

House File 762

Bill Text

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HOUSE FILE 762

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AN ACT

1 5 RELATING TO STATE GOVERNMENT TECHNOLOGY AND OPERATIONS, BY

1 6 MAKING AND RELATING TO APPROPRIATIONS TO THE IOWA

1 7 COMMUNICATIONS NETWORK FOR THE SUPPORT OF CERTAIN PART III

1 8 USERS, MAKING APPROPRIATIONS TO VARIOUS ENTITIES FOR OTHER

1 9 TECHNOLOGY-RELATED PURPOSES, PROVIDING FOR THE PROCUREMENT

1 10 OF INFORMATION TECHNOLOGY, PROVIDING FOR THE USE OF THE

1 11 NETWORK, PROVIDING FOR ELECTRONIC ACCESS TO PUBLIC INFORMA-

1 12 TION BY CREATING AN IOWACCESS NETWORK, AUTHORIZING FEES,

1 13 AND PROVIDING AN EFFECTIVE DATE.

1 14

1 15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 16

1 17

DIVISION I

1 18 Section 1. TREASURER OF STATE. There is appropriated from

1 19 the general fund of the state to the treasurer of state for

1 20 the fiscal year beginning July 1, 1999, and ending June 30,

1 21 2000, the following amount, or so much thereof as is

1 22 necessary, to be used for the purpose designated:

1 23 For debt service:

1 24 \$ 12,861,000

1 25 Funds appropriated in this section shall be deposited in a

1 26 separate fund established in the office of the treasurer of

1 27 state, to be used solely for debt service for the Iowa

1 28 communications network. The Iowa telecommunications and

1 29 technology commission shall certify to the treasurer of state

1 30 when a debt service payment is due, and upon receipt of the

1 31 certification the treasurer shall make the payment. The

1 32 commission shall pay any additional amount due from funds

1 33 deposited in the Iowa communications network fund.

1 34 Sec. 2. IOWA COMMUNICATIONS NETWORK OPERATIONS.

1 35 1. There is appropriated from the general fund of the

2 1 state to the Iowa telecommunications and technology commission

2 2 for the fiscal year beginning July 1, 1999, and ending June

2 3 30, 2000, the following amounts, or so much thereof as is

2 4 necessary, to be used for the purposes designated in this

2 5 subsection:

2 6 For operations of the network consistent with chapter 8D

2 7 and for the following full-time equivalent positions:

2 8 \$ 3,435,000

2 9 FTEs 100.00

2 10 2. Notwithstanding section 8.57, subsection 5, paragraph

2 11 "c", there is appropriated from the rebuild Iowa

2 12 infrastructure fund to the Iowa telecommunications and

2 13 technology commission for the fiscal year beginning July 1,

2 14 1999, and ending June 30, 2000, the following amount, or so

2 15 much thereof as is necessary, to be used for the purposes

2 16 designated:

2 17 To the Iowa telecommunications and technology commission to

2 18 be used solely for maintenance and lease costs associated with

2 19 Part III connections:

2 20 \$ 2,681,685

2 21 It is the intent of the general assembly that moneys

2 22 appropriated in this section shall be used solely for the
2 23 purpose indicated and that the moneys shall not be transferred
2 24 for any other purpose.

2 25 3. Notwithstanding section 8.33 or 8.39, moneys
2 26 appropriated in this section which remain unobligated or
2 27 unexpended at the close of the fiscal year shall not revert to
2 28 the general fund of the state but shall remain available for
2 29 the purposes designated in the succeeding fiscal year, and
2 30 shall not be transferred to any other program.

2 31 4. a. It is the intent of the general assembly that the
2 32 Iowa telecommunications and technology commission annually
2 33 review the hourly rates established, as provided in section
2 34 8D.3, subsection 3, paragraph "i", consistent with this
2 35 paragraph. Such rates shall be established in a manner to
3 1 minimize any subsidy provided through state general fund
3 2 appropriations.

3 3 b. Notwithstanding paragraph "a", the general assembly
3 4 declares its support for, and that it is the intent of the
3 5 general assembly to continue, subsidization of video rates
3 6 charged to libraries, public or nonpublic schools for grades
3 7 kindergarten through twelve, private universities and
3 8 colleges, community colleges, and institutions under the
3 9 control of the state board of regents. Except for original
3 10 debt service, the Iowa telecommunications and technology
3 11 commission shall develop and implement a long-term plan for
3 12 establishing rates that will eliminate, by June 30, 2007, the
3 13 need for legislatively appropriated funds to be used for
3 14 subsidization of network costs for authorized users other than
3 15 the network costs associated with video rates charged to
3 16 public or nonpublic schools for grades kindergarten through
3 17 twelve, private universities and colleges, community colleges,
3 18 and institutions under the control of the state board of
3 19 regents.

3 20 5. By no later than July 1, 1999, the staff of the Iowa
3 21 telecommunications and technology commission shall establish
3 22 budget units and accounts using the state budget system and
3 23 the Iowa finance and accounting system as determined jointly
3 24 by the department of management and the legislative fiscal
3 25 bureau.

3 26 Sec. 3. PUBLIC BROADCASTING. There is appropriated from
3 27 the general fund of the state to the public broadcasting
3 28 division of the department of education for the fiscal year
3 29 beginning July 1, 1999, and ending June 30, 2000, the
3 30 following amount, or so much thereof as is necessary, to be
3 31 used for the purposes designated in subsections 1 and 2 and
3 32 for the following full-time equivalent positions:

3 33	\$	2,327,217
3 34	FTEs	9.00

3 35 1. Of the amount appropriated, \$469,025 shall be expended
4 1 by the public broadcasting division of the department of
4 2 education to provide support for functions related to the
4 3 network, including but not limited to the following functions:
4 4 development of distance learning applications; development of
4 5 a central information source on the Internet relating to
4 6 educational uses of the network; second-line technical support
4 7 for network sites; testing and initializing sites onto the
4 8 network; and coordinating the work of the education
4 9 telecommunications council.

4 10 2. Of the amount appropriated, \$1,858,192 shall be
4 11 allocated by the public broadcasting division of the
4 12 department of education to the regional telecommunications
4 13 councils established in section 8D.5. The regional
4 14 telecommunications councils shall use the funds to provide
4 15 technical assistance for network classrooms, planning and
4 16 troubleshooting for local area networks, scheduling of video
4 17 sites, and other related support activities.

4 18 Sec. 4. DEPARTMENT OF GENERAL SERVICES. There is

4 19 appropriated from the general fund of the state to the
4 20 division of information technology services of the department
4 21 of general services for the fiscal year beginning July 1,
4 22 1999, and ending June 30, 2000, the following amount, or so
4 23 much thereof as is necessary, to be used for the purpose
4 24 designated:

4 25 For the purpose of providing information technology
4 26 services to state agencies and for the following full-time
4 27 equivalent positions:
4 28 \$ 4,719,993
4 29 FTEs 155.61

4 30 Sec. 5. REVERSION TECHNOLOGY INITIATIVES ACCOUNT.

4 31 1. The reversion technology initiatives account
4 32 established pursuant to 1998 Iowa Acts, chapter 1224, section
4 33 7, subsection 1, shall continue to be maintained in the office
4 34 of the treasurer of state under the control of the division of
4 35 information technology services of the department of general
5 1 services and shall be used for the purpose of supporting
5 2 various technology programs as provided in this section.

5 3 Notwithstanding the distribution formula contained in
5 4 section 8.62 for an operational appropriation which remains
5 5 unexpended or unencumbered for the fiscal year beginning July
5 6 1, 1998, 75 percent of the unexpended or unencumbered moneys
5 7 subject to section 8.62 are appropriated to the reversion
5 8 technology initiatives account. The remaining 25 percent of
5 9 such moneys shall remain with the entity to which the
5 10 operational appropriation was made. Notwithstanding section
5 11 8.33, for an appropriation other than an operational
5 12 appropriation as provided in section 8.62 which remains
5 13 unencumbered for the fiscal year beginning July 1, 1998, 100
5 14 percent of the unexpended or unencumbered moneys are
5 15 appropriated to the reversion technology initiatives account.

5 16 2. After the fiscal year beginning on July 1, 1999, and
5 17 ending on June 30, 2000, moneys appropriated to the reversion
5 18 technology initiatives account shall not be appropriated from
5 19 amounts which are subject to reversion pursuant to section
5 20 8.62.

5 21 3. Moneys in the reversion technology initiatives account
5 22 are allocated, to the extent available, in the descending
5 23 priority order for use during the fiscal year beginning July
5 24 1, 1999, and ending June 30, 2000, as follows:

5 25 a. To the public broadcasting division of the department
5 26 of education for the conversion to high definition television
5 27 broadcasts:
5 28 \$ 5,000,000

5 29 Notwithstanding section 8.33, moneys allocated to the
5 30 public broadcasting division of the department of education in
5 31 this paragraph "a" that remain unencumbered or unobligated at
5 32 the close of the fiscal year shall not revert to the general
5 33 fund of the state but shall remain available for the purpose
5 34 designated in this paragraph "a" until the close of the
5 35 succeeding fiscal year.

6 1 b. To the department of agriculture and land stewardship
6 2 for the purchase of cell phones for all field staff in the
6 3 regulatory division, and for one-year service contracts
6 4 associated with the phones:
6 5 \$ 32,500

6 6 c. To the department of agriculture and land stewardship
6 7 for the purchase of computer and printer replacements for
6 8 field staff in the grain warehouse bureau:
6 9 \$ 28,975

6 10 d. To the department of human services for a welfare
6 11 reform system (TANF):
6 12 \$ 742,555

6 13 e. To the department of human services for a child support
6 14 recovery project:
6 15 \$ 1,131,976

6 16 f. To the division of criminal and juvenile justice
6 17 planning in the department of human rights for the creation of
6 18 a justice data warehouse:
6 19 \$ 500,000
6 20 Moneys appropriated under this paragraph shall only be used
6 21 for the lease of necessary computer equipment and related
6 22 expenses for the justice data warehouse. The division of
6 23 criminal and juvenile justice planning, in consultation with
6 24 the division of information technology services, shall include
6 25 in the budget requests for the division of criminal and
6 26 juvenile justice planning for the fiscal years beginning July
6 27 1, 2000, and July 1, 2001, funds to continue equipment
6 28 leasing, operations, and support for the justice data
6 29 warehouse.

6 30 g. To the department of education for electronic data
6 31 exchange (EASIER):
6 32 \$ 500,000

6 33 h. To the department of inspections and appeals for a
6 34 criminal history, single contact repository:
6 35 \$ 152,000

7 1 i. To the division of information technology services in
7 2 the department of general services for reengineering projects:
7 3 \$ 1,750,000
7 4 Of the amounts appropriated in this paragraph "i", \$750,000
7 5 shall be allocated as follows:

7 6 (1) One hundred thousand dollars for the development of a
7 7 business licensure center for the department of economic
7 8 development.

7 9 (2) Five hundred thousand dollars for a community
7 10 resources directory for the department of Iowa workforce
7 11 development.

7 12 (3) One hundred fifty thousand dollars for the
7 13 implementation of an enterprise-wide information security
7 14 system plan.

7 15 j. To the department of corrections for a department-wide
7 16 information system (ICON):
7 17 \$ 948,338

7 18 k. To the department of inspections and appeals for
7 19 implementation of a report card for state-licensed health care
7 20 facilities pursuant to section 135C.20A:
7 21 \$ 50,000

7 22 l. To the office of the governor for technology upgrades:
7 23 \$ 45,000

7 24 m. To the department of elder affairs for computer
7 25 hardware and software:
7 26 \$ 40,000

7 27 n. To the state board of regents for technology
7 28 improvement:
7 29 \$ 100,000

7 30 4. A department or agency receiving an appropriation under
7 31 subsection 3 shall consult with the division of information
7 32 technology services in the department of general services
7 33 regarding any technology purchase, lease, or contract, prior
7 34 to making a purchase or entering into a lease or contract.

7 35 5. Effective July 1, 2000, the division of information
8 1 technology in the department of general services shall not
8 2 deposit any additional moneys into the reversion technology
8 3 initiatives account, unless reauthorized to do so by the
8 4 general assembly during the 2000 regular session. Funds
8 5 allocated to a project pursuant to this section which are
8 6 encumbered prior to July 1, 2000, may be spent for the
8 7 specified purpose as provided in this Act. Funds which are
8 8 allocated but unencumbered as of July 1, 2000, shall revert to
8 9 the general fund.

8 10 6. The department of management, in cooperation with the
8 11 information technology services division of the department of
8 12 general services, shall develop a standard budget request form

8 13 for technology or business reengineering projects. A
8 14 department requesting funding for projects which will cost
8 15 more than \$100,000 shall use the request form. The form shall
8 16 require consistent reporting criteria including, but not
8 17 limited to, project description, project goals, project
8 18 performance measures, return on investment, cost, time frame,
8 19 funding sources, and customer base.

8 20 Sec. 6. INFORMATION TECHNOLOGY DEPARTMENT. It is the
8 21 intent of the general assembly that an information technology
8 22 department be created effective July 1, 2000. The mission of
8 23 this department is to foster the development and application
8 24 of information technology to improve the lives of Iowans.

8 25 The department shall consist of four divisions including
8 26 all of the following:

8 27 1. Planning, security, and standards division. This
8 28 division shall initially include IowAccess.

8 29 2. Customer support and training division.

8 30 3. Finance and administration division. In addition to
8 31 other duties, this division shall be given responsibility for
8 32 purchasing.

8 33 4. Information technology operations division.

8 34 The information technology department shall have a formal
8 35 noncontrolling link to the division of public broadcasting in
9 1 the department of education and the Iowa telecommunications
9 2 and technology commission, until such time as legislation is
9 3 enacted creating the information technology department and
9 4 otherwise setting forth the organizational relationship of the
9 5 information technology department with the division of public
9 6 broadcasting in the department of education and the Iowa
9 7 telecommunications and technology commission.

9 8 An information technology council shall be created to
9 9 provide recommendations to the director of the department
9 10 concerning departmental operations. The council shall consist
9 11 of no less than fifteen members and no more than twenty
9 12 members. Appointments to the council shall be made to provide
9 13 a diversity of interest, educational background, and
9 14 experience. The council shall include, in addition to other
9 15 appropriate individuals, a person representing the Iowa
9 16 communications network, a person representing IowAccess, and a
9 17 person representing the public broadcasting division in the
9 18 department of education.

9 19 The director of the information technology department shall
9 20 be appointed by the governor to a four-year term and be
9 21 subject to confirmation by the senate. The division
9 22 administrators of each of the five divisions in the
9 23 information technology department shall also be appointed by
9 24 the governor to three-year terms and be subject to
9 25 confirmation by the senate.

9 26 It is the intent of the general assembly that the structure
9 27 and operation of the information technology department be
9 28 reviewed by no later than during the 2001 regular session for
9 29 the purpose of determining, among other issues, if the intent
9 30 of the general assembly in creating the department has been
9 31 satisfied.

9 32 Sec. 7. TRANSITION TEAM ESTABLISHED APPROPRIATION.

9 33 1. a. A transition team shall be established for purposes
9 34 of developing a written proposal for submission to the general
9 35 assembly concerning the creation of the information technology
10 1 department. The written proposal shall be developed

10 2 consistent with section 6 of this Act. The transition team
10 3 shall be composed of the following members:

10 4 (1) The administrative head of the division of information
10 5 technology services in the department of general services, who
10 6 shall serve as chairperson of the transition team.

10 7 (2) Three designees of the governor.

10 8 (3) A person representing the Iowa communications network.

10 9 (4) A person representing the public broadcasting division

10 10 of department of education.

10 11 (5) A person representing the information management and
10 12 technology committee.

10 13 (6) Four members of the general assembly with not more
10 14 than one member from each chamber being from the same
10 15 political party. The two senators shall be designated by the
10 16 president of the senate after consultation with the majority
10 17 and minority leaders of the senate. The two representatives
10 18 shall be designated by the speaker of the house of
10 19 representatives after consultation with the majority and
10 20 minority leaders of the house of representatives. Legislative
10 21 members shall serve in an ex officio, nonvoting capacity. A
10 22 legislative member is eligible for per diem and expenses as
10 23 provided in section 2.10.

10 24 b. The department of management and the legislative fiscal
10 25 bureau shall provide staffing services to the transition team
10 26 at no cost to the transition team.

10 27 c. The transition team shall develop a request for
10 28 proposal for the purpose of retaining a consultant to assist
10 29 in developing and implementing the transition plan. The
10 30 transition plan shall include a proposed structure for the new
10 31 department; a plan to provide for the transfer of existing
10 32 public entities to the new department, including any interim
10 33 transition provisions; identification of potential savings
10 34 resulting from the consolidation of such public entities into
10 35 the department; and other items deemed necessary by the
11 1 transition team. The transition team shall submit a final
11 2 report in writing to the legislative oversight committee of
11 3 the legislative council by October 15, 1999.

11 4 2. There is appropriated from the general fund of the
11 5 state to the division of information technology services in
11 6 the department of general services for the fiscal year
11 7 beginning July 1, 1999, and ending June 30, 2000, the
11 8 following amount, or so much thereof as is necessary, to be
11 9 used for the purpose designated:

11 10 For the activities of the transition team created in
11 11 subsection 1, including the costs associated with any
11 12 consultant retained by the transition team to assist in its
11 13 duties:

11 14 \$ 200,000

11 15 Moneys appropriated pursuant to this subsection shall only
11 16 be used for payment of costs associated with the activities of
11 17 the transition team and shall not be transferred or used for
11 18 any other purpose by the division.

11 19 3. The director of the division of information technology
11 20 services shall develop a unified budget proposal for the
11 21 proposed information technology department. The initial
11 22 budget proposal shall be for the fiscal year beginning July 1,
11 23 2000, and ending June 30, 2001.

11 24 Sec. 8. Section 8D.3, subsection 3, Code 1999, is amended
11 25 by adding the following new paragraph:

11 26 NEW PARAGRAPH. k. Provide necessary telecommunications
11 27 cabling to provide state communications.

11 28 Sec. 9. Section 18.8, unnumbered paragraph 1, Code 1999,
11 29 is amended to read as follows:

11 30 The director shall provide necessary

~~telecommunications~~

11 31

~~cabling,~~

- lighting, fuel, and water services for the state
11 32 buildings and grounds located at the seat of government,
11 33 except the buildings and grounds referred to in section
11 34 216B.3, subsection 6.

11 35 Sec. 10. TRANSFER OF FULL-TIME EQUIVALENT POSITIONS AND

12 1 RELATED FUNDING.

12 2 1. Consistent with sections 8 and 9 of this Act, full-time
12 3 equivalent positions in the department of general services
12 4 associated with the provision of telecommunications cabling
12 5 and funding provided for such full-time equivalent positions
12 6 shall be moved from the department to the Iowa
12 7 telecommunications and technology commission.

12 8 2. Any funds in the telecommunications and electric
12 9 cabling revolving fund in the department of general services
12 10 shall be transferred to the commission to be used for the same
12 11 purposes. The commission shall eliminate the revolving fund
12 12 account upon completion of the merger of existing funds.

12 13 DIVISION II

12 14 Sec. 11. NEW SECTION. 18.187 IOWACCESS REVOLVING FUND.

12 15 An IowAccess revolving fund is created in the state
12 16 treasury. The revolving fund shall be administered by the
12 17 division and shall consist of moneys collected by the division
12 18 as fees, moneys appropriated by the general assembly, and any
12 19 other moneys obtained or accepted by the division for deposit
12 20 in the revolving fund. The proceeds of the revolving fund are
12 21 appropriated to and shall be used by the division to maintain,
12 22 develop, operate, and expand the IowAccess network consistent
12 23 with this chapter. The division shall submit an annual report
12 24 not later than January 31, to the members of the general
12 25 assembly and the legislative fiscal bureau, of the activities
12 26 funded by and expenditures made from the revolving fund during
12 27 the preceding fiscal year. Section 8.33 does not apply to any
12 28 moneys in the revolving fund and, notwithstanding section
12 29 12C.7, subsection 2, earnings or interest on moneys deposited
12 30 in the revolving fund shall be credited to the revolving fund.

12 31 Sec. 12. Section 22.3A, subsection 2, paragraph a, Code
12 32 1999, is amended to read as follows:

12 33 a.

~~If access to the data processing software is provided~~

12 34

~~to a person solely for the purpose of accessing a public~~

12 35

~~record, the~~

~~The amount charged for access to a public record~~

13 1 shall be not more than that required to recover direct
13 2 publication costs, including but not limited to editing,
13 3 compilation, and media production costs, incurred by the
13 4 government body in developing the data processing software,
13 5 and preparing the data processing software for transfer to the
13 6 person. The amount shall be in addition to any other fee
13 7 required to be paid under this chapter for the examination and
13 8 copying of a public record. If a person

~~requests the~~

13 9

~~reproduction of~~

~~accesses~~ a public record stored in an

13 10 electronic format that does not require formatting, editing,
13 11 or compiling to

~~reproduce~~

~~access~~ the public record, the charge

13 12 for providing the

~~reproduced~~

- accessed public record shall not
13 13 exceed the reasonable cost of

~~reproducing and transmitting~~

13 14 accessing that public record. The government body shall, if
13 15 requested, provide documentation which explains and justifies
13 16 the amount charged. This paragraph shall not apply to any
13 17 publication for which a price has been established pursuant to
13 18 another section, including section 7A.22.

13 19 Sec. 13. Section 321.491, unnumbered paragraph 2, Code
13 20 1999, is amended to read as follows:

13 21 Within ten days after the conviction or forfeiture of bail
13 22 of a person upon a charge of violating any provision of this
13 23 chapter or other law regulating the operation of vehicles on
13 24 highways every magistrate of the court or clerk of the
13 25 district court of record in which the conviction occurred or
13 26 bail was forfeited shall prepare and immediately forward to
13 27 the department an abstract of the record of the case. The
13 28 abstract of the record of the case must be certified by the
13 29 person preparing it to be true and correct. A certified
13 30 abstract of the record of the case prepared for the department
13 31 shall only be available to the public from the department. A
13 32 noncertified record of conviction or forfeiture of bail shall
13 33 be available to the public from the judicial branch. The
13 34 clerk of the district court shall collect a fee of fifty cents
13 35 for each

~~individual~~

- noncertified copy of any record of
14 1 conviction or forfeiture of bail furnished to any requestor

~~at~~

14 2

~~the clerk's office~~

- except

~~for~~

- the department or other local,
14 3 state, or federal government entity. Moneys collected under
14 4 this section shall be transferred to the department as a
14 5 repayment receipt, as defined in section 8.2, to enhance the
14 6 efficiency of the department to process records and
14 7 information between the department and the Iowa court
14 8 information system. Notwithstanding any other provision in
14 9 this section or chapter 22, the judicial branch shall be the
14 10 provider of public electronic access to the clerk's records of
14 11 convictions and forfeitures of bail through the Iowa court
14 12 information system and shall, if all such records are provided
14 13 monthly to a vendor,

~~the judicial branch shall~~

- collect a fee
14 14 from such vendor for the period beginning on July 1, 1997, and
14 15 ending on June 30, 1999, which is the greater of three
14 16 thousand dollars per month or the actual direct cost of
14 17 providing the records. On and after July 1, 1999, if all such
14 18 records are provided monthly to a vendor, the judicial branch
14 19 shall collect a fee from such vendor which is the greater of
14 20 ten thousand dollars per month or the actual direct cost of
14 21 providing the records.

14 22 Sec. 14. Section 321A.3, subsections 1, 2, and 7, Code
14 23 1999, are amended to read as follows:

14 24 1. The department shall upon request furnish any person a
14 25 certified abstract of the operating record of a person subject

14 26 to chapter 321, 321J, or this chapter. The abstract shall
14 27 also fully designate the motor vehicles, if any, registered in
14 28 the name of the person. If there is no record of a conviction
14 29 of the person having violated any law relating to the
14 30 operation of a motor vehicle or of any injury or damage caused
14 31 by the person, the department shall so certify. A fee of five
14 32 dollars and fifty cents shall be paid for each abstract except
14 33 for state, county, or city officials, court officials, public
14 34 transit officials, or other officials of a political
14 35 subdivision of the state. The department shall transfer the
15 1 moneys collected under this section to the treasurer of state
15 2 who shall credit to the general fund all moneys collected.
15 3 2. A sheriff may provide an abstract of the operating
15 4 record of a person to the person or an individual authorized
15 5 by the person. The sheriff shall charge a fee of five dollars
15 6 and fifty cents for each abstract which the sheriff shall
15 7 transfer to the department quarterly. The sheriff may charge
15 8 an additional fee sufficient to cover costs incurred by the
15 9 sheriff in producing the abstract.
15 10 7. Notwithstanding chapter 22 or any other law of this
15 11 state, except as provided in subsection 5, the department
15 12 shall not make available

~~an~~

- a certified operating record in a
15 13 manner which would result in a fee of less than that provided
15 14 under subsection 1. Should the department make available
15 15 certified copies of abstracts of operating records on magnetic
15 16 tape or on disk or through electronic data transfer, the five
15 17 dollar and fifty cent fee under subsection 1 applies to each
15 18 abstract supplied, and an additional access fee may be charged
15 19 for each abstract supplied through electronic data transfer.

15 20 Sec. 15. DIRECTIONS TO IOWACCESS ADVISORY COUNCIL. The
15 21 IowAccess advisory council established pursuant to executive
15 22 order number 66 signed May 21, 1998, shall by no later than
15 23 October 15, 1999, develop and make a written recommendation to
15 24 the legislative oversight committee concerning the
15 25 establishment of a permanent governing board for IowAccess and
15 26 the implementation of a fee-for-service-based model of
15 27 operation for the IowAccess network. The advisory council, in
15 28 developing the fee-for-service-based model of operation shall
15 29 consult with the director of the division of information
15 30 technology services in the department of general services.
15 31 In developing the fee-for-service-based model of operation,
15 32 the advisory council and the director of the division shall
15 33 not make any recommendations which would result in the
15 34 charging of a fee for information which can currently be
15 35 accessed without charge in a manner other than through
16 1 IowAccess. This section does not prohibit the charging of a
16 2 fee for accessing such free information through IowAccess.

DIVISION III

16 4 Sec. 16. FUNDING FOR IOWACCESS. Notwithstanding section
16 5 321A.3, subsection 1, for the fiscal year beginning July 1,
16 6 1999, and ending June 30, 2000, the first one million dollars
16 7 collected and transferred by the department to the treasurer
16 8 of state with respect to five dollar and fifty cent
16 9 transactions involving the furnishing of a certified abstract
16 10 of a vehicle operating record under section 321A.3, subsection
16 11 1, shall be transferred to the IowAccess revolving fund
16 12 created in section 18.187 and administered by the division of
16 13 information technology services of the department of general
16 14 services for the purposes of developing, implementing,
16 15 maintaining, and expanding electronic access to government
16 16 records in accordance with the requirements set forth in
16 17 chapter 18, division VII.

16 18 Sec. 17. 1997 Iowa Acts, chapter 210, section 10, is
16 19 amended by adding the following new subsection:

16 20 NEW SUBSECTION. 1A. Notwithstanding subsection 1, the
16 21 year 2000 program office, with the approval of the director of
16 22 the department of management, may allocate funds to the
16 23 emergency management division of the department of public
16 24 defense for projects identified by the emergency management
16 25 division of the department of public defense as necessary for
16 26 maintaining critical functions in state government during
16 27 implementation of the century date change.

16 28 Sec. 18. 1998 Iowa Acts, chapter 1224, section 7,
16 29 subsection 2, paragraphs b, c, k, m, n, p, r, and t, are
16 30 amended to read as follows:

16 31 b. To the department of human services for a child support
16 32 recovery systems development:
16 33 \$ 1,131,976

16 34 Notwithstanding section 8.33, moneys allocated to the
16 35 department of human services in paragraphs "a" and "b" which
17 1 remain unobligated and unexpended at the close of the fiscal
17 2 year shall not revert but shall remain available for the
17 3 purposes for which allocated in these paragraphs for the
17 4 fiscal year beginning July 1, 1999, and ending June 30, 2000.

17 5 c. To the department of workforce development for an
17 6 integrated information system:
17 7 \$ 2,513,000

17 8 Notwithstanding section 8.33, moneys allocated to the
17 9 department of workforce development in this paragraph "c"
17 10 which remain unobligated or unexpended at the close of the
17 11 fiscal year shall not revert to the general fund of the state
17 12 but shall remain available for the purpose designated in this
17 13 paragraph "c" in the succeeding fiscal year.

17 14 k. To the department of revenue and finance for telefiling
17 15 of tax returns:
17 16 \$ 150,000

17 17 Notwithstanding section 8.33, moneys allocated to the
17 18 department of revenue and finance in paragraphs "i", "j", and
17 19 "k" which remain unobligated or unexpended at the close of the
17 20 fiscal year shall not revert but shall remain available for
17 21 the purposes for which allocated in these paragraphs for the
17 22 fiscal year beginning July 1, 1999, and ending June 30, 2000.

17 23 m. To the Iowa communications network operations account
17 24 for use by the Iowa telecommunications and technology
17 25 commission

~~only~~
- for the replacement of optical components

~~of~~
-

17 26

~~the network which become unusable and which are necessary~~
- ~~or~~
17 27 conversion to new technology components for the

~~continued~~
-

17 28

~~operation and~~
- use of the network:

17 29 \$ 4,000,000

17 30 Notwithstanding section 8.33, moneys allocated to the Iowa
17 31 telecommunications and technology commission in this paragraph
17 32 "m", and any other funds appropriated to the commission, which
17 33 remain unobligated or unexpended at the close of the fiscal
17 34 year shall not revert but shall remain available for the
17 35 purpose designated in this paragraph "m" for the fiscal year
18 1 beginning July 1, 1999, and ending June 30, 2000.

18 2 The commission shall consult with the director of the
18 3 division of information technology services in the department
18 4 of general services concerning, and prior to, the replacement
18 5 of optical components or conversion to new technology
18 6 components. The commission and the director shall ensure, to
18 7 the extent possible, that such components comply with open
18 8 standards.

18 9 n. To the department of workforce development for a
18 10 sustaining community resource directory pilot project:
18 11 \$ 178,000

18 12 Notwithstanding section 8.33, moneys allocated to the
18 13 department of workforce development in this paragraph "n"
18 14 which remain unobligated or unexpended at the close of the
18 15 fiscal year shall not revert to the general fund of the state
18 16 but shall remain available for the purpose designated in this
18 17 paragraph "n" in the succeeding fiscal year.

18 18 p. To the department of inspections and appeals for the
18 19 office of public defender for an indigent defense claims
18 20 processing redesign project:
18 21 \$ 75,000

18 22 Notwithstanding section 8.33, moneys allocated to the
18 23 department of inspections and appeals for the office of public
18 24 defender in this paragraph "p" which remain unobligated or
18 25 unexpended at the close of the fiscal year shall not revert
18 26 but shall remain available for the purpose designated in this
18 27 paragraph "p" for the fiscal year beginning July 1, 1999, and
18 28 ending June 30, 2000.

18 29 r. To the department of general services for a purchasing
18 30 system:
18 31 \$ 2,500,000

18 32 Notwithstanding section 8.33, moneys allocated to the
18 33 department of general services in this paragraph "r" which
18 34 remain unobligated or unexpended at the close of the fiscal
18 35 year shall not revert but shall remain available for the
19 1 purpose designated in this paragraph "r" for the fiscal year
19 2 beginning July 1, 1999, and ending June 30, 2000.

19 3 t. To the department of public health for a telephone
19 4 verification system:
19 5 \$ 400,000

19 6 Notwithstanding section 8.33, moneys allocated to the
19 7 department of public health in this paragraph "t" which remain
19 8 unobligated or unexpended at the close of the fiscal year
19 9 shall not revert to the general fund of the state but shall
19 10 remain available for the purpose designated in this paragraph
19 11 "t" for the fiscal year beginning July 1, 1999, and ending
19 12 June 30, 2000.

19 13 Sec. 19. Notwithstanding chapter 22, information, plans,
19 14 data, or other communications, including emergency continuity
19 15 of operation plans, that are in the custody or control of
19 16 state governmental entities, and that are necessary to protect
19 17 the life, safety, or property of government employees or
19 18 persons in the care or custody of government entities shall be
19 19 considered to be confidential records under section 22.7 and
19 20 shall be kept confidential.

19 21 This section is repealed effective July 1, 2000.

19 22 Sec. 20. YEAR 2000 REPORTING.

19 23 1. Every department, institution under the control of the
19 24 board of regents, and office of a statewide elected official,
19 25 other than the governor, shall report monthly on forms as
19 26 provided by the year 2000 program office on the progress of
19 27 such department, regents institution, or office in
19 28 implementing century date change programming. Such reports
19 29 shall be submitted to the legislative oversight committee, the
19 30 legislative fiscal bureau, and the year 2000 program office.

19 31 2. The judicial branch shall report monthly on forms as
19 32 provided by the year 2000 program office on the progress of
19 33 the branch in implementing century date change programming.

19 34 Such report shall be submitted to the legislative oversight
19 35 committee.

20 1 3. The computer support bureau shall report monthly on
20 2 forms as provided by the year 2000 program office on the
20 3 progress of the bureau in implementing century date change
20 4 programming. Such report shall be submitted to the
20 5 legislative oversight committee.

20 6 Sec. 21. 1999 Iowa Acts, Senate File 468, section 4,
20 7 subsection 1, paragraph e, if enacted, is amended to read as
20 8 follows:

20 9 e. For the operation of the Mt. Pleasant correctional
20 10 facility, including salaries, support, maintenance, employment
20 11 of correctional officers and a full-time chaplain to provide
20 12 religious counseling at the Oakdale and Mt. Pleasant
20 13 correctional facilities, miscellaneous purposes, and for not
20 14 more than the following full-time equivalent positions:

20 15 \$ 20,529,274
20 16 FTEs

~~337.26~~

20 17 343.26

20 18 Sec. 22. EFFECTIVE DATE. Section 2, subsection 5,
20 19 sections 5, and 18, and section 7, subsection 1, of this Act,
20 20 relating to the use of the state budget system by the Iowa
20 21 telecommunications and technology commission, the reversion
20 22 technology initiatives account, amending 1998 Iowa Acts,
20 23 chapter 1224, section 7, and establishing an information
20 24 technology department transition team, respectively, being
20 25 deemed of immediate importance, take effect upon enactment.

20 26

20 27

20 28

20 29

BRENT SIEGRIST
Speaker of the House

20 30

20 31

20 32

20 33

20 34

MARY E. KRAMER
President of the Senate

20 35

21 1

21 2 I hereby certify that this bill originated in the House and
21 3 is known as House File 762, Seventy-eighth General Assembly.

21 4

21 5

21 6

21 7

ELIZABETH ISAACSON
Chief Clerk of the House

21 8

21 9 Approved _____, 1999

21 10

21 11

21 12

21 13 THOMAS J. VILSACK
21 14 Governor