

House Study Bill 742 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
CHAIRPERSON OLDSON)

A BILL FOR

1 An Act relating to and making, reducing, and transferring
2 appropriations to state departments and agencies from
3 the rebuild Iowa infrastructure fund, the technology
4 reinvestment fund, the revenue bonds capitals fund, the
5 revenue bonds capitals II fund, the FY 2009 prison bonding
6 fund, and other funds, creating the Iowa jobs II program,
7 and the revenue bonds federal subsidy holdback fund,
8 providing for related matters, and providing an effective
9 date.
10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

REBUILD IOWA INFRASTRUCTURE FUND

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

Section 1. There is appropriated from the rebuild Iowa infrastructure fund to the following departments and agencies for the fiscal year beginning July 1, 2010, and ending June 30, 2011, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. DEPARTMENT OF ADMINISTRATIVE SERVICES

a. For distribution to other governmental entities for the payment of services related to the integrated information for Iowa system, notwithstanding section 8.57, subsection 6, paragraph "c":

..... \$ 3,700,000

Moneys appropriated in this lettered paragraph shall be separately accounted for in a distribution account and shall be distributed to other governmental entities based upon a formula established by the department to pay for services associated with the integrated information for Iowa system provided during the fiscal year by the department.

During the fiscal year, the department may use up to \$1,000,000 of unexpended or unobligated funds in the information technology operations fund established under the provisions of section 8A.123 to provide funding for costs associated with the integrated information for Iowa system. By October 31, 2011, the department shall report to the department of management and the legislative services agency regarding any moneys that are used for this purpose.

b. For costs associated with Mercy capitol hospital building operations, notwithstanding section 8.57, subsection 6, paragraph "c":

..... \$ 1,083,175

Moneys appropriated in this paragraph shall not be used for purposes of the renovation of the Mercy capitol hospital building.

c. For the state's share of support in conjunction with

1 the city of Des Moines and local area businesses to provide
2 a free shuttle service to the citizens of Iowa that includes
3 transportation between the capitol complex and the downtown
4 Des Moines area, notwithstanding section 8.57, subsection 6,
5 paragraph "c":

6 \$ 200,000

7 Details for the shuttle service, including the route to
8 be served, shall be determined pursuant to an agreement to
9 be entered into by the department with the Des Moines area
10 regional transit authority (DART) and any other participating
11 entities.

12 Of the amount appropriated in this lettered paragraph, up to
13 \$50,000 shall be used to encourage state employees to utilize
14 transit services provided by the Des Moines area regional
15 transit authority.

16 2. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

17 For the administration of the watershed improvement review
18 board established in section 466A.3, notwithstanding section
19 8.57, subsection 6, paragraph "c":

20 \$ 50,000

21 3. DEPARTMENT FOR THE BLIND

22 For costs associated with universal access to audio
23 information over the phone on demand for blind and print
24 handicapped Iowans, notwithstanding section 8.57, subsection
25 6, paragraph "c":

26 \$ 20,000

27 4. DEPARTMENT OF CULTURAL AFFAIRS

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

32 \$ 60,000

33 b. For purposes of maintenance and repairs of historic
34 sites:

35 \$ 40,000

1 5. DEPARTMENT OF ECONOMIC DEVELOPMENT

2 a. For deposit in the workforce training and economic
3 development funds for each community college in section
4 260C.18A, notwithstanding section 8.57, subsection 6, paragraph
5 "c":

6 \$ 2,000,000

7 b. To the 6th avenue corridor for improvements to the
8 streetscape associated with the national mainstreet conference
9 and for additional architectural and engineering design
10 plans for economic development and community revitalization,
11 notwithstanding section 8.57, subsection 6, paragraph "c":

12 \$ 100,000

13 c. To develop site plans for the southeast Iowa regional
14 economic and port authority including plans for infrastructure
15 for economic development, notwithstanding section 8.57,
16 subsection 6, paragraph "c":

17 \$ 50,000

18 d. For equal distribution to regional sports authority
19 districts certified by the department pursuant to section
20 15E.321, notwithstanding section 8.57, subsection 6, paragraph
21 "c":

22 \$ 500,000

23 e. For administration and support of the world food prize
24 including the Borlaug/Ruan scholar program, notwithstanding
25 section 8.57, subsection 6, paragraph "c":

26 \$ 100,000

27 6. DEPARTMENT OF EDUCATION

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

32 \$ 500,000

33 Of the moneys appropriated in this subsection, \$50,000 shall
34 be allocated equally to each library service area.

35 7. DEPARTMENT OF NATURAL RESOURCES

1 a. For floodplain management and dam safety,
2 notwithstanding section 8.57, subsection 6, paragraph "c":
3 \$ 2,000,000

4 Of the amounts appropriated in this lettered paragraph,
5 up to \$400,000 is authorized for steam gages to be used
6 for tracking and predicting flood events and for compiling
7 necessary data relating to flood frequency analysis.

8 b. For costs associated with the construction of a permanent
9 structure for handicapped persons and senior citizens in a
10 county with a population between 37,150 and 37,250:

11 \$ 40,000

12 c. For costs associated with the hiring and employment of an
13 asset manager at Honey creek resort state park, notwithstanding
14 section 8.57, subsection 6, paragraph "c":

15 \$ 100,000

16 The department shall issue a request for proposals to
17 competitively procure the services of an asset manager which
18 shall be selected by the natural resource commission. The
19 asset manager shall have hospitality management experience
20 of at least five years including at least three years asset
21 management experience in a setting similar in size and quality
22 to the Honey creek resort state park with a similar type of
23 market. The duties and job responsibilities of the asset
24 manager shall include but are not limited to reviewing and
25 commenting on the resort's sales and marketing plan, providing
26 for the operation of the resort in a manner consistent with
27 the requirements and limitations set forth in the resort's
28 operating agreement, monitoring and supervising the resort
29 including site visits, and negotiating and recommending an
30 annual operating budget and budget plan. The asset manager
31 shall report to bond counsel, the governor, the Honey creek
32 authority, the department of natural resources, and the
33 legislative services agency.

34 8. DEPARTMENT OF PUBLIC DEFENSE

35 a. For major maintenance projects at national guard

1 armories and facilities:
2 \$ 1,500,000
3 b. For renovation and facility improvements at the Iowa
4 Falls readiness center:
5 \$ 500,000
6 c. For renovation and facility improvements at the Cedar
7 Rapids armed forces readiness center:
8 \$ 200,000
9 d. For renovation and facility improvements at the
10 Middletown readiness center:
11 \$ 100,000

12 9. DEPARTMENT OF PUBLIC HEALTH

13 For a grant to an existing national affiliated volunteer eye
14 organization that has an established program for children and
15 adults and that is solely dedicated to preserving sight and
16 preventing blindness through education, nationally certified
17 vision screening and training, community and patient service
18 programs, notwithstanding section 8.57, subsection 6, paragraph
19 "c":
20 \$ 100,000

21 10. IOWA FINANCE AUTHORITY

22 For transfer to the Polk county housing trust fund for the
23 construction of facilities to meet the specialized needs of
24 adult persons with severe and profound disabilities who have
25 high medical needs:
26 \$ 250,000

27 11. STATE BOARD OF REGENTS

28 a. For allocation by the state board of regents to the
29 state university of Iowa, the Iowa state university of
30 science and technology, and the university of northern Iowa to
31 reimburse the institutions for deficiencies in the operating
32 funds resulting from the pledging of tuition, student fees
33 and charges, and institutional income to finance the cost of
34 providing academic and administrative buildings and facilities
35 and utility services at the institutions, notwithstanding

1 section 8.57, subsection 6, paragraph "c":

2 \$ 24,305,412

3 b. For the Iowa flood center at the state university of Iowa
4 for use by the university's college of engineering, pursuant
5 to section 466C.1, notwithstanding section 8.57, subsection 6,
6 paragraph "c":

7 \$ 1,300,000

8 c. To Iowa state university of science and technology to
9 purchase veterinary surgical and other equipment to modernize
10 the animal care facilities at the blank park zoo as part of
11 a cooperative effort of blank park zoo and the college of
12 veterinary medicine, notwithstanding section 8.57, subsection
13 6, paragraph "c":

14 \$ 400,000

15 12. TREASURER OF STATE

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

19 \$ 1,060,000

20 13. DEPARTMENT OF TRANSPORTATION

21 For infrastructure improvements at general aviation airports
22 within the state:

23 \$ 750,000

24 14. DEPARTMENT OF VETERANS AFFAIRS

25 For transfer to the Iowa finance authority for the
26 continuation of the home ownership assistance program for
27 persons who are or were eligible members of the armed forces of
28 the United States, pursuant to section 16.54, notwithstanding
29 section 8.57, subsection 6, paragraph "c":

30 \$ 1,000,000

31 Sec. 2. There is appropriated from the rebuild Iowa
32 infrastructure fund to the following departments and agencies
33 for the following fiscal years, the following amounts, or so
34 much thereof as is necessary, to be used for the purposes
35 designated:

1 1. DEPARTMENT OF CORRECTIONS

2 For project management costs at Fort Madison and
3 Mitchellville prison, associated with construction projects at
4 the department, notwithstanding section 8.57, subsection 6,
5 paragraph "c":

6	FY 2011-2012.....	\$ 4,500,000
7	FY 2012-2013.....	\$ 1,000,000
8	FY 2013-2014.....	\$ 200,000

9 2. DEPARTMENT OF NATURAL RESOURCES

10 For state park infrastructure improvements:

11	FY 2011-2012.....	\$ 5,000,000
12	FY 2012-2013.....	\$ 5,000,000
13	FY 2013-2014.....	\$ 5,000,000
14	FY 2014-2015.....	\$ 5,000,000

15 Sec. 3. REVERSION. For purposes of section 8.33, unless
16 specifically provided otherwise, unencumbered or unobligated
17 moneys made from an appropriation in this division of this Act
18 shall not revert but shall remain available for expenditure for
19 the purposes designated until the close of the fiscal year that
20 ends three years after the end of the fiscal year for which the
21 appropriation was made. However, if the project or projects
22 for which such appropriation was made are completed in an
23 earlier fiscal year, unencumbered or unobligated moneys shall
24 revert at the close of that same fiscal year.

25 DIVISION II

26 TECHNOLOGY REINVESTMENT FUND

27 Sec. 4. There is appropriated from the technology
28 reinvestment fund created in section 8.57C to the following
29 departments and agencies for the fiscal year beginning July
30 1, 2010, and ending June 30, 2011, the following amounts, or
31 so much thereof as is necessary, to be used for the purposes
32 designated:

33 1. DEPARTMENT OF ADMINISTRATIVE SERVICES

34 For technology improvement projects:

35	\$ 3,793,654
----	-------	--------------

1 2. DEPARTMENT OF CORRECTIONS

2 For costs associated with the Iowa corrections offender
3 network data system:

4 \$ 500,000

5 3. DEPARTMENT OF EDUCATION

6 a. For maintenance and lease costs associated with
7 connections for Part III of the Iowa communications network:

8 \$ 2,727,000

9 b. For the implementation of an educational data warehouse
10 that will be utilized by teachers, parents, school district
11 administrators, area education agency staff, department of
12 education staff, and policymakers:

13 \$ 600,000

14 The department may use a portion of the moneys appropriated
15 in this lettered paragraph for an e-transcript data system
16 capable of tracking students throughout their education via
17 interconnectivity with multiple schools.

18 4. DEPARTMENT OF PUBLIC HEALTH

19 For deposit in the county mental health, mental retardation,
20 and developmental disabilities services fund created by section
21 331.424A in a county with a population over 350,000 for a
22 community mental health center created under chapter 230A which
23 serves only adults:

24 \$ 250,000

25 5. IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION

26 For replacement of equipment for the Iowa communications
27 network:

28 \$ 2,244,956

29 The commission may continue to enter into contracts pursuant
30 to section 8D.13 for the replacement of equipment and for
31 operations and maintenance costs of the network.

32 In addition to moneys appropriated in this subsection,
33 the commission may use a financing agreement entered into by
34 the treasurer of state in accordance with section 12.28 for
35 the replacement of equipment for the network. For purposes

1 of this subsection, the treasurer of state is not subject to
2 the maximum principal limitation contained in section 12.28,
3 subsection 6. Repayment of any amounts financed shall be made
4 from receipts associated with fees charged for use of the
5 network.

6 Sec. 5. REVERSION. For purposes of section 8.33, unless
7 specifically provided otherwise, unencumbered or unobligated
8 moneys made from an appropriation in this division of this Act
9 shall not revert but shall remain available for expenditure for
10 the purposes designated until the close of the fiscal year that
11 ends three years after the end of the fiscal year for which the
12 appropriation was made. However, if the project or projects
13 for which such appropriation was made are completed in an
14 earlier fiscal year, unencumbered or unobligated moneys shall
15 revert at the close of that same fiscal year.

16 DIVISION III

17 REVENUE BONDS CAPITALS FUND — APPROPRIATIONS

18 Sec. 6. There is appropriated from the revenue bonds
19 capitals fund created in section 12.88, to the following
20 departments and agencies for the fiscal year beginning July
21 1, 2010, and ending June 30, 2011, the following amounts, or
22 so much thereof as is necessary, to be used for the purposes
23 designated:

24 1. DEPARTMENT OF ADMINISTRATIVE SERVICES

25 For projects related to major repairs and major maintenance
26 for state buildings and facilities:

27 \$ 3,000,000

28 Moneys appropriated in this subsection shall not be used
29 for purposes of the renovation of the Mercy capitol hospital
30 building.

31 2. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

32 a. To the soil conservation division of the department
33 established in section 161A.4 to provide financial assistance
34 for the establishment of permanent soil and water conservation
35 practices:

1 \$ 1,000,000

2 b. Not more than 5 percent of the moneys appropriated
3 in paragraph "a" may be allocated for cost sharing to abate
4 complaints filed under section 161A.47.

5 c. Of the moneys appropriated in paragraph "a", 5 percent
6 shall be allocated for financial incentives to establish
7 practices to protect watersheds above publicly owned lakes of
8 the state from soil erosion and sediment as provided in section
9 161A.73.

10 d. Not more than 30 percent of a soil and water conservation
11 district's allocation of moneys as financial incentives may be
12 provided for the purpose of establishing management practices
13 to control soil erosion on land that is row cropped, including
14 but not limited to no-till planting, ridge-till planting,
15 contouring, and contour strip-cropping as provided in section
16 161A.73.

17 e. The state soil conservation committee created in section
18 161A.4 may allocate moneys appropriated in paragraph "a"
19 to conduct research and demonstration projects to promote
20 conservation tillage and nonpoint source pollution control
21 practices.

22 f. The allocation of moneys as financial incentives as
23 provided in section 161A.73 may be used in combination with
24 moneys allocated by the department of natural resources.

25 g. Moneys appropriated in this subsection shall not be used
26 for administrative or planning purposes.

27 3. DEPARTMENT OF CULTURAL AFFAIRS

28 For grants for Iowa great places program projects:
29 \$ 2,000,000

30 4. DEPARTMENT OF CORRECTIONS

31 a. For one-time costs associated with the opening of
32 community-based corrections facilities including the purchase
33 of equipment:
34 \$ 1,519,048

35 b. For use by a city with a population between 198,000 and

1 199,000 for a safety barrier to be constructed in the natural
2 environment between the fifth judicial district facility and
3 the blank park zoo:

4 \$ 1,000,000

5 c. For project management costs at Fort Madison and
6 Mitchellville prisons associated with construction projects at
7 the department:

8 \$ 2,200,000

9 5. DEPARTMENT OF NATURAL RESOURCES

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

14 \$ 7,000,000

15 Of the amount appropriated in this subsection, \$250,000
16 shall be allocated for dredging, reconstruction, and related
17 improvements of twin ponds adjacent to a nature center in a
18 county with a population between 13,050, and 13,100.

19 Of the amount appropriated in this subsection, \$2,000,000
20 shall be allocated for costs associated with dam construction;
21 shoreline protection; boat ramp, parking, and road
22 construction; and an in-lake fishing habitat development
23 project for a new state recreation area on a lake located in a
24 county with a population between 155,000 and 160,000.

25 6. STATE BOARD OF REGENTS

26 For phase II of the construction and renovation of the
27 veterinary medical facilities at Iowa state university of
28 science and technology, specifically the renovation and
29 modernization of the area formerly occupied by the large animal
30 area of the teaching hospital for expanded clinical services:

31 \$ 13,000,000

32 7. IOWA STATE FAIR

33 For infrastructure improvements to the Iowa state
34 fairgrounds including but not limited to the construction of an
35 agricultural exhibition center on the Iowa state fairgrounds:

1 \$ 2,500,000

2 8. IOWA FINANCE AUTHORITY

3 For grants for purposes of the housing trust fund created in
4 section 16.181:

5 \$ 2,000,000

6 Sec. 7. TAX-EXEMPT STATUS — USE OF APPROPRIATIONS.

7 1. Payment of moneys from the appropriations in this
8 division of this Act shall be made in a manner that does not
9 adversely affect the tax-exempt status of any outstanding bonds
10 issued by the treasurer of state.

11 2. Payment of moneys from the appropriations in this
12 division of this Act shall not be used for administrative or
13 planning purposes.

14 Sec. 8. REVERSION. For purposes of section 8.33, unless
15 specifically provided otherwise, unencumbered or unobligated
16 moneys made from an appropriation in this division of this Act
17 shall not revert but shall remain available for expenditure for
18 the purposes designated until the close of the fiscal year that
19 ends three years after the end of the fiscal year for which the
20 appropriation was made. However, if the project or projects
21 for which such appropriation was made are completed in an
22 earlier fiscal year, unencumbered or unobligated moneys shall
23 revert at the close of that same fiscal year.

24 DIVISION IV

25 REVENUE BONDS CAPITALS II FUND — APPROPRIATIONS

26 Sec. 9. NEW SECTION. 12.88A Revenue bonds capitals II fund.

27 1. A revenue bonds capitals II fund is created and
28 established as a separate and distinct fund in the state
29 treasury. The treasurer of state shall act as custodian of the
30 fund and disburse moneys contained in the fund.

31 2. Revenue for the revenue bonds capitals II fund shall
32 include but is not limited to the following, which shall be
33 deposited with the treasurer of state or the treasurer of
34 state's designee as provided by any bond or security documents
35 and credited to the fund:

1 a. The net proceeds of bonds issued after July 1, 2010,
2 pursuant to section 12.87 other than bonds issued for the
3 purpose of refunding such bonds, and investment earnings on the
4 net proceeds.

5 b. Interest attributable to investment of moneys in the fund
6 or an account of the fund.

7 c. Moneys in the form of a devise, gift, bequest, donation,
8 federal or other grant, reimbursement, repayment, judgment,
9 transfer, payment, or appropriation from any source intended to
10 be used for the purposes of the fund.

11 3. Moneys in the revenue bonds capitals II fund are not
12 subject to section 8.33. Notwithstanding section 12C.7,
13 subsection 2, interest or earnings on moneys in the fund shall
14 be credited to the fund.

15 4. Annually, on or before January 15 of each year, a state
16 agency that received an appropriation from the revenue bonds
17 capitals II fund shall report to the legislative services
18 agency and the department of management the status of all
19 projects completed or in progress. The report shall include
20 a description of the project, the work completed, the total
21 estimated cost of the project, a list of all revenue sources
22 being used to fund the project, the amount of funds expended,
23 the amount of funds obligated, and the date the project was
24 completed or an estimated completion date of the project, where
25 applicable.

26 Sec. 10. There is appropriated from the revenue bonds
27 capitals II fund created in section 12.88A to the following
28 departments and agencies for the fiscal year beginning July
29 1, 2010, and ending June 30, 2011, the following amounts, or
30 so much thereof as is necessary, to be used for the purposes
31 designated:

32 1. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

33 a. To the soil conservation division of the department
34 established in section 161A.4 to provide financial assistance
35 for the establishment of permanent soil and water conservation

1 practices:

2 \$ 5,950,000

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

6 (2) Of the moneys appropriated in this paragraph "a",
7 5 percent shall be allocated for financial incentives to
8 establish practices to protect watersheds above publicly owned
9 lakes of the state from soil erosion and sediment as provided
10 in section 161A.73.

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

18 (4) The state soil conservation committee created in
19 section 161A.4 may allocate moneys appropriated in paragraph
20 "a" to conduct research and demonstration projects to promote
21 conservation tillage and nonpoint source pollution control
22 practices.

23 (5) The allocation of moneys as financial incentives as
24 provided in section 161A.73 may be used in combination with
25 moneys allocated by the department of natural resources.

26 (6) Moneys appropriated in this paragraph "a" shall not be
27 used for administrative or planning purposes.

28 b. For grants under the conservation reserve enhancement
29 program to improve water quality and intercept nitrates:

30 \$ 2,500,000

31 2. DEPARTMENT OF ECONOMIC DEVELOPMENT

32 a. For deposit into the community attraction and tourism
33 fund created in section 15F.204:

34 \$ 12,000,000

35 b. For deposit into the river enhancement community

1 attraction and tourism fund created in section 15F.205:
2 \$ 4,000,000

3 Moneys appropriated for grants awarded in paragraphs "a" and
4 "b" shall be used to assist communities in the development and
5 creation of multiple purpose attractions or community service
6 facilities for public use.

7 c. For accelerated career education program capital
8 projects at community colleges that are authorized under
9 chapter 260G and that meet the definition of vertical
10 infrastructure in section 8.57, subsection 6, paragraph "c":
11 \$ 5,500,000

12 d. For the main street Iowa program to be used as grants
13 for projects that have previously applied for funding
14 consideration, or have received partial funding for facade
15 master plans to rehabilitate storefronts in main street Iowa
16 districts, to complete streetscape projects where planning
17 and the majority of funding is already secured, for unfunded
18 main street challenge grant projects, and for other building
19 rehabilitation projects that are currently on the department's
20 highest priority list:
21 \$ 8,450,000

22 Moneys appropriated in this lettered paragraph shall not be
23 used for administration or planning purposes.

24 Of the amount appropriated in this lettered paragraph,
25 \$300,000 shall be allocated to a city with a population between
26 25,100 and 25,200 in the last preceding certified federal
27 census for a redevelopment project that includes improvements
28 and modifications to streets and storm sewers in both the
29 downtown and mall areas of the city.

30 3. DEPARTMENT OF EDUCATION

31 For major renovation and major repair needs, including
32 health, life, and fire safety needs and for compliance with the
33 federal Americans with Disabilities Act, for state buildings
34 and facilities under the purview of the community colleges:
35 \$ 2,000,000

1 4. IOWA FINANCE AUTHORITY

2 a. For disaster relief and mitigation renovation and
3 construction projects:

4 \$ 33,600,000

5 The moneys appropriated in this paragraph "a" shall be
6 allocated as follows:

7 (1) To a county with a population between 189,000 and
8 196,000 in the last preceding certified federal census, for all
9 of the following projects:

10 (a) For the renovation and expansion of an administrative
11 office building:

12 \$ 4,400,000

13 (b) For the construction of an economic commerce building:

14 \$ 1,200,000

15 (2) To a city with a population between 120,500 and 120,800
16 in the last preceding certified federal census, for the
17 following projects:

18 (a) For renovation of an existing public building to make
19 the building useful for city department offices:

20 \$ 4,400,000

21 (b) For construction of a flood wall around an existing
22 courthouse:

23 \$ 2,000,000

24 (3) To a city with a population between 29,100 and 29,200
25 in the last preceding certified federal census, for the
26 construction of a small business center:

27 \$ 1,500,000

28 (4) To a city with a population between 198,000 and 199,000
29 in the last preceding certified federal census to be allocated
30 as follows:

31 (a) For site acquisition, design, engineering, and
32 construction of a fire training and logistics center:

33 \$ 3,000,000

34 (b) For land acquisition, design, and construction of
35 sewers, structures, and pumping facilities necessary to

1 separate and convey sewer flow within the riverpoint service
2 area:
3 \$ 1,250,000
4 (c) For land acquisition, design, and construction of
5 sewers, structures, and pumping facilities necessary to
6 separate or convey sewer flow within the Court avenue service
7 area:
8 \$ 3,050,000
9 (d) For bank stabilization, stream bed stabilization, and
10 erosion control on highly erodible ground that is impacting
11 utilities, road infrastructure, and water quality:
12 \$ 700,000
13 (e) To improve utilization of two of the wastewater
14 reclamation authority's existing equalization basins for
15 the control of peak flows during wet weather events in the
16 authority's sewer system:
17 \$ 500,000
18 (5) For a publicly owned acute care teaching hospital
19 located in a county with a population of over 350,000, for
20 the construction and renovation of patient access and care
21 facilities, equipment replacement and upgrades, and other
22 infrastructure improvements:
23 \$ 1,000,000
24 (6) For a city with a population between 98,300 and 98,400
25 in the last preceding certified federal census, for flood
26 protection, replacement, and construction improvements to a
27 recreational sports facility:
28 \$ 1,050,000
29 (7) For a city with a population between 68,700 and
30 68,800 in the last preceding certified federal census, for a
31 public works building that will allow the city to provide for
32 disaster-related services:
33 \$ 5,000,000
34 (8) For a city with a population between 62,100 and
35 62,250 in the last preceding certified federal census, for

1 the demolition, relocation, and reconstruction of a public
2 wastewater treatment plant and the development of a public
3 green space:

4 \$ 2,000,000

5 (9) For a city with a population between 2,545 and 2,555 in
6 the last preceding certified federal census, for a streetscape
7 project that reconstructs existing horizontal infrastructure
8 and lighting systems utilizing sustainable development
9 practices:

10 \$ 1,175,000

11 (10) For a city with a population between 2,200 and 2,220 in
12 the last preceding certified federal census, for construction
13 of a public city building:

14 \$ 475,000

15 (11) For a city with a population between 2,558 and 2,565
16 in the last preceding certified federal census, for the
17 installation of backflow prevention devices for the city's
18 storm sewer system:

19 \$ 600,000

20 (12) For a city with a population between 6,875 and 6,890
21 in the last preceding certified federal census, for the
22 construction of grade control structures and associated grading
23 to mitigate future water damage to residential structures:

24 \$ 300,000

25 b. To the Iowa jobs board for a disaster prevention program
26 created in section 16.194A for grants for cities and counties
27 that apply smart planning principles and guidelines pursuant to
28 sections 18B.1 and 18B.2, if enacted by 2010 Iowa Acts, Senate
29 File 2265, sections 1 and 2:

30 \$ 30,000,000

31 5. DEPARTMENT OF NATURAL RESOURCES

32 a. For state park infrastructure improvements:

33 \$ 5,000,000

34 b. For implementation of lake projects that have
35 established watershed improvement initiatives and community

1 support in accordance with the department's annual lake
2 restoration plan and report:
3 \$ 3,000,000

4 6. STATE BOARD OF REGENTS

5 a. For costs associated with the construction and
6 establishment of the Iowa institute for biomedical discovery at
7 the state university of Iowa:
8 \$ 10,000,000

9 b. For deposit into the alternate energy revolving loan
10 fund created in section 476.46 to encourage the development
11 of alternate energy production facilities and small hydro
12 facilities, as defined in section 476.42, within the state:
13 \$ 5,000,000

14 Any award of loans to private individuals or organizations
15 must be for the public purpose of encouraging the development
16 of alternate energy production facilities and small hydro
17 facilities within the state in order to conserve finite and
18 expensive energy resources and to provide for their most
19 efficient use. Funds from bond proceeds shall not be used for
20 administration or planning purposes. These moneys, and any
21 loan repayments, shall be maintained in separate accounts and
22 shall only be used for these public purposes.

23 7 DEPARTMENT OF TRANSPORTATION

24 a. For grants for rail projects including wind energy rail
25 port projects that provide assistance consistent with the
26 purposes of section 327H.20A:
27 \$ 7,500,000

28 Grants awarded pursuant to this lettered paragraph shall
29 meet all of the following selection criteria:

- 30 (1) Be located in or adjacent to a rail industrial park.
- 31 (2) Be a facility that serves multiple industrial clients
32 with one rail infrastructure investment.
- 33 (3) Accommodate building and loading complete unit train in
34 the rail port.
- 35 (4) Have connection tracks with adequate clearances to

1 transport large components.

2 (5) Be located in an area with short unimpeded access for
3 oversized wind components to a divided four-lane highway.

4 Priority in the awarding of grants shall be given to
5 communities that have experienced exceptional economic
6 setbacks.

7 b. For the public transit infrastructure grant program in
8 section 324A.6A:

9 \$ 2,000,000

10 c. For infrastructure improvements at the commercial air
11 service airports within the state:

12 \$ 1,500,000

13 Fifty percent of the funds appropriated in this lettered
14 paragraph shall be allocated equally between each commercial
15 air service airport, forty percent of the funds shall be
16 allocated based on the percentage that the number of enplaned
17 passengers at each commercial air service airport bears to the
18 total number of enplaned passengers in the state during the
19 previous fiscal year, and ten percent of the funds shall be
20 allocated based on the percentage that the air cargo tonnage
21 at each commercial air service airport bears to the total air
22 cargo tonnage in the state during the previous fiscal year. In
23 order for a commercial air service airport to receive funding
24 under this lettered paragraph, the airport shall be required
25 to submit applications for funding of specific projects to the
26 department for approval by the state transportation commission.

27 d. For infrastructure projects relating to functionally
28 obsolete and structurally deficient bridges:

29 \$ 10,000,000

30 8. TREASURER OF STATE

31 For transfer to the watershed improvement review board
32 created in section 466A.3 for grants associated with the
33 construction and restoration of wetland easements and flood
34 prevention projects:

35 \$ 2,000,000

1 Notwithstanding section 466A.5, moneys from the
2 appropriation in this subsection shall not be used for
3 administrative purposes.

4 Sec. 11. TAX-EXEMPT STATUS — USE OF APPROPRIATIONS.

5 1. Payment of moneys from the appropriations in this
6 division of this Act shall be made in a manner that does not
7 adversely affect the tax-exempt status of any outstanding bonds
8 issued by the treasurer of state.

9 2. Payment of moneys from the appropriations in this
10 division of this Act shall not be used for administrative or
11 planning purposes.

12 Sec. 12. REVERSION. For purposes of section 8.33, unless
13 specifically provided otherwise, unencumbered or unobligated
14 moneys made from an appropriation in this division of this Act
15 shall not revert but shall remain available for expenditure for
16 the purposes designated until the close of the fiscal year that
17 ends three years after the end of the fiscal year for which the
18 appropriation was made. However, if the project or projects
19 for which such appropriation was made are completed in an
20 earlier fiscal year, unencumbered or unobligated moneys shall
21 revert at the close of that same fiscal year.

22 DIVISION V

23 PRISON BONDING

24 Sec. 13. There is appropriated from the FY 2009 prison
25 bonding fund created pursuant to section 12.79 to the
26 department of corrections for the fiscal year beginning July
27 1, 2010, and ending June 30, 2011, the following amount, or
28 so much thereof as is necessary, to be used for the purpose
29 designated:

30 For costs associated with the building of a new Iowa State
31 penitentiary at Fort Madison:

32 \$ 322,500

33 The appropriation made in this section constitutes approval
34 by the general assembly for the issuance of bonds by the
35 treasurer of state pursuant to section 12.80.

1 Sec. 14. REVERSION. For purposes of section 8.33, unless
2 specifically provided otherwise, unencumbered or unobligated
3 moneys made from an appropriation in this division of this Act
4 shall not revert but shall remain available for expenditure for
5 the purposes designated until the close of the fiscal year that
6 ends three years after the end of the fiscal year for which the
7 appropriation was made. However, if the project or projects
8 for which such appropriation was made are completed in an
9 earlier fiscal year, unencumbered or unobligated moneys shall
10 revert at the close of that same fiscal year.

11 DIVISION VI

12 GROW IOWA VALUES FUND

13 Sec. 15. There is appropriated from the rebuild Iowa
14 infrastructure fund to the department of economic development
15 for deposit in the grow Iowa values fund, for the fiscal year
16 beginning July 1, 2010, and ending June 30, 2011, the following
17 amount, notwithstanding section 8.57, subsection 6, paragraph
18 "c":

19 \$ 38,000,000

20 Sec. 16. GROW IOWA VALUES FUND APPROPRIATION REDUCTION. In
21 lieu of the \$50,000,000 appropriated for the fiscal year
22 beginning July 1, 2010, and ending June 30, 2011, from
23 the grow Iowa values fund to the department of economic
24 development pursuant to section 15G.111, subsection 3, there is
25 appropriated from the grow Iowa values fund to the department
26 of economic development for the fiscal year beginning July 1,
27 2010, and ending June 30, 2011, \$38,000,000 for the purposes of
28 making expenditures pursuant to chapter 15G.

29 Sec. 17. GROW IOWA VALUES FUND ALLOCATIONS. In lieu of the
30 amounts allocated pursuant to section 15G.111, subsections 4
31 through 10, for the fiscal year beginning July 1, 2010, and
32 ending June 30, 2011, of the \$38,000,000 appropriated to the
33 department of economic development pursuant to this division of
34 this Act, the department shall allocate the following amounts
35 for the following purposes as described in section 15G.111,

1 subsections 4 through 10:

- 2 1. For departmental purposes, \$21,363,600.
- 3 2. For the state board of regents institutions, \$3,800,000.
- 4 3. For state parks, \$760,000.
- 5 4. For deposit in the Iowa cultural trust fund, \$760,000.
- 6 5. For community colleges, \$5,320,000.
- 7 6. For regional financial assistance, \$760,000.

8 Of the moneys allocated pursuant to this subsection and in
9 lieu of the three hundred fifty thousand dollars transferred
10 under section 15G.111, subsection 9, paragraph "a", the
11 department shall transfer two hundred sixty-six thousand
12 dollars to Iowa state university of science and technology, for
13 purposes of providing financial assistance to establish small
14 business development centers.

15 7. For commercialization services, \$4,389,000.

16 8. For targeted small business, \$847,400.

17 Sec. 18. Section 15.247, subsection 3, Code Supplement
18 2009, is amended to read as follows:

19 3. a. All moneys designated for the targeted small business
20 financial assistance program shall be credited to the program
21 account. The department shall determine the actuarially
22 sound reserve requirement for the amount of guaranteed loans
23 outstanding.

24 b. Of the moneys credited to the program account, the
25 department may allocate an amount necessary for marketing and
26 compliance and an amount for the provision of the mentoring
27 services required under subsection 7.

28 Sec. 19. Section 15G.110, Code Supplement 2009, is amended
29 to read as follows:

30 **15G.110 Appropriation.**

31 1. For the fiscal period beginning July 1, 2005, and ending
32 June 30, 2008, and for the fiscal period beginning July 1,
33 ~~2010~~ 2011, and ending June 30, 2015, there is appropriated to
34 the department of economic development each fiscal year fifty
35 million dollars from the general fund of the state for deposit

1 in the grow Iowa values fund.

2 2. For the fiscal period beginning July 1, 2008, and ending
3 June 30, ~~2010~~ 2011, there is appropriated to the department of
4 economic development each fiscal year fifty million dollars
5 from the rebuild Iowa infrastructure fund for deposit in the
6 grow Iowa values fund, notwithstanding section 8.57, subsection
7 6, paragraph "c".

8 Sec. 20. Section 15G.111, subsection 2, paragraph b, Code
9 Supplement 2009, is amended to read as follows:

10 b. Moneys credited to the fund are not subject to section
11 8.33. Notwithstanding section 12C.7, interest or earnings on
12 moneys in the fund shall be credited to the fund. Interest
13 or earnings on moneys in the fund are appropriated to the
14 department. Of the moneys appropriated to the department
15 pursuant to this paragraph, the department shall make the
16 following allocations:

17 (1) For each fiscal year of the fiscal period beginning
18 July 1, 2010, and ending June 30, 2013, the department shall
19 allocate not more than one hundred seventy-five thousand
20 dollars for purposes of providing financial assistance to
21 Iowa's councils of governments.

22 (2) For each fiscal year of the fiscal period beginning
23 July 1, 2010, and ending June 30, 2013, the department shall
24 allocate not more than two hundred thousand dollars for
25 purposes of providing support and administrative assistance to
26 the vision Iowa board, the community attraction and tourism
27 program, and river enhancement community attraction and tourism
28 projects.

29 (3) For each fiscal year of the fiscal period beginning
30 July 1, 2010, and ending June 30, 2013, the department shall
31 allocate the remaining amount of interest or earnings on moneys
32 in the fund for purposes of providing financial assistance
33 under the disaster recovery component of the grow Iowa values
34 financial assistance program. All moneys allocated pursuant to
35 this subparagraph that remain unexpended or unobligated at the

1 end of the fiscal year beginning July 1, 2012, shall revert and
2 be credited to the fund.

3 Sec. 21. Section 15G.111, subsection 4, unnumbered
4 paragraph 1, Code Supplement 2009, is amended to read as
5 follows:

6 Of the moneys appropriated to the department pursuant
7 to subsection 3, the department shall allocate
8 ~~thirty-two~~ twenty-eight million five hundred thousand dollars
9 each fiscal year as follows:

10 Sec. 22. Section 15G.111, subsection 10, Code Supplement
11 2009, is amended to read as follows:

12 10. *Commercialization Innovation and commercialization*
13 *services.* Of the moneys appropriated to the department
14 pursuant to subsection 3, the department shall allocate
15 ~~three~~ five million five hundred thousand dollars for deposit in
16 the innovation and commercialization development fund created
17 in section 15.412.

18 Sec. 23. Section 15G.111, Code Supplement 2009, is amended
19 by adding the following new subsection:

20 NEW SUBSECTION. 11. *Targeted small businesses.* Of the
21 moneys appropriated to the department pursuant to subsection 3,
22 the department shall allocate one million dollars for deposit
23 in the targeted small business financial assistance program
24 account established pursuant to section 15.247 within the
25 strategic investment fund created in section 15.313.

26 DIVISION VII

27 ALTERNATIVE PUBLIC PROJECT DELIVERY PROGRAM

28 PART 1

29 Sec. 24. NEW SECTION. 262.34C **Definitions.**

30 As used in this division, unless the context clearly
31 indicates otherwise:

32 1. "*Alternative project delivery*" means procuring and
33 delivering design and construction services for a public
34 project according to one of the selection procedures outlined
35 in parts 2 and 3.

1 2. "*Construction documents*" means the drawings,
2 specifications, technical submissions, and other documents upon
3 which a construction project is based.

4 3. "*Construction management services*" means an alternative
5 project delivery method whereby services are provided by
6 a construction manager in a manner similar to a general
7 contractor, and which requires the construction manager to
8 solicit bids for the trade packages or subcontracts developed
9 for the public project and to enter into the trade contracts or
10 subcontracts for the public project. Construction management
11 services may include but are not limited to scheduling,
12 value analysis, system analysis, constructability reviews,
13 progress document reviews, subcontractor involvement,
14 subcontractor bonding policy, budgeting and price guarantees,
15 and construction coordination.

16 4. "*Construction manager*" means an individual, partnership,
17 joint venture, corporation, or other legal entity that
18 utilizes skill and knowledge of general contracting to
19 perform construction management services and preconstruction
20 services, procures and contracts with specialty contractors or
21 subcontractors, and assumes the responsibility and the risk for
22 construction delivery within a specified cost and schedule.

23 5. "*Construction services*" means the process of planning,
24 building, equipping, altering, repairing, improving, or
25 demolishing any structure or appurtenance thereto, including
26 facilities, utilities, or other improvements to real property,
27 but excluding highways, roads, bridges, dams, or stand-alone
28 parking lots.

29 6. "*Criteria consultant*" means an individual employed
30 or retained by the governmental entity to assist in the
31 preparation of a request for qualifications and a request for
32 proposals. If preparation of the design criteria package
33 includes the practice of architecture as defined in section
34 544A.16, professional architectural services as defined in
35 section 544A.16, the practice of engineering as defined in

1 section 542B.2, or the practice of landscape architecture as
2 defined in section 544B.1, "*criteria consultant*" means a design
3 professional.

4 7. "*Design criteria package*" means performance-oriented
5 specifications for the public project sufficient to permit a
6 design-builder to prepare a response to a request for proposals
7 for a design-build public project.

8 8. "*Design professional*" means an individual who is
9 licensed to practice architecture, engineering, or landscape
10 architecture in this state.

11 9. "*Design-build services*" means a method of alternative
12 project delivery for which both design and construction
13 services are provided under one contract. "*Design-build*
14 *services*" may include architecture, engineering, and related
15 design services required for a given project and the labor,
16 materials, and other construction services for the project.

17 10. "*Design-builder*" means an individual, partnership,
18 joint venture, corporation, or other legal entity that
19 furnishes design-build services, whether by itself or through
20 subcontracts.

21 11. "*Estimated total cost*" means the estimated total cost to
22 a governmental entity to construct a public project, including
23 the cost of labor, materials, equipment, supplies, and fees.

24 12. "*Faculty research project*" means a construction or
25 reconstruction project under the control of a governmental
26 entity that is linked solely to a specific researcher or group
27 of researchers and undertaken for the purpose of conducting
28 research.

29 13. "*Governmental entity*" means the state board of regents
30 or an institution under the control of the state board of
31 regents.

32 14. "*Guaranteed maximum cost*" means the total cost of the
33 project as defined in the public project contract between the
34 governmental entity and the construction manager or between the
35 governmental entity and the design-builder.

1 15. "*Job order contract*" means a contract for construction
2 services delivered on an on-call basis through fixed-price
3 orders based on preestablished unit prices.

4 16. "*Preconstruction services*" means a series of services
5 including but not limited to review of design, scheduling,
6 estimating, cost control, value engineering, constructability
7 evaluation, and preparation and coordination of bid packages.

8 17. "*Public project*" means a project under the control of
9 a governmental entity that is paid for in whole or in part
10 with funds of the governmental entity, including a building
11 or improvement constructed or operated jointly with any other
12 public or private agency that has an estimated total cost of
13 more than one hundred thousand dollars. "*Public project*" may
14 include planning, acquiring, designing, building, equipping,
15 altering, repairing, improving, or demolishing any structure
16 or appurtenance thereto, including facilities or other
17 improvements to any real property owned by the governmental
18 entity, but excluding highways, roads, bridges, dams,
19 utilities, or stand-alone parking lots. However, a parking lot
20 included as part of the site work of a public project may be
21 included as part of a construction management services contract
22 or a design-build services contract. Parking ramps and parking
23 garages are not considered to be parking lots and may be a
24 "*public project*" constructed utilizing alternative project
25 delivery methods.

26 18. "*Selection plan*" means a governmental entity's written
27 procedure that establishes the alternative project delivery
28 method for a public project and establishes the criteria for
29 evaluating qualifications and proposals, including the scoring
30 methodology relating to the selection of a construction manager
31 or a design-builder for a public project.

32 Sec. 25. NEW SECTION. 262.34D Alternative project delivery
33 commission.

34 1. An alternative project delivery commission is
35 established consisting of seven members.

- 1 2. Members of the commission shall consist of all of the
2 following:
- 3 *a.* One member appointed by the state board of regents.
4 *b.* One member appointed by the Iowa chapter of the American
5 institute of architects.
6 *c.* One member appointed by the American council of
7 engineering companies of Iowa.
8 *d.* One member appointed by the Iowa chapter of the
9 design-build institute of America.
10 *e.* One member appointed by the master builders of Iowa.
11 *f.* One member appointed by the mechanical contractors
12 association of Iowa.
13 *g.* One member appointed by the Iowa chapter of the national
14 electrical contractors association.
- 15 3. Members of the commission shall serve three-year
16 staggered terms. The initial members appointed under
17 subsection 2, paragraphs "a" and "e" shall serve a term of
18 three years. The initial members appointed under subsection 2,
19 paragraphs "b", "f", and "g" shall serve a term of two years.
20 The initial members appointed under subsection 2, paragraphs
21 "c" and "d" shall serve a term of one year. A vacancy on the
22 commission shall be filled in the same manner as the original
23 appointment.
- 24 4. The member appointed by the state board of regents shall
25 serve as the chairperson of the commission.
- 26 5. Meetings of the commission may be called by the
27 chairperson or by a majority of the members.
- 28 6. A majority of the members of the commission constitutes a
29 quorum. Any action taken by the commission must be adopted by
30 the affirmative vote of a majority of its membership.
- 31 7. A member shall not vote on a matter before the commission
32 if the individual has a pecuniary or an equitable interest in
33 the matter or conditions exist that would interfere with the
34 member's ability to properly discharge the member's duties.
- 35 8. The duties of the commission shall include all of the

1 following:

2 *a.* Administer the alternative project delivery program
3 created under section 262.34E.

4 *b.* Prepare and file with the governor and the general
5 assembly on or before January 15, 2014, a report detailing
6 the activities of the commission and summarizing each public
7 project approved to utilize alternative project delivery.
8 The report shall include information relating to the cost to
9 the governmental entity, the duration of the public project,
10 whether the goals of the public project were met, the quality
11 of the work and services performed in completing the public
12 project, the transparency of the alternative project delivery
13 process, the impact of the alternative project delivery process
14 on the persons contracted with to perform the work and services
15 for the public project, whether the alternative project
16 delivery process benefits the public interest, and any other
17 information the commission deems relevant.

18 *c.* Adopt policies and procedures to carry out any duty
19 specified in this division.

20 Sec. 26. NEW SECTION. **262.34E Alternative project delivery**
21 **program.**

22 1. The alternative project delivery commission shall
23 administer an alternative project delivery program consistent
24 with the requirements of this division.

25 2. The program shall consist of projects approved by the
26 commission and undertaken by governmental entities using an
27 alternative project delivery method authorized under parts 2
28 and 3.

29 3. A governmental entity that is interested in undertaking a
30 public project using alternative project delivery methods shall
31 submit an application to the commission detailing the nature
32 of the project and specifying an alternative project delivery
33 method. Each application shall be on a form prescribed by the
34 commission and may include additional materials requested by
35 the commission.

1 4. The commission shall review each application and shall
2 select those public projects for inclusion in the program which
3 are best suited to accomplish the purposes of the program.

4 5. The commission shall monitor the selection process for
5 each public project selected for inclusion in the program and
6 may require the governmental entity to provide periodic updates
7 on the public project following selection of a construction
8 manager or design-builder for the public project.

9 Sec. 27. NEW SECTION. **262.34F Alternative project delivery**
10 **program selection factors.**

11 The alternative project delivery commission may recommend
12 to the governmental entity the use of an alternative project
13 delivery method for projects where the commission has
14 determined such a method to be appropriate. In making such
15 a determination, the committee shall consider the following
16 factors:

17 1. Whether the estimated total cost of the public project
18 exceeds five million dollars.

19 2. The likelihood that the alternative project delivery
20 method selected will serve the public interest by providing a
21 substantial savings of time or money as compared to the process
22 under section 262.34.

23 3. Whether the overlap of design and construction aspects
24 of the public project is required to meet the needs of the
25 governmental entity or the needs of the users of the public
26 project.

27 4. Whether the public project requires the use of an
28 accelerated design and construction schedule as the result of
29 an emergency situation.

30 5. Whether the public project presents significant planning
31 or technical complexities, or both, requiring the use of an
32 integrated team of designers and constructors.

33 6. Whether the use of an alternative project delivery method
34 will substantially diminish competition for the public project.

35 7. Whether the public project is a faculty research project.

1 **Sec. 28. NEW SECTION. 262.34G Public notice.**

2 For each alternative project delivery method under this
3 division, a governmental entity shall publish public notices
4 as follows:

5 1. The notice shall be published at least once, not less
6 than fifteen and not more than forty-five days before the date
7 for filing submissions, if applicable, in a newspaper published
8 at least once weekly and having general circulation in the
9 geographic area served by the governmental entity and in a
10 relevant trade publication.

11 2. The notice may also be published in a relevant contractor
12 organization publication and a relevant contractor plan room
13 service with statewide circulation, provided that a notice
14 is posted on an internet site sponsored by the governmental
15 entity.

16 3. In addition to relevant information regarding the public
17 project, the notice shall specify the alternative project
18 delivery method to be used for the public project.

19 **Sec. 29. NEW SECTION. 262.34H Public records.**

20 Each proposal received by a governmental entity under
21 this division, together with the name of the proposer, after
22 awarding or letting of the contract, is subject to public
23 inspection upon request. The governmental entity shall, within
24 five days after awarding or letting of the contract, publish
25 notice of the name of the successful proposer including the
26 proposer's scores received pursuant to the selection process
27 under parts 2 or 3. In addition, such notice shall include
28 the names of all proposers whose proposals were not selected,
29 together with each proposer's scores.

30 **Sec. 30. NEW SECTION. 262.34I Prohibitions.**

31 1. The construction manager or design-builder executing
32 the construction or design of a public project utilizing an
33 alternative project delivery method under this division shall
34 not provide any financing, funding, or facility operations
35 after completion of the public project.

1 2. A governmental entity shall not undertake all or a
2 portion of a public project using services or labor provided
3 under a job order contract.

4

PART 2

5

CONSTRUCTION MANAGEMENT PROJECT DELIVERY

6

Sec. 31. NEW SECTION. 262.34J Application to the

7

commission.

8 1. If in the judgment of the board of regents it is
9 desirable to use construction management services for the
10 completion of a public project, the governmental entity shall
11 prepare a selection plan and submit an application to the
12 alternative project delivery commission pursuant to section
13 262.34E, subsection 3. If the public project is selected by
14 the alternative project delivery commission for inclusion
15 in the program, the governmental entity shall select a
16 construction manager in accordance with the procedures of this
17 part.

18 2. A criteria consultant shall be employed or retained
19 to assist the governmental entity in preparing a request for
20 qualifications and a request for proposals. The criteria
21 consultant may be an employee of the governmental entity, the
22 design professional employed or retained under subsection
23 3, or an individual retained specifically to assist the
24 governmental entity with the public project. The request for
25 qualifications and the request for proposals shall specify the
26 selection criteria and scoring methodology included in the
27 selection plan. The criteria consultant shall also assist the
28 governmental entity in selecting a construction manager. A
29 criteria consultant employed or retained by the governmental
30 entity shall not submit a statement of qualifications or a
31 proposal for the public project.

32 3. The governmental entity shall employ a design
33 professional to design the public project, prepare the
34 construction documents for the public project, and provide
35 administrative services in connection with the design of the

1 public project.

2 Sec. 32. NEW SECTION. **262.34K Selection process — general**
3 **procedure.**

4 The governmental entity shall select a construction manager
5 for a public project pursuant to a two-phase selection process.

6 1. Phase I of the selection process includes publication of
7 a request for qualifications by the governmental entity, review
8 of the statements of qualifications, and the selection of a
9 minimum of two but not more than five construction managers to
10 advance to phase II.

11 2. Phase II includes a request for proposals, the receipt
12 of proposals from those construction managers selected during
13 phase I, an interview with each construction manager that
14 submits a proposal, evaluation of each proposal, and selection
15 of a construction manager for the public project.

16 Sec. 33. NEW SECTION. **262.34L Phase I — request for**
17 **qualifications, statement, evaluation, and selection.**

18 1. During phase I, the governmental entity shall
19 publish notice of a request for qualifications pursuant
20 to the requirements of section 262.34G. The request for
21 qualifications shall specify a time, place, terms of contract,
22 and other specific instructions for the submission of the
23 statements of qualifications. The request for qualifications
24 shall also include a general description of the public
25 project, an estimated total cost of the public project and
26 the anticipated public project schedule. A statement of
27 qualifications not submitted according to the instructions
28 shall be rejected and returned to the construction manager.

29 2. Each construction manager shall submit a statement
30 of qualifications that includes but is not limited to the
31 following information:

32 a. Similar project experience, including experience in the
33 construction management method of alternative project delivery.

34 b. Qualifications of proposed project personnel.

35 c. References from similar projects.

1 *d.* The construction manager's experience modification rating
2 and a description of the construction manager's safety plan.

3 *e. Bonding capacity and insurance.* Construction managers
4 submitting a statement of qualifications shall be capable of
5 providing a bond according to the requirements of chapter 573
6 and shall include evidence of such bonding capacity with their
7 statement of qualifications. A statement of qualifications
8 shall also include evidence of all required insurance. If
9 a construction manager fails to include evidence of bonding
10 capacity and required insurance, the construction manager shall
11 be deemed unqualified for selection under phase I.

12 *f.* Other information requested by the governmental entity in
13 accordance with the selection plan.

14 3. The governmental entity shall evaluate and score
15 each statement of qualifications received according to the
16 predetermined selection criteria and scoring methodology as
17 outlined in the selection plan and specified in the request
18 for qualifications. The cost or fees associated with a public
19 project shall not be considered by the governmental entity when
20 evaluating a statement of qualifications.

21 4. The governmental entity shall select a minimum of two and
22 a maximum of five construction managers, who have the highest
23 scores to proceed to phase II of the selection process. Scores
24 assigned in the phase I evaluation process shall not carry
25 forward to phase II. If two qualified construction managers
26 cannot be identified, the selection process shall cease. The
27 governmental entity shall have discretion to disqualify any
28 construction manager that lacks the minimum qualifications
29 required to perform the construction management services for
30 the public project.

31 Sec. 34. NEW SECTION. **262.34M Phase II — request for**
32 **proposals, proposal review, selection, and negotiation.**

33 1. During phase II, each construction manager selected
34 during phase I shall be given a request for proposals. The
35 request for proposals shall include but is not limited to the

1 following information:

2 *a.* The procedures to be followed in submitting proposals and
3 information relating to construction manager interviews under
4 subsection 2.

5 *b.* The selection criteria and scoring methodology for the
6 proposals.

7 *c.* Information related to the requirements, budget,
8 and schedule for the public project, including information
9 on available design requirements and specifications for
10 preconstruction services, and construction services.

11 *d.* The proposed terms and conditions for the public project
12 contract.

13 *e.* Other information requested by the governmental entity in
14 accordance with the selection plan.

15 2. After the deadline for submission of proposals
16 has passed, the governmental entity shall interview
17 each construction manager that has submitted a proposal
18 individually, allowing each construction manager to present the
19 construction manager's proposed team members, qualifications,
20 and proposal, and to answer questions from the governmental
21 entity.

22 3. The governmental entity shall score and rank each
23 construction manager's proposal based on the selection criteria
24 and scoring methodology specified in the request for proposals.
25 The governmental entity shall proceed to negotiate with and
26 attempt to enter into a preconstruction contract with the
27 construction manager receiving the highest score to serve
28 as the construction manager for the public project. If the
29 governmental entity is unable to negotiate a satisfactory
30 contract with the construction manager with the highest score,
31 negotiations with that construction manager shall be terminated
32 and the governmental entity shall undertake negotiations with
33 the construction manager receiving the second highest score.
34 If negotiations cannot be successfully completed with the
35 construction manager receiving the second highest score, the

1 contract for the public project shall not be awarded under the
2 request for proposals.

3 4. If the governmental entity determines that it is not in
4 its best interest to proceed with the public project pursuant
5 to the proposals offered, the governmental entity shall reject
6 all proposals. If all proposals are rejected, the governmental
7 entity may solicit new statements of qualifications and
8 proposals using different design or budget criteria.

9 Sec. 35. NEW SECTION. 262.34N Contract — performance of
10 certain services.

11 1. The contract to perform construction management services
12 for a public project shall be prepared by the governmental
13 entity and entered into between the governmental entity and the
14 construction manager. The construction manager shall enter
15 into a contract with each subcontractor performing construction
16 services for the project. The construction manager shall
17 provide security pursuant to chapter 573.

18 2. Solicitation for subcontractor bids shall be conducted
19 by the construction manager, or the construction manager's
20 designee, for all subcontracts and shall be awarded through a
21 process determined by the construction manager.

22 PART 3

23 DESIGN-BUILD PROJECT DELIVERY

24 Sec. 36. NEW SECTION. 262.340 Application to the
25 commission.

26 1. If in the judgment of the board of regents it is
27 desirable to use design-build services for the completion of
28 a public project, the governmental entity shall prepare a
29 selection plan and submit an application to the alternative
30 project delivery commission pursuant to section 262.34E,
31 subsection 3. If the public project is selected by the
32 alternative project delivery commission for inclusion in the
33 program, the governmental entity shall select a design-builder
34 in accordance with the procedures of this part.

35 2. A criteria consultant shall be employed or retained

1 to assist the governmental entity in preparing a request for
2 qualifications and a request for proposals. The criteria
3 consultant may be an employee of the governmental entity or an
4 individual retained specifically to assist the governmental
5 entity with the public project. The request for qualifications
6 and the request for proposals shall specify the selection
7 criteria and scoring methodology included in the selection
8 plan. The criteria consultant shall also assist the
9 governmental entity in selecting a design-builder. A criteria
10 consultant employed or retained by the governmental entity
11 shall not submit a statement of qualifications or a proposal
12 for the public project.

13 Sec. 37. NEW SECTION. **262.34P Selection process — general**
14 **procedure.**

15 The governmental entity shall select a design-builder for a
16 public project pursuant to a two-phase selection process.

17 1. Phase I of the selection process includes publication
18 of a request for qualifications by the governmental entity,
19 review of the statements of qualifications, and the selection
20 of a minimum of two but not more than five design-builders to
21 advance to phase II.

22 2. Phase II includes a request for proposals, the receipt of
23 proposals from those design-builders selected during phase I,
24 including a separate cost and schedule proposal, an interview
25 with each design-builder that submits a proposal, evaluation of
26 each proposal, and selection of a design-builder for the public
27 project.

28 Sec. 38. NEW SECTION. **262.34Q Phase I — request for**
29 **qualifications, statement, evaluation, and selection.**

30 1. During phase I, the governmental entity shall
31 publish notice of a request for qualifications pursuant
32 to the requirements of section 262.34G. The request for
33 qualifications shall specify a time, place, terms of contract,
34 and other specific instructions for the submission of the
35 statements of qualifications. The request for qualifications

1 shall also include a general description of the public
2 project, an estimated total cost of the public project and
3 the anticipated public project schedule. A statement of
4 qualifications not submitted according to the instructions
5 shall be rejected and returned to the design-builder.

6 2. Each design-builder shall submit a statement of
7 qualifications that includes but is not limited to the
8 following information:

9 a. Similar project experience, including experience in the
10 design-build method of alternative project delivery.

11 b. Qualifications of proposed project personnel.

12 c. References from similar projects.

13 d. The design-builder's experience modification rating and a
14 description of the design-builder's safety plan.

15 e. *Bonding capacity and insurance.* Design-builders
16 submitting a statement of qualifications shall be capable of
17 providing a bond according to the requirements of chapter 573
18 and shall include evidence of such bonding capacity with their
19 statement of qualifications. A statement of qualifications
20 shall also include evidence of all required insurance. If a
21 design-builder fails to include evidence of bonding capacity
22 and required insurance, the design-builder shall be deemed
23 unqualified for selection under phase I.

24 f. Other information requested by the governmental entity in
25 accordance with the selection plan.

26 3. The governmental entity shall evaluate and score
27 each statement of qualifications received according to the
28 predetermined selection criteria and scoring methodology that
29 were specified in the request for qualifications. The cost or
30 fees associated with a public project shall not be considered
31 by the governmental entity when evaluating a statement of
32 qualifications.

33 4. The governmental entity shall select a minimum of two
34 and a maximum of five design-builders who have the highest
35 scores to proceed to phase II. Scores assigned during phase

1 I shall not carry forward to phase II. The governmental
2 entity shall have discretion to disqualify any design-builder
3 that lacks the minimum qualifications required to perform
4 the design-build services for the public project. If two
5 qualified design-builders cannot be identified, the selection
6 process shall cease. If all design-builders are rejected, the
7 governmental entity may solicit new proposals using different
8 design and budget criteria.

9 Sec. 39. NEW SECTION. 262.34R Phase II — request for
10 proposals, proposal review, selection, and negotiation.

11 1. During phase II, each design-builder selected during
12 phase I shall be given a request for proposals. The request
13 for proposals shall include but is not limited to the following
14 information:

15 *a.* The procedures to be followed in submitting proposals
16 and information relating to design-builder interviews under
17 subsection 2.

18 *b.* The selection criteria and scoring methodology for the
19 proposals.

20 *c.* Information related to the requirements, scope,
21 specifications, budget, and schedule for the public project,
22 including requirements and scope of preconstruction services
23 and construction services.

24 *d.* A requirement for a statement that the design-builder
25 will exercise responsible control over the design, protect
26 the health, safety, and welfare of the public, and act in the
27 governmental entity's best interest.

28 *e.* The proposed terms and conditions for the public project
29 contract.

30 *f.* The requirements for the submission of a separate cost
31 and schedule proposal.

32 *g.* Other information requested by the governmental entity in
33 accordance with the selection plan.

34 2. Each design-builder selected during phase I may
35 submit a proposal to the governmental entity. Each proposal

1 submitted under this section shall not contain references to
2 costs associated with work contained in the proposal. The
3 governmental entity shall evaluate and score each proposal
4 according to the selection criteria and scoring methodology
5 specified in the request for proposals.

6 3. Each design-builder selected during phase I shall also
7 provide the governmental entity with a separate cost and
8 schedule proposal. A proposal submitted under subsection 2 and
9 the cost and schedule proposal may be submitted sequentially
10 or concurrently, according to the requirements of the request
11 for proposals. Failure to submit a cost and schedule proposal
12 according to the delivery requirements of the request for
13 proposals shall be grounds to reject the proposal.

14 4. The cost and schedule proposal shall include all of the
15 following:

16 a. A guaranteed maximum cost for the public project.

17 b. A bid security pursuant to chapter 573.

18 c. A proposed contract time, in calendar days, for
19 completing the public project.

20 d. Any other information required by the request for
21 proposals.

22 5. After the deadline for submission of proposals
23 has passed, the governmental entity shall interview each
24 design-builder that has submitted a proposal individually,
25 allowing each design-builder to present the design-builder's
26 proposed team members, qualifications, and proposal, and to
27 answer questions from the governmental entity.

28 6. The cost and schedule proposals submitted under
29 subsection 3 shall be opened only after all proposals submitted
30 under subsection 2 have been evaluated and scored and after
31 completion of all design-builder interviews under subsection 5.
32 At the time that the cost and schedule proposals are opened,
33 the governmental entity shall make public its scoring of the
34 proposals submitted under subsection 2. Cost and schedule
35 proposals shall be evaluated and scored according to selection

1 criteria and scoring methodology specified in the request for
2 proposals.

3 7. The governmental entity shall select the design-builder
4 receiving the highest score based on the selection criteria and
5 scoring methodology specified in the request for proposals.
6 The governmental entity shall proceed to negotiate with
7 and attempt to enter into a contract with the selected
8 design-builder to serve as the design-builder for the public
9 project. The contract must include all applicable bond
10 requirements under chapter 573. If the governmental entity is
11 unable to negotiate a satisfactory contract with the selected
12 design-builder, negotiations with that design-builder shall
13 be terminated, and the governmental entity shall undertake
14 negotiations with the design-builder receiving the second
15 highest score. If negotiations cannot be successfully
16 completed with the design-builder receiving the second highest
17 score, the contract shall not be awarded under the request for
18 proposals.

19 8. If the governmental entity determines that it is not in
20 its best interest to proceed with the public project pursuant
21 to the proposals offered, the governmental entity shall reject
22 all proposals. If all proposals are rejected, the governmental
23 entity may solicit new statements of qualifications and
24 proposals using different design or budget criteria.

25 9. As an inducement to qualified design-builders, the
26 governmental entity shall pay a fair and reasonable stipend,
27 the amount of which shall be established in the request for
28 proposals, to each design-builder who participates in phase
29 II, but is not selected as the design-builder for the public
30 project.

31 DIVISION VIII

32 FLOODPLAIN MAPPING

33 Sec. 40. FLOODPLAIN MAPPING. Using funds allocated to the
34 department of natural resources for floodplain mapping from the
35 appropriation made to the department of economic development in

1 2009 Iowa Acts, chapter 183, section 67, of federal community
2 development block grant funds awarded to the state under
3 the federal Consolidated Security, Disaster Assistance, and
4 Continuing Appropriations Act, 2009, Pub. L. No. 110-329, the
5 department of economic development shall enter an agreement
6 in an amount of not less than \$10,000,000 with the state
7 university of Iowa for the development of new floodplain maps
8 by June 30, 2014, by the Iowa flood center established pursuant
9 to section 466C.1. The department of economic development
10 shall structure the contract to be consistent with any plan
11 for use of the funds approved by any federal agency, or, if
12 necessary, follow any procedures necessary for approval of this
13 contract.

14 Sec. 41. EFFECTIVE UPON ENACTMENT. This division of this
15 Act, being deemed of immediate importance, takes effect upon
16 enactment.

17 DIVISION IX

18 DEPARTMENT OF ADMINISTRATIVE SERVICES — OFFICE SPACE

19 Sec. 42. DEPARTMENT OF ADMINISTRATIVE SERVICES — OFFICE
20 SPACE REQUEST FOR PROPOSALS.

21 1. The department of administrative services shall issue a
22 request for proposals concerning the availability and cost of
23 office space for state employees in downtown Des Moines and in
24 other areas in close proximity to the state capitol complex.
25 The department shall consider the advantages of locating state
26 employees and their functions near the state capitol complex.

27 2. In issuing the request for proposals, the department
28 shall examine current leases for office space within the
29 greater Des Moines area, determine the current length and
30 duration of those leases, and consider the number of state
31 employees impacted by those leases.

32 3. The request for proposals shall ensure that any office
33 space selected shall meet all of the following criteria:

- 34 a. The office space is located in a class A building.
35 b. The building which includes the office space has skywalk

1 access.

2 c. The building which includes the office space is located
3 within reasonable proximity to the free shuttle service route
4 that includes transportation between the capitol complex and
5 the downtown Des Moines area.

6 d. The entity leasing office space provides adequate
7 parking to employees utilizing the office space which is within
8 reasonable proximity to the office space.

9 e. The office space is energy efficient.

10 f. The office space provides adequate space and resources
11 needed for the employees intending to occupy the office space.

12 4. The department of administrative services shall issue
13 the request for proposals by December 1, 2010, and shall submit
14 a written report to the general assembly concerning the request
15 for proposals by January 14, 2011.

16 Sec. 43. DEPARTMENT OF ADMINISTRATIVE SERVICES — OFFICE
17 SPACE — COST-BENEFIT ANALYSIS.

18 1. The department of administrative services shall conduct
19 a cost-benefit analysis of utilizing existing class A office
20 space for state employees in downtown Des Moines and other
21 areas in close proximity to the state capitol complex in lieu
22 of replacing or renovating the Wallace Building and prior to
23 leasing any space in the mercy capitol hospital building. The
24 cost-benefit analysis shall include consideration of any cost
25 to the applicable local jurisdiction arising from the state's
26 utilization of existing office space.

27 2. The department of administrative services shall submit
28 a written report to the general assembly on the cost-benefit
29 analysis by January 14, 2011.

30 DIVISION X

31 CHANGES TO PRIOR APPROPRIATIONS

32 Sec. 44. 2006 Iowa Acts, chapter 1179, section 4, subsection
33 1, is amended to read as follows:

34 1. a. Notwithstanding Except as provided in paragraph
35 "b", notwithstanding section 8.33, moneys appropriated for the

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

7 b. Notwithstanding section 8.33, moneys appropriated for the
8 fiscal year beginning July 1, 2006, in section 1, subsection 1,
9 and section 1, subsection 11, paragraph "b" of this division of
10 this Act that remain unencumbered or unobligated at the close
11 of the fiscal year shall not revert but shall remain available
12 for the purposes designated until the close of the fiscal year
13 that begins July 1, 2010, or until the project for which the
14 appropriation was made is completed, whichever is earlier.

15 Sec. 45. 2006 Iowa Acts, chapter 1179, section 18, is
16 amended to read as follows:

17 SEC. 18. REVERSION.

18 1. Except as provided in subsections 2, and 3, and
19 4, notwithstanding section 8.33, moneys appropriated from the
20 endowment for Iowa's health restricted capitals fund for the
21 fiscal years that begin July 1, 2005, and July 1, 2006, in this
22 division of this Act that remain unencumbered or unobligated at
23 the close of the fiscal year shall not revert but shall remain
24 available for the purposes designated until the close of the
25 fiscal year that begins July 1, 2009, or until the project for
26 which the appropriation was made is completed, whichever is
27 earlier.

28 2. Notwithstanding section 8.33, moneys appropriated from
29 the endowment for Iowa's health restricted capitals fund
30 for the fiscal year that begins July 1, 2006, and ends June
31 30, 2007, in this division of this Act to the department of
32 veterans affairs for capital improvement projects at the Iowa
33 veterans home that remain unencumbered or unobligated at the
34 close of the fiscal year shall not revert but shall remain
35 available for expenditure for the purposes designated until the

1 close of the fiscal year that begins July 1, 2010.

2 3. Notwithstanding section 8.33, moneys appropriated from
3 the endowment for Iowa's health restricted capitals fund
4 for the fiscal year beginning July 1, 2006, and ending June
5 30, 2007, in this division of this Act to the department of
6 education for major renovation and major repair needs at the
7 community colleges that remain unencumbered or unobligated at
8 the close of the fiscal year shall not revert but shall remain
9 available for expenditure for the purposes designated until
10 the close of the fiscal year beginning July 1, 2010, or until
11 the project for which appropriated is completed, whichever is
12 earlier.

13 4. Notwithstanding section 8.33, moneys appropriated from
14 the endowment for Iowa's health restricted capitals fund
15 for the fiscal year that begins July 1, 2006, and ends June
16 30, 2007, in this division of this Act to the department of
17 administrative services for upgrades to the Woodward state
18 resource center wastewater treatment system that remain
19 unencumbered or unobligated at the close of the fiscal year
20 shall not revert but shall remain available for expenditure
21 for the purposes designated until the close of the fiscal year
22 that begins July 1, 2011, or until the project for which the
23 appropriation is made is completed, whichever is earlier.

24 Sec. 46. 2007 Iowa Acts, chapter 219, section 7, subsection
25 1, as amended by 2009 Iowa Acts, chapter 170, section 20, and
26 2009 Iowa Acts, chapter 184, section 17, is amended to read as
27 follows:

28 1. For costs associated with the construction and
29 establishment of the Iowa institute for biomedical discovery at
30 the state university of Iowa:

31	FY 2008-2009.....	\$	0
32	FY 2009-2010.....	\$	0
33	FY 2010-2011.....	\$	10,000,000
34			<u>0</u>

35 Sec. 47. 2007 Iowa Acts, chapter 219, section 15, is amended

1 to read as follows:

2 SEC. 15. REVERSION.

3 1. Notwithstanding Except as provided in subsection 2,
4 notwithstanding section 8.33, moneys appropriated for the
5 fiscal year beginning July 1, 2007, in this division of this
6 Act that remain unencumbered or unobligated at the close of
7 the fiscal year shall not revert but shall remain available
8 for the purposes designated until the close of the fiscal year
9 beginning July 1, 2009, or until the project for which the
10 appropriation was made is completed, whichever is earlier.

11 2. Notwithstanding section 8.33, moneys appropriated
12 for the fiscal year beginning July 1, 2007, in section 14,
13 subsections 4 and 7 of this division of this Act that remain
14 unencumbered or unobligated at the close of the fiscal year
15 shall not revert but shall remain available for the purposes
16 designated until the close of the fiscal year beginning July 1,
17 2011, or until the project for which the appropriation was made
18 is completed, whichever is earlier.

19 Sec. 48. 2008 Iowa Acts, chapter 1179, section 1, subsection
20 1, paragraph 1, as enacted by 2009 Iowa Acts, chapter 184,
21 section 21, is amended to read as follows:

22 1. For ~~heating, ventilating, and air conditioning~~
23 improvements building security and firewall protection in the
24 Hoover state office building:

25 \$ 165,000

26 Sec. 49. 2008 Iowa Acts, chapter 1179, section 1, subsection
27 4, paragraph b, as amended by 2009 Iowa Acts, chapter 81,
28 section 1, is amended to read as follows:

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

32 \$ 1,000,000

33 In making grants pursuant to this lettered paragraph, the
34 department shall consider the existence and amount of other
35 funds available to an applicant for the designated project.

1 A grant awarded from moneys appropriated in this lettered
2 paragraph shall not exceed \$100,000 per project. Not more than
3 \$200,000 may be awarded in the same county in the same round of
4 grant reviews.

5 Of the amount appropriated in this lettered paragraph,
6 \$20,000 shall be used for the administration and support of
7 historic sites including the hiring and employment of seasonal
8 workers, notwithstanding section 8.57, subsection 6, paragraph
9 "c".

10 Sec. 50. 2008 Iowa Acts, chapter 1179, section 7, as amended
11 by 2009 Iowa Acts, chapter 173, section 21, is amended to read
12 as follows:

13 SEC. 7. DEPARTMENT OF ECONOMIC DEVELOPMENT. There is
14 appropriated from the rebuild Iowa infrastructure fund to
15 the department of economic development for the designated
16 fiscal years the following amounts, or so much thereof as is
17 necessary, to be used for the purposes designated:

18 For deposit into the river enhancement community attraction
19 and tourism fund created in 2008 Iowa Acts, Senate File 2430,
20 if enacted:

21	FY 2009-2010.....	\$	0
22	FY 2010-2011.....	\$	10,000,000
23			<u>0</u>
24	FY 2011-2012.....	\$	10,000,000
25	FY 2012-2013.....	\$	10,000,000

26 ~~Notwithstanding section 8.33, moneys appropriated in this~~
27 ~~section for the fiscal year beginning July 1, 2010, and ending~~
28 ~~June 30, 2011, shall not revert at the close of the fiscal year~~
29 ~~for which they are appropriated but shall remain available~~
30 ~~for the purpose designated until the close of the fiscal year~~
31 ~~that begins July 1, 2013, or until the project for which the~~
32 ~~appropriation was made is completed, whichever is earlier.~~

33 Notwithstanding section 8.33, moneys appropriated in this
34 section for the fiscal year beginning July 1, 2011, and ending
35 June 30, 2012, shall not revert at the close of the fiscal year

1 for which they are appropriated but shall remain available
2 for the purpose designated until the close of the fiscal year
3 that begins July 1, 2014, or until the project for which the
4 appropriation was made is completed, whichever is earlier.

5 Notwithstanding section 8.33, moneys appropriated in this
6 section for the fiscal year beginning July 1, 2012, and ending
7 June 30, 2013, shall not revert at the close of the fiscal year
8 for which they are appropriated but shall remain available
9 for the purpose designated until the close of the fiscal year
10 that begins July 1, 2015, or until the project for which the
11 appropriation was made is completed, whichever is earlier.

12 Sec. 51. 2008 Iowa Acts, chapter 1179, section 15,
13 subsection 4, paragraph b, as amended by 2009 Iowa Acts,
14 chapter 184, section 25, is amended to read as follows:

15 b. To the public broadcasting division for the purchase and
16 installation of generators at transmitter sites:

17 \$ 1,602,437

18 Of the amount appropriated in this lettered paragraph, up to
19 \$210,477 may be used for operational costs of the division for
20 FY 2008-2009, ~~and~~ up to \$1,000,000 may be used for operational
21 costs of the division for FY 2009-2010, and up to \$378,637
22 may be used for operational costs of the division for FY
23 2010-2011, notwithstanding section 8.57C, subsection 2.

24 Sec. 52. 2008 Iowa Acts, chapter 1179, section 15,
25 subsection 4, paragraph c, is amended to read as follows:

26 c. To the public broadcasting division for the replacement
27 and digital conversion of the Keosauqua translator:

28 \$ 701,500

29 Of the amount appropriated in this lettered paragraph, up to
30 \$25,378 may be used for operational costs of the division for
31 FY 2010-2011, notwithstanding section 8.57C, subsection 2.

32 Sec. 53. 2008 Iowa Acts, chapter 1179, section 18,
33 subsection 3, as amended by 2009 Iowa Acts, chapter 173,
34 section 24, is amended to read as follows:

35 3. DEPARTMENT OF CORRECTIONS

- 1 a. For expansion of the community-based corrections
- 2 facility at Sioux City:
- 3 \$ 5,300,000
- 4 b. For expansion of the community-based corrections
- 5 facility at Ottumwa:
- 6 \$ 4,100,000
- 7 c. For expansion of the community-based corrections
- 8 facility at Waterloo:
- 9 \$ 6,000,000
- 10 d. For expansion of the community-based corrections
- 11 facility at Davenport:
- 12 \$ 2,100,000
- 13 e. For expansion, including land acquisition, of the
- 14 community-based corrections facility at Des Moines:
- 15 \$ 13,100,000
- 16 0

17 ~~The appropriation in this lettered paragraph is contingent~~
 18 ~~upon relocation of the sex offender treatment program from~~
 19 ~~the community-based corrections facility at Des Moines to~~
 20 ~~the property in northeast Des Moines identified by the fifth~~
 21 ~~judicial district in the facility and site study final report~~
 22 ~~submitted December 12, 2008.~~

23 It is the intent of the general assembly that the funds
 24 appropriated in paragraphs "a" through "e" be used to expand
 25 the number of beds available through new construction and
 26 remodeling and for the expansion of existing facilities.

- 27 f. For expansion of the Iowa correctional facility for women
- 28 at Mitchellville including costs related to project management
- 29 including the hiring and employment of a construction manager
- 30 and a correctional specialist:

- 31 \$ 47,500,000
- 32 g. For the remodeling of kitchens at the correctional
- 33 facilities at Mount Pleasant and Rockwell City:
- 34 \$ 12,500,000

35 Sec. 54. 2008 Iowa Acts, chapter 1179, section 22, is

1 amended to read as follows:

2 SEC. 22. There is appropriated from the FY 2009 prison
3 bonding fund created pursuant to section 12.79, as enacted in
4 this Act, to the department of corrections for the fiscal year
5 beginning July 1, 2008, and ending June 30, 2009, the following
6 amount, or so much thereof as is necessary, to be used for the
7 purpose designated:

8 For costs associated with the building of a new Iowa State
9 Penitentiary at Fort Madison including costs related to
10 project management including the hiring and employment of a
11 construction manager and a correctional specialist:
12 \$130,677,500

13 The appropriation made in this section constitutes approval
14 by the general assembly for the issuance of bonds by the
15 treasurer pursuant to section 12.80, as enacted in this Act.

16 Sec. 55. 2009 Iowa Acts, chapter 173, section 13, subsection
17 1, is amended by adding the following new paragraph:

18 NEW PARAGRAPH. e. Of the moneys appropriated in
19 this subsection, the department may award moneys for the
20 establishment of drainage district pilot projects. Each
21 drainage district pilot project shall be presented to the state
22 soil conservation committee and the watershed improvement
23 review board to ensure the project design, project goals,
24 baseline data collection, project data collection standards,
25 and data evaluation standards are appropriate for, and advance,
26 the soil and water conservation goals of the state. Annual
27 progress reports on each pilot project shall be presented
28 to the state soil conservation committee and the watershed
29 improvement review board to ensure the projects continue to
30 advance the soil and water conservation goals of the state.
31 All construction plans, monitoring plans, project data, and
32 project data analysis shall be available for public review and
33 study. Experts from the United States geological survey, the
34 national laboratory for agriculture and the environment at
35 Iowa state university, and other appropriate state and federal

1 agencies may be consulted on any aspect of the program.

2 Sec. 56. 2009 Iowa Acts, chapter 173, section 13, subsection
3 2, is amended to read as follows:

4 2. DEPARTMENT OF NATURAL RESOURCES

5 For watershed rebuilding and water quality projects:

6 \$ 13,500,000

7 Of the moneys appropriated in this subsection, the
8 department may provide moneys to construct, reconstruct, or
9 repair infrastructure associated with the control and movement
10 of surface water, including but not limited to addressing
11 issues affected by combined sewer overflows, enrolling larger
12 contiguous areas in emergency watershed programs, improving
13 facilities or systems that provide water quality, mitigating
14 flood damage or the threat of flood damage in the areas most
15 severely affected by the 2008 flood, and improving or replacing
16 low-head dams. Any award of moneys made under this subsection
17 shall be in the form of a grant. Any grant awards for practices
18 on private property shall be for the public purposes of flood
19 control, watershed management, or improving water quality.

20 Sec. 57. 2009 Iowa Acts, chapter 173, section 13, subsection
21 4, paragraphs b, c, and d, are amended to read as follows:

22 b. ~~For deposit into the public service shelter grant fund~~
23 ~~created in section 16.185 for grants for the construction,~~
24 renovation, and improvements to homeless shelters, emergency
25 shelters, and family and domestic violence shelters:

26 \$ 10,000,000

27 c. ~~For deposit into the disaster damage housing assistance~~
28 ~~grant fund created in section 16.186 for grants to ease and~~
29 speed recovery efforts from the natural disasters of 2008,
30 including stabilizing neighborhoods damaged by the natural
31 disasters, preventing population loss and neighborhood
32 deterioration, and improving the health, safety, and welfare of
33 persons living in such disaster-damaged neighborhoods:

34 \$ 5,000,000

35 d. ~~For deposit into the affordable housing assistance grant~~

1 ~~fund created in section 16.187~~ for grants for housing for
2 certain elderly, disabled, and low-income persons and public
3 servants in critical skills shortage areas of the state:

4 \$ 20,000,000

5 Sec. 58. 2009 Iowa Acts, chapter 173, section 13, subsection
6 5, unnumbered paragraph 1, as amended by 2009 Iowa Acts,
7 chapter 183, section 71, is amended to read as follows:

8 For broadband technology grants for the deployment and
9 sustainability of high-speed broadband access:

10 \$ ~~25,000,000~~

11 0

12 Sec. 59. 2009 Iowa Acts, chapter 173, section 13, subsection
13 6, is amended to read as follows:

14 6. DEPARTMENT OF TRANSPORTATION

15 For ~~deposit into the bridge safety fund created in section~~
16 ~~313.68 to be used for~~ infrastructure projects relating to
17 functionally obsolete and structurally deficient bridges:

18 \$ ~~50,000,000~~

19 40,000,000

20 Sec. 60. 2009 Iowa Acts, chapter 173, section 13, is amended
21 by adding the following new subsection:

22 NEW SUBSECTION. 7. DEPARTMENT OF ECONOMIC DEVELOPMENT

23 For the main street Iowa program to be used as grants
24 for projects that have previously applied for funding
25 consideration, or have received partial funding for facade
26 master plans to rehabilitate storefronts in main street Iowa
27 districts, to complete streetscape projects where planning
28 and the majority of funding is already secured, for unfunded
29 main street challenge grant projects, and for other building
30 rehabilitation projects that are currently on the department's
31 highest priority list:

32 \$ 5,550,000

33 Moneys appropriated in this subsection shall not be used for
34 administration or planning purposes.

35 Sec. 61. 2009 Iowa Acts, chapter 174, section 6, is

1 repealed.

2 Sec. 62. 2009 Iowa Acts, chapter 184, section 1, subsection
3 3, paragraph d, is amended to read as follows:

4 d. For historical site preservation grants to be used for
5 the restoration, preservation, and development of historic
6 sites:

7 \$ 1,000,000

8 In making grants pursuant to this lettered paragraph, the
9 department shall consider the existence and amount of other
10 funds available to an applicant for the designated project.
11 A grant awarded from moneys appropriated in this lettered
12 paragraph shall not exceed \$100,000 per project. Not more than
13 \$200,000 may be awarded in the same county in the same round of
14 grant reviews.

15 Of the amount appropriated in this lettered paragraph,
16 \$20,000 shall be used for the administration and support of
17 historic sites including the hiring and employment of seasonal
18 workers, notwithstanding section 8.57, subsection 6, paragraph
19 "c".

20 Sec. 63. 2009 Iowa Acts, chapter 184, section 1, subsection
21 12, paragraph a, is amended to read as follows:

22 12. DEPARTMENT OF TRANSPORTATION

23 a. ~~To provide funds for capital improvements and for related~~
24 ~~studies for expanding passenger rail services in Iowa~~ For
25 deposit in the passenger rail service revolving fund created
26 in section 327J.2, notwithstanding section 8.57, subsection 6,
27 paragraph "c":

28 \$ 3,000,000

29 Sec. 64. 2009 Iowa Acts, chapter 184, section 2, subsections
30 1, 2, 4, and 5, are amended by striking the subsections.

31 Sec. 65. 2009 Iowa Acts, chapter 184, section 2, subsection
32 6, paragraph a, is amended to read as follows:

33 a. For deposit into the railroad revolving loan and grant
34 fund created in section 327H.20A, notwithstanding section 8.57,
35 subsection 6, paragraph "c":

1 \$ 2,000,000

2 Of the amount appropriated in this lettered paragraph,
3 \$2,000,000 shall be allocated to a city with a population
4 between 98,300 and 98,400 in the last preceding certified
5 federal census, for a rail trans-load facility if a federal
6 match of funds is received.

7 Sec. 66. EFFECTIVE UPON ENACTMENT. This division, being
8 deemed of immediate importance, takes effect upon enactment.

9 DIVISION XI

10 MISCELLANEOUS CODE CHANGES

11 Sec. 67. Section 8.57, subsection 6, paragraph e, Code
12 Supplement 2009, is amended to read as follows:

13 e. (1) (a) (i) Notwithstanding provisions to the contrary
14 in sections 99D.17 and 99F.11, for the fiscal year beginning
15 July 1, 2000, and for each fiscal year thereafter, not more
16 than a total of sixty-six million dollars shall be deposited
17 in the general fund of the state in any fiscal year pursuant to
18 sections 99D.17 and 99F.11.

19 (ii) However, in lieu of the deposit in subparagraph
20 subdivision (i), for the fiscal year beginning July 1, 2010,
21 and for each fiscal year thereafter until the principal and
22 interest on all bonds issued by the treasurer of state pursuant
23 to section 12.87 are paid, as determined by the treasurer of
24 state, the first fifty-five million dollars of the moneys
25 directed to be deposited in the general fund of the state under
26 subparagraph subdivision (i) shall be deposited in the revenue
27 bonds debt service fund created in section 12.89, and the next
28 five three million seven hundred fifty thousand dollars of the
29 moneys directed to be deposited in the general fund of the
30 state under subparagraph subdivision (i) shall be deposited
31 in the revenue bonds federal subsidy holdback fund created
32 in section 12.89, and the next one million two hundred fifty
33 thousand dollars of the moneys directed to be deposited in the
34 general fund of the state under subparagraph subdivision (i)
35 shall be deposited in the general fund of the state.

1 (b) The next fifteen million dollars of the moneys directed
2 to be deposited in the general fund of the state in a fiscal
3 year pursuant to sections 99D.17 and 99F.11 shall be deposited
4 in the vision Iowa fund created in section 12.72 for the fiscal
5 year beginning July 1, 2000, and for each fiscal year through
6 the fiscal year beginning July 1, 2019.

7 (c) The next five million dollars of the moneys directed to
8 be deposited in the general fund of the state in a fiscal year
9 pursuant to sections 99D.17 and 99F.11 shall be deposited in
10 the school infrastructure fund created in section 12.82 for the
11 fiscal year beginning July 1, 2000, and for each fiscal year
12 thereafter until the principal and interest on all bonds issued
13 by the treasurer of state pursuant to section 12.81 are paid,
14 as determined by the treasurer of state.

15 (d) (i) The total moneys in excess of the moneys deposited
16 in the revenue bonds debt service fund, the revenue bonds
17 federal holdback subsidy fund, the vision Iowa fund, the
18 school infrastructure fund, and the general fund of the
19 state in a fiscal year shall be deposited in the rebuild Iowa
20 infrastructure fund and shall be used as provided in this
21 section, notwithstanding section 8.60.

22 (ii) However, in lieu of the deposit in subparagraph
23 subdivision (i), for the fiscal year beginning July 1, 2010,
24 and for each fiscal year thereafter until the principal and
25 interest on all bonds issued by the treasurer of state pursuant
26 to section 12.87 are paid, as determined by the treasurer
27 of state, ~~fifty-five~~ sixty-four million seven hundred fifty
28 thousand dollars of the excess moneys directed to be deposited
29 in the rebuild Iowa infrastructure fund under subparagraph
30 subdivision (i) shall be deposited in the general fund of the
31 state.

32 (2) If the total amount of moneys directed to be deposited
33 in the general fund of the state under sections 99D.17 and
34 99F.11 in a fiscal year is less than the total amount of moneys
35 directed to be deposited in the revenue bonds debt service

1 fund and the revenue bonds federal subsidy holdback fund in
2 the fiscal year pursuant to this paragraph "e", the difference
3 shall be paid from moneys deposited in the beer and liquor
4 control fund created in section 123.53 in the manner provided
5 in section 123.53, subsection 3.

6 (3) After the deposit of moneys directed to be deposited
7 in the general fund of the state, and the revenue bonds debt
8 service fund, and the revenue bonds federal subsidy holdback
9 fund, as provided in subparagraph (1), subparagraph division
10 (a), if the total amount of moneys directed to be deposited
11 in the general fund of the state under sections 99D.17 and
12 99F.11 in a fiscal year is less than the total amount of
13 moneys directed to be deposited in the vision Iowa fund and
14 the school infrastructure fund in the fiscal year pursuant to
15 this paragraph "e", the difference shall be paid from lottery
16 revenues in the manner provided in section 99G.39, subsection
17 3.

18 Sec. 68. Section 8.57, subsection 6, paragraph f, Code
19 Supplement 2009, is amended to read as follows:

20 *f.* There is appropriated from the rebuild Iowa
21 infrastructure fund to the secure an advanced vision for
22 education fund created in section 423F.2, for each fiscal year
23 of the fiscal period beginning July 1, 2008, and ending June
24 30, ~~2014~~, 2010, and for each fiscal year of the fiscal period
25 beginning July 1, 2011, and ending June 30, 2014, the amount of
26 the moneys in excess of the first forty-seven million dollars
27 credited to the rebuild Iowa infrastructure fund during the
28 fiscal year, not to exceed ten million dollars.

29 Sec. 69. Section 8.57A, subsection 4, Code 2009, is amended
30 to read as follows:

31 4. *a.* There is appropriated from the rebuild Iowa
32 infrastructure fund for the fiscal ~~year~~ years beginning July
33 1, 2008, July 1, 2009, and July 1, 2011, and for each fiscal
34 year thereafter, the sum of forty-two million dollars to
35 the environment first fund, notwithstanding section 8.57,

1 subsection 6, paragraph "c".

2 b. There is appropriated from the rebuild Iowa
3 infrastructure fund for the fiscal year beginning July 1, 2010,
4 and ending June 30, 2011, the sum of thirty-three million
5 dollars to the environment first fund, notwithstanding section
6 8.57, subsection 6, paragraph "c".

7 Sec. 70. Section 8.57C, subsection 3, Code Supplement 2009,
8 is amended to read as follows:

9 3. a. There is appropriated from the general fund of the
10 state for the fiscal years beginning July 1, 2006, July 1,
11 2007, July 1, ~~2010~~ 2011, and for each subsequent fiscal year
12 thereafter, the sum of seventeen million five hundred thousand
13 dollars to the technology reinvestment fund.

14 b. There is appropriated from the rebuild Iowa
15 infrastructure fund for the fiscal year beginning July 1, 2008,
16 and ending June 30, 2009, the sum of seventeen million five
17 hundred thousand dollars, and for the fiscal year beginning
18 July 1, 2009, and ending June 30, 2010, the sum of fourteen
19 million five hundred twenty-five thousand dollars to the
20 technology reinvestment fund, notwithstanding section 8.57,
21 subsection 6, paragraph "c".

22 c. There is appropriated from the rebuild Iowa
23 infrastructure fund for the fiscal year beginning July 1, 2010,
24 the sum of ten million dollars to the technology reinvestment
25 fund, notwithstanding section 8.57, subsection 6, paragraph
26 "c".

27 Sec. 71. Section 12.87, subsections 1 and 2, Code Supplement
28 2009, are amended to read as follows:

29 1. The treasurer of state is authorized to issue and sell
30 bonds on behalf of the state to provide funds for certain
31 infrastructure projects and for purposes of the Iowa jobs
32 program established in section 16.194. The treasurer of state
33 shall have all of the powers which are necessary or convenient
34 to issue, sell and secure bonds and carry out the treasurer of
35 state's duties, and exercise the treasurer of state's authority

1 under this section and sections 12.88 through 12.90. The
2 treasurer of state may issue and sell bonds in such amounts as
3 the treasurer of state determines to be necessary to provide
4 sufficient funds for certain infrastructure projects and the
5 revenue bonds capitals fund, the revenue bonds capitals II
6 fund, the payment of interest on the bonds, the establishment
7 of reserves to secure the bonds, the payment of costs of
8 issuance of the bonds, the payment of other expenditures of
9 the treasurer of state incident to and necessary or convenient
10 to carry out the issuance and sale of the bonds, and the
11 payment of all other expenditures of the treasurer of state
12 necessary or convenient to administer the funds and to carry
13 out the purposes for which the bonds are issued and sold.
14 The treasurer of state may issue and sell bonds in one or
15 more series on the terms and conditions the treasurer of
16 state determines to be in the best interest of the state, in
17 accordance with this section in such amounts as the treasurer
18 of state determines to be necessary to fund the purposes for
19 which such bonds are issued and sold. as follows:

20 a. The treasurer of state may issue and sell bonds in
21 amounts which provide aggregate net proceeds of not more
22 than ~~five hundred forty-five~~ six hundred ninety-five million
23 dollars, excluding any bonds issued and sold to refund
24 outstanding bonds issued under this section, as follows:

25 a. (1) The On or after July 1, 2009, the treasurer of
26 state may issue and sell bonds in amounts which provide
27 aggregate net proceeds of not more than one hundred eighty-five
28 million dollars for capital projects which qualify as vertical
29 infrastructure projects as defined in section 8.57, subsection
30 6, paragraph "c", to the extent practicable in any fiscal year
31 and without limiting other qualifying capital expenditures.

32 b. (2) The On or after July 1, 2009, the treasurer of state
33 may issue and sell bonds in amounts which provide aggregate
34 net proceeds of not more than three hundred sixty million
35 dollars for purposes of the Iowa jobs program established

1 in section 16.194 and for watershed flood rebuilding and
2 prevention projects, soil conservation projects, sewer
3 infrastructure projects, for certain housing and public service
4 shelter projects and public broadband and alternative energy
5 projects, and for projects relating to bridge safety and the
6 rehabilitation of deficient bridges.

7 (3) On or after July 1, 2010, the treasurer of state may
8 issue and sell bonds in amounts which provide aggregate net
9 proceeds of not more than one hundred fifty million dollars
10 for purposes of the Iowa jobs II program established in
11 section 16.194A and for qualified projects in the departments
12 of agriculture and land stewardship, economic development,
13 education, natural resources, and transportation, and the Iowa
14 finance authority, state board of regents, and treasurer of
15 state.

16 2. Bonds issued and sold under this section are payable
17 solely and only out of the moneys in the revenue bonds debt
18 service fund, the revenue bonds federal subsidy holdback
19 fund, and any bond reserve funds established pursuant to
20 section 12.89, and only to the extent provided in the trust
21 indenture, resolution, or other instrument authorizing their
22 issuance. All moneys in the revenue bonds debt service fund,
23 the revenue bonds federal subsidy holdback fund, and any bond
24 reserve funds established pursuant to section 12.89 may be
25 deposited with trustees or depositories in accordance with
26 the terms of the trust indentures, resolutions, or other
27 instruments authorizing the issuance of bonds and pledged by
28 the treasurer of state to the payment thereof. Bonds issued
29 and sold under this section shall contain a statement that the
30 bonds are limited special obligations of the state and do not
31 constitute a debt or indebtedness of the state or a pledge
32 of the faith or credit of the state or a charge against the
33 general credit or general fund of the state. The treasurer
34 of state shall not pledge the credit or taxing power of this
35 state or any political subdivision of this state or make bonds

1 issued and sold pursuant to this section payable out of any
2 moneys except those in the revenue bonds debt service fund,
3 the revenue bonds federal subsidy holdback fund, and any bond
4 reserve funds established pursuant to section 12.89.

5 Sec. 72. Section 12.89, subsection 2, Code Supplement 2009,
6 is amended by adding the following new paragraph:

7 NEW PARAGRAPH. *Od.* Federal subsidies and any transfers
8 from the revenue bonds federal subsidy holdback fund created
9 pursuant to section 12.89A.

10 Sec. 73. NEW SECTION. **12.89A Revenue bonds federal subsidy**
11 **holdback fund.**

12 1. A revenue bonds federal subsidy holdback fund is created
13 and established as a separate and distinct fund in the state
14 treasury. The treasurer of state shall act as custodian of the
15 fund and disburse moneys contained in the fund.

16 2. The moneys in such fund shall include all of the
17 following:

18 *a.* The revenues required to be deposited in the fund
19 pursuant to section 8.57, subsection 6, paragraph "e",
20 subparagraphs (1) and (2).

21 *b.* Interest attributable to investment moneys in the fund.

22 *c.* Any other moneys from any other sources which may be
23 legally available to the treasurer of state for the purpose of
24 the fund.

25 3. The moneys in the revenue bonds federal subsidy holdback
26 fund are appropriated and shall be used or transferred to the
27 revenue bonds debt service fund created in section 12.89,
28 subsection 1, solely for the purpose of making payments of
29 principal and interest on federal subsidy bonds when due, if
30 the treasurer of state or the treasurer's designee has not
31 received a federal subsidy scheduled to be received for such
32 payment by the due date.

33 4. The moneys on deposit in the revenue bonds federal
34 subsidy holdback fund shall be used or transferred to the
35 revenue bonds debt service fund created in section 12.89,

1 subsection 1, solely for the purpose of making payments of
2 principal and interest on federal subsidy bonds prior to any
3 use or transfer of moneys on deposit in any bond reserve fund
4 created for such federal subsidy bonds by the treasurer of
5 state pursuant to section 12.89, subsection 3, paragraph "a".

6 5. At any time during each fiscal year that there are moneys
7 on deposit in the revenue bonds federal subsidy holdback fund
8 that are not needed to pay principal and interest on federal
9 subsidy bonds during such fiscal year as determined by the
10 treasurer of state or the treasurer's designee, all moneys on
11 deposit in the revenue bonds federal subsidy holdback account
12 shall be credited to the rebuild Iowa infrastructure fund of
13 the state.

14 6. For purposes of this section:

15 a. "Federal subsidy" means any payment from the federal
16 government with respect to federal subsidy bonds.

17 b. "Federal subsidy bonds" means any bonds issued and
18 sold pursuant to section 12.87 for which a federal subsidy is
19 expected to be paid on or before any date on which interest on
20 such bonds is due and payable.

21 Sec. 74. Section 15F.204, subsection 8, paragraph a,
22 subparagraph (6), Code Supplement 2009, is amended by striking
23 the subparagraph.

24 Sec. 75. Section 15F.204, subsection 8, paragraph b,
25 subparagraph (4), Code Supplement 2009, is amended by striking
26 the subparagraph.

27 Sec. 76. Section 16.181A, Code 2009, is amended to read as
28 follows:

29 **16.181A Housing trust fund — appropriations.**

30 1. There is appropriated from the rebuild Iowa
31 infrastructure fund to the Iowa finance authority for deposit
32 in the housing trust fund created in section 16.181, for the
33 fiscal year beginning July 1, 2009, and ending June 30, 2010,
34 and for each succeeding fiscal year, the sum of three million
35 dollars.

1 2. There is appropriated from the rebuild Iowa
2 infrastructure fund to the Iowa finance authority for deposit
3 in the housing trust fund created in section 16.181, for the
4 fiscal year beginning July 1, 2010 and ending June 30, 2011,
5 the sum of one million dollars.

6 Sec. 77. Section 16.192, subsections 2 and 4, Code
7 Supplement 2009, are amended to read as follows:

8 2. Establish the Iowa jobs program pursuant to section
9 16.194 and the Iowa jobs II program pursuant to section
10 16.194A.

11 4. Award financial assistance in the form of grants under
12 the Iowa jobs program pursuant to sections 16.194, 16.194A, and
13 16.195.

14 Sec. 78. Section 16.193, subsection 2, Code Supplement
15 2009, is amended to read as follows:

16 2. During the term of the Iowa jobs program established
17 in section 16.194 and the Iowa jobs II program established
18 in section 16.194A, two hundred thousand dollars of the
19 moneys deposited in the rebuild Iowa infrastructure fund
20 shall be allocated each fiscal year to the Iowa finance
21 authority for purposes of administering the Iowa jobs program,
22 notwithstanding section 8.57, subsection 6, paragraph "c".

23 Sec. 79. NEW SECTION. 16.194A Iowa jobs II program —
24 disaster prevention.

25 1. An Iowa jobs II program is created to assist in the
26 development and completion of public construction projects
27 relating to disaster prevention.

28 2. A city or county in this state or a regional transit
29 district as defined in chapter 28M that applies the smart
30 planning principles and guidelines pursuant to sections 18B.1
31 and 18B.2, if enacted in 2010 Iowa Acts, Senate File 2265, may
32 submit an application to the Iowa jobs board for financial
33 assistance for a local infrastructure competitive grant for
34 an eligible project under the program, notwithstanding any
35 limitation on the state's percentage in funding as contained in

1 section 29C.6, subsection 17.

2 3. Financial assistance under the program shall be awarded
3 in the form of grants.

4 4. The board shall consider the following criteria in
5 evaluating eligible projects to receive financial assistance
6 under the program:

7 a. The total number and quality of jobs to be created and
8 the benefits likely to accrue to areas distressed by high
9 unemployment.

10 b. Financial feasibility, including the ability of projects
11 to fund depreciation costs or replacement reserves, and the
12 availability of other federal, state, local, and private
13 sources of funds.

14 c. Sustainability and energy efficiency.

15 d. Benefits for disaster prevention.

16 e. The project's readiness to proceed.

17 5. An applicant must demonstrate local support for the
18 project as defined by rule.

19 6. Any award of financial assistance to a project shall be
20 limited to up to seventy-five percent of the total cost of the
21 development and completion of a public construction project
22 relating to disaster prevention.

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

28 8. The board shall not approve an application for assistance
29 for any of the following purposes:

30 a. To refinance a loan existing prior to the date of the
31 initial financial assistance application.

32 b. For a project that has previously received financial
33 assistance under the program, unless the applicant demonstrates
34 that the financial assistance would be used for a significant
35 expansion of a project.

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

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

11 Sec. 80. Section 16.195, subsection 2, Code Supplement
12 2009, is amended to read as follows:

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

22 Sec. 81. Section 26.3, subsection 2, Code Supplement 2009,
23 is amended to read as follows:

24 2. A governmental entity shall have an engineer licensed
25 under chapter 542B, a landscape architect licensed under
26 chapter 544B, or an architect registered under chapter
27 544A prepare plans and specifications, and calculate the
28 estimated total cost of a proposed public improvement. A
29 governmental entity shall ensure that a sufficient number
30 of paper copies of the project's contract documents, including
31 all drawings, plans, specifications, and estimated total costs
32 of the proposed public improvement are made available for
33 distribution at no charge to prospective bidders, subcontractor
34 bidders, suppliers, and contractor plan room services. If
35 a deposit is required as part of a paper contract documents

1 distribution policy by the public owner, the deposit shall not
2 exceed one thousand dollars per set which shall be refunded
3 upon return of the contract documents within fourteen days
4 after award of the project. If the contract documents are not
5 returned in a timely manner and in a reusable condition, the
6 deposit shall be forfeited.

7 Sec. 82. Section 123.53, subsections 3 and 4, Code
8 Supplement 2009, are amended to read as follows:

9 3. Notwithstanding subsection 2, if gaming revenues under
10 sections 99D.17 and 99F.11 are insufficient in a fiscal year to
11 meet the total amount of such revenues directed to be deposited
12 in the revenue bonds debt service fund and the revenue bonds
13 federal subsidy holdback fund during the fiscal year pursuant
14 to section 8.57, subsection 6, paragraph "e", the difference
15 shall be paid from moneys deposited in the beer and liquor
16 control fund prior to transfer of such moneys to the general
17 fund pursuant to subsection 2 and prior to the transfer of such
18 moneys pursuant to subsections 5 and 6. If moneys deposited in
19 the beer and liquor control fund are insufficient during the
20 fiscal year to pay the difference, the remaining difference
21 shall be paid from moneys deposited in the beer and liquor
22 control fund in subsequent fiscal years as such moneys become
23 available.

24 4. The treasurer of state shall, each quarter, prepare
25 an estimate of the gaming revenues and of the moneys to be
26 deposited in the beer and liquor control fund that will become
27 available during the remainder of the appropriate fiscal year
28 for the purposes described in subsection 3. The department
29 of management, the department of inspections and appeals, and
30 the department of commerce shall take appropriate actions to
31 provide that the sum of the amount of gaming revenues available
32 to be deposited into the revenue bonds debt service fund during
33 a fiscal year and the amount of moneys to be deposited in the
34 beer and liquor control fund available to be deposited into
35 the revenue bonds debt service fund and the revenue bonds

1 federal subsidy holdback fund during such fiscal year will be
2 sufficient to cover any anticipated deficiencies.

3 Sec. 83. Section 327H.20A, subsection 3, Code Supplement
4 2009, is amended to read as follows:

5 3. Notwithstanding any other provision to the contrary,
6 on or after July 1, 2006, moneys received as repayments for
7 loans made pursuant to this chapter or chapter 327I, Code 2009,
8 before, on, or after July 1, 2005, other than repayments of
9 federal moneys subject to section 327H.21, shall be credited to
10 the railroad revolving loan and grant fund. Notwithstanding
11 section 8.33, moneys in the railroad revolving loan and grant
12 fund shall not revert to the ~~general fund of the state fund~~
13 from which it was appropriated but shall remain available
14 indefinitely for expenditure under this section.

15 Sec. 84. Section 327J.2, subsection 3, Code Supplement
16 2009, is amended to read as follows:

17 3. *No reversion.* Notwithstanding section 8.33, any balance
18 in the fund on June 30 of any fiscal year shall not revert
19 to the ~~general fund of the state fund~~ from which it was
20 appropriated.

21 Sec. 85. REPEAL. Sections 8.57D, 12.90A, 12.90B, 12.90C,
22 16.185, 16.186, 16.187, and 313.68, Code Supplement 2009, are
23 repealed.

24 EXPLANATION

25 This bill makes appropriations to state departments and
26 agencies from the rebuild Iowa infrastructure fund, the
27 technology reinvestment fund, the revenue bonds capitals fund,
28 the revenue bonds capitals II fund, the FY 2009 prison bonding
29 fund, and other funds, creates the Iowa jobs II program and the
30 revenue bonds federal subsidy holdback fund, and provides for
31 related matters.

32 DIVISION I — REBUILD IOWA INFRASTRUCTURE FUND
33 APPROPRIATIONS. This division appropriates project funding
34 for FY 2010-2011 from the rebuild Iowa infrastructure fund,
35 including projects for the departments of administrative

1 services, agriculture and land stewardship, for the blind,
2 cultural affairs, economic development, education, natural
3 resources, public defense, public health, transportation, and
4 veterans affairs, and to the Iowa finance authority, the state
5 board of regents, and the treasurer of state.

6 The division appropriates project funding for FY 2011-2012,
7 FY 2012-2013, and FY 2013-2014 from the rebuild Iowa
8 infrastructure fund to the department of corrections and for
9 FY 2011-2012, FY 2012-2013, FY 2013-2014, and FY 2014-2015
10 from the rebuild Iowa infrastructure fund to the department of
11 natural resources.

12 DIVISION II — TECHNOLOGY REINVESTMENT FUND —
13 APPROPRIATIONS. This division appropriates project funding
14 for FY 2010-2011 from the technology reinvestment fund for
15 the departments of administrative services, corrections,
16 education, and public health, and the Iowa telecommunications
17 and technology commission.

18 DIVISION III — REVENUE BONDS CAPITALS FUND —
19 APPROPRIATIONS. This division appropriates project funding
20 for FY 2010-2011 from the revenue bonds capitals fund for the
21 departments of administrative services, agriculture and land
22 stewardship, cultural affairs, corrections, natural resources,
23 and the Iowa state fair, state board of regents, and the Iowa
24 finance authority.

25 DIVISION IV — REVENUE BONDS CAPITALS II FUND —
26 APPROPRIATIONS. The division creates a revenue bonds capitals
27 II fund. Revenue for the revenue bonds capitals II fund shall
28 include but is not limited to the net proceeds of certain bonds
29 issued by the treasurer of state on or after July 1, 2010,
30 interest attributable to investment of moneys in the fund or
31 an account of the fund, and moneys in the form of a devise,
32 gift, bequest, donation, federal or other grant, reimbursement,
33 repayment, judgment, transfer, payment, or appropriation from
34 any source intended to be used for the purposes of the fund.
35 Annually, on or before January 15 of each year, a state agency

1 that received an appropriation from the revenue bonds capitals
2 II fund shall report to the legislative services agency and the
3 department of management the status of all projects completed
4 or in progress.

5 The division appropriates project funding for FY 2010-2011
6 from the revenue bonds capitals II fund created in the bill to
7 the departments of agriculture and land stewardship, economic
8 development, education, natural resources, and transportation
9 and to the Iowa finance authority including to the Iowa jobs
10 board for purposes of the Iowa jobs II program, created in the
11 bill, state board of regents, and treasurer of state.

12 DIVISION V — FY 2009 PRISON BONDING FUND. This division
13 appropriates project funding for FY 2010-2011 to the department
14 of corrections.

15 DIVISION VI — GROW IOWA VALUES FUND. Currently, the Code
16 provides that for each fiscal year through the fiscal period
17 ending June 30, 2015, the grow Iowa values fund is to receive
18 an annual appropriation of \$50 million from either the general
19 fund or the rebuild Iowa infrastructure fund. The division
20 provides that the appropriation for FY 2010-2011 shall be
21 from the rebuild Iowa infrastructure fund. The department is
22 directed to allocate that \$50 million for certain purposes.
23 This division appropriates \$38 million from the rebuild
24 Iowa infrastructure fund to the grow Iowa values fund for
25 FY 2010-2011. The division also decreases the FY 2010-2011
26 standing appropriation from the grow Iowa values fund to the
27 department of economic development from \$50 million to \$38
28 million and makes conforming changes to certain allocations.

29 The division allows the department to allocate, of the
30 moneys in the targeted small business financial assistance
31 program account of the strategic investment fund, amounts
32 necessary for marketing, compliance, and the provision of
33 mentoring services.

34 Currently, the department must allocate \$3 million for
35 deposit in the innovation and commercialization development

1 fund. The division amends this allocation to require the
2 department to allocate \$5.5 million for deposit in the
3 innovation and commercialization development fund.

4 The division also creates a new allocation of \$1 million for
5 deposit in the targeted small business financial assistance
6 program account within the strategic investment fund.

7 Currently, the Code does not appropriate interest on moneys
8 in the grow Iowa values fund. The division appropriates the
9 interest to the department and directs the department to
10 allocate it for certain purposes.

11 DIVISION VII — ALTERNATIVE PUBLIC PROJECT DELIVERY PROGRAM.

12 This division establishes a new division in Code chapter 262
13 that creates an alternative project delivery commission and an
14 alternative project delivery program for governmental entities.
15 The bill defines governmental entity to be the board of regents
16 and institutions under the control of the board of regents.
17 The new division contains three parts.

18 Part 1 establishes an alternative project delivery
19 commission consisting of seven members, appointed by the board
20 of regents and other specified design and construction industry
21 associations. The part establishes quorum, meeting, voting,
22 and conflict of interest requirements for the commission,
23 designates the member appointed by the board of regents as
24 the commission chairperson, and authorizes the commission to
25 adopt policies and procedures to carry out the duties of the
26 commission.

27 Part 1 also establishes an alternative project delivery
28 program under the authority of the alternative project delivery
29 commission. The commission is responsible for selecting
30 the public projects for inclusion in the program based on
31 applications submitted by the governmental entities. The
32 commission is required to prepare and file a report with the
33 governor and the general assembly on or before January 15,
34 2014. The report is required to detail the activities of the
35 commission and provide information on each public project in

1 the program.

2 Part 1 also specifies publication requirements for public
3 notices provided by the governmental entity during the
4 alternative project delivery procedures and provides that
5 certain documents and information related to the alternative
6 project delivery procedures must be made available for public
7 inspection after the award or letting of the contract.

8 Parts 2 and 3 of the new division establish two alternative
9 project delivery procedures for use by the governmental
10 entities selected for inclusion in the program. For each
11 alternative project delivery procedure, the governmental
12 entity is required to employ or retain a criteria consultant
13 to assist in the preparation of a request for qualifications
14 and a request for proposals. Each of the alternative project
15 delivery procedures is conducted in two phases.

16 Part 2 of the new division provides the requirements and
17 procedures for construction management project delivery and for
18 the selection of a construction manager. Under part 2, the
19 governmental entity is required to employ a design professional
20 to design the public project and prepare the construction
21 documents for the public project. Phase I of the construction
22 manager selection process includes publication of a request
23 for qualifications by the governmental entity, review of the
24 statements of qualifications, and the selection of a minimum
25 of two but not more than five construction managers to advance
26 to phase II. Phase II includes a request for proposals, the
27 receipt of proposals from those construction managers selected
28 during phase I, an interview with each construction manager
29 that submits a proposal, evaluation of each proposal, and
30 selection of a construction manager for the public project.

31 Part 3 of the new division provides the requirements and
32 procedures for design-build project delivery and for the
33 selection of a design-builder. Phase I of the design-builder
34 selection process includes publication of a request for
35 qualifications by the governmental entity, review of the

1 statements of qualifications, and the selection of a minimum of
2 two but not more than five design-builders to advance to phase
3 II. Phase II includes a request for proposals, the receipt of
4 proposals from those design-builders selected during phase I,
5 including a separate cost and schedule proposal, an interview
6 with each design-builder that submits a proposal, evaluation of
7 each proposal, and selection of a design-builder for the public
8 project.

9 DIVISION VIII — FLOODPLAIN MAPPING. This division provides
10 for the use of funds allocated to the department of natural
11 resources for floodplain mapping from the appropriation made
12 to the department of economic development in 2009 Iowa Acts,
13 chapter 183, section 67, of federal community development block
14 grant funds awarded to the state under the federal Consolidated
15 Security, Disaster Assistance, and Continuing Appropriations
16 Act, 2009, Pub. L. No. 110-329, the department of economic
17 development shall enter an agreement in an amount of not less
18 than \$10,000,000 with the state university of Iowa for the
19 development of new floodplain maps by June 30, 2014, by the
20 Iowa flood center established pursuant to section 466C.1. The
21 department of economic development shall structure the contract
22 to be consistent with any plan for use of the funds approved
23 by any federal agency, or, if necessary, follow any procedures
24 necessary for approval of this contract.

25 DIVISION IX — DEPARTMENT OF ADMINISTRATIVE SERVICES —
26 OFFICE SPACE. This division requires the department of
27 administrative services to issue a request for proposals
28 by December 1, 2010, concerning the availability and cost
29 of office space for state employees in downtown Des Moines
30 and in other areas in close proximity to the state capitol
31 complex. The department shall submit a written report to
32 the general assembly concerning the request for proposals by
33 January 14, 2011. The department is also required to conduct
34 a cost-benefit analysis of utilizing existing office space in
35 downtown Des Moines and other areas in close proximity to the

1 state capitol complex in lieu of replacing or renovating the
2 Wallace Building. The department shall submit a written report
3 to the general assembly concerning the cost-benefit analysis by
4 January 14, 2011.

5 DIVISION X — CHANGES TO PRIOR YEAR APPROPRIATIONS. This
6 division makes changes to prior year appropriations for FY
7 2006-2007 from the rebuild Iowa infrastructure fund for the
8 department of public safety and from Iowa's health restricted
9 capitals fund for the department of administrative services.
10 The division makes changes to prior year appropriations
11 for FY 2007-2008 from the rebuild Iowa infrastructure fund
12 for the state board of regents and from the technology
13 reinvestment fund for the department of human rights and the
14 Iowa workforce development. The division makes changes to
15 prior year appropriations for FY 2008-2009 from the technology
16 reinvestment fund for the department of education, from the
17 revenue bonds capitals fund for the department of corrections,
18 from the rebuild Iowa infrastructure fund for the departments
19 of administrative services and cultural affairs, and from the
20 FY 2009 prison bonding fund for the department of corrections.
21 The division makes changes to prior year appropriations for
22 FY 2009-2010 from the revenue bonds capitals fund for the
23 departments of agriculture and land stewardship, economic
24 development, natural resources, transportation, and the
25 Iowa telecommunications and technology commission, and from
26 the rebuild Iowa infrastructure fund for the departments of
27 cultural affairs and transportation.

28 The division makes changes to prior year appropriations
29 for FY 2010-2011 from the rebuild Iowa infrastructure fund to
30 the department of economic development and from the rebuild
31 Iowa infrastructure fund to the departments of administrative
32 services, corrections, state board of regents, and the Iowa
33 state fair.

34 This division takes effect upon enactment.

35 DIVISION XI — MISCELLANEOUS CODE CHANGES. The division

1 eliminates the standing FY 2010-2011 \$10 million appropriation
2 from the rebuild Iowa infrastructure fund to the secure an
3 advanced vision for education (SAVE) fund.

4 The division reduces the FY 2010-2011 standing appropriation
5 from the rebuild Iowa infrastructure fund to the environment
6 first fund from \$42 million to \$33 million.

7 The division appropriates \$10 million from the rebuild Iowa
8 infrastructure fund to the technology reinvestment fund for FY
9 2010-2011.

10 The division makes changes to Code section 8.57 relating
11 to the distribution of wagering tax allocations for purposes
12 of pledging a revenue stream for revenue bonds issued on or
13 after July 1, 2010, authorized under the bill. In addition,
14 the division makes changes to Code section 123.53 relating to
15 the beer and liquor control fund to provide for a secondary
16 source of revenue funding for the revenue bonds relating to the
17 revenue bonds federal subsidy holdback fund.

18 The division authorizes the treasurer of state to issue and
19 sell bonds in amounts which provide aggregate net proceeds of
20 not more than \$150 million for purposes of an Iowa jobs grant
21 program relating to disaster prevention for qualified projects
22 in the departments of agriculture and land stewardship,
23 economic development, education, and transportation, and the
24 Iowa finance authority, the state board of regents, and the
25 treasurer of state.

26 The division creates a revenue bonds federal subsidy
27 holdback fund comprised of the wagering tax revenues required
28 to be deposited in the fund, interest attributable to
29 investment moneys in the fund, and any other moneys from any
30 other sources which may be legally available to the treasurer
31 of state for the purpose of the fund. The moneys in the
32 revenue bonds federal subsidy holdback fund are appropriated
33 and shall be used or transferred to the revenue bonds debt
34 service fund solely for the purpose of making payments of
35 principal and interest on the federal subsidy bonds when due,

1 if the treasurer of state or the treasurer's designee has not
2 received a federal subsidy scheduled to be received for such
3 payment by the due date. The moneys on deposit in the revenue
4 bonds federal subsidy holdback fund are required to be used
5 or transferred to the revenue bonds debt service fund solely
6 for the purpose of making payments of principal and interest
7 on federal subsidy bonds prior to any use or transfer of
8 moneys on deposit in any bond reserve fund created for such
9 federal subsidy bonds by the treasurer of state. At any time
10 during each fiscal year that there are moneys on deposit in
11 the revenue bonds federal subsidy holdback fund that are not
12 needed to pay principal and interest on federal subsidy bonds
13 during such fiscal year, all moneys on deposit in the revenue
14 bonds federal subsidy holdback account shall be credited to
15 the general fund. For purposes of the bill, "federal subsidy"
16 means any payment from the federal government with respect to
17 federal subsidy bonds and "federal subsidy bonds" means any
18 bonds issued and sold pursuant to Code section 12.87 for which
19 a federal subsidy is expected to be paid on or before any date
20 on which interest on such bonds is due and payable.

21 The division eliminates standing appropriations for FY
22 2010-2011 from the rebuild Iowa infrastructure fund to the
23 community attraction and tourism fund and from the franchise
24 tax revenues deposited in the general fund of the state to the
25 community attraction and tourism fund.

26 The division eliminates standing appropriations from the
27 rebuild Iowa infrastructure fund and the general fund for FY
28 2010-2011 to the department of economic development for the
29 community attraction and tourism program.

30 The division appropriates funds from the rebuild Iowa
31 infrastructure fund to the Iowa finance authority for deposit
32 into the housing trust fund for FY 2010-2011.

33 The division creates an Iowa jobs II program to assist
34 in the development and completion of public construction
35 projects relating to disaster prevention. A city or county

1 in this state or a regional transit district as defined in
2 chapter 28M that applies the smart planning principles and
3 guidelines pursuant to Code sections 18B.1 and 18B.2 if
4 enacted in 2010 Iowa Acts, Senate File 2265, may submit an
5 application to the Iowa jobs board created in Code section
6 16.191 for a local infrastructure competitive grant for an
7 eligible project under the program. The board is required to
8 consider certain criteria in evaluating eligible projects to
9 receive financial assistance under the program. Any award
10 of financial assistance to a project is limited to up to 75
11 percent of the total cost of the total cost of the development
12 and completion of a public construction project relating to
13 disaster prevention.

14 The division amends Code section 26.3 relating to
15 competitive bids for public improvement contracts. The
16 division provides that a governmental entity shall ensure that
17 a sufficient number of paper copies of the project's contract
18 documents, including all drawings, plans, specifications, and
19 estimated total costs of the proposed public improvement are
20 made available for distribution at no charge to prospective
21 bidders, subcontractor bidders, suppliers, and contractor plan
22 room services. If a deposit is required as part of a paper
23 contract documents distribution policy by the public owner,
24 the deposit shall not exceed \$1,000 per set which shall be
25 refunded upon return of the contract documents within 14 days
26 after award of the project. If the contract documents are not
27 returned in a timely manner and in a reusable condition, the
28 deposit shall be forfeited.

29 The division makes technical changes relating to the
30 reversion of funds provisions in Code sections 327H.20A
31 (railroad revolving loan and grant fund) and 327J.2 (passenger
32 rail service revolving fund).

33 The division repeals Code section 12.90A authorizing the
34 treasurer of state to issue annual appropriation bonds on or
35 after July 1, 2010, and makes conforming changes by repealing

1 the annual appropriation bonds debt service fund (Code section
2 12.90B), the appropriations bonds capitals fund (Code section
3 12.90C), and the vertical infrastructure restricted capitals
4 fund (Code section 8.57D).

5 The division repeals the public service shelter grant
6 fund (Code section 16.185), the disaster damage housing
7 assistance grant fund (Code section 16.186), the affordable
8 housing assistance grant fund (Code section 16.187), and the
9 bridge safety fund (Code section 313.68), and makes conforming
10 changes.