

**Senate Study Bill 3238 - Introduced**

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
APPROPRIATIONS BILL BY  
JOINT APPROPRIATIONS  
SUBCOMMITTEE ON  
ADMINISTRATION AND  
REGULATION)

**A BILL FOR**

1 An Act relating to and making appropriations to certain state  
2 departments, agencies, funds, and certain other entities,  
3 providing for regulatory authority, and other properly  
4 related matters.

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

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DIVISION I  
ADMINISTRATION AND REGULATION  
APPROPRIATIONS

Section 1. DEPARTMENT OF ADMINISTRATIVE SERVICES.

1. There is appropriated from the general fund of the state to the department of administrative services 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:

a. For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,746,420
.....	FTEs	62.51

b. For the payment of utility costs:

.....	\$	3,127,085
.....	FTEs	1.00

Notwithstanding section 8.33, any excess funds appropriated for utility costs in this lettered paragraph shall not revert to the general fund of the state at the end of the fiscal year but shall remain available for expenditure for the purposes of this lettered paragraph during the succeeding fiscal year.

It is the intent of the general assembly that the department shall reduce utility costs through energy conservation practices. The goal of the general assembly is to reduce energy use by 10 percent to save money, conserve energy resources, and reduce pollution.

c. The department shall, with the goal of reducing costs, reduce the size of the state fleet, examine policies on when state vehicles are assigned and circumstances for when employees take state vehicles home, and consider guidelines for when to sell and purchase new vehicles. The department shall submit a report to the general assembly by January 1, 2011, concerning the department's efforts to reduce state motor vehicle fleet costs, including data on the extent of savings

1 realized.

2 2. Members of the general assembly serving as members of  
3 the deferred compensation advisory board shall be entitled  
4 to receive per diem and necessary travel and actual expenses  
5 pursuant to section 2.10, subsection 5, while carrying out  
6 their official duties as members of the board.

7 3. Any funds and premiums collected by the department for  
8 workers' compensation shall be segregated into a separate  
9 workers' compensation fund in the state treasury to be used  
10 for payment of state employees' workers' compensation claims  
11 and administrative costs. Notwithstanding section 8.33,  
12 unencumbered or unobligated moneys remaining in this workers'  
13 compensation fund at the end of the fiscal year shall not  
14 revert but shall be available for expenditure for purposes of  
15 the fund for subsequent fiscal years.

16 4. For the fiscal year beginning July 1, 2010, and ending  
17 June 30, 2011, the rate set for a service provided solely  
18 by the department of administrative services as determined  
19 pursuant to section 8.6, subsection 16, paragraph "c", shall  
20 not exceed the rate set for that service as of January 1, 2010.

21 Sec. 2. REVOLVING FUNDS.

22 1. There is appropriated to the department of  
23 administrative services for the fiscal year beginning July  
24 1, 2010, and ending June 30, 2011, from the revolving funds  
25 designated in chapter 8A and from internal service funds  
26 created by the department such amounts as the department deems  
27 necessary for the operation of the department consistent with  
28 the requirements of chapter 8A.

29 2. There is appropriated to the information technology  
30 division of the department of management for the fiscal year  
31 beginning July 1, 2010, and ending June 30, 2011, from the  
32 revolving funds designated in chapter 8B and from internal  
33 service funds created by the division such amounts as the  
34 division deems necessary for the operation of the division  
35 consistent with the requirements of chapter 8B.



1 pursuant to section 11.20 or 11.21, to perform audits which are  
2 requested by and reimbursable from the federal government, and  
3 to perform work requested by and reimbursable from departments  
4 or agencies pursuant to section 11.5A or 11.5B. The auditor  
5 of state shall notify the department of management, the  
6 legislative fiscal committee, and the legislative services  
7 agency of the additional full-time equivalent positions  
8 retained.

9 2. As a condition of receiving funding appropriated in  
10 this section, for the fiscal year beginning July 1, 2010, and  
11 ending June 30, 2011, the auditor shall comply with all of the  
12 following requirements:

13 a. The rates and fees set by the auditor to conduct audits  
14 for the fiscal year shall not exceed the rates and fees set for  
15 conducting audits as of January 1, 2009.

16 b. The auditor shall not seek reimbursement from  
17 departments and agencies specified in section 11.5B in an  
18 amount that exceeds the total amount reimbursed to the auditor  
19 by those departments and agencies for the fiscal year beginning  
20 July 1, 2008.

21 c. The auditor shall not seek reimbursement from  
22 governmental subdivisions for audits which are reimbursable  
23 pursuant to section 11.20 or 11.21 in an amount that exceeds  
24 the total amount reimbursed to the auditor by governmental  
25 subdivisions for the fiscal year beginning July 1, 2008.

26 d. Notwithstanding any provision of this subsection to the  
27 contrary, the auditor may seek reimbursement from departments  
28 and agencies specified in section 11.5B, and governmental  
29 subdivisions, in an amount that exceeds the total amount  
30 reimbursed to the auditor by those departments, agencies, or  
31 governmental subdivisions for the fiscal year beginning July  
32 1, 2008, for audits required by the federal government and  
33 reimbursable from federal funds.

34 e. For purposes of this subsection, "total amount  
35 reimbursed" does not include amounts reimbursed for audits

1 required and reimbursed from federal funds.

2 Sec. 6. AUDITOR OF STATE — DISCRETIONARY AUDITS. For the  
3 fiscal year beginning July 1, 2010, and ending June 30, 2011,  
4 the auditor of state, in addition to any other requirements  
5 provided in this Act, shall not seek reimbursement from  
6 departments and agencies specified in section 11.5B for any  
7 discretionary audit that the auditor initiates or has initiated  
8 on the auditor's own authority and which is not specifically  
9 required by statute. Notwithstanding the prohibition contained  
10 in this section, the auditor shall perform all necessary audit  
11 duties related to any financial report required to be compiled  
12 by a department or agency that the auditor has previously  
13 audited in the normal course of the auditor's duties, whether  
14 or not such financial report is required by law. Any amounts  
15 reimbursed in association with such audit shall be limited to  
16 the amounts reimbursed for the audit of such report during the  
17 previous reporting period. However, the auditor of state may  
18 seek reimbursement for the cost of conducting a discretionary  
19 audit from any moneys recovered pursuant to any criminal or  
20 civil action arising out of the discretionary audit.

21 Sec. 7. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There  
22 is appropriated from the general fund of the state to the  
23 Iowa ethics and campaign disclosure board for the fiscal year  
24 beginning July 1, 2010, and ending June 30, 2011, the following  
25 amount, or so much thereof as is necessary, for the purposes  
26 designated:

27 For salaries, support, maintenance, and miscellaneous  
28 purposes, and for not more than the following full-time  
29 equivalent positions:

30 .....	\$	537,256
31 .....	FTEs	5.00

32 Sec. 8. DEPARTMENT OF COMMERCE.

33 1. There is appropriated from the general fund of the  
34 state to the department of commerce for the fiscal year  
35 beginning July 1, 2010, and ending June 30, 2011, the following

1 amounts, or so much thereof as is necessary, for the purposes  
2 designated:

3 a. ALCOHOLIC BEVERAGES DIVISION

4 For salaries, support, maintenance, and miscellaneous  
5 purposes, and for not more than the following full-time  
6 equivalent positions:

7 .....	\$	1,786,444
8 .....	FTEs	31.00

9 b. PROFESSIONAL LICENSING AND REGULATION BUREAU

10 For salaries, support, maintenance, and miscellaneous  
11 purposes, and for not more than the following full-time  
12 equivalent positions:

13 .....	\$	810,498
14 .....	FTEs	14.00

15 2. There is appropriated from the department of commerce  
16 revolving fund created in section 546.12 to the department of  
17 commerce for the fiscal year beginning July 1, 2010, and ending  
18 June 30, 2011, the following amounts, or so much thereof as is  
19 necessary, for the purposes designated:

20 a. BANKING DIVISION

21 For salaries, support, maintenance, and miscellaneous  
22 purposes, and for not more than the following full-time  
23 equivalent positions:

24 .....	\$	8,851,670
25 .....	FTEs	80.00

26 b. CREDIT UNION DIVISION

27 For salaries, support, maintenance, and miscellaneous  
28 purposes, and for not more than the following full-time  
29 equivalent positions:

30 .....	\$	1,727,995
31 .....	FTEs	19.00

32 c. INSURANCE DIVISION

33 (1) For salaries, support, maintenance, and miscellaneous  
34 purposes, and for not more than the following full-time  
35 equivalent positions:

1 ..... \$ 4,928,244

2 ..... FTEs 103.00

3 (2) The insurance division may reallocate authorized  
4 full-time equivalent positions as necessary to respond to  
5 accreditation recommendations or requirements. The insurance  
6 division expenditures for examination purposes may exceed the  
7 projected receipts, refunds, and reimbursements, estimated  
8 pursuant to section 505.7, subsection 7, including the  
9 expenditures for retention of additional personnel, if the  
10 expenditures are fully reimbursable and the division first does  
11 both of the following:

12 (a) Notifies the department of management, the legislative  
13 services agency, and the legislative fiscal committee of the  
14 need for the expenditures.

15 (b) Files with each of the entities named in subparagraph  
16 division (a) the legislative and regulatory justification for  
17 the expenditures, along with an estimate of the expenditures.

18 (3) The insurance division shall allocate \$10,000 from  
19 the examination receipts for the payment of its fees to the  
20 national conference of insurance legislators.

21 d. UTILITIES DIVISION

22 (1) For salaries, support, maintenance, and miscellaneous  
23 purposes, and for not more than the following full-time  
24 equivalent positions:

25 ..... \$ 8,173,069

26 ..... FTEs 72.00

27 (2) The utilities division may expend additional funds,  
28 including funds for additional personnel, if those additional  
29 expenditures are actual expenses which exceed the funds  
30 budgeted for utility regulation and the expenditures are fully  
31 reimbursable. Before the division expends or encumbers an  
32 amount in excess of the funds budgeted for regulation, the  
33 division shall first do both of the following:

34 (a) Notify the department of management, the legislative  
35 services agency, and the legislative fiscal committee of the



1 need for the expenditures.

2 (b) File with each of the entities named in subparagraph  
3 division (a) the legislative and regulatory justification for  
4 the expenditures, along with an estimate of the expenditures.

5 (3) Notwithstanding sections 8.33 and 476.10 or any other  
6 provision to the contrary, any balance of the appropriation  
7 made in this paragraph for the utilities division or any other  
8 operational appropriation made for the fiscal year beginning  
9 July 1, 2010, and ending June 30, 2011, that remains unused,  
10 unencumbered, or unobligated at the close of the fiscal year  
11 shall not revert but shall remain available to be used for  
12 purposes of the energy-efficient building project authorized  
13 under section 476.10B, or for relocation costs in succeeding  
14 fiscal years.

15 3. CHARGES. Each division and the office of consumer  
16 advocate shall include in its charges assessed or revenues  
17 generated an amount sufficient to cover the amount stated  
18 in its appropriation and any state-assessed indirect costs  
19 determined by the department of administrative services.

20 4. TRAVEL. The director of the department of commerce shall  
21 review on a quarterly basis all out-of-state travel for the  
22 previous quarter for officers and employees of each division  
23 of the department if the travel is not already authorized by  
24 the executive council.

25 Sec. 9. DEPARTMENT OF COMMERCE — PROFESSIONAL LICENSING  
26 AND REGULATION BUREAU. There is appropriated from the housing  
27 trust fund of the Iowa finance authority created in section  
28 16.181, to the bureau of professional licensing and regulation  
29 of the banking division of the department of commerce for the  
30 fiscal year beginning July 1, 2010, and ending June 30, 2011,  
31 the following amount, or so much thereof as is necessary, to be  
32 used for the purposes designated:

33 For salaries, support, maintenance, and miscellaneous  
34 purposes:

35 ..... \$ 62,317

1 Sec. 10. GOVERNOR AND LIEUTENANT GOVERNOR. There is  
2 appropriated from the general fund of the state to the offices  
3 of the governor and the lieutenant governor for the fiscal year  
4 beginning July 1, 2010, and ending June 30, 2011, the following  
5 amounts, or so much thereof as is necessary, to be used for the  
6 purposes designated:

7 1. GENERAL OFFICE

8 For salaries, support, maintenance, and miscellaneous  
9 purposes for the general office of the governor and the general  
10 office of the lieutenant governor, and for not more than the  
11 following full-time equivalent positions:

12 ..... \$ 1,947,567  
13 ..... FTEs 25.25

14 2. TERRACE HILL QUARTERS

15 For salaries, support, maintenance, and miscellaneous  
16 purposes for the governor's quarters at Terrace Hill, and for  
17 not more than the following full-time equivalent positions:

18 ..... \$ 394,291  
19 ..... FTEs 10.00

20 3. ADMINISTRATIVE RULES COORDINATOR

21 For salaries, support, maintenance, and miscellaneous  
22 purposes for the office of administrative rules coordinator,  
23 and for not more than the following full-time equivalent  
24 positions:

25 ..... \$ 114,450  
26 ..... FTEs 3.00

27 4. NATIONAL GOVERNORS ASSOCIATION

28 For payment of Iowa's membership in the national governors  
29 association:

30 ..... \$ 40,300

31 5. STATE-FEDERAL RELATIONS

32 For salaries, support, maintenance, and miscellaneous  
33 purposes for the office for state-federal relations, and for  
34 not more than the following full-time equivalent positions:

35 ..... \$ 41,958

1 ..... FTEs 2.00

2 Sec. 11. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY. There  
3 is appropriated from the general fund of the state to the  
4 governor's office of drug control policy for the fiscal year  
5 beginning July 1, 2010, and ending June 30, 2011, the following  
6 amount, or so much thereof as is necessary, to be used for the  
7 purposes designated:

8 For salaries, support, maintenance, and miscellaneous  
9 purposes, including statewide coordination of the drug abuse  
10 resistance education (D.A.R.E.) programs or similar programs,  
11 and for not more than the following full-time equivalent  
12 positions:

13 ..... \$ 357,866  
14 ..... FTEs 8.00

15 Sec. 12. DEPARTMENT OF HUMAN RIGHTS. There is appropriated  
16 from the general fund of the state to the department of human  
17 rights for the fiscal year beginning July 1, 2010, and ending  
18 June 30, 2011, the following amounts, or so much thereof as is  
19 necessary, to be used for the purposes designated:

20 1. CENTRAL ADMINISTRATION DIVISION

21 For salaries, support, maintenance, and miscellaneous  
22 purposes, and for not more than the following full-time  
23 equivalent positions:

24 ..... \$ 274,773  
25 ..... FTEs 7.00

26 2. COMMUNITY ADVOCACY AND SERVICES DIVISION

27 For salaries, support, maintenance, and miscellaneous  
28 purposes, and for not more than the following full-time  
29 equivalent positions:

30 ..... \$ 1,247,926  
31 ..... FTEs 18.20

32 3. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION

33 For salaries, support, maintenance, and miscellaneous  
34 purposes, and for not more than the following full-time  
35 equivalent positions:

1 ..... \$ 1,284,725

2 ..... FTEs 11.18

3 The criminal and juvenile justice planning advisory council  
4 and the juvenile justice advisory council shall coordinate  
5 their efforts in carrying out their respective duties relative  
6 to juvenile justice.

7 Sec. 13. DEPARTMENT OF INSPECTIONS AND APPEALS. There  
8 is appropriated from the general fund of the state to the  
9 department of inspections and appeals for the fiscal year  
10 beginning July 1, 2010, and ending June 30, 2011, the following  
11 amounts, or so much thereof as is necessary, for the purposes  
12 designated:

13 1. ADMINISTRATION DIVISION

14 For salaries, support, maintenance, and miscellaneous  
15 purposes, and for not more than the following full-time  
16 equivalent positions:

17 ..... \$ 1,984,510

18 ..... FTEs 39.25

19 As a condition of receiving funding appropriated in this  
20 subsection, the department shall maintain the targeted small  
21 business certification employee position within the division.

22 2. ADMINISTRATIVE HEARINGS DIVISION

23 For salaries, support, maintenance, and miscellaneous  
24 purposes, and for not more than the following full-time  
25 equivalent positions:

26 ..... \$ 609,585

27 ..... FTEs 24.00

28 3. INVESTIGATIONS DIVISION

29 For salaries, support, maintenance, and miscellaneous  
30 purposes, and for not more than the following full-time  
31 equivalent positions:

32 ..... \$ 1,015,570

33 ..... FTEs 50.00

34 4. HEALTH FACILITIES DIVISION

35 a. For salaries, support, maintenance, and miscellaneous

1 purposes, and for not more than the following full-time  
2 equivalent positions:

3 ..... \$ 4,380,108  
4 ..... FTEs 139.75

5 b. The department shall, in coordination with the health  
6 facilities division, make the following information available  
7 to the public in a timely manner, to include providing the  
8 information on the department's internet website, during the  
9 fiscal year beginning July 1, 2010, and ending June 30, 2011:

10 (1) The number of inspections conducted by the division  
11 annually by type of service provider and type of inspection.

12 (2) The total annual operations budget for the division,  
13 including general fund appropriations and federal contract  
14 dollars received by type of service provider inspected.

15 (3) The total number of full-time equivalent positions in  
16 the division, to include the number of full-time equivalent  
17 positions serving in a supervisory capacity, and serving as  
18 surveyors, inspectors, or monitors in the field by type of  
19 service provider inspected.

20 (4) Identification of state and federal survey trends,  
21 cited regulations, the scope and severity of deficiencies  
22 identified, and federal and state fines assessed and collected  
23 concerning nursing and assisted living facilities and programs.

24 (5) The fiscal impact of additional full-time equivalent  
25 positions on the department's efforts relative to the Medicaid  
26 divestiture program under Code chapter 249F.

27 c. It is the intent of the general assembly that the  
28 department and division continuously solicit input from  
29 facilities regulated by the division to assess and improve  
30 the division's level of collaboration and to identify new  
31 opportunities for cooperation.

32 5. EMPLOYMENT APPEAL BOARD

33 For salaries, support, maintenance, and miscellaneous  
34 purposes, and for not more than the following full-time  
35 equivalent positions:

1 ..... \$ 46,318

2 ..... FTEs 15.00

3 The employment appeal board shall be reimbursed by the labor  
4 services division of the department of workforce development  
5 for all costs associated with hearings conducted under chapter  
6 91C, related to contractor registration. The board may expend,  
7 in addition to the amount appropriated under this subsection,  
8 additional amounts as are directly billable to the labor  
9 services division under this subsection and to retain the  
10 additional full-time equivalent positions as needed to conduct  
11 hearings required pursuant to chapter 91C.

12 6. CHILD ADVOCACY BOARD

13 For foster care review and the court appointed special  
14 advocate program, including salaries, support, maintenance, and  
15 miscellaneous purposes, and for not more than the following  
16 full-time equivalent positions:

17 ..... \$ 2,920,367

18 ..... FTEs 45.04

19 a. The department of human services, in coordination with  
20 the child advocacy board and the department of inspections and  
21 appeals, shall submit an application for funding available  
22 pursuant to Tit. IV-E of the federal Social Security Act for  
23 claims for child advocacy board administrative review costs.

24 b. The court appointed special advocate program shall  
25 investigate and develop opportunities for expanding  
26 fund-raising for the program.

27 c. Administrative costs charged by the department of  
28 inspections and appeals for items funded under this subsection  
29 shall not exceed 4 percent of the amount appropriated in this  
30 subsection.

31 d. Notwithstanding any provision of sections 237.18 and  
32 237.20 to the contrary, the child advocacy board may establish  
33 up to six pilot projects using alternative policies to guide  
34 the selection of cases and the procedures used by local  
35 citizen foster care review boards as they review cases of

1 children who received or are receiving foster care or other  
2 out-of-home placement services while under the supervision of  
3 the department of human services. Policies to guide the pilot  
4 project case selection and review time frames and reporting  
5 formats shall be approved by the department of human services,  
6 state court administrator, and the chief judge of any judicial  
7 district in which a pilot project is to be implemented. The  
8 child advocacy board shall report to the governor and general  
9 assembly by January 1, 2011, on the progress of any new  
10 approaches and their impact on efficiencies and case outcomes.

11 Sec. 14. DEPARTMENT OF INSPECTIONS AND APPEALS — MUNICIPAL  
12 CORPORATION FOOD INSPECTIONS. For the fiscal year beginning  
13 July 1, 2010, and ending June 30, 2011, the department of  
14 inspections and appeals shall retain any license fees generated  
15 during the fiscal year as a result of actions under section  
16 137F.3A occurring during the fiscal year beginning July 1,  
17 2009, and ending June 30, 2010, for the purpose of enforcing  
18 the provisions of chapters 137C, 137D, and 137F.

19 Sec. 15. MEDICAID FRAUD ACCOUNT APPROPRIATION — DEPARTMENT  
20 OF INSPECTIONS AND APPEALS. There is appropriated from  
21 the Medicaid fraud account created in section 249A.7 to the  
22 department of inspections and appeals for the fiscal year  
23 beginning July 1, 2010, and ending June 30, 2011, the amounts  
24 necessary for the purposes designated:

25 1. To cover the cost of any state match to draw down  
26 matching federal funds through the department of human services  
27 for additional full-time equivalent positions for conducting  
28 investigations of alleged fraud and overpayments of food  
29 assistance benefits through electronic benefits transfer.

30 2. To cover the cost of any state match to draw down  
31 the necessary federal match through the department of  
32 human services and with the approval of the department of  
33 management for additional full-time equivalent positions for  
34 investigations of alleged fraud and overpayments under Code  
35 chapter 249F.

1 3. For the state financial match requirement for meeting  
2 the federal mandates connected with the department's Medicaid  
3 fraud and abuse activities, and the amount necessary to cover  
4 costs incurred by the department or other agencies in providing  
5 regulation, responding to allegations, or other activity  
6 involving chapter 1350.

7 Sec. 16. RACING AND GAMING COMMISSION.

8 1. RACETRACK REGULATION

9 There is appropriated from the general fund of the state  
10 to the racing and gaming commission of the department of  
11 inspections and appeals for the fiscal year beginning July  
12 1, 2010, and ending June 30, 2011, the following amount, or  
13 so much thereof as is necessary, to be used for the purposes  
14 designated:

15 For salaries, support, maintenance, and miscellaneous  
16 purposes for the regulation of pari-mutuel racetracks, and for  
17 not more than the following full-time equivalent positions:

18 .....	\$	2,637,614
19 .....	FTEs	28.53

20 2. EXCURSION BOAT AND GAMBLING STRUCTURE REGULATION

21 There is appropriated from the general fund of the state  
22 to the racing and gaming commission of the department of  
23 inspections and appeals for the fiscal year beginning July  
24 1, 2010, and ending June 30, 2011, the following amount, or  
25 so much thereof as is necessary, to be used for the purposes  
26 designated:

27 For salaries, support, maintenance, and miscellaneous  
28 purposes for administration and enforcement of the excursion  
29 boat gambling and gambling structure laws, and for not more  
30 than the following full-time equivalent positions:

31 .....	\$	3,034,862
32 .....	FTEs	42.22

33 However, if more than 14 licenses to operate gambling games  
34 on a gambling structure or excursion gambling boat are issued  
35 during the fiscal year beginning July 1, 2010, and ending June



1 30, 2011, there is appropriated from the general fund to the  
2 department an additional amount of not more than \$166,116 for  
3 not more than 2.00 full-time equivalent positions for each  
4 licensed gambling structure or excursion gambling boat in  
5 excess of 14.

6 Sec. 17. ROAD USE TAX FUND APPROPRIATION — DEPARTMENT OF  
7 INSPECTIONS AND APPEALS. There is appropriated from the road  
8 use tax fund created in section 312.1 to the administrative  
9 hearings division of the department of inspections and appeals  
10 for the fiscal year beginning July 1, 2010, and ending June 30,  
11 2011, the following amount, or so much thereof as is necessary,  
12 for the purposes designated:

13 For salaries, support, maintenance, and miscellaneous  
14 purposes:  
15 ..... \$ 1,623,897

16 Sec. 18. DEPARTMENT OF MANAGEMENT. There is appropriated  
17 from the general fund of the state to the department of  
18 management for the fiscal year beginning July 1, 2010, and  
19 ending June 30, 2011, the following amounts, or so much thereof  
20 as is necessary, to be used for the purposes designated:

21 For salaries, support, maintenance, and miscellaneous  
22 purposes, and for not more than the following full-time  
23 equivalent positions:  
24 ..... \$ 5,188,649  
25 ..... FTEs 60.40

26 Of the moneys appropriated in this section, the department  
27 shall use a portion for enterprise resource planning, providing  
28 for a salary model administrator, conducting performance  
29 audits, and for the department's LEAN process.

30 Sec. 19. ROAD USE TAX APPROPRIATION — DEPARTMENT OF  
31 MANAGEMENT. There is appropriated from the road use tax fund  
32 created in section 312.1 to the department of management for  
33 the fiscal year beginning July 1, 2010, and ending June 30,  
34 2011, the following amount, or so much thereof as is necessary,  
35 to be used for the purposes designated:

1 For salaries, support, maintenance, and miscellaneous  
2 purposes:

3 ..... \$ 56,000

4 Sec. 20. DEPARTMENT OF REVENUE. There is appropriated from  
5 the general fund of the state to the department of revenue  
6 for the fiscal year beginning July 1, 2010, and ending June  
7 30, 2011, the following amounts, or so much thereof as is  
8 necessary, to be used for the purposes designated:

9 For salaries, support, maintenance, and miscellaneous  
10 purposes, and for not more than the following full-time  
11 equivalent positions:

12 ..... \$ 22,729,219

13 ..... FTEs 360.07

14 Of the funds appropriated pursuant to this section, \$400,000  
15 shall be used to pay the direct costs of compliance related to  
16 the collection and distribution of local sales and services  
17 taxes imposed pursuant to chapters 423B and 423E.

18 The director of revenue shall prepare and issue a state  
19 appraisal manual and the revisions to the state appraisal  
20 manual as provided in section 421.17, subsection 17, without  
21 cost to a city or county.

22 The director of revenue shall provide a report to the general  
23 assembly by January 10, 2011, concerning the impact on revenues  
24 collected by the department relative to any increase in  
25 examiners authorized for the department in legislation enacted  
26 during the 2010 session of the general assembly.

27 Sec. 21. MOTOR VEHICLE FUEL TAX APPROPRIATION. There is  
28 appropriated from the motor fuel tax fund created by section  
29 452A.77 to the department of revenue for the fiscal year  
30 beginning July 1, 2010, and ending June 30, 2011, the following  
31 amount, or so much thereof as is necessary, to be used for the  
32 purposes designated:

33 For salaries, support, maintenance, and miscellaneous  
34 purposes for administration and enforcement of the provisions  
35 of chapter 452A and the motor vehicle use tax program:

1 ..... \$ 1,305,775

2 Sec. 22. SECRETARY OF STATE. There is appropriated from  
3 the general fund of the state to the office of the secretary of  
4 state for the fiscal year beginning July 1, 2010, and ending  
5 June 30, 2011, the following amounts, or so much thereof as is  
6 necessary, to be used for the purposes designated:

7 For salaries, support, maintenance, and miscellaneous  
8 purposes, and for not more than the following full-time  
9 equivalent positions:

10 ..... \$ 2,895,585

11 ..... FTEs 43.00

12 The state department or state agency which provides data  
13 processing services to support voter registration file  
14 maintenance and storage shall provide those services without  
15 charge.

16 Sec. 23. SECRETARY OF STATE FILING FEES REFUND.

17 Notwithstanding the obligation to collect fees pursuant to the  
18 provisions of section 490.122, subsection 1, paragraphs "a" and  
19 "s", and section 504.113, subsection 1, paragraphs "a", "c",  
20 "d", "j", "k", "l", and "m", for the fiscal year beginning July  
21 1, 2010, the secretary of state may refund these fees to the  
22 filer pursuant to rules established by the secretary of state.  
23 The decision of the secretary of state not to issue a refund  
24 under rules established by the secretary of state is final and  
25 not subject to review pursuant to the provisions of the Iowa  
26 administrative procedure Act, chapter 17A.

27 Sec. 24. TREASURER. There is appropriated from the general  
28 fund of the state to the office of treasurer of state for the  
29 fiscal year beginning July 1, 2010, and ending June 30, 2011,  
30 the following amount, or so much thereof as is necessary, to be  
31 used for the purposes designated:

32 For salaries, support, maintenance, and miscellaneous  
33 purposes, and for not more than the following full-time  
34 equivalent positions:

35 ..... \$ 854,289

1 ..... FTEs 28.80

2 The office of treasurer of state shall supply clerical and  
3 secretarial support for the executive council.

4 Sec. 25. ROAD USE TAX APPROPRIATION — OFFICE OF TREASURER  
5 OF STATE. There is appropriated from the road use tax fund  
6 created in section 312.1 to the office of treasurer of state  
7 for the fiscal year beginning July 1, 2010, and ending June 30,  
8 2011, the following amount, or so much thereof as is necessary,  
9 to be used for the purposes designated:

10 For enterprise resource management costs related to the  
11 distribution of road use tax funds:

12 ..... \$ 93,148

13 Sec. 26. IPERS — GENERAL OFFICE. There is appropriated  
14 from the Iowa public employees' retirement system fund to the  
15 Iowa public employees' retirement system for the fiscal year  
16 beginning July 1, 2010, and ending June 30, 2011, the following  
17 amount, or so much thereof as is necessary, to be used for the  
18 purposes designated:

19 For salaries, support, maintenance, and other operational  
20 purposes to pay the costs of the Iowa public employees'  
21 retirement system, and for not more than the following  
22 full-time equivalent positions:

23 ..... \$ 17,686,968

24 ..... FTEs 90.13

25 Sec. 27. REBUILD IOWA OFFICE. There is appropriated from  
26 the general fund of the state to the rebuild Iowa office for  
27 the fiscal year beginning July 1, 2010, and ending June 30,  
28 2011, the following amount, or so much thereof as is necessary,  
29 to be used for the purposes designated:

30 For salaries, support, maintenance, and miscellaneous  
31 purposes, and for not more than the following full-time  
32 equivalent positions:

33 ..... \$ 923,000

34 ..... FTEs 10.00

35 It is the intent of the general assembly that the rebuild

1 Iowa office shall be repealed effective June 30, 2011, and  
2 shall not receive an appropriation from the general fund of the  
3 state after that date.

4 DIVISION II

5 AUDITS

6 Sec. 28. Section 8D.13, subsection 13, Code 2009, is amended  
7 by striking the subsection.

8 Sec. 29. Section 11.5B, Code 2009, is amended by adding the  
9 following new subsections:

10 NEW SUBSECTION. 16. Financial administration duties of the  
11 department of management as provided in sections 8.71 through  
12 8.99.

13 NEW SUBSECTION. 17. Information technology division of the  
14 department of management.

15 Sec. 30. Section 182.18, unnumbered paragraph 1, Code 2009,  
16 is amended to read as follows:

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

29 Sec. 31. Section 184.14, unnumbered paragraph 2, Code 2009,  
30 is amended to read as follows:

31 Moneys collected, deposited in the fund, and transferred  
32 to the council as provided in this chapter are subject to  
33 audit by the auditor of state. The auditor of state may  
34 seek reimbursement for the cost of the audit. The moneys  
35 transferred to the council shall be used by the council first

1 for the payment of collection expenses, second for payment of  
2 the costs and expenses arising in connection with conducting  
3 referendums, ~~and~~ third to perform the functions and carry out  
4 the duties of the council as provided in this chapter, and  
5 fourth for the cost of audits by the auditor of state. Moneys  
6 remaining after the council is abolished and the imposition of  
7 an assessment is terminated pursuant to a referendum conducted  
8 pursuant to section 184.5 shall continue to be expended in  
9 accordance with this chapter until exhausted.

10 Sec. 32. Section 184A.6, subsection 2, Code 2009, is amended  
11 to read as follows:

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

20 Sec. 33. Section 184A.9, Code 2009, is amended to read as  
21 follows:

22 **184A.9 Audit.**

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

28 Sec. 34. Section 185C.26, Code 2009, is amended to read as  
29 follows:

30 **185C.26 Deposit of moneys — corn promotion fund.**

31 A state assessment collected by the board from a sale of corn  
32 shall be deposited in the office of the treasurer of state in  
33 a special fund known as the corn promotion fund. The fund may  
34 include any gifts, rents, royalties, interest, license fees,  
35 or a federal or state grant received by the board. Moneys

1 collected, deposited in the fund, and transferred to the board  
2 as provided in this chapter shall be subject to audit by the  
3 auditor of state. The auditor of state may seek reimbursement  
4 for the cost of the audit from moneys deposited in the fund as  
5 provided in this chapter. The department of administrative  
6 services shall transfer moneys from the fund to the board  
7 for deposit into an account established by the board in a  
8 qualified financial institution. The department shall transfer  
9 the moneys as provided in a resolution adopted by the board.  
10 However, the department is only required to transfer moneys  
11 once during each day and only during hours when the offices of  
12 the state are open. From moneys collected, the board shall  
13 first pay all the direct and indirect costs incurred by the  
14 secretary and the costs of referendums, elections, and other  
15 expenses incurred in the administration of this chapter, before  
16 moneys may be expended for the purpose of carrying out the  
17 purposes of this chapter as provided in section 185C.11.

18 EXPLANATION

19 Division I of this bill relates to and appropriates moneys  
20 to various state departments, agencies, and funds for the  
21 fiscal year beginning July 1, 2010, and ending June 30, 2011.  
22 The division makes appropriations to state departments and  
23 agencies including the department of administrative services,  
24 auditor of state, Iowa ethics and campaign disclosure board,  
25 department of commerce, offices of governor and lieutenant  
26 governor, Terrace Hill quarters and drug control policy office,  
27 department of human rights, department of inspections and  
28 appeals, department of management, Iowa public employees'  
29 retirement system, secretary of state, treasurer of state, and  
30 department of revenue, and the rebuild Iowa office. The bill  
31 also appropriates funding for the state's membership in the  
32 national governors association.

33 Division II concerns audits performed by the auditor of  
34 state.

35 Code section 8D.13, concerning the Iowa communications

1 network, is amended to eliminate the requirement that the  
2 auditor of state examine, no less than annually, the financial  
3 condition and transactions of the Iowa telecommunications and  
4 technology commission.

5 Code section 11.5B, concerning repayment of audit expenses  
6 by state departments, is amended to provide that audits  
7 relative to the financial administration duties of the  
8 department of management and the information technology  
9 division of the department of management are reimbursable.

10 The division also provides that the cost of audits required  
11 to be conducted by the auditor for the Iowa corn promotion  
12 board, Iowa sheep and wool promotion board, Iowa egg council,  
13 and the Iowa turkey council may be reimbursed from moneys  
14 collected by the applicable board or council.