calendar

HOUSE FILE 2167
BY COMMITTEE ON ECONOMIC
DEVELOPMENT

(SUCCESSOR TO HSB 536)

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

A BILL FOR

1 An Act relating to a successor corporation to the Wallace
2 technology transfer foundation of Iowa and providing an
3 effective date.

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

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HF 2167

1 Section 1. Section 15E.153, Code 1997, is amended to read
2 as follows:

3 15E.153 AUTHORIZED CORPORATION.

4 ~~A-Wallace-technology-transfer-foundation-of-Iowa-shall-be~~
5 incorporated The department of economic development may
6 organize a corporation under chapter 504A as a successor to
7 the entity incorporated under this section prior to the
8 effective date of this Act. The foundation corporation shall
9 not be regarded as a state agency, except for purposes of
10 chapter ~~17A~~ 8D. A member of the board of directors is not
11 considered a state employee, except for purposes of chapter
12 669. A natural person employed by the foundation corporation
13 is a state employee for purposes of the Iowa public employees'
14 retirement system, state health and dental plans, and other
15 state employee benefits plans and chapter 669. Chapters 8,
16 18, 19A, and 20, and other provisions of law that relate to
17 requirements or restrictions dealing with state personnel or
18 state funds, do not apply to the foundation-and corporation or
19 any employees of the board-or-the-foundation corporation
20 except to the extent provided in this division of this
21 chapter.

22 Sec. 2. Section 15E.154, Code 1997, is amended by striking
23 the section and inserting in lieu thereof the following:

24 15E.154 ORGANIZATIONAL STRUCTURE.

25 The membership of the board of directors and other matters
26 relating to the corporation shall be established according to
27 the articles of incorporation and bylaws of the corporation.

28 Sec. 3. Section 159A.3, subsections 4 and 5, Code 1997,
29 are amended to read as follows:

30 4. The office shall ~~cooperate-with-the-Wallace-technology~~
31 ~~transfer-foundation-of-Iowa-in-formulating~~ formulate long-
32 range strategic plans to guide state investment in applied
33 research, development, and commercial transfer of selected
34 scientific and technological innovation relating to renewable
35 fuels and energy sources and coproducts technology.

1 5. The office and state entities, including the
2 department, the committee, the Iowa department of economic
3 development, the state department of transportation, the
4 department of natural resources, and state board of regents
5 institutions, ~~and the Wallace technology transfer foundation~~
6 ~~of Iowa~~, shall cooperate to implement this section.

7 Sec. 4. Sections 15E.152, 15E.155, 15E.157, 15E.158,
8 15E.159, 15E.160, 15E.161, 15E.165, and 15E.166, Code 1997,
9 are repealed.

10 Sec. 5. It is the intent of the general assembly to
11 support the continued existence of a quasi-public, nonprofit
12 corporation similar in structure to the Wallace technology
13 transfer foundation of Iowa so that such a corporation
14 structure may be used for future economic development purposes
15 by the department of economic development. The Wallace
16 technology transfer foundation of Iowa board of directors
17 serving immediately prior to the effective date of this Act
18 shall consult with the department of economic development to
19 determine and implement the appropriate modification to the
20 articles of incorporation and bylaws to carry out the intent
21 and provisions of this Act. The corporation shall only
22 perform functions authorized by the general assembly by law.

23 Sec. 6. EFFECTIVE DATE. This Act, being deemed of
24 immediate importance, takes effect upon enactment.

25 EXPLANATION

26 This bill removes all references in the Code to the Wallace
27 technology transfer foundation of Iowa. The bill provides the
28 department of economic development with the ability to form a
29 successor corporation to the foundation which may be used for
30 future economic development purposes. The successor
31 corporation shall not be considered a state agency except for
32 purposes of chapter 8D, which relates to the Iowa
33 communications network. The bill provides that the
34 organizational structure of the successor corporation shall be
35 established by the articles of incorporation and bylaws of the

1 successor corporation.

2 The bill requires the Wallace technology transfer
3 foundation of Iowa board of directors to consult with the
4 department to determine and implement the appropriate
5 modification to the articles of incorporation and bylaws to
6 carry out the intent of this bill. The corporation shall only
7 perform functions authorized by the general assembly by law.

8 The bill provides for an immediate effective date.

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H-8405

1 Amend House File 2167 as follows:

2 1. Page 1, line 5, by inserting after the word
3 "incorporated" the following: "1."

4 2. Page 1, line 8, by inserting after the word
5 "Act." the following: "The corporation may engage in
6 activities authorized in this section; however, the
7 corporation shall not request or seek any direct
8 appropriation from the general assembly to support its
9 operation."

10 3. Page 1, by inserting after line 21 the
11 following:

12 "2. The corporation is authorized to exercise any
13 power granted under chapter 504A and may engage in any
14 activity intended to accomplish any of the following
15 goals:

16 a. Development and promotion of the economy of the
17 state.

18 b. Creation of high quality jobs and a high
19 quality of life.

20 c. Enhancement of the skills of the workforce in
21 the state.

22 d. The building of capacity in communities of the
23 state for economic growth.

24 e. Improvement of the quality and efficiency of
25 government services.

26 3. The department of economic development and the
27 corporation shall jointly submit an annual report to
28 the general assembly concerning the activities of the
29 corporation."

30 4. Page 2, by striking lines 21 and 22 and
31 inserting the following: "and provisions of this
32 Act."

33 5. By renumbering as necessary.

By TEIG of Hamilton

H-8405 FILED MARCH 16, 1998

HOUSE FILE 2167

H-8024

1 Amend House File 2167 as follows:

2 1. Page 1, line 21, by inserting after the word
3 "chapter." the following: "The corporation shall only
4 perform functions authorized by the general assembly
5 by law."

6 2. Page 2, by striking lines 21 through 22 and
7 inserting the following: "and provisions of this
8 Act."

By WEIGEL of Chickasaw

H-8024 FILED FEBRUARY 10, 1998

Teig, Ch
Larson
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HSB 536

ECONOMIC DEVELOPMENT

Succeeded By

SF (HF) 2/67

SENATE/HOUSE FILE

BY (PROPOSED DEPARTMENT OF

ECONOMIC DEVELOPMENT BILL)

Passed Senate, Date _____

Passed House, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved _____

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MEMORANDUM ON PROPOSED LEGISLATION

TO: Members of the Iowa General Assembly
FROM: Iowa Department of Economic Development
DATE: January 12, 1997
RE: Wallace Technology Transfer Foundation

Wallace Technology Transfer Foundation

The Iowa Department of Economic Development is requesting the removal of all sections of the Iowa Code pertaining to the creation and authorized duties of the Wallace Technology Transfer Foundation. The last appropriation received by the foundation was in FY96.

The proposed language also allows the Iowa Department of Economic Development to maintain the states investment in the creation of the corporate shell and preserve the structure for future use.