

**House File 2434 - Introduced**

HOUSE FILE 2434  
BY COMMITTEE ON STATE  
GOVERNMENT

(SUCCESSOR TO HSB 645)

**A BILL FOR**

1 An Act relating to government operations and efficiency, school  
2 elections, eliminating certain tax credits, and including  
3 effective date and applicability provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

GOVERNMENT INFORMATION TECHNOLOGY SERVICES

Section 1. Section 8A.205, subsection 2, paragraph g, Code 2011, is amended to read as follows:

*g.* Encourage participating agencies to utilize duplex printing and a print on demand strategy to reduce printing costs, publication overruns, excessive inventory, and obsolete printed materials.

Sec. 2. DEPARTMENT OF ADMINISTRATIVE SERVICES —  
INFORMATION TECHNOLOGY DEVICE INVENTORY.

1. The department of administrative services shall complete an inventory of information technology devices utilized by the department and participating agencies, as defined in section 8A.201. The department shall conduct the inventory with the goal of identifying potential information technology device upgrades, changes, or other efficiencies that will meet the information technology needs of the applicable department or agency at reduced cost to the state.

2. The department shall submit a report to the general assembly by January 1, 2013, describing the department's actions as required by this section. The report shall, if applicable, identify any statutory barriers or needed technology investments for pursuing efforts described in this section and shall include in the report its findings and any recommendations for legislative action.

Sec. 3. DEPARTMENT OF ADMINISTRATIVE SERVICES —  
INFORMATION TECHNOLOGY COORDINATION AND MANAGEMENT.

1. The department of administrative services, in accordance with the requirements of 2010 Acts, chapter 1031, and Code section 8A.202, subsection 2, paragraph "g", to coordinate and manage information technology services within the department, shall establish a schedule by which all departments subject to the requirements of that Act and chapter 8A shall comply with these requirements. The schedule shall provide for implementation of the requirements to all affected state

1 agencies and departments by December 31, 2013. The department  
2 shall submit a copy of the schedule to the general assembly  
3 by July 31, 2012, and shall provide periodic updates to the  
4 general assembly on the progress of meeting the time deadlines  
5 contained in the schedule.

6 2. In procuring information technology as provided in  
7 section 8A.207, the department of administrative services  
8 should explore strategies of procuring information technology  
9 through leasing.

10 DIVISION II

11 PERSONNEL AND BENEFITS

12 Sec. 4. NEW SECTION. **8A.440 Group health insurance —**  
13 **family enrollment.**

14 1. If a state employee covered by a collective bargaining  
15 agreement entered into pursuant to chapter 20 and the state  
16 employee's spouse, who is also a state employee, are both  
17 members of a state group health insurance plan for employees  
18 of the state established under chapter 509A, the employee and  
19 the spouse shall be required to enroll in a single family group  
20 health insurance plan.

21 2. If a state employee not covered by a collective  
22 bargaining agreement as provided in chapter 20 and the state  
23 employee's spouse, who is also a state employee, are both  
24 members of a state group health insurance plan for employees  
25 of the state established under chapter 509A, the employee and  
26 spouse shall be required to enroll in a single family group  
27 health insurance plan for both state employees in the same  
28 manner as is required under the collective bargaining agreement  
29 that covers the greatest number of state employees in the state  
30 government entity employing the state employee.

31 Sec. 5. NEW SECTION. **9.8 Employee classifications.**

32 In addition to public employees listed in section 20.4,  
33 public employees of the secretary of state who hold positions  
34 as information technology specialists are excluded from chapter  
35 20.

1     Sec. 6. Section 97B.1A, subsection 26, paragraph a,  
2 subparagraph (1), subparagraph division (d), Code Supplement  
3 2011, is amended to read as follows:

4     (d) For a member of the general assembly, the total  
5 compensation received by a member of the general assembly,  
6 ~~whether paid in the form of per diem or annual salary,~~  
7 exclusive of expense expenses, per diem, and travel allowances  
8 paid to a member of the general assembly ~~except as otherwise~~  
9 ~~provided in this subparagraph division. Wages includes per~~  
10 ~~diem payments paid to members of the general assembly during~~  
11 ~~interim periods between sessions of the general assembly.~~  
12 ~~Wages also includes daily allowances to members of the general~~  
13 ~~assembly for nontravel expenses of office during a session of~~  
14 ~~the general assembly, but does not include the portion of the~~  
15 ~~daily allowance which exceeds the maximum established by law~~  
16 ~~for members from Polk county.~~

17     Sec. 7. Section 97B.1A, subsection 26, paragraph a,  
18 subparagraph (2), subparagraph divisions (h) and (i), Code  
19 Supplement 2011, are amended to read as follows:

20     (h) Reimbursements of employee business expenses ~~except for~~  
21 ~~those expenses included as wages for a member of the general~~  
22 ~~assembly.~~

23     (i) Payments for allowances ~~except for those allowances~~  
24 ~~included as wages for a member of the general assembly.~~

25     Sec. 8. GROUP HEALTH INSURANCE COVERAGE FOR STATE  
26 EMPLOYEES.

27     1. The state's executive and judicial branch authorities  
28 responsible for negotiating the collective bargaining  
29 agreements entered into under chapter 20 shall engage in  
30 discussions with the applicable state employee organizations  
31 to renegotiate provisions involving health insurance coverage  
32 of state employees and their families in order to achieve cost  
33 savings for the state. The discussions shall include but  
34 are not limited to a requirement for a state employee who is  
35 covered by a collective bargaining agreement and whose spouse

1 is also a state employee, where both the state employee covered  
2 by the agreement and the spouse are members of a state group  
3 health insurance plan for employees of the state established  
4 under chapter 509A, to enroll in a single family group health  
5 insurance plan for both state employees.

6 2. If collective bargaining agreements are renegotiated  
7 to achieve cost savings pursuant to subsection 1, the cost  
8 savings provisions shall also apply to state employees who are  
9 not covered by collective bargaining as provided in chapter  
10 20 and are members of a state group health insurance plan for  
11 employees of the state established under chapter 509A.

12 3. Beginning on the effective date of this section, a state  
13 legislator or legislative staff member whose spouse is a state  
14 employee, where both employees are members of a state group  
15 health insurance plan for employees of the state established  
16 under chapter 509A, shall be required to enroll in a single  
17 family group health insurance plan for both employees.

18 Sec. 9. DEPARTMENT OF ADMINISTRATIVE SERVICES —  
19 HUMAN RESOURCES ADMINISTRATION STUDY. The department of  
20 administrative services shall conduct a study to examine the  
21 feasibility of issuing a request for proposals to enter into  
22 a contract with a private entity for the provision of human  
23 resources services provided by the department of administrative  
24 services for state employees, to include management of  
25 human resources, employee benefits, payroll, payroll tax  
26 administration, and workers' compensation. The study shall  
27 identify potential cost savings, legal requirements, and other  
28 relevant issues, in considering entering into a contract with a  
29 private entity for the provision of human resources services  
30 for state employees. The department shall submit a report to  
31 the general assembly detailing the results of its study by  
32 January 1, 2013.

33 Sec. 10. APPLICABILITY. The section of this division  
34 of this Act enacting section 8A.440, applies to collective  
35 bargaining agreements entered into on or after the effective

1 date of that section of this division of this Act.

2 Sec. 11. EFFECTIVE UPON ENACTMENT. The following sections  
3 of this division of this Act, being deemed of immediate  
4 importance, take effect upon enactment:

5 1. The section of this division enacting section 8A.440.

6 2. The section of this division relating to group health  
7 insurance coverage for state employees.

8 3. The section of this division relating to applicability.

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DIVISION III

10

MEDICATION THERAPY MANAGEMENT

11 Sec. 12. NEW SECTION. 8A.441 Medication therapy management.

12 1. As used in this section, unless the context otherwise  
13 requires:

14 a. "*Eligible employee*" means an employee of the state, with  
15 the exception of an employee of the state board of regents or  
16 institutions under the state board of regents, for whom group  
17 health plans are established pursuant to chapter 509A providing  
18 for third-party payment or prepayment for health or medical  
19 expenses.

20 b. "*Medication therapy management*" means a systematic  
21 process performed by a licensed pharmacist, designed to improve  
22 quality outcomes for patients and lower health care costs,  
23 including emergency room, hospital, provider, and other costs,  
24 by optimizing appropriate medication use linked directly to  
25 achievement of the clinical goals of therapy. Medication  
26 therapy management shall include all of the following services:

27 (1) A medication therapy review and in-person consultation  
28 relating to all medications, vitamins, and herbal supplements  
29 currently being taken by an eligible individual.

30 (2) A medication action plan, subject to the limitations  
31 specified in this section, communicated to the individual and  
32 the individual's primary care physician or other appropriate  
33 prescriber to address issues including appropriateness,  
34 effectiveness, safety, drug interactions, and adherence. The  
35 medication action plan may include drug therapy recommendations

1 to prescribers that are needed to meet clinical goals and  
2 achieve optimal patient outcomes.

3 (3) Documentation and follow-up to ensure consistent levels  
4 of pharmacy services and positive outcomes.

5 2. *a.* The department shall utilize a request for proposals  
6 process and shall enter into a contract for the provision of  
7 medication therapy management services for eligible employees  
8 who meet any of the following criteria:

9 (1) An individual who takes four or more prescription drugs  
10 to treat or prevent two or more chronic medical conditions.

11 (2) An individual with a prescription drug therapy problem  
12 who is identified by the prescribing physician or other  
13 appropriate prescriber, and referred to a pharmacist for  
14 medication therapy management services.

15 (3) An individual who meets other criteria established by  
16 the third-party payment provider contract, policy, or plan.

17 *b.* The contract shall require the entity to provide annual  
18 reports to the general assembly detailing the costs, savings,  
19 estimated cost avoidance and return on investment, and improved  
20 patient outcomes related to the medication therapy management  
21 services provided. The entity shall guarantee demonstrated  
22 annual savings for overall health care costs, including  
23 emergency room, hospital, provider, and other costs, with  
24 savings including associated cost avoidance, at least equal  
25 to the program's costs with any shortfall amount refunded to  
26 the state. The contract shall include terms, conditions,  
27 and applicable measurement standards associated with the  
28 demonstration of savings. The department shall verify the  
29 demonstrated savings reported by the entity was achieved in  
30 accordance with the agreed upon measurement standards. The  
31 entity shall be prohibited from using the entity's employees to  
32 provide the medication therapy management services and shall  
33 instead be required to contract with licensed pharmacies,  
34 pharmacists, or physicians.

35 *c.* The department may establish an advisory committee

1 comprised of an equal number of physicians and pharmacists  
2 to provide advice and oversight in evaluating the results of  
3 the program. The department shall appoint the members of the  
4 advisory committee based upon designees of the Iowa pharmacy  
5 association, the Iowa medical society, and the Iowa osteopathic  
6 medical association.

7 *d.* The fees for pharmacist-delivered medication therapy  
8 management services shall be separate from the reimbursement  
9 for prescription drug product or dispensing services; shall  
10 be determined by each third-party payment provider contract,  
11 policy, or plan; and must be reasonable based on the resources  
12 and time required to provide the service.

13 *e.* A fee shall be established for physician reimbursement  
14 for services delivered for medication therapy management as  
15 determined by each third-party payment provider contract,  
16 policy, or plan, and must be reasonable based on the resources  
17 and time required to provide the service.

18 *f.* If any part of the medication therapy management  
19 plan developed by a pharmacist incorporates services which  
20 are outside the pharmacist's independent scope of practice  
21 including the initiation of therapy, modification of dosages,  
22 therapeutic interchange, or changes in drug therapy, the  
23 express authorization of the individual's physician or other  
24 appropriate prescriber is required.

25 Sec. 13. EFFECTIVE UPON ENACTMENT. This division of this  
26 Act, being deemed of immediate importance, takes effect upon  
27 enactment.

28 DIVISION IV

29 IOWA LAW ENFORCEMENT ACADEMY

30 Sec. 14. IOWA LAW ENFORCEMENT ACADEMY — CURRICULUM AND  
31 COURSE EFFICIENCIES. The director of the Iowa law enforcement  
32 academy, in consultation with the Iowa law enforcement academy  
33 council, shall examine its course offerings to law enforcement  
34 officers with the goal of offering core courses to all law  
35 enforcement officers instead of offering distinct courses to



1 different groupings of law enforcement officers.

2 DIVISION V

3 STATE PHYSICAL RESOURCES

4 Sec. 15. STATE EMPLOYEE WORK ENVIRONMENT ANALYSIS  
5 AND REPORT. By September 30, 2012, the department of  
6 administrative services shall conduct a high level needs  
7 analysis of state employee work stations and office standards,  
8 focusing on reducing square footage needs and creating  
9 healthy, productive, and efficient work environments. Overall  
10 objectives of the analysis shall include improving employee  
11 density; properly allocating space for individual and group  
12 work; improving worker health and safety; improving technology  
13 integration; and improving energy efficiency and sustainability  
14 in state offices. The department shall submit findings and  
15 recommendations to the capitol planning commission and to the  
16 legislative government oversight committees by October 30,  
17 2012.

18 Sec. 16. DEPARTMENT OF NATURAL RESOURCES — SALE OF REAL  
19 PROPERTY. During the fiscal period beginning on the effective  
20 date of this division of this Act, and ending June 30, 2013,  
21 the department of natural resources shall identify and sell  
22 real property under the control of the department, the sale of  
23 which is not otherwise prohibited by federal law, that is not  
24 utilized for state parks and forests in sufficient acreage that  
25 shall generate at least twenty million dollars. However, real  
26 property received by the department in the form of a devise or  
27 that is not farmable shall not be sold. Notwithstanding any  
28 provision of law to the contrary, the department of natural  
29 resources shall be authorized to sell real property and  
30 moneys received for the sale of real property pursuant to this  
31 section shall be deposited in the Iowa resources enhancement  
32 and protection fund established in section 455A.18. Moneys  
33 deposited in the Iowa resources enhancement and protection fund  
34 from the sale of real property pursuant to this section shall  
35 not be allocated to the open spaces account in the fund and





~~1 member of a county board of supervisors, a member of the county~~  
~~2 finance committee created in chapter 333A who is not an elected~~  
~~3 official, a representative of a provider of mental health or~~  
~~4 developmental disabilities services selected from nominees~~  
~~5 submitted by the Iowa association of community providers, and~~  
~~6 two central point of coordination process administrators,~~  
~~7 all appointed by the governor, and one member appointed by~~  
~~8 the director of human services. All members appointed by~~  
~~9 the governor shall be subject to confirmation by the senate.~~  
10 Members shall serve for three-year terms. A vacancy shall  
11 be filled in the same manner as the original appointment.  
12 Expenses and other costs of the risk pool board members  
13 representing counties shall be paid by the county of origin.  
14 Expenses and other costs of risk pool board members who do  
15 not represent counties shall be paid from a source determined  
16 by the governor. The mental health and disability services  
17 commission may appoint a risk pool advisory committee which may  
18 include the interests comprising the risk pool board under this  
19 section, Code 2011, to make recommendations to the commission  
20 regarding the risk pool board decisions and other functions  
21 required by this section. Staff assistance ~~to the~~ for risk  
22 pool board decision making shall be provided by the department  
23 of human services and counties. Actuarial expenses and other  
24 direct administrative costs shall be charged to the pool.

25 DIVISION IX

26 OPERATIONAL EFFICIENCIES

27 Sec. 33. STATE DEPARTMENT AND AGENCY LIMITATIONS ON  
28 MAIL. Notwithstanding any provision of the law to the  
29 contrary, a state department or agency shall provide  
30 departmental or agency notices or information through the  
31 department's or agency's internet site or through electronic  
32 mail to the fullest extent possible. This requirement shall  
33 not apply to department and agency communications required  
34 for purposes of pursuing legal action or to comply with  
35 federal law. Departments and agencies shall have rulemaking

1 authority to implement this section and to collect electronic  
2 mail addresses for the purpose of electronic communications.  
3 Electronic mail addresses collected by state departments and  
4 agencies under this section shall be considered confidential  
5 information pursuant to section 22.7 exempt from open records  
6 requests under chapter 22.

7 DIVISION X

8 STATE RECORDS

9 Sec. 34. Section 96.11, subsection 11, Code 2011, is amended  
10 to read as follows:

11 11. *Destruction of records.* The department may destroy  
12 or dispose of such original reports or records as have been  
13 properly recorded or summarized in the permanent records of  
14 the department and are deemed by the director and the ~~state~~  
15 ~~records commission~~ department of cultural affairs to be no  
16 longer necessary to the proper administration of this chapter.  
17 Wage records of the individual worker or transcripts therefrom  
18 may be destroyed or disposed of, if approved by the ~~state~~  
19 ~~records commission~~ department of cultural affairs, two years  
20 after the expiration of the period covered by such wage records  
21 or upon proof of the death of the worker. Such destruction  
22 or disposition shall be made only by order of the director in  
23 consultation with the ~~state records commission~~ department of  
24 cultural affairs. Any moneys received from the disposition of  
25 such records shall be deposited to the credit of the employment  
26 security administration fund, subject to rules promulgated by  
27 the department.

28 Sec. 35. Section 305.2, subsection 2, Code 2011, is amended  
29 to read as follows:

30 2. "*Archives*" means records that have been appraised by  
31 the ~~state records commission~~ department as having sufficient  
32 historical, research, evidential, or informational value to  
33 warrant permanent preservation and that have been transferred  
34 to the custody of the state archives.

35 Sec. 36. Section 305.2, subsections 3 and 5, Code 2011, are

1 amended by striking the subsections.

2 Sec. 37. Section 305.2, Code 2011, is amended by adding the  
3 following new subsection:

4 NEW SUBSECTION. 4A. "*Department*" means the department of  
5 cultural affairs.

6 Sec. 38. Section 305.2, subsection 10, Code 2011, is amended  
7 to read as follows:

8 10. "*Records series retention and disposition schedule*"  
9 means a timetable established by the ~~state records commission~~  
10 department that describes the length of time a records series  
11 of an agency or multiple agencies must be retained in active  
12 and inactive status and provides authorization for a final  
13 disposition of the records series by destruction or permanent  
14 retention.

15 Sec. 39. Section 305.4, unnumbered paragraph 1, Code 2011,  
16 is amended to read as follows:

17 The ~~commission~~ department shall adopt government information  
18 policies, standards, and guidelines to do all of the following:

19 Sec. 40. Section 305.8, subsection 1, unnumbered paragraph  
20 1, Code 2011, is amended to read as follows:

21 The ~~commission~~ department shall do all of the following:

22 Sec. 41. Section 305.8, subsection 1, Code 2011, is amended  
23 by adding the following new paragraph:

24 NEW PARAGRAPH. *0e.* Provide training, advice, and counsel  
25 to agencies on government information policies, standards, and  
26 guidelines.

27 Sec. 42. Section 305.8, subsection 1, Code 2011, is amended  
28 by adding the following new paragraphs:

29 NEW PARAGRAPH. *0f.* Develop and distribute operating  
30 procedures for agencies to use to implement the plans,  
31 policies, standards, and guidelines adopted by the department.

32 NEW PARAGRAPH. *00f.* Manage any centralized records storage  
33 facility established by the department for the temporary  
34 storage of agency records prior to their final disposition by  
35 destruction or permanent preservation in accordance with the

1 records series retention and disposition schedules.

2 NEW PARAGRAPH. *000f.* Appoint a state archivist to head the  
3 state archives and records program.

4 NEW PARAGRAPH. *0000f.* Manage the state archives and develop  
5 operating procedures for the transfer, accession, arrangement,  
6 description, preservation, protection, and public access of  
7 those records the department identifies as having permanent  
8 value.

9 NEW PARAGRAPH. *00000f.* Maintain physical custody and legal  
10 custody of archives that have been transferred and delivered  
11 to the state archives.

12 (1) Upon receipt by the state archivist, the archives shall  
13 not be removed without the state archivist's consent except in  
14 response to a subpoena of a court of record or in accordance  
15 with approved records series retention and disposition  
16 schedules or after review and approval of the department.

17 (2) Upon request, the state archivist shall make a certified  
18 copy of any record in the legal custody or in the physical  
19 custody of the state archivist, or a certified transcript  
20 of any record if reproduction is inappropriate because of  
21 legal or physical considerations. If a copy or transcript is  
22 properly authenticated, it has the same legal effect as though  
23 certified by the officer from whose office it was transferred  
24 or by the secretary of state. The department shall establish  
25 reasonable fees for certified copies or certified transcripts  
26 of records in the legal custody or physical custody of the  
27 state archivist.

28 NEW PARAGRAPH. *000000f.* Establish, maintain, and administer  
29 an archive of records created and maintained in electronic  
30 format in order to preserve and provide public access to state  
31 government records identified as having permanent historical  
32 value by the department.

33 Sec. 43. Section 305.8, subsection 1, Code 2011, is amended  
34 by adding the following new paragraph:

35 NEW PARAGRAPH. *0i.* Establish rates to be charged an agency

1 by the department for storage and retention of records of  
2 the agency in a records storage facility maintained by the  
3 department. Rates established shall be reviewed annually by  
4 the department and shall be reasonably related to the cost of  
5 storing and retaining records of an agency.

6 Sec. 44. Section 305.8, subsection 2, unnumbered paragraph  
7 1, Code 2011, is amended to read as follows:

8 The ~~commission~~ department may do all of the following:

9 Sec. 45. Section 305.8, subsection 2, Code 2011, is amended  
10 by adding the following new paragraph:

11 NEW PARAGRAPH. *0g.* Upon written consent of the state  
12 archivist, accept records of political subdivisions that are  
13 voluntarily transferred to the state archives.

14 Sec. 46. Section 305.8, subsection 2, paragraph e, Code  
15 2011, is amended to read as follows:

16 e. Make, or cause to be made, preservation duplicates of  
17 records, which may include existing copies of original state  
18 records. Any preservation duplicate record shall be durable,  
19 accurate, complete, and clear, and shall be made by means  
20 designated by the ~~commission~~ department.

21 Sec. 47. NEW SECTION. **305.8A Records retention and storage**  
22 **costs — billing — internal service fund.**

23 1. The department may bill an agency for records storage  
24 and retention services rendered by the department pursuant to  
25 the rates established by the department for these services.  
26 The department shall periodically render a billing statement  
27 to an agency outlining the cost of services provided. The  
28 amount indicated on the statement shall be paid by the agency  
29 and amounts received by the department shall be considered  
30 repayment receipts as defined in section 8.2, and deposited  
31 into the accounts of the department.

32 2. a. The department may establish and maintain an internal  
33 service fund in accordance with generally accepted accounting  
34 principles, as defined in section 8.57, for the records storage  
35 and retention activities of the department which are primarily



1 funded from billings to agencies for services rendered by the  
2 department.

3     *b.* The internal service fund shall be administered by  
4 the department and shall consist of moneys collected by the  
5 department from billings issued in accordance with this section  
6 and any other moneys obtained or accepted by the department,  
7 including but not limited to gifts, loans, donations, grants,  
8 and contributions, which are designated to support the  
9 activities of the internal service fund.

10     *c.* The proceeds of the internal service fund established  
11 pursuant to this section shall be used by the department  
12 for the operations of the department in records storage and  
13 retention consistent with this chapter.

14     *d.* Section 8.33 does not apply to any moneys in the  
15 internal service fund established pursuant to this section.  
16 Notwithstanding section 12C.7, subsection 2, interest or  
17 earnings on moneys deposited in the fund shall be credited to  
18 the fund.

19     *e.* The director of the department shall annually provide  
20 financial information and reports relative to the internal  
21 service fund established pursuant to this section to the  
22 department of management and the general assembly. The  
23 information provided may include the recommendation that a  
24 portion of unexpended net income be periodically returned to  
25 the appropriate funding source.

26     Sec. 48. Section 305.10, subsection 1, paragraphs *c*, *d*, *e*,  
27 *f*, and *j*, Code 2011, are amended to read as follows:

28     *c.* Cooperate with the ~~state records commission~~ department  
29 and the state archives and records program in the development  
30 and implementation of government information policies,  
31 standards, and guidelines, and in the development and  
32 implementation of records series retention and disposition  
33 schedules.

34     *d.* Comply with requests from the ~~state records commission~~  
35 ~~or~~ department and the state archives and records program to

1 examine records in the possession, constructive possession, or  
2 control of the agency in order to carry out the purposes of  
3 this chapter.

4 e. Inventory agency records in accordance with ~~state~~  
5 ~~records commission~~ department policies to draft records series  
6 retention and disposition schedules.

7 f. Identify vital operating records in accordance with  
8 the policies, standards, and guidelines of the ~~state records~~  
9 ~~commission~~ department.

10 j. Provide for compliance with this chapter and the rules  
11 adopted by the ~~state records commission~~ department.

12 Sec. 49. Section 305.10, subsection 2, Code 2011, is amended  
13 to read as follows:

14 2. Agency heads may petition the ~~state records commission~~  
15 department to create or modify government information policies,  
16 standards, and guidelines, and to create or modify records  
17 series retention and disposition schedules.

18 Sec. 50. Section 305.11, Code 2011, is amended to read as  
19 follows:

20 **305.11 Termination of state agency — records transfer.**

21 Upon the termination of a state agency whose functions have  
22 not been transferred to another agency, custody of the records  
23 of the agency shall transfer to the ~~commission~~ department.

24 Sec. 51. Section 305.14, Code 2011, is amended to read as  
25 follows:

26 **305.14 Liability precluded.**

27 No ~~member~~ employee of the ~~commission~~ department or head of  
28 an agency shall be held liable for damages or loss, or civil  
29 or criminal liability, because of the destruction of public  
30 records pursuant to the provisions of this chapter or any other  
31 law authorizing their destruction.

32 Sec. 52. Section 305.15, Code 2011, is amended to read as  
33 follows:

34 **305.15 Exemptions — duties of state department of**  
35 **transportation and state board of regents.**

1 The state department of transportation and the agencies and  
2 institutions under the control of the state board of regents  
3 are exempt from the state records manual and the provisions of  
4 this chapter. However, the state department of transportation  
5 and the state board of regents shall adopt rules pursuant to  
6 chapter 17A for their employees, agencies, and institutions  
7 that are consistent with the objectives of this chapter.  
8 The rules shall be approved by the ~~state records commission~~  
9 department.

10 Sec. 53. Section 305.16, subsection 6, paragraph b,  
11 subparagraph (1), Code 2011, is amended to read as follows:

12 (1) Serve in an advisory capacity to the ~~state records~~  
13 ~~commission~~ department, the state archives and records program,  
14 and other statewide archival or records agencies.

15 Sec. 54. Section 321.31, subsection 1, paragraph b, Code  
16 2011, is amended to read as follows:

17 b. The department may make photostatic, microfilm, or other  
18 photographic copies of certificates of title, registration  
19 receipts, or other records, reports or documents which are  
20 required to be retained by the department. When copies have  
21 been made, the department may destroy the original records in  
22 such manner as prescribed by the director. The photostatic,  
23 microfilm, or other photographic copies, when no longer of use,  
24 may be destroyed in the manner prescribed by the director,  
25 subject to the approval of the ~~state records commission~~  
26 department of cultural affairs. Photostatic, microfilm, or  
27 other photographic copies of records shall be admissible in  
28 evidence when duly certified and authenticated by the officer  
29 having custody and control of the copies of records. Records  
30 of vehicle certificates of title may be destroyed seven years  
31 after the date of issue.

32 Sec. 55. REPEAL. Sections 305.3, 305.5, 305.6, 305.7, and  
33 305.9, Code 2011, are repealed.

34 Sec. 56. IOWA BUILDING — CENTRALIZED RECORDS STORAGE  
35 FACILITY. The department of cultural affairs shall utilize the

1 Iowa building as the centralized records storage facility for  
2 records received by the department upon the conclusion of the  
3 existing lease for the building currently utilized for this  
4 purpose. The department, in collaboration with the department  
5 of administrative services, shall conduct an assessment of the  
6 Iowa building and shall identify space within the building  
7 that can be utilized for this purpose. If modifications  
8 or renovations to the Iowa building are necessary for the  
9 department to utilize space in the building for a centralized  
10 records storage facility, the department, in collaboration with  
11 the department of administrative services, shall determine the  
12 estimated cost of the modifications or renovations needed and  
13 shall provide this information to the general assembly.

14 Sec. 57. ADMINISTRATIVE RULES — TRANSITION PROVISIONS.

15 1. Any rule, regulation, form, order, or directive  
16 promulgated by the state records commission relative to the  
17 provisions of this Act in existence on the effective date of  
18 this division of this Act shall continue in full force and  
19 effect until amended, repealed, or supplemented by affirmative  
20 action of the department of cultural affairs under the duties  
21 and powers established in this division of this Act and under  
22 the procedure established in subsection 2.

23 2. In regard to updating references and format in the Iowa  
24 administrative code in order to correspond to the transferring  
25 of duties as established in this division of this Act, the  
26 administrative rules coordinator and the administrative rules  
27 review committee, in consultation with the administrative code  
28 editor, shall jointly develop a schedule for the necessary  
29 updating of the Iowa administrative code.

30 DIVISION XI

31 LOCAL GOVERNMENT

32 Sec. 58. Section 39.2, subsection 4, paragraph c, Code 2011,  
33 is amended to read as follows:

34 c. For a school district or merged area, in the odd-numbered  
35 year, the first Tuesday in February, the first Tuesday in

1 April, the last Tuesday in June, or the ~~second~~ first Tuesday  
2 ~~in September~~ after the first Monday in November. For a school  
3 district or merged area, in the even-numbered year, the first  
4 Tuesday in February, the first Tuesday in April, the second  
5 Tuesday in September, or the first Tuesday in December.

6 Sec. 59. Section 260C.12, subsection 1, Code 2011, is  
7 amended to read as follows:

8 1. The board of directors of the merged area shall organize  
9 at the first regular meeting in ~~October~~ December following the  
10 regular school election. Organization of the board shall be  
11 effected by the election of a president and other officers from  
12 the board membership as board members determine. The board  
13 of directors shall appoint a secretary and a treasurer who  
14 shall each give bond as prescribed in section 291.2 and who  
15 shall each receive the salary determined by the board. The  
16 secretary and treasurer shall perform duties under chapter 291  
17 and additional duties the board of directors deems necessary.  
18 However, the board may appoint one person to serve as the  
19 secretary and treasurer. If one person serves as the secretary  
20 and treasurer, only one bond is necessary for that person. The  
21 frequency of meetings other than organizational meetings shall  
22 be as determined by the board of directors but the president  
23 or a majority of the members may call a special meeting at any  
24 time.

25 Sec. 60. Section 260C.13, subsection 1, Code 2011, is  
26 amended to read as follows:

27 1. The board of a merged area may change the number of  
28 directors on the board and shall make corresponding changes  
29 in the boundaries of director districts. Changes shall be  
30 completed not later than ~~June~~ August 1 of the year of the  
31 regular school election. As soon as possible after adoption  
32 of the boundary changes, notice of changes in the director  
33 district boundaries shall be submitted by the merged area to  
34 the county commissioner of elections in all counties included  
35 in whole or in part in the merged area.

1     Sec. 61. Section 273.8, subsection 2, paragraphs a and b,  
2 Code 2011, are amended to read as follows:

3     a. Notice of the election shall be published by the area  
4 education agency administrator not later than ~~July~~ September 15  
5 of the odd-numbered year in at least one newspaper of general  
6 circulation in the director district. The cost of publication  
7 shall be paid by the area education agency.

8     b. A candidate for election to the area education agency  
9 board shall file a statement of candidacy with the area  
10 education agency secretary not later than ~~August~~ October 15 of  
11 the odd-numbered year, on forms prescribed by the department  
12 of education. The statement of candidacy shall include the  
13 candidate's name, address, and school district. The list of  
14 candidates shall be sent by the secretary of the area education  
15 agency in ballot form by certified mail to the presidents of  
16 the boards of directors of all school districts within the  
17 director district not later than ~~September~~ November 1. In  
18 order for the ballot to be counted, the ballot must be received  
19 in the secretary's office by the end of the normal business  
20 day on ~~September~~ November 30 or be clearly postmarked by an  
21 officially authorized postal service not later than ~~September~~  
22 November 29 and received by the secretary not later than noon  
23 on the first Monday following ~~September~~ November 30.

24     Sec. 62. Section 273.8, subsection 4, paragraph a, Code  
25 2011, is amended to read as follows:

26     a. The board of directors of each area education agency  
27 shall meet and organize at the first regular meeting in ~~October~~  
28 December following the regular school election at a suitable  
29 place designated by the president. Directors whose terms  
30 commence at the organizational meeting shall qualify by taking  
31 the oath of office required by section 277.28 at or before the  
32 organizational meeting.

33     Sec. 63. Section 273.8, subsection 6, Code 2011, is amended  
34 to read as follows:

35     6. *Change in directors.* The board of an area education

1 agency may change the number of directors on the board and  
2 shall make corresponding changes in the boundaries of director  
3 districts. Changes shall be completed not later than ~~July~~  
4 September 1 of a ~~fiscal~~ the odd-numbered year for the director  
5 district conventions to be held the following ~~September~~  
6 November.

7     Sec. 64. Section 277.1, Code 2011, is amended to read as  
8 follows:

9     **277.1 Regular election.**

10     The regular election shall be held biennially on the ~~second~~  
11 first Tuesday in September after the first Monday in November  
12 of each odd-numbered year in each school district for the  
13 election of officers of the district and merged area and for  
14 the purpose of submitting to the voters any matter authorized  
15 by law.

16     Sec. 65. Section 277.20, Code 2011, is amended to read as  
17 follows:

18     **277.20 Canvassing returns.**

19     ~~On the next Friday after~~ After the regular school election,  
20 the county board of supervisors shall canvass the returns  
21 made to the county commissioner of elections from the several  
22 precinct polling places and the absentee ballot counting board,  
23 ascertain the result of the voting with regard to every matter  
24 voted upon and cause a record to be made thereof, all as  
25 required by section 50.24. Special elections held in school  
26 districts shall be canvassed at the time and in the manner  
27 required by that section. The board shall declare the results  
28 of the voting for members of boards of directors of school  
29 corporations nominated pursuant to section 277.4, and the  
30 commissioner shall at once issue a certificate of election to  
31 each person declared elected. The board shall also declare the  
32 results of the voting on any public question submitted to the  
33 voters of a single school district, and the commissioner shall  
34 certify the result as required by section 50.27.

35     The abstracts of the votes cast for members of the board

1 of directors of any merged area, and of the votes cast on any  
2 public question submitted to the voters of any merged area,  
3 shall be promptly certified by the commissioner to the county  
4 commissioner of elections who is responsible under section 47.2  
5 for conducting the elections held for that merged area.

6 Sec. 66. EFFECTIVE DATE. This division of this Act takes  
7 effect January 1, 2014.

8 DIVISION XII

9 LOCAL GOVERNMENTS — ELECTRONIC PAYMENT

10 Sec. 67. LOCAL GOVERNMENTS — ELECTRONIC PAYMENT. Local  
11 governments shall encourage persons to pay fees and taxes  
12 collected by local governments by credit or debit card or  
13 other electronic means of payment. In authorizing payment  
14 by electronic means, a local government shall seek to reduce  
15 convenience or other handling fees charged by the local  
16 government if electronic means of payment are used. Handling  
17 or other fees charged should be limited to the actual cost of  
18 authorizing that means of payment and should not be utilized to  
19 raise additional revenue.

20 DIVISION XIII

21 ONGOING PROGRAM REVIEW

22 Sec. 68. NEW SECTION. 8.71 Ongoing program review — repeal  
23 dates.

24 1. The general assembly finds that a regular review of  
25 the programs and projects administered by state government is  
26 necessary to determine whether each program and project is  
27 effectively and efficiently meeting the needs for which created  
28 and whether the needs remain applicable. The general assembly  
29 further finds that a regular, systematic review process can  
30 identify the programs and projects that are no longer relevant  
31 or functioning at a desirable level and can eliminate or  
32 reorganize those programs and projects so that state resources  
33 can be used most effectively or diverted to other priorities.

34 2. The state government efficiency review committee  
35 established in section 2.69 shall propose legislation for



1 consideration by the Eighty-fifth General Assembly, 2014  
2 session, providing a staggered schedule for establishing an  
3 automatic repeal date for each program or project administered  
4 by a department of state government over the succeeding  
5 five-year period. The review committee shall consult with  
6 the office of the governor and the department of management  
7 in formulating the staggered schedule and the office and  
8 department shall cooperate in providing necessary information  
9 requested by the committee. The repeal date provisions shall  
10 be implemented in a manner so that any program or project that  
11 is reauthorized by law is again subject to automatic repeal  
12 five years after reauthorization.

13 DIVISION XIV

14 IOWA JOBS BOARD

15 Sec. 69. Section 12.87, subsection 12, Code Supplement  
16 2011, is amended to read as follows:

17 12. Neither the treasurer of state, the Iowa ~~jobs board~~  
18 finance authority, nor any person acting on behalf of the  
19 treasurer of state or the Iowa ~~jobs board~~ finance authority  
20 while acting within the scope of their employment or agency, is  
21 subject to personal liability resulting from carrying out the  
22 powers and duties conferred by this section and sections 12.88  
23 through 12.90.

24 Sec. 70. Section 16.193, subsection 1, Code Supplement  
25 2011, is amended to read as follows:

26 ~~1. The Iowa finance authority, subject to approval by the~~  
27 ~~Iowa jobs board,~~ shall adopt administrative rules pursuant to  
28 chapter 17A necessary to administer the Iowa jobs program and  
29 Iowa jobs II program. The authority shall ~~provide the board~~  
30 ~~with assistance in implementing administrative functions,~~ be  
31 responsible for providing technical assistance and application  
32 assistance to applicants under the programs, negotiating  
33 contracts, and providing project follow up. ~~The authority, in~~  
34 ~~cooperation with the board, may conduct negotiations on behalf~~  
35 ~~of the board with applicants regarding terms and conditions~~

1 ~~applicable to awards under the program.~~

2 Sec. 71. Section 16.194, subsection 2, Code 2011, is amended  
3 to read as follows:

4 2. A city or county or a public organization in this  
5 state may submit an application to the ~~Iowa jobs board~~  
6 authority for financial assistance for a local infrastructure  
7 competitive grant for an eligible project under the program,  
8 notwithstanding any limitation on the state's percentage in  
9 funding as contained in section 29C.6, subsection 17.

10 Sec. 72. Section 16.194, subsection 4, unnumbered paragraph  
11 1, Code 2011, is amended to read as follows:

12 The ~~board~~ authority shall consider the following criteria in  
13 evaluating eligible projects to receive financial assistance  
14 under the program:

15 Sec. 73. Section 16.194, subsection 7, Code 2011, is amended  
16 to read as follows:

17 7. In order for a project to be eligible to receive  
18 financial assistance from the ~~board~~ authority, the project  
19 must be a public construction project pursuant to subsection 1  
20 with a demonstrated substantial local, regional, or statewide  
21 economic impact.

22 Sec. 74. Section 16.194, subsection 8, unnumbered paragraph  
23 1, Code 2011, is amended to read as follows:

24 The ~~board~~ authority shall not approve an application for  
25 assistance for any of the following purposes:

26 Sec. 75. Section 16.194, subsection 9, paragraph b, Code  
27 2011, is amended to read as follows:

28 *b.* Any portion of an amount allocated for projects  
29 that remains unexpended or unencumbered one year after the  
30 allocation has been made may be reallocated to another project  
31 category, at the discretion of the ~~board~~ authority. The ~~board~~  
32 authority shall ensure that all bond proceeds be expended  
33 within three years from when the allocation was initially made.

34 Sec. 76. Section 16.194, subsection 10, Code 2011, is  
35 amended to read as follows:

1 10. The ~~board~~ authority shall ensure that funds obligated  
2 under this section are coordinated with other federal program  
3 funds received by the state, and that projects receiving funds  
4 are located in geographically diverse areas of the state.

5 Sec. 77. Section 16.194A, subsections 2, 7, 9, and 10, Code  
6 2011, are amended to read as follows:

7 2. A city or county in this state that applies the smart  
8 planning principles and guidelines pursuant to sections 18B.1  
9 and 18B.2 may submit an application to the ~~Iowa jobs board~~  
10 authority for financial assistance for a local infrastructure  
11 competitive grant for an eligible project under the program,  
12 notwithstanding any limitation on the state's percentage in  
13 funding as contained in section 29C.6, subsection 17.

14 7. In order for a project to be eligible to receive  
15 financial assistance from the ~~board~~ authority, the project  
16 must be a public construction project pursuant to subsection 1  
17 with a demonstrated substantial local, regional, or statewide  
18 economic impact.

19 9. Any portion of an amount allocated for projects  
20 that remains unexpended or unencumbered one year after the  
21 allocation has been made may be reallocated to another project  
22 category, at the discretion of the ~~board~~ authority. The ~~board~~  
23 authority shall ensure that all bond proceeds be expended  
24 within three years from when the allocation was initially made.

25 10. The ~~board~~ authority shall ensure that funds obligated  
26 under this section are coordinated with other federal program  
27 funds received by the state, and that projects receiving funds  
28 are located in geographically diverse areas of the state.

29 Sec. 78. Section 16.194A, subsection 4, unnumbered  
30 paragraph 1, Code 2011, is amended to read as follows:

31 The ~~board~~ authority shall consider the following criteria in  
32 evaluating eligible projects to receive financial assistance  
33 under the program:

34 Sec. 79. Section 16.194A, subsection 8, unnumbered  
35 paragraph 1, Code 2011, is amended to read as follows:

1     The ~~board~~ authority shall not approve an application for  
2 assistance for any of the following purposes:

3     Sec. 80. Section 16.195, Code Supplement 2011, is amended  
4 to read as follows:

5     **16.195 Iowa jobs program application review.**

6     1. Applications for assistance under the Iowa jobs program  
7 and Iowa jobs II program shall be submitted to the ~~Iowa finance~~  
8 authority for review and approval. ~~The authority shall provide~~  
9 ~~a staff review and evaluation of applications to the Iowa jobs~~  
10 ~~program review committee referred to in subsection 2 and to the~~  
11 ~~Iowa jobs board.~~

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

20     3. Upon approval of an application for financial assistance  
21 under the program, the ~~board~~ authority shall notify the  
22 treasurer of state regarding the amount of moneys needed to  
23 satisfy the award of financial assistance and the terms of the  
24 award. The treasurer of state shall notify the ~~Iowa finance~~  
25 authority any time moneys are disbursed to a recipient of  
26 financial assistance under the program.

27     Sec. 81. Section 16.196, Code 2011, is amended to read as  
28 follows:

29     **16.196 Iowa jobs ~~restricted capitals fund~~ — appropriations.**

30     ~~1. An Iowa jobs restricted capitals fund is created and~~  
31 ~~established as a separate and distinct fund in the state~~  
32 ~~treasury. The fund consists of moneys appropriated from~~  
33 ~~the revenue bonds capitals fund created in section 12.88.~~  
34 ~~The moneys in the fund are appropriated to the Iowa jobs~~  
35 ~~board for purposes of the Iowa jobs program established in~~

~~1 section 16.194. Moneys in the fund shall not be subject to  
2 appropriation for any other purpose by the general assembly,  
3 but shall be used only for the purposes of the Iowa jobs  
4 program. The treasurer of state shall act as custodian of the  
5 fund and disburse moneys contained in the fund. The fund shall  
6 be administered by the board which shall make allocations from  
7 the fund consistent with the purposes of the Iowa jobs program.~~

8     ~~2. 1.~~ There is appropriated from the revenue bonds capitals  
9 fund created in section 12.88, ~~to the Iowa jobs restricted~~  
10 ~~capitals fund,~~ for the fiscal year beginning July 1, 2009, and  
11 ending June 30, 2010, one hundred sixty-five million dollars to  
12 be allocated as follows:

13     ~~a.~~ One hundred eighteen million five hundred thousand  
14 dollars for competitive grants for local infrastructure  
15 projects relating to disaster rebuilding, reconstruction  
16 and replacement of local buildings, flood control and flood  
17 protection, and future flood prevention public projects. An  
18 applicant for a local infrastructure grant shall not receive  
19 more than fifty million dollars in financial assistance from  
20 the fund.

21     ~~b.~~ Forty-six million five hundred thousand dollars for  
22 disaster relief and mitigation and local infrastructure  
23 grants for the following renovation and construction projects,  
24 notwithstanding any limitation on the state's percentage  
25 participation in funding as contained in section 29C.6,  
26 subsection 17:

27     (1) For grants to a county with a population between  
28 one hundred eighty-nine thousand and one hundred ninety-six  
29 thousand in the latest preceding certified federal census, to  
30 be distributed as follows:

31     (a) Ten million dollars for the construction of a new,  
32 shared facility between nonprofit human service organizations  
33 serving the public, especially the needs of low-income Iowans,  
34 including those displaced as a result of the disaster of 2008.

35     (b) Five million dollars for the construction or renovation

1 of a facility for a county-funded workshop program serving  
2 the public and particularly persons with mental illness or  
3 developmental disabilities.

4 (2) For grants to a city with a population between one  
5 hundred ten thousand and one hundred twenty thousand in the  
6 latest preceding certified federal census, to be distributed  
7 as follows:

8 (a) Five million dollars for an economic redevelopment  
9 project benefiting the public by improving energy efficiency  
10 and the development of alternative and renewable energy  
11 technologies.

12 (b) Ten million dollars for a museum serving the public and  
13 dedicated to the preservation of an eastern European cultural  
14 heritage through the collection, exhibition, preservation, and  
15 interpretation of historical artifacts.

16 (c) Five million dollars for a theater serving the public  
17 and promoting culture, entertainment, and tourism.

18 (d) Five million dollars for a public library.

19 (e) Five million dollars for a public works building.

20 (3) One million five hundred thousand dollars, to be  
21 distributed as follows:

22 (a) Five hundred thousand dollars to a city with a  
23 population between six hundred and six hundred fifty in the  
24 latest preceding certified federal census, for a public fire  
25 station.

26 (b) Five hundred thousand dollars to a city with a  
27 population between one thousand four hundred and one thousand  
28 five hundred in the latest preceding certified federal census,  
29 for a public fire station.

30 (c) Five hundred thousand dollars for a city with a  
31 population between seven thousand eight hundred and seven  
32 thousand eight hundred fifty, for a public fire station.

33 ~~3.~~ 2. Grant awards for a project under subsection 2,  
34 paragraph "b", are contingent upon submission of a plan for  
35 each project by the applicable county or city governing board

1 or in the case of a project submitted pursuant to subsection  
2 2, paragraph "b", subparagraph (2), subparagraph division (b),  
3 by the board of directors, to the ~~Iowa jobs board~~ authority,  
4 no later than September 1, 2009, detailing a description of  
5 the project, the plan to rebuild, and the amount or percentage  
6 of federal, state, local, or private matching moneys which  
7 will be or have been provided for the project. Funds not  
8 utilized in accordance with subsection 2, paragraph "b", due  
9 to failure to file a plan by the September 1 deadline shall  
10 revert to the ~~Iowa jobs restricted~~ revenue bonds capitals fund  
11 to be available for local infrastructure competitive grants. A  
12 grant recipient under subsection 2, paragraph "b", shall not be  
13 precluded from applying for a local infrastructure competitive  
14 grant pursuant to this section and section 16.195.

15 ~~4. Moneys in the fund are not subject to section 8.33.~~  
16 ~~Notwithstanding section 12C.7, subsection 2, interest or~~  
17 ~~earnings on moneys in the fund shall be credited to the fund.~~

18 ~~5.~~ 3. Annually, on or before January 15 of each year, the  
19 ~~board~~ authority shall report to the legislative services agency  
20 and the department of management the status of all projects  
21 receiving moneys from the fund completed or in progress. The  
22 report shall include a description of the project, the progress  
23 of work completed, the total estimated cost of the project, a  
24 list of all revenue sources being used to fund the project, the  
25 amount of funds expended, the amount of funds obligated, and  
26 the date the project was completed or an estimated completion  
27 date of the project, where applicable.

28 ~~6.~~ 4. Payment of moneys appropriated from the fund shall be  
29 made in a manner that does not adversely affect the tax-exempt  
30 status of any outstanding bonds issued by the treasurer of  
31 state.

32 Sec. 82. Section 16.197, Code 2011, is amended to read as  
33 follows:

34 **16.197 Limitation of liability.**

35 ~~A member of the Iowa jobs board, a person acting on behalf of~~

1 ~~the board while acting within the scope of their employment or~~  
2 ~~agency,~~ The authority or the treasurer of state, shall not be  
3 subject to personal liability resulting from carrying out the  
4 powers and duties of the ~~board~~ authority or the treasurer, as  
5 applicable, in sections ~~16.192~~ 16.193 through 16.196.

6 Sec. 83. IOWA JOBS BOARD — TRANSITION PROVISIONS —  
7 LIMITATION OF LIABILITY.

8 1. Any contract or agreement issued or entered into by the  
9 Iowa jobs board relating to the provisions of this division  
10 of this Act, in effect on the effective date of this division  
11 of this Act, shall continue in full force and effect and  
12 any responsibility of the board relative to the contracts or  
13 agreements as provided in those contracts or agreements shall  
14 be transferred to the Iowa finance authority.

15 2. A member of the Iowa jobs board or a person acting on  
16 behalf of the board while acting within the scope of that  
17 person's employment or agency shall not be subject to personal  
18 liability resulting from carrying out the powers and duties  
19 of the board prior to the effective date of this division of  
20 this Act, as applicable, in sections 12.87 through 12.90 and in  
21 sections 16.192 through 16.196, Code and Code Supplement 2011.

22 Sec. 84. REPEAL. Sections 16.191 and 16.192, Code  
23 Supplement 2011, are repealed.

24 DIVISION XV

25 BOARDS AND COMMISSIONS

26 Sec. 85. Section 190A.3, subsection 4, Code 2011, is amended  
27 to read as follows:

28 4. ~~The farm-to-school council~~ department of agriculture and  
29 land stewardship and the department of education shall actively  
30 seek financial or in-kind contributions from organizations or  
31 persons to support the program.

32 Sec. 86. Section 256.9, subsection 55, paragraph j, Code  
33 Supplement 2011, is amended by striking the paragraph.

34 Sec. 87. REPEAL. Section 190A.2, Code 2011, is repealed.

35 DIVISION XVI





1 DAS is required to submit a report to the general assembly  
2 by January 1, 2013, concerning the results of the inventory.  
3 This division of the bill also directs DAS to establish a  
4 schedule for departments to comply with information technology  
5 coordination and management requirements of Code chapter  
6 8A. In addition, DAS is encouraged to procure information  
7 technology for participating agencies through leasing.

8 DIVISION II — PERSONNEL AND BENEFITS. This division enacts  
9 new Code section 8A.440 to provide that collective bargaining  
10 agreements negotiated after the effective date of this section  
11 of the bill shall include provisions requiring state employees  
12 whose spouse is also a state employee enroll in a family group  
13 health insurance plan for both employees. The bill provides  
14 that this new Code section takes effect upon enactment.

15 This division also directs those state entities negotiating  
16 collective bargaining agreements to enter into discussions  
17 with employee organizations representing state employees to  
18 renegotiate provisions in the agreement to provide that state  
19 employees whose spouse is also a state employee enroll in a  
20 family group health insurance plan for both employees. If the  
21 agreements are renegotiated, the changed provisions shall also  
22 apply to state employees who are not covered by a collective  
23 bargaining agreement. In addition, this division of the bill  
24 applies the same family group health insurance requirement to a  
25 state legislator and legislative staff. These provisions of  
26 the bill take effect upon enactment.

27 This division of the bill also excludes employees of the  
28 secretary of state who hold positions that are classified  
29 as information technology specialists from Code chapter 20,  
30 relating to public employee collective bargaining.

31 This division of the bill also amends Code section  
32 97B.1A(26), concerning the definition of wages for purposes  
33 of the Iowa public employees' retirement system (IPERS) for  
34 members of the general assembly. The division provides that  
35 per diem payments to members of the general assembly and daily

1 allowance paid to members of the general assembly are not  
2 considered wages for purposes of IPERS.

3 This division also requires DAS to conduct a study to  
4 consider the feasibility of entering into a contract with a  
5 private entity to provide human resources services currently  
6 provided by DAS to state employees. DAS is required to submit  
7 a report to the general assembly relative to the study by  
8 January 1, 2013.

9 DIVISION III — MEDICATION THERAPY MANAGEMENT. This  
10 division of the bill relates to medication therapy management.  
11 The bill codifies the pilot program for medication therapy  
12 management implemented on July 1, 2010, for eligible state  
13 employees, making the program an ongoing program and directing  
14 DAS to utilize a request for proposals process and to enter  
15 into a contract to continue the program. This division of the  
16 bill takes effect upon enactment.

17 DIVISION IV — IOWA LAW ENFORCEMENT ACADEMY. This division  
18 directs the director of the Iowa law enforcement academy, in  
19 consultation with the Iowa law enforcement academy council, to  
20 examine its course offerings to law enforcement officers with  
21 the goal of offering more core courses to all law enforcement  
22 officers instead of offering distinct courses geared to  
23 particular law enforcement officers.

24 DIVISION V — STATE PHYSICAL RESOURCES. This division of the  
25 bill requires that DAS conduct an analysis of state employee  
26 workstations and office standards by September 30, 2012. The  
27 division further requires the department to submit findings  
28 and recommendations to the capitol planning commission and the  
29 legislative government oversight committees by October 30,  
30 2012.

31 This division of the bill also requires the department of  
32 natural resources to identify and sell real property prior to  
33 and during FY 2012-2013 in sufficient acreage to generate at  
34 least \$20 million for deposit in the Iowa resources enhancement  
35 and protection fund. The division provides that real property

1 received in the form of a devise or that is not farmable shall  
2 not be sold. The division further provides that the moneys  
3 deposited in the Iowa resources enhancement and protection fund  
4 shall not be used for land acquisition.

5 This division takes effect upon enactment.

6 DIVISION VI — FILM PROJECT AND TAX CREDIT PROGRAM. This  
7 division of the bill repeals the film, television, and video  
8 project promotion program within the economic development  
9 authority. The bill also repeals the various tax credits and  
10 tax exclusions provided under the program. The repeal takes  
11 effect immediately upon enactment and applies retroactively  
12 to January 1, 2012, for tax years beginning on or after that  
13 date. The division does not impact existing contracts or  
14 agreements entered into on or before the effective date of this  
15 division of the bill. The division makes changes corresponding  
16 to the repeal of the program and the related tax credits and  
17 exclusions.

18 DIVISION VII — HUMAN SERVICES — FOOD ASSISTANCE PROGRAM.  
19 This division of the bill requires the department of human  
20 services to request authorization from the United States  
21 department of agriculture to allow the state to restrict the  
22 use of food assistance benefits for food items with a low  
23 nutritional value. The state administers the food assistance  
24 benefits, formerly known as food stamps, under the federal  
25 supplemental nutritional assistance program (SNAP).

26 The department is directed to submit the request within  
27 60 days of the bill division's effective date and to report  
28 regularly on the status of the request to the members of the  
29 joint appropriations subcommittee on health and human services  
30 and the legislative services agency.

31 The division takes effect upon enactment.

32 DIVISION VIII — MENTAL HEALTH SERVICES. Code section  
33 225C.6, concerning the duties of the mental health and  
34 disability services commission, is amended to provide that the  
35 commission shall receive and consider any official reports

1 from the governor's developmental disabilities council and the  
2 mental health planning council.

3 Code section 426B.5(2), concerning the risk pool board  
4 for mental health, mental retardation, and developmental  
5 disabilities services, is amended by eliminating the risk pool  
6 board and providing that the mental health and disability  
7 services commission serve as the risk pool board.

8 DIVISION IX — OPERATIONAL EFFICIENCIES. This division  
9 provides that each state department and agency shall provide  
10 departmental or agency notices or information through the  
11 department's or agency's internet site or through electronic  
12 mail to the fullest extent possible. The division also allows  
13 departments and agencies to collect electronic mail addresses  
14 for this purpose and provides that this information shall be  
15 confidential.

16 DIVISION X — STATE RECORDS. This division eliminates  
17 the state records commission and transfers the duties and  
18 responsibilities of the state records commission to the  
19 department of cultural affairs. The division includes a  
20 transition provision that any rule promulgated by the state  
21 records commission shall continue until changed by the  
22 department of cultural affairs.

23 This division also authorizes the department of cultural  
24 affairs to bill agencies for records storage and retention.  
25 Code section 305.8 is amended to provide that the state records  
26 commission establish rates to charge agencies for providing  
27 records storage and retention services. New Code section  
28 305.8A authorizes the department of cultural affairs to bill  
29 agencies for records storage and retention services, establish  
30 an internal service fund for receipt of moneys from agencies  
31 billed for this purpose, and authorizes the department to  
32 utilize moneys received and deposited in the fund for the  
33 operations of the department in records storage and retention.  
34 The division also provides that the department of cultural  
35 affairs utilize the Iowa building as the centralized records

1 storage facility upon conclusion of the existing lease on the  
2 building currently used for this purpose.

3 DIVISION XI — LOCAL GOVERNMENT. This division of the bill  
4 changes the date of regular school elections for local school  
5 districts, merged areas, and area education agencies. The bill  
6 moves the date of the regular school election from the second  
7 Tuesday in September in odd-numbered years to the first Tuesday  
8 after the first Monday in November of odd-numbered years, which  
9 is the date of the regular city election.

10 Because area education agency board directors are elected at  
11 the director district conventions by members of school boards,  
12 the bill also changes the date of their election from September  
13 to November in the odd-numbered year. This division takes  
14 effect January 1, 2014.

15 DIVISION XII — LOCAL GOVERNMENTS — ELECTRONIC PAYMENT.  
16 This division provides that local governments shall encourage  
17 persons to pay fees and taxes collected by local governments  
18 by credit card, debit card, or other electronic means. The  
19 division provides that local governments should reduce  
20 convenience or other handling fees charged persons for  
21 utilizing electronic payment.

22 DIVISION XIII — ONGOING PROGRAM REVIEW. This division of  
23 the bill addresses regular review of programs and projects  
24 administered by executive branch departments by providing for  
25 implementation of an organized system of ongoing repeal dates  
26 for the programs and projects. Code section 8.2 defines the  
27 term "department" to mean any executive department, commission,  
28 board, institution, bureau, office, or other agency of the  
29 state government, that uses, expends, or receives any state  
30 funds.

31 New Code section 8.71 states legislative findings as to the  
32 purposes for performing a regular review of state programs and  
33 projects. The state government efficiency review committee is  
34 directed to propose legislation for the Eighty-fifth General  
35 Assembly, 2014 session, providing a staggered schedule for

1 establishing an automatic repeal date for each program or  
2 project administered by a department over the succeeding  
3 five-year period. The review committee is required to  
4 consult with the office of the governor and the department of  
5 management in formulating the staggered schedule and the office  
6 and the department are required to cooperate in providing  
7 information requested by the committee. The repeal date  
8 provisions are required to be implemented in a manner so that  
9 any program or project that is reauthorized by law is again  
10 subject to automatic repeal five years after reauthorization.

11 DIVISION XIV — IOWA JOBS BOARD. This division of this bill  
12 eliminates the Iowa jobs board and provides that any duties  
13 or responsibilities of the Iowa jobs board shall become the  
14 responsibility of the Iowa finance authority. The division of  
15 the bill also amends Code section 16.196, concerning the Iowa  
16 jobs restricted capitals fund and associated appropriations, to  
17 reflect the elimination of the Iowa jobs board. The division  
18 also provides transition provisions relative to any contracts  
19 or agreements entered into by the Iowa jobs board and provides  
20 for a limitation of personal liability for actions by a member  
21 or agent of the board taken prior to the effective date of this  
22 division of the bill relative to the duties of the board.

23 DIVISION XV — BOARDS AND COMMISSIONS. This division of the  
24 bill repeals the farm-to-school council.

25 DIVISION XVI — OBSOLETE PROVISIONS. This division of  
26 the bill removes obsolete language from the Code relating  
27 to programs administered by the department of workforce  
28 development which are no longer active or funded.

29 The programs removed are the Iowa conservation corps, the  
30 statewide mentoring program, and the new employment opportunity  
31 program. The Iowa conservation corps was established to  
32 provide public services jobs for certain specified segments of  
33 the population in conservation-related areas. The statewide  
34 mentoring program was established to recruit, screen, train,  
35 and match individuals in mentoring relationships. The new

1 employment opportunity program was established to assist  
2 individuals in underutilized segments of the workforce to gain  
3 and retain employment.

4 This division of the bill repeals Code section 15.112,  
5 relating to matching funds for a farmworks national  
6 demonstration project; Code chapter 15C, relating to a world  
7 trade center; Code chapter 15D, relating to the midwest nuclear  
8 compact; and Code section 28K, relating to mid-America port  
9 agreement. Code chapter 15D contains provisions relating to  
10 repeal and withdrawal from the compact.

11 DIVISION XVII — OFFICE OF DRUG CONTROL POLICY. This  
12 division provides that it is the intent of the general assembly  
13 to enact legislation transferring the office of drug control  
14 policy to the department of public safety.

15 DIVISION XVIII — HOMELAND SECURITY AND EMERGENCY MANAGEMENT  
16 ORGANIZATION. This division provides that it is the intent of  
17 the general assembly to enact legislation providing for the  
18 establishment of a homeland security and emergency management  
19 department separate from the department of public defense.